

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

**LOK SABHA**  
**UN-STARRED QUESTION NO.1656**  
TO BE ANSWERED ON 16.12.2022

**CHILD WELFARE PANEL**

1656. SHRI MANICKAM TAGORE B.:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- a. whether the Government has introduced new rules for Child Welfare Panel members;
- b. if so, the details thereof;
- c. whether the rules make several changes to aspects under the Juvenile Justice Act, 2015, if so, the details thereof;
- d. whether the members of Child Welfare Committee (CWC) are equivalent to Government officials; and
- e. if so, whether these members are also eligible for a pension, health facilities, accommodation, etc. and if so, the details thereof?

**ANSWER**

MINISTER OF WOMEN AND CHILD DEVELOPMENT  
(SHRIMATI SMRITI ZUBIN IRANI)

(a) to (c) : The Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015) (as amended in 2021) has empowered the Child Welfare Committee to decide on matters relating to children in need of care and protection in the best interest of children. Under Section 27 of JJ Act, 2015, the State Government shall constitute one or more Child Welfare Committees for every district, for exercising the powers and to discharge the duties in relation to children in need of care and protection. The Juvenile Justice (Care and Protection of Children) Model Amendment Rules, 2022 have made following amendments in Rule 15 which deals with composition and qualification of the members of the Child Welfare Committee :

In the principal rules, in rule 15,—

(i) 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.”;

(ii) in sub-rule (4), the following proviso shall be inserted namely:–

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

(iii) 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 49, certifying that the applicant is not barred by any of the conditions laid down in subsection 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.”.

(d) : No Sir.

(e) : Question does not arise.

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