<table>
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<th>Name and Designation</th>
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| 1 | Ms. Bhawna Garg, IAS  
Secretary Social Welfare, Chandigarh Administration |
| 2 | Ms. Nishu Singal, HCS  
Director Social Welfare, Chandigarh Administration |
| 3 | Mr. Neil Roberts,  
Chairperson, Child Welfare Committee, Chandigarh |
| 4 | Dr. Monica M. Singh,  
Senior Assistant Professor, Centre for Social Work, Panjab University |
| 5 | Ms. Sangita Vardhan,  
Chairperson, Vatsal Chaya, Chandigarh |
| 6 | Ms. Bisman Ahuja,  
Program Manager, UTCPS, Chandigarh |
| 7 | Ms Tabhsum Khan,  
Program Officer (JCL), UTCPS, Chandigarh |
| 8 | Ms Pooja Pande,  
Program Officer (CNCP), UTCPS, Chandigarh |
| 9 | Ms Preeti Saini,  
Program Officer (SARA), UTCPS, Chandigarh |
| 10 | Ms Anupama, Research Scholar, Panjab University, Chandigarh |
| 11 | Ms Mehak Gandhi, Panjab University, Chandigarh |
The Union Territory Child Protection Society (UTCPS) has been established under the Integrated Child Protection Scheme (ICPS) of Ministry of Women and Child Development, GOI, which aims to provide a protective environment for all children enabling them to lead a safe, secure and well protected life. ICPS also speaks about establishing quality and prescribed standards for care and protection of children to which all protection services, should adhere comprising physical infrastructure, human resource requirements, as well as protocols and guidelines for services and operational manuals for stakeholders. The UTCPS also ensures improvement and expansion of services for children in need of care and protection and children in conflict with law.

Following the above goals, Union Territory Child Protection Society has undertaken an initiative to prepare a comprehensive Child Protection Compendium which comprises Standardized Operating Procedures (SOP) for stakeholders in Chandigarh to ensure effective and improved implementation of the Juvenile Justice Act, 2015 and other legislative provisions for the safety and welfare of children. Comprehensive modules have been prepared on procedures mandated and advised under the Juvenile Justice Act 2015, child centric legislation like POCSO 2012, RTE 2009, CPCR Act 2005, Child Labour and others for better understanding and implementation thereof. The compendium incorporates the perspective of child protection by providing a safety net to children of Chandigarh and strengthening protection structures by laying down clear response mechanisms, roles and responsibilities as well as the normative framework which underpins the whole subject of child rights and protection. This laudable initiative was spearheaded and helmed by Ms Bhawna Garg, IAS, Secretary, Social Welfare and Ms Nishu Singal, HCS, Director Social Welfare Women and Child Development, Chandigarh. The keystone value which imbues this effort is to ensure the best interest of the child, as the central principle of the Child Protection and Juvenile Justice.

In this regard a committee was formed under the overall guidance of Dr. Monica M. Singh, Senior Assistant Professor, Centre for Social Work, Panjab University, Chandigarh to be assisted by Mr. Neil Roberts, Chairperson, Child Welfare Committee, Chandigarh and Ms. Sangita Vardhan, Chairperson, Vatsal Chaya, Chandigarh to undertake this challenging and worthy task.

Union Territory Child Protection Society team was led by Ms. Bisman Ahuja, Program Manager, UTCPS with Ms Tabhsum Khan, Program Officer (JCL), Ms Pooja Pande, Program Officer (CNCP) and Ms Preeti Sainni, Program Officer (SARA) working on different assigned modules.
Research Scholar Ms. Anupama Bharti (Panjab University) and Ms. Mehak Gandhi (MSW Student, IGNOU) were also invited for general research and specific Modules of Drug Abuse and Physical Abuse respectively.

The CPWG thus formed, well represented the domain of Child Rights and Child Protection by having members drawn from Social Work academicians, Social Work practitioners, government personnel, Statutory Child Rights Bodies and Non-Governmental organisations working in the field of child rights and development under the overall stewardship of Administrative Secretary Social Welfare who acted as the team leader and oversaw every detail ably assisted by Director Social Welfare. The methodology followed was participatory and the first draft of the SOP’S were shared with primary stakeholders from the Department of Health, Police, Education, Child Welfare Committee, Juvenile Justice Board, State Legal Services Authority, Women and Child Helpline, staff of child care institutions and Representatives of NGO’S. Their feedback was sought and included and this enhanced the quality of role identification and process of documentation. The participation and constant inputs from Special Juvenile Police Unit, Department Of Labour, officials of Child Care Institutions and State Legal Services Authority brought value to this process.

In the initial phase, the four modules started were related to procedures for orphan and abandoned children vis a vis adoption, child sexual abuse, child labour and procedures for apprehension of children in conflict with law. The process was completed through preparation of a basic framework, role identification, stakeholder feedback & detailing of procedures as per principles of Juvenile Justice (Care and Protection of children) Act, 2015 and relevant legislations. Subsequently, more child protection issues were taken up and modules on Children with disabilities, children facing physical abuse, drug abuse, procedures for staff of child care institutions and a child protection advisory for schools were prepared.

Each module contains standard operating procedures(SOP’S) includes definitions, frequently asked questions, legislative framework, role of stakeholders and detailed step wise procedures for the reporting, rescue and rehabilitation of children in need of care and protection/conflict with law, including institutional and non-institutional services and formats/forms necessary for each specific procedure.

The broader vision of the compendium is to ensure that Child Protection becomes a sustained focus in Chandigarh particularly amongst stakeholders within government and without who are dealing with children, like statutory bodies, services, institutions, NGO's, etc. and that the objective of safeguarding children, furthering their welfare and wellbeing is strongly translated into both policy and practice.

Shri Parimal Rai, I.A.S.
Adviser to the Administrator
U.T. Chandigarh
Message

Children are vulnerable because they depend upon adults for the realization of their rights and it is essential that we do whatever we can to ensure their protection. While holding a charge which directly impacts their welfare this solemn responsibility has been a priority for me.

As the world around us keeps rapidly changing, our children increasingly remain exposed to old as well as new risks to their health, safety and well being. In a quest to achieve the best possible implementation of child centric programs and laws in Chandigarh the idea to put together a compendium on child protection came up in the month of May, 2016. A Child protection Working Group was formed with Ms Bismun Ahuja Program Manager and Ms Pooja Pande, Ms Preeti Sainni, Ms Tabhsum Khan Program Officers of U.T.C.P.S. Chandigarh and Dr Monica M. Singh Sr.Asst. Professor Department of Social Work, Mr Neil Roberts, Chairperson, Child Welfare Committee, Chandigarh, Ms Sangita Vardhan, Chairperson, Vatsal Chaya Trust. A timeline of two months was set up and the work was begun.

