



### **Abstract**

Social Defence – Constitution of State Commission for Protection of Child Rights under the Commissions for Protection of Child Rights Act, 2005 (Central Act 4 of 2006) - Sanction of expenditure – Orders - Issued.

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### **Social Welfare and Nutritious Meal Programme (SW 8) Department**

G.O. (Ms) No.45

Dated 28-03-2012

பங்குனி 15 திருவள்ளூர் ஆண்டு 2043

Read:

1. From the Secretary, Ministry of Women and Child Development, Government of India, D.O.No.3-2/2004-CW (Vol-III), dated 27.01.2006, 18.7.2006, 11.9.2006, 15.12.2009 and 22.11.2010
2. From the Commissioner of Social Defence letter No.20743/D3/2007, dated 30.12.2009, 16.9.2010, 18.10.2010, 24.12.2010, 28.7.2011 and 29.9.2011.

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### **ORDER:**

The Nation has acceded to the Convention on the Rights of the Child (CRC) on 11<sup>th</sup> December 1992 which is an International Treaty that makes it incumbent upon the signatory States to take all necessary steps to protect Children's Rights enshrined in the Convention. To ensure protection of rights of the children, the Government of India adopted the National Charter for Children, 2003 and enacted the Commissions for Protection of Child Rights Act, 2005 as amended in 2006, which provides for the constitution of National Commissions for Protection of Child Rights and State Commission for Protection of Child Rights.

2. According to sub-section (1) of Section 17 of the Commissions for Protection of Child Rights Act, 2005 (Central Act, 4 of 2006), a State Government may constitute a body to be known as the State Commission for Protection of Child Rights (SCPCR) to exercise the powers conferred upon, and to perform the functions assigned to State Commission under Chapter III of the Act. According to sub-section 1 of section 36 of the Commissions for Protection of Child Rights, Act, 2005 (Central Act 4 of 2006) the State Government may, by notification, make rules to carry out the provisions of this Act.

3. According to sub-section (1) of sections 13 read with section 24 of the said Act, the State Commission shall perform all or any of the following functions namely:-

- (a) examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation;
- (b) present to the State Government, annually and at such other intervals, as the Commission may deem fit, reports upon the working of those safeguards;
- (c) inquire into violation of child rights and recommend initiation of proceedings in such cases;
- (d) examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;
- (e) look into the matters relating to children in need of special care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;
- (f) study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;
- (g) undertake and promote research in the field of child rights;
- (h) spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminars and other available means;
- (i) inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the State Government or any other authority, including any institution run by a social organization; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;
- (j) inquire into complaints and take suo motu notice of matters relating to:-
  - (i) deprivation and violation of child rights;

- (ii) non-implementation of laws providing for protection and development of children;
  - (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children or take up the issues arising out of such matters with appropriate authorities; and
- (k) such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.

4. In pursuance to above said provisions the Director of Social Defence in the letter second read above has sent necessary proposals for constitution of the State Commission for Protection of Child Rights with certain posts and infrastructure at a total cost of Rs.52,43,891/- (Rupees Fifty two lakh forty three thousand eight hundred and ninety one only)

5. After careful examination, the Government accept the proposal of the Director of Social Defence and accordingly issue orders to constitute State Commission for Protection of Child Rights for the State of Tamil Nadu as envisaged in the Commissions for Protection of Child Rights Act, 2005 and accord administrative approval for a sum of Rs.52,43,891/- (Rupees fifty two lakh forty three thousand and eight hundred and ninety one only) (Recurring expenditure Rs.34,27,391/- (Rupees Thirty four lakh twenty seven thousand and three hundred and ninety one only) and Non-recurring expenditure Rs.18,16,500/- (Rupees Eighteen lakh sixteen thousand and five hundred only) towards the expenditure for staff cost and structure and infrastructure as detailed in the annexure to this order. Further financial sanction is accorded for a sum of Rs.18,16,500/- (Rupees Eighteen lakh sixteen thousand and five hundred only) towards non-recurring expenditure as detailed in the annexure-II of this order for the year 2011-2012.

