

**GOVERNMENT OF NCT OF DELHI**  
**DEPARTMENT OF WOMEN AND CHILD DEVELOPMENT**  
**(CHILD PROTECTION UNIT)**  
**5<sup>th</sup> FLOOR, ISBT BUILDING, KASHMERE GATE, DELHI - 110006**  
F.61(1542)/Fit Facility-Foster Care/ICPS/DWCD/2021/4113      Dated: 18.06.2021

**GUIDELINES ON FIT FACILITY AND GROUP FOSTER CARE**

Whereas, Department of Women and Child Development, GNCT of Delhi is the nodal Department to take up matters relating to children with a view to ensure the implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Model Rules 2016 in the NCT of Delhi, including the establishment and maintenance of institutions under this Act, notification of competent authorities in relation to the children and their rehabilitation and co-ordination with various official and non-official agencies concerned.

And Whereas, as per the provisions of Section 27(1) Juvenile Justice (Care and Protection of Children) Act, 2015, the Department has established ten Child Welfare Committees in the NCT of Delhi for exercising the powers and to discharge the duties conferred on such Committees in relation to children in need of care and protection under the said Act.

And Whereas, Section 44(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015 enumerates that *"the children in need of care and protection may be placed in foster care, including group foster care for their care and protection through orders of the Committee, after following the procedure as may be prescribed in this regard, in a family which does not include the child's biological or adoptive parents or in an unrelated family recognised as suitable for the purpose by the State Government, for a short or extended period of time"*.

And Whereas Section 51(1) of the Juvenile Justice (Care and Protection of Children) Act, 2015 prescribes that *"the Board or the Committee shall recognise a facility being run by a Governmental organisation or a voluntary or non-governmental organisation registered under any law for the time being in force to be fit to temporarily take the responsibility of a child for a specific purpose after due inquiry regarding the suitability of the facility and the organisation to take care of the child in such manner as may be prescribed"*.

And Whereas Rule 27 (1) of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 confers powers on the Juvenile Justice Board or the Child Welfare Committee stating that *"the Board or the Committee shall on an application from any institution or organisation run by Government or non-governmental organisation, recognise the facility as a fit facility provided the manager of that facility is willing temporarily to receive a child for a specific purpose or for group foster care"*.

And Whereas Rule 23(3) of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 states that *"all decisions related to placement of a child in foster care shall be taken by the Committee"*.

Now therefore, in view of the aforesaid provisions and rules prescribed under the Juvenile Justice (Care & Protection of Children) Act, 2015 and Model Rules, 2016, the following guidelines are issued with intent to effectively implement the foster care services as non-institutional alternative care for the children deprived of family care or where parents of the children have been found unfit or incapacitated by the Committee to care for and protect the safety and well-being of the child.

**A. Procedures in relation to Child Welfare Committee:**

1. A child shall be received by the Child Welfare Committee with a report in Form 17 of the Juvenile Justice (Care & Protection of Children) Model Rules, 2016 (hereinafter called Model Rules) containing the particulars of the child as well as the circumstances in which the child was received or found.
2. The Committee or the member on duty shall order immediate medical examination of the child produced before the Committee or the member on duty, if such examination is needed.
3. The Committee shall interact with the child and may issue directions for placing the child with the parent or guardian or Children's Home where order for placement of a child in a Child Care Institution shall be made in Form 18 of the Model Rules.
4. The Committee shall inquire into the circumstances under which the child is produced and accordingly declare such child to be a child in need of care and protection under Sub-Section (1)(a) of Section 37 of the Juvenile Justice (Care & Protection of Children) Act, 2015 (hereinafter called Act).
5. The Committee shall, prima facie determine the age of the child following the procedures prescribed under section 94 of the Act.
6. The Committee shall issue order in Form 21 of the Model Rules for conducting Social Investigation which shall be completed within fifteen



days so as to enable the Committee to pass final order within four months of first production of the child.

