

Tamil Nadu Hostels and Homes for Women and Children (Regulation) Rules, 2015

TAMILNADU

India

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Rule

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Tamil Nadu Hostels and Homes for Women and Children (Regulation) Rules, 2015Published vide Notification No. G.O. Ms. No. 10, Social Welfare and Nutritious Meal Programme (SW5), 21st February 2015, Maasi 9, Jaya, Thiruvalluvar Aandu-2046 - No. SRO A-3(b)/2015G.O. Ms. No. 10, Social Welfare and Nutritious Meal Programme (SW5), 21st February 2015. - In exercise of the powers conferred by sub-section (1) of Section 25 of the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014, the Governor of Tamil Nadu hereby makes the following rules:-

Chapter I Preliminary

1. Short Title and Commencement.

(1)These rules may be called the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Rules, 2015.(2)It shall come into force on the date of its publication in the Tamil Nadu Government Gazette.

2. Definitions.

- In these rules, unless the context otherwise requires,-(a)"Act" means the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014;(b)"Certificate of Registration" means

registration order issued by the competent authority under rule 4;(c)"Competent Authority" means the respective District collector;(d)"Form" means a form appended to these Rules;(e)"Inmates" means women and children residing in the licensed or registered institutions like homes, hostels and lodging houses run by Government or Non-Governmental Organizations or Private or Religious Institutions or Factories or Enterprises etc.;(f)"Licence" means a licence granted under-section 5 of the Act;(g)"Non-Governmental Organisation" means an institution which is registered either under the Indian Trusts Act, 1882 (CA 2 of 1882) or the Tamil Nadu Societies Registration Act, 1975 (TN Act 27 of 1975) or the Companies Act, 2013 (CA 18 of 2013) or the Juvenile Justice (Care and Protection of Children) Act, 2000 (CA 56 of 2000) or any other Act.

Chapter II

Licensing of Hostels, Lodging Houses and Homes for Women and Children

3. Procedure for issue of licence.

(1)Any person desiring to establish, maintain or conduct hostel, lodging house or home for women and children and any person who is entitled to continue the hostel, lodging house or home for women and children under sub-section (1) of section 6 of the Act shall make an application for licence in Form-I to the Collector.(2)Every application for licence shall be accompanied by a fee of Rs. 3,000/- (Rupees three thousand only) in Banker's Cheque or Demand Draft drawn in favour of the Collector.(3)On receipt of an application for licence, the Collector shall cause an inspection of the institution with a team consisting of the following officers, within 20 days of the receipt of such application, namely:-(i)an officer not lower in rank than the District Social Welfare Officer or District Child Protection Officer or Project Officer, Integrated Child Development Services Scheme or District Differently Abled Welfare Officer;(ii)a representative from Health Department;(iii)Personal Assistant (Accounts) to Collector; and(iv)the Tahsildar or Deputy Tahsildar of the respective jurisdiction.(4)The inspection team shall submit its report in Form II within a week from the date of its constitution.(5)Upon receipt of the inspection report, the Collector may either grant a licence in Form III which will be valid for three years or reject the application:Provided that before rejection of the application for grant of licence the applicant shall be given an opportunity to make his submission, if any, against such rejection.(6)Renewal. - (i) Every application for renewal of the licence granted under sub-rule (5) shall be made to the Collector in Form I and shall be accompanied by fee of ' 3,000/- (Rupees three thousand only) in Banker's Cheque or Demand Draft drawn in favour of the Collector.(ii)An application for renewal shall be made not less than three months before the date of the expiry of the period of such licence:Provided that the Collector may allow such application after the expiry of the aforesaid period but before the expiry of the period of the licence, if he is satisfied that the applicant was prevented by sufficient cause from applying for renewal in time.(iii)The procedure for the renewal of the licence shall be the same as applicable to the issue of licence as specified in sub-rules (1) to (5).(7)Appeal. - Any person who is aggrieved by an order of the Collector refusing to grant a licence or cancelling or suspending a licence may appeal to the Government or such authority as may be specified by the Government in this behalf within fifteen days from the date of receipt of such

order: Provided that the appellate authority may entertain an appeal after the expiry of the period specified above, if it is satisfied that the applicant was prevented by sufficient cause from preferring an appeal in time.

Chapter III

Registration of Hostel or Lodging House or Home for Women and Children

4.

