

**F. No. 15011/126/2020- SC/ST-W**  
**Government of India**  
**Ministry of Home Affairs**  
**(Women Safety Division)**

**New Delhi, dated May 2021**

**To,**  
**Chief Secretary**  
**(all States, UT of Delhi and Puducherry)**  
**Administrators**  
**(Union Territories)**

**References:**

- (i) MHA Advisory No. 24013/4/2020-ATC dated 6 July 2020**
- (ii) MHA Advisory No. 15011/115/2020- SC/ST-W dated 13 July 2020**
- (iii) MHA Advisory No. 15011/126/2020-SC/ST-W dated 29 July 2020**
- (iv) MHA Advisory No. 15011/190/2020-SC/ST-W dated 9 Oct 2020**
- (v) MHA Advisory No. 15011/46/2020-ATC dated 1 Dec 2020**
- (vi) MoSJE Advisory**

**Subject: Advisory for protection of vulnerable sections of society such as women, children, senior citizens and scheduled caste/ scheduled tribe, etc-reg.**

**Sir/ Madam**

I am directed to request your attention to the references on the above-mentioned subject. Government taking cognizance of the impact COVID-19 pandemic may have, particularly, on vulnerable groups, gave high priority to the matter and requested States/ Union Territories to put in place adequate mechanisms for ensuring dedicated support and assistance in a timely manner to such persons. The Ministry of Home Affairs (MHA) had, accordingly, issued above mentioned advisories to the States/Union Territories on Guidelines and Standard Operating Procedures for preventing and combating crimes against vulnerable sections of the society, including women, children, senior citizens and scheduled castes/ scheduled tribes, and as well as for putting in place institutional mechanisms for preventing and countering human trafficking.

2. In order to facilitate implementation of the above guidelines/ SOPs, attention is drawn to Rs.107.49 crore released to States/Union Territories for setting up/ strengthening Women Help Desks in Police Stations. The Desk envisages to have enlisted panel of experts like lawyers, psychologists, NGOs who can assist in

accessing support, provide shelter, rehabilitation etc. and help in registration and follow-up in the cases giving required assurance and support to the women approaching them. This has supplemented several initiatives launched by the Government for the safety and security of women, which include implementation of Emergency Response Support System, establishing National Database on Sexual Offenders to facilitate better investigation etc. Several laws for combating crimes against weaker sections have also been enacted/ strengthened such as the Protection of Women from Domestic Violence Act, 2005; the Indecent Representation of Women (Prohibition) Act, 1986; the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Juvenile Justice (Care and Protection of Children) Act, 2015, the Protection of Child Rights Act, 2005, the Protection of Children from Sexual Offences Act, 2012, amended in 2019, and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (amended in 2015 and 2018).

3. The States/Union Territories have been further enabled through provision of several IT modules by the National Crime Records Bureau (NCRB) in this area, including the Crime Multi Agency Centre (Cri-MAC) for police to share information of inter-state relevance, and a National Alert Service for police on missing & found persons using the CCTNS. The NCRB has also launched an automated photo matching web-based application UNIFY that uses Machine learning model to enable police personnel to search the photographs of missing persons/ criminals/ unidentified dead bodies against the national image repository in the CCTNS. A central citizen service on [digitalpolicecitizenservice.gov.in](https://digitalpolicecitizenservice.gov.in) portal is now available to citizens for online search on missing persons. Further, the Ministry has also circulated guidelines and SOP for supporting senior citizens during COVID-19 (copy enclosed). The guidelines provides for steps to be taken to ensure necessary monitoring and support to senior citizens. The Union Ministry of Social Justice & Empowerment has issued an advisory for transgender persons to protect themselves during COVID-19 (copy enclosed).

4. In order to address issues related to trafficking, Rs.100 crore has also been released as grants to the States/ Union Territories to set up/ strengthen Anti Human Trafficking Units (AHTUs) in every District. These AHTUs would be integrated task

forces, consisting of police, and other line departments dealing with prevention and combating trafficking. These units are highly relevant, especially in the current COVID-19 pandemic where children may have been orphaned due to the sad demise of their parents due to COVID-19. States/Union Territories were also requested to put in place suitable mechanisms, including engaging at panchayat/ local body level and undertaking IEC activities involving community for ensuring greater awareness on the anti-trafficking support available in the State/Union Territories. MHA advisories dated 6 July 2020 and 1 December 2020 may be referred (copy enclosed).

5. Several States/Union Territories have initiated action and strengthened their machineries to support the vulnerable groups and various success stories and best practices are now available with States/UTs where emergency services have been provided to the vulnerable groups impacted by COVID-19. However, in order to meet the new challenges arising out of recent wave of COVID-19 affliction, it is requested to undertake an immediate review of the existing facilities for vulnerable groups inter-alia on the lines of the measures given in the various advisories issued by the MHA, especially for children who have been orphaned, senior citizens who may require timely assistance and support (medical as well as safety & security), and members of scheduled castes/ scheduled tribes who may need guidance to access Government support facilities. The review may include steps taken for sensitization of police personnel, coordination with agencies/ departments concerned as also communities and civil society organizations.

Encl: as above

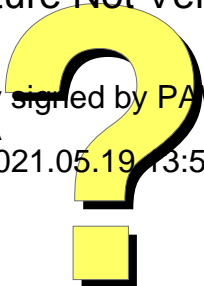
(Pawan Mehta)  
Deputy Secretary  
Women Safety Division

**Copy to:**

1. **ACS/ Principal Secretary/ Secretary  
Home Department (All States/ UTs)**
2. **DGP (All States)**
3. **Commissioner of Police, Delhi Police**

Signature Not Verified

Digitally signed by PAWAN  
MEHTA  
Date: 2021.05.19 13:52:52 IST



No. 15011/126/2020-SC/ST-W

Government of India  
Ministry of Home Affairs  
(WS Division)

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2nd Floor, Open Gallery Building,  
M.D.C. National Stadium, New Delhi.  
Dated 29<sup>th</sup> July, 2020

To

- (i) Chief Secretaries of all State Governments including Governments of Delhi and Puducherry
- (ii) Administrators of DD, DNH, A&N, Lakshadweep, Chandigarh, Jammu & Kashmir and Ladakh

**Subject: -Advisory on Guidelines and SOP for preventing and combating crimes against weaker sections of the society including women, children and Scheduled Castes/ Scheduled Tribes - reg.**

Sir/ Madam,

The National Human Rights Commission has taken suo moto cognizance of a matter relating *inter-alia* to sexual exploitation of vulnerable sections of the society and directed that SOP be issued to ensure that these vulnerable classes of the society are not subjected to such inhumantreatment due to inaction by the police or civil authorities.

2. Government of India has issued various advisories to the States/Union Territories for strengthening measures for the safety and security of women and SC/STs. These advisories, inter-alia, include sensitization and training of the police personnel/ law enforcement agencies; minimizing delays in investigation and improving quality of investigation; programmes for creating awareness among vulnerable sections of the society; legal recourse open to them; adopting appropriate measures for swift and salutary punishment to public servants found guilty of neglect of duty; setting up of special courts; improving effectiveness of schemes for the welfare and rehabilitation of victims of crime, gender sensitization of police personnel, participation of general public/NGOs in women safety, conducting medical examination of victims without delay and increasing representation of women in police forces etc. Your attention is invited to the DO No.1(8)/2018-WS-IV (CCTNS) dated 18 July 2020 from the Home Secretary, GOI, to regularly review the projects for women safety for successful and timely implementation for strengthening the effectiveness of criminal justice system.

3. The Ministry of Home Affairs has recently issued a comprehensive advisory on trafficking of women and children, especially during the times of COVID-19 pandemic vide letter No. 24013/4/2020-ATC dated July 6, 2020. This advisory is regarding trafficking and exploitation of women and young girls and the steps necessary to curb the crime of trafficking and exploitation of these hapless victims and need to create awareness, provide training to police personnel, involvement of Panchayats, Village Watch and Ward, Beat officers, intelligence and surveillance activities, keeping a watch on local Bus Depots, Railway Stations, making use of

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CCTNS, CriMAC application, Child Helpline etc. The Government of India has released Rs. 100 crore in the month of March, 2020 to all States and UTs for upgrading and establishing Anti Human Trafficking Units, which function as 'Integrated Task Force' in each district of the State, covering 100% districts of all States and UTs.

4. The Government of India have also taken several initiatives for the safety and security of women, which include – implementation of Emergency Response Support System (ERSS), establishing National Database on Sexual Offenders (NDSO) to facilitate better investigation, setting up of women Help Desk etc. Several laws for combating crimes against weaker sections have also been strengthened such as the Protection of Women from Domestic Violence Act, 2005; The Indecent Representation of Women (Prohibition) Act, 1986; The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013, the Juvenile Justice (Care and Protection of Children) Act, 2015, the Commissions for Protection of Child Rights Act, 2005, the Protection of Children from Sexual Offences Act, 2012, the Protection of Children from Sexual Offences Amendment Act, 2019, the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (amendment in 2015 and 2018 to make it more effective).

5. Funds have also been released to States/UTs for setting up/ strengthening of Women Help Desks in Police Stations under Nirbhaya Fund. The Desk envisages to have enlisted panel of experts like lawyers, psychologists, NGOs who can provide shelter, rehabilitation and training etc for accessing the outside support and will register, transfer the cases to the concerned authorities and follow up the case giving required assurance and support to the women approaching them. **The State Governments have been requested to operationalize the Women Help Desks in Police Stations at the earliest.**

6. To strengthen the law enforcement response against exploitation of women, children and weaker sections like SC and ST etc, the State Governments should evolve a coordination mechanism among various Departments in the States and UTs. This mechanism may be monitored at the highest level in the States/Us. **The following steps may be taken in this regard as a Standard Operating Procedure:**

- (a) Response mechanism should be set up to promptly deal with incidents of crime against vulnerable, oppressed and deprived sections of society.
- (b) Crime prone areas should be identified and a mechanism be put in place to monitor these areas by police for ensuring safety and security. Adequate Police Officers should be deployed in these areas.
- (c) Intensive patrolling in the hot-spots, especially in the locality of the weaker sections, which should be visited by senior officers periodically to instill a sense of safety and security among the people;
- (d) Increase the number of beat constables, especially on crime-sensitive roads and police patrolling during night;
- (e) Increase the number of police help booths/ kiosks, especially in remote and lonely stretches; increase the number of women police officers in the mobile police vans;
- (f) Sensitizing the law enforcement machinery through structured training programmes for police personnel at all levels as well as other functionaries of the criminal justice system;



- (g) The State Government should take adequate measures for the economic and social rehabilitation of the victims of crime particularly women, SC/STs and other weaker sections of society;

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- (h) The State Government should ensure that all placement agencies in their region are registered, so as to prevent trafficking of children for child labour/ bondedlabour/ domestic servitude.
- (i) Transit points such as railway stations and bus stops should be kept under continuous surveillance to curb child/ woman trafficking;

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- (j) ~~Explore the possibility of associating NGOs and panchayats in the area of combating crime against women, SC/STs etc. with close coordination between them and police;~~
- (k) There should be no delay in registration of FIR in all cases of crime against women, human trafficking and SC/STs so as to generate confidence among them. Cases should be promptly investigated and charge sheets against the accused persons filed promptly;
- (l) Targeted actions should be taken with meticulous planning before rescuing the victim, during the process of rescue, prosecution and for rehabilitation and reintegration of the victims. A monitoring and accountability mechanism must be set up with overarching powers to monitor each stage of anti human trafficking actions.
- (m) Help-line numbers of the crime against women cells and ERSS 112 should be exhibited prominently in hospitals/schools/ college premises/Railway Stations/Bus Stations/ Panchayat Bhawans/ Airports/Taxi Stands/Cinema halls and in other prominent places;
- (n) Counseling through professional counselors for victims as well as her family may be organized to overcome trauma of crime;
- (o) Steps may be taken for awareness generation among police regarding sensitively handling of crimes against children and women. For this the local police may collaborate with Childline-1098 Service (which is an emergency service catering to the needs of children in emergency situations), NGOs, etc.;
- (p) The information about Emergency Response Support System which provides a pan-India, single internationally recognized number (112) based system for all emergencies and is computer aided dispatch system to help the women in distress, may be widely disseminated;
- (q) **The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (PoA Act)** has been amended in 2015 to make it more effective. New offences such as tonsuring of head, moustache, or similar acts, which are derogatory to the dignity of members of Scheduled Castes and Scheduled Tribes have been added. The punishments have also been enhanced. Provisions for Special Courts and speedy trial have been added. The Act was further amended in 2018. **Section 18A has been inserted whereby conduct of preliminary enquiry before registration of FIR, or to seek approval of any authority prior to arrest of an accused, is no longer required.** The provision of the PoA Act may be implemented in letter and spirit;
- (r) Meetings of SC/ST Protection Cells, which have been set up in States/ UTs, may be convened regularly;
- (s) States/UTs should take steps to increase women representation in Police to 33%. The Central Government has already provided for reservation of 33% for women horizontally and in each category in direct recruitment in non-



Gazetted posts from Constable to Sub-Inspector in the Police forces of all the Union Territories;

- (t) States/UTs may adopt and implement the initiative Mahila Police Volunteer (MPV), which is an interface between public and police, that can be approached by women in distress for seeking assistance and support;
- (u) The State Governments should ensure enforcement of law particularly in crimes relating to vulnerable sections. Enforcement agencies should be instructed in unambiguous terms that enforcement of the rights of the weaker and vulnerable sections including SC, ST women and children should be ensured. Police should play a more proactive role in detection and investigation of crime against women.

