

MEMORANDUM OF UNDERSTANDING BETWEEN MINISTRY OF WOMEN AND CHILD DEVELOPMENT
AND CHILDLINE INDIA FOUNDATION

This Memorandum of Understanding (MOU) is made on this 14th day of March, 2011
between

Government of India
Ministry of Women and Child Development
Shastri Bhavan, Dr. Rajendra Prasad Road
New Delhi – 110001

AND

Childline India Foundation
Nana Chowk Municipal School, 2nd. Floor
Frere Road Bridge, Lower Level, near Grant Road Station
Mumbai – 400 007
Maharashtra

A. PREAMBLE

The Ministry of Women and Child Development, Government of India, has the broad mandate to ensure the holistic development of women and children for which it formulates plans, policies and programmes, enacts/ amends legislation and guides and coordinates the efforts of both government and non-governmental organisations working in the field of women and child development, which shall hereinafter be referred to as FIRST PARTY ('which expression shall unless repugnant to the context or meaning thereof, include its successor in interest and assigns'). The Ministry of Women and Child Development is desirous to have Childline Services in all parts of the country.

Childline India Foundation, a Society, registered as such under the Societies Registration Act, 1860, vide Registration Certificate Number 717 / 1999, dated 28-05-1999, also registered under the Bombay Public Trust Act, 1950, under Registration Number F – 21743 (Mumbai), dated 10-01-2000, hereinafter referred to as the SECOND PARTY ('which expression shall unless repugnant to the context or meaning thereof, include its successor in interest and permitted assigns'). Childline India Foundation sets up, co-ordinates and

manages the "CHILDLINE" service which is a 24x7 hour emergency phone outreach service for children in need of care and protection, linking them to long-term services for rehabilitation. The service can be accessed by any child in difficulty or an adult on his/her behalf by dialling 1098.

Together CIF and MWCD are referred to as Parties and individually each of them is referred to as 'a Party'.

B. SCOPE OF MOU

1. The MOU details the procedures to be adopted by the SECOND PARTY for setting up and managing Childline services in an effective manner, and the support to be provided by the FIRST PARTY.

C. OBJECTIVES OF THE FIRST AND SECOND PARTY:

The Constitution of India recognizes the vulnerable position of children and their right to protection, and, the FIRST PARTY is committed to ensure a safe and secure environment for all children for their all round growth and development. In pursuance of the aforementioned commitments, the FIRST PARTY has launched a Centrally Sponsored Scheme called the 'Integrated Child Protection Scheme (ICPS)' (hereinafter referred to as the "ICPS" for the purpose of this MOU).

In order to create a protective environment for children across the country, ICPS envisages the expansion of the Childline service to all districts/cities in the country. Under the ICPS, the SECOND PARTY has been given the status of a "Mother NGO" to initiate, implement and monitor the Childline service in the entire country.

The SECOND PARTY is an independent, non-governmental, voluntary, organisation that has developed the Childline model of service and implements the same as the nodal agency. It initiates and monitors the performance of Childline services in cities and districts and conducts training/sensitization, research and advocacy at the national level on child protection issues. It is the registered, exclusive owner of the trademarks "CHILDLINE" and "CHILDLINE 1098".

The Parties after due consideration of various aspects has arrived at the following understanding in respect of the work mentioned in the earlier paragraphs:-

D. MANAGEMENT OF SERVICES

1. On behalf of the FIRST PARTY, the Joint Secretary (Child Welfare) of the Ministry of Women and Child Development will be the Nodal Officer and on behalf of the SECOND PARTY, the Executive Director, Childline India Foundation, Mumbai will be the Nodal Person, for effective implementation and monitoring of Childline services under the ICPS.
2. The SECOND PARTY will continue to implement the existing Childline services and, expand the service to progressively cover 307 districts across the country by the end of Eleventh Plan period, as per the annual targets set by the FIRST PARTY based on the expansion plan prepared by the SECOND PARTY in consultation with the State Governments/ UT Administrations.
3. The SECOND PARTY will create awareness about and ensure access to the 1098 child helpline number (CHILDLINE), in accordance with the provisions of the ICPS and with support from the FIRST PARTY.
4. The SECOND PARTY will develop and maintain a Resource Directory, for every location.
5. The SECOND PARTY will develop a system of monitoring of calls received and services provided and maintain a database of the same. It will also ensure proper Process Documentation of all children rescued to facilitate their rehabilitation and restoration.
6. The SECOND PARTY will provide data related to rescued and rehabilitated children, as and when required by the FIRST PARTY and to the support structures set up for the implementation of the ICPS, namely, State and District Child Protection Societies for the compilation of a national comprehensive database on child protection.
7. The SECOND PARTY will provide necessary information required for the Child Tracking System being set up under ICPS.
8. The Second Party will continue to evolve methods to ensure optimum utilisation of resources for running Childline services and for monitoring the quality of services.