7. The Committee, after taking into account the risk factors, and in the best interest of the child, may direct the publication of the particulars and photograph of an orphan or abandoned child in national newspapers with wide circulation within seventy two hours from the time of receiving the child for the purposes of tracing out the biological parents or the legal guardian(s).
8. The Committee shall direct the person or organisation concerned to develop an individual care plan in Form 7 of the Model Rules including a suitable rehabilitation plan. The individual care plan prepared for every child in the institutional care shall be developed with the ultimate aim of the child being rehabilitated and re-integrated based on the case history, circumstances and individual needs of the child.
9. The individual care plan shall be monitored by means of a rehabilitation card in Form 14 of the Model Rules issued for the purpose by the Committee passing the final order.
10. In case of orphan and abandoned child, the Committee shall make all efforts for tracing the parents or guardians of the child and on completion of such inquiry, if it is established that the child is either an orphan having no one to take care, or abandoned, the Committee shall declare the child legally free for adoption. Provided that such declaration shall be made within a period of two months from the date of production of the child, for children who are up to two years of age and within four months for children above two years of age.
11. Where the parents of the child are traced, the procedure for restoration of the child shall be followed as per rule 82 of the Model Rules to release and restore after hearing the child and his parents or guardian, and after satisfying itself as to the identity of the persons claiming to be the parents or the guardian.
12. In case of surrendered child, the institution where the child has been placed by the Committee on an application for surrender or upon execution of the surrender deed, shall bring the case before the Committee immediately on completion of the reconsideration period of two months allowed to the person who has surrendered the child, for declaring the child legally free for adoption.
13. The Committee by following the procedure under the said Act may declare a child of a mentally retarded parents or an unwanted child of victim of sexual assault free for adoption and subsequently pass an order for placement in Group Foster Care.
14. The decision to declare an orphan, abandoned or surrendered child as legally free for adoption shall be taken by opinion of the majority i.e. at

least three members of the Committee and where there is no such majority, the opinion of the Chairperson shall prevail.

15. After the completion of the inquiry, if the Committee is of the opinion that the said child has no family or ostensible support or is in continued need of care and protection, it may pass an order for placement of the child preferably with the fit facility for Group Foster Care, till suitable means of rehabilitation are found for the child or till the child attains the age of eighteen years.
16. The Committee shall make all efforts to keep the siblings together while making placement under Group Foster Care unless it is in their best interest not to be kept together.
17. The Committee shall pass directions to facilities i.e. Group Foster Care in whose care the child is placed, regarding care, protection and rehabilitation of the child, including directions relating to immediate shelter and services such as medical attention, psychiatric and psychological support including need-based counselling, occupational therapy or behaviour modification therapy, skill training, legal aid, educational services, and other developmental activities, as required, as well as follow-up and coordination with the District Child Protection Unit or State Government and other agencies.
18. Children in need of care and protection who are living in community may also be considered for placement in foster care based on the child study report, in Form 31 of the Model Rules, prepared by the District Child Protection Unit.
19. The Committee shall take into consideration the individual care plan and the opinion of the child before deciding the nature of Foster Care with due regard to his age and maturity. The child shall be informed and prepared throughout the process.
20. Group Foster Care may be for short term or long term depending upon the needs of the child where the duration of short term Foster care shall be for a period of not more than one year.
21. Long term foster care, shall be for a period exceeding one year. This can be periodically extended by the Committee till the child attains eighteen years of age on the basis of assessment of the compatibility of the child in a Group Foster Care setting.
22. Recognising that every child has the right to grow in a family environment, as far as possible, every attempt shall be made to reunite the child with his biological family or placement in adoption.
23. Children with special needs may be considered for placement in Group Foster Care, provided group setting has facilities for care of such children.
24. The number of children placed under group foster care shall not exceed eight children in one unit including biological children of the foster caregiver.



25. The Committee shall pass the final order in Form 32 of the Model Rules for placing the child in Group Foster Care, specifying the period for which the child is placed in foster care.
26. All decisions related to placement of a child in foster care shall be taken by the Committee. Children in the age group of six years and above may be considered for placement in foster care and Children below six years of age shall be, as far as possible placed in adoption.
27. The Committee shall conduct monthly inspection of the foster families or foster care givers in Form 35 of the Model Rules to check the well-being of the child.

