



Abstract

Social Defence – Integrated Child Protection Scheme—Constitution of State Child Protection Society as per provision under Section 62 A of Juvenile Justice (Care and Protection of Children) Act, 2000 as amended in 2006 - Sanction of Expenditure – Orders – Issued.

Social Welfare and Nutritious Meal Programme (SW 8) Department

G.O. (Ms) No.123

Dated 23-12-2011

மார்க்டி 7

திருவனந்தபுரம் ஆண்டு 2042

Read

1. From the Joint Secretary to Government of India, Ministry of Women and Child Development, New Delhi, D.O. letter No.14-1/2006-CW-II, dated 28-4-2009.
2. From the Director (CW), Government of India, Ministry of Women and Child Development, New Delhi, D.O. Letter No.14-24/2009-CW-II, dated 14-1-2010.
3. G.O.(Ms) No.25, Social Welfare and Nutritious Meal Programme Department, dated 01.02.2010.
4. From the Government of India, Ministry of Women and Child Development, New Delhi, Letter No.14-24/2009/CW-II, dated 28.9.2010

Read also:

5. From the Director of Social Defence Letter No.7913/D1/2010 dated 6.12.2010.

ORDER:

In order to meet the very special needs of the children in conflict with law as well as children in need of care and protection, and to build a protective environment for all vulnerable children, the Government of India has launched the Centrally Sponsored Integrated Child Protection Scheme (ICPS). The scheme has been formulated by merging the following three smaller child welfare schemes – with improved norms, expanded mandate and enhanced outlay;

- i) 'A Programme for Juvenile Justice' –
- ii) 'An Integrated Programme for Street Children' and
- iii) 'A Scheme of Assistance to Homes for Children (Shishu Greh)

2. The Integrated Child Protection Scheme will focus its activities on children in need of care and protection and children in conflict and contact with the law. The main objectives of the scheme are to contribute to the improvements in the well being of children in difficult circumstances, as well as to the reduction of vulnerabilities to situations and actions that lead to abuse, neglect, exploitation, abandonment and separation of children from parents and the implementation schedule is largely based on the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000, its amendment Act, 2006 and the rules framed thereunder.

3. The salient features of this scheme are as follows:

I. Care, Support and Rehabilitation Service

- i) Emergency outreach service through Childline
- ii) Transitional shelters for children in need in urban and semi-urban areas
- iii) Family based non-institutional care through Sponsorship, Foster Care, Adoption and After Care Programme
- iv) Institutional Services, Shelter Homes, Children Homes, Observation Homes, Special Homes and Specialized services for children with special needs (disabled and children affected by HIV/AIDS)
- v) General grant-in-aid for need based/innovative interventions.

II. Statutory Support Services:-

- i) Child Welfare Committees (CWCs)
- ii) Juvenile Justice Boards (JJBs)

III .Other Activities:-

- i) Human resource development for strengthening counseling services.
- ii) Training and capacity building.
- iii) Strengthening the knowledge-base through research and documentation and Child Tracking System.
- iv) Advocacy, public education and communication.
- v) Monitoring and evaluation at district, State and Central level

IV: Services Delivery Structures:-

i) At Central Level:

- Childline India Foundation-Headquarters
- Child Protection Division in National Institute of Public Cooperation and Child Development (NIPCCD)
- Central Adoption Resource Agency (CARA)
- Central Project Support Unit

ii) At Regional Level:

- Child Protection Division in the four Regional Centres of NIPCCD

i) At State Level:

- State Project Support Units
- State Child Protection Society
- State Adoption Resource Agency
- Centres of Childline India Foundation

IV) At District Level:-

- District Child Protection Society

4. The funding pattern of the Integrated Child Protection Scheme is as follows:-

- (i) 90:10 for all the scheme components with NGO participation will be continued;
- (II) 100% funding by the Centre to the Childline Services;
- (III) 100% funding by the Centre to all structural mechanisms and services under the Government of India like NIPCCD and its Regional Centres, Central Adoption Resource Agency, Central Project Support Unit, and State Project Support Unit;
- (IV) 35:65 for the States for the regulatory bodies provided for under the Juvenile Justice Act, i.e., Juvenile Justice Boards, Child Welfare committees and Special Juvenile Police Units.
- (V) 75:25 for other structural components in the States
- (VI) In case, a State is unable to spend the complete funds allocated for a particular year, the excess funds will be reallocated by the Ministry to any other State which requires additional funds.

