Uttar Pradesh Shasan
Nyaya Section-2(Adhinasth Nyayalaya)
No:-1066/Seven-Nyaya-2-2006-732/86
Lucknow: Dated 14 September, 2006

The Uttar Pradesh Family Courts (Court) Rules, 2006 (as amended)

In exercise of the power conferred in Section 21 of the Family Courts Act, 1984 (Act No. 66 of 1984) and all enabling provisions in that behalf, the Hon'ble Chief Justice and Judges hereby make and prescribe the following Rules for the Family Courts in the State of U.P.

CHAPTER I

Preliminary

1. Short tile, commencement and application

(i) These Rules may be called the Family Courts (Court) Rules,2006

(ii) These Rules shall come into force on such date as the High Court may publish by

(iii) These Rules shall apply to the Family Courts established in the State of U.P., under Section 3 of the Family Courts Act, 1984.

CHAPTER II

Definitions

2. In these Rules unless the context otherwise requires;

(a) "Act" means the Family Courts Act, 1984.

(b) "Centre" means a Counselling Centre and includes office of the Organization/Institution which the Councellor represents.

1 [(c) "Court" means the Family Courts, established under Section 3 of the Act.]

(d) "High Court" means the High Court of Judicature at Allahabad.

(e) "Petition" shall include an application under Chapter IX of the Code of Criminal Procedure, 1973 unless the subject matter or context requires otherwise.

(f) "Principal Counsellor" means the Principal Counsellor appointed by the High court and when such Counsellor is not appointed it shall includes the Counsellor/or Counsellors as the case may be.

CHAPTER III

Sitting of the Court

3. Working hours, place of sitting;

(i) The Office of the Court shall be open daily except on holidays for transaction of office work between 10.00 A.M. to 5.00 PM

(ii) The Judges of the Court shall ordinarily sit in the Court between 10.30 A.M. to 4.30 P.M., on all working days of the Court, with recess between 1.30 PM. to 2.00 P.M.

(iii) A Court may hold sitting on holidays, and outside normal working hours if the Judge considers it necessary to do so in the circumstances of the case with prior notice to the parties and to such other person or persons as the Judge may be consider necessary.

(iv) The Court shall hold its sittings at the place where it is located or at such place as the High Court may specify from time to time by an order in that regard.

(v) The Court shall hold its sitting in open or in a camera as determined by it in each case, but shall not hold the proceedings in camera if either party so desire.

(vi) No Act of the Court shall be Invalid, by reasons of holding or continuing its sitting at any place of its choice, or any holiday or outside normal working hours when such sitting is informed to the parties in advance.

1. Subs. by sub-rule (c) of Rule 2 of THE UTTAR PRADESH FAMILY COURTS (COURT)(AMENDMENT)RULES,2020

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CHAPTER IV
Institution of Proceedings

Form No. 1
Chapter IX

which shall be duly verified by the petitioner. In respect of application under of the Code of Criminal Procedure, the provisions of the Code of Criminal Procedure will apply.

5. All applications under Chapter IX of the Code of Criminal Procedure shall be by way of an application as per

Form No.2 appended to these Rules which shall be duly verified by the petitioner. The Prayer for interim relief shall not be made separately. It shall be included in the application. The application may be in any permissible language.

6. The petition may be filed before the Court as permitted under any law which also includes provisions contained in the following laws;

(i) Chapter IX of the Criminal Procedure Code 1973 (2 of 1974)
(ii) Hindu Marriage Act, 1955 (25 of 1955)
(iii) Maintenance under Hindu Adoptions and Maintenance Act, 1956 (78 of 1956)
(iv) Guardianship of the persons or custody of or access to any minor under the Hindu Minority and Guardianship Act, 1956 (32 of 1956)
(v) Dowry Prohibition Act, 1961 (28 of 1961) for an order for injunction in circumstances arising out of marital relationship.
(vi) Hindu Marriage (Validation of Proceedings) Act, 1960 (19 of 1960)
(vii) Personal law applicable to Muslims including:
(a) Muslim Personal (Shariat) Application Act, 1937 (26 of 1937)
(b) Dissolution of Muslim Marriage Act, 1939(8 of 1939)
(c) Muslim Women (Protection of Rights on Divorce) Act, 1986 (25 of 1986)
(viii)Parsi Marriage and Divorce Act, 1936 (3 of 1936) which can be instituted or taken out before the Parsi District Matrimonial Courts constituted under Section 18 and 20 of the said Act.
(ix) Indian Christian Marriage Act, 1872 (15 of 1872)
(x) Indian Divorce Act, 1945
(xi) Special Marriage Act, 1954 (43 of 1954)
(xii) Child Marriage Restraint Act, 1929 (19 of 1929)
(xiii)Anand Marriage Act, 1909 (7 of 1909)
(xiv) Arya Marriage Validation Act, 1937 (19 of 1937)
(xv) Foreign Marriage Act, 1969 (33 of 1969)
(xvi) Suits or proceedings relating to part B States Marriages Validating Act, 1952 (1 of 1952)
(xvii)Guardians and Wards Act, 1890 (8 of 1890)

