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## WOMEN & CHILD DEVELOPMENT DEPARTMENT

### NOTIFICATION

The 8th January 2013

No. 559—WCD-CW-MISC-0197/2012-WCD.—In exercise of the powers conferred by Section 68 of the Juvenile Justice (Care and Protection of Children) Act, 2000 (No. 56 of 2000), the State Government do hereby make the following rules to amend the Juvenile Justice (Care and Protection of Children) Odisha Rules, 2002, namely :—

1. (i) These rules may be called the Juvenile Justice (Care and Protection of Children) Odisha Amendment Rules, 2013.  
(ii) They shall come into force on the date of their publication in the *Odisha Gazette*.
2. In the Juvenile Justice (Care and Protection of Children) Odisha Rules, 2002 (hereinafter referred to as the said rules) in Rule 38, after sub-rule (4) the following sub-rule shall be inserted, namely :—  
“(5)(a) The Government may delegate the authority of recognition and certification of all the Child Care Institutions of the State, detected at any point of time hereafter, and its renewal for the time period (i.e., three years from the date of recognition and renewal of recognition for a period maximum for three years) to the Collector and District Magistrate having jurisdiction. The Collector and District Magistrate may also seek aid and advice of the Child Welfare Committee in this regard as and when required.  
(b) The Collector and District Magistrate shall have also the power to withdraw recognition or restore the certificate of recognition of the organisation and to close the Child Care Institution not allowing it to function any further on the grounds of violations of the Act and rule and on allegations of allowing activities contravening to the interest of the children and purport and intent of Law and detrimental to the interest of the State, having been satisfied after an inquiry at the appropriate level (Officer not below the rank of Sub-Collector), under intimation to the Government.  
(c) The organisations, whose applications are not considered by the Collector and District Magistrate for recognition and Certification thereunder and the recognitions of the Child Care Institutions are withdrawn and institutions are closed, can file an appeal before the Government, within a period of 30 days of communication of the orders of the Collector and District Magistrate and the decision of the Government in this regard to be taken within a period of 30 days, shall be final and binding”.

3. In the said rules, in Rule 51, after item (e), the following item shall be inserted, namely :—

“(f) list out all the Child Care Institutions functioning with the territorial jurisdiction, verify their registration/recognition, issue notice to the unregistered/unrecognised Child Care Institutions to register within a period of one month of detection and after due verification and observance of procedure spelt out under Rules 38(1) and (2). The Child Care Institutions refusing/failing to comply with the notice so issued to get themselves registered, shall be closed down as per procedures laid down in the rules and the children in such Child Care Institutions be restored to fit institutions nearby placing them before the Child Welfare Committee concerned observing due procedure”.

By order of the Governor

ARTI AHUJA

Commissioner-*cum*-Secretary to Government