CHANDIGARH POLICE

STANDING ORDER NO: 84 /2016

WOMEN AND CHILD SUPPORT UNIT

The rationale behind establishment of Women and Child Support Unit (W&CSU) as a specialized unit is to effectively implement laws that seek to end violence against women and to give special consideration to children and juveniles who are found on both sides of the criminal justice system i.e. victim as well as offender.

Violence against women cases can often be complex and require special skills in recognizing the gendered aspects of crime patterns, working with victims and their families, dealing with perpetrators and coordinating with multiple agencies. This unit shall aim to improve the ability of the police to respond to the unique needs of women victims. More effective and timely access to justice for all women requires:-

- defending and guaranteeing women’s rights by giving information to women regarding their rights, legal procedures and other local specialized services,
- providing fast and consistent access to effective protection measures,
- accepting all women’s complaints of all forms of violence, and consistently treating women as subjects of rights;
- coordination with other local and national agencies for improved prevention, administration of justice, and comprehensive service delivery;
- consistent enforcement of the law with perpetrators;
and institutional reforms, including service protocols, ongoing training and monitoring and oversight mechanisms to ensure the Women Police Station and operators are complying with their due diligence as duty-bearers (with responsibilities for implementing the law).

The constitution of India and various laws laid down certain norms and procedure to ensure special protection of the rights of women and children.

In order to ensure that all laws in this regard are effectively implemented the Women and child Support Unit should be the nodal point for Chandigarh Police. This unit will be headed by a Dy.S.P. level officer. Its tasks shall be as under:

i) Proper implementation of these laws in the jurisdiction of Union Territory Chandigarh.

ii) To enable police to intervene on behalf of women & children and open an avenue for the women & child victims where they could be provided wholesome relief;

iii) To act as a counseling centre advising the women & children who come with their problems and addressing them in an effective way;

iv) To educate and train the policemen and women about the new laws which have been enacted during the recent years regarding crime against women and protection of children;

v) To issue instructions on the subject of investigation of cases, when women or children are victims about the treatment of women and child witness and offenders;

vi) Drive against eve-teasing sexual harassment, sexual exploitation of children and child labor;

vii) Drive against obscene literature, poster, hoarding etc;
viii) To maintain liaison with the Voluntary Social Organizations of the city on the problems being faced by women and children to take remedial steps and act as a nodal office to coordinate measures towards women and child;

ix) Act as nodal office coordinate all relief and rehabilitation efforts of women and children in conflict with law in association with concerned agencies.

x) Rape Crisis Intervention Centre and Anti Human Trafficking Unit will also work at W&CSU under the supervision of SSP/Ops.

FUNCTIONS – ROLES AND RESPONSIBILITIES:

Women Cell:-

The W&CSU will be providing counseling to the victims of domestic violence in addition to offering a single window redressal for the women victims. In case of domestic violence, counseling of families became an essential part of the functioning of these cells. Counseling is the first response to the Crimes against Women in domestic matters. Many families in India still continue to live as joint families and counseling often involves other members of the family besides the immediate protagonists. The aim of counseling continues to be to remove irritants in the marriage, to prevent abuse or to ensure that there is no further abuse, and to secure the position of the woman in the marriage. Although this was informal at first and resented by many as not a police role, it is now a sanctioned activity with staff being trained for the purpose and receiving support from social workers and recognized non-governmental agencies. As a result of this, in many cases, compromise/settlements could be arrived at between the families thus helping the women in continuing with her life without violence and threats. It is recognized here that when a women seeks help in women Cell, it is not always to criminalize the behaviors of abuser but to renegotiate the
relationship without violence. The women cell therefore act as mediators in this endeavor by creating a supportive environ.

Women Cell also provides non-police services to women complainants. Through liaison with psychological and legal counseling services they are in a position to provide counseling and free legal advice to needy complainants with the help of reputed NGOs.

**Rape Crisis Intervention Center:**

The need for a multi professional approach to victims of crime has been recognized from the very inception of the Women and Children Support Unit. Rape Crisis Intervention Center have been set up to assist the women victims of rape or sexual abuse. This is being supervised by the W&CSU. As soon as a case of this nature is reported, professional help is provided to the victim be it the psychological, social, medical, legal through this center with an objective of rehabilitation of the victim and to prevent any further victimization in the criminal justice system from the investigation to the trial stage.

**Women & Child Help Line:**

Recognizing the needs of Women in distress Women and Child Help Line has been set up under the supervision of DSP/W&CSU at Police Control Room Sec-9 Chandigarh. Helpline Nos. 1091 (Toll Free) & 0172-2741174 are installed in order to provide round the clock immediate necessary assistance to Women and Children in distress. A women police officer is available round the clock to attend to distress calls received through the helpline or directory in the cell. The staff receives continuous training in dealing with distress calls, and is equipped to initiate criminal action and to provide counseling and other assistance. The team
also provides links to emergency support services such as shelters and short stay homes, besides offering on the spot counseling and legal advice in need.