7. A petition shall be filed with two copies signed by the parties, along with as many copies to be sent to the respondents. One copy of such petition shall be forwarded by the designated officers of the Court to the Principal Counsellor forthwith Photograph of the parties shall be affixed on the first two copies of the petition and the reply/written statement filed by the respondent.

CHAPTER V
Service of Summons

8. The name of address of the party or of the representative appearing for the party, shall be stated in every notice, summons, witness summons, application, warrant and every process of the Court issued at the instance of such party or representative.

9. All notices, summons, rules, orders, warrants and other mandatory process shall be in a Form No. 3 sealed with the seal of the Court and shall be signed by the designated Officers of the Court. A copy of the petition and exhibits annexed thereto shall be sent, along with the notice.

10. All notices, summons shall be returnable in three weeks after the date of filing of the petition, if respondent resides within local limits of the court, and five weeks after the date of filing of the petition, if respondent resides outside the said limits.

11. The notice, summons shall be served in the manner prescribed in the Code of Civil Procedure, 1908 save and except in proceedings under Chapter IX of the Code of Criminal Procedure, where the provisions of that Code will apply.

12. In addition to the normal process of service by the Court, the applicant will at liberty to serve upon the respondent, the notices, summons of the court, along with copy of the respondent, the notices, summons of the court, along with copy of the petition and exhibits, either through person or through a recognizable mode of service, including registered post, speed post, fax and e-mail and shall file affidavit of service upon the respondent.

13. Application for substituted service of notice, summons where the respondent has refused to accept the summons, shall be made to the court, supported by an affidavit. The court may direct service by an advertisment in daily newspaper, having wide circulation in the locality in which the respondent is last known to have actually and voluntarily resided, carried on business or personally worked for gain. The court shall maintain a list of widely circulated newspapers and shall mention the name of the newspaper for substituted service in the order, fixing time for appearance of the respondent as the case may require. The applicant shall file affidavit annexing the copy of the newspaper in which the summon was published, one week before the date fixed for hearing in such summon.

14. Any respondent who asks for copy of the petition, in writing, on the ground that he has not received the copy of the petition or that he has not received complete copy, shall be furnished by the applicant the complete copy, with all annexures to the respondent.

15. In case after normal service against a woman defendant no one appears and the proceeding are about to be taken exparte, the Court may consider an additional service once again

CHAPTER VI
Proceedings in Court

16. On the returnable date of the summons, the petition shall be placed for direction before Judge of the Court to whom this work may be assigned by the Principal Judge of the Count.

17. When giving direction, the Judge shall, in consultation with Principal Counsellor or such other counsellor who may be present in Court, direct the parties to attend a specified counsellor for the purpose of counselling

18. Such Counsellor shall be chosen bearing in mind the convenience of the parties, their special requirements and the area in which the unit to which that counsellor is attached is located.

19. The powers, functions and duties of the Counsellor and the protection granted to them in discharging of the duties, shall be as prescribed in the U.P. Family Courts Rules, 1995.

20. Once the proceedings before the counsellor shall end the counsellor shall file a memorandum setting out the outcome of the proceedings before him. The Court may thereafter call a meeting of the parties to fix a date of hearing of the petition. Intimation of such meeting shall be given to the parties by registered post or personally.

21. At the meeting so fixed, the Court shall fix a date of hearing after consulting both the parties.

22. The Court shall also ascertain from the parties the approximate time to be taken by each party before the Court for the hearing of the matter.

