



Certificate of Registration of Societies
ACT XXI OF 1860

No. 23081/Ss of 2009 -- 200

I hereby certify that "Orissa State Child Protection Society (OSCPs), At. O/O. The Commissioner-Cum-Secretary, W&CD Deptt., Orissa Secretariat, Bhubaneswar, Dist. Khurda-751009."
has this day been registered under the Societies
Registration Act (No. XXI of 1860)

Given under my hand at Cuttack
this 2nd day of December
Two thousand nine.




Registrar of Societies
Orissa

Orissa State Child Protection Society

MEMORANDUM

1. Name of the Society

Orissa State Child Protection Society (OSCPS)
hereinafter referred to as the Society

2. Location of the Registered

(a) office of the
Society

The society shall have its Registered office at office of
the Commissioner-cum-Secretary, W & CD Deptt.,
Orissa Secretariat,
Bhubaneswar Dist.- Khurda Pin-751009.

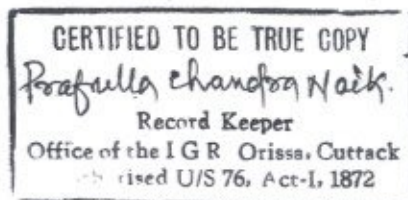
With liability for it establish subordinate offices to be
termed as district child protection society(DCPS) as
required.

(b) Area of Operation

The area of operation of the society shall be whole of the
State of Orissa and will function through district Child
Protection Society (DCPS) at the district level.

3. Objectives of the Society :

- a. To facilitate and operate in an additional marginal and technical capacity to the W & CD Deptt. Govt. of Orissa for the implementation of integrated child protection scheme (ICPS) in the State.
- Set up DCPS in all the districts
- Establish and strengthen a continuum of services for emergency outreach, institutional care, family and community based care, counselling and support services;
- Put in place, activate and strengthen necessary structures and mechanisms for effective implementation of the scheme at the state and district levels;
- Define and set standards of all services including the functioning of statutory bodies.
- Build capacities of all functionaries including, administrators and service providers, at all levels working under the ICPS by establishing partnerships with relevant State and National Agencies;
- Ensure that members of allied systems including, local bodies, police, judiciary and other concerned departments of State Governments are sensitized and trained to undertake responsibilities under the ICPS.
- Create mechanisms for a child protection data management system including MIS Resource Directory and child tracking system at the district and State level for effective implementation and monitoring of child protection services in the State;




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- Undertake research and documentation in the area of child protection through DCPS.
- Build capacities of families and community at the district levels for effective implementation and monitoring of child protection services in the State;
- Create and promote preventive measures to protect children from situations of vulnerability, risk and abuse.
- Identification of vulnerable children and resource mapping for proper implementation of ICPS
- Coordinate and network with all allied systems i.e. Government departments and Non-Government agencies providing support and services for children and effective convergence required for proper implementation of the scheme.
- Educate public on child rights and protection;
- Raise public awareness at all levels on situation and vulnerabilities of children and families
- Facilitate access and utilization by all stakeholders and public at large of available child protection services, schemes and structures at all levels

4. Scope of function:-

To achieve the above objectives, the Society shall deploy and direct its resources for performance of the following key tasks:

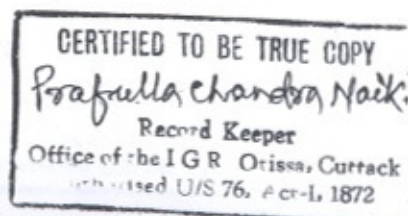
- Formulate the State Child Protection Policy and State Plan of Action in consultation with State Project Support Unit (SPSU), other Departments, Academic Institutions / Universities, Civil Society Institutions, International Agencies and NGOs.
- Initiate and ensure compulsory licensing of all voluntary / charitable organisations housing children / juveniles in the State under the Juvenile Justice Act 2000 and its Amendment Act 2006.
- Receive, manage (including disbursement to implementing agencies e.g. Directorate, District Societies, NGOs etc.) and account for the funds received from the Ministry of Women & Child Development, Government of India.
- Strengthen the technical / management function of the State Directorate as well as of the District Societies by various means including through recruitment or commissioning individual / institutional experts from the open market.
- Mobilize financial / non-financial resources for complementing/supplementing the SCPS activities in the State.
- Organize training, meetings, conferences, policy review studies / surveys, workshops and inter-State exchange visits etc. for deriving inputs for improving the implementation of SPSU in the State.
- Undertake such other activities for strengthening SPSU in the State as may be identified from time to time, including mechanisms for intra and inter-sectoral convergence of inputs and structures.

For performing the above tasks, the Society shall:

- Establish and carry out the administration and management of the Society's Secretariat, which will serve as the implementation arm of the Society.
- Create administrative, technical and other posts in the Secretariat of the Society as deemed necessary.
- Employ, retain or dismiss personnel as specified in the Scheme.

[Signature]

For the Secretary
Department



Declaration

We, following 21 persons whose names and addresses are given below having associated ourselves for the purpose described in this Memorandum of Association do hereby subscribe our names to this Memorandum of Association and set our several and respective hands hereunto and form ourselves into a Society under the Societies Registration Act, 1860 (Act, No. XXI of 1860): this.....day of 2009 at.....