7. The aforementioned steps are indicative and illustrative in nature. SOPs of UNODC/ MHA on prevention and investigation of human trafficking cases, "A Handbook on the legal processes for the police in respect of Crimes against Children" and other manuals/ SOPs available on the websites of BPR&D, MHA and NHRC may be made use of. States and UTs may implement further strategies to counter and curb crimes against these vulnerable groups and the same may be incorporated in the Standard Operating Procedures customized to meet the State requirements.

8. Nominations may be made for training and sensitization programmes on crimes against vulnerable sections of society organized by BPR&D, CDTIs, etc. Similar programmes may also be organized at the level of States/UTs as well.

9. In this context, attention is invited to section 166A of the Indian Penal Code, 1860, section 4 of the Scheduled Castes and Scheduled Tribes (Prevention of atrocities) Act, 1989, and section 21 of the Protection of Children from Sexual Offences Act, 2012, for non-compliance by a public servant to act in terms of the directions in law. These may be adequately informed to the implementing officers.

10. In view of the above, I am directed to request you to issue State/ District level Standard Operating Procedure and sensitize officers at all levels to combat these crimes and prevent victimization of vulnerable persons especially women, children and Scheduled Castes/ Scheduled Tribes. It is also requested that an Action Taken Report may be sent to the Ministry.

11. This issues with the approval of the competent authority.

Yours faithfully



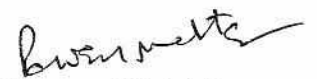
(Pawan Mehta)

Deputy Secretary to the Govt. of India

Tele: 23075293

**Copy for information and necessary action to:**

1. ACS/ Principal Secretary/ Secretary (Home) of all States/UTs
2. The Director Generals of Police of all States and IGs of all UTs



(Pawan Mehta)

Deputy Secretary to the Govt. of India



**Ministry of Social Justice and Empowerment  
Government of India**

**Advisory for Transgender Persons for Covid-19**

This is an advisory for Transgender Persons on how to protect themselves from Covid-19 during current situation.

<b>Do's</b>	<b>Don'ts</b>
<ol style="list-style-type: none"><li>1. Transgender Persons are advised to get vaccinated to reduce the risk of Covid-19. As per guidelines issued by MoHFW (available on website <a href="https://www.mohfw.gov.in/covid_vaccination/vaccination/faqs.html">https://www.mohfw.gov.in/covid_vaccination/vaccination/faqs.html</a>), All those aged above 18 can register for vaccination on the CoWIN platform and Aarogya Setu App. Following ID's are accepted on the portal:<ul style="list-style-type: none"><li>• Aadhaar card</li><li>• Driving License</li><li>• PAN card</li><li>• Passport</li><li>• Pension Passbook</li><li>• NPR Smart Card</li><li>• Voter ID Card (EPIC)</li></ul></li><li>2. As per information available on MoHFW website, if a person does not have a mobile number, person can take help from others for registration. Up to 4 people can be registered for vaccination using the same mobile number.</li><li>3. Keep the list of addresses and contact numbers of Health Care</li></ol>	<ol style="list-style-type: none"><li>1. Don't come in close contact with someone who is having fever/cough/breathing difficulties.</li><li>2. Don't shake hands or hug your friends and near ones.</li><li>3. Don't go to crowded places like parks, markets and religious places.</li><li>4. Don't cough or sneeze into your bare hands.</li><li>5. Don't touch your eyes, face, and nose.</li><li>6. Don't self-medicate.</li><li>7. Don't go out unless it is absolutely essential.</li><li>8. Don't invite friends or people from outsider.</li></ol>

Centres/Hospitals/Ambulance and other services in the locality.

4. Due to Summer, avoid dehydration. Consume adequate amount of water.  
(Caution for individuals with pre-existing Heart and Kidney disease).
5. Stay within the place of residence all the time.
6. Avoid having visitors at place of residence.
7. If meeting is essential, maintain a distance of 2 yards.
8. If living alone and feeling ill, one can consider depending on healthy neighbours for acquiring essentials for home.
9. Avoid small and large gatherings at all cost.
10. Remain actively mobile within the place of residence.
11. Consider doing light exercise and yoga.
12. Practice meditation.
13. Maintain hygiene by washing hands properly with soaps for at least 20 seconds, especially before having meals and after using the washroom.
14. Clean frequently touched objects with disinfectant regularly.
15. Sneeze and cough either into your elbow or into tissue paper/handkerchief. After coughing



or sneezing dispose of the tissue paper in a closed bin/wash your handkerchief and hands thoroughly.

16.Ensure proper nutrition through home cooked fresh hot meals, hydrate frequently and take food which boosts immunity.

17.Monitor your health. If you develop fever, cough and/or breathing difficulty or any other health issue, immediately contact nearest health care facility and follow the medical advice.

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No. 15011/46/2020-ATC  
Government of India  
Ministry of Home Affairs

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Women Safety Division, 2<sup>nd</sup> Floor,  
Major Dhyan Chand National Stadium,  
India Gate, New Delhi-110002  
**December 1, 2020**

To

1. **Chief Secretaries of all State Governments and UT Administrations**
2. **Director General (Police) of all States and UTs**

**Sub: Institutional mechanism for preventing and countering human trafficking at State level.**

Sir/Madam,

The Government of India has been taking various measures and initiatives in supplementing the efforts of the State Governments and UT Administrations in preventing and countering human trafficking on a continuous basis and has been making concerted efforts in combating the menace of trafficking in persons in a holistic manner.

2. You are aware that with a view to strengthening the law enforcement response against human trafficking, the Ministry of Home Affairs (MHA) had provided financial assistance to **State Governments from time to time for setting up Anti Human Trafficking Units (AHTUs)** in 50% Police Districts of all States. An amount of Rs.25.16 crore was released to States during the Financial Years 2010-11 to 2019-20, for setting up AHTUs in 332 Districts of States.

3. AHTUs are **integrated task force(s) to prevent and combat trafficking in persons**; and comprise of a group of trained sensitive officials of Police, Women and Child Welfare Department and other relevant Departments of the State. AHTUs function as coherent units to prevent and combat trafficking. The objectives and responsibilities of AHTUs include, taking up the crusade against all criminal aspects of the crime of human trafficking; ensuring focused attention in dealing with offences of human trafficking; conducting rescue operations whenever they receive information about trafficking activities either from police sources, NGOs or civil society; ensuring a victim-centric approach; functioning as the grass root unit for collection and development of an exhaustive database on all law enforcement aspects of the crime, including information on traffickers and trafficking gangs etc. While the Central Government has provided financial assistance for setting up physical infrastructure in these Units, it is the responsibility of States to depute suitable manpower to manage these Units.

4. MHA has further released an amount of Rs. 100 crore under Nirbhaya Fund to all States and UTs in March 2020 **for strengthening the existing AHTUs in States and establishing new AHTUs covering all Districts** of the States and UTs all over India and also in international border areas guarded by Border Security Force (BSF) and Sashastra Seema Bal (SSB). MHA has been pursuing the matter with all States and UTs and have requested them to make use of this financial assistance on urgent basis and upgrade the existing AHTUs



and also establish new AHTUs in the Districts where such AHTUs are not in existence at present.

5. MHA has also released a sum Rs. 100 crores under Nirbhaya Fund to all States and UTs for setting up **Women Help Desks in 10,000 Police Stations of the States**. These Desks are to be manned by trained police officials and shall have enlisted panel of experts like lawyers, psychologists and NGOs to facilitate legal aid, counseling, shelter, rehabilitation and training etc. **These Women Help Desks in Police Stations shall also attend to all matters relating to human trafficking.**

6. To address the issue of human trafficking at State level in a comprehensive and full-bodied manner, **the following scheme of handling human trafficking at State level is prescribed** for adoption by all States and UTs:

**Notifying State-level, District-level and Police Station-level Anti Human Trafficking Units by States and UTs:**

i) Each State shall notify a **State-Headquarter level** Anti Human Trafficking Bureau headed by an **Additional Director General of Police level officer** to oversee and coordinate all trafficking related issues within the State and for coordination with other States/UTs.

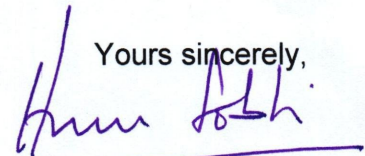
ii) States shall notify an Anti Human Trafficking Unit in every **District of the State**, which shall be responsible for all human trafficking related matters in each District and will report to the State-Headquarter level Anti Human Trafficking Bureau. Each District level AHTU shall function under the supervision of a Superintendent of Police/Deputy Superintendent of Police level officer and will be responsible for monitoring and coordinating all activities in the District.

iii) States shall notify a **Women Help Desk** in every Police Station of the State. The Women Help Desk shall *inter-alia* also be responsible to undertake matters of rescue, prevention, protection and support investigation of human trafficking cases of women of the respective jurisdiction and will coordinate activities with other Police Stations and will also perform such duties and responsibilities as directed by the District AHTU.

7. By establishing the above arrangement, each State will have a Unit for preventing and countering human trafficking at all levels of the State/UT – Headquarters of the State/UT, District level and Police Station level, thus dealing with the problem of human trafficking in a comprehensive manner.

8. **All States and UTs are requested to notify appropriate Units at all levels** as per the scheme indicated above and inform the Ministry of Home Affairs about notification of such Units at an early date.

Yours sincerely,



(Arun Sobti)

Deputy Secretary to the Govt. of India

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Email: [dspr.atc@mha.gov.in](mailto:dspr.atc@mha.gov.in)

**By Speed Post**

No. 24013/4/2020-ATC  
Government of India  
Ministry of Home Affairs

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Women Safety Division, 2<sup>nd</sup> Floor,  
Major Dhyan Chand National Stadium,  
India Gate, New Delhi-110002  
**July 6, 2020**

To

**The Chief Secretaries of all States and UTs  
The Director General of Police of all States and UTs**

Sub: Advisory on preventing and combating human trafficking especially during the period of COVID-19 pandemic.

Sir/Madam,

Trafficking in Persons is a serious crime affecting a large number of people across the globe. Human trafficking not only affects women and children but also men. Trafficking in persons can be both cross-border as well as within the country, from one State to another. Traffickers often exploit the vulnerabilities of people by making false promises of a new job, better income, better living conditions and support to their families etc. While such promises of perpetrators appear legitimate to people, unfortunately it makes many men, women, and children easy prey for exploitation.

2. Domestic violence, psychological or emotional abuse, neglect and other forms of trauma and violence makes a person vulnerable to human trafficking, who may be looking for a release from his present situation. Children and youth are more likely to be persuaded or tricked by criminals who take advantage of their emotional instability and missing support system. Once trafficked, the victims fall prey to many forms of unfair treatment such as forced prostitution, forced labour, forced begging, forced marriages etc.

3. The outbreak of COVID-19, starting about mid-March, has put the world under enormous strain and continues to affect the lives of a large number of people. The Government of India has taken various measures to flatten the infection curve. In close consultation and coordination with State/UT Governments, the Central Government has continuously endeavoured to provide guidance to States and UTs on a range of issues through various advisories issued from time to time.