23. In the event of any party remaining absent at the meeting called by the Court, the Court shall fix such date of hearing as he may deem fit. The Court shall fix a date at least four weeks after the date of the meeting.

24. On the date so fixed by the Court the petition shall be placed on the board of the Court for hearing and final disposal. The time allotted to the parties shall also be indicated on the board.

25. The Court shall not ordinarily alter the date when the date has been fixed in the presence of both the sides.

26. The petition so fixed shall not be adjourned by the Court unless there are exceptional circumstances justifying such adjournment and unless they are such as could not have been foreseen when the date of hearing was fixed before the Court. The Court shall record its reasons for adjourning a matter.

27. The Court may permit the parties to be represented by a lawyer in Court. Such permission may be granted if the case involves complicated questions of law or if the Court is of the view that the party in person will not be in position to conduct his or her case adequately or for any other reason. The reasons for granting permission shall be recorded in the order.

Permission so granted may be revoked by the Court at any stage of the proceedings if the Court considers it just and necessary.

28. Any application for representation by a lawyer in court shall be made by such party to the court after notice to the other side, not less than one week prior to the date fixed for hearing of the petition. The case shall not be adjourned on this ground.

29. The Court may appoint or seek assistance of legal expert as Amicus Curiae on purely legal issue in accordance with Rule 24 of the U.P. Family Courts Rules, 1995.

30. The Court may record only the substance of what the witness deposes in his examination by Court, and cross examination by respondent if the court so permits, and shall prepare only a memorandum of substance of what the witness deposes as prescribed under Section 15 of the Family Courts Act, 1984. The memorandum shall be read and explained to the witness, signed by witness and the Presiding Officer of the Court and shall form part of the record. The Court may in the matter of interim relief take evidence on affidavit, if any, which shall also form part of the record of the court.

31. That Court shall furnish to the parties to the proceedings before it, a copy of the judgment, certified to be a true copy, free of cost.

32. An interim application may be made even while the matter is pending before the Counsellor. The Court may ask the Coursellor to submit an interim report for the purposes of deciding the interim application. The UP Family Courts Rules, 1995 relating to report to be submitted by the Counsellor shall mutatis mutandis apply to interim report also.

33. On a request made by any party, the evidence before the Court, may be tape-recorded; at the expenses of such party. In the event of appeal or revision before the High Court a party may apply to the Court for transcription of the tape-recorded evidence which shall be supplied to the party concerned on payment of prescribed fee.

CHAPTER VII

Settlement

34. Every Family Court shall maintains separate lists of:

(a) institutions and organizations engaged in social welfare together with names and address of representatives of such institutions or organizations,

(b) person professionally engaged in promoting the welfare of the family with their address;

(c) persons working in the field of social welfare with their addresses.

The family Court may call for report as regards efforts made or to be made by the institution, organization or persons referred to in Section 5 of the Act.

Provided that where efforts for amicable settlement are continuing or are deferred, the family Court may require the institution, organization or person to submit before it an interim report.

CHAPTER VIII

Execution of Orders

35. The provisions of Code of Civil Procedure for execution of orders passed in all matters except the orders passed on petition under Chapter IX of Code of Criminal Procedure shall apply. The provisions of execution of orders in Code of Criminal Procedure shall apply to orders passed under Chapter IX of the Code of Criminal Procedure.

36. An order passed under Chapter IX of the Code of Criminal Procedure for maintenance allowance may be executed by the Court by attachment of salary as provided in section 60 and order 21 of the Code of Civil Procedure in addition to the mode of recovery provided in sub-section (3) of Section 125 of the said Code.

37. An application under Section 125/126 under Chapter VII of the Code of Criminal

Procedure may be filed at the place where the wife, minor child, parent, as the case may be resides.

38. The pendency of an application for interim maintenance under Section 125 or 126 as the case may be under Chapter IX of the Code of Criminal Procedure shall not be a ground to stay or suspend the main proceedings under Section 125 or 126 of the Code.

39. In the pending execution proceeding for recovery of any defaulted amount the Family Courts shall not register a new case. An application for recovery of defaulted amount of maintenance in the pending execution case shall be sufficient for recovering the amount.