#### **B. The roles and responsibilities of the Group Foster Caregiver:**

The Group Foster Caregiver shall sign an undertaking for foster-care of the child in Form 33 of the Model Rules and shall:

1. meet the basic standards of care and protection to the child;
2. provide basic services to any child placed with it;
3. prevent child placed with it to any form of cruelty or exploitation or neglect;
4. provide adequate food, clothing and shelter and education;
5. provide care, support and treatment for child's overall physical, emotional and mental health; ensure protection from exploitation, maltreatment, harm, neglect and abuse;
6. provide age appropriate facilities for recreation, extra-curricular activities such as sports, music, dance, drama, art, etc.;
7. provide vocational training according to the interests of the child;
8. respect the privacy of the child and his biological family or guardian, and acknowledge that any information provided about them is confidential and is not to be disclosed to another party without prior consent;
9. provide treatment in emergent situations and inform the Committee and biological family about the same which may pass appropriate orders wherever necessary;
10. support contact between the child and his biological family in consultation with the Committee keeping in view the best interest of the child;
11. share and discuss the information pertaining to the progress of the child periodically with the Committee and biological family of the child and produce the child before the Committee as and when directed by the Committee; and
12. ensure that the child's whereabouts are known at all times, including reporting any changes of address, holiday plans and any episodes of running away of the child to the Committee; and

13. abide by the orders passed by the Committee.

**C. Categories of children who may be considered for Foster Care:**

1. Children who are not being adopted after being declared legally free for adoption may be eligible for Foster Care;
2. If adoptable children between the age of 6 to 8 years do not get a family either in in-country adoption or in inter-country adoption within a period of two years after they are declared legally free for adoption by Child Welfare Committee, such children to be eligible to be placed in Group Foster Care by the Committee on the recommendation of District Child Protection Unit or Specialised Adoption Agency;
3. Children in the age group of 8 to 18 years, who are legally free for adoption but have not been selected by any Prospective Adoptive Parent (PAP) for one year to be eligible to be placed in Group Foster Care by the Committee on the recommendation of District Child Protection Unit or Specialised Adoption Agency;
4. Children with special needs, irrespective of the age, who do not get a family either in in-country adoption or in inter-country adoption within a period of one year after they are declared legally free for adoption by Child Welfare Committee, such children to be eligible to be placed in group foster care by the Committee on the recommendation of District Child Protection Unit or Specialised Adoption Agency, provided the Home Study Report of the foster family supports their fitness and group setting has facilities for care of such children.

**D. Procedure for Recognition of a Fit Facility for Group Foster Care:**

1. An institution or organisation prepared to temporarily own the responsibility of a particular child for foster care may apply in Form 38 of the Model Rules for recognition of Group Foster Care through District Child Protection Unit of the district concerned;
2. Application shall be accompanied with a copy each of rules, bye-laws, memorandum of association, list of governing body, office bearers, list of trustees, balance sheet of the preceding three years, statement of past record of social or public service provided by the institution or organisation.
3. The Committee shall on an application from any institution or organisation run by Government or non-governmental organisation after proper inspection and inquiry may recognise



the facility as a fit facility for Group Foster Care in Form 39 of the Model Rules provided:

- a. The management or Caregiver of that facility is willing temporarily to receive a child for foster care: and
  - b. Provisions exist in the institution for the care and protection of children with reference to their health, education, boarding and lodging facilities, vocational facilities and rehabilitation as per the rules, that any person associated with such institution or organisation should not have been convicted of an offence or have been involved in any immoral act or in act of child abuse or employment of child labour or in an offence involving moral turpitude.
4. A decision on the application for recognition of an institution or organisation shall be taken by the Committee within a period of fifteen days from the date of receipt of the application.
  5. The recognition to an institution or an organisation as a fit facility for Group Foster Care shall be initially for a period of three years which may be renewed for a further period of three years in accordance with sub-rule (4) of this rule.
  6. A list of fit facilities for Group Foster Care recognised by the Committee shall be kept in that office and be sent to the District Child Protection Unit and the State Child Protection Society.

**E. Withdrawal of recognition of fit facility for Group Foster Care:**

1. The Committee may, if dissatisfied with the standard of care and protection provided, or conditions prevailing in the facility, or the management of the institution or the organisation recognised under the Act or on an adverse report made by an inspection committee appointed under section 54 of the Act, or for any other reason, at any time, by a reasoned order, withdraw the recognition of the institution or the organisation as a fit facility and from the date specified in the order of the Committee, the institution or the organisation shall cease to be a fit facility recognised under the Act and the Model Rules.
2. Where the recognition of a fit facility for Group Foster Care is withdrawn by the Committee, intimation of the same shall be sent to the District Child Protection Unit and the children placed with such an institution or organisation may be placed by the Committee to another similar fit facility or any other Child Care Institution.