(1) Every home for women and children, by whatever name it is called, which is established, registered or maintained under any other law on or after the date of commencement of this Act, shall be registered under this Act within a period of six months from the date of such registration or establishment or maintenance as the case may be. (2) Every hostel or lodging house or home for women and children by whatever name it is called, which is in existence on the date of commencement of the Act and which has been established, registered or maintained under any other law shall be registered under the Act within six months from the date of commencement of these rules. Subject to the provisions contained in sub-section (5) of section 12 of the Act, those children homes, which have already been registered under the Juvenile Justice (Care and Protection of Children) Act, 2000 (C A 56 of 2000) shall also be registered under the Act. (3) If any hostel or lodging house or home for women and children, fails to apply for registration within the periods specified in sub-rules (1) and (2), action shall be initiated as per the provisions contained in sub-section (2) of section 20 of the Act. (4) The owner or manager of every hostel or lodging house or home for women and children referred to in sub-sections (1) and (2) of section 12 of the Act shall make an application for registration to the Collector in Form IV. The Collector on being satisfied that an institution has complied with the provisions of the Act and these rules as regards registration, shall issue a certificate of registration in Form V. (5) The Collector shall, after issue of certificate of registration to a hostel or lodging house or home for women and children, enter in a register regarding the particulars of the name of institution, address, number and date of registration certificate issued, validity of the registration certificate in Form VI.

Chapter IV

Appointment of Manager or Resident Manager

5. Appointment of Manager or Resident Manager.

(1) Every person, who is appointed as manager or resident manager shall produce a certificate of fitness before appointment, in Form VII from a Medical Officer not below the rank of a Civil Surgeon. (2) The Manager or Resident Manager shall ensure accommodation facilities with an average space norms of 40 sq.ft. per child and 120 sq.ft. per woman. Appendix Form - I [See rules 3 (1), 3(6)] Application Form for Licence and Renewal of Licence

1. Name of the institution and address Phone number Fax E-mail

2. Place of the institution

(i)Registered place(ii)Current place

3. Nature of the home

[hostel or lodging house or home for women and children]

4. Name and address of the contact person

5. Details of the governing body(managing committee/ executive committee)

6. Under which Act the registration is made

(i)number, date and place of registration(ii)If renewed, the renewal details

7. Number of inmates admitted / to be admitted in the institution.

8. Total number of girls or boys or women

(i)Girls(ii)Boys(iii)Women

9. Infrastructure available in the hostel or lodging house or home for women and children.-

(i)Total area of the campus.(ii)Total living area of the building including the living area provided to each inmate, kitchen, dining hall, store room, sick room, first aid room, library, separate bathrooms and toilets for girls and boys, officer room, manager or resident manager or warden or care taker's / care giver's room.(iii)Plinth area of each floor of the building.(iv)Number of floors.(v)Play ground.(vi)Details of building available for academic programme with specifications.(vii)Details of facilities available for (i) vocational * (ii) Socio-cultural recreational # (iii) Eco friendly ** programmes with specifications.* Tailoring, embroidery, printing, maintenance of electrical and electronic appliances, motor mechanism, carpentry, plumbing and any other non hazardous items with the permission of concerned District Collector.# Teaching musical instruments, yoga, dance, gymnastics, arts and painting, cookery, games like cricket, tennis, football, basketball, badminton, chess, carom and other indoor and outdoor games except swimming.** Gardening, tree planting, waste management, landscaping, bio-composting and any other non hazardous items with the permission of concerned District Collector.(viii)Building stability certificate and sanitation certificate obtained either from Public Works Department/ Registered Chartered Engineer+/ Registered Chartered Architect4 (mention the year specifically).+ as prescribed in Form

VIII.(ix)Certificate from Fire Service and Rescue Department

10. (i) Number of rooms allotted for girls in the age group of 5 to 10

(ii)Number of rooms allotted for girls in the age group of 11 to 18

11. (i) Number of rooms allotted for boys in the age group of 5 to 10

(ii)Number of rooms allotted for boys in the age group of 11 to 18

12. Number of rooms allotted for women

13. Details of the manager / resident manager/ care taker's or care giver's / warden (men or women) appointed in the institution.

(i)Name(ii)Age(iii)Educational qualification(iv)Date of joining(v)Appointed by whom(vi)Salary(vii)Medical certificate(viii)Conduct certificate

14. Details of entry and exit points in the institution

15. Details of security person appointed in the institution

(i)Name(ii)Age(iii)Educational qualification(iv)Date of joining(v)Salary(vi)Medical certificate(vii)Conduct certificate

16. (i) Specify locations where the CCTV cameras have been installed.