Sl. No.	Name / Designation	Status in Governing Body	Signature
1	Secretary, W&CD Deptt.	Chairperson	
2	Director, Social Welfare	Vice-Chairperson	
3	Principal Secretary, Home Deptt. / representative	Member	
4	Principal Secretary, Deptt. of School and Mass Education/ representative	Member	
5	Principal Secretary, ST& SC Dev. Deptt. / representative	Member	
6	Principal Secretary, Finance Deptt. / representative	Member	
7	Secretary, Health Deptt. / representative	Member	
8	Secretary, Labour Deptt. / representative	Member	
9	Secretary, Deptt. of Higher Education/ representative	Member	
10	Secretary, Rural Development / representative	Member	
11	Secretary, PanchayatRaj/ representative	Member	
12	Secretary, Sports & Youth services/ representative	Member	
13	Secretary, Housing and Urban development/ representative	Member	
14	Secretary, Law Deptt. / representative	Member	
15	Special Secretary, Planning & Co-ordination Deptt. / representative	Member	
16	Registrar, State Human Rights Commission	Member	
17	Director, State Aids Control Society	Member	
18	Head of the Deptt., Deptt. of psychology, Utkal University	Member	
19	IG Prisons	Member	
20	Secretary, Orissa State Council for Child Welfare, Bhubaneswar	Member	
21	Deputy Secretary / Under Secretary, (Child Welfare)	Member Convener.	

Director, Social Welfare
W & C D. Department



- Establish its own procurement procedures and employ the same for procurement of goods and services.
- Make rules and bye-laws for the conduct of the activities of the Society and its Secretariat and add, rescind or vary them from time to time, as deemed necessary.

5. Members of Governing Body:-

The names, addresses, occupations and designations of the First Members of the Governing Body of the Society to whom by the rules and regulations of the Society, the management of the affairs of the Society is entrusted as required under section 2 of the Societies Registration Act, 1860 (No. XXI of 1860) are as follows:

Sl. No.	Name / Designation	Status in Governing Body
1	Secretary, W&CD Deptt.	Chairperson
2	Director, Social Welfare	Vice-Chairperson
3	Deputy Secretary / Under Secretary, (Child Welfare)	Member Convener.
4	Principal Secretary, Home Deptt. / representative	Member
5	Principal Secretary, Deptt. of School and Mass Education/ representative	Member
6	Principal Secretary, ST& SC Dev. Deptt. / representative	Member
7	Principal Secretary, Finance Deptt. / representative	Member
8	Secretary, Health Deptt. / representative	Member
9	Secretary, Labour Deptt. / representative	Member
10	Secretary, Deptt. of Higher Education/ representative	Member
11	Secretary, Rural Development / representative	Member
12	Secretary, PanchyatRaj/ representative	Member
13	Secretary, Sports & Youth services/ representative	Member
14	Secretary, Housing and Urban development/ representative	Member
15	Secretary, Law Deptt. / representative	Member
16	Special Secretary, Planning & Co-ordination Deptt. / representative	Member
17	Registrar, State Human Rights Commission	Member
18	Director, State Aids Control Society	Member
19	Head of the Deptt., Deptt. of psychology, Utkal University	Member
20	IG Prisons	Member
21	Secretary, Orissa State Council for Child Welfare, Bhubaneswar	Member



CERTIFIED TO BE TRUE COPY
Prasanna Chandra Nayak
 Record Keeper
 Office of the IGR Orissa, Cuttack
 authorised U/S 76, Act-I, 1872



RULES AND REGULATIONS

Of

ORISSA STATE CHILD PROTECTION SOCIETY (OSCPS)

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1. SHORT TITLE :

- 1.1. These rules and regulations shall be called the rules and Regulations of the Orissa State Child Protection Society 2009.
- 1.2. These Rules shall come into force with effect from the date of registration of the society by Registrar of societies.

2. DEFINITIONS :

In the interpretation of these Rules and Regulations, the following expressions shall have the following meaning unless inconsistent with subject or context:

- "Act" means Societies Registration Act, XXI, 1860.
- "(OSCPS)" means the Orissa State Child Protection Society
- "Central Government" means the Government of India.
- "Chairperson" means the Chairperson of the Governing Body of the Society.
- "Chief Executive Officer(CEO)" means the chairperson of the Executive Committee of the Society.
- "Executive Committee" means the Executive Committee of the Society.
- "Executive Secretary" means the Executive Secretary of the Society.
- "Governing Body" means the Governing Body of the Society.
- "Member" means the Member of the Society.
- "Rules" means these Rules and Regulations registered along with the memorandum of Association & as may be amended by the Governing Body of the Society from time to time.
- "Secretariat" means the Secretariat of the Society.
- "State Government" means the Government of Orissa
- "Year" means the financial year of the State Government of Orissa.

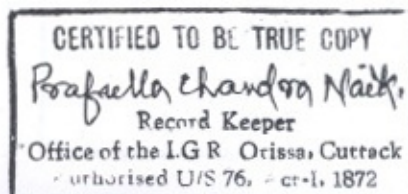
3. OFFICE

3.1 Registered office of the Society shall be situated in the premises of Orissa Secretariat located at Office of the Secretary, Women and Child Development Department.

3.2 The Society may set up its branch offices/District Child Protection Society (DCPS) in every district in the State of Orissa.

4. MEMBERSHIP

- 4.1 The following shall be the members of the Society:
 - Members of the Governing Body.



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4.2 The membership of an ex-officio member of the Society and of the Governing Body shall terminate when he/she ceases to hold the office by virtue of which he/she was member and his/her successor to the office shall become such member.

4.3 Non official members of the Society will be nominated by the Chairperson on recommendation of the Governing Body. Nominated members shall hold office for a period of three years from the date of their nomination. Such members will be eligible for re-nomination for another period of 3 years.

4.4 The Society shall maintain a roll of members at its registered office and every member shall sign the roll and state therein his/her rank or occupation and address. No member shall be entitled to exercise rights and privileges of a member unless he/she has signed the roll as aforesaid.