The constant aim was to lay down Standard Operating Procedures for each category of children in the ambit of the Juvenile Justice (Care & Protection)Act, 2015, POCSO, 2012, Child Labor Act, 1986, Right To Education Act 2009, Child Marriage Act, Mental Health, ICPS and Draft National Plan of Action for Children 2016. In addition to the procedures the normative framework and relevant information of each issue like child labor, children in conflict with law, non-institutional care, children in Chandigarh, child care institutions children with special needs, children facing physical, sexual or substance abuse and children’s safety in schools was included in concise but informative segments.

Primary stakeholders from different departments like the Assistant Labor Commissioner, Education, State Legal Services Authority, J.J. Board, Child Care Institutions were also involved in the process to gain valuable feedback on actual functioning on the ground both for the Compendium as well as the film script.

It was felt by the group that with the current culture of social media an audio video module would bring an interest and value to the project and so a short film training module was started. I am happy to say that along with the Compendium the film is also ready for release and I would like express my gratitude to Mr Amit Chandpuri, the Film Director for working within a tight time frame and repeated editing of the script.

The Child Protection Working Group has worked tirelessly over the last 3 months, with almost daily and long meetings, even on weekends. I would like to express my appreciation to U.T.C.P.S team for their dedicated work, Dr Monica for bringing in her academic knowledge, Mr Neil Roberts and Ms Sangita Vardhan for their practical experience and experience in the domain of child rights and child protection and to all those who contributed to this worthy task.

For me it has been a very sensitizing and learning experience which will remain with me. Amidst the daily rush of routine and multiple portfolios this has been a refreshing and fulfilling experience. I sincerely hope that it will be of great value and benefit to all, within government and without.

Bhawna Garg, I.A.S.
Secretary, Social Welfare Department, Women & Child, Chandigarh Administration
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The term ‘children in conflict with the law’ refers to anyone under 18 who comes into contact with the justice system as a result of being suspected or accused of committing an offence. Most children in conflict with the law have committed petty crimes or such minor offences as vagrancy, truancy, begging or alcohol use. In the area of juvenile justice, the aim is to reduce incarceration while protecting children from violence, abuse and exploitation. It promotes rehabilitation that involves families and communities as a safer, more appropriate and effective approach than punitive measures. Justice systems designed for adults often lack the capacity to adequately address these issues and are more likely to harm than improve a child’s chances for reintegration into society.

The rights of the child are defined in the 1989 UN Convention on the Rights of the Child (UNCRC) as the first international agreement dealing with comprehensive protection of children’s rights. The Convention is an instruction on how children are to be treated and protected while a special international body of the UN, the Committee for the Rights of the Child, oversees the implementation of the Convention in the countries that have ratified it. The UN Convention on the Rights of the Child is an integral part of the internal legal system of this country and has supremacy over its national legislation, together with other ratified international instruments. According to Art. 37 of the Convention on the Rights of the Child, the State Party shall guarantee that no child can be subject to torture or other cruel, inhuman or degrading treatment, or unlawful detention, as well as that capital punishment or life imprisonment without possibility of release shall not be imposed for offences committed by children under the age of 18. This prohibition also applies to hard or humiliating educational measures or punishments in any other institution. This applies to disciplinary measures too. In addition to the prohibition of physical punishment, such measures include: placement in a cell without light; custody in a small room or cell, reduction of diet, limitation or denial of contacts with family members, collective punishment as well as all other forms of punishment that can threaten physical or mental health of a Child. Juveniles have the right to be represented by a defence counsel throughout the procedure whereas juveniles who are not in a position to form their own views should be ensured a right to freely express such views in any court, administrative or other procedure relevant to him, either directly or through his representative. The juvenile himself, his legal representative or relatives, may select a defence counsel (a
juvenile must have a defence counsel right from the beginning of the preliminary procedure, so if he fails to retain one, he will be appointed a public defence counsel by the juvenile judge; a juvenile may on no condition waive his right to a counsel and his presence. The juvenile’s personal records shall be kept strictly confidential and access to them shall be limited only to duly authorized persons. Data from such records may not be used in any subsequent proceedings instituted against such offender once he reaches the legal age of maturity.

**HISTORY OF JUVENILE LEGISLATION**

- From the early 20th century, the different Indian States had enacted their own Children Acts. The Madras Children Act 1920 was the first Children Act to be enacted, closely followed by Bengal and Bombay in 1922 and 1924 respectively. Though the Bombay implement the provisions of the Bombay Children Act within the municipal Corporation Limits of Bombay.

- The State’s Children Acts brought within its ambit two categories of children, viz. (i) youthful offenders, and (ii) destitute and neglected children. Both these categories of children were to be handled by the Juvenile Courts. During this period throughout the world, children were dealt with under the ”welfarism” mode. The well-being of the child was not stressed, hence Probation Officers played an important role and legal representation was unheard of.

- The Government of India passed the Children Act 1960 to “provide for the care, protection, maintenance, welfare, training, education and rehabilitation of neglected or delinquent .Under this Act a Child is a boy below 16 years of age and a girl below 18 years of Age.

- The General Assembly on 29th November 1985 adopted the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, and for the first time the word “juvenile” was coined. This change in terminology was then reflected in domestic law with the passing of the JJA 1986.

- The Act was further amended in 2006 and 2011 and is now known as the Juvenile Justice (care and Protection) Act 2000.

- The Act amended in 2015 and know as the Juvenile Justice (Care and Protection of Children) Act 2015.
“BOARD” is Juvenile Justice Board constituted under section 4 of JJ act 2015 for a period of three years in every district with three members, headed by principal magistrate (metropolitan magistrate or a judicial magistrate of first class) and two social workers, of whom at least one shall be a woman, It is the competent authority to deal with all matters concerning children in conflict with law and their rehabilitation whenever needed.

**BEST INTEREST OF CHILD** is the basis for any decision taken regarding the child, to ensure fulfilment of his basic rights and needs, identity, social well-being and physical, emotional and intellectual development.

“CHILD” means a person who has not completed eighteen years of age.

“CHILD FRIENDLY” means any behaviour, conduct, practice, process, attitude, environment or treatment that is humane, considerate and in the best interest of child.

“CHILD WELFARE POLICE OFFICER” is an officer designated in every police station, not below the rank of assistant sub-inspector to exclusively deal with children either as victims or perpetrators in coordination with police voluntary and nongovernmental organizations.

“CHILD IN CONFLICT WITH LAW” means a Child who is alleged or found to have committed an offence and who has not completed eighteen years of age on the date of commission of such offences.

“CHILDREN’S COURT” means a court established under the Commission for Protection of Child Rights Act 2005 or a Special Court under the Protection of Children from Sexual offences Act 2012, wherever existing and where such courts have not been designated, the court of sessions having jurisdiction to try offences under this Act.

