

Andhra Pradesh Women's and Children's Institutions (Licensing) Rules, 2001

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-WOMEN-S-AND-CHILDREN-S-INSTITUTIONS-LIC of 2001

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Andhra Pradesh Women's and Children's Institutions (Licensing) Rules, 2001Published vide Notification No. G.O. Ms. No. 18, Women Development, Child Welfare and Disabled Welfare (Programme), dated 11.05.2001Last Updated 28th August, 2019No. G.O. Ms. No. 18. - In exercise of the powers conferred by sub-section (1) of Section 11 of the Women's and Children's Institutions (Licensing) Act, 1956 (Central Act No. 105 of 1956), the Governor of the Andhra Pradesh hereby makes the following rules, namely: -

1. Short tile and Commencement and extent.

(1)These rules may be called the Andhra Pradesh Women's and Children's Institutions (Licensing) Rules, 2001.(2)It shall come into force at once.(3)It is applicable to the whole of the State of Andhra Pradesh.

2. Definitions.

- (i) In these rules, unless the context otherwise requires:-(a)'Act' means the Women's and Children's Institutions (Licensing) Act, 1956 (Central Act No. 105 of 1956)';(b)'Licensing Authority' means the Commissioner/Director of Women Development and Child Welfare, Andhra Pradesh, Hyderabad;(c)'Form' means the form appended to these rules; and(d)'Orphan' means a boy or a girl whose parents have died or abandoned child or whose parentage is not known.(ii)Words and expressions used in these rules but not defined shall have the same meaning assigned to them in the Act.

3. Grant of License.

(1) No person shall establish or maintain an institution except and in accordance with the condition of a license granted. (2) Every institution or Organisation functioning for the welfare of Women or Children shall obtain license within three months from the date of commencement of these rules.

4. Application for License.

- Every person or Institution desiring to establish an institution shall make an application to the Licensing authority in the Form (1) prescribed and furnish such particulars as may be required.

5. Eligibility for establishment of Institution.

- The eligibility for establishment of Institutions for the care, protection and welfare of Women or Children are specified below: -(a) The institutions applying for license shall be registered under the Societies Registration Act, 1860; (b) To clearly specify the social status, activity and reputation of the applicant and in case of an association of the office bearers of the Managing Committee for running such an institution; (c) To provide suitable accommodation facilities and sanitary conditions; (d) The accommodation shall have good lighting, ventilation, adequate space. (e) Shall furnish copies of Bye-laws of the institution; (f) Shall furnish copies of audited statements of accounts for the past 3 years; and (g) Shall furnish the financial sources for running the institution.

6. Eligibility for carrying out the Adoption.

- The eligibility for carrying out In-country and Inter-Country Adoption by Adoption/ Placement Agencies under the Hindu Adoptions and Maintenance Act, 1956 and Guardians and Wards Act, 1890 are specified below: -(i) All such agencies shall be registered under the Societies Registration Act, 1860 and shall further give an undertaking on the following: -(a) They shall adhere to any guidelines or rules laid down by the State Government or Central Government governing In-Country and Inter-Country adoption from time to time. (b) All registered agencies must function as per the Societies Registration Act and the rules. (c) All the office bearers shall be Indian Nationals. (d) The Chief Executive of the Organisation shall be willing to sign a written undertaking to follow the guidelines laid down by the Supreme Court of India and those prescribed from time to time by the Government of India and the regulations if any, made by Central Adoption Resource Agency (CARA). (e) They shall maintain the minimum standard of childcare in their Homes, such standards shall be defined by the State/Central Government from time to time. (f) They shall have an appropriate children Home for the protection and up-keep of children including infants. (g) They shall run on a non-commercial and non-profit basis. (h) They shall be able to raise funds through donations or government grants. (i) They shall have at least one qualified social worker on its staff to carry out the adoption work. (j) The agency shall be an independent respected social child welfare agency. (k) They shall furnish copies of Bye-laws of the institutions. (l) They shall furnish copies of audit statement of accounts for the past 3 years.

7. Verifications of the applications.

- On receipt of the application for license, the licensing authority shall forward the application to the 'District Advisory Committee' and the said Committee shall, verify the following facts and recommended for issue of the license.(a)Character, antecedents, social status and reputation of the applicant and in case of an association, of the office bearers of the Managing Committee.(b)Suitability of the applicant or association for running such an institution.(c)Accommodation facilities and sanitary conditions.(d)All other conditions prescribed under Rules 5 and 6 shall also be verified.