**Anti Human Trafficking Unit:**

Anti human trafficking unit has been set up in W&CSU in the year 2011. This unit is primarily responsible to tackle with the cases of human trafficking in women and children. The data of missing persons of UT Chandigarh shall be maintained and all efforts are to be made to track the missing persons. The investigation of cases of missing/kidnapped children received from the police stations shall be carried out following the guidelines issued by MHA from time to time. Awareness campaigns are also to be conducted in such areas which are identified as either source or destination point. AHTU must make all efforts to reunite the missing or abandoned children with the parents. They shall work in liaison with other agencies such as Department of social welfare, other NGO's working in the same field to achieve the above said objective.

**Self-Defence Training:**

The endeavor of this project is to empower women by equipping them with simple self defence techniques so that they would not feel vulnerable in threatening situations till police help arrives. Periodic in-house programmes are held by this unit and it has an outreach programs in various schools and colleges and also at work places.

**Training:**

Pursuant to its mandate on women and children, the Special Police Unit for Women and Children has been conducting various training/workshops to police personnel on
- Juvenile Justice Act
- Gender Sensitization
- Domestic Violence Act and role of police
- Investigation of cases relating to women victims.

The purpose is to facilitate understanding of gender and related issues, including gender dimensions of laws relating to women; to build capacity of the police personnel to deal with offices against women; to build investigation skill/procedures thus making police organization more effective in protecting the human rights/constitutional rights of women.

**Family counseling centre:**

A Family counseling centre of the Chandigarh social welfare board is also running in the W&CSU premises. The objective of this centre is to give a platform to warring parties to settle their differences through the intervention of trained mediators with an objective of reducing the litigation and offering solution outside the court.

**Juvenile Unit:**

Notified as nodal agency of the Chandigarh Police for effective implementation of the Juvenile Justice Act, to co-ordinate and upgrade the treatment of children in association with other stakeholders, NGOs and government departments and to formulate polices on various aspects of the Act and in defining police role within its ambit, a Juvenile Unit has been set up in the Special Police Unit for Women and Children. The functions of the unit are:-

1. The juvenile Justice Unit aims at ensuring capacity building of the police personnel for the effective implementation of the Act and realization of the
Juvenile Justice System in the capital city. The unit organizes and coordinates sensitization cum orientation and training programme for police personnel at police station levels.

2. The juvenile Unit will have monthly meeting with the Juvenile welfare officers of the police stations to coordinate police efforts especially in regards to Children in Need of Care and Protection to guide and monitor the functioning of the Juvenile Welfare Officers.

3. To coordinate with various govt. departments on issues of children.

**Strength:**

The strength of Women and Child Support Unit including Women Police Station is as under:-

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<tr>
<th>Sr. No.</th>
<th>Rank</th>
<th>Female</th>
<th>Male</th>
<th>Total</th>
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<tbody>
<tr>
<td>1.</td>
<td>Inspector</td>
<td>03</td>
<td>01</td>
<td>04</td>
</tr>
<tr>
<td>2.</td>
<td>NGOs</td>
<td>04</td>
<td>08</td>
<td>12</td>
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<td>3.</td>
<td>Head Constables</td>
<td>11</td>
<td>12</td>
<td>23</td>
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<tr>
<td>4.</td>
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<td>12</td>
<td>20</td>
<td>32</td>
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<tr>
<td>5.</td>
<td>Drivers</td>
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<td>04</td>
<td>04</td>
</tr>
<tr>
<td>6.</td>
<td>Home Guard Volunteer</td>
<td>02</td>
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**Women Police station:**

Vide Notification No 4131-HILL (1)-2015/2015/17719, Chandigarh Administration has notified creation of Women Police Station for Union Territory.
for Chandigarh declaring Women and Child Support Unit as Women Police Station for the Union Territory of Chandigarh.

**Function:**

Women Police Station is headed by an officer of the rank of inspector, who will function as SHO, assisted by an Inspector who will be incharge of Women Helpline-1091, Rape crisis Intervention center, I/c Juvenile Unit. He/She will be assisted by a number of Ngo’s to attend to complainants/victims, conduct enquiry into a complaint, provide counseling and guidance to victims of violence and investigation of cases besides overseeing/guiding/ monitoring the functioning of branches like Malkhana, records, service of summons/warrants, functioning of reporting room and lock up etc.

i) The setting up of a women police station in no way dilutes the responsibility of the local police to initiate action whenever a woman victim of crime or child in need of care & protection including juvenile approaches them for assistance. They will continue to register and investigate all cases up to the time it is transferred to the Women and child support unit and will later also extend all necessary help to the officers of the cell for successful investigation and prosecution.

ii) They will provide all psychological and legal help to the women victim.