“DISTRICT CHILD PROTECTION UNIT” is responsible for the implementation of Juvenile Justice Act 2015 and other child protection measures in a district.

“JUVENILE” means a child below the age of eighteen years.

“OBSERVATION HOME” means established and maintained in every district by the state Government, either by itself or through voluntary or nongovernmental organisation.

“PLACE OF SAFETY” means any place or institution, not being a police lockup or jail, established separately or attached to an observation home or a special home, as the case may be, the person in-charge of which is willing to receive and take care of the children alleged or found to be in conflict with law, by an order of the Board or the Children’s Court, both during inquiry and ongoing rehabilitation after having been found guilty for a period and purpose as specified in the order;
“PROBATION OFFICER” means an officer appointed by the State Government as a probation officer under the probation of offenders Act 1958 or the legal-cum-Probation officer appointed by the state Government under District Child Protection Unit.

“SPECIAL JUVENILE POLICE UNIT” in a district deals with children either as victims or perpetrators and has designated Child welfare Police officers in every police station.

“SPECIAL HOME” means an institution established by a State Government or by a voluntary or non-governmental organisation, registered under section 48, for housing and providing rehabilitative services to children in conflict with law, who are found, through inquiry, to have committed an offence and are sent to such institution by an order of the Board.

“STATE CHILD PROTECTION SOCIETY” in a state is responsible for the implementation of Juvenile Justice Act 2015, including the establishment and maintenance of institutions under this Act, notification of competent authorities in relation to the children etc.
Should the police file an FIR in all cases involving Children?

No, in matters involving children, the police is required to file an FIR only when the offence alleged to have been committed by the child is heinous in nature and punishable with a sentence of seven years or more.

Who shall produce a Child before the Juvenile Justice Board and in what time frame?

A designated Child Welfare Police officer from Special Juvenile Police Unit should produce a Child before the Juvenile Justice Board within 24 hours.

Is the police supposed to produce all juveniles before the Juvenile Justice Board?

In all cases where a Child is apprehended, production before the Board is mandatory.

What should the police do if a child is apprehended for a crime that is punishable by a sentence of less than seven years?

In such cases the police should not file an FIR. These are cases where only a DD entry is supposed to be made by the police and the child has to be produced before JJB within 24 hours. The police is required to prepare a social background report of the Child, a report stating the circumstances of the alleged offence, a report about recovery of any stolen articles from the child and age proof of the child along with other relevant documents before the Board before the first hearing.

What is the difference between Social Background Report (SBR) and Social Investigation Report (SIR)?

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<th>SBR (Social Background Report)</th>
<th>Prepared by</th>
<th>Submitted to</th>
<th>Time Frame</th>
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<tr>
<td>A report prepared at the time of apprehension about the social economic condition of the child by the designated Child Welfare Police Officer.</td>
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<td>Juvenile Justice Board</td>
<td>At the time of apprehension</td>
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<th>SIR (Social Investigation Report)</th>
<th>Prepared by</th>
<th>Submitted to</th>
<th>Time Frame</th>
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<td>A report prepared by the Probation Officer in relation to a child including all information pertaining to the containing information regarding the antecedents and family background of the child and other material circumstances likely to be of assistance to the Board</td>
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<td>Within 15 days from the date of first production before the Board</td>
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Who can release a child on bail?

In petty offences, the police may release a child on bail. But in all non-bailable matters involving i.e heinous or serious offences only the Juvenile Justice Board is authorised to release a child on bail.

At the time of apprehension of the Child whom should the Police mandatorily to inform?

The Police shall mandatorily inform the parents/guardian and Probation officer.

What is mandatory at the time of apprehension for Police?

- In no case send the child to lock-up or jail or keep him with adult accused;
- Not to delay his charge being transferred to the Child Welfare Police Officer from the nearest police station.
- Not to hand-cuff, chain or otherwise fetter a child;
- provide appropriate medical assistance, assistance of interpreter if the child cannot understand the language or any other assistance which the child may require;
- give food to the child if he has not had his meals;
- The parents shall be present during the interview of the child by the police.
- The child should not be compelled to confess his guilt and he should be interviewed only at the Special Juvenile Police Unit or at a child-friendly premises or a child friendly corner in the police station.

My neighbour’s son has been apprehended by the Police, but they cannot afford a lawyer. How can I help them?

They can approach CWPO/PO to get free legal aid which is being provided by the State Legal Service Authority (SLSA) in sector 9 Chandigarh.

Who can release a child on bail?

In bailable matters, the police can release a child on bail. But in all non-bailable matters involving juveniles, the Juvenile Justice Board is authorised to release a child on bail.

What is Board and what qualification is required to be a member of the Board?

The Juvenile Justice Board is constituted for exercising the powers and discharging its functions relating to children in conflict with law. The board consists of a Metropolitan Magistrate or a Judicial Magistrate of First class as a Principal Magistrate with at least three years experience and two social workers, of whom at least one shall be a woman. The social worker appointed by the State Government shall be actively involved in health, education, or welfare activities pertaining to children for at least seven years or shall be a practicing professional with a degree in child psychology, psychiatry, sociology or law.
What is SJPU?
Special Juvenile Police Unit (SJPU) means a unit of the Police force of a district or city exclusively dealing with the cases of children. The SJPU headed by a Police officer not below the rank of a Deputy Superintendent of Police. In Chandigarh Women and Child Support unit sector 17 designated as Special Juvenile Police Unit.

What is the difference between Police officer and Child Welfare Police officer.
The duty of a Police Officer is to enforce laws, investigate crimes, and make arrests and a Child Welfare Police Officer is an officer placed in every Police Station of the district and the CWPO shall not be below the rank of assistant sub inspector, dealing exclusively with children either as victims or perpetrators.

A child belongs to Mohali, Punjab but is apprehended for crime in Chandigarh, what will be the procedure?
Answer:- The Juvenile Justice Board will mark the out station Social investigation inquiry to the District Child Protection Unit, Chandigarh, headed by District Child Protection officer. Further which will be forwarded to DCPO of Mohali and submit the report to JJB in Stipulated time period. Further if the child not released on bail then he/she will stay in observation home during the period of enquiry.

What is Track Child Portal and what its role relating to Children in Conflict with law?
“Track Child Portal” is a web based mechanism created by Ministry of Women and Child Development for the purpose of tracking ‘missing’ and ‘found’ children, ultimate repatriation of missing children & proper care and development of Vulnerable children including children in conflict with law.

