**Format for Review of functioning of**

**Child Welfare Committee (CWC) through Inspection**

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| --- | --- |
| **Name of District** |  |
| **Date of Review** |  |
| **Name of Inspecting Officer:** |  |
| **Designation** |  |
| **Contact No.** |  |
| **Email** |  |

Note: 1. Review should be done on functioning of CWC during last one year and information to be collected of last one year.

2. Prior information should be given to CWC before proceeding for review.

1. **a. Constitution of CWC**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Sl. No. | Designation | Name | Qualification & Specialization | Contact No. (Mobile) | Email ID | Date of appointment | Tenure completed or not | Present tenure is not continuous of previous tenure | Whether the person so appointed continues to hold position as member\*for a period of more than 3 years (Yes/No) |
| 1. | Chairperson |  |  |  |  |  |  |  |  |
| 2. | Member |  |  |  |  |  |  |  |  |
| 3. | Member |  |  |  |  |  |  |  |  |
| 4. | Member |  |  |  |  |  |  |  |  |
| 5. | Member |  |  |  |  |  |  |  |  |

\* In the composition of CWC, Chairperson is one of the member among five members.

b. In case term of any member/chairperson has been completed and such person continues to hold position of member/chairperson in CWC, under which authority, such person is holding the position? In case any order form State Government has been issued to this effect, copy of order should be obtained.

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1. . Is there any woman member/chairperson in the Committee: Yes/NO

**II. Functioning of the CWC:**

1. Whether Monthly Duty Roster has been prepared by Chairperson for members of CWC

[Rule 16(6)]

**Yes / No**

In case duty roster has been prepared, copy of same be attached

Whether Monthly Duty Roster has been circulated in advance to:

[Rule 16(6)]

1. All police stations: Yes/No
2. Chief Judicial Magistrate/Metropolitan Magistrate Yes/No
3. District Judge Yes/No
4. District Magistrate Yes/No
5. Juvenile Justice Board Yes/No
6. District Child Protection Unit Yes/No
7. Special Juvenile Police Unit Yes/No
8. Whether CWC hold its sitting on all working days for a minimum of six hours :

[Rule 16(7]

Yes/No

1. Whether CWC holds its meetings/sitting at least twenty days in a month: [Section 28(1)]

Yes/No

If CWC holds its sitting less than 20 days in a month, please assign reason

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1. Whether Chairperson and Members of CWC are getting allowances /remuneration for sittings

Yes/No

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1. Whether staff has been provided to the CWC by the State Government Yes/No

[Rule 16(12) ]

If so, details thereof and the names of person appointed

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1. Whether CWC has made inspection of at least two institutions providing residential facility for children in need of care and protection, in a month or not:

(Section 30(viii)]

Yes/No

1. Number of cases relating to orphan, abandoned and surrendered child inquired by the CWC in last year?

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1. Number children who are orphan, abandoned and surrendered declared legally free for adoption and whether such declaration is done within time limit as prescribed or not, details be mentioned showing date of application/production of child before CWC and date of declaration of child as legally free for adoption.

(Section 38)

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1. Whether the decision to declare orphan, abandoned or surrendered child as legally free for adoption has been taken by three members of the CWC

[Section 38(4)]

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1. In how many cases the *suo motu* cognizances has been taken by the CWC and while taking such cognizance how many members were present.

[Section 30(xii)]

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1. How many cases of sexually abused children were handled by the CWC

[Section 30(xiii)]

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1. Number of abandoned or lost child were restored to their families

[Section 30(x)]

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1. Whether records maintained by the CWC as per Rule 17 and its information has been furnished on quarterly basis in Form-16 to the District Magistrate or not.

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1. Whether any rehabilitation card has been issued to the children in need of care and protection and their progress has been monitored.

[Rule 17(vi)]

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1. Whether the CWC is maintaining following records in register as per Rule(vii) to (a) to (n):

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| 1. entries of the cases listed in a day and next date and the daily cause list of the cases | Yes/ No |
| 1. entries and particulars of children brought before the Committee and details of the Child Care Institution where the children are placed or the address where the children are sent | Yes/ No |
| 1. execution of bonds; | Yes/ No |
| 1. movement including visits to institutions; | Yes/ No |
| 1. children declared legally free for adoption; | Yes/ No |
| 1. children recommended for or placed in sponsorship; | Yes/ No |
| 1. children placed in individual or group foster care | Yes/ No |
| 1. children transferred to or received from another Committee; | Yes/ No |
| 1. children for whom follow up is to be done | Yes/ No |
| 1. children placed in after care; | Yes/ No |
| 1. inspection record of the Committee | Yes/ No |
| 1. record of Minutes of the meetings of the Committee; | Yes/ No |
| 1. correspondence received and sent; | Yes/ No |
| 1. any other record or register which the Committee may require | Yes/ No |

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1. Whether particular of child as well as circumstances in which child was received or found are maintained in Form 17 as per Rule 18(2). Whether CWC is conducting inquiry as per procedures specified under Rule 19.

