Comprehensive Standard Operating Procedure (SOP) for
“One Stop Centre in Delhi”

Prepared by:
Delhi State Legal Services Authority
Central Office, Patiala House Courts,
New Delhi
## CONTENTS

**COMPREHENSIVE STANDARD OPERATING PROCEDURE (SOP) FOR “ONE STOP CENTRE IN DELHI”**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Stakeholder departments</td>
<td>2</td>
</tr>
<tr>
<td>2. Proposed - range of cases to be covered under “ONE STOP CENTRE”</td>
<td>3</td>
</tr>
<tr>
<td>3. Establishment of ‘ONE STOP CENTRE’</td>
<td>3-4</td>
</tr>
<tr>
<td>4. Referral Centres</td>
<td>4</td>
</tr>
<tr>
<td>5. Infrastructure and facilities to be provided at ‘TIER – I’</td>
<td>5-8</td>
</tr>
<tr>
<td>6. Manpower at OSC</td>
<td>8-9</td>
</tr>
<tr>
<td>7. Treatment &amp; Medical Examination</td>
<td>9</td>
</tr>
<tr>
<td>8. Collection of Forensic Evidence</td>
<td>10</td>
</tr>
<tr>
<td>9. Role of Stakeholders in TIER -I</td>
<td>10-11</td>
</tr>
<tr>
<td>10. SCENARIO –I : Victim can make a SOS call</td>
<td>11-12</td>
</tr>
<tr>
<td>11. SCENARIO –II : Victim walks into or brought into the Police Station</td>
<td>13-14</td>
</tr>
<tr>
<td>12. SCENARIO –III : Victim herself/himself walks into the OSC Tier-I at the Hospital</td>
<td>14</td>
</tr>
<tr>
<td>13. SOP for dealing with the victim at the OSC TIER-I</td>
<td>14-17</td>
</tr>
<tr>
<td>14. Role and responsibilities of Counselors</td>
<td>17-20</td>
</tr>
<tr>
<td>15. Infrastructure and Facilities to be provided at Tier-II</td>
<td>21</td>
</tr>
<tr>
<td>16. Award &amp; Disbursal of Compensation</td>
<td>21-22</td>
</tr>
<tr>
<td>17. Witness Protection</td>
<td>22</td>
</tr>
<tr>
<td>18. Role of Support Person</td>
<td>22</td>
</tr>
<tr>
<td>19. Confidentiality</td>
<td>23</td>
</tr>
<tr>
<td>20. Role &amp; Responsibilities of Police/IO</td>
<td>23-24</td>
</tr>
<tr>
<td>21. Publicity &amp; Awareness of SOP</td>
<td>24</td>
</tr>
<tr>
<td>22. Role of Public Prosecutors &amp; Courts</td>
<td>24-26</td>
</tr>
<tr>
<td>23. Acid Attack</td>
<td>26</td>
</tr>
</tbody>
</table>
Comprehensive Standard Operating Procedure (SOP) for
“One Stop Centres in Delhi”

1. STAKEHOLDER DEPARTMENTS-

1.1 Delhi Police - For lodging of FIR, recording of statement u/s 161 and 164 Cr.P.C apart from investigation and recommendation for compensation;

1.2 Hospital (Administration) - For providing medical treatment to the Victim and conducting medico legal examination of victim and collecting samples.

1.3 Delhi Commission for Women – For providing counseling, early intervention and legal assistance.

1.4 Judiciary – For recording statement u/s 164 of Cr.P.C, witness protection and conducting trial of the crime besides issuing recommendation for compensation and also itself awarding compensation in POCSO cases.

1.5 Department of Prosecution – For contesting the bail application of the accused and representing State and Victim during the course of trial.

1.6 DSLSA / DLSAs – For counselling of rape victim under the case titled Khem Chand & Ors. v. State, Crl. Appeal No. 05/2000, High Court of Delhi to assess their legal services needs, witness protection needs, financial needs, psychological needs, counselling needs and rehabilitation and follow up action thereupon. Also awarding and disbursing Victim Compensation. Providing witness protection in heinous offences. Providing free Legal Services to victims, training of stakeholders and spreading awareness.

1.7 Department of Women and Child Development- Administrative duty for Child Welfare Committees (CWCs) and Juvenile Justice Boards (JJBs). Also controlling Observation Homes, Children Homes and Shelter Homes which house destitute victims.

