

Tamil Nadu Juvenile Justice Fund Rules, 2017

TAMILNADU

India

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Rule TAMIL-NADU-JUVENILE-JUSTICE-FUND-RULES-2017 of 2017

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Tamil Nadu Juvenile Justice Fund Rules, 2017Published vide Notification No. SRO A-1/2018, dated 10.01.2018Last Updated 14th March, 2020 [tn399]No. SRO A-1/2018. - In exercise of powers conferred under clause (iv) of sub-section (2) of Section 110 read with sub-section (3) of Section 105 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central Act No.2 of 2016), the Governor of Tamil Nadu hereby makes the following Rules, namely:-

1. Short Title.

- These rules may be called the Tamil Nadu Juvenile Justice Fund Rules, 2017.

2. Definition.

(1)In these rules, unless the context otherwise requires,- (i) "Act" means the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central Act No 2 of 2016);(ii)"Board" means the Governing Board constituted to administer the Juvenile Justice Fund in the State of Tamil Nadu;(iii)"Beneficiary" means any person or group of persons who had been dealt with under the provision of the Juvenile Justice (Care and Protection of Children) Act, 2015 (Central Act No. 2 of 2016) and to whom either financial assistance or any kind of material assistance is given from the Juvenile Justice Fund;(iv)"Director" means the Director of Social Defence;(v)"Fund" means the Tamil Nadu Juvenile Justice Fund created under Section 105 of the Act;(vi)"Government" means the State Government;(vii)"Probation Officer" means an officer defined under clause (48) of Section 2 of the Act.(2)All words and expressions used but not defined in these rules shall have the meanings respectively assigned to them in the Act.

3. Constitution of the Fund.

(1)The Tamil Nadu Juvenile Justice Fund shall consist of a Corpus of Rs.25,00,000/- sanctioned by the Government and any further contributions made by the Government from time to time;(2)Voluntary donations, contributions or subscriptions made by individuals, association, organization, corporate sectors, nationalized banks, foreign banks, business establishments functioning within or outside the State or children by themselves;(3)contribution received through charity shows, programmes, sports, clubs, etc.;(4)fine or penalty imposed by the Court for remitting towards the Fund;(5)amount received through the sale of greeting cards or any other product produced as skill development or vocational training.

4. Application of Fund.

- The Fund shall be applied,-(i)to meet the expenditure to be incurred towards the higher education, technical courses or vocational training of children dealt with, under the provisions of the Act;(ii)to meet the emergency and incidental expenditure of children;(iii)to meet the transportation and incidental charges of children and the escort staff for restoration or repatriation of children to their native place;(iv)to meet the transportation and food expenses of children while they are ordered to be produced before the Child Welfare Committees or Juvenile Justice Boards;(v)to provide infrastructure facilities in the institutions established under the provisions of the Act;(vi)to provide sports and recreational materials to the child care institutions;(vii)to organize sports and cultural meet in the child care institutions;(viii)to provide for honorarium to translators and interpreters engaged for preparation of reports of children either by the Juvenile Justice Boards, Child Welfare Committees or Probation Officers;(ix)to provide honorarium to teachers, special educators, vocational trainers psychologists, therapists, for conducting programmes for children;(x)to provide honorarium to medical professionals including psychiatrists for special services;(xi)to meet expenses on medical examination, medicines and hospital charges as in-patients or out-patients;(xii)to provide monetary assistance for the placement of children in Non-institutional services such as foster care and sponsorship;(xiii)to provide monetary assistance to families while restoring the children within family by non-institutionalization;(xiv)to meet expenses in organizing parent children meetings;(xv)to provide either financial assistance or material assistance to children while discharged from child care institutions or any expenses relating to the after care;(xvi)to meet expenditure for repairs and construction in the existing buildings under the Department of Social Defence not exceeding rupees fifty thousand per annum in an institution;(xvii)to meet expenditure for procurement of tools, equipment, vessels, other raw materials or capital investment for self-employment of children discharged from institutions;(xviii)to carry out any activity which is recommended by the Juvenile Justice Board or Child Welfare Committee;(xix)to carry out all other activities that are incidental and conducive to the best interest of children:Provided that wherever honorarium or financial assistance is sanctioned, it should be granted as remuneration for special work of an occasional or intermittent character.

5. Criteria for Assistance.

- The grant of assistance shall be recommended to the Board by the Director of Social Defence under the following conditions,-(i)individual assistance shall be supported by the report of the Probation Officer recommended by the Regional Probation Officer and approved by the Chief Probation Officer;(ii)assistance to children and escort shall be based on the order of the Juvenile Justice Board or the Child Welfare Committee;(iii)transportation charges in respect of escorts, in case of Government Servant shall be allowed as per the Tamil Nadu Travelling Allowance Rules. In respect of children and in case of escorts, not being a Government Servant, the Government shall grant the actual travelling, boarding and lodging allowance.(iv)payment for honorarium to translator or interpreters shall be made based on the recommendation of the Juvenile Justice Board or Child Welfare Committee. Honorarium to translator or interpreters for assisting the Probation Officers shall be made based on the recommendation of the Regional Probation Officer and approved by the Chief Probation Officer.

6. Administration of the Fund.

(1)The fund shall be administered by the Governing Board that consists of:-

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| (i) | Secretary to Government, Social Welfare and Nutritious Meal Programme Department | .. Chairperson |
| (ii) | Deputy Secretary to Government Finance Department | .. Member |
| (iii) | Director of Social Defence | .. Member-Secretary |

(2)The expenditure shall be met by the Director of Social Defence on obtaining approval of the Board either in its meeting or by sending the file in circulation at times of immediate need;(3)The Board shall meet once in six months, and approve the expenditure to be incurred from the Fund;(4)The amount approved and sanctioned by the Board shall be disbursed by Account payee cheque or draft drawn in favour of the beneficiary or the organization to which the amount is payable;(5)The utilization statement shall be obtained and presented before the Board in its subsequent meeting;(6)The Probation Officer shall have an effective follow-up in case of assistance extended to individuals and furnish quarterly report to the Director of Social Defence.

7. Disqualification.

(1)No subsequent financial assistance shall be extended to individual beneficiary unless the beneficiary has utilized the fund for which the assistance was extended;(2)If any individual discontinues the educational or vocational training, no assistance shall be extended second time, unless the discontinuance is warranted due to physical disabilities or accident or on medical grounds certified by the Medical Board.

8. Maintenance of Accounts.

(1) A Savings Bank Account, in the name of "The Tamil Nadu Juvenile Justice Fund" shall be opened by the Director of Social Defence in a Nationalized Bank; (2) Contribution to the Fund by any means received by the Director of Social Defence, shall be credited to the said Savings Bank Account; (3) Annual receipts and payments and reconciliation statement shall be prepared by the Accounts Officer, Department of Social Defence and placed before the Board; (4) The Savings Bank Account shall be operated jointly by the Director of Social Defence and the Accounts officer in the Directorate of Social Defence. The Accounts Officer shall be the custodian of records relating to the Fund and its operations.

9. Withdrawal.

(1) Withdrawal from the Fund shall be made against the proceedings issued by the Director of Social Defence based on the sanction accorded by the Board. (2) Under extraordinary circumstances, the sanction shall be ordered by the Director of Social Defence and shall be placed for ratification by the Board in its subsequent meeting or by sending the file in circulation.

10. Audit.

- The accounts of the Fund shall be audited annually by the Accountant General, Tamil Nadu.