



सत्यमेव जयते

# The Gujarat Government Gazette

## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

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#### PART IV-B

**Rules and Orders (Other than those published in Parts I, I-A, and I-L) made  
by the Government of Gujarat under the Gujarat Acts**

#### SOCIAL JUSTICE AND EMPOWERMENT DEPARTMENT

##### NOTIFICATION

Sachivalaya, Gandhinagar, 1<sup>st</sup> April, 2025

**No.GHL-05/SJED/2025/1/2088/CHH :-** The following Draft of Gujarat State Child Protection Policy proposed to be issued is hereby published for information of all persons likely to be affected thereby and notice is hereby given that the said draft policy will be taken into consideration by the Government of Gujarat on or after the expiry of ninety days from the date of publication of this notification in the Official Gazette.

- Any objection or suggestion which may be received by the Principal Secretary to the Government of Gujarat, Social Justice and Empowerment Department, Sachivalaya, Gandhinagar from any person with respect to the said draft policy on or before the expiry of the aforesaid period, will be considered by the Government.

**Draft of Gujarat State Child Protection Policy****1. Preamble of the Policy:**

1. All children deserve a happy childhood and the opportunity to lead a dignified life safe from violence, exploitation, neglect, deprivation and discrimination. The Constitution of India recognizes children as equal right holder and grants highest priority for their protection and well-being. India is also signatory to the United Nations Convention on the Rights of the Child (UNCRC) and accordingly has a strong legal framework to protect children which include the Juvenile Justice (Care and Protection of Children) Act 2015; the Protection of Children from Sexual Offences Act 2012; Pre-Conception and Pre-Natal Diagnostic Techniques (PCPNDT) Act 1994; the Commission for Protection of Child Rights Act 2005; the Right of Children to Free and Compulsory Education Act, 2009; Prohibition of Child Marriage Act, 2006; Child Labour (Prohibition and Regulation) Amendment Act, 2016; IT and Digital Personal Data Protection Act 2023; Rights of Persons with Disabilities Act 2016; and Supreme Court judgements on Child Sexual Abuse Material and Child Marriage.
2. The Government of Gujarat recognizes the rights of all children and their importance of upholding these rights for the achievement of India's growth and development. The State is committed to ensuring child protection within the State, based on a rights-based approach, which implies promoting the safety and security of children within the framework of their legally recognized rights including children's right to participation.

**2. Vision:**

1. To create a society in Gujarat where every child is respected, protected and empowered to realize his/her full potential, ensuring his/her rights to safety, education, health and development.

**3. Key Objectives of the Policy:**

1. To create robust, child-centric and effective child protection policies and institutions.
2. To build the capacity of institutions, law enforcement and caregivers to provide effective and child friendly care and protection.
3. Promote and strengthen interdepartmental, interagency and multi-sectoral convergence and accountability.

**4. Scope of the Policy:**

1. The Gujarat State Child Protection Policy will apply to all government and non-governmental departments, statutory bodies, NGOs, institutions and individuals who come in direct or indirect contact with children.
2. It also covers children in vulnerable situations, including children with disabilities, migrant children, orphans, street children, children affected by natural disasters, and children in conflict zones.

**5. Guidelines for Organization, Institutions and Establishments (including Media)**

1. All institutions and organizations should develop a child protection policy and code of conduct for employees in line with the national guidelines and various legislations for protection and welfare of children and display it appropriately
2. All employees/ contractual workers must sign the declaration for child protection and agree to abide by it (Draft declaration at Annexure - 1).
3. It should be based on the principle of Zero tolerance of child abuse and exploitation.
4. The code of conduct for employees/contractual workers must lay down that they should always treat children with empathy and respect, regardless of race, color, gender, sexuality, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
5. All organization and institution should designate responsibility to a specific member/members of staff for ensuring that procedures and arrangements are in place within the organization to protect children and report any abuse, exploitation or neglect in line with the guidelines and existing laws.
6. The CHILDLINE 1098 or any other helpline for that matter and contact details of designated officer for child protection must be displayed appropriately.