What is SLSA?
- State Legal Service Authority (SLSA) has been constituted to give legal services to the people, and to ensure that the operation of the legal system promotes justice on a basis of equal opportunity, and provide free legal aid, by suitable legislation or schemes or in any other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disability.
- In Chandigarh, State legal Service Authority has created a panel of advocates to provide free legal aid to children in conflict with law under the Juvenile Justice (Care and protection of Children) Act 2015.
Offences covered under Juvenile Justice (Care and Protection of Children) Act 2015

PETTY OFFENCES
As per the section 2 of Juvenile Justice (Care and Protection of Children) Act 2015 Petty offence includes the offences for which the maximum punishment under the IPC or any other law for the time being is imprisonment up to 3 years. For example Theft, Child participated in riots.

HEINOUS OFFENCES
As per the section 2 of Juvenile Justice (Care and Protection of Children) Act 2015”Heinous offence” includes the offences for which the maximum punishment under the IPC or any other law for the time being is imprisonment up to 7 years. For examples Rape and Murder.

SERIOUS OFFENCES
As per the section 2 of Juvenile Justice (Care and Protection of Children) Act 2015”Serious offences “includes the offences for which the punishment under the IPC or any other law for time being in force, is imprisonment between three to seven years. For example house trespass with intention of hurt or assault,
ROLE OF STAKEHOLDERS

Police

- Apprehend Child in Conflict with Law.
- Immediately handover the case to Special Juvenile Police Unit

Special Juvenile Police Unit

- Apprehend Child in Conflict with Law.
- Filling FIR/DDR
- Inform Probation officer &Parents
- Medical Examination of Child
- Prepare Social Background report
- Produce Case before Juvenile Justice Board
- Upload information in the track Child portal
- Investigation of the case
- Coordination and support to Probation Officer while conducting SIR

District Child Protection Society

- Provide legal assistance to the Children in Conflict with law.
- Provide Sponsorship to the Children in conflict with Law
- Arrange Community services for Children in conflict with Law.
- Maintain data base related to children in conflict with law at district level.
- Providing needed help in conducting follow up of Children in conflict with law
- Providing need based training on various acts procedures to the staff of Observation Home and other stake holders

Juvenile Justice Board

- Production of Child Before JJB as per the Provision under JJ Act 2015
- Production of Child Before any member to get safe custody orders during non availability of Principal Magistrate of JJB
- Ensure Child Friendly Procedure
- Ensure Best interest of the Child
- Marked Social Investigation enquiry
- Ensure safety of Child
- Give bail orders
- Pass orders for placing child in appropriate Child Care Institutions.
- Orders for rehabilitation of the Child
State Legal Service Authority

- Provide free legal Aid to the Children in Conflict with Law.
- Ensure Speedy procedures of Cases
- Training for the staff of JJ Home
- Assist Superintendent or Probation Officer in legal help on needed basis

Health Department

- Emergency Care to Children
- Medical Examination Report
- Age determination if required

Education Department

- Provide educational facilities which includes (formal /Non formal) to the children in conflict with law.
- Reporting of cases
- Provide assistance through SSA in rehabilitation or reintegration of Child in conflict with Law
- Provide the academic information of juvenile to Probation Officer while he requires

Probation Officer

- Conducting Social Investigation Report as per the orders of Principal Magistrate
- Prepared Individual Care Plan as per the orders of Principal Magistrate
- Placed the child under the Supervision of the Probation officer as per the orders of JJB
- Conduct follow-up
- Attend the proceeding of Juveniles Cases

SOME FACTORS THAT LEAD CHILDREN TO CRIMES

- Low socio-economic status and circumstances like addictions, parental neglect, etc. aggravates the situations. Such children are at a greater risk than others of being inducted in to crime.
- Lack of appropriate guidance and discipline - Abusive parenting, inconsistent discipline can lead to self image and personality problems
- Home situation –family at risk of severe family crises migration
- Victim of Abuse
- School dropout
- Peer influence
- Lack of age appropriate sex education
- Gang Culture
CHAPTER 2

STEP WISE PROCEDURE TO BE FOLLOWED FOR THE APPREHENSION OF CHILD IN CONFLICT WITH LAW

Apprehension of the Child alleged to be in conflict with law

Police will immediately inform to the Special Juvenile Police Unit and forward the case to Child Welfare Police Officer of the concerned Police station and entry to be made in track child portal

Filling of DDR-Petty or Serious offences
Filling of FIR-Heinous offences

Medical Examination of the child will be ensured by designated CWPO/SJPU and also information will be sent immediately to Parents of the Child his/her apprehension and also to the Probation officer for conducting investigation.

Production of Case before Juvenile Justice Board within 24 hours by the designated Child Welfare Police officer. In case the Board is not in session, the child in conflict with law shall be produced before a single member of the Board.

After the production Child may be sent to Observation Home/Place of Safety for temporary shelter or Child may be bailed out by the Board

Information shall be forwarded by designated CWPO to DCPU and SLSA to assess if free legal aid is required for the Child alleged to be in conflict with law.
DO's & Don’ts AT THE TIME OF APPREHENSION

- In no case send the child to lock-up or jail or keep him with adult accused; Not to delay his charge being transferred to the Child Welfare Police Officer from the nearest police station.
- Not to hand-cuff, chain or otherwise fetter a child;
- Provide appropriate medical assistance, assistance of interpreter if the child cannot understand the language or any other assistance which the child may require;
- Provide food to the child if he has not had his meals;
- The parents, may be present during the interview of the child by the police;
- Not compel the child to confess his guilt and he should be interviewed only at the Special Juvenile Police Unit or at a child-friendly premises or child friendly corner in the police station,
- Not ask the child to sign any statement;
- Police shall be in plain clothes at the time of apprehension
- In case of female child the female Child Welfare Police officer take the Child for apprehension or Production before the Juvenile Justice Board

Do’s at the time of Medical Examination of the Child:-
Child in conflict with law may suffer from any kind of sexual abuse or may be affected by HIV/AIDS or any other kind of disease they are more vulnerable and at high risk for sexual, physical and emotional abuse.
- Designated Child Welfare Police Officer will take child to the hospital for medical examination.
- During the medical examination, the child should be comfortable
- In case of Female child medical examination to be done by the female Doctor only.
- Procedure of medical examination should be fully explained to the child in order to avoid discomfort and anxiety.
- Not ask any question regarding the case of the Child in conflict with law
- The child shall not be asked any personal question

CHAPTER 3

PROCEDURE ON PRODUCTION OF THE CHILD ALLEGED TO BE IN CONFLICT WITH LAW (SECTION 14 and 15 OF THE JJ ACT 2015)

✓ A child alleged to be in conflict with law shall be produced before Board within 24 hours of apprehension.

✓ The Board shall hold an inquiry in accordance with the provisions of this Act and may pass such orders in relation to such child as it deems fit under Sections 17 and 18 of the JJ Act 2015.

