

10. Amendment of rule 15.- In rule 15 of the principal rules,

1) for sub-rule (3), the following sub-rule shall be substituted namely:-

“(3) The Chairperson and the members shall be above the age of thirty-five years and not more than sixty five years and shall have a degree in child psychology or psychiatry or law or social work or sociology or human health or education or human development or special education for differently abled children and has been actively involved in health, education or welfare activities pertaining to children for seven years or is a practicing professional with a degree in child psychology or psychiatry or law or social work or sociology or human health or education or human development or special education for differently abled children.”;

2) for sub-rule (4), the following sub-rule shall be substituted namely:-

“A member of the Committee shall be eligible for appointment of maximum of two consecutive terms, which shall not be continuous.”

“Provided that nothing contained in this sub-rule shall be a bar in case of a member being appointed as Chairperson”;

3) after sub-rule (4), the following sub-rules shall be inserted, namely:-

“(4A) The person applying for the post of the Chairperson or member of the Committee shall submit an affidavit, as per Form 57, certifying that the applicant is not barred by any of the conditions laid down in sub- section 4A of section 27 of the Act. The appropriate Government shall then verify the same as per norm.

(4B) A person associated with an organisation receiving foreign contribution shall not be eligible to be a Chairperson or member of the Committee.

(4C) Any person working in the implementation of the Act in any Non-Government Organisation or any organisation, performing such functions which may cause conflict of interest in discharge of their duties as the Chairperson or member of the Committee shall not be eligible for appointment as the Chairperson and member of the Committee.

Explanation: For the removal of doubt, it is hereby clarified that, this may include but is not limited to any of the following situations within the territorial jurisdiction of the Committee:

(a) any family member is a member of any non-governmental

organisation;

(b) close relation is a member of any non-governmental organisation

(c) cases of non-governmental organisations or persons working in a district for rescue and rehabilitation;

(d) a person representing a person who runs a Child Care Institution or member of the Board or Trust of any non-governmental organisation.

(4D) If any complaint is made against a Chairperson or member of the Committee, the State Government shall hold an inquiry and if necessary, suspend the person immediately pending inquiry. The inquiry shall be completed within a period of two months and the State Government may take appropriate action within one month of completion of the inquiry.

(4E) No Chairperson or member of the Committee shall be removed without holding an inquiry by the State Government and until that person has been given an opportunity of being heard in the matter.

(4F) If a criminal case is registered against the Chairperson or member concerned, if necessary, the Government may suspend the concerned Chairperson or member, immediately pending inquiry, for such term as appropriate, or after holding an inquiry and giving an opportunity of being heard in the matter.”.

4) after sub-rule (7), the following sub-rule shall be inserted, namely:-

(8) The term of the Chairperson and members of the Committee shall not be more than a period of three years from the date of appointment.

11. Amendment of rule 16.- In rule 16 of the principal rules,

1) in sub-rule (1), for the words, symbols and figures “but not less than Rs.1500/- per sitting”, the words, symbols and figures “but not less than Rs.2,000/- per sitting”, shall be substituted.

2) in sub-rule (4), for the words “un-connected with the case remains”, the words “not connected with the case shall not remain”, shall be substituted.

12. Amendment of rule 17.- In rule 17 of the principal rules,

1) after clause (iii), the following clause shall be inserted, namely:-

“(iii a) Quarterly reports of inspection conducted under clause (viii) of section 30 of the Act shall be submitted, as and when required, for the purpose of monitoring under section 109 of the Act;”;

- 2) for clause (iv), the following clause shall be substituted, namely:-
 - “(iv) review the Children's Suggestion or Complaint Book during every visit in the Child Care Institution and also carry out random one to one and group interaction with children in the Child Care Institutions in absence of Child Care Institution staff and Person-in-Charge to understand concerns and issues of children to determine their well-being and provide inputs and recommendations accordingly to the Child Care Institutions;”;
- 3) after clause (v), the following clause shall be inserted, namely:-
 - “(v a) for the purposes of sub-section (4) of section 40 of the Act, the Committee shall submit a quarterly information in Form 16 regarding restored, dead and runaway children to the State Government and the District Magistrate;”;
- 4) after clause (vii), the following clause shall be inserted, namely:-
 - “(vii a) maintain case records of at least five years.”;
- 5) in clause (viii), after the words “a software may be developed by the State Government”, the words “such that the case records of at least five years are maintained.” shall be inserted;
- 6) after clause (x), the following clauses shall be inserted, namely:-
 - “(xi) ensure that children without having a legal guardian irrespective of their age are expeditiously declared legally free for adoption within the timeline as provided in the Act, rules and regulations;
 - (xii) interact with older children living in the Child Care Institutions having no guardians and also with such children living in the Child Care Institutions who are not in contact with their guardians for several years and counsel such children about the benefit of family-based care including foster care and adoption;
 - (xiii) interact with all concerned both in physical and virtual modes in case of production of the child before the Committee, while giving instructions to the District Child Protection Unit or Specialised Adoption Agency or Child Care Institution, as the case may be, and in the process of declaring a child legally free for adoption.”.

13. Amendment of rule 18.- In rule 18 of the principal rules,

- 1) after sub-rule (1), the following sub-rule shall be inserted, namely:-
 - “(1A) In extraordinary situations, when the movement of the Child or the

Committee is restricted due to unforeseen circumstances, the child may be presented before the Committee through virtual mode and the Committee shall physically interact with the Child at the first opportunity.”;

2) after sub-rule (9), the following sub-rule shall be inserted, namely:-

“(10) The Committee shall ensure that the information regarding the child referred to in this rule is uploaded on a portal, as may be specified by the Central Government in this behalf.”.