4.5 All members of the Governing Body shall cease to be members if they resign, become of unsound mind, become insolvent or be convicted of a criminal offence involving moral turpitude or removal from the post by virtue of which s/he was holding the membership.

4.6 Resignation of membership shall be tendered to the Governing Body in person to its Executive Secretary and shall not take effect until it has been accepted by the Chairperson on recommendation of Governing Body.

4.7 If a member of the Society changes his/her address he/she shall notify his/her new address to the Executive Secretary who shall thereupon enter his/her new address in the roll of member. But if a member fails to notify his/her new address the address in the roll of members shall be deemed to be his/her address.

4.8 Any vacancy in the Society or in the Governing Body shall be filled by the authority entitled to make such appointment as per Para 5.4.1 of the Rules and Regulations. No act or proceedings of the Society or of the Governing Body shall be invalid merely by reason of the existence of any vacancy therein or of any defect in appointment of any of its members.

4.9 No member of the Governing Body, except the Executive Secretary to be appointed as per these Rules, shall be entitled to any remuneration.

5. AUTHORITIES OF THE STATE CHILD PROTECTION SOCIETY

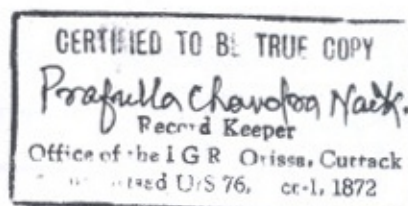
5.1 The following shall be the bodies and authorities of the Society:

- Governing Body
- Executive Committee
- Programme Committees
- State Child Protection Committee
- State Adoption Advisory Committee
- Project Sanctioning Committee and such other bodies as may be decided by the Governing Body.

5.2 GOVERNING BODY

5.2.1 All members of the Society as set out in Para 4.1 shall constitute the Governing Body of the Society.


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5.2.2 The first members of the Governing Body of the Society shall be those mentioned in Clause 5 of the Memorandum of Association. They shall hold office until a new Governing Body is appointed according to these Rules.

5.2.3 The management of the affairs of the Society shall be entrusted to Governing Body and the property of the Society shall be vested in the Governing Body.

5.2.4 The Society may sue or be sued in the name of the Executive Secretary of the Society or of such other members as shall, in reference to the matter concerned, be appointed by the Governing Body for the occasion.

5.3 PROCEEDINGS OF THE GOVERNING BODY

5.3.1 The meetings of the Governing Body shall be held at least once in every three months and at such time and place as the Chairperson shall decide. If the Chairperson receives a requisition for calling a meeting signed by one-third members of the Governing Body, the Chairperson shall call such a meeting as soon as may be reasonably possible and at such place as she/he may deem fit.

5.3.2 At the annual meeting of the Governing Body the following business shall be brought forward and disposed of:

- ☐ Income and expenditure account and the balance sheet for the past year.
- ☐ Annual report of the Society.
- ☐ Budget for the next year.
- ☐ Annual Action Plan and research work for the next year.
- ☐ Appointments for the Executive Committee and the various Committees.
- ☐ Other business with the permission of the Chairperson.

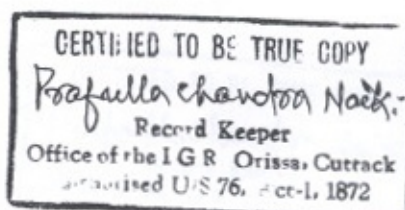
5.3.3 Every notice calling meeting of the Governing Body shall state the date, time and place at which such meeting will be held and shall be served upon every member of the Governing Body not less than twenty one clear days before the date appointed for the meeting. Such notice shall be under the hand of the Executive Secretary and shall be accompanied by an agenda of the business to be placed before the meeting provided that accidental Society to give such notice to any member shall not invalidate any resolution passed at such meeting. In the event of any urgent business the Chairperson may call the meeting of the Governing Body at clear ten days notice.

5.3.4 The Chairperson shall take the Chair at the meetings of the Governing Body. In his/her absence, the Co-Chair or in his/her absence, the Vice-Chairperson will chair the meeting, failing which the Governing Body shall elect one from among the members present as Chairperson of the meeting.

5.3.5 One third of the members of the Governing Body, including the substitutes nominated under Rule 5.2.7 present in person, shall form a quorum at every meeting of the Governing Body.

5.3.6 All disputed questions at the meeting of the Governing Body shall be determined by votes. Each member of the Governing Body shall have one vote and in case of a tie, any equality of votes the Chairperson shall have a casting vote.

5.3.7 Founder member either Principal Secretary may depute his/her nominated representative to attend Governing Body Meeting.



5.3.8 Any member desirous of moving any resolution at a meeting of the Governing Body shall give notice thereof in writing to the Executive Secretary of not less than ten clear days before the day of such meetings.

5.3.9 Any business which it may become necessary for the Governing Body to perform except such as may be placed before its Annual meeting may be carried out by circulation among all its members and any resolution so circulated and approved by majority of the members signing shall be as effectual and binding as if such resolution had been passed at a meeting of the Governing Body provided that at least one-third members of the Governing Body have recorded their consent of such resolution.

5.3.10 In the event of any urgent business, the Chairperson of the Society may take a decision on behalf of the Governing Body. Such a decision shall be reported to the Governing Body at its next meeting for ratification.

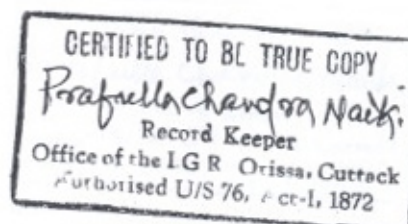
5.3.11 A copy of the minutes of the proceedings of each meeting shall be furnished to the Governing Body members as soon as possible after completion of the meeting.

