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കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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GOVERNMENT OF KERALA

Social Justice (C) Department

NOTIFICATION

G. O. (P) No. 25/2015/SJD. Dated, Thiruvananthapuram, 6th April, 2015
23rd Meenam, 1190.

S.R.O. No. 223/2015.—In exercise of the powers conferred by sub-section (3) of section 30 of the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 (Central Act 10 of 1960), the Government of Kerala hereby make the following regulations further to amend the Regulations for the working of the Board of Control constituted under the Orphanages and Other Charitable Homes (Supervision and Control) Act, 1960 issued under G. O. (Rt.) No. 1171/63/ Home, dated 18th May, 1963 and published in the Kerala Gazette No. 22 dated 28th May, 1963, namely:—

REGULATIONS

1. *Short title and commencement.*—(1) These regulations may be called the Orphanage Control Board (Kerala) Amendment Regulations, 2015.

(2) They shall come into force at once.

2. *Amendment of the Regulations.*—In the Regulations for the working of the Board of Control constituted under the Orphanages and Other Charitable Home (Supervision and Control) Act, 1960,—

(1) for the title “Regulations for the working of the Board of control constituted under the Orphanages and Other Charitable Home (Supervision and Control) Act, 1960,” the following shall be substituted, namely:—

“The Orphanage Control Board (Kerala) Regulations, 1963”;

(2) in regulation 9, the existing first sentence after the heading “Admission to a recognised Home shall be made by the Manager of the Home” shall be omitted and after the existing heading, the following shall be inserted, namely:—

“A. HOMES FOR CHILDREN ABOVE FIVE YEARS

(1) *Admission.*—(a) Eligibility for Admission: Only orphan or destitute child shall be admitted in the home as an inmate. For this purpose, orphan includes semi orphan also.”

(3) all the existing clauses in regulation 9 shall be arranged as (b) to (c) and after so arranged, the following clauses shall be added, namely:—

“(f) All admissions shall be made by the Manager of the home;

(g) In all cases of admission, one photo (Passport size) of the inmate shall be pasted in the Admission Register and another copy kept in the office.”;

(4) after clause (g) as so inserted, the following shall be added, namely:—

(2) *Physical Infrastructure.*—(a) Every home shall provide separate accommodation including toilet, bathroom and dormitory for boys and girls.

(b) Separate entrance shall also be provided for boys and girls.

(c) Classification and segregation of children to their age group preferably 5-11, 12-16, 17-18 and 19-21 giving due consideration to physical and mental status shall be provided.

(d) The accommodation for boys and girls shall be independent and as far as possible separate compound walls shall be provided.

(3) *Norms for building and accommodation for a home with 25 children.*—(a) For a home having a strength of 25 inmates 1000 sq. ft. shall be provided for dormitories and 2000 sq. ft. for other purposes. The ratio of 1:2 for dormitories and other purposes shall be maintained.

(i) The minimum requirements are shown below:

Dormitories	:	1000 sq. ft.
Sick room/first aid room	:	50 sq. ft.
Kitchen-work area	:	300 sq. ft.
Dining hall	:	400 sq. ft.
Store	:	200 sq. ft.
Recreation (indoor)	:	200 sq. ft.
Study room/library	:	300 sq.ft.
Bathroom (3 nos.)	:	75 sq. ft.
Toilet (3 nos.)	:	75 sq. ft.
Office room	:	150 sq. ft.
Counselling/Medical examination room	:	100 sq. ft.
Care giver's accommodation	:	150 sq. ft.

(ii) 2.40 sq. ft. space for living for each child shall be provided.

(iii) Minimum 1 bathroom for 10 children and 1 toilet/latrine for 8 children shall be provided.

(4) *Play ground and other facilities.*—Sufficient play ground area shall be provided in every home according to the total number of children.

(b) There shall be proper and smooth flooring for avoiding slipperiness and accidents. Adequate lighting, ventilation and pure drinking water facility shall be provided.

(c) All homes shall make provisions for first aid, arrangements for water storage and emergency lighting.