Fund Flow:-

- a) The financial assistance will be given in two installments through State Child Protection Society.
- b) The Ministry of Women and Child Development and the State Government will transfer their share of funds directly to the Bank Account of the State Child protection Society.
- c) Provide grant-in-aid to the District Child Protection Societies and voluntary organizations under the different components of the Scheme. While providing the financial assistance to the voluntary organizations, the State Governments shall ensure that the voluntary organizations meet the eligibility criteria laid down for providing grant-in-aid by the scheme.

5. The Government of Tamil Nadu has entered an agreement with the Government of India by signing Memorandum of Understanding (MOU) on 22.01.2010 with the Ministry of Women & Child Development, Government of India

for implementation of the above Integrated Child Protection Scheme in the State. Accordingly, in the Government Order 3rd read above orders have been issued implementing the Integrated Child Protection Scheme in the State with immediate effect.

6. Section 62 A of Juvenile Justice (Care and Protection of Children) Act 2000 as amended in 2006 envisages as follows:-

"Every State Government shall constitute a Child Protection Unit for the State and, such units for every district, consisting of such officers and other employees as may be appointed by the Government, to take up matters relating to such children in need of care and protection and juveniles in conflict with law with view to ensure the implementation of this Act including the establishment and maintenance of homes, notification of competent authorities in relation to these children and their rehabilitation and coordination with various officials and non-official agencies concerned."

7. Under Rule 80 and 81 of Government of India Juvenile Justice Rules 2007, the Government of India notified the specific functions of State Child Protection Unit and District Child Protection Societies respectively.

8. The State Child Protection Society is the fundamental unit at State level for the implementation of the Integrated Child Protection Scheme. The State Child Protection Society in Tamil Nadu will contribute and ensure the effective implementation of the Child Protection legislations, policies, schemes and achievement of the child protection goals laid down in the National Plan of Action for Children 2005. It will network and coordinate with all Government Departments to build inter-sectoral linkages on child protection issues and with the civil organisations working in the field of child rights and protection. State Child Protection Society will be the supervision and monitoring authority for the Integrated Child Protection Scheme. The funds for the implementation of the scheme will flow to the State through State Child Protection Society from Government of India. The State Government will get 75% of the total budget of the State Child Protection Society from Government of India for all recurring and non recurring expenditure.

9. The main objectives of the Society shall generally be to contribute to the improvement of the well being of children in difficult circumstances and its main functions are as follows:-

- i. Contribute to the effective implementation of child protection legislation, schemes and achievement of child protection goals laid out in the National Plan of Action for children 2005. In doing so, the SCPS will follow national and state priorities, rules and guidelines.
- ii. Implementation, supervision and monitoring of ICPS and all other child protection scheme / programmes and agencies /institutions at State/UT level;

- iii. Set up, support and monitor performance of District Child Protection Societies and ensure proper flow and utilization of funds to the districts through ICPS and other grant-in-aid schemes;
- iv. Ensure effective implementation of the Juvenile Justice (Care and Protection of Children) Act, 2000 and its Amendment Act, 2006;
- v. Ensure effective implementation of other legislations and policies for child protection in the State viz. Hindu Adoption and Maintenance Act (HAMA) 1956; Guardians and Wards Act (GAWA) 1890; Child Labour (Prohibition and Regulation) Act 1986; Child Marriage and Restraint Act 1979 and Immoral Traffic Prevention Act 1986, Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 etc. and any other Act that comes into force for protecting child rights;
- vi. Network and coordinate with all government departments to build inter-sectoral linkages on child protection issues, including Departments of Health, Education, Social Welfare, Urban Basic Services, Backward Classes & Minorities, Youth Services, Police, Judiciary, Labour, State AIDS Control Society, among others;
- vii. Network and coordinate with voluntary and civil organizations working in the field of child rights and protection;
- viii. Carry out need-based research and documentation activities at state-level for assessing the number of children in difficult circumstances and creating State-specific databases to monitor trends and patterns.
- ix. Training and capacity building of all personnel (Government and Non-government) working under child protection system;
- x. Quarterly Progress report to the Ministry of Women and Child Development, Government of India on programme implementation and fund utilization;
- xi. Liaisoning with the Ministry of Women and Child Development, Government of India and State Child Protection Societies of other States UTs;
- xii. Provide secretarial support to the State Child Protection Committee (SCPC).
- xiii. Maintain a state level database of all children in institutional care and family based non-institutional care and update it on a quarterly basis.