4. For strengthening the law enforcement response against trafficking in persons, the Ministry of Home Affairs has released funds to State Governments from time to time for setting up Anti Human Trafficking Units



(AHTUs) in 50% Police Districts of States. An amount of Rs. 25.16 crore was released to States during the period 2010 to 2019 for setting up AHTUs in 332 Districts. **Recently, a decision was taken to establish AHTUs in all Districts of States and UTs** and also establish AHTUs under the border guarding forces such as BSF and SSB in border areas to check and curb transnational trafficking. Rs. 100 crore were allocated from Nirbhaya Fund for setting up new AHTUs and for strengthening existing AHTUs, covering all districts of States/UTs. Funds have been released to States and UTs in March, 2020. Guidelines for setting up new AHTUs and upgrading the existing AHTUs were also issued to all States and UTs. **It is expected that the States/UTs would have initiated necessary action to set up and upgrade AHTUs in all Districts of States/UTs.**

5. To recapitulate the scheme of AHTUs, it may be noted that AHTUs are integrated task forces to prevent and combat trafficking in persons and comprise of a group of trained sensitive officials of Police, Women and Child Welfare Department and other relevant Departments of the State. AHTUs function as coherent units to prevent and combat trafficking. The objectives and responsibilities of AHTUs include, taking up the crusade against all criminal aspects of the crime of human trafficking; ensuring focused attention in dealing with offences of human trafficking; conducting rescue operations whenever they receive information about trafficking activities either from police sources, NGOs or civil society; ensuring a victim-centric approach; functioning as the grass root unit for collection and development of an exhaustive database on all law enforcement aspects of the crime, including information on traffickers and trafficking gangs etc. While the Central Government has provided financial assistance for setting up physical infrastructure in these Units, it is the responsibility of States to depute suitable manpower to manage these Units.

6. **States/UTs are advised to immediately set up new AHTUs and upgrade the infrastructure of existing AHTUs** in all Districts of their State/UT with the financial assistance provided by the Central Government and **make these Units functional on most urgent basis.** Suitable officers of Police and other Departments of the State/UT, especially from Women and Child Welfare Department, Labour Department, Social Welfare Department, Health and any other Department or agency of the State, considered appropriate by the State/UT, may be nominated without delay. Immediate instructions are required to be issued to these AHTUs to take proactive action in preventing human trafficking. **Labour Department of States** need to play a significant role at the present juncture and needs to pool all its resources to address the situation of exploitation of vulnerable people.

7. The following measures may be followed in all States and UTs, in close coordination and cooperation with neighbouring State authorities as well, where considered necessary:



(i) **State Governments should immediately evolve a coordination mechanism** among various departments in the States and UTs (Home Department, Police, Labour Department Social Welfare Department, Women and Child Welfare Department, Juvenile Justice Boards, Child Welfare Committees, Health Department, Railways and border guarding agencies like BSF, SSB, etc.) to handle issues of human trafficking. **This mechanism may be monitored at the highest level in the State/UT.** Periodic reviews should be held with all stakeholders and appropriate guidelines may be issued to them.

(ii) **Generation of Awareness at all levels** is considered a very potent and effective weapon to fight the crime of human trafficking and exploitation of women and children. Therefore, special awareness generation campaigns may be organised by the District Administration to spread awareness at all levels, Panchayat, Taluka, Districts, every nook and corner of the State to protect vulnerable sections of society. **Making the community aware** of the perils of falling in the hands of unscrupulous persons who try to dupe them with promises of better life is of vital importance. Media plays a critical role in the spread of information. States and UTs may strengthen their digital and online channels and **generate awareness by all means of communication** viz. radio, television, newspapers, mobile phones and other publicity mediums. Ensure translation and audio-visualization of messaging and communication materials and other information into languages and formats commonly spoken and easily understood by all children and youth on the move.

(iii) **Community awareness programmes** on the issue of missing children and its links with human trafficking should be undertaken by the District Administration. Periodic interface should be organised with Public and Safety Awareness Campaign should be conducted in vulnerable areas, jointly by the district administration.

(iv) The law enforcement agencies may **engage with representatives of local Panchayats, community leaders, Village Watch and Ward, Municipal Committees/Neighbourhood Committees/ Resident Welfare Associations** etc. This will enable the community to get involved with the administration/police in identification, tracing and recovery of missing and trafficked persons.

(v) Because children can be transported on a large scale for wage labour, prostitution and trafficking, **Panchayats may be asked to maintain a register** of complete information about the persons living in the village and keep track of their movement.

(vi) Specific 'intelligence' and 'surveillance' mechanism to identify gangs, gather information about its history, affiliations, modus operandi to deceive people, activities of gang members, links with others, etc should be worked out by the Police Department. They may be appropriately sensitised about

this. Local police should keep a close watch on known criminals and traffickers.

(vii) Police Officers should be advised to undertake preventive steps such as identification of children in distress, watching out for suspicious persons, keeping special vigil at transit points, viz. Railway Stations, Bus Depots, Airports, Seaports, Border areas etc., and identify vulnerable population and susceptible pockets in the State etc.

(viii) Police personnel in outposts on borders should be trained to look-out for trafficked children on the borders. They should be sensitized to question and detect unaccompanied minors/children or accompanying adults with suspicious behaviours during checking of vehicles/public transport. Railway and Transport Department personnel may be associated with the crime meetings conducted by AHTUs from time to time as **keeping a watch on suspicious movement of people from one place to another can play a crucial role in checking this crime.**

(ix) Child helpline numbers, emergency response number 112 etc. should be displayed in public places to keep a check on human trafficking. Use of 112 Emergency Response Support System may be widely publicised to provide quick response.

(x) Police force should **make full use of CCTNS and CriMAC application** launched by the National Crime Records Bureau in March this year, which facilitates dissemination of information about significant crimes including human trafficking cases across the country on real time basis. These portals can help in locating and identifying the trafficked victims as also in prevention, detection and investigation of crimes. **Police officers at all levels may be sensitised about this.**

(xi) Police officers, especially those handling cases of human trafficking, **should be trained and sensitized at regular intervals.** It should focus on imparting knowledge of the substantial and procedural laws, court rulings, administrative procedures, skills in child friendly investigation, including interviewing, interrogation, scientific data collection, presentation in the court of law, networking with the prosecutors, facilitating victims/witness protection programmes etc.

(xii) It may be ensured that **shelters for destitute women and children in need remain open and additional facilities are made available** for women and girls; virtual and/or telephone counselling services should be provided and appropriate measures should be taken to ensure privacy for women and girls.

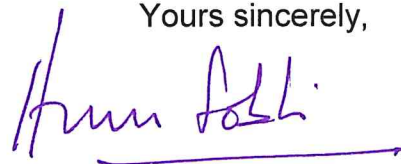
8. The aforementioned measures are indicative and illustrative in nature. States and UTs may devise, develop and implement further strategies to counter and curb the crime of trafficking in their jurisdictions and provide relief to such victims on top priority basis. Officials at all levels may be suitably



briefed and provided guidelines in their regional/local language for better understanding and implementation of the instructions. This Ministry may be kept informed of the measures introduced in respective jurisdictions which can be emulated and adopted by other States as well.

9. **States and UTs are requested to issue suitable instructions to all concerned in the State and sensitise officers at all levels to combat this serious and deplorable crime of human trafficking and prevent victimisation of vulnerable persons, especially women, children and youth.**

Yours sincerely,



**(Arun Sobti)**  
**Deputy Secretary (PR & ATC)**  
**Tele: 2307 5297**  
**Email: [dspr.atc@mha.gov.in](mailto:dspr.atc@mha.gov.in)**

**Copy, for information and action as necessary, to:**

1. Secretary, Ministry of Women and Child Development, Shastri Bhawan, New Delhi.
2. Secretary, Ministry of Labour & Employment, Shram Shakti Bhawan, New Delhi.
3. Ministry of External Affairs, Protector of Emigrants, Akbar Bhawan, New Delhi.
4. Director General, Border Security Force, BSF HQr, Block No. 10, CGO Complex, Lodhi Road, New Delhi.
5. Director General, SSB, Force Head Quarters, East Block-V, R.K. Puram, New Delhi-110066.
6. Chairman, Railway Board, Rail Bhawan, New Delhi.
7. Principal Secretary/Secretary (Home) of all State Governments and UTs.
8. Nodal Officers for Anti Human Trafficking Units in all States and UTs.

F. No. 15011/190/2020-SC/ST-W

Government of India  
Ministry of Home Affairs  
(Women Safety Division)

2<sup>nd</sup> Floor, MDC National Stadium,  
New Delhi – 110001,

Date: 9<sup>th</sup> October, 2020.

To,

Chief Secretaries/ Advisors to Administrators  
(All States and UTs)

**Subject: Mandatory action by police in cases of crime against women - reg.**

- Reference:**
- (i) MHA advisory dated 16<sup>th</sup> May, 2019 on a "Failure to record information under sub-section (1) of Section 154 of Cr.P.C. punishable under Section 166A of IPC".
  - (ii) MHA advisory dated 05<sup>th</sup> December, 2019 regarding timely and pro-active action by police in cases of crimes against women.
  - (iii) Standard Operating Procedure (SOP) for Investigation and Prosecution of Rape against Women issued by BPR&D
  - (iv) Distribution of Sexual Assault Evidence Collection Kits to States/UTs by BPRD, and MHA letter dated 5 October 2020

**Sir/Madam,**

I am directed to refer to the above mentioned subject and references and to state that Government of India has taken steps to strengthen legislative provisions to deal with incidents of sexual offences against women and girls. Government of India has also issued various advisories to the States/ Union Territories from time-to-time emphasizing the strict actions to be taken by the police in cases of crime against women, including in cases of sexual assault which includes registration of FIR, collection of evidence for forensic examination and use of Sexual Assault Evidence Collection (SAEC) Kit, completion of investigation in sexual assault cases in two months, use of National Database on Sexual Offenders for identifying and tracking repeat sexual offenders etc. Copies of these advisories are enclosed.

2. It is again brought to your attention that criminal laws relating to sexual offences against women provide, inter-alia, for the following actions to be taken by the Police in such cases:

- (i) Compulsory registration of FIR in case of cognizable offence under sub-section (1) of section 154 of the Code of Criminal Procedure, 1973 (CrPC). The law also enables the police to register FIR or a "Zero FIR" (in case the crime is committed outside the jurisdiction of police station) in the event of receipt of



information on commission of a cognizable offence, which includes cases of sexual assault on women.

(ii) Section 166 A(c) of the Indian Penal Code 1860 (IPC) provides for punishment to a public servant for failure to record FIR in relation to cognizable offences punishable under section 326A, Section 326B, Section 354, Section 354B, Section 370, Section 370A, Section 376, Section 376A, Section 376AB, Section 376B, Section 376C, Section 376D, Section 376DA, Section 376DB, Section 376E or Section 509 in IPC.

(iii) Section 173 of CrPC provides for completion of police investigation in relation to rape in two months. In order to facilitate the State police to monitor compliance, in this regard MHA has provided an online portal called Investigation Tracking System for Sexual Offences (ITSSO) for monitoring the same. This is available exclusively to law enforcement officers.

(iv) Section 164-A of CrPC provides that in rape/sexual assault investigation the victim shall be got examined by a registered medical practitioner under consent within twenty-four hours from the time of receiving the information relating to the commission of such offence.

(v) Section 32 (1) of the Indian Evidence Act, 1872, provides that the statement, written or verbal, by a person who is dead shall be treated as relevant fact in the investigation when the statement is made by a person as to the cause of his death, or as to any of the circumstances of the transaction which resulted in his death. Hon'ble Supreme Court in its order dated 7<sup>th</sup> January 2020, in the matter of Criminal Appeal Nos. 194-195 of 2012 in the case of Purshottam Chopra & Anr. v. State (Govt. of NCT Delhi), directed that a particular statement, when being offered as dying declaration and satisfies all the requirements of judicial scrutiny, cannot be discarded merely because it has not been recorded by a Magistrate or that the police officer did not obtain attestation by any person present at the time of making of the statement.

(vi). The Directorate of Forensic Science Services (DFSS) under the MHA has issued Guidelines for collection, preservation & transportation of forensic evidence in sexual assault cases for Investigation Officers and Medical Officers. In order to facilitate the State Police, Bureau of Police Research and Development (BPR&D) has issued Sexual Assault Evidence Collection (SAEC) Kits to every State/UT. It is necessary to use these SAEC kits in every case of sexual assault reported. MHA advisory dated 5<sup>th</sup> October 2020 in this matter may be referred. BPR&D and LNIN National Institute of Criminology and Forensic Sciences (NICFS) have been regularly conducting Training and Training of Trainers (ToT) programmes on procedure for collection, preservation and handling of forensic evidence for Police/Prosecutors and Medical Officers respectively.

3. However, even with stringent provisions in law and several capacity building measures undertaken, any failure of police to adhere to these mandatory



requirements may not augur well for the delivery of criminal justice in the country, especially in context of women safety. Such lapses, if noticed, need to be investigated into and stringent action taken immediately against the concerned officers responsible for the same.

4. It is requested that States/ UTs, may suitably issue instructions to all concerned to ensure strict compliance with the provisions in the law, as mentioned above. It is also requested to monitor the cases on ITSSO to ensure that suitable follow up action is taken for charge-sheet of the guilty in a timely manner as required in the law.