1.8 Non-Governmental Organizations – With Delhi Commission for Women and other reputed NGOs working for Aid and Assistance to the Victim of Crime.
2. **PROPOSED- RANGE OF CASES TO BE COVERED UNDER “ONE STOP CENTRE”**

2.1 Rape as in Section 375, 376, 376A, 376B, 376C, 376D, 376 E of the Indian Penal Code.

- **376 IPC**: Rape
- **376-A IPC**: Rape and inflicting injury which causes death or causes the woman to be in persisting vegetative state.
- **376-B IPC**: Sexual intercourse by husband during separation.
- **376-C IPC**: Sexual intercourse by a person in authority
- **376-D IPC**: Gang Rape
- **376-E IPC**: Repeat offenders

2.2 Acid Attack as in Section 326 of the Indian Penal Code;

2.3 Penetrative Sexual Assault and / or Aggravated Sexual Assault with a child as defined u/s 2 (1) (d) under the Protection of Child against Sexual Offences Act (POCSO);

2.4 Sexual assault or physical violence with Women in Public or Domestic areas which needs immediate medical treatment;

2.5 Women victim of domestic violence as defined under section 3 of Protection of Women from Domestic Violence Act, 2005.

3. **ESTABLISHMENT OF ‘ONE STOP CENTRE’**

3.1 It has been resolved that in order to facilitate the best humane, psychological and medical treatment to the victims of crime both during investigation, trial and even thereafter, ‘One Stop Centers (OSCs) shall be in Two Tier Centers:

- **First Tier** – It shall be based in the Hospitals and
- **Second Tier** – It shall operate from the Court Complexes.

3.2 Stakeholders at OSC Tier – I

- Delhi Police
- Hospitals
• Delhi Commission for Women
• Non-Governmental Organizations
• Department of Women & Child Development

3.3 Stakeholders at OSC Tier – II

• Judiciary
• Delhi State Legal Services Authority & District Legal Services Authorities
• Department of Prosecution
• Delhi Police
• Department of Women & Child Development
• Non-Governmental Organizations

4. REFERRAL CENTRES

The Victims may be referred to ‘One Stop Centre’ (OSC) Tier -I by the following entities:

4.1 Delhi Police;
4.2 Any person in case of sexual offences against a child or a person who has not attained the age of 18 years.
4.3 Gender Resource Centres (GRCs) running under Mission Convergence Programme of the Govt. of NCT of Delhi;
4.4 Child Welfare Committees and Juvenile Justice Boards established under Juvenile Justice (Care and Protection of Children) Act;
4.5 Sexual Harassment Committee set up in the Educational Institutions namely Schools, Colleges and Universities;
4.6 Legal Services Clinics set up by DSLSA/ DLSAs;
4.7 All private and Govt. run hospitals, Nursing Homes and Clinics;
4.8 Department of Women and Child Development;
4.9 National Human Rights Commission;
4.10 National Commission for Protection of Child Rights (NCPCR) as also Delhi Commission for Protection of Child Rights (DCPCR)
4.11 All other Statutory or Non-Statutory Commissions, entities and organizations including NGOs like Child Live etc.

5. **INFRASTRUCTURE AND FACILITIES TO BE PROVIDED AT ‘TIER – I’**

5.1 OSC Tier-I shall be suitably located in a Government Hospital in each of the eleven Districts in Delhi. It should preferably have a dedicated entry for easy access and close connectivity with other diagnostic labs and facilities in the hospital;

5.2 It shall have a dedicated Reception and a comfortable & friendly waiting area or lounge. It shall have all basic facilities viz. air conditioning, sofa sets, attached clean washroom etc.;

5.3 It is imperative for all stakeholders at OSC Tier-I to give priority to the urgent medical treatment and needs of the victim upon arrival instead of indulging in paperwork;

5.4 It should have facility of clean drinking water, soft drinks and facility to provide eatables, if asked for or required for the victims;

5.5 It should have two additional rooms which shall maintain complete privacy for examination of victim; one for medical examination of the victim and the other for counseling of victims and recording of statement by the police;

5.6 The information regarding OSC shall be displayed at all conspicuous places at the Hospital including the Main Emergency and Casualty Ward as also the Main Reception Centre and Cafeteria;

5.7 The medical examination shall be preferably conducted by a female doctor with female Nursing Staff;

5.8 OSC should have High Definition face recognition CCTVs in the Reception / Waiting Area only (to ensure supervision and monitoring of timely services);

5.9 Each OSC Tier – I & Tier-II shall have handy booklets, pamphlets, reading material in Hindi, English, Urdu and Punjabi explaining the procedure of investigation and trial in Criminal matters vis-à-vis the rights of victims of crime;
5.10 OSC should maintain a records of the victims/patients under a Register in the format given below:

<table>
<thead>
<tr>
<th>Sl. N.</th>
<th>Name of the Victim</th>
<th>Age</th>
<th>D/o W/o</th>
<th>Address</th>
<th>Contact Number</th>
<th>Brought by</th>
<th>PS &amp; FIR</th>
<th>Nature of injuries</th>
<th>Attended by</th>
<th>Follow up Treatment, if any.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5.11 That such victims/patients register shall be maintained in hand as well as soft copies;

5.12 OSC should have facility of providing fresh/new set of clothes for rape victims whose clothes at the time of assault are supposed to be seized by the police as evidence;