CHAPTER IX

Guardianship

40. All petitions for guardianship other than applications over which the High Court has jurisdiction, shall be filed before the Family Court.

41. Every petition for guardianship, when it is by a person other than the natural parent or natural guardian of the said child shall be accompanied by a Home Study Report of the person asking for such guardianship and his/her spouse, if any, prepared by an approved family welfare agency or a suitably trained social worker. A list of such agencies and/or persons shall be prepared by the Principal Judge and Principal Counselor in consultation with the High Court.

42. When a Petition for guardianship is filed by a foreigner or a non-resident Indian, the Court may accept a Home Study Report prepared by a recognized family welfare agency of the country where they reside.

43. Every petition for guardianship shall be accompanied by-

(i) Two recommendations from respectable members of the community.

(ii) A salary Certificate or statement relating to annual income the petitioner and his financial position.

(iii) A Health Certificate of the petitioner and his/her spouse signed by medical practitioner as also medical report regarding sterility of petitioner and/or spouse.

(iv) A Health Certificate of the child proposed to be taken in Guardianship signed by a medical practitioner and countersigned by the petitioner.

(v) A Child Study Report of the child proposed to be taken in guardianship together

Form No. 3 prescribed in

the appendix when the child is institutionalized or Court committed. The report shall be countersigned by the petitioner.

(vi) A declaration from the proposed guardian and his/her spouse if any. expressing their willingness to take the child in guardianship.

44. When a petitioner applying for guardianship is a foreigner or a non-resident Indian, the petition will also be accompanied by -

(i) Permission from the country where the petitioner resides for the child to enter the country.

(ii) An undertaking by a recognized family welfare agency of the country concerned to supervise the child in the home of the petitioner until the child is legally adopted.

45. In granting a petition of a foreigner or a non-resident Indian for guardianship, the Court shall satisfy itself that the child can be legally adopted under the law of the country where he/she resides.

46. The Court may direct a foreign or non-resident Indian petitioner to give a bond for such amount as it may think proper for the return of the child to India in the case of any difficulty.

47. While granting a petition for guardianship, the Court may pass such orders as it may deem proper for the financial security of the minor.

48. When the child proposed to be given in guardianship is an abandoned child the Court may satisfy itself that the consent of the natural mother was taken at the time of abandonment of the child or at any time thereafter to the child's being given in guardianship to another person. The name of the natural mother or natural father as also the consent letter from natural parent shall be treated as confidential. Consent letter shall be kept in Court in sealed cover.

49. When the child being placed in guardianship is an abandoned child from an institution for abandoned children, the institution shall file an affidavit setting out the circumstances under which the child was abandoned The affidavit shall also set out whether the institution is agreeable to the child being given in guardianship to the petitioner.

50. The Court, in its discretion may not entertain a petition for guardianship by a foreigner or a non-resident Indian unless the Court is satisfied that adequate attempts for at least three months or such other period as the Court deem fit have first been made to place the child in an Indian Home. For this purpose the Court may ask the petitioner to obtain a no objection letter from a Voluntary Coordinating Agency or any other similar organization working for the placement of children in Indian Homes.

51. When the proposed guardian is related to the child, the Court may dispense with any of the above provisions.

52. A guardianship order shall be in the Form No. 4 prescribed in the appendix with such modifications as may be required in each case. A photograph of the child signed by an authorized officer of the Court shall be attached to the order.

53. A copy of every guardianship order appointing a foreigner or a non-resident Indian as a guardian shall be forwarded to the Ministry of Social Welfare, Government of India and Social Welfare and Cultural Affairs Department, Government of Uttar Pradesh, Lucknow.

54. The Court shall have the power to waive the requirements of any of the above rules relating to petitions for guardianship in a suitable case.

55. In case of a child placed in guardianship, the Court may, at any time direct a counsellor attached to the Court to supervise the placement of the child and submit a Report or Reports thereon to the Court in such manner as the Court may deem fit.

CHAPTER X

Miscellaneous

56. The High Court may authorize and empower Judge of the Court or it, there be more Judges than one in a Court the Principal Judge of such Court to appoint so many and such other ministerial officer as may be necessary for the administration of justice and due execution of all powers and authorities exercisable by a Court.