Encl: as above

Yours faithfully,



**(Pawan Mehta)**

**Deputy Secretary to the Govt. of India**

Tel: 011-23075293

Email: [pawan.mehta69@gov.in](mailto:pawan.mehta69@gov.in)

**Copy to:**

1. DsGP/IsGP (all States and UTs).
2. Principal Secretary/ Secretary, Home Department (All States & UTs),
3. Commissioner of Police, Delhi.

**No. 15011/75/2019-SC/ST-W**  
**Government of India**  
**Ministry of Home Affairs**  
**(WS Division)**

\*\*\*\*

114-B, North Block,  
New Delhi – 110 001.

16<sup>th</sup> May, 2019

To

**The Addl. Chief Secretary / Principal Secretary / Secretary, Home Department**  
(All States/UTs)

**Sub: Failure to record information under sub-section (1) of Section 154 of Cr.PC punishable under Section 166A of IPC -reg**

**Reference:** (i) Insertion of section 166A in IPC as part of Criminal Law (Amendment) Act, 2013 dated 2<sup>nd</sup> April 2013  
(ii) MHA advisory No. 15011/35/2013-SC/ST-W dated 10<sup>th</sup> May 2013  
(iii) MHA advisory No. 15011/91/2013-SC/ST-W dated 5<sup>th</sup> February 2014  
(iv) MHA advisory No. 15011/22/2015-SC/ST-W dated 12<sup>th</sup> May 2015  
(v) Amendment in section 173 Code of Criminal Procedure vide the Criminal Law (Amendment) Act 2018

Sir / Madam,

I am directed to refer to the above-mentioned references and state that the Government has been taking steps to strengthen legislative provisions for timely and effective action in cases of cognizable offences committed against women as a measure to increase safety for women in the country.

2. The law enables the police to register FIR or a "Zero" FIR (in case the crime is committed outside the jurisdiction of police station) in the event of receipt of information on commission of a cognizable offence, which includes sexual assault cases on women. Compulsory registration of FIR under sub-section (1) of section 154 of the Code of Criminal Procedure, 1973 is obligatory. Section 166A(c) of IPC provides for punishment to a public servant for failure to record FIR in relation to cognizable offences punishable under section 326A, Section 326B, Section 354, Section 354B, Section 370, Section 370A, Section 376A, Section 376AB, Section 376B, Section 376C, Section 376D, Section 376DA, Section 376DB, Section 376E or Section 509. Section 173 in Code of

Criminal Procedure has been amended in Criminal Law (Amendment) Act 2018 to provide for completion of police investigation in two months in case of rape.

3. However, even with the provisions in law being in place, certain instances reported recently point to the failure of police in some States / UTs to adhere to these legal provisions. This may not auger well for the delivery of criminal justice in the country, especially in context of women safety. In this context, it is requested that States / UTs may suitably reiterate instructions to the police to ensure strict compliance with the provisions in the law with respect to registration of FIR.

4. States / UTs may also consider conducting refresher courses for the police personnel on this issue to increase awareness and compliance.

5. The receipt of this letter may be acknowledged. It is requested that an Action Taken Report in this regard may also be furnished to the Ministry.

Sd/-

**(Punya Salila Srivastava)**  
Joint Secretary to the Government of India  
Tel.No.: 011-23092785  
e-mail: jsws-mha@nic.in

**Copy to:**

Director General of Police / Commissioner of Police  
(All States / UTs)

Sd/-

**(Punya Salila Srivastava)**  
Joint Secretary to the Government of India

**Copy for information to:**

1. PPS to JS (WS), MHA, New Delhi
2. Guard file



**(Sudhir Kumar Gupta)**  
Deputy Secretary to the Govt. of India  
Phone: 23075293



AJAY BHALLA, IAS



गृह सचिव  
Home Secretary  
भारत सरकार  
Government of India  
North Block,  
New Delhi

D.O. No. 1(8)/2018-WS-IV (CCTNS)

05<sup>th</sup> December, 2019

Dear *Chief Secretary,*

I am writing in connection with the unfortunate incidents of heinous sexual offences against women and girls reported recently. Safety of women and girls is a high priority for the Government. While Government has taken steps to strengthen legislative provisions to deal with such offences in a stringent manner, for effective deterrence, it is imperative that the police is easily accessible and is able to deal with any complaint on crime against women in a timely and pro-active manner.

2. Ministry of Home Affairs, vide its advisory No. 15011/75/2019-SC/ST-W dated 16<sup>th</sup> May 2019 (copy enclosed), had requested all States/UTs to ensure strict compliance with the provision in law to file "Zero" FIR in event of a cognizable offence, including sexual assault on women. It had also been re-iterated that failure in this regard by any police official is a punishable offence. States/UTs were also requested to undertake refresher courses for police personnel on this essential aspect. As you may appreciate, it is necessary to ensure that police personnel are much more responsive and sensitive in handling complaints on crimes against women and girls.

3. I would also like to draw your attention to the facility of Investigation Tracking System for Sexual Offences (ITSSO) portal available to the Police in your State/UT. ITSSO enables every State/UT to monitor the completion of investigation in serious sexual offences in the prescribed two-month time period. ITSSO is based on Crime and Criminal Tracking and Networks System (CCTNS) and the utility of this tool has been adequately highlighted to the States/UTs by the Ministry. (Copy of MHA's latest letter of even number dated 22<sup>nd</sup> October, 2019 is enclosed). Needless to state ITSSO has to be used regularly in monitoring the pendency upto police station. Further, data should be updated regularly on CCTNS.

..contd..p/2..



4. Forensic evidence is critical to the delivery of justice. Vide my D.O. No. 25017/14/2018-WS-III dated 10<sup>th</sup> September, 2019 (copy enclosed), all States/UTs were requested to review their capacities, identify gaps, and take action for modernization of their Forensic Science Laboratories through provision of latest forensic equipment and trained manpower, deployment of e-Forensics, and other capacity building activities, ensuring that these laboratories retain operational independence. Bureau of Police Research and Development (BPR&D) and Lok Nayak Jayaprakash Narayan National Institute of Criminology and Forensic Sciences (LNJN NICFS) are regularly conducting training courses for police officials, prosecutors and medical officers on handling of forensic evidence in sexual assault cases. BPR&D is also undertaking courses on sensitivity in investigation of crime against women. States/UTs needs to ensure, at the earliest, that all officials concerned mandatorily undergo training in these courses.

5. The Ministry has also facilitated another tool, i.e. National Database on Sexual Offenders (NDSO) for police in all States/UTs to facilitate better investigation. This tool has database on more than 7 lakh sex offenders and should be used regularly.


6. Ministry is actively following up the implementation of the Emergency Response Support System (ERSS) in all States/UTs. ERSS, as you would all be aware, is an emergency response support system based on a pan-India, single, internationally recognized number i.e. 112, for various emergencies. It has seamless facility for computer aided dispatch of field resources to the person in distress using location services. ERSS is accessible through call, SMS, email and 112 India mobile app. It is operational in 27 States/UTs in the country. I would request the States/UTs, where this service is yet to commence, to ensure that it commences immediately. In other States/UTs where it has commenced, I would request you to expand the services further, as also to undertake an aggressive awareness campaign on 112 immediately, especially amongst women and girls. Ministry has circulated creatives for undertaking such campaign in all States/UTs vide letter number 15011/03/2019-WS dated 26<sup>th</sup> April, 2019 (copy enclosed). These creatives are also available on MHA website.



7. As you may appreciate, these measures are the key to a responsive system and for ensuring effectiveness of criminal justice system. I request your personal intervention in this matter and await an action taken report.

With regards,

Yours sincerely,



(Ajay Bhalla)

Encl: as above

To,  
Shri Chetan B. Sanghi, IAS  
Chief Secretary  
Andaman & Nicobar Administration Secretariat  
Port Blair

No. 15011/75/2019-SC/ST-W  
Government of India  
Ministry of Home Affairs  
(WS Division)  
\*\*\*\*

114-B, North Block,  
New Delhi – 110 001.

16<sup>th</sup> May, 2019

To

The Addl. Chief Secretary / Principal Secretary / Secretary, Home Department  
(All States/UTs)

Sub: Failure to record information under sub-section (1) of Section 154 of Cr.PC  
punishable under Section 166A of IPC -reg

Reference: (i) Insertion of section 166A in IPC as part of Criminal Law (Amendment)  
Act, 2013 dated 2<sup>nd</sup> April 2013  
(ii) MHA advisory No. 15011/35/2013-SC/ST-W dated 10<sup>th</sup> May 2013  
(iii) MHA advisory No. 15011/91/2013-SC/ST-W dated 5<sup>th</sup> February 2014  
(iv) MHA advisory No. 15011/22/2015-SC/ST-W dated 12<sup>th</sup> May 2015  
(v) Amendment in section 173 Code of Criminal Procedure vide the  
Criminal Law (Amendment) Act 2018

Sir / Madam,

I am directed to refer to the above-mentioned references and state that the Government has been taking steps to strengthen legislative provisions for timely and effective action in cases of cognizable offences committed against women as a measure to increase safety for women in the country.

2. The law enables the police to register FIR or a "Zero" FIR (in case the crime is committed outside the jurisdiction of police station) in the event of receipt of information on commission of a cognizable offence, which includes sexual assault cases on women. Compulsory registration of FIR under sub-section (1) of section 154 of the Code of Criminal Procedure, 1973 is obligatory. Section 166A(c) of IPC provides for punishment to a public servant for failure to record FIR in relation to cognizable offences punishable under section 326A, Section 326B, Section 354, Section 354B, Section 370, Section 370A, Section 376A, Section 376AB, Section 376B, Section 376C, Section 376D, Section 376DA, Section 376DB, Section 376E or Section 509. Section 173 in Code of



Criminal Procedure has been amended in Criminal Law (Amendment) Act 2018 to provide for completion of police investigation in two months in case of rape.

3. However, even with the provisions in law being in place, certain instances reported recently point to the failure of police in some States / UTs to adhere to these legal provisions. This may not auger well for the delivery of criminal justice in the country, especially in context of women safety. In this context, it is requested that States / UTs may suitably reiterate instructions to the police to ensure strict compliance with the provisions in the law with respect to registration of FIR.

4. States / UTs may also consider conducting refresher courses for the police personnel on this issue to increase awareness and compliance.

5. The receipt of this letter may be acknowledged. It is requested that an Action Taken Report in this regard may also be furnished to the Ministry.

Sd/-

**(Punya Salila Srivastava)**

Joint Secretary to the Government of India

Tel.No.: 011-23092785

e-mail: jsws-mha@nic.in

Copy to:

Director General of Police / Commissioner of Police  
(All States / UTs)


Sd/-

**(Punya Salila Srivastava)**

Joint Secretary to the Government of India

Copy for information to:

1. PPS to JS (WS), MHA, New Delhi
2. Guard file

  
14-2-19

**(Sudhir Kumar Gupta)**

Deputy Secretary to the Govt. of India

Phone: 23075293



15011/22/2015 – SC/ST – W

GOVERNMENT OF INDIA  
Ministry of Home Affairs  
(CENTRE-STATES DIVISION)

\*\*\*\*\*

New Delhi, the 12<sup>th</sup> May, 2015

To

- 1) Chief Secretaries of all State Governments including GNCTD
- 2) Administrators of DD, DNH, A&N, Lakshadweep

Sub.: Advisory on comprehensive approach towards crimes against women

Sir/Madam,

The Ministry of Home Affairs has been issuing advisories from time to time with a view to help the States/UTs to evolve a comprehensive criminal justice system, especially with regard to crimes against women. These advisories primarily enumerate the action points arising out of different directives issued by various constitutional authorities. However, with the passage of time, it has been felt that a holistic approach is needed to deal with situations prevailing on the ground more effectively. With this in view, it has been considered appropriate to suggest the following affirmative measures that the States/UTs may take immediately to reinforce their criminal justice system:

(A) REGISTRATION OF CRIMES AGAINST WOMEN

- (i) All out measures need to be taken to encourage registration of crimes by the citizens.
- (ii) It must be ensured that the complainant / good Samaritan / Citizen must not face any harassment from any State / Public / Private agency on account of helping the women in distress
- (iii) The Police shall register an FIR upon receipt of information of the commission of a cognizable offence. If at the time of registration of FIR, it becomes apparent that the crime was committed outside the jurisdiction of the Police



station, the Police should be appropriately instructed to register 'Zero FIR' and ensure that the FIR is transferred to the concerned Police station u/s 170 of the Cr. P.C.