*Rule 19 broadly covers following areas:*

1. *Inquiry into circumstances of child*
2. *Determination of age of child*
3. *Order for social investigation report*
4. *Development of individual care plan and rehabilitation plan*
5. *Follow of basic principle of natural justice and informed participation of child and the parents or guardian. Order of CWC in writing and contain reasons.*
6. *Sensitivity and child friendly interaction with child*
7. *Verification of documents and reports while releasing or Restoration of child in best interest of child*
8. *Social investigation report*
9. *Counselling to child as well as parents or guardian*
10. *Maintenance of proper records of children produced before it including medical reports, social investigation report, order passed by CWC*
11. *In pending cases, appearance of child and periodic status report (every 15 days)*
12. *Steps for rehabilitation of child including education, vocational training etc.*
13. *Ratification of decision taken by Individual member by CWC in next sitting*
14. *Quorum of three members at the time of final disposal of a case*
15. *CWC to function cohesively as single body*
16. *In case of repatriation of child out of district, coordination with concerned entities*
17. *Incorporating individual care plan in order of final disposal of case*
18. *Periodic follow up post final disposal of the case*
19. *In case child belong to different districts, CWC of concerned district and carry out follow up*
20. *Monitoring of Individual Care plan by means of rehabilitation card in form 14*
21. *Uploading or orders of CWC in designated portal with due regard to confidentiality and privacy of child*
22. *Legal aid*
23. *Declaration of surrendered child as legally free for adoption*
24. *Declaration of orphan or abandoned child as legally free for adoption*
25. *orphan or abandoned child to be produced before CWC and information to police*
26. *short term placement and interim care order in form 18*
27. *use of designated portal to uploaded details orphan and abandoned child and ascertain whether is a missing child*
28. *tracing out biological parents or legal guardian of missing or abandoned child*
29. *Order in form 25 declaring abandoned or orphan child as legally free for adoption*
30. *Restoration of child in case parents of child is traced.*

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1. Whether CWC maintains record of the children produced before it including medical reports, social investigation report, any other report(s) and orders passed by the CWC in regard to the child.

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1. Whether on receiving the children, the CWC has placed those children to CCI, Specialised Adoption Agency (SAA) and open shelters. In case the placement of children in CCIs, SAA or open shelter is uneven, its reason must be asked from the CWC.

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1. The complaints are also received that the children below the age of six years are being sent to CCI and not to the SAA. In some of the case, it is on the pretext that they are sibling and one of the children is more than six years of age. Children below six years must go in SAA, why such orders (sending child below six years to CCI other than SAA) are passed, the reason must be asked.

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1. It is reported in some of the cases that children above the age of six years were sent to SAA and when their adoption process were going on, the orders were passed to withdrawn those children, its reason must be asked.

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1. Whether the CWC is maintaining the Case monitoring sheet.

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1. Whether the CWC is submitting quarterly report to District Magistrate and the said report is akin to the record of the CWC

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1. Whether the orders passed by CWC regarding CNCP child in last one year are in accordance with law.

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1. Whether the CWC is sending monthly report to SARA or CARA as required under Section 38(5) of the Act or not.

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1. Whether CWC is preparing individual care plan in consonance to Section 39 by keeping siblings together and for their restoration.

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1. Whether CWC inspected the foster care persons/families and Children.

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1. The report must classify as to how many orphan, abandoned and surrendered children and children removed from begging have been identified and produced before CWC and where they have been placed by CWC in last one year. Whether they have been sent to a proper institution or not and also whether principle of equality and non-discrimination was followed by CWC while making placement/distribution of children among CCIs and SAA. The information should be provided in Chart/Table form

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1. What steps have been taken by the CWC for protection and improvement in the life of the children in last one year? At least five examples with documents must be recorded.

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xxviii. Whether member of CWC is associated with any CCI directly or indirectly or have any other conflict of interest. A Deceleration from Member should be obtained.

1. In addition to above, any other points which you think necessary should be reviewed with respect to functioning of CWC.

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