Provided that the appointments of officers and ministerial staff shall be subject to any rules or restriction as may be prescribed or imposed under the Act.

57. The proceedings before the court shall be heard and disposed of as expeditiously as possible, preferably within 3 months, and in achieving this objective the rules or procedure may not rigidly be adhered to.

[1][58. Every Principal Judge shall be under administrative and disciplinary control of the High Court and every other Judge of the Court shall, subject to overall control to the High Court, be under administrative and disciplinary control of the Principal Judge.]

59. For carrying on the purpose of the Act and for ensuring the uniformity of practice to be observed by Courts and for expeditious disposal, the High Court may from time to time, supervise and inspect the Courts and issue directions/circulars etc to the Courts.

60. No Judge shall hear or decide any case to which he is party or in which he/she is personally interested.

61. The Courts may use such forms and containing such particulars as may be approved by the High Court.

62. The High Court may require Courts to maintain such registers and records and containing such particulars as may be approved by the High Court.

63. A proceeding before the Court shall not become invalid by reason only of non compliance with any of the procedural requirements prescribed in these Rules.

1 Subs. by THE UTTAR PRADESH FAMILY COURTS (COURT) (AMENDMENT) RULES,2020

FORM No. 1

In the Family Court at.....

PETITION NO.

Between

Mrs/Mr.....

W/o or S/o.....

Age.....

Occupation.....

Present address.....

Permanent address/residence .....

Petitioner/s

AND

Mrs/Mr.....

W/o or S/o.....

Age.....

Occupation.....

Present address.....

Permanent address/residence .....

Respondent

Petition under Section.....For.....

The abovenamed petitioner respectfully submits as under:

1. That the petitioner and respondent are legally married ....&.....Their marriage was solemnized on .....at..... according to .... customs. After the marriage both the petitioner and respondent had been living/lived together as husband and wife at..... Out of the wedlock the couple was blessed with the child aged ....named.....and another child aged ..... named.....

2. The Petitioner submits that (give the grievance of the petitioner against respondent with full particulars).

3. This petition is not presented in collusion with the respondent and there is no unnecessary or improper delay in institution of these proceedings.

4. The petitioner has no means of livelihood for her/his maintenance/limited resources, which are not sufficient for her/his livelihood and for child/children, living with her/him and thus prays for interim maintenance of Rs....., for which the petitioner called upon the respondent to provided such maintenance but no amount has been received by the respondent.

5. Cause of action for the petition arose on (date) when the marriage of the petitioner with the respondent was performed. It also arose on several occasions when the respondent behaved and committed.....

6. The petitioner and the respondent both last lived together at (or where the marriage took place or where the respondent at the time of presentation of the petition resides which is within the territorial jurisdiction of this Hon'ble Court.

PRAYER

7. The petitioner therefore prays that this Court may be pleased to pass an order directing.....

Place:

Date: Petitioner

Verification

I,.....Daughter/ son of .....
.....aged..... resident
of.....do hereby declare that the above facts stated in the petition are true and correct to the best of my knowledge, information and belief. Hence, Verified on this the.....day of month.....

Petitioner

FORM No. 2

In the Family Court at.....

Between
Mrs/Mr.....

W/o or S/o.....
Age.....
Occupation.....
Present address.....
Permanent address/residence .....
Petitioner/s

AND

Mrs/Mr.....

W/o or S/o.....
Age.....
Occupation.....
Present address.....
Permanent address/residence .....
Respondent

Petition for maintenance under Section 125 of Criminal Procedure Code

The abovenamed petitioner respectfully submits as under:-

1. That the petitioner and respondent are legally married.....&..... .

Their marriage was solemnized on .....at.....according to.....customs. After the marriage both the petitioner and respondent had been living/lived together as husband and wife at ..... (or where the marriage took place or where respondent resides). Out of the wedlock the couple was blessed with the child aged..... named..... and another child aged..... named.....

2. The Petitioner submits that (give the grievance of the petitioner against the respondent with full particulars).

a. .....
b. .....

3. Petitioner has no resources/limited resources to maintain herself and her minor children. She is presently depended upon her parents, who have their own expenses and may not be in a position to support the petitioner for long period.

4. That the petitioner on..... called upon the respondent to provide money for maintenance for herself and her minor children but as yet no amount towards maintenance has been received from the respondent.

