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TAMIL NADU GOVERNMENT GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

No. 39]

CHENNAI, SATURDAY, FEBRUARY 21, 2015 Maasi 9, Jaya, Thiruvalluvar Aandu–2046

Part III—Section 1(a)

General Statutory Rules, Notifications, Orders, Regulations, etc., issued by Secretariat Departments.

NOTIFICATIONS BY GOVERNMENT

SOCIAL WELFARE AND NUTRITIOUS MEAL PROGRAMME (SW5) DEPARTMENT

TAMIL NADU HOSTELS AND HOMES FOR WOMEN AND CHILDREN (REGULATION) RULES, 2015.

[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)/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:-

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 <u>Tamil Nadu Government Gazette</u>.
 - 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 ₹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 (CA 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.

<u>CHAPTER - IV</u>

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.

(By order of the Governor)

P.M. BASHEER AHAMED, Secretary to Government.

APPENDIX

FORM-I

[See rules 3 (1), 3(6)]

APPLICATION FORM FOR LICENCE AND RENEWAL OF LICENCE

	Pho	one number	
	Fax		
	E-m	nail	
2.	Plac	ce of the institution	
	(i)	Registered place	
	(ii)	Current place	
3.	Nat	ure of the home	
	-	stel or lodging house or home for women ar dren]	ոd
4.	Nan	ne and address of the contact person	
5.		ails of the governing body(managing committe cutive committee)	e/
6.	Und	der which Act the registration is made	
	(i)	number, date and place of registration	
	(ii)	If renewed, the renewal details	
7.		nber of inmates admitted / to be admitted in thitution.	ne
8.		al number of girls or boys or women	
J .	(i)	Girls	
	(ii)	Boys	
	(iii)	Women	
9.		astructure available in the hostel or lodging house ne for women and children	or
	(i)	Total area of the campus.	
	(ii)	Total living area of the building including the living area provided to each inmate, kitchen, dining has store room, sick room, first aid room, library, separa bathrooms and toilets for girls and boys, officer room manager or resident manager or warden or cataker's / care giver's room.	ıll, te n,
	(iii)	Plinth area of each floor of the building.	
	(iv)	Number of floors.	
	(v)	Play ground.	
	(vi)	Details of building available for academic programm with specifications.	ne
	(vii)	Details of facilities available for (i) vocational (ii) Socio-cultural recreational # (iii) Eco friendly programmes with specifications.	

1. Name of the institution and address

^{*} 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 Architect* (mention the year specifically)
	(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 $$\rm \dots$$
12.	Nun	nber of rooms allotted for women
13.	or c	ails of the manager / resident manager/ care taker's are giver's / warden (men or women) appointed in the tution.
	(i)	Name
	. ,	Age
		Educational qualification
		Date of joining
		Appointed by whom Salary
		Medical certificate
	. ,	Conduct certificate
14.	Deta	ails of entry and exit points in the institution
15.	Deta	ails 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.	Deta	ails of menu provided
18.	mar	ails of rooms allocated for manager or resident nager or warden or caretaker / care giver or security sons.
19.		ails of the compound wall built around the tution.

as prescribed in Form VIII.

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. $\hfill \hfill $			
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. \hdots			
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. $\hfill\Box$			
31.	The details and phone number of the institution registered in district website.			
32.	The details of the inmates registered in track child website. $\hdots \hdots$			
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. $\hfill \hfill \hf$			
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) Others			

I declare that the facts mentioned above is absolutely true to the best of my knowledge.