✓ A preliminary assessment in case of heinous offences under Section 15 shall be disposed off by the Board within a period of three months from the date of first production of the child before the Board.

✓ The Board shall take the following steps to ensure fair and speedy inquiry;

(a) At the time of initiating the inquiry, the Board shall satisfy itself that the child in conflict with law has not been subjected to any ill-treatment by the police or by any other person, including a lawyer or probation officer and take corrective steps in case of such ill-treatment;

(b) In all cases under the Act, the proceedings shall be conducted in simple manner as possible and care shall be taken to ensure that the child, against whom the proceedings have been instituted, is given child-friendly atmosphere during the proceedings;

(c) Every child brought before the Board shall be given the opportunity of being heard and participates in the inquiry;

(d) Cases of “petty offences”, shall be disposed of by the Board through summary proceedings,

(e) Inquiry of “serious offences” shall be disposed of by the Board, by following the procedure, for trial in summons cases under the Code of Criminal Procedure, 1973;

(f) Inquiry of “heinous offences”,—

➢ For child below the age of sixteen years as on the date of commission of an offence shall be disposed of by the Board under clause (e);

➢ For child above the age of sixteen years as on the date of commission of an offence shall be dealt with in the manner prescribed under section 15 of the Juvenile Justice (Care and Protection of Children) Act 2015.
The Board may pass orders as deemed necessary, including sending the child to an observation home or a place of safety or a fit facility, or bail out as appropriate.

After due inquiry and being satisfied of the circumstances of the child, transfer the child to the Committee if a child is in need of care and protection;

"Preliminary assessment into heinous offences" by the Board as per section 15 Juvenile Justice (Care and Protection of Children) Act.

1) In case of a heinous offence alleged to have been committed by a child, who has completed or is above the age of sixteen years, the Board shall conduct a preliminary assessment with regard to his mental and physical capacity to commit such offence, ability to understand the consequences of the offence and the circumstances in which he allegedly committed the offence, and may pass an order in accordance with the provisions of subsection (3) of section 18 of the JJ Act 2015. Provided that for such an assessment, the Board may take the assistance of experienced psychologists or psycho-social workers or other experts.

2) Where the Board is satisfied on preliminary assessment that the matter should be disposed of by the Board, then the Board shall follow the procedure, as far as may be, for trial in summons case; under the Code of Criminal Procedure, 1973:

Orders regarding child found to be in conflict with law as per section 18 of Juvenile Justice (Care and Protection of Children) Act 2015:

1. Where a Board is satisfied on inquiry that a child irrespective of age has committed a petty offence, or a serious offence, or a child below the age of sixteen years has committed a heinous offence, then, notwithstanding anything contrary contained in any other law for the time being in force, and based on the nature of offence, specific need for supervision or intervention, circumstances as brought out in the social investigation report and past conduct of the child, the Board may, if it so thinks fit,—

(a) Allow the child to go home after advice or admonition by following appropriate inquiry and counselling to such child and to his parents or the guardian;
(b) direct the child to participate in group counselling and similar activities;
(c) order the child to perform community service under the supervision of an organisation or institution, or a specified person, persons or group of persons identified by the Board;
(d) Order the child or parents or the guardian of the child to pay fine: Provided that, in case the child is working, it may be ensured that the provisions of any labour law for the time being in force are not violated;

(e) Direct the child to be released on probation of good conduct and placed under the care of any parent, guardian or fit person, on such parent, guardian or fit person executing a bond, with or without surety, as the Board may require, for the good behaviour and child’s well-being for any period not exceeding three years;

(f) Direct the child to be released on probation of good conduct and placed under the care and supervision of any fit facility for ensuring the good behaviour and child’s well-being for any period not exceeding three years;

(g) direct the child to be sent to a special home, for such period, not exceeding three years, as it thinks fit, for providing reformative services including education, skill development, counselling, behaviour modification therapy, and psychiatric support during the period of stay in the special home:

Provided that if the conduct and behaviour of the child has been such that, it would not be in the child’s interest, or in the interest of other children housed in a special home, the Board may send such child to the place of safety.

2. If an order is passed under clauses (a) to (g) of sub-section (1), the Board may, in addition pass orders to—

   (i) Attend school; or
   
   (ii) Attend a vocational training centre; or
   
   (iii) Attend a therapeutic centre; or
   
   (iv) Prohibit the child from visiting, frequenting or appearing at a specified place; or
   
   (v) Undergo a de-addiction programme.

3. Where the Board after preliminary assessment under Section 15 pass an order that there is a need for trial of the said child as an adult, then the Board may order transfer of the trial of the case to the Children’s Court having jurisdiction to try such offences.
ANNEXURES
FORM A
APPLICATION FOR LEGAL AID

State Legal Services Authority, U.T., Chandigarh

(Free and Competent Legal Services)
The Form of Application for Legal Services

1. Name : ________________________________

2. Permanent Address : ________________________________

3. Contact phone no. if any : ________________________________
   E-mail ID if any,

4. Category : ________________________________

   (If belonging to SC/ST Copy of the Certificate is essential)

5. Monthly income of the applicant : ________________________________

   (If annual Income is less than Rs. One Lac an Affidavit is essential only for General category
   Not for women, child, SC, ST, mentally ill, prisoners or disable person)

6. A brief statement of the case, if court based legal services is required:-

   A) Case Title : ________________________________

Following persons are entitled to free legal aid for filing or defending a case in any court of law:-

a) A Member of Schedule Caste or Schedule Tribe (Copy of Certificate is essential)
b) A Mentally III or Otherwise Disabled Person; (Copy of Medical Certificate is essential)
c) A Women or a Child;
d) Person in Custody, Including in a Protective Home, Juvenile Home, Psychiatric Hospital;
e) A person whose annual Income from all sources does not exceed Rupee One Lac only (Rs 1,00,000) An Affidavit is essential only for General Category Not for women, child, SC, ST, mentally ill.
f) A victim of a Mass Disaster, Ethnic Violence, Caste Atrocity, Flood, Drought, Earthquake or Industrial Disaster Etc.:  
g) A Victim of Trafficking in Human Beings or Beggar;  
h) An Industrial Workman

Place:

Date:  
(Signature of the Victim/ Dependent/ Applicant)
Form B
Application for Medical Examination

To,
Medical Officer,

_____________________________,
_____________________________,
Chandigarh

Subject: Medical Examination of Child in Conflict With Law namely
_____________________________ aged ___________

Respected Sir/Madam,
This is for your information that the child ________________ S/o / D/O of _______________________________ Age ______________ (as reported) has been found from _______________________________ in the case of _______________________________ in the category of Child in Conflict With law. You are requested to conduct the Medical Examination of the child so that the child may be placed in a Child Care Institution for shelter.