6. The expenditure sanctioned in para 5 above shall be debited under the following head of account:-

“2235 Social security and welfare 02 Social Welfare 106  
Correctional Services Schemes in the Eleventh Five Year Plan  
II State Plan KB Constitution of State Commission for  
Protection of Child Rights 09. Grants-in-aid 03 Grants for  
specific schemes.

(D.P. Code 2235 02 106 KB 0934)”

The Principal Secretary / Special Commissioner of Social Defence is the estimating, reconciling and controlling authority of the above new head of account. The Pay and Accounts Officer / Treasury Officer concerned are requested to open the above new sub-head of account in their book.

7. The amount sanctioned in para 5 above will be treated as "New Service". This item of expenditure will be brought to the notice of the Legislature, by inclusion in the Final Supplementary Estimates for 2011-2012. The amount of Rs.18,16,500/- will be included in Final Supplementary Estimates 2011-2012. The Principal Secretary / Special Commissioner of Social Defence is requested to incur the above amount after the Final Supplementary Estimates for 2011-2012 is presented in the Legislature. She is also permitted to draw the above amount under Article 99 of the Tamil Nadu Financial Code Volume- I as advance.

8. The Government also hereby constitutes the three member Selection Committee consisting of the following to select the Chairperson of the State Commission for Protection of Child Rights:-

- |  |   |             |
|--|---|-------------|
| (i) Minister for Social Welfare  | - | Chairperson |
| (ii) Chief Secretary to Government                                       | - | Member      |
| (iii) Secretary, Social Welfare and Nutritious Meal Programme Department | - | Member      |

9. The Government also empower the Principal Secretary / Special Commissioner of Social Defence to act as Secretary of the State Commission for Protection of Child Rights.

10. Orders notifying the appointment of Chairperson and Members of the above Commission will be issued separately. The post of one Joint Director will be drawn from the Directorate of Social Defence who would be well versed with provision of the various Acts and Rules pertaining to children.

11. The Rules for State Commission for Protection of Child Rights will be issued separately.

12. The Notifications appended to this order will be published in the Tamil Nadu Government Gazette.

13. This order issues with the concurrence of Finance department vide its U.O. No.111/DS(VS)/2012, dated 23.03.2012 and Additional Sanction Ledger No.1946 (One Thousand Nine Hundred and Forty Six).

(By order of the Governor)

Ashok Dongre  
Principal Secretary to Government.

To  
The Chairperson,  
National Commission for Protection of Child Rights, New Delhi-110 001.

The Director,  
 Ministry of Women and Child Development, New Delhi-110 001  
 The Principal Secretary / Special Commissioner of Social Defence (i/c),  
 Chennai-10.  
 The Principal Secretary / Special Commissioner,  
 Integrated Child Development Services Scheme, Chennai-113.  
 The Director of Social Welfare, Chennai-2.  
 The State Commissioner for the Differently Abled, Chennai-78  
 The Private Secretary to the Chief Secretary to Government, Secretariat, Chennai – 9  
 All Secretaries/ Principal Secretaries to Government, Secretariat, Chennai – 9  
 All Collectors,  
 All Probation Officers,  
 Department of Social Defence (Through the Principal Secretary / Special Commissioner  
 of Social Defence (i/c), Chennai-10)  
 All District Social Welfare Officers / All District Project Officers / All District Disabled  
 Rehabilitation Officers,  
 The Accountant General, Chennai-18  
 The Pay and Accounts Officer, Chennai-1  
 The Chief Minister's Office, Chennai-9.  
 The Senior Personal Assistant to Minister (Finance), Chennai-9.  
 The Senior Personal Assistant to Minister (Commercial Taxes and Registration, Law,  
 Courts and Prisons)  
 The Senior Personal Assistant to Minister (Social Welfare), Chennai-9.  
 The Works Manager,  
 Government Central Press, Chennai-79

**Copy to**

The Finance (SW /BG-II) Department, Chennai-9  
 All Departments of Secretariat, Chennai-9.  
 All Head of the Departments  
 All Sections in Social Welfare and Nutritious Meal Programme Department, Chennai-9  
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Section Officer