5.13 For the purpose of facilitating and convenient recording of statement of minor victims each OSC Tier-I shall keep with them a human figure model, anatomically correct dolls or a picture or anatomical diagrams or any other aids deemed appropriate to help a vulnerable witness to explain an act or a fact;

5.14 Each OSC shall maintain a list of empanelled language/dialect translators procured from different State Bhavan/Houses of the States for facilitating the treatment and recording the statement of the victims who cannot speak in Hindi or English;

5.15 Each OSC Tier –I shall maintain list of sign language who can help for treatment/recording of statements of deaf or/and dumb victims;

5.16 Counselling room should be a child friendly room with brightly lit colour and toys (specially stuffed toys) for victim children to play;

5.17 A dedicated Ambulance with all necessary medical equipments and preferably lady staff/attendant shall be made available at each OSC Tier-I;
5.18 Such Ambulance shall be pressed into services in each case where a distress call is made by the victim from her house, work place or any other place including the place of incident/assault;

5.19 The Ambulance shall also be available from ferrying the victim to OSC Tier-I comfortably for the purpose of medical apart from dropping her back to her place of residence;

5.20 In case of urgent need or pre-occupation of the dedicated Ambulance or otherwise due to some unforeseen circumstances or such vehicle going for repair or servicing or non-availability of driver, the SHO of the concerned Police Station shall hire a private ambulance from any nearby private hospital or operator or cab or taxi for the purposes of ferrying the victim to OSC and back later on at her place of residence;

5.21 While engaging Taxi services, preference may be given to the Taxi plied by women driver (if available);

5.22 The expense for such hiring shall be born out of the funds available for investigation purposes at the disposal of the SHO concerned;

5.23 Each OSC should have its dedicated landline number with minimum of three lines;

5.24 The victims shall be provided unhindered facility of making calls to her family members, friends, relatives and lawyers as and when she feels like including STD for which the expenses shall be borne by the Hospital Administration;

5.25 In OSC should have Wheel chair and stretcher so that in case of need to ferry the victim to other wings of hospital or the diagnostic lab rooms for X-ray and Ultrasound etc.;

5.26 In case the victim has no safe place of abode then she may be allowed to stay throughout the night in the OSC and be provided with proper food and bedding;
5.27 Each OSC shall have emergency imprest cash fund minimum of Rs.10,000/- (which shall be recouped after exhausting 75% of the amount) to meet basic urgent need of the victim for procurement of medicines etc. which are not available, arrangement of food and other specific need for the victim. This fund shall be maintained by the Causality Medical Officer (CMO) of the hospital;

5.28 Each OSC shall maintain complaint/suggestions box under the lock and key of the Medical Superintendent of the concerned hospital which shall be opened once in a week so as to receive the feedback from the victims;

5.29 The confidentiality about the activity of the OSC and particulars of the victim shall be maintained by all the stakeholders;

5.30 The entry of print or audio video media shall be banned in OSC unless allowed by written order from the office of Medical Superintendent.

6. MANPOWER AT OSC

6.1 One or more Paramedic, one Social Worker from DCW and one Police Constable (all women) depending upon the density of the population in the area or rush of cases which shall be arranged by the concerned stakeholders as minimum basic staff;

6.2 It should be open 24x7 with three shifts of basic attendant staff and specific duty roster of others whose services may be availed on call basis i.e. Gynecologist, police officer and a Para Legal Worker to be nominated as Permanent Support Person to the victim;

6.3 Such three permanent OSC staff working in shifts shall have the list of concerned Gynecologist, Clinical Psychologist, Nursing and Technical staff besides Police Officer, Para Legal Worker who can be called in to provide all kinds of aid to the victim as per need;

6.4 A dedicated Ambulance attached with each OSC Tier-I shall have a driver who shall work in 2-3 shifts for plying the Ambulance;
6.5 For the purpose of maintaining the Ambulance, additional nursing staff shall be requisitioned from the hospital pool for each visit as per need;

7. **TREATMENT & MEDICAL EXAMINATION**

7.1 In case the victim has suffered grievous / serious injuries, priority shall be given to the victim treatment. The OSC shall have all the basic infrastructural medical facilities for the purpose of providing immediate first aid and medical treatment;

7.2 Since the safety of the survivor is of prime importance, provide preventive treatment for HIV, others sexual transmitted diseases and pregnancy in accordance with the guidelines;

7.3 In case of serious injuries, the victim get ferried on wheel chair/ stature to the other Wings/ Wards of the hospital;

7.4 OSC shall have all the stationery and other things required for preparation for Medico Legal Cases (MLC);

7.5 There should also be facility to take photograph of the physical assault marks on the body of the victim (except private parts) with the consent of the victim. There should be confidentiality of the photographs so that they can only be used for the purposes of trial and victim compensation inquiry;

7.6 In case victim is discharged on the very first day or subsequent day after initial treatment and the victim requires further treatment as well, she would be entitled to visit the OSC and seek facility, treatment with the help of OSC staff.

