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In pursuance of the provisions of clause (3) of Article 348 of "the constitution of India", the Governor is pleased to order the publication of the following English translation of Notification No.1192/XVII(4)/2011/230/10, Dated 10 May, 2011 for general information.

**Government of Uttarakhand  
Department of Women Empowerment & Child Development**

No. 1192 /XVII (4)/2011 /230/10

Dated: 10 May, 2011

**Notification**

In exercise of the powers conferred by Section 17 of the Commission for Protection of Child Rights Act, 2005, for quick disposal of cases pertaining to safeguards/ protection of child right, crimes against children or violation of child rights to promote significant and active participation of children in nation building through dissolving the present State Child Development Board, the Governor is pleased to constitute Uttarakhand Commission for Protection of Child Rights and for implementation of subjects related thereto, makes the following rules:-

- Short title and Commencement 1. (1) These Rules may be called the Uttarakhand Commission for Protection of Child Rights Rules, 2011  
(2) These Rules shall come into force on the date of their publication in the Government Gazette.
- Definitions 2. In these rules, unless There in anything repugnant in the subjects or context-  
(a) "Commission" means the Uttarakhand Commission for Protection of Child Rights;  
(b) "Chairperson" means the chairperson of the Uttarakhand Commission for Protection of Child Rights;  
(c) "Member" means the member of the Uttarakhand Commission for Protection of Child Rights;  
(c) "Secretary" means the secretary of the Uttarakhand Commission for Protection of Child Rights;
- Members of the Commission 3. (1) Chairperson: A person who has made excellent contribution towards promotion of Child welfare shall be appointed as Chairperson.  
(2) The Commission shall have 6 members, out of which minimum two would be women. For appointment as member of the Commission, experience of significant contribution in the following fields is necessary:-

- (a) Education;
- (b) Child Health, Care, Welfare or Child Development;
- (c) Child justice or care of neglected or handicapped children;
- (d) Elimination of child labour or support to children living under difficult circumstances;
- (e) Child Psychology or Sociology;
- (f) Related to child laws;

Headquarters of Commission:- 4. The Headquarters for the commission shall be in Dehradun.

Appointment of the Chairperson and Members 5. The State Government of Uttarakhand shall by notification of appoint the Chairperson and others Members of commission. The appointment of Chairperson and Members shall be made by State Govt. on the recommendation of a committee of 3 member constituted under the chairmanship of Hon'ble Minister, Women & Child Development, Uttarakhand. The conditions of services of the Chairperson and Members shall be determined before their appointment.

Tenure of Chairperson and Members 6 (1) The tenure of Chairperson and Members shall be for a term of three years from the date of assuming office;  
 (2) The Chairperson and Member shall not be appointed for more than 2 terms;  
 (3) The Chairperson of Commission can function till the age of sixty five years;  
 (4) The Members of Commission can function till the age of sixty years;  
 (5) The Chairperson or Members of Commission may, by submitting resignation letter addressed to the Government, resign from office at any time;

Salary and Allowances 7 (1) The salary and payable allowances and other conditions of service of Chairperson and Members of the Commission shall be such, as may be determined by the State Govt;  
 (2) After appointment of Chairperson and Members, the salary and allowances and service conditions will not be altered to their disadvantage;

Secretary of the Commission 8 (1) The State Govt. shall appoint, by notification, Secretary to the Commission, who shall be equal to the Secretary to the State Govt.; and to facilitate effective implementation of the activities of Commission, other personnel shall be appointed, as required;

(2) The salary and payable allowances and other conditions of service of Secretary and other personnel of the Commission shall be such as may be determined by the State Government;

Other officials and staff of Commission 9 There shall be other officials and staff for disposal of functions of the Commission, as shown in Annexure-A

Annual Report 10 The Commission shall submit its annual report to the State Govt In addition to this, from time to time, reports shall also be submitted on other important subjects assigned to the Commission, as the State Government deem fit .

Accounts and Audit 11 (1) The Commission shall update the record of its statement of income and expenditure and other documents as per the formats designed by the State Government in consultation with the Comptroller and Auditor General and annual statement shall be submitted to the Government;

(2) The accounts of the Commission shall be audited by the Comptroller and Auditor General from time to time. The expenditure in this activity shall be borne by the Commission;

(3) Similar to its special right to inspect Government accounts, the Comptroller and Auditor General or representative appointed by it shall have the right to inspect the stores, accounts, supporting vouchers, other documents and records and along with it shall have the right to inspect any office.

(4) The report of verified accounts and audit report of Comptroller and Auditor General or representative appointed by it, shall be submitted to the State Government on annual basis. The State Government shall place the related reports before the State Assembly;

Salary, allowances and conditions of service of Commission 12 The State Government may revise the Salary, allowances and condition of service and rules of procedures, of the Chairperson, Member and Secretary of Commission.

Functions of Commission 13 The Commission shall perform the following the the Functions:-

- (1) Review the safeguards provide under laws for protection of child rights and recommend measures for their effective implementation.
- (2) Submit to the Government of India, annually or at such other intervals, as the Commission may deem fit, progress report on the safeguards for protection of child rights.
- (3) Inquire into violation of child rights and recommend initiation of proceedings in such cases.
- (4) Examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;
- (5) Look into the matters relating to children in need of special care an protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate health and other remedial measures;
- (6) Study treaties and other international instruments and undertake periodical review of existing policies, programme and other activities on child rights and make recommendations for their effective implementation in the best interest of children;
- (7) To promote research and activities in the field of child rights;
- (8) Spread child rights literacy among various section of the society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminars and other available means;
- (9) Inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the Government or any State Government or any other authority including any institution run by a social organization; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;
- (10) Inquire complaints and issue notice in matters relating to:-
  - (a) Deprivation and violation of child rights;
  - (b) Non-implementation of laws providing for protection and development of children;
  - (c) Non-compliance of policy decisions, guidelines or instruction aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children, recommending economic relief measures to the appropriate authority in such matters;
  - (d) Or take up other issues related to protection of child rights and other activities arising out of such matters.

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(11) Monitoring of the rights related to education of children, as provided under section 31 of the Right to Education Act, 2009, examine/review the safeguards provided for the protection of child rights and recommend measure for their effective implementation and to enquire and settle the complaints related to free and compulsory education of children.

Applicability 14 These rules shall not be deemed applicable to any activity related to State Child Development Board.

By order,



(M.I.I. Khan)  
Secretary

Annexure-A  
Reference: Rule -9

S.No	Designation	Payband/ honoraria/ Grade pay(Rs.)	Number of Posts	Source of Appointment
01	Secretary	37400-67000 Grade Pay 10000 (maximum)	1	Deputation form I.A.S/ P.C.S/ All India Services / Central Services or officer of other State Services, whose Payband is not below the Secretary to State Government,
02	Under Secretary	15600-39100 Grade pay 5400 (maximum)	1	Deputation
03	Law Officer	20000/- monthly honoraria (maximum)	1	Consultant (outsourcing/ contract)
04	Child Psychologist	20000/- monthly honoraria (maximum)	1	Consultant (outsourcing/ contract)
05	Senior Assistant	-	1	through outsourcing
06	Junior Assistant	-	1	through outsourcing
07	Data Entry Operator	-	1	through outsourcing
08	Assistant Accountant	-	1	through outsourcing
09	Helper/Attendant	-	2	through outsourcing

By Order,

M. H. KHAN,  
Secretary.