

The Orissa Maintenance of Orphanages Rules, 1985

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Rule

THE-ORISSA-MAINTENANCE-OF-ORPHANAGES-RULES-1985 of 1985

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The Orissa Maintenance of Orphanages Rules, 1985Published vide Notification No. 9893-2-CW-80/85/20.12.1985In supersession of the erstwhile Community Development and Social Welfare Department Resolution No. 9040/II-CW., dated the 21st August, 1979, Government have been pleased to approve the Orissa Maintenance of Orphanages Rules, 1985 which are set forth below and which will be deemed to have come into force on the 1st day of October, 1985.

1. Scope of the rules.

- These rules apply to orphanages, that is, to institutions that provide boarding and lodging, health care and opportunities of education, training and rehabilitation in life to at least (25) (twenty-five)-(a)orphaned and abandoned children without parents and near relations to look after them ;(b)children of single parent families deprived of adequate family care due to death, desertion, prolonged illness or imprisonment of one of the parents; provided that the total family income does not exceed Rs. 500 per month ; and(c)children of parents afflicted with leprosy or mental illness.Notes. - 1. Children who are in any manner related to an office bearer or employee of the institution should not be admitted into the institution.

2. Children above 18 (eighteen) years of age are not ordinarily eligible for accommodation in an orphanage. However, a girl inmate above 18 years of age may be maintained in an orphanage till her marriage or employment or till she attains the age of 25 (twenty-five) years, whichever is earlier. The upper age-limit is relaxable up to 4 (four) years by the Collector of the district if, in his opinion, an inmate is academically brilliant.

2. Eligibility and recognition.

(1) No orphanage that has not been recognised in accordance with the provisions of this rule shall be eligible for any assistance by or through the State Government. (2) Recognition, once given shall be deemed to continue till it is revoked by an order of the State Government. No recognition shall, however, be revoked unless the institution concerned is given an opportunity to show cause against the grounds of the proposed revocation and its representation is considered by Government. (3) An institution in receipt of assistance from the State Government on the date of issue of this Resolution will be deemed to have been recognised in pursuance of these rules. However, any increase in the number of inmates over the number on the date of issue of this Resolution shall require the approval of the Government. (4) The management of an orphanage interested in securing recognition shall make an application in the Form set forth in Annexure 1. The application shall be in duplicate and shall be submitted to the District Social Welfare Officer who shall receive it on behalf of the Collector. (5) The District Social Welfare Officer shall, on receipt of the application enquire into it and submit his recommendation to the Collector. If in the view of the Collector, the enquiry is incomplete or material facts have not been ascertained, he may either direct the District Social Welfare Officer to conduct a further enquiry or cause such enquiry through any other officer nominated by him. (6) The Collector shall, if satisfied that the management is capable of running the orphanage efficiently and in accordance with these rules, recommend the application to Government. (7) If in the view of Government, the institution is deserving of recognition, they may grant recognition under intimation to the applicant, the Collector, the Sub-divisional Officer and the Block Development Officer concerned. The order of recognition shall specify the number of inmates in the orphanage. (8) Where assistance is to be provided under any scheme the cost of which is partly or wholly borne by the Government of India, no recognition shall be granted by the State Government till receipt of approval of the Government of India.

3. General conditions of recognition.

(1) No application for recognition shall be considered if there are grounds for believing that the Management- (a) is not a society within the meaning of the Societies Registration Act, 1860; or (b) discriminates, in the admission of orphans or in the treatment extended to them, on grounds of religion, language, caste or creed. (2) Recognition of an orphanage may be withdrawn by the Government if they have reasons to believe that its Management has- (a) incurred either of the disqualifications referred to in Sub-rule (1); or (b) misutilised any part of the assistance it has received from Government or funds it has collected; or (c) failed to take reasonable care of the inmates or maintain the orphanage in hygienic condition and in a state of good repair; or (d) failed to perform any of the duties enumerated under Rule 4.