The Women Police Station would initially enquire into the complaints pertaining to matrimonial disputes received through Public window duly marked by the senior Officers. Police Officers posted in Women Police Station would provide counseling to the parties and make efforts for reconciliation. If required, the complaints may be sent to Mediation Centre, District Court or Punjab and Haryana High Court for counseling and reconciliation. After the enquiry, Police Officer would send the report to Competent Authority for final decision. After the approval of Competent Authority, the Women Police
Station would register and investigate the cases related to matrimonial disputes i.e. torture, harassment for the sake of dowry demand.

W/IGP, DIG/U.T., & SSP/UT will have the power to refer any case pertaining to kidnapping, abduction of minor girls or cases where women is either complainant or accused for investigation to women Police Station. It will also act as Counseling Centre to redress matrimonial disputes and to educate girls of Schools, colleges and slum areas to make them aware about their rights and take steps to check stalking, molestation, harassment, blackmailing, eve teasing and sexual exploitation of women.

In case of a woman approaching Women Police Station with complaint regarding beating by husband or in-laws requiring immediate action like preventive action or registration of criminal case, the same would be recorded in the Daily Dairy Register No 2 of Women Police Station and referred to the concerned Police Station for immediate action. Also, the District Protection officer may be informed in cases of Domestic Violence after making a proper entry in the Roznamcha.

No case shall be sent to the Women Police Station directly by any other Police Station without the orders of the Senior Superintendent of Police, Operations or Deputy Inspector General of Police or Inspector General of Police, Chandigarh.

The Investigating Officers posted in the Women Police Station shall have all the powers as per the Code of Criminal Procedure 1973(Act No 2 of 1974) for the investigation of aforementioned offences.

**Guidelines regarding registration and investigation of cases:**

i. IO should go through the contents of the complaints/FIR.

ii. Contact the complainant of the case and record her/his statement u/s 161 Cr.P.C.

iii. The case must be in the jurisdiction of Chandigarh.
iv. Proof of residence of the complainant must be obtained and placed on the file.

v. The proof of marriage be obtained and placed on the file i.e. marriage certificate, marriage invitation card, photographs & VCD etc.

vi. In case no such proof is available, statements of Priest/Qazi/Pandit, mediator of the marriage, parents, relatives independent witnesses who attended the marriage, owner of Banquets/party hall, photographer, tent house contractor, Halwai etc. be recorded and placed on file and such person/persons be cited as PWs.

vii. List of dowry articles given at the time of marriage be obtained. Bill/cash memos in support of the said articles be procured and placed on file. Statements of jewelers/furniture/household retailers be recorded and they be cited as PWs.

viii. In case where the complainant claim huge amount spent on the marriage ceremony the source of money be verified whether the money was withdraw from bank or lend by some relative, if so, their statements be recorded and they be cited as PWs.

ix. Collect the birth certificate/school certificate of child/children, if any, out of the wedlock.

x. the evidences regarding torture/harassment be brought on record. Statements of the witnesses are recoded u/s 161 Cr.P.C.

xi. If there is any medical certificate w.e.t. torture/physical harassment, collect the same & place it on record.

xii Collect the telephone call details which the complainant made during the time of the aforesaid harassment & torture.

xiii. Seize the letters send by the complainant to her parents/relatives regarding the said harassment and demand of dowry.
xiv. Previous record of the respondent, police complaints, DD Entries, complaints to other agencies i.e. CWC/NHRC/NGO’s be placed on record and the concerned persons be cited as PWs.

xv. Collect the copy of Panchayatnama/agreement if any and place the same on record.

xvi. If some suit/complaint is pending before any court, collect a copy of the same and place on record along with relevant orders of the court.

xvii. Evidences regarding desertion/throwing out of the complainant by her husband/in-laws from her matrimonial house be collected and placed on file. Local enquiries be made and statements of the witnesses be recorded u/s 161 Cr.P.C. and they be cited as PWs. In case the neighbors are reluctant to give evidence, the gist of enquiry can be entered in the body of the case diary.

xviii. Collect the evidences regarding extra-marital affairs/unnatural sex if alleged.

xix. Verify the active role of each person alongwith harassment & cruelty.

xx. During the course of investigation if any other offence is made out, add the relevant section of law and the same be brought to the knowledge of the seniors.

xxi. If there is any apprehension that the accused person will leave India, his LOC may be opened.