(ii)If not installed, action taken to install the same

17. Details of menu provided

18. Details of rooms allocated for manager or resident manager or warden or caretaker / care giver or security persons.

19. Details of the compound wall built around the institution.

20. Bathroom / toilet facilities provided.

21. Details of the children going to schools.

- 22. The amount collected from parents.**
- 23. Details of registers maintained in the institution**
- 24. Details of the visitors room and visiting hours.**
- 25. Details of the supervision of the visitors during the visiting hours.**
- 26. Details of the supervision when the inmates are going on holidays or leaving the hostel or lodging house or home for women and children.**
- 27. Details of the identity cards issued to the warden or caretaker / care giver or security persons by the institution.**
- 28. Details of the photo identity cards issued to the parents or guardians by the institution.**
- 29. Details of the mobile number of warden or care taker / care giver or security persons displayed on the entrance.**
- 30. Details of the child help line number 1098 displayed in the institution.**
- 31. The details and phone number of the institution registered in district website.**
- 32. The details of the inmates registered in track child website.**
- 33. The details of review meeting and resolution taken by the Non-Governmental Organization for past two months...**
- 34. Audit statement details for the past three years done by the chartered accountant.**
- 35. Annual turnover**
- 36. Foreign Contribution Regulation Act details**

37. Bank account number Bank name and branch

38. Other facilities

(i)Medical facilities.(ii)Other social activities run by the institution.

39. Linkage with other institution detail

Name of the institution and help received from them(i)Food(ii)Recreation facilities(iii)Medical facilities(iv)Technical education(v)Yoga and meditation(vi)OthersI declare that the facts mentioned above is absolutely true to the best of my knowledge.Place:Date & Seal:Signature of the ApplicantForm-II[See rule 3(4)]Inspection Report

1. Name of the institution and address

Phone numberFaxE-mail

2. Place of the institution

(i)Registered place(ii)Current place

3. Nature of the home

[hostel or lodging house or home for women and children]

4. Name and address of the contact person

5. Details of the governing body (managing committee/ executive committee)

6. Under which Act the registration is made

(i)Number, date and place of registration(ii)If renewed, the renewal details

7. Number of inmates admitted / to be admitted in the institution.

8. Total number of girls or boys or women

(i)Girls(ii)Boys(iii)Women

9. Infrastructure available in the hostel or lodging house or home for women and children.-

(i) Total area of the campus. (ii) Total living area of the building including the living area provided to each inmate, kitchen, dining hall, store room, sick room, first aid room, library, separate bathrooms and toilets for girls and boys, officer room, manager or resident manager or warden or care taker's / care giver's room. (iii) Plinth area of each floor of the building, (iv) Number of floors, (v) Play ground. (vi) Details of building available for academic programme with specifications. (vii) Details of facilities available for (i) vocational * (ii) Socio-cultural recreational # (iii) Eco friendly ** programmes with specifications. (viii) Building stability certificate and sanitation certificate obtained either from Public Works Department/ Registered Chartered Engineer+ / Registered Chartered Architect⁴ (mention the year specifically). + as prescribed in Form VIII. (ix) Certificate from Fire Service and Rescue Department.

10. (i) Number of rooms allotted for girls in the age group of 5 to 10

(ii) Number of rooms allotted for girls in the age group of 11 to 18

11. (i) Number of rooms allotted for boys in the age group of 5 to 10

(ii) Number of rooms allotted for boys in the age group of 11 to 18

12. Number of rooms allotted for women

13. Details of the manager / resident manager/ care taker's or care giver's / warden (men or women) appointed in the institution.

(i) Name (ii) Age (iii) Educational qualification (iv) Date of joining (v) Appointed by whom (vi) Salary (vii) Medical certificate (viii) Conduct certificate

14. Details of entry and exit points in the institution

15. Details of security person appointed in the institution.

(i) Name (ii) Age (iii) Educational qualification (iv) Date of joining (v) Salary (vi) Medical certificate (vii) Conduct certificate * Tailoring, embroidery, printing, maintenance of electrical and electronic appliances, motor mechanism, carpentry, plumbing and any other non hazardous items with the permission of concerned District Collector. # Teaching musical instruments, yoga, dance, gymnastics, arts and painting, cookery, games like cricket, tennis, football, basketball, badminton, chess, carom and other indoor and outdoor games except swimming. ** Gardening, tree planting, waste management, landscaping, bio-composting and any other non hazardous items with the permission of concerned District Collector.