5.4 POWERS OF THE GOVERNING BODY

5.4.1 The Governing Body will have full control of the affairs of the Society and will have authority to exercise and perform all the powers, acts and deeds of the Society consistent with the aims and objects of the Society.

5.4.2 In particular and without prejudice to the generality of foregoing provision, the Governing Body may:

- Make, amend, or repeal any bye laws relating to administration and management of the affairs of the Society subject to the observance of the provisions contained in the Act.
- Consider the annual budget and the annual action plan, its subsequent alterations placed before it by the Executive Secretary from time to time and to pass it with such modifications as the Governing Body may think fit.
- Monitor the financial position of the Society in order to ensure smooth income flow and to review annual audited accounts.
- Accept donations and endowments or give grants upon such terms as it thinks fit.
- Delegate its powers, to the Chairperson, Chief Executive Officer, Executive Secretary or other authorities of the Society as it may deem fit.
- Appoint committees, sub-committees and boards etc. for such purpose and on such terms as it may deem fit, and to dissolve / remove any of them.
- Develop and adopt its own rules and regulations for recruitment and appointment of experts and administrative / technical staff and set its own compensation package for such experts / staff to be recruited from the open market and/or deputation basis.
- Develop and adopt its own procurement procedures for procurement of goods and services.
- Authorise the Executive Secretary to execute such contracts on behalf of the Society as it may deem fit in the conduct of the business of the Society.



Director, Social Welfare
W & C.D. Department



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- Do generally all such acts and things as may be necessary or incidental to carrying out the objectives of the Society or any of them, provided that nothing herein contained shall authorize the Governing Body to do any act or to pass any bye-laws which may be repugnant to the provisions hereof, to the powers hereby conferred on the Governing Body and other authorities, or which may be inconsistent with the objectives of the Society.

5.5 POWERS AND FUNCTIONS OF THE CHAIRPERSON OF THE GOVERNING BODY

5.5.1 The Chairperson shall have the powers to call for and preside over all meetings of the Governing Body.

5.5.2 The Chairperson may himself/herself call, or by a requisition in writing signed by him/her may require the Executive Secretary to call, a meeting of the Governing Body at any time and on the receipt of such requisition, the Executive Secretary shall forthwith call such a meeting.

5.5.3 The Chairperson shall enjoy such powers as may be delegated to him by the Governing Body.

5.5.4 The Chairperson shall have the authority to review periodically the work and progress of the Society and to order inquiries into the affairs of the Society and to pass orders on the recommendations of the reviewing or inquiry Committee.

5.5.5 Nothing in these Rules shall prevent the Chairperson from exercising any or all the powers of the Governing Body in case of emergencies in furtherance of the objects of the Society. However, the action taken by the Chairperson on such occasions shall be reported to the Governing Body subsequently for ratification within a period of one month or earlier.

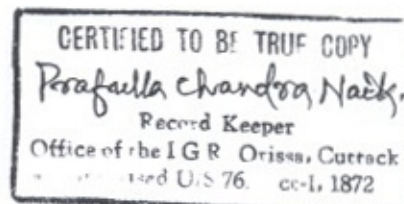
5.6 EXECUTIVE COMMITTEE (EC)

5.6.1 The Governing Body will constitute an Executive Committee which will be responsible for acting on and doing all deeds on behalf of the Governing Body and for taking all decisions and exercising all the powers, vested in the Governing Body except those which the Governing Body may specifically indicate to be excluded from its jurisdiction by the Executive Committee.

5.6.2 The composition of the Executive Committee are as follows:

Sl. No.	Name / Designation	Status in Executive Committee
1	Commissioner-cum-Secretary, W & CD Deptt	Chairperson
2	Director, (SW) -cum-Ex-officio Addl. Secy. to Govt., W & CD Deptt.	Vice-chairperson
3	Additional Secretary, Home Deptt.	Member
4	Director, Health Deptt.	Member
5	Labour, Commissioner	Member
6	Director, Education	Member

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Director, Social Welfare
W & C.D. Department



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- 7 F.A-cum-Joint Secretary
8 Deputy Secretary/ Under Secretary
(Child Welfare)

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Treasurer
Member Convener

5.6.3 The Executive Committee may co-opt additional members and/or invite subject experts to its meetings from time to time as special invites.

5.6.4 Meetings of the Executive Committee shall be convened by the Convener by giving clear seven days notice in writing along with the Agenda specifying the business to be transacted, the date, time and venue of the meeting.

5.6.5 Meetings of the Executive Committee shall be held at least once in three months or more frequently if necessary.

5.6.6 The minutes of the Executive Committee meetings will be placed before the Governing Body at its next meeting.

5.6.7 The various Committees constituted by the Governing Body shall submit their reports to the Executive Committee who shall be empowered to take decisions on their recommendations.

5.7 POWERS & FUNCTIONS OF THE CHAIRPERSON OF THE EC

5.7.1 The State Child Protection Society shall be functioning under the overall administrative control and supervision of the State Secretary currently dealing with child welfare/development programmes, in the State Government/UT Administration. He/she shall spearhead the effective implementation of ICPS and all other child protection policies and programmes at the State/UT by facilitating formulation of the State Child Protection Policy and State Plan of Action for Children. He/she shall also ensure setting up of State Commission for Protection of the Rights of the Child, Child Welfare Committees, Juvenile Justice Boards and Special Juvenile Police Units in every district. The Secretary shall also ensure compulsory licensing of all voluntary/charitable organizations housing children under the Juvenile Justice Act, 2000. He/she shall facilitate inter-sectoral convergence with allied departments like home, health, labour, education, State AIDS Control Society, social welfare, women and child development, youth services among others. The Secretary is empowered to take all administrative decisions pertaining to the implementation of the ICPS and related fund disbursement.