4. Duties of the Management.

- In addition to fulfilling the conditions referred to in Rule 3, the management of an orphanage shall- (a) provide reasonable accommodation to the inmates including accommodation for kitchen, dining, studying and recreation; (b) ensure general education of the inmates up to the High School Certificate standard (this requirement may be relaxed if an inmate is educated at least up to Class

VII and rehabilitated in a vocational trade);(c)provide reasonable facilities for vocational education and training and for recreation;(d)ensure safety of the inmates and prevent their coming under the influence of anti-social persons;(e)take proper care of inmates in the event of sickness;(f)actually employ persons towards whose emoluments assistance is claimed and received;(g)provide immediate access to the institution and facility of inspection including inspection of records and accounts by the Block Development Officer, the Sub-divisional Officer, the District Social Welfare Officer, the Collector, the Revenue Divisional Commissioner or any officer nominated by them; officers of the Community Development and Rural Reconstruction Department and Auditors of Government ; and the Chairman and Members of the State Social Welfare Advisory Board ; and(h)maintain the accounts and records of the institution properly, and furnish reports and returns as required by the Government, the Collector, the Sub-divisional Officer or the Block Development Officer.

5. Scale of Grant-in-aid.

(1)Unless revised by Government, the grant-in-aid payable to an institution shall be calculated at the following rates per month per inmate :

	Rs.
Food	90
Bedding, clothing, soap, oil, etc.	15
Educational expenses (both general education and vocational education)	15
Contingencies (water and electricity charges, postage, hair-cutting and laundry expenses, stationery, etc.)	5
Medical expenses	2
Recreation and games	1
Emoluments of the House-mother (1 Housemother per 25 inmates)	10
Emoluments of the cook (1 cook per 25 inmates)	7
Rent/maintenance of the building	16
	161
Less contribution by the Management	16
Total	145

Note - The Management's contribution shall not be less than 10 per cent of the expenditure. Where an orphanage is assisted under the centrally-sponsored scheme, the Management's contribution shall not be reduced; the balance of the expenditure shall be shared equally between the Union and State Governments.(2)The grant-in-aid admissible according to the above scale may be reduced in the event of shortage of budget provision or non-engagement of employees whose emoluments have been taken into account or the institution not being required to pay rent for the premises or existence of any other ground justifying reduction. Government shall also be Competent to meet a part or the whole of the net deficit of orphanages managed by the Utkal Balashrams Central Committee which shall submit its Budget Estimate, duly approved by the Executive Committee, by the 1st day of July each year.(3)Notwithstanding anything in the foregoing sub-rules and subject to availability of funds, Government may sanction a special grant to any orphanage to meet an

expenditure of emergent or non-recurring nature.

6. Release of grant-in-aid.

(1) Applications for sanction of grant-in-aid for a year shall be submitted in duplicate to the District Social Welfare Officer. The application shall be in the form set forth in Annexure II. The District Social Welfare Officer shall ascertain if the facts stated in the application are correct. He may himself conduct the enquiry or entrust it to another officer. A copy of the application together with his recommendation shall be forwarded to Government. (2) Since the submission and processing of the renewal application may take time, Government may release the grant for the first half-year of the year prior to receipt of this application at a rate equal to the grant released in the last half-year of the preceding year. If it is subsequently noticed that the amount so released exceeds the amount the institution is entitled to, the excess shall be adjusted from the grant-in-aid for the second half-year. (3) The grant-in-aid shall be released in two half-yearly instalments, the half-years ending on the 30th June and the 31st December. The second half-yearly instalment will be released only if the audit report and the utilisation certificate in respect of the grant-in-aid released in the previous year have been received. (4) The grant-in-aid sanctioned by Government shall be communicated to the Accountant-General, Orissa with a copy to the District Social Welfare Officer. The sanction order shall specify the amount payable to each institution and shall also authorise the District Social Welfare Officer to draw the amount and disburse it to the institution concerned. On receipt of the copy of the sanction order, the District Social Welfare Officer shall prepare a bill and present it to the Treasury. The amount should be drawn in as many bank drafts as there are institutions. The authorised representative of the Management may collect the draft or the draft may be sent by registered post. The drawal and disbursement of the amount should be reflected in the Cash Book. The Management should be required to send a stamped receipt acknowledging receipt of the amount. (5) The drawal and disbursement of the amount should be reflected in the Register of Orphanages which shall be maintained by the District Social Welfare Officer in the form set forth in Annexure III. It will be an annual register. Some space should be left under Columns 4 to 8 so that details of all sanctions and remittances can be entered'

7. Registers to be maintained by the institution.

- Each institution in receipt of grant-in-aid under these rules shall maintain the following Registers: (a) Cash book (Annexure IV); (b) Stock and Store Register (Annexure V); (c) Voucher Register (Annexure VI); (d) Register of Inmates (Annexure VII).