7.7 The victim shall immediately be provided photocopy / carbon copy of the MLC for her record;

7.8 Each victim shall be apprised about the availability of free legal aid services from the empanelled lawyers of DSLSA/ DCW;
8. **COLLECTION OF FORENSIC EVIDENCE**

8.1 Each OSC shall have requisite sample collection kits for collecting Forensic Evidence. The Collection shall be done in a scientific way after proper care and caution while taking blood samples etc. so that the sample did not get damaged or putrefied. The samples so collected shall be handed over to the police for further depositing with the Forensic Laboratory either directly or Malkhana of the Police Station for timely preparation and submission of Forensic Report.

9. **ROLE OF STAKEHOLDERS IN TIER –I**

9.1 **Delhi Police**

The duties of Delhi Police and the role played by it, has already been enumerated by Delhi Police in its Standing Order No.303/2010 supported by Addendum No. OPS -49. Delhi Police shall continue to abide by Standing Order apart from additional practice guidelines issued in this SOP and other SOs from time to time by its senior officers.

9.2 **Hospital Administration**

As regards Hospital Administration, Department of Health and Family Welfare, Govt. of NCT of Delhi too has designed SOP for the One Stop Centre dated 09.01.2015. They shall continue to abide by that apart from additional practice directives issued under this SOP.

9.3 **Delhi Commission for Women/NGO**

As regards Delhi Commission for Women/NGO, no separate SOP has been devised by it as of yet. However, they have created 11 “Crises Intervention Centre” in the form of 11 NGO apart from “Rape Crises Cell” at their office at Vikas Bhawan, I.P. Estate in terms of guidelines issued by Hon’ble Supreme Court of India in case Delhi Domestic Working Women Forum Vs. Union of
**India (1995) 1 SCC 14.** Endeavour shall be had to devise internal practice directions for ease of work. Apart from abiding by the practices, directions issued in this SOP. DSLSA would train the enlisted social workers as Para Legals for working as “Permanent Support Person” (PSP) to victim.

9.4 **Department of Women and Child Development**

DWCD has devised its SOP for CWCs and JJBs. They are also controlling department for Protection Officers under Domestic Violence Act. These SOPs shall be followed along with other practice directions issued under this SOP.

9.5 **Victim’s access to criminal justice system**

Upon commission of a crime, victim of rape/sexual assault/POCSO can access criminal justice system in different ways. These can be discussed under different scenarios depending upon the place of victimisation i.e. Victim’s residence; victim’s workplace or any other public or private place.

10. **SCENARIO –I**  **Victim can make a SOS call**

Victims can make distress call either by dialing following telephone numbers from her residence, workplace, public or private place:

- 100 : Police Control Room
- 1091 : Women Helpline of Delhi Police
- 1098 : Child Helpline Line
- 1096 : Anti Obscene Cell
- 181 : Women Helpline of Govt. of NCT of Delhi
- 2337557 : Rape Crises Cell at Delhi Commission for Women
- 1516 : DSLSA Helpline
10.1 The person receiving such distress call shall be trained and sensitize to be patient and polite while making the victim comfortable and assure her prompt action and help;

10.2 Upon receipt of the call, PCR shall create record entry of the same and in turn shall alarm the nearest mobile PCR apart from informing the District OSC Tier –I and the local Police Station from where the call is made;

10.3 The Rape Crises Cell run by Delhi Commission for Women shall also be informed by 100, 1091, 181 and 1516 so that they can rush their empanelled Para Legal Worker to the District OSC Tier –I to take up the case as victim’s Permanent Support Person;

10.4 The Mobile PCR shall rush to the spot to rescue the victim and with ambulance, if needed take her to the District OSC Tier-I or in case of emergent situation needing urgent specialized treatment, victim can be taken to a specialized ward/Hospital;

10.5 The local police shall also reach the spot or the OSC Tier-I whichever they manage to reach early. One local Police team shall reach the spot of Crime to preserve it;

10.6 Upon receipt of the call, the staff of OSC Tier-I shall start preparation to receive the victim and make a call to call for the police officer from the local police, Doctor on duty and Para Legal Worker from Rape Crises Cell;

10.7 Upon reaching the OSC Tier –I as the specialized ward/Hospital, as the case may be, as per medical needs, the first endeavor shall be to provide adequate medical treatment and psychology counseling to the victim so as to comfort her;

10.8 If required, she shall be offered or given drinking water, juice, soft drink or eatables as well;
11. **SCENARIO – II** Victim walks into or brought into the Police Station-

11.1 Victim shall be attended by a lady police official or volunteer at the Women Help Desk in the Police Station;

11.2 The DD Entry of her arrival shall be made immediately. She may or may not need medical treatment at this juncture. In case she needs treatment, she shall be rushed to the OSC Tier-I of the District or in case of emergent situation needing urgent specialized treatment, victim can be taken to a specialized ward/Hospital;