Thank you

Signature _______________________
Name ________________________ Seal
Designation ____________________ Police Station
Unit __________________________
Dated _________________________
Form C
SOCIAL BACKGROUND REPORT
(to be prepared by Child Welfare Police Officer)
FIR/DD No.______________
U/Sections
PS
Date & Time______________
Name of IO
Name of CWPO
1. Name
2. Father/Mother/Guardian’s name
3. Age/ Date of birth
4. Address
5. Religion Hindu (OC/BC/SC/ST)
   Muslim/Christian/Other (pl. specify)
6. Whether the child is differently abled:
   (i) Hearing Impairment
   (ii) Speech Impairment
   (iii) Physically disabled
   (iv) Mentally disabled
   (v) Others (please specify)
7. Family Details:

<table>
<thead>
<tr>
<th>S.no</th>
<th>Name and relationship</th>
<th>Age</th>
<th>Sex</th>
<th>Education</th>
<th>Occupation</th>
<th>Health Status</th>
<th>History of mental illness</th>
</tr>
</thead>
</table>

The details of education of the child:

a. Illiterate
b. Studied up to V Standard
c. Studied above V Standard but below VIII Standard
d. Studied above VIII Standard but below X Standard
e. Studied above X Standard

14. The reason for leaving the School
a. Failure in the class last studied
b. Lack of interest in the school activities
c. Indifferent attitude of the teachers
d. Peer group influence
e. To earn and support the family
f. Sudden demise of parents
g. Bullying in school
h. Rigid school atmosphere
i. Absenteeism followed by running away from school
j. There is no age appropriate school nearby
k. Abuse in school
l. Humiliation in school
m. Corporal punishment
n. Medium of instruction
o. Others (pl. specify)

15. The details of the school in which studied last:
   a. Corporation/Municipal/Panchayat
   c. Private management

16. Vocational training, if any

17. Majority of the friends are
   a. Educated
   b. Illiterate
   c. The same age group
   d. Older in age
   e. Younger in age
   f. Same sex
   g. Opposite sex
   h. Addicts
   i. With criminal background

18. Whether the child has been subjected to any form of abuse:
   i) Verbal abuse – parents/siblings/ employers/others (pl. specify)
   ii) Physical abuse (pl. specify)
   iii) Sexual abuse parents/siblings/ Employers/others (pl. specify)
   iv) Others – parents/siblings/ employers/others (pl. Specify)

19. Whether the child is a victim of any offence:

20. Whether the child is used by any gangs or adults or group of adults or has been used for drug peddling:

21. Reason for alleged offence:
   a. Parental neglect
   b. Parental overprotection
   c. Parents criminal behaviour
   d. Parents influence (negative)
e. Peer group influence - To buy drugs/alcohol
f. Others (pl. specify)

22. Circumstances of apprehension of the child:
23. Details of articles recovered from the child:
24. Alleged role of the child in the offence:
25. Suggestions of Child Welfare Police Officer

Signed by
Child Welfare Police Officer

FORM D
ORDER FOR SOCIAL INVESTIGATION REPORT

FIR No.
U/Sections
PS
To,
Probation Officer/ Person in-charge of Voluntary/Non-Governmental Organization.

Whereas _____________________________ (Name of the Child), son/daughter of __________
_________________________ ___________ age_____ residing at________________
__________________________, has been produced before the Board. You are hereby directed to
enquire into the social antecedents, family background and circumstances of the alleged offence
by the said child and submit your social investigation report on or before ___________or
within such time as allowed to you by the Board. You are also hereby directed to consult an expert
in child psychology, psychiatric treatment or counselling or any other expert for their expert
opinion if necessary and submit such report along with your Social Investigation Report.

Dated this _______day of ____________20______.

(Signature)
Principal Magistrate/ Member
Juvenile Justice Board
FORM E
SOCIAL INVESTIGATION REPORT
FOR CHILD IN CONFLICT WITH LAW

Sl. No.________________
Submitted to the Juvenile Justice Board__________________________________
(address).
Probation Officer/ Voluntary/Non- Governmental Organization (Name of the
person)______________________________
FIR No.
Under sections:
Title of Profile:
Police Station:
Nature of offence alleged: Petty/Serious/Heinous
1. Name
2. Age/Date/Year of birth
3. Sex
4. Caste
5. Religion
6. Father’s Name
7. Mother’s Name
8. Guardian’s Name
9. Permanent Address
10. Landmark of the address-
11. Address of last residence
12. Contact no. of father/mother/family member –
13. Whether the child is differently abled:
   (i) Hearing Impairment
   (ii) Speech Impairment
   (iii) Physically disabled
   (iv) Mentally disabled
   (v) Others (please specify)
14. Family Details:
15. If the child or person is married, name, age and details of spouse and children:

________________________________________________________________________

16. Relationship among the family members:
   i. Father & mother Cordial/ Non cordial/ Not known

24 | P a g e
ii. Father & child Cordial/ Non cordial/ Not known  
iii. Mother & child Cordial/ Non cordial/ Not known  
iv. Father & siblings Cordial/ Non cordial/ Not known  
v. Mother & siblings Cordial/ Non cordial/ Not known  
vi. Child & siblings Cordial/ Non cordial/ Not known  
vii. Child & relative Cordial/ Non cordial/ Not known  

17. History of involvement of family members in offences, if any:

<table>
<thead>
<tr>
<th>S.no</th>
<th>Relationship</th>
<th>Nature of crime</th>
<th>Legal Status of Case</th>
<th>Arrest if any made</th>
<th>Period of confinement</th>
<th>Punishment Awarded</th>
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</table>

15. If the child or person is married, name, age and details of spouse and children:

_______________________________________________________________
______________________________________________________________

16. Relationship among the family members:

i. Father & mother Cordial/ Non cordial/ Not known  
ii. Father & child Cordial/ Non cordial/ Not known  
iii. Mother & child Cordial/ Non cordial/ Not known  
iv. Father & siblings Cordial/ Non cordial/ Not known  
v. Mother & siblings Cordial/ Non cordial/ Not known  
vi. Child & siblings Cordial/ Non cordial/ Not known  
vii. Child & relative Cordial/ Non cordial/ Not known  

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</table>

18. Attitude towards religion  
19. Moral code of the home etc.___________  
20. Economic assessment should include details of any loan (from bank or any individual taken by family), details on the jewellery mortgage, land if any and ownership details
21. Present living conditions ________________________________

22. Other factors of importance if any_____________________________

23. a) Habits of the child
   A B
   i) Smoking  i) Watching TV/movies
   ii) Alcohol consumption ii) Playing indoor/ outdoor games
   iii) Drug use (specify) iii) Reading books
   iv) Gambling iv) Religious activities
   v) Begging v) Drawing/painting/acting/singing
   vi) Any other vi) Any other
b) Extra-curricular interests
c) Outstanding characteristics and personality traits