**Guidelines in dealing with complaints of Domestic Violence:**

Domestic violence can be addressed by use of criminal provisions on cruelty within marriage (Section 498-A) or the Protection of Women from Domestic Violence Act 2005 (PWDVA) which is aimed at providing support and relief to women in all domestic relationships. The police officer attending to such complaints will inform the aggrieved persons of the availability of Protection officers (PO); of her righty to make an application to the magistrate for obtaining relief by way of protection order, monetary relief, custody order, residence order, compensation order or more than one such order under this Act, either directly or through a Protection Officer or a service provider; of her right to free legal service
under the Legal Services Authority Act, 1987; maintain a ready contact list of protection officers, notified service provider, medical facilities, shelter homes, state legal services authority to be given to women who approach the police. If the contents of the complaint reveal ingredients of cognizable offences under the IPC or any other law, she should be informed of her right to initiate criminal proceedings by lodging FIR. But if the aggrieved woman does not want to imitate criminal proceedings, then the police shall make General Diary Entry (Daily Diary Entry) to this effect that complainant wants to pursue civil remedy and guide her to the appropriate authority.

Police officer is to render all necessary help at the request of PO in recording DIR. The police will assist the PO in confiscating the weapon used by respondent in domestic violence and shall make safety plan in consultation with the complainant. The officer in charge on direction of the court shall give protection to the aggrieved person or assist her or person making an application on behalf of her in the implementation order. The police will deal with breach of a protection order or an interim protection order as a cognizable offence and assist the PO in rescue of aggrieved person in case of a breach of protection order.

**Jurisdiction:**

Women Police Station shall have the jurisdiction over the entire Union Territory of Chandigarh.

**Vehicle:**

2 motorcycles with drivers, 2 Gypsies with drivers, 2 Swaraj Mazda with drivers shall be provided to Women Police Station.

**Maintenance of Record:**

After the registration of FIR in the Women Police Station, a copy of the same shall be sent to the concerned jurisdictional police Station to be recorded in their record. Moreover, all other information like arrest/information sheets, challan, declaration of PO/bail jumper/Conviction etc. shall invariably be sent to the jurisdictional Police Station without loss of any time for maintaining and updating the police station record about crime and criminals.
**Registers:**

Registers as mentioned in Section 22.45 of PPR (as applicable in Chandigarh) will be maintained in this police station.

**Lock up:**

Women Police Station shall have two Lock up rooms one for males and one for females.

**Kot:**

Women Police Station shall have one Armory with sufficient number of small and other weapons. MMHC will be responsible for issuing weapons to the police officers/officials for duty and for their maintenance.

**Malkhana:**

Women Police Station shall have a Malkhana, where case properties and other valuables shall be stored for safe custody after proper entries in the relevant Register. A Malkhana Moharrar shall be appointed for proper management of the malkhana and he/she will be responsible for maintaining proper record pertaining to the Malkhana as per the procedures laid down in relevant rules.

**MHC/Night MHC:**

MHC shall remain present from 8 AM to 8 PM in the police station and night MHC shall remain present from 8PM to 8AM.

**Emergency Officer:**

SHO of the Women Police Station shall depute one Emergency Officer from the existing force turn by turn. The duty of Emergency Officer shall be to remain present from 8 AM to 8 PM in the police station and from 8PM to 8AM on call in case of emergency.
Legal Assistance:

Superintendent of Police, Operations shall ensure that all reports/replies which are to be filed in the Hon’ble apex Court, High Court, District Court and before other Commissions or Quasi Judicial Authority are prepared under the guidance of the Deputy Superintendent of Police W& CSU and vetted by the ADA/DDA Legal posted in Police Head Quarters, Sector 9, Chandigarh. He/She shall also ensure that all the final reports of cases under section 173 Cr.P.C. registered in Women Police Station are vetted by nominated ADA/DDA posted in the Court.

Supervision:

This unit shall be headed by an officer of the rank of a DSP, who shall report to the SSP/Operations and ensure that Women and Child Support Unit work towards the objective of providing support to women and children in need.

This Standing Order shall supersede earlier SOP No.69/2014 dated 4.6.2014.

(R.P. Upadhyaya, IPS)
Inspector General of Police
U.T. Chandigarh

No. 1800-58 UT/E-6 dated Chandigarh, the:- 09-03-2016
A copy is forwarded to the following for information and necessary action:-

1) DIG/Chandigarh
2) SSP/Chandigarh & SSP/Operations
3) Commandant, IRBn
4) SSP/Security, Traffic & HQRS
5) SP/Communication & Law and Order
6) SDPOs
7) All DSPs
8) All SHOs, I/C PPs
9) I/C Computer Section
10) PA,SO and Reader to IGP/UT.