8. Audit and Utilisation Certificates.

- The accounts of orphanages will be audited each year, by the Internal Audit Organisation of the Community Development and Rural Reconstruction Department. The audit should, as far as possible, be completed by the 30th of June. The Management should submit the utilisation certificate in duplicate in Form O.G.F.R.7-A (see Appendix) so as to reach Government by the 10th of July. The Community Development and Rural Reconstruction Department shall retain a copy of the utilisation certificate and send the other copy to the Accountant-General, Orissa who may

test-check the account of these institutions where the grant-in-aid in favour of any institution exceeds Rs. 50,000 (recurring) or Rs. 1 lakh (nonrecurring), as required under Rule 172 of the Orissa General Financial Rules, Volume I. Failure in submission of the utilisation certificate by the specified date will entail non-release of the grant during the year.

9. Miscellaneous.

(1)The Collector of the district shall be in overall charge of administration of the scheme in the district. He shall be assisted by the District Social Welfare Officer. The Collector, the District Social Welfare Officer or any officer authorised by the Collector may inspect any orphanage (including its records and accounts) in the district. The Collector and, with his approval, the District Social Welfare Officer may submit a special report to Government.(2)The Sub-divisional Officer and the Block Development Officer may inspect any orphanage in the Sub-division or the Block, as the case may be. They shall send, wherever necessary, special reports to the Collector.(3)The Revenue Divisional Commissioner may inspect any orphanage in the Revenue Division.(4)The Community Development and Rural Reconstruction Department shall be the Administrative Department for the scheme and shall be competent to issue clarifications on the provisions of these rules and instructions on the administration of the Scheme or on the management of any orphanage in the State. Annexure-I Application for assistance for institutional services for welfare of destitute children

1. Name of the institution

2. Address

3. Copy of the constitution and the list of the Executive Committee

4. Date of registration under the Societies Registration Act

5. Present capacity of institutional services for children-

(a)Number of children at present served (b)Number of children proposed to be admitted now

6. Age range of children

7. Boys or girls or mixed

8. Types of children served -

(a)Destitute children (b)Delinquent children committed under Court orders

9. Type of accommodation-(a) Type of building

(b)Average floor area allowed to each child for sleeping(c)Whether cots are used or the children sleep on floor

10. Nature of services offered.-

(a)Boarding(b)Education(c)Vocational Training(d)Recreation(e)Case Work services(f)Medical; and(g)Other services-nature of rehabilitation services

11. Approach to Organisation of services-

(a)Through dormitories(b)Cottage system

12. Nature of personnel employed and their training-

(a)House Mothers(b)Dormitory in-charge(c)Cook and helper(d)General Education Teachers(e)Vocational Instructors(f)Case Workers (state qualification and experience)(g)Recreation Workers(h)Medical Officer (Part-time)(i)Superintendent (state qualification and experience)(j)Any other

13. (a) Existing level of recurring expenditure per child per month for various items like food, clothing, bedding, health check-up and medicine, education (including books, stationery, etc.,) vocational training, recreation, etc.

(b)Rent for accommodation (per child per month)

14. Expenditure on salaries of personnel

15. Nature of supervision (by paid or voluntary personnel)

16. Capacity of expansion of services-

(a)In accommodation available for taking more children(b)Number of additional children that could be provided with services

17. Assistance received by the Organisation during last year from-

(a)Central Government(b)State Government(c)Central Social Welfare Board(d)State Social Welfare Advisory Board(e)Private Donations(f)Any other source (specify)

18. Copy of the audited statement of accounts for the last financial year. Also state the average number of children per month, during the year

19. Assistance now sought for taking care of additional children

(a)Recurring assistance(b)Initial non-recurring assistance(c)Building

20. Amount to be contributed by the Organisation

21. Any other information

Annexure-IIApplication for Renewal of Grant for Orphanage for The Year

1. Name and address of the institution

2. Amount of grant received last year

(a)State Government(b)Government of India(c)Any other source(Specify)Total.....