5. That the respondent is a person with means and has the following property, monthly income etc.

a. .....
b. .....
c. .....

6. In the circumstances stated above there is no alternative for the petitioner and her minor children but to approach this Court for maintenance.

7. That during the pendency of the petition the petitioner with no resource/limited resource to maintain her/him and minor child/children may be provided with interim maintenance.

PRAYER

The petitioner therefore prays that this Court may be pleased to pass an order directing the respondent to pay.....towards maintenance of the petitioner and Rs. ..... towards maintenance of the minor child/children.

Place:

Date: Petitioner

FORM No. 3

In the Family Court at.....

Petition No..... of 200

.....

Petitioner

Versus

.....

Respondent

To

Whereas, the above named petitioner has instituted a Petition against you, as set out in the petition (Annex the petition).

You are hereby required to file in this Court as appearance in person or a Vakalatnama with the permission of the Court, within three weeks from the service of this summons upon you,

And whereas, the suit will be placed for directions on the board of the Judge on the ..... day of.....200

You are hereby summoned to appear before the judge to answer the petitioner's claim on the said..... day of.....200 at 11.00 O'Clock in the forenoon; and

Take notice that on the day before mentioned after hearing parties who appear directions will be given by the Judge as to the date of hearing before a counselor of the Family Court and other matters concerning the petition, and

Take further notice that if you fail to file your appearance in person or a vakalatnama as directed above, or if you fail to appear before the Judge on the day before mentioned the petition may be ordered to be set down on Board on the same day or any subsequent day as "undefended" and you will be liable to have a decree or order passed against you.

Witness..... Principal Judge..... aforesaid, this.....day of.....200

.....

Designated Officer

Sealer

The..... day of.....200

Petitioner/Advocate for the petitioner

Address

FORM No. 4

In the Family Court at.....

PETITION NO..... OF 200

In the matter of the Guardians and Wards Act, 1890

AND

the matter of the appointment of Guardian of the Person of a male/female minor .....as inmate of..... petitioner

UPON READING the petition of .....the petitioner therein dated..... for the appointment of the petitioner as the legal guardian of male/female minor.....born on .....And to adopt the said minor as his son/daughter according to the Laws of..... and upon hearing..... in support of said petition and upon.....Agreeing to comply with the guidelines contained in the Judgment of the Supreme Court of India in Writ Petition (CRL) No. 1171 of 1982 (Laxmi Kand Pandey vs. Union of Indis) AIR 1984, Suprem Court P. 469 and upon reading the Affidavit of..... consenting to the appointment of the petitioner as the legal guardian of the said minor and upon considering the representation made by.....and.....upon hearing..... the representative of the said.....and upon the petitioner.....

Hereby giving an Undertaking to this Honourable Court to produce the said minor whenever required and further undertaking to communicate the address of the said minor to the authorities of..... by..... of every year and further undertaking to take proper care, look after educate and to bring up the said minor as if she/he was a child of the Petitioner and further undertaking to treat the said minor on an equal footing with his natural and/or adopted children, if any, in all matters of maintenance, education and succession and before taking the said minor out of India the petitioner further undertaking to execute a Bond either, personally or through his duly constituted attorney in India in favour of the Designated Officer of this Honorable Court in the sum of Rs. .....to repatriate the said minor to India by air should it become necessary for any reason to do so and further undertaking to adopt the said minor..... Within a period of two years after the arrival of the said minor to his home according to the Laws of .....And further undertaking to submit to this Honorable Court every three months for the first two years and every six months for the next three years progress report of the said child (alongwith his/her recent photograph) made or verified as correct by the Organization which made the Home Study Report herein regarding the said minor's moral and material progress and her adjustment in the petitioner's family with the information of the date of arrival of the said minor, from India to the Petitioner's Home and the true copy of 3of the Adoption Order with the copies of the said reports to..... the said and further .....the agency who has submitted the same study report of the petitioner agreeing that in case of disruption of the petitioner's family before adoption the said Agency shall take care of the minor and find a suitable alternative placement for it with the approval of the institution whose inmate the minor is and report such alternative placement to the Honorable Court and also to the....., I do order that the Notice under section 11 of the Guardians and Wards Act, 1890 be and the same is hereby dispensed with and I do further order that the petitioner .....be and he is hereby appointed guardian without security and without remuneration of the said minor .....born on .....whose latest photograph duly certified as such..... and countersigned by an Officer of this Honorable Court is attached hereto and marked as Exhibit 'A' and now in the custody and care of the authorities of the said ..... And I do further order that after executing the Bond as aforesaid the petitioner ..... be and he is hereby granted leave to remove the said minor from the jurisdiction of this Honorable Court and to take him/her away to..... or wherever he may desire and for that purpose make an application to the passport authorities or any other authorities to take away the said minor out of the jurisdiction