**F. Alternative Care in fit facilities for specific purpose:**

1. Besides fit facility for Group Foster Care, an institution or organisation willing and prepared to own the responsibilities to temporarily receive a child may also be recognised as a fit facility by the Juvenile Justice Board or the Child Welfare Committee as the case may be, for specific purposes which may include:
  - (i) short term care;
  - (ii) medical care treatment and specialised treatment;
  - (iii) psychiatric and mental health care;
  - (iv) de-addiction and rehabilitation;
  - (v) education;
  - (vi) vocational training and skill development; and
  - (vii) witness protection
2. The services to be provided by the fit facility for specific purposes may include:
  - (i) food, clothing, water, sanitation and hygiene;
  - (ii) mental health interventions including counselling;
  - (iii) medical facilities including first aid and to facilitate specialised treatment;
  - (iv) formal age appropriate education including bridge education and continuing education and life skill education; and
  - (v) recreation, sports, fine arts and group work activities.

**G. Roles and Responsibilities of District Child Protection Unit:**

1. The District Child Protection Unit shall be the nodal authority for implementing the foster care programme in a district.
2. The District Child Protection Unit, while selecting Group foster care setting shall consider the following illustrative criteria:
  - (i) Recognition as a fit facility by Committee;
  - (ii) Existence of child protection policy; and
  - (iii) Sufficient space and proper amenities for children.
3. The District Child Protection Unit shall maintain a record of each child in foster care in Form 34 of the Model Rules.

Encl:

as above

  
Dr. Rashmi Singh, IAS

Director

F.61(1542)/Fit Facility-Foster Care/ICPS/DWCD/2021/4113

Dated: 18.06.2021

To,

1. Juvenile Justice Boards.
2. Child Welfare Committees.



**Copy to:**

1. District Task Force, DWCD, GNCTD.
1. District Child Protection Units, DWCD, GNCTD.
2. OSD to Secretary, DWCD, GNCTD



**Dr. Rashmi Singh, IAS**  
**Director**

**FORM 18**  
**[Rules 18 (5), 18 (9) and 19 (26)]**

**ORDER OF PLACEMENT OF A CHILD IN AN INSTITUTION**  
**(Children's Home/ Fit Facility/ SAA)**

Case No.....

To,

The Officer-in-Charge,

Whereas on the .....day of .....20 ..... (name of the child) ..... , son/ daughter of ..... aged .....residing at ..... being in care and protection under the Juvenile Justice (Care and Protection) Act 2015 is ordered by the Child Welfare Committee ..... , to be kept in the Children's Home/SAA/ Fit Facility.....for a period of .....

This is to authorize and require you to receive the said child in your charge, and to keep him/her in the Children's Home/ Fit Facility /SAA..... for the aforesaid order to be carried into execution according to law. The concerned official shall upload the details in case of an orphan or abandoned child in the TrackChild/ relevant Web Portal.

Given under my hand and the seal of Child Welfare Committee.

This ..... day of .....

(Signature)  
Chairperson/ Member  
Child Welfare Committee

Encl:

Copy of the orders, particulars of home and previous record, case history and individual care plan, as applicable:



**FORM 31**  
[Rule 23(4)]  
**CHILD STUDY REPORT**

<b>CHILD STUDY REPORT</b>		
<i>S.No.</i>	<i>Item</i>	<i>Response</i>
1.	Date of Assessment	
2.	Source of referral	
3.	Photograph of the Child to be refreshed periodically	<div style="border: 1px solid black; width: 100px; height: 100px; margin: 0 auto;"></div>
<b>Profile of the Child</b>		
4.	Name of the Child	
5.	Date of Birth	
6.	Place of Birth	
7.	Age	
8.	Nationality	
9.	Religion	
10.	Education	
11.	Mother Tongue	
12.	Present Address	
13.	Aadhaar Card Number	
14.	Contact Details (a) Landline (b) Mobile	
15.	Placement history if the child is from institution a) Date of Placement b) Name and Permanent details of the child c) Reason for leaving the family	The child has not been placed in adoption
16.	Reason for placement if the child is from community	Mother or both parents in prison <input type="checkbox"/>  Parents are suffering from long term illness <input type="checkbox"/>  Dysfunctional family (eg substance abuse, domestic violence etc) <input type="checkbox"/>  Parents in process of separation <input type="checkbox"/>