(5) *Clothing and bedding, toiletries and other articles.*—Children shall be provided with the following articles:—

(a) Bedding

<i>Sl. No.</i>	<i>Article</i>	<i>Quantity to be provided per child</i>
1	Towels/Thorthu	Four per year
2	Cotton Bed sheet	Two per two years
3	Pillow	One per two years
4	Pillow covers	Two per two years
5	Mattress	One per 2 years

(b) Clothing for girls

<i>Sl. No.</i>	<i>Article</i>	<i>Quantity to be provided per child</i>
1	Skirts and blouse/salvar kameez or half saree with blouses and petticoats	Four sets per year for girls depending on age
2	Baniyans/Shimmy	Six per year for younger girls
3	Brassieres	Six per year for older girls
4	Panties (1 meter cloth each)	Six per year
5	Sanitary towels	Twelve packets per year for older girls

(c) Clothing for Boys

<i>Sl. No.</i>	<i>Article</i>	<i>Quantity to be provided per child</i>
1	Shirts	Four sets per year
2	Shorts	Four sets per year for younger boys
3	Pants/Dhothies	Four sets per year for older boys
4	Vests	Six sets per year
5	Underwears	Six sets per year

(d) **Toiletry:**—Every inmate of the home shall be issued with oil, soap and other materials in accordance with the following scale:—

<i>Sl. No.</i>	<i>Article</i>	<i>Quantity to be provided per child</i>
1	Coconut oil or oil for grooming hair	Five ml. for boys and ten ml. for girls per day
2	Toilet soap	One per month
3	Tooth paste and brush	One brush per three months and fifty grams paste per month
4	Comb	One per year

(e) **Washing Soap:**—For washing of cloths and towels, bed sheet etc., the following scale may be followed: Washing soap—1 soap for 1 month (125 grams)

(f) **Miscellaneous Articles**

<i>Sl. No.</i>	<i>Article</i>	<i>Quantity to be provided per child</i>
1	Slippers	Two pair per year
2	School uniform	Two sets per year
3	School bag and stationery	One set per year
4	Handkerchiefs	Six per year

(6) **Sanitation and Hygiene.**—(1) Every home shall have the following sanitation and hygiene facilities, namely:—

- (a) Sufficient hot drinking water. Water filters shall be installed;
- (b) sufficient water for bathing and washing clothes, maintenance and cleanliness of the premises;
- (c) proper drainage system;
- (d) arrangement for the disposal of garbage;
- (e) arrangements for protection from mosquitoes;
- (f) animal Pest control;
- (g) sufficient number of well lit and airy toilet in the proportion of minimum one toilet/latrinc for eight children;

(h) sufficient number of well lit and airy bathrooms in proportion of minimum one bathroom for ten children;

(i) sufficient space for washing cloths;

(j) clean and fly-proof kitchen and separate area for washing utensils;
and

(k) drying/warming bedding and clothing.

(2) The toilets and bathrooms shall always be kept clean and tidy. Special care shall be taken to keep the kitchen, work area, dining hall and premises in a neat and hygienic condition. A sanitation certificate in this regard shall be obtained from a competent Government Medical Officer in every year.

(7) *Daily routine.*—(a) Every home shall have a daily routine for the children prepared in consultation with the Children's Committee which shall be prominently displayed at various places within the home.

(b) The daily routine shall provide for a regulated and disciplined life, personal hygiene and cleanliness, physical exercise, yoga, educational classes, vocational training, organized recreation and games, moral education, group activities, prayer and community singing and special programmes for sundays and holidays.

(8) *Nutrition and Diet Scale.*—The following nutrition and diet scale shall be followed by the home namely:—

(a) the children shall be provided four meals a day including breakfast;

(b) the menu shall be prepared with the help of nutritional experts or dietitian to ensure balanced diet and variety in taste;

(c) every home shall have a diet scale and menu chart and it shall be exhibited in the mess hall and office;

(d) children may be provided special meals on holidays and festivals;
and

(e) sick children shall be provided special diet according to the advice of the doctor on their dietary requirement.

(9) *Medical Care.*—Every institution shall,—

(a) maintain a medical record of each child on the basis of monthly medical check-up and provide necessary medical facilities;

(b) ensure that the medical records contain details of weight and height, diagnosis of any allergy, sickness and treatment and other physical or mental problems;

- (c) have arrangements for the medical facilities including the availability of a doctor on call on all working days for regular and special medical check-up and treatment for children;
- (d) have sufficient emergency medical equipments to handle minor health problems including first aid kit with stock of emergency medicines and consumables;
 - (c) train all staff in handling first aid;
 - (f) tie-up with local primary health centre, government hospitals, medical colleges, other hospitals, clinical psychologist and psychiatrists and mental health institutes for regular visits by their doctors and medical students and holding periodic health camps within the home;
 - (g) make necessary arrangements for immunization coverage;
 - (h) take preventive measures in the event of outbreak of contagious or infectious diseases;
 - (i) set up a referral system of cases with deteriorating health or serious cases to the nearest civil hospitals or recognized medical treatment centres;
 - (j) keep sick children under constant medical supervision;
 - (k) do not administer any surgical treatment on any child without the previous consent of his/her parent/guardian in normal course. But if the condition of the child is in such a critical and risky stage and, in the opinion of the medical officer, any delay in conducting the surgery may result in irreparable injury on the life/health of the child then even without previous consent from parent/guardian the treatment can be carried out on a written consent from the officer in charge of the institution;
 - (l) provide or arrange for regular counselling for every child and ensure specific mental health interventions for those in need of such services, including separate room for counselling section within the premises of the institution;
 - (m) refer children who require specialized drug abuse prevention and rehabilitation programme to an appropriate centre administered by qualified personnel where this programme will be suitable to the age, gender and other specification of the concerned child; and
 - (n) ensure that all the children in the home are included in the total health insurance scheme registration.