11.3 In case of no transport facility is available at the PS, OSC Tier-I be called so that CATS Ambulance can be sent to the Police Station, in terms of the SOP of Hospital Administration;

11.4 At OSC upon treatment, only after the treating Doctor opine victim to be fit for statement, her statement shall be recorded by the police preferably by a women officer in the presence of legal counsellor for lodging of FIR;

11.5 At the Police Station in case victim who walks in does not need medical treatment immediately, in terms of the guidelines laid down in *Delhi Domestic Working Women Forum Vs. Union of India (1995) 1 SCC 14* and *Dilip Vs. State of Madhya Pradesh Crl. Appeal No.1156/2010 dated 16.04.2013*, in order to ensure that the victim gets proper legal counselling, guidance and support, she shall still be taken to the District OSC Tier-I without wastage of time;

11.6 It is suggested that in case urgent immediate medical need, in order to ferry or transport the victim from police station to the Hospital, they may enter into a contract with any Radio Cab Agency or Taxi Service, the services of the such cab be availed by Delhi Police, for which the dedicated fund shall be provided by each DCP with the SHOs;
11.7 Police may requisition the dedicated Ambulance available at the OSC Tier-I or may arrange for a Radio Cab or Taxi for which dedicated funds shall be provided by each DCP with the SHO;

11.8 The duty officer at the police station shall alarm OSC Tier –I about the arrival of the victim to the Rape Crises Cell for arranging the Counsellor and then in turn alarm the Doctor for medical treatment and examination;

12. **SCENARIO –III**  
**Victim herself/himself walks into the OSC Tier-I at the Hospital**-

12.1 The OSC staff shall alarm the Doctor on duty for medical treatment and examination;

12.2 The duty officer at the police station shall also be alarmed by the OSC Tier –I staff;

12.3 The OSC staff shall also call the District Rape Crises Cell for arranging the Para Legal Worker to work as Permanent Support Person to the victim;

13. **SOP FOR DEALING WITH THE VICTIM AT THE OSC TIER-I**

**UPON ARRIVAL** :

13.1 Once the victim reaches the OSC Tier-I, she should be made to feel comfortable, safe and secure besides being treated with dignity and respect;

13.2 Any female who complaints to have been raped should always be treated as a possible rape survivor;

13.3 The victim shall be promptly attended by the specially trained staff at the OSC Tier-I, understand the psychological condition of the victim so as to not to look upon her with suspicion or defection;

**MEDICAL TREATMENT** :

13.4 She shall be immediately provided medical treatment. After provided the requisite medical treatment and counseling and legal guidance by
empanelled Para Legal Worker of DCW, statement of victim shall be recorded by the police official in the word of the victim as far as possible;

13.5 The victim shall be immediately provided water, soft drink and eatable, if demanded;

13.6 The details of the arrival shall be made in the prescribed register;

13.7 Suspected cases of rape survivor should be examined mostly by senior medical staff so that they may act as reliable expert witnesses later;

13.8 After providing requisite medical treatment if the victim is opined to be ‘fit for making statement’ or ‘in a fit mental state’, the victim shall be provided with counseling and legal advise by the empanelled Para Legal Worker of DCW;

13.9 After providing counseling the statement of the victim shall be recorded by the police official in the presence of the Para Legal Worker or guardian of the victim;

13.10 The medical practitioner shall not insist on lodging of FIR before proceeding to proper medical treatment to the victim of crime;

13.11 The medical practitioner besides looking after the nature of injuries, if any visible on the body of the victim, and observing the necessary traits as per the format of MLC, shall endeavor to enquire from the victim about the history of injury, if any on her body;

13.12 The medical practitioner, in ascertaining the brief history of the assault or nature of injury, shall endeavor to put ‘open ended question’ and it should never assume any interrogative form;

13.13 The medical practitioner in its endeavor to elicit information from the victim shall endeavor to be courteous, humane and the same time making the victim comfortable as far as possible;

13.14 The victim shall be provided a fresh pair of clothes by the OSC staff and such clothes shall be arranged well in advance in different sizes;
13.15 The OSC Tier I shall ensure that upon treatment and medical examination ensure that the victim get adequate transportation in the form of Cats ambulance and hired radio taxi for dropping her back to her place of residence free of cost;

13.16 The victim of sexual assault shall not be made to wait for medico legal examination / diagnostic test at the OSC. She shall be attended with utmost priority not later than 15 minutes of her arrival. In case victim is a minor then the family member may be allowed to remain present at the time of counselling, recording of statement in case victim so desire;

13.17 No information qua the incident or the statement given by the victim or the treatment being provided shall be leaked or shared with the media or any third non-interested party by any of the functionary of either of the stakeholders including the victim and family of the victim;

COUNSELLING:

13.18 In case of legal counselling before recording of statement for FIR of the victim, the empanelled Para Legal Worker of DCW shall introduce himself/herself to the victim and interact with her in a friendly way so that the victim can come out of fear and have courage to speak out the truth;