**16. whether sufficient CCTV cameras have been installed in the institution?
The place where CCTV is installed.**

If not installed, action taken to install the same.

17. Whether any alternative arrangements has been done by the institution in case of the care taker / care giver or warden is absent / proceed on leave?

**18. (i) Whether separate rooms allotted for warden or care taker / care giver ?
details to be given**

(ii) Whether the warden or care taker / care giver reside with their families, if so give details

19. Details of the compound wall built around the institution.

20. Bathroom or toilet facilities provided.

21. The registers maintained in the institution

22. The details of the registers verified

23. Whether menu chart displayed as per Government rule and the place of display.

24. Whether any separate room for visitors provided.

25. Whether the details of the children going to schools and the marks obtained are recorded for each child?

26. The amount received from parents.

27. Mention the visiting hours for visitors.

28. Who supervises the visiting hours of the visitors? Whether visitor's register is maintained?

29. Who supervises the children's discharge when they go on holidays? (with their parents or guardians etc).

- 30. Whether the identity cards issued to the warden or caretaker by the institution?**
- 31. Whether the photo identity cards issued to the parents or guardians by the institution?**
- 32. Whether the mobile number of warden or care taker / care giver displayed on the entrance?**
- 33. Whether the physical fitness certificate produced by the warden and watchman?**
- 34. Details of the inspection authority and date of inspection for the past two months.**
- 35. Mention the details of district inspection team. If lacuna found, have they been rectified**
- 36. Whether the child help line number 1098 displayed in the institution?**
- 37. Whether the details and phone number of the institution registered in district website? Whether the details of the inmates registered in track child website?**
- 38. Date on which the proper training given to the field officer to implement the guidelines.**
- 39. Mention the details of review meeting and resolution taken by the Non-Governmental Organization for past two months.**
- 40. Audit statement details for the past three years done by the chartered accountant**
- 41. Annual turnover**
- 42. Foreign Contribution Regulation Act details**

43. Bank account number Bank name and branch

44. Other facilities

(i) Medical facilities (ii) Other social activities run by the institution

45. Linkage with other institution detail

Name of the institution and help received from them..(i) Food (ii) Recreation facilities (iii) Medical facilities (iv) Technical education (v) Yoga and meditation (vi) Others Signature, name and designation of the inspection team Form-III Licence / Renewal [See rules 3(5)] Proceedings Of The District Collector Present: Proc. Roc. No. Date: Sub: Collectorate hostel or lodging house or home for women and children - Issue of licence under section 5(2)/*6(2)/ *7(1) of the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014 for the period from _____ to _____ licence granted - Order Issued. Ref: Application received.....from.....dated. ORDER: This licence is awarded to of Tamil Nadu as an hostel or lodging house or home for women and children vide S.No. _____/Collectorate/ _____ under section 5(2)/*6(2)/ *7(1) of the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014. Thiru / Tmt. _____ is the manager or* resident manager of the said institution. The said institution is a hostel or* lodging house or home for women or for children or for both women and children. The Licence is valid for the period of three years commencing from _____ and ending on This licence is meant for _____ number of inmates to be admitted by the institution. The institution shall comply with rules or regulations or instructions issued by the State Government from time to time regarding licence. The licence is granted subject to the following conditions, namely:-

- 1. The Management shall run the institution in accordance with the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014.**
- 2. This licence shall be displayed prominently for the information of parents or general public in the office room.**
- 3. The owner or the resident manager or the manager shall ensure an average space norms of 40 sq.ft. per child and 120 sq.ft. per woman.**
- 4. Institution shall follow rules and regulations issued by State Government from time to time.**

5. The institution is subject to inspection by the inspection authorities under the Act or Rules and by the persons or officers authorized by the State Government or District Collector.