(10) *Education.*—(a) Every home shall provide education to all children according to the age and ability. Compulsory education should be provided to every children coming under the purview of the Right to Education Act, 2009 (Central Act 35 of 2009).

(b) Extra coaching shall be made available to school going students in the institution by encouraging volunteer services or tying up with coaching centers wherever necessary.

(11) *Vocational training.*—Every home shall,—

(a) provide gainful vocational training to the children according to the age, ability and skill; and

(b) develop networking of institutes of technical instruction, Jan Shikshan Sansthan, Government and private organizations or enterprises, agencies or non-governmental organization with expertise or placement agencies.

(12) *Recreational Facilities.* A provision for guided recreation including indoor and outdoor games, music, television, picnics, outings, cultural programme and libraries shall be made available to all children in the home.

(13) *Management of Homes for Children.*—(a) The institutions have to maintain annual report approved by the Managing Committee and statement of accounts (consolidated balance sheet, receipt and payment statement and income and expenditure statement) audited by a Chartered Accountant along with the list of annually elected/appointed Managing Committee.

(b) The following procedure shall be followed in respect of the newly admitted children, namely:—

(i) receiving and keeping of personal belongings and other valuables of children;

(ii) issue of toiletry items, clothes, bedding and other outfits and equipments as per requirements; and

(iii) attending to immediate and urgent needs of the child like preparation for examinations, personal problems, etc.

(c) Every newly admitted child shall be familiarized with the institution and its functioning and shall receive orientation in the following areas, namely:—

(i) personal health, hygiene and sanitation;

(ii) home discipline and standards of behaviour, respect for elders and teachers;

(iii) daily routine, peer interaction, optimum use of developmental opportunities; and

(iv) rights, responsibilities and obligations within the home.

(d) The name of the child shall be entered in the Admission Register and adequate accommodation facilities allocated. The photograph shall also be collected/taken immediately for the records.

(e) The officer in charge of the home shall see that the personal belongings of the child received by the home is kept in safe custody and recorded in the register of personal belongings and the articles so received shall be returned to the child when he leaves the home.

(f) A profile of the child admitted to a home shall be maintained which shall contain information regarding his socio-cultural and economic background and these informations may invariably be collected through all possible and available sources including place of residence of parents or the guardians, employer, schools, friends and community.

(g) In the event of a child leaving the home without permission or after committing an offence within the home, the information shall be sent by the officer in charge of the home concerned to the police and the family, if known, and the detailed report of circumstances along with the efforts made to trace-out the child where the child is missing, shall be sent to the District Social Justice Officer concerned.

(14) *Managing Committee*.—(a) Every home shall have a Managing Committee for the management of the home as provided in the Act and for monitoring the progress of every child. The Managing Committee shall meet at least once in three months to evaluate and review, the following and the manager of that home shall file a half yearly progress report of the home to the Director, Social Justice Department, in a prescribed format, about the following details, namely:—

(i) care in the home, housing area of activity and type of supervision or interventions required;

(ii) medical facilities and treatment;

(iii) food, water, sanitation and hygienic conditions in and around the home;

(iv) vocational training and opportunities for employment including registration in the employment exchange;

(v) educational and life skill development programmes;

(vi) social adjustment, recreation, group work activities, guidance and counselling;

(vii) progress, adjustment and modification of residential programmes to the needs of the children;

(viii) pre-release or pre-restoration preparation;

(ix) minimum standards of care, including infrastructure and services available;

(x) daily routine;

(xi) community participation and voluntarism in the residential life of children such as education, vocational activities, recreation and hobbies;

(xii) oversee that all registers as required under the Act and rules are maintained properly by the home, check and verify whether these registers are duly signed and stamped in the periodical review meetings;

(xiii) matters concerning and Children's Committee; and

(xiv) any other matter which the Manager may like to bring to the notice of the Managing Committee.