13.19 The Para Legal Worker and the staff of OSC Tier-I shall ensure that victim is not unnecessarily pressurized or coerced by anyone including the family members of the victim;

13.20 No family member shall be allowed to remain with the victim in case there is suspicion of involvement of any family members;

13.21 The victim shall also be explained orally about her right to seek interim maintenance from Delhi Victim Compensation Scheme;
RECORDING OF STATEMENT

13.22 In case the police official is not accompanying to the victim to the OSC, the police official shall reach the OSC as soon as possible but not later than 30 minutes of the receipt of information on arrival of victim at OSC Tier-I;

13.23 Such police official shall be preferably a woman in the rank of SI;

13.24 Such police official shall bring along with the Investigation Kit;

13.25 Such IO shall politely introduce herself to the victim and apprise about her in recording statement followed by lodging of FIR for further investigation;

13.26 The police official should politely seek cooperation of the victim and behave in a manner so as to get victim’s faith in herself.

13.27 In case of a minor victim who is physically challenged or suffering from mental disorder, the recording of statement shall be in a question answer format and shall be videographed;

13.28 The police official shall not record the statement unless the victim is opined by the doctor ‘fit for statement’. The recording of statement may not be started till the victim is counselled or is not assigned Permanent Support Person (PSP);

14. ROLE AND RESPONSIBILITIES OF PARA LEGAL WORKER (PERMANENT SUPPORT PERSON)

14.1 The Para Legal Worker (Permanent Support Person) shall treat the victim with utmost empathy, compassion and supportive approach trying to eliminate any kind of fear or self pity;

14.2 The Para Legal Worker (Permanent Support Person) shall introduce himself/herself to the victim of crime and explain that he/she at the OSC in order to provide free and competent legal advice and counselling about her legal rights and remedies;
14.3 The Para Legal Worker (Permanent Support Person) shall not only accept the victim on her face value but shall also demonstrate non-judgmental behavior throughout the interaction;

14.4 It shall be the duty of the Para Legal Worker (Permanent Support Person) to apprise the victim that she is duty bound in law to speak the truth. The victim shall also be apprised about the legal fall out and implications of making false statement;

14.5 Such Para Legal Worker (Permanent Support Person) assigned to each victim shall share his or her name and mobile/contact number with the victim or with family of the victim;

14.6 Such Para Legal Worker (Permanent Support Person) shall be the contact person for the victim of the family throughout the treatment / investigation and all interfaces as soon as OSC Tier –I is concerned;

14.7 No information qua the incident or the statement given by the victim or the treatment being provided shall be leaked or shared with the media or any third non-interested party by any of the functionaries or either of the stakeholders including the victim and family of the victim;

**ROLE AND RESPONSIBILITIES OF POLICE**

14.8 As soon as the statement is recorded by the IO at the OSC Tier –I the Rooka shall be sent to the concerned PS without loss of time and FIR shall be registered. Upon receipt, one copy of the FIR shall be supplied to the victim apart from providing one copy to the empanelled Para Legal Worker (Permanent Support Person) provided by DCW;

14.9 One copy of the FIR sent to the District Legal Services Authorities as per direction in the case titled *Khem Chand & Ors. v. State*, Crl. Appeal No. 05/2000, High Court of Delhi. Upon receipt of FIR the Secretary DLSA shall assign the same to the empanelled counsel who shall at the
convenience of the victim pay a visit to the victim residence to assess her legal services, victim compensation, psychiatric counseling, witness protection and rehabilitation needs;

14.10 IO shall take steps to collect evidence in the form of blood sample, hair sample, and vaginal swab and victim’s clothes;

14.11 In case FIR is under POCSO Act, the IO shall inform the Child Welfare Committee by supplying copy of FIR to them in case victim is a child in need of care and protection in case of incest and post the treatment or discharge from the hospital, child victim shall be produced before the Child Welfare Committee;

14.12 In case the victim does not have a place of abode, post her discharge from the hospital, she shall be shifted to a Shelter Home;

14.13 In case the victim is not accompanied by any family member, the family member shall be informed about the incident and her personal well being;

14.14 Divisional Commissioner of Police shall also be informed apart from sending one copy of the FIR to the Local Police Station;

14.15 One team of officer should also rush to the spot so as to preserve the same and collect material and evidence there from;

14.16 In the counseling room there shall be facility of Video Recording to the victim the same can be taken use of in case of victim so desired she should be told about this facility before recording her statement;

14.17 In case the victim is of different linguistic background and is not able to understand the Hindi and English Language or is physically or mentally impaired then arrangement of special interpreter shall be made before recording of the statement;

14.18 As soon as they are collected they shall be sent to the FSL laboratories in a sealed way with the request to submit a result in a time bound manner;

14.19 The DNA sample of the victim should also be collected;
14.20 In case the accused is known to the victim like immediate neighbor, care shall be taken that the victim is not threatened or coercion in any manner and if need arises she be sent to some relative homes or a fit institution/ shelter home;