10. The Commissioner of Social Defence in the letter fourth read above has sent proposals for constitution of State Child Protection Society with certain posts and infrastructure at a total cost of Rs.1,08,21,000/- (Recurring Rs.1,00,86,000/- and Non-recurring Rs.7,35,000/-) as per the Integrated Child Protection Scheme norms.

11. After careful examination the Government accept the proposal of the Principal Secretary / Director of Social Defence and accordingly issue orders to constitute the State Child Protection Society (SCPS) and sanction is accorded for Rs.18,14,000/- (Rupees Eighteen Lakh and Fourteen thousand only) for expenditure

related to three months from January 2012 to March 2012 (Recurring Rs.10,79,000/- and Non-recurring Rs.7,35,000/-) as per the Integrated Child Protection Scheme norms as prescribed by the Government of India with the following staff structure and infrastructure:-

Estimated Budget for State Child Protection Society as per GOI's ICPS guidelines

Sl. No	Item	Amount in (Rs.)
A. Non-recurring Expenditure		
1	Furniture and other office equipments (tables, chairs, computer tables, air-conditioner, cupboards, etc.)	2,50,000/-
2	13 Computers with UPS & Web Cam @ Rs.35,000/- per system and 3 Printers cum Scanners @ Rs.10,000/-	4,85,000/-
	Total	7,35,000/-
B. Recurring Expenditure		
3	Staff Salary	
103	2 Programme Managers @ Rs.20,000/-per month	1,20,000/-
104	4 Programme Officers @ Rs.15,000/-per month	1,80,000/-
105	1 Accounts Officer @ Rs.10,000/- per month	30,000/-
106	1 Accountant @ Rs.8,000/- per month	24,000/-
107	4 Assistants cum Data Entry Operator @ Rs.5,000/- per month	60,000/-
108	1 Accounts Assistant @ Rs.5,000/- per month	15,000/-
	Total	4,29,000/-
4	Travel Allowance for State Child Protection Society staff at State / UT Government rates*	1,25,000/-
5	Rent for Office Premises @ Rs.15,000/- (as per actuals)	45,000/-
6	Administrative Expenses (water, electricity, postage, stationary, telephone with STD, Xeroxing, etc.)-Subject to actual	30,000/-
7	Training Funds for organizing programmes at block, district and state levels for different categories of functionaries	1,00,000/-
8	Research and Documentation	25,000/-
9	Awareness generation through IEC and media campaign including printing and dissemination of IEC materials (Subject to actuals)	2,00,000/-
10	Contingency Fund	1,25,000/-
	Total	10,79,000/-
	Total Expenditure (A + B)	18,14,000/-

* The staff of the Society shall be entitled to stay in State infrastructure

12. The expenditure sanctioned in para 11 above shall be debited under the following new head of account opened under Demand No.45 – 02 :-

2235 Social Security and Welfare 02. Social Welfare 106
Correctional Services - Schemes in the Eleventh Five Year
Plan - VI Schemes shared between State and Centre - UF
Formation of State Child Protection Society under Integrated
Child Protection Scheme (ICPS) - 09 Grants in Aid - 03 Grants
for specific schemes.

(DP Code : 2235 – 02 – 106 UF 0936)

The Director of Social Defence is estimating, reconciling and controlling authority of the above new head of account. The Pay and Accounts Officer / Treasury Officer concerned are requested to open the above new head of account in their books.