(b) The Managing Committee shall set up a complaint and redress mechanism under it and a Children's Suggestion Box shall be installed in every home at a place easily accessible to children away from the office set up and closer to the residence or rooms or dormitories of the children.

(c) The key of the Children's Suggestion Box shall remain in the custody of the Chairperson of the Managing Committee and the said Box shall be checked every week by the Chairperson of the Managing Committee or his representative in the presence of the members of the Children's Committee.

(d) If there is an issue that requires immediate attention, the Chairperson of the Managing Committee shall call for an emergency meeting of the Managing Committee to discuss and take necessary action.

(e) In the event of a serious allegation or complaint against the manager of the home, he shall not be part of the emergency meeting and another available member of the Managing Committee shall be included in his place.

(f) All suggestions received through the Suggestion Box and action taken as a result of the decisions made in the emergency meeting or action required to be taken shall be placed for discussion and review in the next meeting of the Managing Committee.

(g) A Children's Suggestion Book shall be maintained in every home where the complaints and action taken by the Managing Committee are duly recorded and such action and follow up shall be communicated to the Children's Committee after every meeting of the Managing Committee.

(h) The Member of the Board of Control in charge of the District or Managing Committee shall review the Children's Suggestion Book at least once in three months.

(15) *Children's Committees.*—(a) The Manager of every home shall facilitate the setting up of a Children's Committee and this Children's Committee shall be constituted solely by Children:—

(b) Such Children's Committee shall be encouraged to participate in the following activities, namely:—

- (i) improvement of the conditions of the home;
- (ii) reviewing the standards of care being followed;
- (iii) preparing daily routine and diet scale;
- (iv) developing educational, vocational and recreation plans;
- (v) Supporting each other in management crisis;
- (vi) reporting abuse and exploitation by peers and caregivers; and
- (vii) creative expression of their views through wall papers or newsletters or paintings or music or theatre.

(c) The manager shall ensure that the Children's Committee meet every month and maintain a register for recording its activities and proceedings and place it before the Managing Committee in its meetings.

(d) The manager shall ensure that the Children's Committee is provided with essential support and materials including stationery, space and guidance for effective functioning.

(e) The Managing Committee shall seek a report from the manager on the setting up and functioning of the Children's Committee, review these reports in its meetings and take necessary action where required.

(16) *Rewards and Earnings.*—The rewards to a child, at such rates as may be fixed by the management of the home, from time to time, may be granted as an encouragement to steady work and good behaviour; and at the time of discharge, the reward shall be handed over after obtaining a receipt from the parent or guardian who comes to take charge of the child or child himself/herself.

(17) *Death of a child.*—On the occurrence of any case of death or suicide of a child in a home, the following procedure to be adopted,---

(a) in the event of an unnatural death or suicide of a child in a home, it is imperative for the home to ensure that an inquest and post-mortem examination are conducted at the earliest;

(b) in case of natural death or due to illness of a child, the manager shall obtain a report of the Medical Officer stating the cause of death and a written intimation about the death shall be given immediately to the nearest Police Station, the Control Board and the District Social Justice Officer and the parents or guardians or relatives of the child;

(c) Whenever a sudden or violent death or suicide or accident takes place the Manager shall give immediate information to the Medical Officer concerned and shall immediately report to the nearest police station, the Control Board and the District Social Justice Officer and inform the parents/guardians or relatives of the deceased child;

(d) as soon as the procedural formalities are completed by the Police/the Medical Officer/the Magistrate concerned, the body shall be handed over to the parents or guardian or relatives. In the absence of any claimant for the dead body, the last rituals shall be performed under the supervision of the manager in accordance with the known religious customs of the child.

(18) *Abuse and exploitation of children.*—(a) Every home shall have the systems for ensuring that there is no abuse, neglect or ill-treatment and these systems shall include imparting of knowledge and awareness to the staff and the children as to what constitutes abuse, neglect and ill-treatment as well as early indications of abuse, neglect and ill-treatment and how to respond to these.

(b) In the event of any physical, mental, sexual or emotional abuse, including neglect of children in a home by those responsible for care and protection, the following action shall be taken, namely:—

- (i) the incidence of abuse and exploitation shall be reported by any staff member of the home immediately to the Manager on receiving such information;
- (ii) when an allegation or complaint of physical, sexual or emotional abuse comes to the knowledge of the manager, a report in this regard shall be placed before the officer in-charge of the police station concerned; and
- (iii) the manager of the home shall also inform the incident to the Managing Committee and place a copy of the report of the incident and subsequent action taken before the Managing Committee in its next meeting.