E. SETTING UP OF NEW SERVICES

1. The FIRST PARTY will support the SECOND PARTY for expansion of the Childline service as per financial norms specified under ICPS, as per its extant policies and programmes and subject to availability of resources.
2. The SECOND PARTY will operate through its existing four Regional Centres at Delhi, Kolkata, Mumbai and Chennai and undertake through them the expansion programme, monitor the service and implement awareness campaigns, advocacy, training and research on child protection issues and on issues related to strengthening Childline services in the country, which will be supported by the FIRST PARTY as per financial norms specified in ICPS. The need for further centres will be explored and decided in consultation with the FIRST PARTY.
3. The SECOND PARTY will identify locations, develop selection criteria for NGOs and other organisations that it considers suitable for providing the services expected of them, draw up eligibility criteria and terms and conditions with the approval of the FIRST PARTY, for the Nodal, Collaborative and Support Organisations.
4. For the effective implementation and expansion of Childline services, the SECOND PARTY has constituted a Project Sanctioning Committee for the Childline service (hereinafter referred to as the "PSC" for the purpose of this MOU), which will select/terminate partner organisations for Childline services. The SECOND PARTY will submit proposals of identified NGOs before the Project Sanctioning Committee (PSC) for consideration as Nodal, Collaborative or Support or District Sub-Centre Organisation.
5. The SECOND PARTY may recommend, to the PSC, selection, appointment and termination of partner organizations to run the Childline service in different cities/districts of the country, based on predefined procedures as approved by its Managing Committee and Governing Board.
6. With respect to the Partner organisations, The SECOND PARTY will be responsible for the following:
 - Training and capacity building of selected partner
 - Ensuring that the partner is functional within a period of six months from date of selection

- Timely release of grant to partner i.e. within one month from the date of receipt of grant from the FIRST PARTY
- Assessing the quality of work through regular monitoring and prescribed monitoring indicators

F. TRANSFER OF FUNDS:

1. Grant -in Aid to the SECOND PARTY will be regulated in accordance with the provisions of the General Financial Rules, 2005 and the relevant instructions issued by the Government of India from time to time.
2. The SECOND PARTY will submit to the FIRST PARTY a proposal for release of grants in all respects, along with Budget Plan approved by the Governing Board for the current financial year and an activity report for the previous year, in the beginning of the financial year.
3. The SECOND PARTY will submit to the FIRST PARTY quarterly achievement cum performance reports in a prescribed format and the release of second instalment of the grant will be considered by the FIRST PARTY after receipt of the performance report updated upto 30th September of the current year.
4. The FIRST PARTY will disburse grants to the SECOND PARTY, for setting up and running of Childline services as mentioned in the ICPS, in each financial year after the SECOND PARTY has submitted the documents and proposals as indicated in (2) and (3) above. The budget of the block grants will be in accordance with the ICPS and as approved by the FIRST PARTY
5. The FIRST PARTY will transfer the approved grant directly to the Bank Account of the SECOND PARTY. The SECOND PARTY will in turn release funds to its partner organisations as per the ICPS norms.
6. The unutilized funds, out of grant released to the SECOND PARTY, as per the Audited Statement of Accounts and Utilisation Certificate submitted by the SECOND PARTY will be returned to the FIRST PARTY.