		Parents in process of legal custody dispute	<input type="checkbox"/>
		Natural disaster	<input type="checkbox"/>
		Others	<input type="checkbox"/>

I ..... Social Worker hereby certify that the information given in this form about child .....is correct.

Place :  
Date :

Signature:  
Name:  
Designation



FORM 32  
[Rule 23(15)]  
ORDER OF FOSTER CARE PLACEMENT WITH A FAMILY  
OR  
GROUP FOSTER CARE

The child (name and address) ..... approximate age..... d/o or s/o  
Mr..... and Mrs..... is in need of care and protection of a  
family. Mr..... and Mrs..... resident of (complete address and  
contact numbers) ..... are declared fit for foster-  
care placement of the child after considering the Individual Care Plan, Child Study  
Report and Home Study Report.

OR

Child Care Institution (Name and address)..... is declared fit for  
foster-care placement of the child after considering the Individual Care Plan and  
Child Study Report.

The child (name) ..... is placed in foster care for a period of  
..... under the supervision of the aforesaid Child Welfare  
Officer/Social Worker (name and contact)  
.....

Chairperson/ Member  
Child Welfare Committee

**FORM 33**  
**[Rule 23(16)]**  
**UNDERTAKING BY THE FOSTER FAMILY/GROUP FOSTER CARE**  
**ORGANISATION**

I/We .....resident(s) of House no. ....Street .....  
Village/Town .....District .....State ...../ care giver associated with  
foster care home run by -----organization at .....(address), do  
hereby declare that I/We am/are willing to take charge of (name of the child  
..... Aged.....under the orders of the Child Welfare  
Committee.....subject to the following terms and conditions:

i. If the conduct of the child is unsatisfactory I/we shall at once inform the Committee

ii. I/We shall do my/our best for the welfare and education of the said child as long as he remains in my charge and shall make proper provision for his maintenance.

iii. In the event of his illness, he shall have proper medical attention in the nearest hospital and a report of it followed by a fitness certificate shall be submitted before the Committee.

iv. I/We shall inform the Committee about any change of address.

v. I/We shall do my best to ensure that the child will not be subjected to any form of abuse.

vi. I/We agree to adhere to the conditions laid by the Committee.

vii. I/We undertake to produce him before the Committee as and when required.

viii. I/We undertake to inform the Committee immediately if the child goes out of my charge or control.

Date this .....day of .....

Signature and address of 2 witnesses

Signature of Applicant(s)

(Signed before me)  
Chairperson/Member, Child Welfare Committee



**FORM 34**  
**[Rule 23(17)]**  
**RECORD OF A CHILD IN FOSTER CARE**

- a) Case no.....
- b) Name of the Child.....
- c) Age.....
- d) Gender.....
- e) Name and address of the Child Care Institution, if any from where the child has been given for foster care.....
- f) Individual Care Plan
- g) Any other source of referral.....
- h) Details of the child placed in foster care including Photograph of the child, foster care giver/parent, biological parents, if available.....
- i) Details of the placement - individual or group including date and period of placement
- j) Home Study Report of the biological family, where applicable with photograph
- k) Home Study report of the foster family- individual or group care, with photograph
- l) Child Study Report
- m) Address of the Child Welfare Committee
- n) Particulars of the order of the Committee placing the child in foster care
- o) Record (number and significant details) of each visit with the child, foster family, Biological family, if available and child's school
- p) Record of all reviews of the placement including observations, extent and quality of compliance with Care Plan, child's developmental milestones, child's academic progress, and any changes in family environment
- q) In the case of extension or termination of the placement, record of date and reason for termination
- r) Date of the child being handed over to the foster family:
- s) Financial assistance provided, if any
- t) Name of the Case Worker appointed