(19) *Leave of absence of Children.*—(a) A child in a home may be allowed to go on leave of absence on special occasions like marriage, special functions or emergencies like death or accident or serious illness of members in the family.

(b) While considering the application for leave of absence, the manager shall hear the child or the parent/guardian of the child and if the manager considers that granting of such leave is in the interest of the child, appropriate sanction may be granted.

(c) The release of the child shall be based on proper acknowledgement by the parents, relatives or guardian.

(20) *Missing of children.*—In the event of any case of missing of children, the fact shall be reported to the nearest police station and informed to the parents or guardians immediately.

(21) *Transfer of inmates.*—Every transfer shall be made only with the consent of the inmate. Transfer from one home to another home of similar nature can be done by mutual consent of the managers of those institutions. Every such transfer shall be intimated to the District Social Justice Officer concerned. The records and files including medical records of the inmate shall be transferred and necessary entries made in the Admission Register. Proper records of handing over and taking charge of the inmates shall also be maintained by both the homes.

(22) *Marriage.*—No female inmate of a home shall be given in marriage unless such female has made a declaration before the District Social Justice Officer concerned that she is willing and consenting to such marriage. The District Social Justice Officer shall ensure that the inmate to be given in marriage is not a minor.

(23) *Discharge of inmates.*—Discharge of inmates shall be done only on sufficient reason and the fact may be reported to the District Social Justice Officer soon after the discharge. Necessary entries shall be made in the Admission Register and signature of the inmates and parents or guardians shall also be obtained in the Admission Register.

B. FOUNDLING HOMES FOR CHILDREN BELOW FIVE YEARS

(24) *Eligibility for Admission.*—(a) Orphan, abandoned or destitute and surrendered children shall be admitted in a institution as an inmate. Temporary care shall be made on the basis of Orphan or Non Orphan Certificate from the Village Officer concerned in Form No. I or Form No. II.

(b) Admission shall be based on declaration from the parents, guardian or surrender documents from the parents or based on any report of the police or other competent authority empowered for the purpose of the taking care of the children.

(c) A Destitution Certificate for orphan/non-orphan shall be obtained from the Village Officer concerned within six months of the admission of the child or an order from the Child Welfare Committee shall be obtained in the case of abandoned children. In the case of surrendered children, valid surrender document will be sufficient.

(d) Birth Certificates of children shall be ensured.

(25) *Physical Facilities.*—Every Foundlings Home shall have the following facilities, namely:—

- (a) physical surroundings where the children are cared for must be clean;
- (b) sanitation and hygiene maintained at the home must be adequate to prevent children from being prone to ailments;
- (c) good lighting, ventilation and adequate space including separate rooms for infants and children above one year shall be provided;
- (d) each child shall have cradle appropriate to his/her age;
- (e) sufficient mattress and mosquito proof device must be provided;
- (f) there must be a living space at least 20 sq. ft for each child;
- (g) separate room shall be provided for children below 1 year, 1 to 3 years and 3-5 years;
- (h) 3 plus children shall be given pre-school services;
- (i) walls and surroundings must be bright and stimulating;
- (j) colourful objects and toys shall be provided to attract the kids;
- (k) separate room shall be provided for sick children;
- (l) separate office room for the administration of the Foundling Home counselling room, kitchen, store room and sufficient bathrooms shall be provided;
- (m) adequate infrastructural facilities including almirahs, table, chairs, etc. shall be provided;
- (n) separate play area according to the strength of the children shall be provided; and
- (o) other criteria as prescribed by the Control Board from time to time shall also be provided.

(26) *Managing Committee*.—Every Foundling Home shall have a Managing Committee for the management of the home and for monitoring the progress of every child. The following are the function of the Managing Committee,—

(1) The homes have to maintain annual report approved by the Managing Committee and statement of accounts (consolidated balance sheet, receipt and payment statement and income and expenditure statement) audited by the Chartered Accountant along with the list of annually elected/appointed Managing Committee.

(2) Every home shall have a Managing Committee for the management of the home and monitoring the progress of every child.

(3) (a) The Managing Committee shall meet at least once in three months to evaluate and review the following, namely:—

- (i) care in the institution, housing area of activity and type of supervision or interventions required;
- (ii) medical facilities and treatment;
- (iii) food, water, sanitation and hygiene conditions;
- (iv) social adjustment, recreation, group work activities, guidance and counselling;
- (v) minimum standards of care, including infrastructure and services available;
- (vi) daily routine;
- (vii) oversee that all registers as required under the Act and rules are maintained by the home, check and verify these registers, duly stamped and signed in the review meetings; and
- (viii) any other matter which the Control Board has prescribed from time to time.