14.21 In appropriate cases the concerned SHO shall consider the interaction sheet filled up by the Permanent Support Person (PSP) at the OSC-I to arrive at a decision qua recommendation of the matter regarding interim compensation to the concerned DLSAs without loss of time;

14.22 The PSP shall share the copy of the same to the IO for onward transmission to the SHO with a right that neither the PSP shall be made a witness in the case nor the interaction sheet shall form part of the charge sheet. However, it may be kept on the police file or mentioned in the case diary;

14.23 No information qua the incident or the statement given by the victim or the treatment being provided shall be leaked or shared with the media or any third non-interested party by any of the functionary of either of the stakeholders including the victim and family of the victim;

ROLE AND RESPONSIBILITIES OF SOCIAL WORKER/ PARA LEGAL WORKER

14.24 In case the victim is not accompanied by any family member, such family member as desired by the victim shall be informed about the incident and her personal well being. However, regard shall be head in cases where the perpetrator of crime is her family member;

14.25 In the counseling room, there shall be facility of Video Recording to the victim the same can be taken use of in case of victim so desires and/ or she should be told about this facility before recording her statement;

14.26 No information qua the incident or the statement given by the victim or the treatment being provided shall be leaked or shared with the media or any third non-interested party by any of the functionary of either of the stakeholders including the victim and family of the victim;
15. **INFRASTRUCTURE AND FACILITIES TO BE PROVIDED AT TIER -II**

15.1 One dedicated OSC Tier-II shall be located in each of the 11 District Courts in 6 Court Complexes and attached with the District Legal Services Authority;

15.2 It shall have dedicated comfortable Reception and air conditioner area with attached washroom;

15.3 It shall be open from 9:00 am to 5:00 pm on all working days;

15.4 There shall be a dedicated room for the purposes of counselling, recording of statement u/s 164 of Cr.P.C along with waiting area;

15.5 Tier II shall be manned by empanelled Legal Services Advocate / Legal Services Counselor of DSLSA under the overall superintendence of the Project Officer or Nominated Officer, DSLSA.

15.6 As far as tier II is concerned, each victim of crime shall be assigned an empanelled Legal Services Advocate who shall work as her Permanent Legal Services Advocate till the end of OSC Tier –II engagements right through investigation as well as during committal and completion of trial of the case. Permanent Legal Services Advocate’s phone number shall be shared with the victim and her family;

15.7 For recording of statement u/s 164 of Cr.P.C, OSC tier-II empanelled Permanent Legal Services Advocates of DSLSA will accompany the victim to the Magistrate for recording her statement;

16. **AWARD & DISBURSAL OF COMPENSATION**

16.1 After the report received from visit as per direction in the case titled *Khem Chand & Ors. v. State*, Crl. Appeal No. 05/2000, High Court of Delhi, the response shall be assessed by the Secretary, DLSA and appropriate remedial steps shall be taken in terms of the report;
16.2 Upon receipt of recommendation for grant of interim compensation, the victim shall be summoned to the OSC Tier II by the Secretary DLSA through SHO/IO and the inquiry shall be initiated as per Delhi Victims Compensation Scheme. The inquiry shall be completed as soon as possible but not later than 30 days;

16.3 In the process, Bank Account details of the victim shall be obtained and in case victim does not have account, separate account shall be opened in the Nationalized Bank in Courts Complex or elsewhere;

16.4 Upon passing of interim award, the order shall be sent to the DSLSA Central Office for remittance or disbursed within 24 hours through RTGS;

17. WITNESS PROTECTION

17.1 In case where the victim needs witness protection, the matter shall be referred to DSLSA in case the offence is punishable for life or death or an imprisonment for not less than seven years. In all other cases information or application may be moved before the concerned committal or trial courts;

18. ROLE OF PERMANENT LEGAL SERVICES ADVOCATE (PLSA)

18.1 Permanent Legal Services Advocate shall explain the entire process of trial, investigation and shall discharge all the duties as detailed in the Guidelines for “Recording of Evidence of Vulnerable Witnesses” under which vulnerable witness court room are being established in all court room complex;

18.2 The Permanent Legal Services Advocate shall work in close cooperation with Permanent Support Person and both shall act as interface between the victim and the victim’s family with the police and other stakeholders. The Permanent Legal Services Advocate and Permanent Support Person shall remain available on phone or otherwise for other legal and other tangible helps;
18.3 The Permanent Legal Services Advocate assigned the matter by DSLSA shall keep the victim informed about stage of the trial, bail or proceedings of trial and shall represent the victim in the Court in addition to the duties performed by Ld. Public Prosecutor;

18.4 The Permanent Legal Services Advocate and Permanent Support Person shall maintain the brief notings of all the interfaces they have with victim qua their case viz. interaction on the phone, purpose of interaction and advise given, appearances made in the courts, participation at the investigation stage and trial proceedings;