7. All assets obtained from the ICPS block grant, shall be the property of the FIRST PARTY, except those declared as obsolete and unserviceable or condemned in accordance with the procedure laid down in the General Financial Rules. No assets shall be disposed of without obtaining the prior approval of the FIRST PARTY. Assets created out of grants received by the SECOND PARTY from the FIRST PARTY, will be shown in SECOND PARTY's Balance Sheet under 'ASSETS'. Such assets shall be qualified by a footnote mentioning that these are held by the SECOND PARTY on behalf of the FIRST PARTY. Similarly, any assets created by the SECOND PARTY's Partner Organisations from grants disbursed by SECOND PARTY, where such grants have been received by SECOND PARTY as block grants from FIRST PARTY, will be the property of the FIRST PARTY, but, will be shown in the Partner Organisations book of accounts under 'ASSETS'. Such assets shall be qualified by a footnote mentioning that these are held by the Partner Organisation on behalf of the FIRST PARTY. SECOND PARTY, at the time of release of grants to Partner Organisations, will ensure that this practice is followed by the Partner Organisations.

8. The SECOND PARTY and the Childline Partner organisations shall maintain a Register in the GFR 19 of permanent and semi-permanent assets procured/created utilizing ICPS block grant.

G. STRUCTURE OF THE RELATIONSHIP BETWEEN THE PARTIES TO THIS MOU:

1. It is specifically understood by and between the Parties that the relationship between them constitutes a partnership wherein both Parties have agreed to work together to pursue a social objective - that of Child Rights and concomitant activities.

2. The Governing Board of the SECOND PARTY shall include persons as decided mutually including those nominated by the FIRST PARTY at ex-officio positions, including specifically, Secretary, Ministry Women and Child Development, Additional Secretary, Ministry Women and Child Development, the Joint Secretary, Child Welfare, Ministry Women and Child Development and Financial Advisor, Ministry Women and Child Development.

3. The FIRST PARTY will help build linkages between the SECOND PARTY and other stakeholders including Union Ministries, State Governments, Government organisations, as well as other institutions whose co-operation is necessary to ensure effective implementation of Childline services and where such co-ordination or facilitation is reasonably required.

4. CHILDLINE, 1098, 24-hour toll-free children's emergency helpline, Childline India Foundation and the visuals/logos/mnemonics, inclusive of the colour scheme, as duly amended from time to time, are and shall remain the exclusive property of the SECOND PARTY. However, the FIRST PARTY reserves the right to use these in the best interest of children, as and when required.

5. The SECOND PARTY may generate funds through donations in kind, cash and cheque from sources other than Central Government Ministries/ Departments or State Governments. This shall be properly reflected in its accounts.

6. The SECOND PARTY will provide resource persons for training and capacity building for ICPS and other child protection functionaries as and when requested by the FIRST PARTY and National Institute of Public Cooperation and Child Development (NIPCCD).

H. RESOLUTION OF DISPUTES AND DIFFERENCES:

1. All disagreements/ differences of opinion/ disputes regarding the interpretation of the provisions of this MOU shall be resolved by mutual consultation by the signatories.

2. All disputes arising between the PARTIES as to the interpretation, operation, or effect of any clause in this MOU or any other difference arising between the partners, which cannot be mutually resolved, shall be referred to Secretary of the Ministry of Women and Child Development for resolution, whose decision shall be final.

Through this MOU, both PARTIES affirm their commitment to the children of India and agree to implement and carry out all the activities under ICPS. This MOU overrides any previous understanding between the said PARTIES.

I. TERMINATION OF MOU

1. The FIRST PARTY may terminate this MOU by giving an opportunity to the SECOND PARTY to give its position.

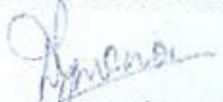
2. In case of termination of the MOU, the SECOND PARTY shall return all unutilised funds and assets to the FIRST PARTY.

DURATION OF MOU:

The duration of this MOU will be from the day of signing this MOU upto 31st March 2012.

Signed at New Delhi on this day of, 2010.

For and on behalf of
Childline India Foundation


(Kajol Menon)
EXECUTIVE DIRECTOR
CHILDLINE INDIA FOUNDATION

For and on behalf of
The President of India


(Preeti Madan)
JOINT SECRETARY (CHILD WELFARE)
MINISTRY OF WOMEN AND CHILD
DEVELOPMENT
GOVERNMENT OF INDIA