3. Date of submitting Utilisation Certificate (Utilisation Certificate may be submitted along with this application)

4. Number of children in the orphanage

5. Give details of the staff employed with their salary

6. Amount of grant applied for

Certified that the statements above are true to the best of my knowledge and that the institution is eligible for assistance under the Orissa Maintenance of Orphanages Rules, 1985.Date.....President/Secretary of the InstitutionRecommendation of the Enquiring OfficerI have personally visited the institution. My observations are as followsI recommend an assistance of Rs..... (Rupees.....) only for the year.....OrI do not recommend any assistance to the institution.Signature Designation Date.....Annexure-IIIRegister of Orphanages

1. Sl. No.

2. Name and address of the orphanage

- 3. No. of inmates**
- 4. No. and date of order sanctioning grant-in-aid**
- 5. Amount sanctioned**
- 6. Date of submission of bill to the Treasury**
- 7. Date of remittance of the grant-in-aid**
- 8. Bank draft-No. and date**
- 9. Remarks**

Annexure-IV Cash Book

Receipt Expenditure

Date of receipt	Particulars of receipt (showing source and No. and date of Bank Draft, if any)	Amount of receipt	Date	Particulars of expenditure (showing name of payee and purpose, etc)	Voucher No. (if any)	Amount	Remarks
1	2	3	4	5	6	7	8

Annexure-V Form of Stock and Store Register

- 1. Serial No.**
- 2. Name of the article**
- 3. Stock prior to purchase**
- 4. Number/Quantity purchased**
- 5. Amount paid**
- 6. Total stock (Cols. 3 + Col. 4)**
- 7. To whom issued**

8. Particulars of disposal by sale, etc.

9. Amount realised from sale

10. Balance in store

11. Remarks

Annexure-VI Voucher Register

Vr. No.	Date	To whom paid	Particulars	Amount	Remarks
(1)	(2)	(3)	(4)	(5)	(6)

Annexure-VII Register of Inmates

1. Sl. No.

2. Name of the child

3. Sex and age

4. Name of the father/guardian (if known)

5. Home Address

6. Date of admission

7. Class in which he/she is studying

8. Does he/she receive any Vocational Training ? If so, specify

9. Date of discharge

10. Details of academic qualification and training acquired at the time of discharge

11. Reason for discharge

12. Remarks

Appendix Form O.G.F.R. 7-A [See Rule 172] Form of Utilisation Certificate for the year 20..... I hereby certify that the grant placed at my disposal/at the disposal of* in the year..... and the amount available for expenditure during the said year were as follows :

- | | |
|--|-----|
| I. (a) Unspent balance to the end of the year | Rs. |
| (b) Grant received during the year of | Rs. |
| Quote the number and date of authorisation issued by Accountant-General, Orissa. | |
| Whenever it is dependent on such authority and in other cases only the number and date of sanction and designation of sanctioning authority. | |
| Total : | Rs. |
| II. Expenditure during the year | |
| (i) Out of unspent balance as in 1 (a) above | Rs. |
| (ii) Out of the grant referred to in 1 (b) above | Rs. |
| Total : | Rs. |
| III. Unspent balance at the end of the year | Rs. |

2. I further certify that the expenditure of Rs. shown as expenditure in the year has been expended solely on..... under my charge within the jurisdiction of and for no other purpose and that the sum of Rs. (.....) shown as balance at the end of the year..... is available for expenditure and no part of it has been diverted to other purposes.

3. I further certify that a list of works on which the expenditure of Rs. has been incurred and the amount spent on each has been prepared and is maintained in my office of the.....

Dated,	Chairman/President of
the.....20.....	the* District Office Head of
Dated the.....20.....	the Department
Dated the.....20.....	

Note 1 - The certificate should be furnished in duplicate, so as to reach Government in the Administrative Department by the 1st of June of the succeeding year of expenditure. One copy of the certificate will be retained in the Administrative Department and another copy should be sent to the Accountant-General, Orissa by the 30th June of the same year. Note 2 - Separate certificates should be sent in respect of amounts drawn for different purposes. *Write the name of the Local Body, Institution, Club, etc.