5.7.2 State Child Protection Committee (SCPC): Every State/UT shall have a State Child Protection Committee (SCPC) under the Chairpersonship of the State Secretary dealing with ICPS to monitor the implementation. Details are given under the Monitoring and Evaluation Section of the Scheme.

5.7.3 State Adoption Advisory Committee: In order to promote, implement, supervise and monitor the family based non-institutional programmes including sponsorship, foster care in-country and inter-country adoption at State level, a State Adoption Advisory Committee shall be constituted at every State/UT. The Adoption Advisory Committee will meet quarterly to discuss child welfare measures and ways and means to promote in-country adoption of children. Minutes of every meeting shall be sent to CARA. The tenure of such committee will be three years.


Director, Social Welfare
& Child Development



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Prafulla Chandan Naik
Record Keeper
Office of the IGR, Orissa, Cuttack
Authorised U/S 76. - dt-1, 1872



5.7.4 The composition of this committee shall be as under:

Sl. No.	Members	No.	Designation
1.	Secretary, Women & Child Development Deptt.	1	Chairman
2.	Director, Social Welfare	1	Member Secretary
3.	Representative of Health Department	1	Member
4.	Representative of CARA on invitation	1	Member
5.	Programme Manager, SARA	1	Member
6.	Chairperson/Representatives of Adoption Coordinating Agencies	1	Member
7.	Representatives of SAA by rotation	2	Member
8.	Expert in the field of Child Rights and Child Protection	1	Member
9.	Representative of Law Deptt.	1	Member
10.	Representative of CHILDLINE, Bhubaneswar	1	Member

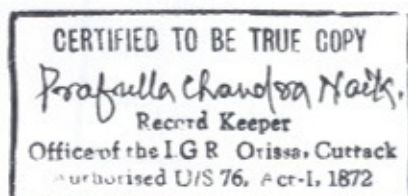
The Clearance Certificate (CC) stating that all efforts to find a suitable Indian family for the child within the time frame have failed, and hence the child is released for inter-country adoption, shall be co-signed by the Director concerned (DWCD/Social Welfare) and the Chairperson of ACA. However, in absence of the Director, the Programme Manager, SARA shall be empowered to be the co-signatory on the Clearance Certificate.

5.7.5 *Project Sanctioning Committee*: The Secretary, W & CD shall head a Project Sanctioning Committee set up for examining and clearing proposals/ projects submitted by the voluntary organizations under the different programme components of the ICPS. The financial powers will be vested in the Secretary and he/she shall be the final authority at State/UT level to authorize funds disbursement under ICPS.

5.7.6 *State Adoption Resource Agency (SARA)*: In order to support CARA in promoting in-country adoption and regulating inter-country adoption, ICPS shall support setting up of a State Adoption Resource Agency in every State/UT. Such SARA, set up as a unit under the State Child Protection Society, will coordinate, monitor and develop the work of adoption and render secretarial and administrative assistance to the State Adoption Advisory Committee.

SARA shall liaison with DCPS at District levels and provide technical support to the Child Welfare Committees in carrying out the process of rehabilitation and social reintegration of all children through sponsorship, foster-care, in-country and inter-country adoption. The specific roles and responsibilities of SARA shall include:

- Function as the State level Resource Centre to coordinate, monitor and develop the adoption programme in the State;
- Facilitate the setting up of ACAs where they do not exist and recommend to CARA for recognition;



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(iii) Facilitate the setting up of SAAs, provide legal recognition to SAAs and maintain a comprehensive list of such agencies;

(iv) Ensure that all adoptions/permanent placements of children are done in accordance with the Laws & Guidelines of the Supreme Court of India and Government of India;

(v) Promote in-country and regulate inter-country adoptions in coordination with CARA;

(vi) Maintain a centralized (state-specific) web-based database of adoptable children with the help of District Child Protection Societies and ACAs as a part of the child tracking system;

(vii) Maintain a centralized (state-specific) web-based database of prospective adoptive parents with the help of District Child Protection Societies and ACAs;

(viii) Supervise the work of ACAs and SAAs and ensure coordination between them within State;

(ix) Ensure that all PAPs are registered at DCPS/ SAA/ ACA/ SARA;

(x) Provide comprehensive adoption data to CARA on monthly basis;

(xi) Ensure sensitization of all agencies and allied systems;

(xii) Enhance capacity of those working in the adoption system;

(xiii) Take necessary punitive action when malpractices occur in the adoption programme whether by licensed /recognized adoption agencies or by unlicensed individuals or organizations;

(xiv) Advocacy and awareness for promoting adoptions in the State;

(xv) Develop and disseminate IEC materials.

5.8 SOCIETY SECRETARIAT AND SOCIETY DIRECTOR

5.8.1 A Senior Officer of the State Government of the rank of Special Secretary/Additional Secretary (an IAS Officer of JAG/Selection Grade) shall be nominated as the Society Director. The Governing Body, with the assistance of the Joint Secretary and officials such as Director/Commissioner, will establish a Secretariat of the Society consisting of technical, financial and management professionals to serve as the implementation arm of the Society.

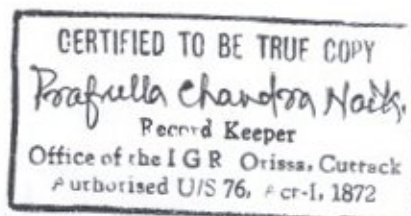
5.8.2 The Secretariat shall consist of all such technical/management units put together and as may be determined by the Governing Body with due regard to the scope of functions as set out in Article 5 of the Memorandum of Association.