24. Employment Details, if any

25. Details of income utilization:

26. Work record (reasons for leaving vocational interests, attitude towards job or employers)

27. The details of education of the child:
   a. Studied up to V Standard
   b. Studied above V Standard but below VIII Standard
   c. Studied above VIII Standard but below X Standard
   d. Studied above X Standard

28. The reason for leaving the School
   a. Failure in the class last studied
   b. Lack of interest in the school activities
   c. Indifferent attitude of the teachers
   d. Peer group influence
   e. To earn and support the family
   f. Sudden demise of parents
   g. Bullying in school
   h. Rigid school atmosphere
   i. Absenteeism followed by running away from school
   j. There is no age appropriate school nearby
   k. Abuse in school
   l. Humiliation in school
   m. Corporal punishment
   n. Medium of instruction
29. The details of the school in which studied last:
   a. Corporation/Municipal/Panchayat
   c. Private management
   d. School (attitude towards school, Teachers, class mates and vice-versa)

30. Vocational training, if any

31. Majority of the friends are
   a. Educated
   b. Illiterate
   c. The same age group
   d. Older in age
   e. Younger in age
   f. Same sex
   g. Opposite sex
   h. Addicts
      i. With criminal background

32. Attitude towards friends and vice versa

33. Neighbourhood and Neighbours observation/s

35. Whether the child has been subjected to any form of abuse:
   i) Verbal abuse – parents/siblings/ employers/others (pl. specify)
   ii) Physical abuse
   iii) Sexual abuse parents/siblings/ Employers/other (pl. specify)
   iv) Others – parents/siblings/ employers/others (pl. Specify)

36. Whether the child is a victim of any offence:

37. Whether the child is used by any gangs or adults or group of adults or has been used for drug peddling:

38. Reason for alleged offence:
   a. Parental neglect
   b. Parental overprotection
   c. Parents criminal behaviour
   d. Parents influence (negative)
   e. Peer group influence - To buy drugs/alcohol
   f. Others (pl. specify)
39. History / tendency to run away from home, if any
40. Circumstances of apprehension of the child:
41. Alleged role of the child in the offence:
42. Whether the child has on an earlier occasion been released to a parent or guardian:
43. Previous institutional/case history and individual care plan, if any:
44. Physical condition: (Present and past)
45. Health condition: (Present and past)
46. Mental condition: (Present and past)
47. Any other remark

**OBSERVATIONS OF INQUIRY**

Emotional factors
Physical condition
Intelligence
Social and economic factors
Suggestive causes of the problems
Analysis of the case, including reasons/contributing factors for the offence
Opinion of experts consulted
Psycho-social expert’s assessment
Religious factors
Recommendation regarding rehabilitation by Probation Officer/ Voluntary/Non- Governmental Organization

**Signature of the Probation Officer/Voluntary/Non-Governmental Organisation**

**Stamp and Seal where available**
# CHAPTER 5

## DIRECTORY

### LIST OF POLICE STATION

<table>
<thead>
<tr>
<th>S.no</th>
<th>Police Station</th>
<th>Contact Details</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Police Station Sector 3</td>
<td>0172-2740254</td>
</tr>
<tr>
<td>2</td>
<td>Police Station Sector 17</td>
<td>0172-2773951</td>
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<tr>
<td>3</td>
<td>Police Station Sector 26</td>
<td>0172-2790594</td>
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<td>4</td>
<td>Police Station Sector 31</td>
<td>0172-2679023</td>
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<td>5</td>
<td>Police Station Sector 34</td>
<td>0172-2662697</td>
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<td>6</td>
<td>Police Station Sector 36</td>
<td>0172-2662995</td>
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<td>7</td>
<td>Police Station Sector 39</td>
<td>0172-2677039</td>
</tr>
<tr>
<td>8</td>
<td>Police Station Dhanas</td>
<td>0172-2680981</td>
</tr>
<tr>
<td>9</td>
<td>Police Station Manimajra</td>
<td>0172-2751020</td>
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<tr>
<td>10</td>
<td>Police Station Industrial Area</td>
<td>0172-2657344</td>
</tr>
</tbody>
</table>