- (iv) Through the Criminal Law Amendment Act 2013, Section 166A of the IPC has been inserted, which states that if the Public Servant fails to record any information given to him under sub-section (1) of the Section 154 of the Code of Criminal Procedure 1973 (2 of 1974), in relation to cognizable offence punishable under Section 326A, Section 326B, Section 354, Section 354B, Section 370, Section 370A, Section 376A, Section 376B, Section 376C, Section 376D, Section 376E or Section 509 shall be punished with rigorous imprisonment for a term which shall not be less than six months but which may extend to two years, and shall also be liable to fine. Extensive training programme especially to law enforcement personnel needs to be undertaken to raise awareness and sensitivity to this punitive legal provision.

**(B) INCREASING REPRESENTATION OF WOMEN IN POLICE**

The Ministry of Home Affairs had issued an advisory on 22<sup>nd</sup> April 2013 and another on 26<sup>th</sup> August, 2014 whereby the States / UTs were requested to raise the women representation in Police to 33%. However, it is a matter of concern that not much has been done in this regard, except for a few States. The Government of India has now approved reservation of 33% for women horizontally and in each category (SC, ST, OBC and others) in direct recruitment in non-Gazetted posts from Constable to Sub-Inspector in the Police forces of all the Union Territories including Delhi police and directed all the Union Territory Administrations to make enabling provisions in the relevant Recruitment Rules. The States are requested to take similar steps to increase women's representation in the Police Force.

**(C) SOME WOMEN SPECIFIC MEASURES THAT NEED TO BE ADOPTED**

- (i) Increase the no. of beat constables, especially on crime-sensitive roads;
- (ii) Increase the number of police help booths/kiosks, especially in remote and lonely stretches;
- (iii) Increase police patrolling, especially during the night;



- (iv) Increase the number of women police officers in the mobile police vans;
- (v) Increase public telephone booths for easy access to police;
- (vi) Proper lighting of roads, streets and other lonely stretches;
- (vii) Intensive patrolling in the affected areas, especially in the locality of the weaker sections. Periodic visits by senior officers including the DM & SP will create a sense of safety and security among the people;
- (viii) The sensitive routes taken by women employees during night shifts may be identified and patrolled;
- (ix) Proper verification of drivers / conductors of public vehicles to filter out criminal elements;
- (x) General Public / NGOs may be encouraged to participate in matters of women security;
- (xi) Self defence Training for women may be encouraged by Police.

**(D) INCREASING GENDER SENSITIVITY IN POLICE**

- (i) Training programmes on gender sensitization for all levels of police personnel must be organized at regular intervals.
- (ii) Mention of gender sensitivity in the Annual Performance Appraisal Report (APAR) should be included to ascertain the conduct of police personnel.
- (iii) Attitude of police personnel towards women should be considered for their posting or promotions.
- (iv) A gender-sensitivity index may be developed and applied appropriately while taking decisions on posting of police officers in the field
- (v) Specific observations about gender-related measures should be included in the inspection notes of Police Stations.
- (vi) Strict action should be taken against police personnel, who exhibit discourtesy or bias against women or neglect their supervisory responsibilities in this regard.



(E) **STRENGTHENING OF INVESTIGATIVE APPARATUS ON CRIMES AGAINST WOMEN**

There is an urgent need for specialized investigative apparatus on crimes against women. The Criminal Law (Amendment) Act 2013 has several provisions which are to be exclusively handled by women police personnel in case of crimes against women. This has necessitated setting up of specialized investigative units on crimes against women.

(F) **MAINTAINING DATABASE OF CRIMINALS HAVING HISTORY OF SEXUAL CRIMES**

The Delhi Police is maintaining the record of criminals involved in rape, molestations and eve-teasing in Delhi. The States are requested to maintain similar databases on criminals having history of sexual crimes to aid the investigation and verification. The States should immediately implement the Crime and Criminal Tracking Network System (CCTNS) project, which has a module on database of offenders.

(G) **ADHERENCE TO NEWLY ENACTED LEGISLATIONS AND HON'BLE SUPREME COURT'S GUIDELINES**

It is alleged that even after enactment of crimes against women specific legislation i.e. Criminal Law (Amendment) Act 2013; cases are not being registered under appropriate sections of IPC leading to suppression of heinous crimes and misrepresentation in crime data. Proper sensitization of lower level functionaries is needed to make optimum use of existing legislations.

It has also been observed that even after the order of the Hon'ble Supreme Court, in some cases the compensation paid to the victims of acid attacks is less than Rs. 3.00 lakh. Similarly, the direction for mandatory registration of FIR in case of missing children is also reported to be violated in some cases. These deficiencies need to be rectified immediately to avoid contempt of court proceedings.



(H)

#### SPEEDY TRIAL OF CASES

The success of criminal justice system rests on swift trial and conviction. However, unfortunately the data of National Crime Records Bureau (NCRB) from 2011-13; reveal that even after investigation was completed in 60% (approx) of the cases, only in 16% (approx) cases, trials are completed and out of which only about 4% are convicted in cases of rape. A similar pattern is noticed in other types of crimes also. This is a matter of serious concern as it is severely eroding the deterrent value of punishment and emboldening the potential offenders. Hence the States are requested to expedite setting up of Fast Track Courts and strengthen the prosecution wing to conclude the trial speedily in cases of crimes against women.

This issue was also incorporated in the Criminal Law (Amendment) Act 2013 through amendments in Section 309 of Cr. P.C., wherein it was suggested that *when the inquiry or trial relates to an offence under Section 376, 376A-D of the Indian Penal Code (IPC), the inquiry or trial shall, as far as possible be completed within a period of two months from the date of filing of the charge sheet.*

(I)

#### LACK OF FORENSIC LABORATORIES

The lack of quality forensic facilities for aiding the investigation is also a matter of serious concern. As per inputs received from Police and other investigating agencies, the inadequacy of Forensic Laboratories is a major detriment in making a watertight case. Most of the time, the pendency of cases in Forensic Laboratories and availability of expert forensic help are major bottlenecks. The States are requested to expedite setting up of new Forensic Laboratories in adequate numbers to aid speedy investigation

(J)

#### SOCIAL CONNOTATION OF CRIMES AGAINST WOMEN

From the National Crime Records Bureau (NCRB), Annual Report 2013, it is revealed that around **94.3% of rape cases are committed by people known to them.** Evidently, this has some serious social connotations as it points out a deep rooted social malady. The Universities should be encouraged to



undertake research on the causes of such criminal psyche and possible solutions besides deterrent punishment through legal trial.

(K) **CREATION OF CYBER-CELL TO TACKLE CYBER CRIMES**

It has also been observed that cases of various forms of cyber-crimes involving women and children are on the rise. In a recent case, Prajwala vs. Uoi, it has been observed that illegal pornographic videos were being freely circulated on internet and social media sites without being noticed by any authority. These types of incidents need serious consideration and internet contents must be checked periodically; and any complaint received in this regard must be acted upon expeditiously. In this endeavor, specialized cyber-crime cells need to be set up.

As per the Constitution of India, the primary responsibility of providing safety, security to the citizens of India lies with the States. A comprehensive and holistic approach needs to be developed to tackle crimes against women in all its forms. The 'Police' is a State subject and hence it is the duty of State Government to modernize the police with respect to societal aspirations, sensitivity, gender and operational needs. The Government of India has already greatly enhanced the State's share of central taxes from 32% to 42%. In view of the same, the States are requested to take immediate and effective measures as enumerated above to contain the rising incidents of crimes against women.

Yours faithfully,

  
(Kumar Atok)

Joint Secretary (Centre-State)

Telefax: 011-23438100

E mail: [jscs@nic.in](mailto:jscs@nic.in)

Copy also for information and necessary action to:

- 1) ACS/Principal Secretary/Secretary (Home) of all States and UTs
- 2) The Director Generals of Police of all States and IGs of all UTs

Ministry of Home Affairs  
(Women Safety Division)

New Delhi, dated 22<sup>nd</sup> Oct 2019

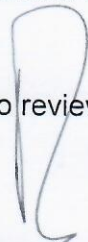
To,  
DGPs /Commissioner of Police  
(All States/Union Territories)

**Subject: Investigation Tracking System for Sexual Offences (ITSSO) reg.**

Sir/Madam,

I am directed to refer to D.O. letter of even number dated 05<sup>th</sup> Sep 2018, 05<sup>th</sup> Dec 2018 and 26<sup>th</sup> April 2019 from Joint Secretary (Women Safety) and forward status on cases registered under section 376 of IPC and section 4 & 6 of POCSO Act from 21.04.2018 till 22.10.2019 (Annexure-I. This information is also available online to the States/UTs.

2. It is requested to issue suitable instructions to officers concerned to review the cases for your State/UT accordingly.

  
(Anil Subramaniam)  
Director (WS)  
Phone: 011-23094483

**Copy to:**

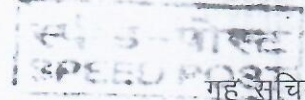
1. CCTNS Nodal Officers of all States/UTs

**Copy for information to:**

1. PS to JS (WS)



AJAY BHALLA, IAS



गृह सचिव  
Home Secretary  
भारत सरकार  
Government of India  
North Block,  
New Delhi

D.O. No.25017/14/2018-WS-III

10<sup>th</sup>September, 2019

Dear Chief Secretary,

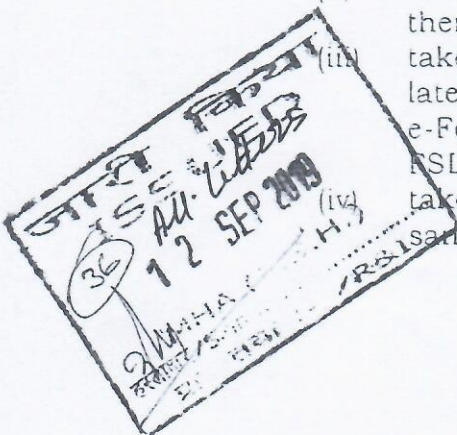
As you are aware, safety of women is a priority for the Government. The Central Government had enacted the Criminal Law (Amendment) Act 2018, which, inter-alia mandates death penalty for offence of rape of women below 12 years of age; and completion of investigation and trials within two months in all rape cases. You would agree that State Forensic Science Laboratories (FSLs) play important role and assist the investigating officer to complete investigation in the specified time frame. Therefore, strengthening of FSLs is critical to the delivery of justice in rape cases as well as in other crimes. Strengthening of FSLs has also been emphasized by the Supreme Court in its various judgments, especially in the context of timely investigation and speedy trials in criminal cases.

2. For augmenting FSLs capacities, the Ministry of Home Affairs (MHA) has provided following assistance:

- (i) Rs.105.90 crore has been provided under the scheme for Modernization of Police Forces in 2019-20 for modernization of FSLs.
- (ii) Rs.131.09 crore has been sanctioned for special projects for strengthening the DNA Analysis Unit, Cyber Forensic Unit and other related activities in FSLs under the Nirbhaya Fund in 13 States/UT for 2018-21.
- (iii) Rs.93.76 crore has already been released to States/UTs for developing Cyber Forensic Laboratories for training and capacity augmentation.

3. Considering the important role being played by FSLs in crime investigation, you are requested to:

- (i) review the capacities of existing FSL facilities in your State/UT;
- (ii) identify gaps in the FSL facilities in your State/UT and address them so as to reduce pendency;
- (iii) take action for modernization of FSLs, including provision of latest forensic equipment and trained manpower, deployment of e-Forensics, and other measures for enhancing capacities of FSLs.
- (iv) take requisite steps to ensure timely utilization of funds sanctioned in this regard by the Central Government.



...contd.p/2..



4. Further, it is equally imperative to ensure that the opinion of forensic experts is seen as unbiased scientific opinion and independent of the controls of investigation agencies. You may be aware that the National Human Rights Commission (Malimath Committee) in its Report "*State-of-the-Art Forensic Science: For better Criminal Justice*", recommended that every State should establish 'Forensic Science Organization' as an autonomous body under the Home Department of the State. In view of the above, you are requested to consider reporting of State FSLs directly to the Home Department in your State/UT. Some States/UTs are already doing it. This will ensure FSLs to maintain their operational independence.