5.8.3 The Executive Committee of the Society will have overall responsibility for planning and executing the work of the Secretariat, for supervising the work of the technical/management units of the Secretariat, directing and overseeing implementation through the Secretariat.

5.9 POWERS AND FUNCTIONS OF THE SECRETARIAT

5.9.1 The Secretariat of the Society shall consist of the Society Director and Staff of the Society, including experts and consultants.

5.9.2 As the implementation arm of the Society, the Secretariat will be responsible for day-to-day management of the Society's activities. In particular, it will be



responsible for performing all functions of the Society as set out in Article 5 of the MoA.

5.9.3 As a support structure for assisting Department of Women & Child Development of the State Government, the Secretariat shall:

- cause its experts and staff to be subjected to such operational arrangements with the Directorate (including seating and reporting arrangements) as to generate synergies,
- host external experts within its premises, and
- provide such logistic support to the officers and staff of the Directorate and Department of Social Welfare/Nodal Department dealing with Juvenile Justice/Child Protection of the State Government as may be determined by the Governing Body.

5.10 POWERS AND FUNCTIONS OF THE SOCIETY DIRECTOR

5.10.1 Director/Commissioner Child Protection: He/she shall function as the administrative head of the Society at the State level and shall be responsible for management, supervision and monitoring of the overall functioning of the Society as well as the implementation of the ICPS. He/she shall supervise the work of the State Child Protection Society, the State Adoption Resource Agency (SARA) and all the District Child Protection Societies (DCPSs) of the State/UT. The Director/Commissioner shall be responsible for ensuring effective implementation of ICPS and other child protection policies and programmes at the State, district and local levels with the assistance of all personnel of the SCPS. The Director/Commissioner child protection shall ensure timely release of funds to concerned agencies/organizations implementing ICPS and other child protection programmes at state and district levels. He/she shall also supervise and monitor utilization of funds allocated under ICPS.

6 FUNDS OF THE SOCIETY

6.1 The funds of the Society shall consist of the following:

- Cash assistance received from the Government of India.
- Grants-in-Aid from the State Government.
- Grants and donations from trade, industry, institutions and individuals.
- Receipts from disposal of assets.

The assets and liabilities of all Societies merged into the Integrated Society shall be subsumed within the new Society.

7 ACCOUNTS AND AUDIT

7.1 The Society shall cause regular accounts to be kept of all its monies and properties in respect of the affairs of the Society.

7.2 The Executive Committee may cause separate Bank Accounts in respect of each scheme or separate ledgers for each scheme under one account. In such an event, the Governing Body shall prescribe written instructions relating to subSociety of Statement of Expenditure (SoE) for each scheme. The separate Accounts of different Programmes could be audited by different auditors, and submitted to the

[Signature]

Director, Social Welfare
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Programme Unit separately. However, the SPSU will ensure one integrated audit of the State Child Protection Society.

7.3 The accounts of the Society shall be audited annually by a Chartered Accountant firm included in the panel of Comptroller and Auditor General of India or any qualified person appointed by the Government of India/State Government and any expenditure incurred in connection with such audit shall be payable by the Society to the Auditors. The Office of the Accountant General of State may also, at its discretion, audit the accounts of the society.

7.4 The Chartered Accountant or any qualified person appointed by the Govt. of India/State Government in connection with the audit of the accounts of the Society shall have the same rights, privileges and authority in connection with such audit as the Auditor General of the State has in connection with the audit of Government accounts and in particular shall have the right to demand the production of books, accounts, connected vouchers and other necessary documents and papers.

7.5 The report of such audit shall be communicated by the auditor to the Society, which shall submit a copy of the Audit Report alongwith its observation to the State Government.

7.6 The Auditor shall also forward a copy of the report to the Chairperson of the Society and none present on GB of SCPS.

8 BANK ACCOUNT

8.1 The account of the Society shall be opened in a nationalised bank approved by the Executive Committee or in a scheduled commercial/nationalized bank as may be specified by the concerned state department (WCD/Social Welfare/SJ&E etc.), Government of(state name). All funds shall be paid into the Society's account with the appointed bank and shall not be withdrawn except through a cheque, bill note, other negotiable instruments or through electronic banking (e-banking) procedures signed/electronically authorised by such authorities of the Society Secretariat as may be determined by the Executive Committee.

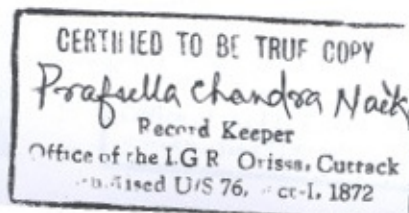
8.2 The Society shall switch over to e-banking procedures as and when the MoWCD, Government of India directs the Society to do so as the principal donor to the Society.

8.3 The Executive Committee shall authorise the Executive Director (Society Director) to operate the accounts of the Society in conjunction with another senior official as may be decided by the Committee but any two signatures will be necessary for drawing amount from the Bank.

9 ANNUAL REPORT

9.1 A draft annual report and the yearly accounts of the Society shall be placed before the Governing Body at next meeting for consideration and approval. A copy of the annual report and audited statement of accounts as finally approved by the Governing Body shall be forwarded within six months of the closure of a financial year to the Chairperson of the Governing Body and Government of India representatives on the Governing Body.

10 SUITS AND PROCEEDINGS



10.1 The Society may sue or be sued in the name of Society through its Executive Secretary.

10.2 No suit or proceedings shall abate by the reason of any vacancy or change in the holder of the office of the Chairperson or Executive Secretary or any office bearer authorised in this behalf.