(b) Activity report and plan of action shall be placed in the Managing Committee.

(c) Proper Minutes Book shall be maintained by the Managing Committee.

(d) The manager shall file a half yearly progress report of the home in the format to the District Social Justice Officer.

(27) *Hygiene and Cleanliness*.—Every Foundling Home shall give the following facilities, namely:—

(a) special attention is to be paid to the personal hygiene of the inmates by taking care of brushing, taking/giving bath, nail clipping, hair cutting, regular change of clothes and bed linen;

(b) clothes are to be changed daily and the bed linen twice a week in the normal cases as per requirement in the other cases;

(c) beds, wards, toilets, washing place, terrace and compound shall be cleaned and disinfected on a daily basis;

(d) fans, lights, exhaust fans, geysers, coolers, generators and inverters shall be kept in working condition;

(e) toilet training shall be given to all children and child friendly toilet and wash basin shall be provided.

(28) *Medical Care*.—The following facilities shall be provided in a Foundling Home, namely:—

(a) Prescribed medications are to be given in right time and proper dosage;

(b) dressing of wounds shall be done;

(c) children shall be vaccinated in time, even the malnourished children;

(d) medicine cupboard shall be locked and kept out of the reach of children;

(e) medicines shall be labelled and the expiry date shall be checked regularly;

(f) medicine shall be given to the children by the nurse-cum-supervisor;

(g) every home shall have the visiting doctor/physician/paediatrixian; and

(h) list of doctors and their contact numbers shall be exhibited.

(29) *Ambulance Services*.—The emergency requirements of the inmates of the home are to be given priority and necessary ambulance services/vehicle facilities shall be provided in the institution/home.

(30) *Food*.—The Foundling Home shall follow the following, namely:—

- (a) food shall be nutritional and wholesome according to the diet chart;
- (b) it shall be given at the time specified in the time table;
- (c) special diet shall be given to the one who needs it; and
- (d) diet and menu chart shall be prepared with the help of nutritionist/paediatrician.

(31) *Clothes*.—Children shall be provided with the following articles, namely:—

- (a) at least four sets of dresses for regular use for each one and some dress sets for those who need to change frequently;
- (b) at least two sets of dresses for special occasions and feast days;
- (c) enough warm cloths shall be provided during winter;
- (d) at least twice a month, the daily clothes shall be disinfected.

(32) *Recreational Facilities*.—Every Foundlings Home shall,—

- (a) provide sufficient age appropriate toys to the children;
- (b) provide sufficient outdoor games to pre-school children; and
- (c) organize occasional outings and picnics.

(33) *Educational facilities*.—Every Foundling Home shall provide nursery/anganavady training to children of three years and above.

(34) *Transfer*.—The Foundling Home shall follow the following proceedings while transferring children from one home to another,—

(a) transfer from one home to another home can be done with mutual consent of the managers of those institutions and every such transfer shall be intimated to the District Social Justice Officer concerned. Proper records of handing over and taking charge of the inmates shall also be maintained by both the homes;

(b) while transferring a child to another home or any other home, copy of his/her medical documents shall be given and the originals shall be kept in the file of transfer cases;

(c) the details of transfer shall be entered in the remarks column of the admission register;

(d) if there is a person responsible to be contacted the information shall be given to that person before the transfer;

(e) if the transfer is out of State, prior permission is to be obtained from the Director of Social Justice Department where the home of origin is situated.

(35) *Medical Care*.—When a child becomes sick and cannot be given proper treatment at home the child shall be taken to the hospital and get him/her admitted.

(36) *Death of a Child*.—On the occurrence of any case of death of a child in a home, the following procedures shall be adopted,—

(a) if he/she dies in the hospital, the death certificate shall be obtained from the hospital;

(b) if the child dies at home, the doctor treating the child shall be called and be requested to issue the death certificate;

(c) a photograph of the dead body shall be taken before the burial/cremation;

(d) if there is a person responsible for the admission of the child to a home he/she (police, parents or relatives, hospital) shall be informed of the death on the available address/contact number. In case of children of short stay (not relinquished or abandoned) who is terminally ill, the person responsible for admission shall also be informed, if possible;

(e) if the home bury or cremate the dead body, the death certificate shall be kept in the institutions file;

(f) the death shall be registered with the Corporation or the Municipality or the Panchayat within three working days and the death certificate shall be obtained;

(g) in case the relatives ask for the death certificate, the photocopy will be issued and the original will be kept in the institution's file;

(h) in case the relatives take the dead body, the original of the death certificate issued by the doctor will be given to them after making a copy of it to be kept in the home's file. In such cases, the relatives shall also acknowledge in the admission register that they have received the body and the death certificate and acknowledge it;

(i) burial or cremation is to be arranged according to the religious custom/belief of the deceased or as per his/her/relative's expressed desire.