8. Grant of License.

- On receipt of the applications recommended by the 'District Advisory Committee' the licensing authority shall grant' the license in Form II.

9. Refusal and revocation of License.

- The grounds for refusal to grant license or for revocation of a license already granted shall be duly communicated to the applicant or the holder of a license as the case may be shall be done by obtaining the acknowledgement in person or by registered post acknowledgement due.

10. Suspension/Cancellation of License.

- Where the "Licensee" to whom a license has been granted under these rules, or any agent or servant of such person commits a breach of any of the conditions of the rules thereof, or where the licensing authority is not satisfied with the condition, (management) or supervision of an institution, the licensing authority after giving an opportunity to the person concerned of being heard, pass such order, as it deems fit, either to suspend for a specific period or cancel the license.

11. Appeal.

- Any person aggrieved by an order of the Licensing Authority refusing to grant a license or revoking a license or suspending or cancelling a license may prefer an appeal to the State Government within one month from the date of receipt of order and the order of the State Government on such appeal and subject only to such order, the order of the licensing authority shall be final.

12. Issue of Duplicate Certificate or Renewal.

- In case the license granted by the Director/ Commissioner, Women Development and Child Welfare Department, Hyderabad is lost, destroyed or mutilated the individual/ association may apply to the Director/ Commissioner, Women Development and Child Welfare Department, Hyderabad for grant of duplicate license or for Renewal in Form-III. The Director/Commissioner, WD & CW Department, Hyderabad on being satisfied with the reasons furnished in the application,

may issue a duplicate certificate.

13. Validity of License.

- A license granted under these rules shall not be transferable and will be valid for a period of two years.

14. Penalty.

- Any person who violates any of the provisions of the rules made hereunder, or any of the conditions of a license shall be punished with imprisonment for a term which may extend up to three months or with fine which may extend up to Rs. 250/- (Rupees Two hundred and fifty only) or with both.

15. Inspection.

- The members of the "State Advisory Committee" or "District Advisory Committee" or Regional Deputy Director or Officers nominated by Licensing Authority shall have the right to make surprise or periodical inspections without prior notice. Form - I(Rule 4) Application For Issue of License of The Maintenance of Women and Children Institution Adoption/ Placement Agencies

1. Name and Address of the Organization :
2. Date of Establishment :
3. (A) Whether it is registered under Societies Registration Act, 1860 :
(B) Nationality of the Members :
4. Whether it is National level or State level Organization :
5. If it is National level organization, indicate the address of the State Branches and their activities :
6. Address of the Institution proposed to be located :
7. Details of the Project programme for which License is sought :
8. Details of the Project proposed to be taken up :
9. Any activities being run by the Organisation other than the project applied for if so, give details of such projects :
10. Details of furniture equipment available :
11. Whether the institution is located in a rented building or in its own. :
12. Indicate size of accommodation and other facilities available. :
13. How the institution will meet its expenditure Indicate specific source with quantum of experience :
14. List of documents enclosed as specified in rules :
15. List of additional papers attached if any :

16. Additional information if any :

I/We.....hereby solemnly affirm, that the above particulars are true according to my/our best of knowledge and belief.

Place:

Signature of the applicant.

Date:

Form - II(Rule 8) License For Running The Institution For Women and Children Or Adoption/placement Agencies Government of Andhra Pradesh Round Seal of Andhra Pradesh Certificate of License

1. No. of Certificate :
2. Date of issue of certificate :
3. The purpose for which the license is issued :
4. Period of validity of Certificate :
5. Name of the Institution :
6. Address of the Institution with Phone Nos. :
7. Particulars of Registration under Societies Registration Act, 1860 :

The License granted shall not be transferable.

Date:

Seal and Signature of the Director/Commissioner,
Women Development and Child Welfare
Department, A.P., Hyderabad

Place:

Form-III(Rule 11) Form of Application for Renewal of License/grant of Duplicate Certificate

1. Full Name of the Applicant/Organisation :
2. No of Certificate issued :
3. Date of issue of Certificate :
4. The purpose for which the License was issued :
5. Reasons for applying for issue of Renewal of Certificate/ Grant of Duplicate Certificate :
6. Whether the Institution registered under the Societies Registration Act, 1860 has been renewed :
7. Undertaking for running the Institution as per the rules stipulated during the period of license. :
8. Any other particulars :

Place:

Date:

Signature.