Place:

Signature of the Applicant

Date & Seal:

FORM-II

[See rule 3(4)]

INSPECTION REPORT

1.	Nar	ne of the institution and address	••
	Pho	one number	
	Fax		
	E-m	nail	
2.	Pla	nce of the institution	
	(i)	Registered place	
	(ii)	Current place	
3.	[hos	ure of the home stel or lodging house or home for women a dren]	ınd
4.	Nan	ne and address of the contact person	
5.		ails of the governing body(managing committe cutive committee)	ee/
6.	Und	der which Act the registration is made	
	(i)	Number, date and place of registration	
	(ii)	If renewed, the renewal details	
7.		nber of inmates admitted / to be admitted in titution.	he
8.	Tota	al number of girls or boys or women	
	(i)	Girls	
	(ii)	Boys	
	(i)	Women	
9.		astructure available in the hostel or lodging house ne for women and children	or
	(i)	Total area of the campus.	
	(ii)	Total living area of the building including the living area provided to each inmate, kitchen, dining his store room, sick room, first aid room, library, separabathrooms and toilets for girls and boys, officer room, anager or resident manager or warden or cataker's / care giver's room.	all, ate om,
	(iii)	Plinth area of each floor of the building.	
	(iv)	Number of floors.	
	(v)	Play ground.	
	(vi)	Details of building available for academic programs with specifications.	me

	(vii)	Details of facilities available for (i) vocati * (ii) Socio-cultural recreational # (iii) Eco frie ** programmes with specifications.	
	(viii)	Building stability certificate and sanitation certifobtained either from Public Works Department Registered Chartered Engineer*/ Registered Chartered Architect* (mention the specifically).	nent/ ered
	(ix)	Certificate from Fire Service and Res Department.	cue
10.	(i)	Number of rooms allotted for girls in the age of 5 to 10	roup
	(ii)	Number of rooms allotted for girls in the age g of 11 to 18	roup
11.	(i)	Number of rooms allotted for boys in the age g of 5 to 10	roup
	(ii)	Number of rooms allotted for boys in the age g of 11 to 18	roup
12.	Nun	nber 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.	Deta	ails of entry and exit points in the institution	
15.	Deta	ails of security person appointed in the institution	on
	(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.

as prescribed in Form VIII.

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 alloted 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). \dots
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?	16		
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 office to implement the guidelines.	e 		
39.	Mention the details of review meeting and resolution take by the Non-Governmental Organization for past two months.			
40.	Audit statement details for the past three years done the chartered accountant.	b) 		
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:			
<u>P</u> 1	<u>Date:</u>		
Sub:	Collectorate	nder section $5(2)/*6(2)/*7$ and Children (Regulation) Ac	t, 2014 for the period
Ref:	Application received from		

ORDER:			
- 1			
This licence	is awarded to ———————		, of Tamil Nadu as an hoste
5(2) /* 6 (2) / *	or home for women and children <i>vide</i> \$ 7(1)of the Tamil Nadu Hostels and Ho is the manager or* resident man for women or for children or for both	omes for Women and Children (nager of the said institution. The s	Regulation) Act, 2014. Thiru / Tmt
licence is meant regulations or ins	ce is valid for the period of three years for number of inmates to be a structions issued by the State Governme conditions, namely:—	admitted by the institution. The in	nstitution shall comply with rules o
1. The Man Children (Regula	agement shall run the institution in accition) Act, 2014.	cordance with the Tamil Nadu H	Hostels and Homes for Women and
2. This licer	nce shall be displayed prominently for the	he information of parents or gene	ral public in the office room.
3. The owne sq.ft. per woman	er or the resident manager or the manag ı.	jer shall ensure an average space	e norms of 40 sq.ft. per child and 120
4. Institution	n shall follow rules and regulations issu	ed by State Government from tim	e to time.
	ution is subject to inspection by the inspection		Rules and by the persons or officers
6. The infra-	structure facilities shall be maintained	properly.	
7. The institu	tion shall ensure proper education, child	d rights and necessary safeguard	ls from child abuses.
8. The institu	ution shall ensure water and sanitation t	facility and also safe drinking wat	er.
9. The institu	ution shall maintain sufficient superviso	ry and sub – staff as per the Act.	
10. The instit	ution shall maintain the kitchen in a hy	gienic manner.	
11. The perso	onnel of the institution shall be trained	in handling fire safety facilities.	

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

District Collector

licence issued is liable for cancellation.

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

^{*} Strike out whichever is not applicable.