### LIST OF CHILD WELFARE POLICE OFFICERS

<table>
<thead>
<tr>
<th>Name</th>
<th>Contact Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smt. Anjitha Chepyala DSP/W&amp;CSU Nodal Officer 9779580918 0172-2700423</td>
<td></td>
</tr>
<tr>
<td>Sh. Satish Kumar SDPO Central 9779580908</td>
<td></td>
</tr>
<tr>
<td>Sh. Neeraj Sarna, SHO-3 9779580933</td>
<td>L/SH Sarbjeet Kaur 701/CHG 9779580962</td>
</tr>
<tr>
<td>Sh. Narinder Patiya, SHO-11 9779580911</td>
<td>L/SH Eram Rizvi 695/CHG 9417316531</td>
</tr>
<tr>
<td>Sh. Shadi Lal SHO-Sarangpur 9779580945</td>
<td>SI Gurdev Singh 1055/CHG 9041419099</td>
</tr>
<tr>
<td>Sh. Uday Pal, SHO-17 9779580917</td>
<td>L/SH Jaswinder Kaur 599/CHG 9780128454</td>
</tr>
<tr>
<td>Sh. Guriqbal Singh Sidhu SDPO East 9779580988</td>
<td></td>
</tr>
<tr>
<td>Sh. Maninder Singh, SHO-19 9779580919</td>
<td>L/HC Indira Rani 1060/CP 9855827893</td>
</tr>
<tr>
<td>Name</td>
<td>Contact Information</td>
</tr>
<tr>
<td>---------------------------</td>
<td>--------------------------------------</td>
</tr>
<tr>
<td>Snmt. Poonam Dilawari, SHO-26</td>
<td>9779580926 ASI Chander Mukhi 1060/CHG 988847623</td>
</tr>
<tr>
<td>Sh. Devinder Sharma SHO-IA</td>
<td>9779580950 Insp Ashok Kumar 713/CP 9463434728</td>
</tr>
<tr>
<td>Sh. Beldev Kumar SHO-Mauli Jagran</td>
<td>9779580951 SI Gurnam Singh 1034/CHG 9872999948</td>
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<tr>
<td>Sh. Jaspal Singh SHO-IT Park</td>
<td>9876511339 SI Jai Pal 1108/CHG</td>
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<tr>
<td>Sh. Navdeep Singh Brar SDPO South 9779580912</td>
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<tr>
<td>Sh. Jasvir Singh, SHO-31</td>
<td>9779580931 SI Nirmal Singh 745/CHG 9816466710</td>
</tr>
<tr>
<td>Sh. Baljeet Singh SHO-34</td>
<td>9779580934 SI Ashok Kumar 831/CHG 8591248281</td>
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<tr>
<td>Sh. Ram Gopal SHO-49</td>
<td>9779580949 L/HC Narinder Kaur 1719/CP 9592911511</td>
</tr>
<tr>
<td>Sh. Ram Dayal SHO-36</td>
<td>9779580936 L/SI Satya 1082/CHG 9780724025</td>
</tr>
<tr>
<td>Sh. Dilsher Singh- SHO 39</td>
<td>9779580939 ASI Pratibha 1077/CHG 941786256</td>
</tr>
<tr>
<td>Sh. Ram Ratan SHO Maloya</td>
<td>9779580947 ASI Naveen Kumar 1080/CP 8283077884</td>
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<tr>
<td>Sh. Ram Dayal SHO-36</td>
<td>9779580936 L/SI Satya 1082/CHG 9780724025</td>
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<tr>
<td>Sh. Ram Ratan SHO Maloya</td>
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<tr>
<td>L/HC Rajni Bala 414/CP</td>
<td>9815189998</td>
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<tr>
<td>DEPARTMENT</td>
<td>ADDRESS</td>
</tr>
<tr>
<td>------------------------------------------------</td>
<td>--------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Department of Social Welfare, Women and Child</td>
<td>Additional Town Hall Building, 3rd Floor, Sector 17 (Near DC Office),</td>
</tr>
<tr>
<td>Development, Chandigarh</td>
<td>Chandigarh</td>
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<tr>
<td></td>
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</tr>
<tr>
<td>Juvenile Justice Board, Chandigarh Principal</td>
<td>District Session Court Sector 43 Chandigarh</td>
</tr>
<tr>
<td>Magistrate</td>
<td></td>
</tr>
<tr>
<td>Mrs. Madanjeet Sahota (Member)</td>
<td></td>
</tr>
<tr>
<td>Mr. R.S Grewal (Member)</td>
<td></td>
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<tr>
<td>Police/Women &amp; Child Support Unit</td>
<td>Sector 17, Chandigarh</td>
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<tr>
<td>Anti Human Trafficking Unit</td>
<td>Sector 17, Chandigarh</td>
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<tr>
<td>Special Juvenile Police Unit</td>
<td>Sector 17, Chandigarh</td>
</tr>
<tr>
<td>State Legal Service Authority</td>
<td>Sector 9, Chandigarh</td>
</tr>
<tr>
<td>Union Territory Child Protection Society,</td>
<td>Empowerment Building Opposite House No 1042 Near Vatika Special School</td>
</tr>
<tr>
<td>Department of social welfare, women and child</td>
<td>Sector 19/B, Chandigarh</td>
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<tr>
<td>development, Chandigarh</td>
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<tr>
<td>District Child Protection Society</td>
<td>Empowerment Building Opposite House No 1042, Near Vatika Special School</td>
</tr>
<tr>
<td></td>
<td>Sector 19/B, Chandigarh</td>
</tr>
<tr>
<td>Probation officer</td>
<td>Observation home sector 25 Chandigarh</td>
</tr>
<tr>
<td>Superintendent</td>
<td>Observation Home for Girls sector 26 Chandigarh</td>
</tr>
</tbody>
</table>
The United Nations Convention on the Rights of the Child (U.N.C.R.C.) is the most rapidly and widely ratified international human rights treaty in history. It changed the way children are viewed and treated – as human beings with a distinct set of rights. The unprecedented acceptance of the Convention clearly shows a wide global commitment to advancing children’s rights. India is a signatory and ratified the U.N.C.R.C. in 1992.

Article 1 (Definition of the child): The Convention defines a ‘child’ as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger.

Article 2 (Non-discrimination): No child should be treated unfairly on any basis.

Article 3 (Best interests of the child): The best interests of children must be the primary concern in making decisions that may affect them. This particularly applies to budget, policy and law makers.

Article 4 (Protection of rights): Governments have a responsibility to take all available measures to make sure children's rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children.

Article 5 (Parental guidance): Governments should respect the rights and responsibilities of families to direct and guide their children so that, they learn to use their rights properly. It does place on government the responsibility to protect and assist families in fulfilling their essential role as nurturers of children.

Article 6 (Survival and development): Children have the right to live. Governments should ensure that children survive and develop healthily.

Article 7 (Registration, name, nationality, care): All children have the right to a legally registered name, recognized by the government.

Article 9 (Separation from parents): Children have the right to live with their parent(s), unless it is bad for them.

Article 12 (Respect for the views of the child): When adults are making decisions that affect children, they have the right to say what they think should happen and have their opinions taken into account.

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Article 13 (Freedom of expression): Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others.

Article 14 (Freedom of thought, conscience and religion):

Article 17 (Access to information; mass media):

Article 18 (Parental responsibilities; state assistance): Both parents share responsibility for bringing up their children, and should always consider what is best for each child.

Article 19 (Protection from all forms of violence): Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them.

Article 20 (Children deprived of family environment): Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 21 (Adoption): Children have the right to care and protection if they are adopted or in foster care. The first concern must be what is best for them.

Article 23 (Children with disabilities): Children who have any kind of disability have the right to special care and support, as well as all the rights in the Convention, so that they can live full and independent lives.

Article 24 (Health and health services): Children have the right to quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

Article 28 (Right to education): All children have the right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children’s dignity. Any form of school discipline should take into account the child’s human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect.

The Convention places a high value on education.

Article 29 (Goals of education): Children’s education should develop each child’s personality, talents and abilities to the fullest. It should encourage children to respect others, help them learn to live peacefully, protect the environment and respect the rights their parents, and education should aim to develop respect for the values and culture of their parents.

Article 32 (Child labour): The government should protect children from work that is dangerous or might harm their health or their education. While the Convention protects children from harmful and exploitative work, there is nothing in it that prohibits parents from expecting their children to help out at home in ways that are safe and appropriate to their age. If children help out in a family farm or business, the tasks they do be safe and suited to their level of development and comply with national labour laws. Children’s work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

Article 33 (Drug abuse): Governments should use all means to protect children from harmful drugs and from being used in the drug trade.

Article 34 (Sexual exploitation): Governments should protect children from all forms of sexual exploitation and abuse. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 35 (Abduction, sale and trafficking): The government should take all measures possible to make sure that children are not abducted, sold or trafficked.

Article 37 (Detention and punishment): No one is allowed to punish children in a cruel or harmful way.
We are guilty of many errors and many faults, but our worst crime is abandoning the children, neglecting the fountain of life. Many of the things we need can wait. The child cannot. Right now is the time his bones are being formed, his blood is being made, and his senses are being developed. To him we cannot answer 'Tomorrow,' his name is today.

Gabriela Mistral