13. The expenditure sanctioned in para 11 above shall constitute an item of "New Service" and the approval of the Legislature will be obtained in due course. Pending approval of the Legislature, the expenditure will initially be met from the Contingency Fund, for which orders will be issued from Finance (BG.I) Department separately. The Principal Secretary / Director of Social Defence is requested to send necessary proposals in the prescribed format to Finance (BG.I) Department for drawal of Contingency Fund advance by enclosing the copy of this order. The Principal Secretary / Director of Social Defence is also requested to send necessary explanatory notes to Finance Department to include this expenditure in the Supplementary Estimates 2011-2012, at the appropriate time.

14. The Government also hereby constitutes the Governing Body with the following composition in order to manage the State Child Protection Society as stipulated in the guidelines.

Governing Body

Sl. No.	Member of the Governing Body	Status
1.	The Secretary to Government of Tamil Nadu, Social Welfare & Nutritious Meal Programme Department, Chennai	President
2.	The Secretary to Government, Home Department, Chennai	Member
3.	The Secretary to Government, Finance Department, Chennai	Member
4.	The Secretary to Government, Health & Family Welfare, Chennai	Member
5.	The Secretary to Government, School Education Department, Chennai	Member

6.	The Secretary to Government, Labour Department, Chennai	Member
7.	The Commissioner / Director of Social Welfare, Chennai	Member
8.	State Commissioner for Welfare of Differently Abled, Chennai	Member
9.	The Project Director, Integrated Child Development Services Scheme, Chennai	Member
10.	The Commissioner / Director of Social Defence, Chennai	Secretary

15. As stipulated by the Government of India guidelines, the State Child Protection Society will be constituted with personnel on a contractual basis. All the personnel hired by this Society will be employees of the Society and not the Government and shall be engaged based on the terms and conditions of services laid down in the implementation manual of the Integrated Child Protection Scheme developed by the Ministry of Women and Child Development. In order to appoint competent and professionally qualified personnel, the contractual posts would be advertised through national/local dailies and personnel recruited on the basis of qualifications, experience, high degree of motivation and commitment to children's cause. Individual terms of reference (TOR) will be drawn up for each post by the State Government. This will give State Government the flexibility to appoint people with State specific requirements. A Selection Committee constituted by the State Secretary dealing with Integrated Child Protection Scheme shall recruit the technical and support staff of the State Child Protection Society.

16. The Governing Body will constitute a Selection Committee which will arrive at the State specific requirement of the staff to be recruited for the Society. The Committee will also be responsible for recruiting the staff as per the ICPS guidelines. The staff to be recruited for the State Child Protection Society will be on contractual basis with specific requirements of the State and also based on the terms and condition of services laid down in the Integrated Child Protection Scheme.

17. The Memorandum of Association and the Bye-Laws for the State Child Protection Society will be issued separately.

18. This order issues with concurrence of Finance Department vide its U.O. No.101/DS(US)/2011, dated 15.12.2011 and additional sanction ledger No.1123 (One Thousand One Hundred and Twenty Three)

(By order of the Governor)

K. Gopal
Secretary to Government.

To
The Principal Secretary / Director of Social Defence, Chennai-10.
The Director of Social Welfare, Chennai-5.

The State Commissioner for the Differently Abled,
Chennai-78
The Principal Secretary / Special Commissioner,
Integrated Child Development Services Scheme,
Chennai-113.
All Collectors,
All District Social Welfare Officers / All District Project Officers / All District Disabled
Rehabilitation Officers,
All Probation Officers,
All Pay and Accounts Officers / All Treasury Officers,
The Chief Minister's Office, Chennai-9.
The Senior P.A. to Minister (Finance), Chennai-9.
The Senior P.A. to Minister (Social Welfare), Chennai-9.

Copy to

The Finance (SW/BG.1/BG.II) Department, Chennai-9.
The Planning, Development and Special Initiatives Department, Chennai-9.
The Law Department, Chennai-9.
The Home Department, Chennai-9.
All Departments of Secretariat, Chennai-9.
All Sections in Social Welfare and Nutritious Meal Programme Department,
Chennai-9
Stock File/Spare copies

// Forwarded by Order //

P. Jeeran Selvam
Section Officer