FORM-IV

[<u>See</u> rule 4(4)]

Application Form for Registration

1.	Nar	ne of the institution and address	
	Pho	one number	
	Fax	•	
	E-m	· 	••
2.		ce of the institution	••
	` '	Registered place	
		Current place	••
3.		ure of the home stel or lodging house or home for women a	 nd
		dren]	
4.	Nan	ne and address of the contact person	
5.	Det	ails of the governing body	
	(ma	naging committee/executive committee)	
6.	Und	ler which Act the registration is made	
	(i)	number, date and place of registration	
	(ii)	If renewed, the renewal details	
7.	Tota	al number of girls or boys or women	
	(i)	Girls	
	(ii)	Boys	
	(iii)	Women	
8.		astructure available in the hostel or lodging house ne for women and children.	or
9.	or c	ails of the manager / resident manager/ care take care giver's / warden (men or women) appointed 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.	Det	ails of entry and exit points in the institution	
11.	Det	ails of security person appointed in the institution	١
	(i)	Name	
	(ii)	Age	
		Educational qualification	
	(iv)	Date of joining	
	(v)	Salary	

	(vi) Medical certificate		
	(vii) Conduct certificate		
12.	(i) Specify locations where the CCTV cameras been installed.	have	
	(ii) If not installed, action taken to install the sa	me	
13.	Details of rooms allocated for manager or resmanager or warden or care taker / care giver or sepersons.		
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 regis in district website.	etered 	
17.	The details of the inmates registered in track website.	child 	
18.	Audit statement details for the past three years do the chartered accountant.	ne by 	
19.	Foreign Contribution Regulation Act details.		
20.	Bank account number		
	Bank name and branch		
	I declare that the facts mentioned above is ab	solutely true to the best	of my knowledge.
	Place :		Signature of the Applicant
	Date & Seal:		

Seal :

FORM - V

[<u>See</u> rule 4(4)]

Certificate of Registration

PROCEEDINGS OF THE DISTRICT COLLECTOR

PRESI	ENT:					
	Proc.F	Roc.No .				<u>Date:</u>
	Sub:					nder section 12(3) of the
	Ref:	Application receiv	ed from	, dated	<u> </u>	
			***	*		
ORDER:						
			_District which has _ Act is now registere	already been red under section 12	egistered unde (3) of the Tamil N	ladu Hostels and Homes
for Wome	en and Child	Iren (Regulation) Act,	2014 <i>vide</i> Si.No.	/ Collector	ate /	•
					Dist	rict Collector
			FORM	–VI		
			[<u>See</u> rule	4(5)]		
			REGISTER FOR R	REGISTRATION		
		0	No. of the	0.4.4.4.4.4.	Ml	
<u>S.No</u>	<u>Name and</u> Address of		<u>Name of the</u> <u>hostel or lodging</u>	<u>Contact details</u> of the Manager /		<u>Remarks</u>
	Institution	<u>the owner</u>	<u>house or home</u> for Women and	<u>Resident</u>	Registration	
			<u>Children</u>	<u>Manager</u>	<u>Certificate</u> <u>issued</u>	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Place	:			;	Signature of the	Officer
Date	:					

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	
at hostel or lodging house or he / she is physically fit to perform the duty of the above men	home for women and children and come to the conclusion that tioned post with effect from
	Medical Officer
	(not below the rank of Civil Surgeon)
Station:	
Date:	
FOF	RM-VIII
Certificate of Structura	al Stability and Sanitation
I/We further certify that to the best of my/ our knowledge an as per prescribed applicable standards and codes, rules, reg workmanship and methodology employed for construction work its intended use.	
This certificate is issued on the clear understanding that my/ of and its proper structural performance will cease the moment and due to tampering by the users/ occupants for any reasons who overloading or lack of proper maintenance of structure or any s structural drawings executed along with the design data are en	atsoever. My/ our responsibility will also cease in the event of uch act, which is detrimental to the structure. Two sets of final
Sincerely,	
Signature of the Structural Design Consultant	
Date:	
Place:	
Cc: The Architect Name	
	P.M. BASHEER AHAMED,

Secretary to Government.