10.3 Every decree or order against the Society in any suit or proceedings shall be executable against the property of the Society and not against the person or the property of the Chairperson, Executive Secretary or any office bearer of the Society.

10.4 Nothing in sub-rule 10.3 above shall exempt the Chairperson, Executive Secretary or office bearer of the Society from any criminal liability or entitle him/her to claim any contribution from the property of the Society in respect of any fine to be paid by him/her on conviction by a criminal court.

11 AMENDMENTS

11.1 The Society may alter or extend the purpose for which it is established and/or the Rules of the Society.

11.2 The proposition for any alteration or extension to the objectives of the Society and/or the Rules must be circulated to all members of the Governing Body and must be included in the written agenda of the ensuing meeting of the Governing Body or a special meeting of the Governing Body.

11.3 No amendments shall be effective unless the proposals in this regard have been endorsed by 3/5th of the members of the Governing Body provided that such proposals have been endorsed in writing by the Gol representatives on the Governing Body either during the meeting of the Governing Body or through a written communication.

12 DISSOLUTION

12.1 The Governing Body may resolve to dissolve the Society by bringing a proposal to that effect in a special meeting to be convened for the purpose.

12.2 Upon the dissolution of the Society, all assets of the Society, after the settlement of all its debts and liabilities, shall stand reverted to the State Government of Orissa. for such purposes as it may deem fit.

12.3 The Society shall not be dissolved unless 3/5th of its members express a wish for such dissolution by their votes delivered in person or by proxy at the Meeting of the Society convened for the purpose.

13 MISCELLANEOUS

13.1 CONTRACTS

13.1.1 All contracts and other instruments for and on behalf of the Society shall be subject to the provisions of the Act, be expressed to be made in the name of the Society and shall be executed by the persons authorised by the Governing Body.

13.1.2 No contracts for the sale, purchase or supply of any goods and material shall be made for and on behalf of the Society with any member of the Society or his/her relative or firm in which such member or his/her relative is a partner or shareholder or



any other partner or shareholder of a firm or a private company in which the said member is a partner or director.

13.2 COMMON SEAL

13.2.1 The Society shall have a common seal of such make and design as the Governing Body may approve.

13.3 COMPLIANCE OF STATUTORY REQUIREMENTS

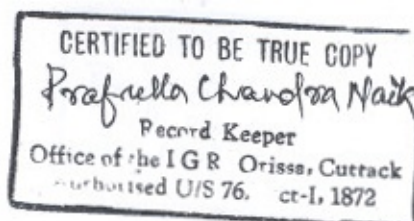
13.3.1 The Society shall register itself with relevant government agencies for the purpose of complying with the statutory requirements including regulations governing deduction of tax at source relating to the staff, consultants and experts employed by it and/or consultancies/contracts awarded by it in the course of performance of its tasks.

13.4 GOVERNMENT POWER TO REVIEW

13.4.1 Notwithstanding anything to the contrary contained in these Rules, the Ministry of Women & Child Development, Government of India, as the principal donor to the Society, may appoint one or more persons to review the work and progress of the Society and hold enquiries into the affairs thereof and report thereon, get the accounts of the society audited by the internal audit parties of the Chief controller of Accounts, MWCD, Gol, and issue directions, as deemed appropriate, to the Society.

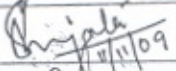
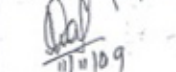
13.4.2 The Chairperson of the Governing Body shall have the right to nominate one or more persons to be part of the review / enquiries.

13.4.3 The progress review reports and / or enquiry reports shall be included in the written agenda of the ensuing meeting of the Governing Body.



We, the undersigned being three of the members of the first Governing Body of the State Child Protection Society Orissa certify that the above is a correct copy of the Rules and Regulations of the said Society.

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Sl. No.	Name and address	Designation	Signature
1	Secretary, W&CD Deptt.	Chairperson	
2	Director, Social Welfare	Vice-Chairperson	
3	Deputy Secretary / Under Secretary, (Child Welfare)	Member Convener.	



17/11/2009


Director, Social Welfare
W & C.D. Department



CERTIFIED TO BE TRUE COPY
Pratulla Chandan Naik
Record Keeper
Office of the I.G.R. Orissa, Cuttack
authorised U/S 76, Act-I, 1872



BYE-LAWS

OF

THE ORISSA STATE CHILD PROTECTION SOCIETY

A. Procurement Policy and Procedures

Procurement of goods and services to be financed from funds received from Government of India shall be done as per the procedures recommended by the Government of India.

In all other cases, including where the Govt allows the State a choice, the following order of preference shall be applied for procurement of goods and services:



Procurement of Goods:

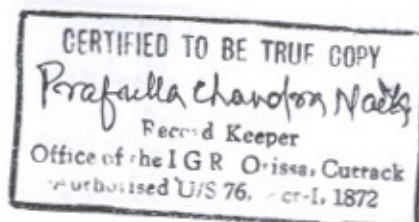
- A. Rate contracts of the DGS&D, failing which,
- B. Rate contracts of other Govt/State agencies, failing which,
- C. Tender procedure as recommended by State Government.

Procurement of services: Procedure as recommended by the GOI.

B. Procedure for release of funds and Financial Powers of the Office Bearers of the Governing / Executive Committee

1. Classification of Items of Expenditure and Financial powers of the bodies and office bearers of the Society

Type of expenditure	Authority	Extent of power
A: Approval of District /City plans.	Governing Body / Executive Committee	Full powers
B: Approval of Project Proposals of NGO referred under JJA for Grant-in-Aid	EC	Full powers
C: Release of funds for implementation of plans / allocations which have been approved by Governing Body / Executive Committee.	Society Director	Full powers.