19. **CONFIDENTIALITY**

19.1 No information qua the incident or the statement given by the victim or any circumstances concerning the victim shall be leaked or shared with the media or any third non-interested party by any of the functionary of either of the stakeholders including the victim and family of the victim;

20. **ROLE & RESPONSIBILITIES OF POLICE / IO**

20.1 The police officers while recording the statement of the victim child should not be in the uniform;

20.2 No victim shall be called by the police for further investigation or recording of supplementary statement at the Police Station. Such victim shall be called for interaction either OSC Tier – I & II;

20.3 However, in case victim is required to join investigation for identification of spot etc. then victim can be summoned by issuing summons u/s 160 of Cr.P.C. In case victim is required to join TIP at Jail complex or identification of property, the Tier II counselor shall accompany the victim for explaining the entire process;

20.4 IO/SHO shall ensure that the charge sheet in the matters in hands shall be filed in 60-90 days. One additional copy of the chargesheet shall be
mandatorily prepared for the victim by the SHO/IO and shall be placed on
record of the Court, which should be supplied by the Court to the victim or
her Permanent Legal Services Advocate and Permanent Support Person;

20.5 It shall be mandatory for the police to keep the victim, Permanent Support
Person and Permanent Legal Services Advocate informed well in advance as
and when bail application or any other legal step is taken qua the accused in
the Court;

21. PUBLICITY & AWARENESS OF SOP

21.1 That the booklet consisting of the SOP in hand and other SOPs of
stakeholders shall be prepared in Hindi, English, Urdu and Punjabi and shall
be made available to the victims and their family at Tier-I as well as Tier-II.

21.2 Such SOP shall also be made at the website of stakeholders and shall be given
adequate publicity for the benefit of the masses;

22. ROLE OF PUBLIC PROSECUTORS & COURTS

22.1 The Trial Judge and the Public Prosecutor both shall provide the victim copy
of applications, reports, depositions and orders;

22.2 During the entire proceedings before committal Court and the Trial Court, it
shall be ensured that the victim has right to participate in the entire
proceedings through assigned Permanent Legal Services Advocate or the
private counsel engaged by the victim;

22.3 In case the matter is listed for recording of deposition of victim witness, the
deposition shall be recorded in the Vulnerable Court Room as per the
guidelines prepared by the Committee of the Delhi High Court;

22.4 The summons for recording of deposition to a victim witness shall be served
at least 3-5 days in advance so that the victim can be adequately counselled
and explained about the procedure and trial and deposition, and if necessary,
pre visit may be arranged as per the guidelines prepared by the Committee of Delhi High Court;

22.5 The victim shall be extended facilities of pick and drop on the date of deposition by the Committee which is managing the Vulnerable Witness Court Room;

22.6 The Court shall provide copy of the misc. orders and evidences including the copy of the deposition of the victim witnesses to the Permanent Legal Services Advocates apart from Ld. APP for providing effective representation to the victim. Ld. PP shall also allow the empanelled Permanent Legal Services Advocate to assist Ld. PP to ensure fair trial of the victim as well as accused;

22.7 In case of conviction, the victim shall have right of personal hearing at the time of arguments or orders on sentence;

22.8 Even in case of acquittal, the victim shall be provided attested copy of judgment of acquittal so that she can have right to appear u/s 372 A of Cr.P.C;

22.9 An attested copy of the judgment of acquittal shall also be provided by the Juvenile Justice Boards to the adult victim or to the parents/ guardian of the minor victim free of costs.

22.10 Even in case of acquittal, the Trail Court shall consider the case of the victim for recommending the case for adequate compensation u/s 357 A of DVCS;

22.11 In case of conviction, the concerned Judge shall hold an inquiry in terms of Delhi High Court Judgment in the case of Satya Prakash v. State, Crl. Revision No.338/2009 of High Court of Delhi to assess the quantum of sentenced and find be imposed on the convict or adequate compensation to the victim of crime;

22.12 The OSC Tier II support person shall ensure that appeal is to be filed before Hon'ble High Court, if desired and adequate legal representation from empanelled PLSA with Delhi High Court Legal Services Committee is provided;
22.13 Upon conclusion on trial, when the recommendation is sent by the concerned Judge, to the DSLSA or DLSAs, Secretary DLSA shall conduct fresh inquiry for awarding adequate compensation as per DVCS;

23. **ACID ATTACK**

23.1 In the case of Laxmi v. Union of India;

23.2 DSLSA shall award interim compensation of Rs.1 lakh within 15 days and Rs.2 lakhs within next two months shall be awarded;

23.3 In the process, Bank Account details of the victim shall be obtained and in case victim does not have account, separate account shall be opened in the Nationalized Bank in Courts Complex or elsewhere;

23.4 Upon passing of interim award, the order shall be sent to the DSLSA Central Office for remittance or disbursed within 24 hours through RTGS;