7. Organize orientation programs on child protection and various legislations related to it and make it mandatory for all employees at all levels (including contractual workers).
8. Ensure any individual in the organization/institution who abuses or exploits children or violates any section of this policy should be appropriately punished as per law (Refer to Annexure - 2).
9. Any individual who suspects physical, sexual or emotional abuse including online abuse of children, circulation of child sexual abuse materials, child marriage, child labour, child trafficking, maltreatment of children, discrimination against child on the account of gender, caste, religion, language, disability or any other, abandonment or neglect of a child, must report the incidence to CHILDLINE 1098 or any other helpline for that matter, police or Child Welfare Committee. Identity of the informant is protected will not be made public.
10. In cases of emergency, where a child appears to be at immediate and serious risk, provide accurate information about child's location, details of the circumstances and other information to help in the process of rescue. In case the child requires immediate medical attention before appropriate authorities arrive, help the child in the best possible but report to CHILDLINE 1098 or any other helpline for that matter and police regarding the situation and whereabouts of the child.
11. Always wait for the appropriate authority (CHILDLINE 1098 or any other helpline for that matter police or Child Welfare Committee members) for taking action or act on their advice and guidance.
12. Professionals who provide services to children (teachers, counsellors, doctors/ other health workers and others) must follow child protection policy for reporting and taking action if they become concerned about a child's safety and welfare.
13. Be aware of the care and support services for children like CHILDLINE 1098 or any other helpline for that matter, Special Juvenile Police Unit, Child Welfare Committees, childcare institutions, one-stop centers, drug rehabilitation centers, hospital, mental health care providers and other such services for children.
14. Corporate houses and industries must establish and strengthen monitoring mechanisms to ensure that industry/subsidiaries are not using child labour in any form.
15. Institutions and organizations working directly with children must ensure stringent background check (including police verification) of all employees regular or contractual, volunteers and others who may come in contact with children.
16. Institutions and organizations working directly with children must train all employees on child rights, provisions of POCSO Act, 2012; JJ Act 2015 and other legislation for children and ensure that corporal punishment, bullying and any other form of abuse is prevented. All employees should be familiar with signs and behaviors that may be indicative of child abuse/exploitation or neglect.
17. Medical establishments (hospital and clinics), doctors and health workers cannot refuse treatment or discriminate on the basis of gender, sexual orientation, disability, caste, religion, tribe, language, marital status, occupation, political belief, or other status. Refusal of medical care to survivors/victims of sexual violence and acid attack amounts to an offence under Section - 200 of the Bhartiya Nyaya Sanhita, 2023 read with Section - 397 of The Bhartiya Nagarik Suraksha Sanhita, 2023.
18. Institutions and organizations working directly with children must develop age-appropriate modules and materials for orientating children on child abuse, online safety and services available for them.
19. Organizations who undertake research and collect data on children, directly from children or indirectly from parents/community must ensure that children are not harmed or traumatized in any way during the process. All research staff must be trained on ethical practices and child friendly procedures.
20. Crèches/ mobile crèches for employee's children including those on daily wages/contractual basis if the number of employees is fifty or above; otherwise, appropriate space and facility for baby care to be provided for mothers with infants.
21. Child-friendly zones must be developed in all places for public dealing and safe spaces for mothers to keep their infants.
22. The code of conduct must be laid down that staff members must never:

- Use language or behavior towards children that is inappropriate, harassing, abusive, sexually provocative, demeaning or culturally inappropriate.
- Develop or induce or support in any way physical/sexual relationships with children.
- Develop any form of relationship or arrangement with children which could in any way be deemed to be exploitative or abusive.
- Place a child at risk of abuse or exploitation or be aware of these and not report it or not do anything about it.

### Annexure - 1

#### Declaration by all employees

I,....., ..... (name and position of the employee), from..... (name of the organization) hereby declare that:

- I will always respect all children, regardless of age, disability, gender, racial heritage, religious belief, sexual orientation or identity;
- Support their right to equal protection from all types of harm or abuse;
- I will not employ any child as defined under Child Labour (prohibition and regulation) Amendment Act, 2016.
- I will always report any case of child abuse, exploitation and neglect which comes to my knowledge to appropriate authority and will not harm or abuse any child physically, emotionally or sexually.

(Name of the employee)

### Annexure - 2

The following offences/ behaviours are punishable by law and it is the duty of every adult citizen to abide by these laws:

Offences/Behaviours	Laws
Sexual assault, sexual harassment, use of child for pornographic purpose	Protection of Children from Sexual Offences Act 2012
Production, dissemination and use of child sexual abuse materials	The Information Technology Act, 2000
Disclosing identity of the child victim to anyone other than appropriate authority	Protection of Children from Sexual Offences Act 2012, JJ Act, 2015.
Sale and procurement of children for any purpose including illegal adoption, trafficking of children for sexual exploitation, use of children by militant groups, giving children intoxicating liquor, narcotic drug or tobacco products or psychotropic substances, offences against disabled children, trafficking of children for sexual exploitation/exploitative labour/other reasons and, kidnapping	JJ Act 2015; Immoral Traffic (Prevention) Act 1956; Human trafficking (section 370 & 370A IPC), after creation of specific section in IPC by the Criminal on Law (Amendment) Act 2013
Corporal punishment in child care institutions	JJ Act, 2015
Corporal Punishment in schools	Right of Children to Free and Compulsory Education Act, 2009
Adopting a child without due procedure through CARINGS and child welfare committees/ promoting or facilitating such illegal adoption	JJ Act, 2015

Offences/Behaviours	Laws
Employment of children below 14 years in any occupation or industry	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Employment of children 15-18 years in hazardous occupation or industries	Child Labour (Prohibition and Regulation) Amendment Act, 2016
Marrying a child/promoting or solemnizing child marriage	Prohibition of Child Marriage Act, 2006
Pre-natal diagnostic techniques for determination of the sex of the fetus leading to female feticide.	(PCPNDT) Act, 1994

By order and in the name of the Governor of Gujarat,

**D. S. SHARMA,**  
Deputy Secretary to Government.

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