**Annexure-I to G.O. (Ms) No. 45, Social Welfare and Nutritious Meal  
Programme (SW8) Department, dated 28.03.2012**

**(i) Staff Component and Salary**

<b>Honorarium to non-officials</b>					
<b>Sl. No.</b>	<b>Designation</b>	<b>No. of Posts</b>	<b>Per month</b>	<b>For 12 months</b>	
1	Chairperson	1	25000	300000	
2	Members (Honorarium @ Rs.1000/- per sitting (maximum 12 sittings p.a.)	6	6000	72000	
	<b>Total</b>	<b>7</b>		<b>372000</b>	
<b>Salary to Officials</b>					
<b>Sl. No.</b>	<b>Designation</b>	<b>No. of Posts</b>	<b>Scale of Pay and Grade Pay</b>	<b>Per month</b>	<b>For 12 months</b>
1	Secretary	1	37400-67000+10000	*18215	*91075
2	Joint Director	1	15600-39100+7600	38332	459984
3	Accounts Officer	1	15600-39100+5700	35663	427956
4	Office Superintendent	1	9300-34800+4900	23591	283092
5	Assistant with Computer Knowledge	1	5200-20200+2800	13040	156480
6	Steno Typist-Grade III	2	5200-20200+2800	26080	312960
7	Driver	1	5200-20200+2400	12436	149232
8	Watchman-cum-Office Assistant	1	4800-10000+1300	10051	120612
	<b>Total</b>	<b>9</b>			<b>2001391</b>
	<b>Grand Total</b>	<b>16</b>			<b>2373391</b>

\* Salary of the Secretary has been calculated at the rate of 20% of the actual salary for 5 months towards additional charge allowance

Ashok Dongre  
Principal Secretary to Government.

//Forwarded by order//

Section Officer

**Annexure-II to G.O. (Ms) No. 45, Social Welfare and Nutritious Meal  
Programme (SW8) Department, dated 28.03.2012**

**(ii) Other Expenditure**

<b>Sl. No.</b>	<b>Particulars</b>	<b>Recurring</b>	<b>Non Recurring</b>
1.	Telephone Charges	60000	
2.	Office Expenses	72000	
3.	Electricity Charges	144000	
4.	Service Stamps & Postal Expenditure	12000	
5.	Furniture	0	210500
6.	Rent	300000	
7.	Water Charges	12000	
8.	Payment for professional and special services	180000	
9.	Advertisement Charges	12000	
10.	Machinery & Equipment (Purchase)	0	156000
11.	Motor Vehicles Purchase	0	750000
12.	Petroleum & Lubricants	120000	
13.	Clothing & Bedding	8000	
14.	Printing & Publications	50000	
15.	Transport Charges	60000	
16.	Computer & Accessories (Purchase)	0	700000
17.	Computer & Accessories (Stationeries)	24000	
	<b>Total</b>	<b>1054000</b>	<b>1816500</b>
	<b>Grand Total</b>	<b>52,43,891</b>	

Ashok Dongre  
Principal Secretary to Government.

//Forwarded by order//

Section Officer

**APPENDIX****NOTIFICATION-I**

In exercise of the powers conferred by sub-sections (1) and (3) of section 17 of the Commissions for Protection of Child Rights Act, 2005 (Central Act 4 of 2006), the Governor of Tamil Nadu hereby constitutes the Tamil Nadu Commission for Protection of Child Rights to exercise the powers conferred upon and to perform the functions assigned to it under the said Act.

2. The head quarters of the said Commission shall be at Chennai.

**NOTIFICATION-II**

In exercise of the powers conferred by sub-section (1) of section 21 of the Commissions for Protection of Child Rights Act, 2005 (Central Act 4 of 2006), the Governor of Tamil Nadu hereby appoints the Director of Social Defence as the Secretary of the Tamil Nadu Commission for Protection of Child Rights.

Ashok Dongre  
Principal Secretary to Government.

//Forwarded by order//

Section Officer