

PROCEDURES OF THE CHILD WELFARE COMMITTEE (CWC)

Step-by-step procedures to be followed by the CWC in the process of rehabilitation



Child brought before the CWC

The CWC meets in the premises of a Children's Home in the District

Cases are brought before the CWC during the designated time and days that the Committee is functioning

If the CWC is not in session on a particular day, the child is admitted directly by the Superintendent and then brought before the CWC the next day / at the next hearing of the CWC



CWC meets and interviews the child to get the history and understand the background of the problem in a 'Child Friendly' manner and environment



Probation Officer is present before the CWC, the case is discussed with him and an 'Intake Endorsement' is done

1 Child is brought before the CWC for suitable decision / action / rehabilitation by the Police, CHILDLINE, NGO or any concerned citizen

2 Child is taken in safe custody (NOT remand) at a government recognised "Children's Home" in the Reception Unit (NOT Observation Home)

Child can be given in safe custody to any of the following as recognized under the JJ Act;

- Children's Home
- Children's Institutions, which are Licensed / Recognised Adoption Agency (0-6 yrs)
- Shelter Home (for Street and Runaway children)
- Place of Safety (e.g. Foster Family / Fit Person)
- Refer to organisations having Non Institutional Services for Prevention of Abandonment / Institutionalisation (e.g. Foster Care, Sponsorship, Community Services)

4 CWC to assess the case / study the report of the police / child welfare officer / interview and counsel the child

5 During this period the Probation Officer prepares the final report with the necessary recommendations

Report prepared through:

- Interviewing the child
- Making appropriate enquiries
- Corresponding with the family if there is one
- Counselling the child



3 If child is received directly by an organisation, then the child is to be brought before the CWC within 24 hrs, excluding time taken to travel (if the child below two years is not well then a report is to be submitted)

6 Final order within 4 months (extendable to 6 months only when necessary)

Possible Decisions:

- Restoration to Parents
- Restoration of the child to his family or to the nearest Children's Home in his home state
- Declare the child destitute and legally free for adoption if there are no legal claimants.
- Long term foster care (for children who are not legally free for adoption).
- Admission to an institution (To be reviewed every year)



CHILDLINE is a national 24-hour free, phone emergency outreach service for children in

need of care and protection. The project is supported by the Union Ministry of Women and Child Development and links State Governments, NGOs, Bilateral / Multilateral Agencies, Allied Systems and the Corporate Sector.

SUPPORTED BY



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Note: THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000 as amended by Juvenile Justice (Care and Protection of Children) Amendment Act, 2006

Provides for the setting up of Child Welfare Committees. State Governments may, by notification in Official Gazette, constitute for every district, specified in the notification, one or more Child Welfare Committees for exercising the powers and discharge the duties conferred on such Committees in relation to child in need of care and protection under this Act.

The Committee shall consist of a Chairperson and four other members as the State Government may think fit to appoint, of whom at least one shall be a woman and another, an expert on matters concerning children. The Committee shall function as a Bench of Magistrates and shall have the powers conferred by the Code of Criminal Procedure, 1973 (2 of 1974) on a Metropolitan Magistrate or, as the case may be, a Judicial Magistrate of the first class. The Committee shall have the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of the children as well as to provide for their basic needs and protection of human rights. A child in need of care and protection may be produced before an individual member for being placed in safe custody or otherwise when the Committee is not in session.

The Committee shall, have the power to deal exclusively with all proceedings under this Act relating to children in need of care and protection. Any child in need of care and protection may be produced before the Committee by one of the following persons :

- any police officer or special juvenile police unit or a designated police officer;
- any public servant;
- CHILDLINE, a registered voluntary organisation or by such other voluntary organisation or an agency as may be recognised by the State Government;
- any social worker or a public spirited citizen authorised by the State Government; or
- by the child himself.