of this Honourable Court and I do hereby lastly order that the Petitioner herein do pay a sum of Rs. .....to the said ..... towards their costs of the petition.

Dated this ..... day of 200

(delete whatever is not applicable)

Judge

Advocate for the petitioner

EXHIBIT "A"

Certified latest photograph of male/female minor.... ..... born on.....

.....

Designated Officer

Family Court

FORM No. 5

CHILD STUDY FORM

Information of the child to be placed in Guardianship Name of the Child Passport Size Photo of the Child

Name of the Institution
Address

PART I

1. Name of the child .....
2. Reference No. as per General Register of the Institution .....
3. Present Age .....
4. Sex .....
5. Religion (If known) .....
6. Date of Birth (If available) .....
7. Place of birth (If available) .....

PART II 1. Petition No. .....

2. Name of the petitioner .....
3. Complete address of the Petitioner .....

***PART III (Legal Data)** 1.

Name of the Committing Court.....

2. Age of the Child at the time of commitment. .....
3. Date of order of commitment.....
4. Period of commitment.....
5. Final date of release.....
6. Section of the.....Act
7. Date of admission to your Institution

Please enclose a copy of the Court Commitment Warrant.....

Please enclose a copy of the report of the probation officer which he/she has submitted to the Juvenile Court at the time of commitment of the child

.....

Part III to be filled in for Court Committed Children only

PART IV (Social Data) 1.

How the child came to your Institution:-
(a) Admitted directly.....
(b) Vacancy was reserved and then get.. ..... committed
(c) Transfer from any other institution ..... and if so which one
(d) Any other source.....

2. Circumstances under which the child came... ..... to the original institution
3. Reasons for seeking protection in the institution..... 4. Information about the relatives.....
5. In case if they are alive, have they agreed to give away the child in adoption/ guardianship and if' so whether written consent has been obtained.....

6. Whether the relatives have established any contacts with the child after his/her admission to your institution.....

7. If the child is purely destitute, give factors which will show that-.....

8. Any other information which you would like to add.....

PART V

(Behaviours Observations)

1.How long the child is with you in your..... institution?

2. Attitude towards other inmates.....

3. Relationship towards relatives, staff and other adults.....

4. Intelligence (if and where possible I.Q. Report should be enclosed) .....

5. General Personality and description of the child.....

6. Play activity and any specific talent .....

7. Observer's impressions about the child .....

8. Please indicate how the parent plan of rehabilitation will be useful to the child ..... taking into consideration the child's needs and temperament

9. If the child is school-going give a detailed report about his/her standard, ... attendance, general interest in studies progress effects, if any.

10. Any other information .....

PART VI

Physical and Medical report form enclosed .....

PART VII

1. Have you reviewed the Home Study report of the adoptive parents/guardians and do you feel the placement of this ..... child with this family is suitable?

2. Have the adoptive parents seen the details of child whom they wish to bring up and have they approved of the child after knowing the general conditions physical or mental defects, etc. If so, please give ..... a copy of the certificate wherein the adoptive parents/guardians have given their consent in writing that they have examined the Child Study Report and accept the proposed child

PART VIII

I, ... Shri /Shrimati.....Superintendent

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

I also enclose herewith the certificate/attested copies of the following documents:

(1) Copy of the Court Warrant

(2) Copy of the report of the Probation Officer

(3) Consent of the parents to give away the child

(4) Consent of the adoptive parents to accept the child

Place: Signature

.....

Date: Name

.....

Designation

.....

.....

Designated Officer

Note: Date of Departure of the child from the country, should be conveyed to the Director of Child Welfare and consulting agency for the purpose of follow up.