



GOVERNMENT OF KERALA

Abstract

Social Justice Department - Implementation of 'NIRBHAYA' policy- One Stop Crisis Cell at District and Taluk Hospitals- Police Assistance- Guide Lines- Issued.

SOCIAL JUSTICE (B) DEPARTMENT

G.O.(R1) No. 119/2013/SJD

Dated, Thiruvananthapuram, 18.03.2013

Read: 1) Minutes of the 3rd meeting of the State level Co-ordination Committee held at 29.1.2013.

2) Minutes of the meeting held on 1.2.2013 to discuss the modalities for setting up one stop crisis cells under NIRBHAYA policy

3) Letter No. 15/Camp/IGP (HHW)/CSO/2013 dated 2.2.2013 from the IGP (Crimes).

ORDER

In the State level Co-ordination Committee meeting of 'NIRBHAYA' held on 29.1.2013, it was decided to establish a One Stop Crisis Cell to assist the victims of both sexual and domestic violence. In the meeting held on 1.2.2013 to discuss the modalities for setting up of One Stop Crisis Cell under NIRBHAYA policy, it was decided to issue Guidelines on the role and responsibilities of the various departments and agencies in the functioning of the One Stop Crisis Cells. Such Crisis Cells, providing assistance to Women and Children are being formed at the District Hospitals in all the Districts and it is proposed to extend the service to some Taluk Hospitals also, later.

The One-Stop Crisis Cell envisages the general services as listed below:-

- (i) The recording of First Information Statement (FIS) and First Information Report (FIR) by a woman police officer at the Crisis-Cell.
- (ii) Medical examination by a Government Medical Officer or Gynaecologist as may be required.
- (iii) Providing immediate counselling and emotional support to victims and family members.
- (iv) Woman Lawyer from KELSA/DELSA shall offer legal assistance and explain the legal provisions and remedies available to the victim.

Protection Officer of the Social Justice Department shall offer guidance and referral services to safe accommodation in Shelter Homes under Government or those conducted by accredited NGOs. An amount of Rs. 5000/- shall be provided as imprest to the Women Protection Officers.

(I) **Domestic Violence:**

Since counseling of the parties would be provided by the Vanitha Cells/Vanitha Police Station of the District Police, as a preliminary step before initiating legal action:-

- (a) The Circle Inspector Vanitha Cell/Vanitha Police Station shall be a member of the One-Stop Crisis Cell.
- (b) On request from the Cell, the C.I Vanitha Cell/Vanitha Police Station shall directly or depute an appropriate Woman Police Officer to the Cell assisting the counselors and staff of the Cell to redress the problem.
- (c) In such Cells where the reporting of incidents is high, one Woman Police Officer shall be permanently deputed to carry out the work.
- (d) If such preliminary measures prove to be futile and, if further legal action under the Protection of Woman from Domestic Violence Act (PWDV Act), 2005 is to be initiated, the Woman Police Officer so deputed shall personally assist the victim in filing Domestic Incident Report (DIR) before the Protection Officer, as per the PWDV Act.
- (e) If a criminal case under the provisions of the Indian Penal Code is to be filed in the jurisdictional Police Station, a Woman Police Officer shall be associated with the investigation, victim liaison and prosecution.
- (f) The Vehicle allotted to the Vanitha cell/ Vanitha Police Station shall be utilized for this work.

(II) **Sexual Offence:**

Whenever a victim of sexual offence reports to the Cell/ Vanitha Police Station, legal action shall be initiated instantaneously as follows:

- (a) The official in charge of the Cell shall immediately report the offence to the Police Station in which the hospital is located.
- (b) If a Woman Police Officer is permanently deputed, she shall inform the same to the local Police station in which the hospital is located.

- (c) On report, the SHO of the Police Station in which the hospital is located shall immediately visit the Cell along with a woman Civil Police Officer, take necessary statements, assist the medical team in collecting evidences required for the investigation and shall immediately register the FIR in his Station irrespective of the territorial jurisdiction of the Police Station where the offence is committed.
- (d) While taking the statement, necessary care should be taken to avoid exploratory queries, remarks and details keeping in mind the mental condition and dignity of the victim.
- (e) The SHO shall be personally responsible to attend the issue without delay and he will be held responsible departmentally and legally for any lapses.
- (f) On registration of the FIR, the matter shall be informed to the District Police Chief where the hospital is located and also to the District Police Chief where the offence was committed.
- (g) After preliminary investigation, the collection of medical and forensic evidences, the case shall be transferred to the jurisdictional Police station where the offence was committed.
- (h) The Woman Civil Police Officer present shall also assist the Cell officials in transporting the victim to an appropriate safe shelter as decided by the Protection Officer and the local SHO shall also provide adequate security to the victim and to her place of residence till further action is taken.
- (i) The District Police Chief of the jurisdiction, where the offence was committed shall issue an order transferring the investigation to be taken up by the Dy.SP / ACP Crime Detachment and /or DCRB (the Government has to be addressed to issue a notification authorising the Dy.SP / ACP Crime Detachment and/or DCRB who is the Anti-Human Trafficking Unit (AHTU) Nodal Officers in the Districts for investigating all such offences in the District - Action from PHQ) and shall form a Special Team with a Woman Civil Police officer and a trained Victim Liaison officer to carry out further investigation and appropriate action.
- (j) Special priority shall be given for the examination of the medical / forensic evidences at the FSL laboratories with time limit. Necessary directions to the Director, FSL - In the matter shall be Issued by the State Police Chief.

- (k) The Social Justice Department shall give adequate training to the police personnel for handling such cases, if found necessary.
- (l) The District Police Chiefs shall conduct a special monthly review of all such cases and conduct a quarterly meeting with the departmental officials concerned with the activities of 'NIRBHAYA'.

By order of the Governor,
Dr. K.M.Abraham
Additional Chief Secretary

To

The Director of Social Justice, Thiruvananthapuram.
The Advisor, (Gender & Child Protection) Office of NIRBHAYA, Directorate of Social Justice (Annexe), Poojappura.
Director General of Police.
Director of Health Services.
The Principal Accountant General (Audit), Kerala, Thiruvananthapuram.
The Accountant General (A&E), Kerala, Thiruvananthapuram.
The Accountant General (DB Cell), Kerala, Thiruvananthapuram.
Home Department.
Health and Family Welfare Department.
Law Department.
Information and Public Relations Department.
Stock file/ O.C.

Forwarded/By order


Section Officer

Copy to : (1) PS to Minister (Panchayat and Social Justice)
(2) PA to Additional Chief Secretary , Social Justice Department.
(3) CA to Additional Secretary , Social Justice Department.