6. The infra-structure facilities shall be maintained properly.

7. The institution shall ensure proper education, child rights and necessary safeguards from child abuses.

8. The institution shall ensure water and sanitation facility and also safe drinking water.

9. The institution shall maintain sufficient supervisory and sub -staff as per the Act.

10. The institution shall maintain the kitchen in a hygienic manner.

11. The personnel of the institution shall be trained in handling fire safety facilities.

12. Rain water harvesting facilities shall be done in the institutions.

13. The institution should not have any thatched structure or shall not construct any thatched structure in future.

If the hostel or lodging house or home for women and children is found to violate any one of the above said conditions, the licence issued is liable for cancellation. District Collector* Strike out whichever is not applicable. Form-IV[See rule 4(4)] Application form for Registration

1. Name of the institution and address
Phone number
Fax
E-mail
2. Place of the institution
 - (i) Registered place
 - (ii) Current place
3. Nature of the home
[hostel or lodging house or home for women and children]
4. Name and address of the contact person

5. Details of the governing body (managingcommittee/executive committee)
6. Under which Act the registration is made
 - (i) number, date and place of registration
 - (ii) If renewed, the renewal details
7. Total number of girls or boys or women
 - (i) Girls
 - (ii) Boys
 - (iii) Women
8. Infrastructure available in the hostel or lodginghouse or home for women and children.
9. Details of the manager / resident manager/ caretaker's or care giver's / warden (men or women) appointed in the institution.
 - (i) Name
 - (ii) Age
 - (iii) Educational qualification
 - (iv) Date of joining
 - (v) Appointed by whom
 - (vi) Salary
 - (vii) Medical certificate
 - (viii) Conduct certificate
10. Details of entry and exit points in the institution
11. Details of security person appointed in the institution.
 - (i) Name
 - (ii) Age
 - (iii) Educational qualification
 - (iv) Date of joining
 - (v) Salary
 - (vi) Medical certificate
 - (vii) Conduct certificate
12. (i) Specify locations where the CCTV cameras have been installed.
 - (ii) If not installed, action taken to install the same.
13. Details of rooms allocated for manager or resident manager or warden or care taker / care giver or security persons.
14. Details of registers maintained in the institution.
15. Details of the visitors room and visiting hours.
16. The details and phone number of the institution registered in district website.
17. The details of the inmates registered in trackchild website.
18. Audit statement details for the past three years done by the chartered accountant.

19. Foreign Contribution Regulation Act details.

20. Bank account number Bank name and branch

I declare that the facts mentioned above is absolutely true to the best of my knowledge. Place: Date & Seal: Signature of the Applicant Form-V [See rule 4(4)] Certificate Of Registration Proceedings of the District Collector Present: Proc. Roc. No. Date: Sub:

Collectorate _____ hostel or lodging
house or home for women and children - Registration issued under section 12(3) of the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014 - Order Issued. Ref: Application received from _____,
dated _____ Order: _____ hostel or lodging
house or home for women and
children _____ District which has already
been registered under _____ Act is now
registered under section 12(3) of the Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014 vide Sl.No. _____ / Collectorate
/ _____ District Collector Form-VI [See rule 4(5)] Register For Registration

S.No.	Name and Address of the Institution	Contact details of the owner	Name of the hostel or lodging house or home for Women and Children	Contact details of the Manager / Resident Manager	Number and Date of Registration Certificate issued	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)

Place: Date: Seal: Signature of the Officer Form-VII [See rule 5(1)] Certificate of Fitness Signature of the Applicant: _____ This is to certify that We /

I _____ the undersigned have examined Thiru / Tmt / Selvi / _____ whose signature is given above and who has applied to the post of _____ at _____ hostel or lodging house or home for women and children and come to the conclusion that he / she is physically fit to perform the duty of the above mentioned post with effect from _____. Medical Officer (not below the rank of Civil Surgeon) Station: Date: Form-VIII Certificate of Structural Stability and Sanitation I/We further certify that to the best of my/ our knowledge and belief, the structural work including sanitation is carried out as per prescribed applicable standards and codes, rules, regulation and stipulations and that the materials used and the workmanship and methodology employed for construction work are of accepted standards and the work is fit for occupation for its intended use. This certificate is issued on the clear understanding that my / our overall responsibility for the structural stability of the building and its proper structural performance will cease the moment any additions or alterations to the structural frame by accident or due to tampering by the users/ occupants for any reasons whatsoever. My/ our responsibility will also cease in the event of overloading or lack of proper maintenance of structure or any such act, which is detrimental to the structure. Two sets of final structural drawings executed along with the design data are enclosed herewith. Sincerely, Signature of the Structural Design Consultant Date: Place: