

The Goa Children (Child Labour Vigilance Officer, Task Force, Victim Assistance Unit and other Authorities) Rules, 2004

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Rule

THE-GOA-CHILDREN-CHILD-LABOUR-VIGILANCE-OFFICER-TASK-FC of 2004

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The Goa Children (Child Labour Vigilance Officer, Task Force, Victim Assistance Unit and other Authorities) Rules, 2004Published vide Notification No. 2-61(1)-97/ICDS

2.

-61(1)-97/ICDS. - In exercise of the powers conferred by section 37 read with sub-section (8) of section 7, sub-section (19) of section 8, sub-sections (7), (8), (9) and (12) of section 13, section 38 and all other powers conferred by the Goa Children's Act, 2003 (Act 18 of 2003), the Government of Goa hereby makes the following rules, namely:-

1. Short title and commencement.

(1)These rules may be called the Goa Children (Child Labour Vigilance Officer, Task Force, Victim Assistance Unit and other Authorities) Rules, 2004.(2)They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.

(1)In these rules, unless the context otherwise requires,-(a)"Act" means the Goa Children's Act, 2003 (Act 18 of 2003);(b)"Competent Authority" means the Secretary to the Government in charge

of the Department of Women and Child Development;(c)"Council" means the State Council for Mass Media constituted under rule 9;(d)"Director" means the Director of Women & Child Development;(e)"Section" means section of the Act;(f)"Unit" means the Victim Assistance Unit set up under sub-rule (1) of rule 4.(2)Words and phrases used but not defined herein shall have the same meaning as assigned to them under the Act.

3. Child Labour Vigilance Officer.

(1)The Competent Authority shall appoint an officer known as Child Labour Vigilance Officer for each Taluka.(2)The Child Labour Vigilance Officer shall be responsible to monitor the implementation of the Plan of Action prepared by the State Government to eliminate Child Labour.-(3)The Child Labour Vigilance Officer shall attend to complaints relating to violation of the provisions of the Act relating to prevention of Child Labour in his Taluka and after due investigation into the complaint refer the matter to the Competent Authority for necessary action.(4)The Child Labour Vigilance Officer shall be assisted in his investigation in the complaint under sub-rule (3), by the Task Force appointed by the Competent Authority in this behalf.(5)The Task Force placed at the disposal of the Child Labour Vigilance Officer shall consist of such officers and staff as the Competent Authority may think proper after taking into consideration the workload in each Taluka.(6)(a)Every person who has in his custody any child residing with him for part time or whole time not related to him by blood shall inform the fact to the Director in Form 'A' annexed to these rules.(b)Failure to inform the Director in terms of clause (a) within three months of the commencement of these rules shall make the person liable to be prosecuted in terms of sub-section (9) of section 8 of the Act.

4. Victim Assistance Unit.

(1)There shall be set up one or more Victim Assistance Units in each district to facilitate the child, who is victim of the child abuse, to deal with the trauma of abuse and also to appear before the Children's Court or any other authority before whom the child victim is to be produced.(2)The Unit shall consist of such coordinators and case workers as the Competent Authority may, after taking into consideration the nature of the case decide.(3)The members of the Unit shall be entitled to such honorarium as the State Government may notify from time to time.

5. Functions of the Unit.

(a)The Unit shall have the following functions, namely:-(i)Case Conferencing: A case conference shall be arranged by the case-worker entrusted with the responsibility of the case within 24 hours of the reporting of the case and as often as necessary till the case is instituted in the Children's Court or the child is produced before the Competent Authority.(ii)After the institution of the case in the Children's Court, the case conference shall be held once in a month till the case is disposed of so as to assist the normalisation of the child.(b)Referrals: Where the child victim is found to be needing extremely specialised services, the case worker shall refer the matter to the Child Labour Vigilance Officer, who shall refer the child victim with the guardian ad litem to persons or organizations identified to be in a position to give such services.(c)Documentation:-(i)A case file shall be

maintained in each case that is handled by the Unit.(ii)General documentation and reference books of material necessary for the coordination shall be maintained with regard to day to day functioning and up-dated developments relating to every case.(d)The Unit shall maintain a panel of doctors, forensic experts, pedestrians, psychologists, gynaecologists, lawyers and other professionals necessary to facilitate proper investigations into the case and to provide proper and immediate special and support services to the child victim.(e)An assistance shall be provided to every child victim at the time of medical examination and the concerned case-worker shall escort the child to the place of medical examination and also in respect of other matters such as Panchnama or giving evidence before any other authority.(f)The coordinator or any of the case-worker or other staff of the Unit shall be deputed to attend hearing in court in the best interest of the child.

6. Quarterly Report.

(1)The Unit shall prepare quarterly report and submit them to the Director of Women and Child Development and copy of the reports to the State Commission for Children.(2)The quarterly report shall give a true and correct account of the work done by it and the nature of cases and kind of assistance being sought and provided by the Unit to the victims.

7. Village and Municipal Child Committees.

(1)There shall be a Village Child Committee constituted for every Village Panchayats consisting of the following members,-(a)four persons out of whom two shall be women residing in the Village Panchayat to be appointed by the Village Panchayat by Resolution.(b)one child above the age of fifteen years but below eighteen years of age residing in Village Panchayat.(2)Every Municipality of Municipal Corporation shall be divided into four geographical units by a Resolution passed by the Municipality or the Municipal Corporation in that behalf.(3)For each geographical unit there shall be established a Child Committee consisting of,-(a)four persons out of whom two shall be women, residing in the geographical area for which the Committee has been constituted;(b)one child above the age of fifteen years and below eighteen years residing in the area.

8. Procedure for the Committee and allowances of their Members.

(1)The Committees shall ensure the best interest of the child and provide recreational and play facilities for children in their respective area of operation.(2)The Committees shall follow their own rules of procedure.

9. State Council for mass media.

(1)There shall be constituted a Goa Children Council for mass media consisting of,-

- (a) Secretary, Women and Child Development
- (b) Director, Information Department

- ex officio
Chairperson

- | | |
|---|---------------------|
| | - ex officio Member |
| (c) One eminent journalist | - Member |
| (d) One expert from electronic media, who is specialized in internet and information technology | - Member |
| (e) Chairperson of the State Commission for Children | - ex officio Member |
| (f) The Deputy Superintendent of Police, preferably acquainted with the information technology and mass media | - ex officio Member |
| (g) Director, Women and Child Development | - Member Secretary. |

(2) The Council shall observe its own procedure in respect of conducting its meetings. (3) The non-official members of the Council shall be paid such honorarium as the State Government may from time to time decide.

10. Council to prepare guidelines.

(1) The Council shall prepare appropriate guidelines for the protection of children from information and materials injurious to their well-being, and for preventing children from harmful exposure of the material appearing in mass media. (2) The guidelines prepared by the Council shall be submitted by way of report to the State Government. (3) The State Government shall approve the guidelines, with such changes as it may deem fit and publish the guidelines in the Official Gazette.

11. Council to be Advisory Group for internet.

(1) The Council constituted under sub-rule (1) of rule 9, shall also function as Special Advisory Group for suggesting ways to protect children from harmful influences of the internet. (2) The suggestions of the Council made under sub-rule (1) shall be included in the guidelines prepared by the Council under sub-rule (1) of rule 10 and published in the Official Gazette under sub-rule (3) of that rule. Form-A [See Rule 3(6) (a)] Information in respect of custody of child/s in terms of sub-section (4) of section 8 To, The Director, Women & Child Development, Government of Goa, Panaji. Dear Sir, This is to inform you that I/We Resident of Have in my/our custody the following child/children, who is/are not related to me. The said child/children are in my/our custody for part time i.e. from to/ for whole time and reside with me/us. Yours sincerely,

1.

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2.

()at(place of residence)Dated :