(37) *Discharge of Children.*—Discharge of children may be done only to parents or to the person who entrusted the child to the home or through the Child Welfare Committee. Necessary entries shall be made in the admission register and signature of the parents or guardians shall also be obtained in the Admission Register.”

(5) for regulation 10, the following regulation shall be substituted, namely:—

“10 *Visits and Communication with children.*—(1) The parents and relatives of the children shall be allowed to visit once in a month or in special cases, more frequently at the discretion of the manager as per the visiting hours laid down by him, except where parents or relatives or guardian have been found to be responsible for subjecting the child to cruelty, abuse or exploitation.

(2) The receipt of letters by the children of the home from the parents and relatives shall not be restricted and they shall have freedom to write as many letters as they like at all reasonable times to their parents and relatives and the institution shall ensure that where parents, guardians or relatives are known, at least one letter is written by the child/children every month for which the postage shall be provided by the institution.

(3) The manager may peruse any letter written by or to the child or children, and may, for the reasons that he considers sufficient, refuse to deliver or issue the letter and forward it to the Managing Committee after recording his reasons in a book maintained for the purpose.

(4) The manager shall, in special circumstances, allow a child to make telephonic communication with his parents or guardians or relatives.”

(6) for regulation 11 the following regulation shall be substituted, namely:—

“11 *Personnel/Staff at Homes including Foundling Homes*”—(1) The staff pattern for a home with a strength of twenty five inmates shall be as mentioned below:—

- | | | |
|---|---|---|
| 1. Manager/Superintendent/
Correspondent/Director
(Honorary Work)
(Number of Post 1) | : | He/she shall have minimum educational qualification of plus two level with three years' experience in child care/teaching/nursing/Social Welfare Activities. |
| 2. Care giver (Number of Post 1) | : | All newly recruited care givers shall undergo one month induction training in the field of child care in any of the institutions identified and declared for this purpose by the Control Board. |

3. Cook (Number of Post 1) : All newly recruited cooks shall have experience in cooking and possess knowledge of reading and writing.
4. Ayah/Helper (Number of Post 1) : All newly recruited ayahs shall have experience in cooking and possess knowledge of reading and writing.

Note.—(i) For every additional strength of 25 inmates one additional care giver shall be provided. For every additional strength of 50 inmates, one additional helper shall be provided. At least one staff member shall be in-charge of the night duty in the institutions. Only females shall be appointed as cooks care givers and Ayahs in a girls' institution and only a female shall be deputed for night duty in an institution for girls.

(ii) The services of medical officer, counsellor, vocational/educational instructor, Yoga-PT-Art instructor shall be provided on part-time basis as per requirements.

(iii) The number of posts in the category of Care Giver, Cook, Ayah/Helper shall proportionally be increased on the increase in the number of inmates in the institution

(2) The Staff pattern for a Foundling Home shall be as follows:—

1. Manager/Superintendent/Correspondent/Director (Honorary work) :1

He shall have minimum education of qualification of Plus Two level with three years' experience in child care/teaching/nursing/Social Welfare Activities.

2. Ayah/Care Giver: in the ratio of 4:1 for children below one year, 6:1 children in the age group of children 1 to 3 years and 8:1 children in the age group of 3-5 years.

All newly recruited Care Givers shall undergo one month induction training in the field of child care to any of the institution identified and declared for this purpose by the Control Board.

3. Medical Officer (Part-time) Paediatrician Compulsory Post	:	1 (Visit once in a week)
4. Nurse-cum-Supervisor	:	1
5. Social Worker	:	1 (Master of Social Work)
6. Cook	:	1
7. Sweeper	:	1."

(7) after regulation 11 as so substituted the following regulations shall respectively be inserted, namely:—

“12 *Inspection*.—(1) The following shall be the competent authorities for inspection of the homes.—

- (a) The Orphanage Control Board and its officers;
- (b) The State/District Level Monitoring Committee constituted by the State Government for this purpose;
- (c) The District Social Justice Officer or his representatives;
- (d) The District Medical Officer or the Medical Officer authorized by the District Medical Officer,
- (e) The Superintendent of Police/Commissioner of Police and the Police Officers Authorized by him in this regard;
- (f) Officers of the Local Fund Audit Department; or
- (g) The Food Safety Commissioner and his representatives.