5. May I request you for early and effective action in this regard. Your response would be deeply appreciated.

*With regards,*

Yours sincerely,

To  
Shri Chetan B. Sanghi, IAS  
Chief Secretary  
Andaman & Nicobar Administration Secretariat,  
Port Blair

*27/9/17*  
(Ajay Bhalla)

*OK*



F. No. 15011/03/2019-WS  
Government of India  
Ministry of Home Affairs  
Women Safety Division  
\*\*\*\*

2<sup>nd</sup> Floor, Jaisalmer House  
26, Man Singh Rd, UPSC, New Delhi  
Dated: 26<sup>th</sup> April 2019

To,

Addl Chief Secretary / Principal Secretary / Secretary, Home Department (19 States/UTs as per list)

Sub: Promotion of use of ERSS

I am directed to state that Emergency Response Support System (ERSS), a Pan-India single number-112 based emergency response system for citizens in distress has been operationalized. In order to ensure wide awareness on the ERSS 112 services in the States/UTs among users, MHA has developed 10 creatives which can be used as social media posts, print ads, digital cinema campaign etc for promotion. These may be used by the States/UTs, or may also be translated into local language for greater dissemination. These could be utilized for information dissemination as posters in educational/government institutions, Digital ads in cinema halls, television and Print ads in newspaper/hoardings etc. Open files of the creatives have been sent through e-mail or may be downloaded from: <https://drive.google.com/drive/folders/1hM7dRuhs0YwafprFuAz3r60-SM3MBu-?usp=sharing>. For any further assistance in the issue, Nodal Officers for ERSS may contact Ms. Priya Pal at email [priya.pal@gov.in](mailto:priya.pal@gov.in).

2. It is requested to take all necessary steps to promote the usage of 112 emergency services among citizens.

Encl: As above

Yours faithfully,



(Anil Subramniam)  
Director (Women Safety)  
Email: [anil.sub@nic.in](mailto:anil.sub@nic.in)  
Tel: 011-23094483

Copy To,

1. DGPs in the States/UTs (20 States/UTs as per list)
2. Nodal Officers for ERSS in the States/UTs (20 States/UTs as per list)

**Standard Operating Procedure (SOP)**  
**for Investigation and Prosecution of**  
**Rape against Women**

**An aid to Investigation**

**Prepared by: BPR&D**



# **Standard Operating Procedure (SOP) for Investigation and Prosecution of Rape against Women**

## **Introduction**

The need to issue Standard Operating Procedure (SOP) to investigate sex crimes has been felt in order to improve the quality of investigation and to secure conviction. The instructions herein are to be followed by the supervisory as well as the investigating officers during the investigation.

## **Purpose**

This SOP seeks to provide a complete set of rules and guidelines related to the response of police while dealing with rape cases and to ensure a coordinated and multi-disciplinary approach to sexual offences, in general.

## **Scope**

The scope of the SOP is to familiarize all police officers to know as to what is their mandate in rape cases. It sets out the role and responsibilities of the police.

Incidents of crime against women are a matter of great concern for the government and the society at large. In the wake of gruesome incidents of rape in the country, Crime against Women has attracted a new focus and attention. Free and prompt registration of cases, quality investigation with proper and expeditious prosecution ending in conviction of the offenders shall be a deterrent in combating the menace.

Crime against women, in general, and rape, in particular, need our closest attention. It is necessary to reiterate and re-emphasize the need for prompt and effective investigation and prosecution of rape cases to secure a better conviction rate. Hence this **Standard Operating Procedure (SOP)**.

## Application of SOP

### Range of cases to be covered under the SOP

1. Rape, as in sections 376, 376A, 376AB, 376B, 376C, 376D, 376DA, 376DB, 376E, IPC
2. Penetrative sexual assault and/or aggravated sexual assault on a child, as defined u/s 2(1) (d) under the Protection of Children against Sexual Offences Act (**POCSO**), 2012.

<b>Sl. No.</b>	<b>Proceedings</b>	<b>Suggested time limit</b>
<b>01</b>	<p><b><u>FIR</u></b></p> <ul style="list-style-type: none"><li>● FIR must be recorded in accordance with the provisions of Sec 154 Cr.P.C.</li><li>● FIR shall be recorded by a woman police officer or any woman officer.</li><li>● FIR, being an important document, should be drawn up with greatest care and caution, incorporating all material information/facts which are directly or indirectly connected with the crime or are likely to form important evidence.</li><li>● The victim can lodge the FIR in any police station in any State or District. Subsequently, it can be transferred to the concerned State or police station having jurisdiction for investigation. Audio-Visual and electronic means, including scanning, can be used to transmit the information at the earliest.</li><li>● A copy of such Information as recorded under sub-section (1) of section 154 Cr.P.C. shall be given forthwith, free of cost, to the victim or informant.</li><li>● If there is any delay in recording of such FIR, the reasons for such delay should be explained in the FIR.</li><li>● FIR should be recorded in the regional language, if required, to make it easier for the survivor.</li><li>● As rape cases are Grave/Special Report Cases, investigation shall be monitored by the DCP of the District concerned. Initial Special Reports, etc., shall be issued by a gazetted officer within</li></ul>	Immediately



	<p>72 hours of occurrence. Similarly, in continuation, Special Reports/Progress Reports are required to be issued about the progress of the investigation fortnightly.</p> <ul style="list-style-type: none"> <li>● The DCP/In-charge of the Zone/DistrictSP shall give the investigating officer proper instructions/guidance from time to time in carrying out investigation and collection of evidence.</li> <li>● One copy of FIR should be sent to District Legal Services Authority as per direction in case of Khem Chand &amp;Ors. Vs. State High Court of Delhi.</li> </ul>	
02	<p><b><u>Treatment of victim</u></b></p> <ul style="list-style-type: none"> <li>● The victim of such crime should be treated with honor and sensitivity.</li> <li>● Officer interacting with her (victim) should be extremely courteous. No indecent questions should be put to the victim. Care should be taken to protect dignity and prevent embarrassing situation to the victim.</li> <li>● In case,the victim is not accompanied by any member of her family, the information about such crime should be given immediately to her family.</li> <li>● The identity of the victim should not be made public and due care should be taken not to reveal her identity in print and electronic media. Similar care has to be taken for juveniles and children in conflict with law. However, name and photo of such victim may be used in the case diary for the purpose of re-investigation.</li> </ul>	With care and honor
03	<p><b><u>Where the victim is temporarily or permanently, mentally or physically disabled</u></b></p> <ul style="list-style-type: none"> <li>● If the person against whom an offence is alleged to have been committed or attempted, is temporarily or permanently, mentally or physically, disabled, such information shall be recorded, at the residence of the person seeking to report such offence or at a convenient place of such person's choice, in the presence of an interpreter or a special educator, as the case may be.</li> <li>● The recording of such information shall be video graphed.</li> </ul>	

04	<p><b><u>If victim is of different linguistic background</u></b></p> <ul style="list-style-type: none"> <li>● In case, the victim is of a different linguistic background, statement/FIR must be recorded. An interpreter for the victim with different linguistic background may be provided, during investigation, for recording of statement / FIR.</li> </ul>	
05	<p><b><u>If victim is a minor</u></b></p> <ul style="list-style-type: none"> <li>● In case, where the victim is a minor, consent and presence of parents may be taken at the time of recording of her statement or FIR. If the guardian is not available, consent and presence of a representative of anNGO or a member of the Child Welfare Committee may be taken during recording of the statement or FIR.</li> <li>● I.O. shall wear plain clothes during interview/investigation (as per <b>Section-24(2), POCSO Act</b> )</li> <li>● The Police Officer, while examining the child, shall ensure that at no point of time, the child comes in contact with the accused, in any manner, whatsoever (as per the mandate of <b>Section- 24(3)&amp; 36, POCSO Act r/w Section-273, Cr.P.C.</b>)</li> <li>● Where, the Special Juvenile Police Unit or the local police is notified and circumstances warrant, that the child against whom an offence has been committed, is in need of care and protection, it shall, after recording the reasons in writing, make immediate arrangement, to give him/her such care and protection,including admitting the child into a shelter home or to the nearest hospital, within twenty-four hours of the report, as may be prescribed, as well as carry on investigation to find the legal guardian of the victim, in appropriate cases, as per the facts of the case</li> <li>● The Police Officer shall not detain any child at night in the police station for any reason (as per the requirement of <b>Section-24(4), POCSO Act</b>).</li> <li>● If the victim is a minor and happens to be a victim of incest, s/he should be removed from the custody of the alleged/suspected accused and taken to a child protection shelter and a report notifying the Child Welfare Officer should be sent within 24</li> </ul>	



	<p>hours.</p> <ul style="list-style-type: none"> <li>● In case, the victim does not have a place of abode, she should be shifted to a shelter home.</li> </ul>	
<b>06</b>	<p><b><u>Compliance of Section 157,Cr.P.C.</u></b></p> <ul style="list-style-type: none"> <li>● A copy of the FIR shall be sent immediately to the Magistrate under section 157,Cr.P.C.</li> </ul>	Within 24 hours
<b>07</b>	<p><b><u>Investigation</u></b></p> <p><u>Investigating Officer</u></p> <ul style="list-style-type: none"> <li>● As far as possible, investigation of crime against women shall be conducted by a woman officer. Whenever necessary, investigation team should be formed, consisting of three to four experienced police personnel of whom one should be designated as the Chief I.O.</li> <li>● There should be, at least, one lady officer in the team. Rape case should usually be investigated by a senior and experienced police officer as far as possible, it being a grave offence.</li> </ul>	Promptly
<b>08</b>	<p><b><u>Recording of statement of victim under section 161,Cr.P.C.</u></b></p> <ul style="list-style-type: none"> <li>● While talking to the victim, her mental and emotional state should be observed carefully. Proper account of the incident should be recorded in the language of the victim as early as possible.</li> <li>● The victim should not be called to the police station.</li> <li>● The IO should visit her home in plain clothes and take care to elicit information from the victim in such a manner that she remains calm and composed.</li> <li>● The statement of the victim should be recorded at the residence of the victim or in the place of her choice by a woman police officer in the presence of parents or guardians or a near relative or a social worker of the locality.</li> <li>● In cases under <b>POCSO Act</b>, the presence of parents/guardians of the victim must be allowed at the time of recording of such statements.</li> <li>● In appropriate cases where the victim is from outside the country / abroad or whenever, in the course of any investigation, it appears</li> </ul>	Promptly

	<p>to the investigating officer that the examination of the witness is necessary to meet the ends of justice and such witness cannot be examined without an amount of delay, expense or inconvenience which, under the circumstances of case, would be unreasonable - the I.O., with previous permission of his/her immediate superior officer, can examine such witness through video conferencing and other electronic means.</p> <p><b><u>Videography of statement</u></b></p> <ul style="list-style-type: none"> <li>● If the person making the statement is temporarily or permanently, mentally or physically disabled, or the victim is of different linguistic background, the statement made by a person with the assistance of an interpreter or a special educator, may be video-graphed.</li> </ul>	
09	<p><b><u>Statement of victim under section 164,Cr.P.C.</u></b></p> <ul style="list-style-type: none"> <li>● It shall be the duty of investigating officer/SHO to inform the Judicial Magistrate for recording of statement of the person against whom such an offence has been committed, as soon as the commission of offence is brought to the notice of the police (as mandated under sub-section (5-A) of Section 164,Cr.P.C.</li> <li>● The investigating officer shall take immediate steps to take the victim to any metropolitan / preferably Judicial Magistrate for the purpose of recording her statement under section 164, Cr.P.C.</li> <li>● A copy of the statement under section 164,Cr.P.C. should be handed over to the investigating officer immediately with specific direction that the content of such statement under section 164,Cr.P.C. should not be disclosed to any person till the charge sheet / report under section 173,Cr.P.C. is filed.</li> <li>● The Investigating officer shall record specifically the date and the time at which he learned about the commission of the offence of rape and the date and time at which he took the victim to the Metropolitan/ Judicial Magistrate, as aforesaid.</li> <li>● A copy of the report of medical examination of the victim, if any, should be immediately handed over to the Magistrate who records</li> </ul>	Promptly



	<p>the statement of the victim under section 164,Cr.P.C.</p> <ul style="list-style-type: none"> <li>• In cases of delay exceeding 24 hours in taking the victim to the Magistrate, the Investigating officer should record the reasons for the same in the case diary and hand over a copy of the same to the Magistrate.</li> <li>• In cases under the <b>POCSO Act</b>, 2012, the presence of parents/guardians of the victim must be allowed at the time of recording of such statements according to <b>Section- 26(1), POCSO Act.</b></li> </ul> <p><b><u>Videography of statement</u></b></p> <ul style="list-style-type: none"> <li>• If the person making the statement is temporarily or permanently, mentally or physically disabled, or has a different linguistic background, the statement by the person with the assistance of an interpreter or a special educator, shall be videographed.</li> </ul>	
<b>10</b>	<p><b><u>Dying declaration</u></b></p> <ul style="list-style-type: none"> <li>• Dying declaration may be recorded before a Magistrate or Doctor and, if not possible, it should be videographed under section- 161,Cr.P.C.</li> </ul>	Promptly
<b>11</b>	<p><b><u>Statement of relevant and material witness under section 161,Cr.P.C.</u></b></p> <ul style="list-style-type: none"> <li>• All relevant and material witnesses shall be examined promptly.Especially the witness, who reached the spot of the incident on hearing shouts of the victim, if any, must be examined.</li> <li>• In case, the victim is indisposed/unable to narrate the incident/or a minor who cannot comprehend or is in shock and the state of the victim/survivor leads to their next of kin or any other person registering an FIR on their behalf and/or assisting the victim/survivor in registering the FIR, then the said person must be examined as an independent witness.</li> <li>• Police must investigate the next of kin and suitably make them prosecution witnesses, if they have observed something of evidentiary value.</li> </ul>	Promptly

