

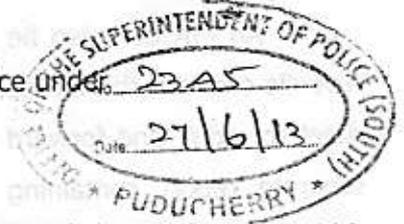
OFFICE OF THE INSPECTOR GENERAL OF POLICE
PUDUCHERRY

No.4/IGP/Secy/2013-76,

Dated:25.06.2013.

CIRCULAR

Sub: Police Department, Puducherry – Duties of Police under
Juvenile Justice Act – Reg.



Juvenile Justice (Care & Protection of Children) Act was enacted during the year 2000 and amended in 2006. The Ministry of Women and Child Development issued a Notification, dt. 26.10.2007 by enacting Rules under the above Act for better implementation and administration of the provisions of the said Act in its true spirit and substance. The role and duties of a police officer have been clearly defined in above Act and Rule.

Juvenile or child under Section 2 (K) of Juvenile Justice (Care and Protection of Children) Act 2000 means a person who has not attained the age of eighteen years. Juvenile in conflict with law has been defined under Section 2(l) of the Act as a juvenile who is alleged to have committed an offence.

According to Rule 11 (11) no FIR can be registered by a Police or Juvenile or Child Welfare Officer if a juvenile is involved in an offence for which punishment is upto 7 years. In such cases an entry will be made in General Diary Register of the Police Station by the Police or Juvenile or Child Welfare Officer. He will prepare a report containing information about the offence giving background of Juvenile and forward it to Juvenile Justice Board. The Juvenile Welfare Officer will not apprehend Juvenile. He will allow the Juvenile to go home with his/her parents/guardian. If parents or guardians are not available, the Juvenile will be produced before the J.J. Board within 24 hours for seeking further direction.

According to the same Rule FIR can be registered and a juvenile can be apprehended if he commits an offence of serious nature in which punishment is more than 7 years. Immediately, after apprehension the juvenile shall be placed under the charge of Juvenile/Child Welfare Officer of Police Station who will produce the juvenile before the Juvenile Justice Board within 24 hours. Parents/guardian and the probation officer will be informed of apprehension immediately. Juvenile Welfare Officer will file a charge sheet after completion of investigation before the Juvenile Justice Board within 90 days.

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An FIR can also be registered in cases where punishment is 7 years and less, if the Juvenile commits the offence jointly with an adult. The Juvenile Officer will prepare the charge sheet for adult and forward the same to the concerned court. For juvenile, he will prepare a separate report containing the social background of the Juvenile and circumstances of apprehension and alleged offence and forward the same to the Juvenile Justice Board.

In case, the age of Juvenile is not known or clear, efforts should be made to ascertain the age before proceeding legally. In case of doubt, the benefits shall be in favour of the Juvenile. Rule 12 deals with procedure to be followed in determination of Age. For age proof of child efforts should be made to collect his/her matriculation or equivalent certificates, date of birth certificate from the school other than play school, Birth Certificate given by a Corporation/ Municipality/Panchayat. In the absence of above, medical opinion will be sought from a duly constituted medical board.

While dealing with a child, Police Officer should never be in uniform. A child must neither be handcuffed nor sent to lock-up.

Sec. 21 of the J.J. Act prohibits publication or telecasting of name, etc. of Juvenile except when it is in the interest of the juvenile.

The above instructions should be followed meticulously. Non compliance will be viewed seriously. In this connection, a Booklet containing the guidelines has already been circulated to all concerned for reference.

R. S. Krishnia
(R.S. KRISHNIA, IPS) 25/6/13
INSPECTOR GENERAL OF POLICE
PUDUCHERRY

To
All concerned.

Copy to:

1. The Dy. Inspector General of Police (Admn.)/(AP&T), Puducherry.
2. SSPs-(L&O)/(C&I)/(Karaikal)/Traffic.

*forwarded to Mr. Williams
for u/g*

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SUPERINTENDENT OF POLICE (SOUTH)
PUDUCHERRY

