



CHANDIGARH POLICE

STANDING ORDER NO 18 /2018

REGULATIONS REGARDING POCSO ACT, 2012.

INTRODUCTION

For effecting curbing of crime against children, Juvenile Justice Act 2015 and Prevention of Children from Sexual Offences Act, 2012 have been enacted.

The children by reason of their physical and mental status need special safeguard and care. Child victims of sexual abuse are required to be treated with compassion and dignity.

The Protection of Children from Sexual Offences (POCSO) Act, 2012 protects children from offences of sexual harassment and pornography, while safeguarding the interests of the child at every stage of the judicial process. The POCSO Act, 2012 provides a comprehensive definition and procedures to be adopted in case of sexual crimes and exploitation of children.

OBJECTIVE :

1. To safeguard the interests of most vulnerable section of the society i.e. children.
2. To help in creating and maintaining a healthy and conducive environment for the overall development of children.
3. To impart justice to the victim and their Guardians/parents.
4. To spread awareness about the provisions of law in the general public especially women and children. Awareness should be spread involving the community at large.

GENERAL INSTRUCTIONS/GUIDELINES TO BE FOLLOWED BY LOCAL POLICE :

1. The Area SHO/ I/O (CWPO) shall ensure that as and when any information or complaint is received pertaining to cognizable offence involving a child victim, he shall register the First Information Report (FIR) promptly and accurately as per the provisions of the Protection of Children from Sexual Offences Act, 2012 and other laws in force.
2. Area SHO/I/O (CWPO) shall ensure that guardians/parents of the victim child must be informed immediately after the reporting of incident and copy of FIR & other relevant documents shall be handedover to the complainant or guardian of the victim child.
3. Area SHO/I/O (CWPO) shall ensure that no accused or suspected accused shall be brought in contact with the child.
4. Area SHO/I/O (CWPO) shall ensure that where victim and accused are both children, they shall not be brought in contact with each other.

5. Area SHO//O (CWPO) shall ensure that the names and contact details of the Magistrates, SJPU and CWPO, CCIs, CWCs, JJBs and the Children's Courts shall be available and displayed at Police Station.
6. The Area SHO//O (CWPO) shall ensure that cases of POSCO Act will be dealt by a Police Officer, not below the rank of Sub-Inspector, preferably a lady Police Officer.
7. The Area SHO shall ensure that the Child Welfare Police Officer/Investigating Officer shall be in plain clothes while dealing with victim child.
8. In case, the child is abandoned against whom offences under POSCO Act, has been committed and such child has no guardian then the Area SHO shall make all the arrangements to give the victim child such care and protection as required by the circumstances i.e. admitting the child into shelter home or to the hospital etc.

Area SHO shall also give information to the Child line Services or to a Child Welfare Committee or to the District Child Protection Unit within 24 hours (excluding the time necessary for the journey) and hand over the Child to a Child care institution registered under the Juvenile Justice (Care and Protection of Children) Act, 2015.

9. In case, the victim child is abandoned then, the Area SHO shall ensure the presence of lady Social worker or lady member of NGO all the time while conducting the legal formalities.
10. The Child Welfare Police Officer/Investigating Officer shall ensure that the statement of the child victim shall be recorded at the residence of the victim or at any other place, where the victim can make a statement freely without any fear/pressure.
11. Wherever possible, the Investigating Officer shall ensure that the statement of the child victim is also recorded by Audio-Video electronic means.
12. The parents/guardians of the child or any other person, in whom the child reposes trust and confidence, shall be allowed to remain present all the time with victim child while conducting the legal formalities of the case.
13. The Area SHO / Investigating Officer (CWPO) shall ensure that the statement of the victim shall be recorded verbatim and in simple language so that the child understands contents being recorded.
14. In the case of a child having a mental or physical disability, the Area SHO/Investigating Officer shall take the assistance of a special educator or an expert in that field for recording the statement of such victim child.
15. In case the Area SHO/Investigating officer does not acquaint with the language of a child victim then the assistance of a translator or an interpreter shall be taken in such case.
16. The Area SHO/Investigating Officer shall ensure that the statement of the victim child shall be got recorded promptly before the Magistrate U/S 164 Cr.P.C. and in the event of child victim being in the hospital, the statement shall be recorded in the hospital.