	<p><b><u>Statement of witness under section 164,Cr.P.C.</u></b></p> <ul style="list-style-type: none"> <li>• In appropriate cases, statements of material witnesses shall be recorded under section 164,Cr.P.C. Especially in cases under the <b>POCSO Act</b>, statements of parents/guardians of victims and informant must be recorded.</li> </ul> <p><b><u>Videography of statement</u></b></p> <ul style="list-style-type: none"> <li>• If the person making the statement is temporarily or permanently, mentally or physically disabled, or is from a different linguistic background, the statement made by the person with the assistance of an interpreter or a special educator, shall be videographed.</li> </ul>	
12	<p><b><u>Bond for presence before the court and giving evidence</u></b></p> <ul style="list-style-type: none"> <li>• The I.O. shall require the complainant, if any, and so many of the persons who appear to such officer, to be acquainted with the facts and circumstances of the case, as he may think necessary to execute a bond to appear before the magistrate as thereby directed and prosecute or give evidence, as the case may be, in the matter of charge against the accused (as per the mandate vide section 170 of the Cr.P.C.).</li> </ul>	As soon as possible after recording statements
13	<p><b><u>Medical examination of victim</u></b></p> <ul style="list-style-type: none"> <li>• Section 164(A),Cr.P.C. imposes an obligation on the part of investigating officer to get the victim of rape medically examined within 24 hours from the time of receiving the information relating to the commission of such offence.</li> <li>• The report of such medical examination should be immediately forwarded to the Magistrate by the I.O., who records the statement of the victim under section 164,Cr.P.C.</li> <li>• The victim as well as the accused person should be sent for medical examination by the I.O. under properly filled in, medical examination sheet. The female victim shall be examined medically, only by a lady doctor or under her supervision.</li> <li>• A Rape victim above 18 years of age can be examined only after obtaining her written consent and, if victim is below 18 years of age (as per the mandate of <b>Section-27, POCSO Act</b>) or</li> </ul>	Within 24 hours



	<p>temporarily / permanently mentally disabled, she can be examined only after a written consent from her parents / Guardians. In appropriate case such consent may be obtained through electronic medium.</p> <ul style="list-style-type: none"> <li>• A copy of the report of such examination shall be furnished by the medical officer, or registered medical practitioner, as the case may be, to the victim or her parents / guardian.</li> </ul>	
14	<p><b><u>Proof of age</u></b></p> <p>In all cases under <b>POCSO Act</b>, where the age of the victim, and cases where the age of the child in conflict with law are material, the following documents/procedure shall be relied upon (<b>Section-34, POCSO Act read along with Juvenile Justice (Care and Protection of Children) Act, 2000.</b>)</p> <ul style="list-style-type: none"> <li>• (i) A date of birth certificate from the school, or matriculation or equivalent certificate from the concerned examination Board, if available; and in the absence thereof,</li> <li>• (ii) Birth certificate given by a corporation or a municipal authority or a Panchayat,</li> <li>• (iii) And only in the absence of (i) and (ii) above, age shall be determined by an ossification test or any other medically proven and improved age determination test.</li> </ul>	During investigation promptly
15	<p><b><u>Collection of evidence</u></b></p> <p><b>Scene of crime</b></p> <ul style="list-style-type: none"> <li>• Inspection and collection of valuable clues from the scene of crime plays a vital role in the successful investigation and prosecution of a case and it shall be the foremost duty of the I.O. to safeguard the scene of crime, so that the available clues are not disturbed.</li> <li>• The scene of crime should be thoroughly inspected clockwise and every effort made to collect as much evidence from the spot as possible.</li> <li>• Scientific Teams must be summoned to lift finger/foot prints and other relevant items, including hair, blood, semen, body fluids, ornaments, etc. found at the spot.</li> </ul>	At once

	<ul style="list-style-type: none"> <li>• The scene of crime should be photographed from all angles.</li> <li>• As the ‘Spot Map’ of the place of occurrence is an important document, it must be drawn properly, indicating distance between the items found at the spot. The position of witnesses, if any, must be shown.</li> <li>• Chain of exhibits and its integrity should be given paramount importance.</li> <li>• If teeth and bite marks have been detected, then the accused should be taken to a dental expert for relevant examination.</li> </ul>	
<b>16</b>	<p><b><u>Electronic evidence</u></b></p> <ul style="list-style-type: none"> <li>• Electronic evidence is available in many forms such as CCTV footage, phone call details, etc., and it would be useful to collect all available electronic evidence. CCTV footage is especially useful and I.O. must collect all CCTV footages, whenever available.</li> <li>• Focus should be on collecting primary evidence. Instead of the footage alone, the hard disk and relevant memory disks should also be collected. For reference on primary and secondary evidence, Section 63 of the Indian Evidence Act should be referred.</li> </ul> <p><b><u>Proof of electronic evidence</u></b></p> <ul style="list-style-type: none"> <li>• Electronic evidence would need to be proven in the manner prescribed under section 65-B of the Indian Evidence Act.</li> </ul>	Promptly
<b>17</b>	<p><b><u>Scientific and chemical examination of exhibits</u></b></p> <ul style="list-style-type: none"> <li>• Exhibits collected/lifted should be properly packed/preserved, sealed and sent to the FSL for chemical analysis as quickly as possible. In sensitive cases, supervisory officers must issue plan of action on the same day of reporting, in the form of advisories.</li> <li>• In appropriate cases, DNA analysis should be done.</li> <li>• Chain of custody of exhibits should be kept safe and intact.</li> </ul>	Promptly
<b>18</b>	<p><b><u>Arrest of the suspect</u></b></p> <ul style="list-style-type: none"> <li>• All efforts should be made to arrest the suspect of the crime promptly.</li> </ul>	Promptly



	<ul style="list-style-type: none"> <li>● If the suspect has concealed himself or is absconding/evading arrest the I.O. shall make a request to the court for issue of a warrant of arrest of the suspect.</li> <li>● If the arrest warrant could not be executed because the person against whom the warrant has been issued has absconded, or is concealing himself, the I.O. shall apply to the relevant court to declare the person a proclaimed offender and move for the attachment of the property of such person, according to section 82 and 83 of the Cr.P.C.</li> </ul> <p><b><u>Complaint for offence under section 174(A) IPC against absconder</u></b></p> <p>If any person, against whom a proclamation under section 82 of Cr.P.C. has been issued, fails to appear at the specified place and the specified time as required by such proclamation, the I.O. should move the concerned court, for offence under section 174(A) IPC.</p> <p><b><u>When suspect is not known to the victim</u></b></p> <ul style="list-style-type: none"> <li>● Description of accused should be ascertained from the victim and a portrait of the suspect should be prepared immediately and circulated.</li> <li>● A 'look-out' message of the accused should be flashed on the wireless.</li> <li>● Local secret/open enquiries should be conducted for the suspect.</li> </ul>	
<p><b>19</b></p>	<p><b><u>Procedure after arrest of suspect</u></b></p> <ul style="list-style-type: none"> <li>● After the suspect is arrested, procedures prescribed under sections 41, 41-A, 41-B, 41-C, 41-D, 46, 49, 50 &amp; 51 of the Cr.P.C. should be followed.</li> <li>● No police officer shall detain in-custody, a person arrested without warrant, for a period longer than the circumstances of the case warrant and, such period shall not, in the absence of a special order of a magistrate under section 167 of Cr.P.C. exceed 24 hours.</li> <li>● Experienced police officers may be taken in the team while interrogating the suspect.</li> </ul>	<p>Promptly</p>

	<ul style="list-style-type: none"> <li>● Rebuttal or corroboration of facts, as alleged by victims, is to be done after carefully examining the whole circumstances and by bearing in mind the possibility of the trauma suffered by the victim.</li> <li>● Suspect should be sent for medical examination along with injury sheet detailing injury, scratches, bruises or nail marks etc. found on his body, as per section 53-A,Cr.P.C.</li> <li>● Personal clothes of the accused, worn at the time of the crime, should be seized and sent to FSL for examination.</li> <li>● The accused should be medically examined to prove his physical capacity for committing the alleged crime.</li> </ul>	
20	<p><b><u>Test identification</u></b></p> <ul style="list-style-type: none"> <li>● When an accused not known to the victim is arrested, he should be sent to judicial custody after due interrogation and medical examination, for Test Identification. The court should be requested to fix an early date for the identification proceedings.</li> <li>● It should be ensured that the face of the accused is covered while he is being taken to the court for production.</li> <li>● If the person identifying the person arrested is mentally or physically disabled, such process of identification shall take place under the supervision of a judicial magistrate, who would take appropriate steps to ensure that the identifier, identifies the accused, using methods, the identifier is comfortable with.</li> </ul> <p><b><u>Videography of Identification</u></b></p> <ul style="list-style-type: none"> <li>● Videography of identification process may be done. If, however, the person identifying the person arrested is mentally or physically disabled, the identification process shall be video-graphed.</li> </ul>	Promptly
21	<p><b><u>Bail application</u></b></p> <ul style="list-style-type: none"> <li>● Bail application shall be opposed with relevant grounds by the prosecution.</li> <li>● If any bail application has been presented by the accused, or on behalf of the accused, before the court, it shall be the duty of the concerned Prosecutor/Investigating officer to inform the victim</li> </ul>	Promptly



	about such application within appropriate time, in order to give her an opportunity to oppose such application, if she, so desires.	
22	<p><b><u>Witness Protection</u></b></p> <p>In all cases, care shall be taken that the victim and her family or any person whom she is interested in, is not threatened or tempted in any manner by the accused or any other person.</p>	
23	<p><b><u>Submission of Charge sheet</u></b></p> <ul style="list-style-type: none"> <li>● All offences against women shall be promptly investigated and charge sheets should be filed in the court of law within sixty days as per section 173 Cr.P.C.</li> <li>● At no point of time, the quality of investigation should be compromised. All such cases, should be automatically supervised by an officer of the rank of Dy.SP, who should associate himself with day to day investigation, including, arrest of the accused. Orders for chargesheet should be issued after due scrutiny to ensure that the investigation and subsequent prosecution does not suffer from any lacuna or omission.</li> <li>● The I.O./SHO shall ensure that all material documents such as medical examination reports, FSL reports, Test Identification, relevant daily diary/ Roznamchasanhasetc, are included with the chargesheet</li> <li>● Views and opinions of the prosecuting officer should be taken before filing of the chargesheet.</li> <li>● Advance copy of the charge sheet should be supplied to the prosecutor.</li> <li>● A copy of the chargesheet should be supplied to the victim or informant, without any cost.</li> <li>● E-Challan should be resorted to.</li> </ul>	Within 60 days
24	<p><b><u>Duty of IO/SHO during trial</u></b></p> <ul style="list-style-type: none"> <li>● An officer, not below the rank of sub-Inspector, ideally the I.O. of the case, should be appointed as Holding I.O., to monitor the progress of the trial of the case. He/She should submit a progress</li> </ul>	

	<p>report on each date of the trial which should be put up to supervisory officers, including the SP.</p> <ul style="list-style-type: none"> <li>● It is the responsibility of the IO to ensure timely production of prosecution witnesses for briefing by the PP/APP. He shall also ensure physical availability of all relevant records and material objects, at the time of the trial.</li> <li>● Service of summons should be monitored to ensure presence of witnesses. Whenever possible, summons should also be issued in the e-format.</li> </ul>	
25	<p><b><u>Rehabilitation of the Victim</u></b></p> <ul style="list-style-type: none"> <li>● Rape victims need help in rehabilitation. Rehabilitation has to take care of each of the four aspects of the victim's state, including physical, mental, psychological and social. In case the victim does not have place of abode, she should be shifted to a shelter home.</li> <li>● The victim is likely to suffer social stigma and possible alienation from the family. Necessary counseling to the victim and family members should be provided.</li> <li>● The victim is entitled to compensation under 'Victim compensation Schemes' run by the State Governments. The victim should be appraised of the provision of the relevant scheme for getting compensation.</li> </ul>	Promptly
26	<p><b><u>Handling of Media</u></b></p> <ul style="list-style-type: none"> <li>● Sex offences attract wide media and public attention. While briefing media about sex crimes, identity of the victim should not be disclosed. Under no circumstances, should the victim be produced before the media. Authorized officers alone, should brief the media.</li> <li>● Any supervisory officer dealing directly or indirectly with the investigation of the case should not divulge any information relating to the investigation of the case/victim (including medical report of the victim etc.) to anyone, including the media.</li> </ul>	



**Government of India  
Ministry of Home Affairs  
(Women Safety Division)**

New Delhi, dated 5<sup>th</sup> October, 2020.