(2) The Inspection Committee/officers shall visit and oversee the conditions in the home and inspect the processes for safety, well being and performance, review the standards of care and protection being followed by the institutions, look out for any incidence of violation of child rights, look into the functioning of the Management Committee and Children's Committee.

(3) The team shall also make suggestions for improvement and development of the home.

(4) The members of the inspection team/officers shall carry out the inspection at least once in three months.

(5) The team shall visit the home either on prior intimation or make a surprise visit.

(6) The team shall interact with the children during the visits to the home, to determine their well-being and uninhibited feedback.

(7) Follow up action on the findings and suggestions of the Inspection Committee shall be taken by all the authorities concerned.

(8) The report of action taken and findings and suggestions from the Inspection Committee shall be sent to the District Collector, the Control Board and the District Social Justice Officer.

(9) An Inspection Book shall be maintained in which the Inspecting Officer visiting the home shall record the date of his visit with remarks/suggestions. The remedial action in response to the remarks/suggestions taken by the manager shall be noted against each remark and it shall also be intimated to the District Social Justice Officer.

(10) A Visitor's Book shall be maintained in every home in which the person visiting the home shall record the date of his visit with remarks/suggestions which he may think proper.

(11) The Manager shall forward a copy of every such entry with his replies thereto to the District Social Justice Officer.

13. *Maintenance of Registers.*—(1) The Manager shall maintain in his office such registers, files and books as required by the Act and as specified by the rules made thereunder and the following are the minimum registers/files/books to be maintained in Orphanages and other Children's Home, namely:—

- (a) Admission and Discharge Register;
- (b) Attendance Register of staff and children (separate);
- (c) Visitor's Book;
- (d) Log Book for Records of Inspection;
- (e) Minutes Book of Management Committee;
- (f) Cash Book/Ledger,
- (g) Complaint Book/Children's Suggestion Book;
- (h) Staff Movement Register;
- (i) Daily Routine Register;
- (j) Death Register;
- (k) Acquaintance Roll;
- (l) Stock Book of food articles;
- (m) Stock Book of Furniture, equipments, etc.;

- (n) Medical Register;
- (o) Diet chart;
- (p) Register of Personal belongings of children;
- (q) Minutes Register of Children's Committee; and
- (r) School Fee Reimbursement Register.

(2) The following registers and records are to be kept at every Foundling Home:

- (a) Admission and Discharge Register;
- (b) Attendance Register of staff and children (separate);
- (c) Visitor's Book;
- (d) Log Book for Records of Inspection;
- (e) Minutes Book of Management Committee;
- (f) Cash Book/Ledger;
- (g) Complaint Book/Children's Suggestion Book;
- (h) Staff Movement Register;
- (i) Daily Routine Register;
- (j) Register of Deaths;
- (k) Acquaintance Roll;
- (l) Stock Book of food articles;
- (m) Stock Book of furniture, equipments, etc.;
- (n) Medical Register;
- (o) Diet chart;
- (p) Pre-School register; and
- (q) Adoption register;

(3) Each Register shall be serially page numbered and certified as such on the front page.

14. *Training.*—The Orphanage Control Board shall notify the list of premier institutions for training. All the members of the staff shall undergo orientation/refresher training, conference, seminars and workshops arranged by such institutions.”.

15. *Time limits for implementation.*—All existing institutions shall be given a period of one year for providing all the facilities mentioned in this regulations and new recognition shall be given only to those institutions who satisfy the requirements stipulated in this regulation.”.

By order of the Governor,

DR. K. M. ABRAHAM,

Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Regulations for the working of the Board of Control constituted under the Orphanages and other Charitable Homes (Supervision and Control) Act, 1960, were issued under G. O. (Rt.) No.1171/1963/Home dated 8th May, 1963 and published in the Kerala Gazette No. 22 dated 28th May, 1963 and later amended by notification issued under G. O. (P) 52/2013/SJD dated 22nd June, 2013 and published as S.R.O. No. 527/2013 in the Kerala Gazette Extraordinary No. 1867 dated 28th June, 2013. The Board of Control has now submitted a proposal for amending the said Regulations further to provide for improving the facilities of Homes in the State and for ensuring better facilities and protection for the inmates from various kinds of exploitation. Government have considered the proposal in detail and have decided to amend regulations 9, 10 and 11 and to add new regulations 12, 13, 14 and 15 to the said Regulations for the effective working of the Board of Control.

This notification is intended to achieve the above object.