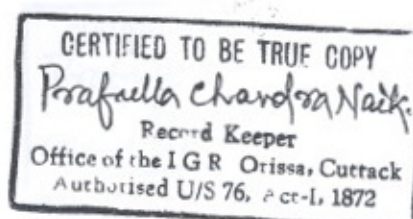


Type of expenditure	Authority	Extent of power
D: Expenditure proposals not covered under categories A and B		
D-1: Procurement of goods	Chairperson, Executive Committee	More than Rs 5.00 lakh and upto Rs. 10.00 lakh per case.
D-2: Repairs and minor civil works	Society Director	Upto Rs. 5.00 lakh per case.
D-3: Procurement of services for specific tasks including outsourcing of support services for the Directorate.		
D-4: Hiring of contractual staff, including sanction of compensation package.	Chairperson, Executive Committee	Full powers, provided that the contracts shall be for a period not exceeding 11 months at a time.
	Society Director	Full powers in respect of Clerical / Class-IV equivalent positions, subject to compensation package approved by the Governing / Executive Committee, provided that the contracts shall be for a period not exceeding 11 months at a time.
D-5: Miscellaneous items not mentioned above such as hiring of taxis, hiring of auditors, payments relating to documentation and other day-to-day services, meetings and workshops, training, purchase of training material/ books and magazines, payment of TA/DA and honoraria to resource persons and guest speakers invited to meetings / workshops, and payment of TA/DA allowances for contractual staff and/or non-official invitees to Governing Body /Executive Committee meetings and/or Government / Society staff deputed to meetings outside the State.	Chairperson, Executive Committee	Upto Rs. 5.00 lakh at a time subject to a maximum of Rs. 50 lakh per annum.
	Society Director	Upto Rs 2.00 lakh at a time, subject to a maximum of Rs. 25.00 lakh per annum.

*as authorized by the State Government.

II Procedure for release of funds

The Society funds shall be drawn through cheques and/or bank drafts and/or through e-banking instruments as and when the same is introduced.



All cheques shall be signed by two authorized signatories of the Society Secretariat on the basis of a written authorization from Executive Committee of the Society in this behalf.

Wherever releases are decided to be made through bank drafts and/or through e-banking, the authorization letter to the bank shall be signed by the concerned authorized signatories.

Wherever, under e-banking procedures, releases are to be made through electronic authorisation to the bank to issue cheque/ draft/account transfer on behalf of the Society, the electronic authorisation will be executed by the same two authorised functionaries of the Society Secretariat who have been authorised to sign cheques on the basis of a written authorisation in this behalf.

III. Review / revision of financial powers

The Executive Committee may review the financial powers of the office bearers of the bodies of the Society as and when required and revise the same, if considered necessary.

C. Human Resources Policy and Procedures

Recruitment and Appointment

Appointments for the Society can be made only against vacant posts prescribed for the Society in accordance with the conditions in this regard prescribed by the State Government read along with those prescribed by Govt. of India from time to time.

Recruitment would be through one of the following three routes:

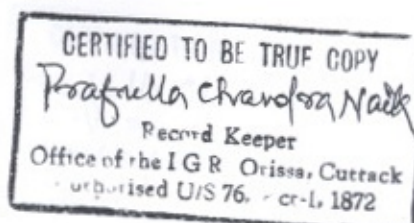
- Appointments from open market: all such appointments will be on contractual basis for a fixed tenure.
- Appointments on "Deputation" basis: all such appointments will be regulated in terms of the State Government rules relating to Deputation of its officers / staff.
- Individuals recruited and paid for by an outside agency [e.g. Government of India and/or Development Partners] but posted to work within the Society Secretariat: all such persons shall be governed by the terms of employment of the organisation agency concerned. However, they shall be required to report to the Director / Executive Secretary as may be decided by the Chairperson, Executive Committee.

All appointments would be temporary/contractual and would be made for the contract / deputation period as determined by the Executive Committee.

Leave rules

Holidays, Casual Leave, Medical Leave: The Society staff and the full time consultants shall be governed by the State Government rules, in so far as observance of holidays and grant of casual / medical leave is concerned.


Director, Social Welfare
W & C D. Department



Leave without pay: The Society staff (including full time consultants) shall be entitled to take leave without pay in exceptional circumstances. This can be sanctioned by the Executive Secretary after recording the reasons. In the case of the Executive Secretary, this will have to be endorsed by the Chairperson, Executive Committee.

Training and capability development:

Full time consultants and staff of the Society (including staff on deputation) would be encouraged to take up skill development courses and even correspondence courses which further their employment prospects, enhance their skills, and build up Society capabilities. However, such assignments should have minimal impact on the work of the Society.

Travelling / Dearness Allowance (TA/DA) Rules

The travel/DA outside the State shall be regulated on a case to case basis in accordance with delegated financial powers as indicated in Section-B above (Financial Powers, item C-5).

Notes: [1]: The Society shall create a panel of accredited taxi operators through open tender for hiring the taxis for the travel of Society staff.

[2]: The Executive Secretary can allow the junior staff to use a taxi for undertaking travel as per an approved itinerary.

[3]: The Society shall identify and negotiate a standard/discounted tariff for its staff / employees with the State Tourism Corporation, guest houses of PSUs and budget / hotels in the State.

[4]: Maximum, subject to actual.

Deduction of Tax at Source: Tax will be deducted at source as per income tax rules and the Society shall register itself with the relevant authorities in this regard.



[Signature]
Director, Social Welfare
& C.D. Department