To,  
**ACS/ Principal Secretary/ Secretary  
Home Department  
(All States & UTs)**

**Subject: Sexual Assault Evidence Collection Kits, use in investigation-reg.**

**Madam/ Sir**

I am directed to refer to MHA's letter No.25017/14/2018 WS-III dated 17<sup>th</sup> January, 2019 on the above mentioned subject (copy enclosed) and state that as part of several measures for ensuring timeliness and application of scientific method in investigation, the Directorate of Forensic Science Services (DFSS) Ministry of Home Affairs had notified Guidelines for collection, handling and preservation of forensic evidence in sexual assault cases. Along with this in order to build adequate capacity in Police, Prosecutors and Medical Officers, training is being imparted on the new Guidelines by the Bureau of Police Research & Development (BPR&D), and the LNJNI National Institute of Criminology and Forensic Sciences (LNJNI NICFS). The DFSS has notified specifications for Sexual Assault Evidence Collection (SAEC) Kits and the same have been uploaded on the GeM portal for enabling smooth procurement. Now, additionally, to give further impetus to the States/UTs in use of SAEC Kits at field level, the Ministry has distributed 11130 kits to all States/UTs through BPR&D (State/UT-wise list enclosed). These SAEC kits will facilitate efficient collection, handling and storage of forensic evidences in cases of sexual assault.

2. Considering the fact that in sexual assaults, collection and preservation of evidence from the scene of crime is critical and is inter-alia, important not only for timely and efficient investigation but also conviction, it is requested that necessary directions may be issued that Investigation Officers utilize these Kits mandatorily while investigating cases of sexual assault.

**Yours faithfully,**

**Encl: As above**

  
**(Narender Kumar)**

**Under Secretary to the Government of India  
Tel. No.011 23383868**

**Copy to:**

1. **Director General of Police(All States)/Commissioner of Police (UTs)**
2. **Director, State Forensic Science Laboratory (All States)**

**MOST IMMEDIATE / TIMEBOUND**

**F.No.25017/14/2018-WS-III  
Government of India  
Ministry of Home Affairs  
(Women Safety Division)**

**New Delhi, dated 17<sup>th</sup> January 2019**

To,

- 1. **Principal Secretary/Secretary  
Home Department  
(All States)**
- 2. **Director General of Police  
(All States)**

**Subject: Forensic Action Plan component in State Action Plan under sub-scheme of assistance to States for Modernization of police forces- reg**

**Reference: MHA letter No. 21011/54/2018-PM-I dated 28.09.2018 (copy enclosed)**

Madam/Sir

I am directed to refer to above mentioned reference on the given subject and state that the along with introduction of stringent deterrence in Criminal Law (Amendment) Act 2018, the Government has identified upgradation of DNA analysis, Cyber Forensics and narcotics testing facilities in State Forensic Science Laboratories as a priority area of focus to facilitate and strengthen investigations in a timely manner for better conviction in cases of sexual assault/ cyber-crime. In this regard, MHA in the above mentioned reference dated 28.09.2018 in para 2 (iv) has mentioned that updation of forensic science set up may be given top priority by the States while preparing the State Action Plans for the FY 2019-20 under the sub-scheme of "Assistance to States for Modernization of Police Forces" as part of the umbrella scheme of Modernization of Police Forces.

- 2. I am further directed to state that in order to facilitate the States to prepare their Forensic Action Plan (FAP) under the State Action Plan 2019-20, MHA has prepared an FAP planning format (copy enclosed) which may be duly filled up and furnished by email to the undersigned latest by 24.01.2019 in order to be evaluated and taken up along with the State Action Plan 2019-20.




The same may be also sent as part of the consolidated State Action Plan document being sent to PM Division in MHA.

3. Further, in order to facilitate efficient collection, handling and storage of forensic evidence in cases of sexual assault, MHA has defined standardized specifications for Sexual Assault Evidence Collection Kits (SAECK), and the same are now available on GeM (Government e-Marketplace). While BPR&D would be providing initially few SAECK to each States for training purposes, orientation and to facilitate implementation, States are requested to suitably factor in their requirements for SAECK in the State Action Plan as part of the forensic lab requirements.

4. In case of any clarifications on filing up the format, or on SAECK the undersigned may be contacted.

Encl. as above

Yours faithfully  


**(Anil Subramaniam)**  
**Director (Women Safety)**  
Tel. No. : 01123094483  
[anil.sub@nic.in](mailto:anil.sub@nic.in)  
[director-ws@mha.gov.in](mailto:director-ws@mha.gov.in)

**Copy to:**

- 1. Director, State Forensic Science Laboratory (All States)
- 2. Director-CFS, DFSS, New Delhi (With a request to coordinate with all the State FSLs for assisting them in filing up the formats and obtaining the filled up formats)

**Copy for information to:**

- 1. PPS to JS (PM)
- 2. PPS to JS (WS)
- 3. PM Division

**Status for Despatch of 11130 Nos of SAEC Kits to States/UTs**

<u>Sl.No.</u>	<u>Name of States/UTs</u>	<u>Nos. of SAEC Kits</u>	<u>Addressed to whom</u>
1.	Uttar Pradesh	2964	Dr Archana Tripathi, Office of Law Science Laboratory, Uttar Pradesh, Lucknow - 226006
2.	Bihar	98	Dr Kamal Kishor Singh, Office of Inspector General Weaker Section, Crime Research Department, Bihar, Patna.
3.	West Bengal	367	Shri Ajoy Kumar, IPS, Bhawani Bhawan, 31, Belvedera Road, Alipore, Kolkata - 700027, West Bengal.
4.	Madhya Pradesh	1100	Smt. Laxmi Kusbha, DSP (Training), PHQ Janhgirabad, Bhopal-462008
5.	Rajasthan	1365	Mr. Jai Narayan, IPS, Police Headquarters, Lal kothi, Jaipur- 302015.
6.	Jharkhand	339	Mrs. Sunita Nutan Kashyap, /C Social Crime Branch CID, Jharkhand, Ranchi
7.	Assam	534	Shri Nitul Gogoi, IPS, Deputy Inspector General of Police (MPC), Assam, Guwahat.
8.	Punjab	257	Sh. Gurinder Singh Dhillon, IPS, IGP/Eow/Admin, Bureau of Investigation, Punjab, Chandigarh
9.	Chhatisgarh	379	Mr. H.R. Manhar, Deputy General of Police, Planing & Provision, Police Head Quarter, Nawa Raipur,
10.	Jammu & kashmir	07	Sh Mubassir Latifi, JKPS, Police HQ, J&K, Peerbagh, Srinagar-190004
11.	Uttarakhand	117	Smt. Mamata Vohara, PHQ, 12 Subhash Road, Dehradun-248001
12.	Himachal Pradesh	66	Sh. Khushal Sharma, IPS, Supdt. Of Police (L&O), PHQ Shimla - 171002, HP.
13.	Delhi	396	Ms Geeta Rani Verma, Police Complex, Malviya Nagar, New Delhi-110017
14.	Chandigarh	20	Sh. Charanjit Singh Virk, Women & Child Support Unit, Home Guard Building, Sector 17, Chandigarh.
15.	Maharashtra	767	Sh. Brijesh Singh, Office of the Addl. Director General of Police, Trg. & Spl. Units, Maharashtra, Maharashtra State Police Headquarter, Shaheed Bhagat Singh Marg, Colaba, Mumbai - 400001

16.	Tamil Nadu	192	Smt. V. Shyamala Devi, O/o the director General of Police, Dr. R.K. Salai, Malapore, Chennai- 600004
17.	Karnatka	247	Sh. Alisab, Police Inspector, O/o Superintend of Police Mangalpet Road, Bidar- 585401, Karnataka
18.	Gujrat	418	Mr. S.M. Chaudhary, DySP, Missing Cell C.I. d Crime Gandhinagar, Gujrat
19.	Andhra Pradesh	170	Shri Mallikarjuna Verma, DSP, Sh. Mallikarjuna Verma, DSP, Police Training College, Ananthapuramu, Lakshmi Nagar, Pin Code - 515001
20.	Oddisha	426	Sh. Sarbeswar Sahoo, Office of Supdt. Of Police, CID, Crime Branch, At+PO - Buxibazar, Dist - Cuttack, Odisha, Pin Code- 753001
21.	Telengana	328	Smt Swal Laskra, IPS O/O of DGP, TS, Hyderabad
22.	Kerala	430	Sh. Gugulothu Lakshman, IPS, Inspector General of Police, Police Headquarters, Thiruvananthapuram, Kerala
23.	Tripura	18	Sh. Dilip Ray, Principal, KTDS Police Training Academy, Narsingari, Bimangari, Agartala, Tripura
24.	Meghalaya	27	Sh. Aditya Goenka, IPS, Office of the Director General of Police, Meghalaya, Shillong
25.	Manipur	21	Sh. S. Gautam Singh, IPS, Office of the Superintendent of Police, CID (Special Branch), 1 <sup>st</sup> MR Hospital Complex, Old Lambuland, Opposite Manipur Central Jail, Imphal West Manipur - 795001
26.	Nagaland	02	Sh. Manoj Kumar, IPS, O/o SP (Crime), Police Headquarter Quarter, Nagaland, Kohima
27.	Goa	09	Jaspal Singh, Police Headquarter, Near Aazad Maidan, Panaji, Goa-403001
28.	Arunachal Pradesh	12	Sh. Navdeep Singh Brar, IPS, Superintendent of Police (SIT), PHQ, Itanagar, Arunachal Pradesh
29.	Mizoram	16	Sh. John Neihlaia, IPS, Inspector General of Police (HQs/Intelligence), Police Headquarters, Khatta, Mizoram, Aizawl.
30.	Sikkim	11	Sh. Sonam Tenzing Bhutia, IPS, Police Headquarters, Gangtok, East Sikkim, NH-10, Pin Code- 737101
31.	Puducherry	06	Smt Sundari Nanda, Director General of Police, 1, Duma Street, Puducherry-605001



32.	Daman & Diu	02	Sh. Rajnikant Awadhiya, DANIPS, Nani Daman Police Station, 1 <sup>st</sup> Floor, Opp. D.M.C. Market, Near Taxi Stand, Nani Daman-396210. (Daman)
33.	Dadar & Nagar Haveli	06	Sh. Manasvi Jain, O/o the Dy. Superintendent of Police (HQ), Police Headquarters, Dadra & Nagar Haveli, Silvassa- 396230
34.	Lakshadweep	02	Sh Mayank Bansal, DySP, UT of Lakshadweep, Kavaratty- 682655
35.	Andaman & Nicobar	11	Sh. Ravi Kumar Singh, IPS, Office of the Director General of Police, Police Headquarter, Andaman & Nicobar Islands
	Total	11130	

F. No. 15011/115/2020-SC/ST-W  
Government of India  
Ministry of Home Affairs  
Women Safety Division  
\*\*\*\*\*

2<sup>nd</sup> Floor, MDC National Stadium,  
New Delhi – 110001,  
Date: 13<sup>th</sup> July, 2020.

To,  
Chief Secretaries/ Advisors to Administrators  
(All States and UTs)

Subject: Advisory for protection of senior citizens – Reg.

Reference: (i) Comprehensive advisory dated 30 August, 2013 regarding "Protection of Life and Property of Senior Citizens" issued by MHA.  
(ii) Advisory for protection of senior citizens aged above 60 years issued vide DO No. Secy(SJE)/ SD/ 2020/ 214513 dated 13 April 2020 by Ministry of Social Justice & Empowerment, GOI.  
(iii) Guidelines for phased Re-opening (Unlock 2.0) No. 40-3/2020-DM-I(A) dated 29 June 2020 issued by MHA.

Sir/Madam,

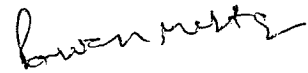
I am directed to refer to the references on the above mentioned subject (copies enclosed) and state that in the context of protection of senior citizens during the current COVID-19 pandemic while ensuring compliance with the guidelines issued by Ministry of Social Justice & Empowerment (at reference (ii) above), the following additional measures that can help address some of the safety and security related concerns of senior citizens may be taken:-

- i. Older persons, especially older women and older persons with disabilities are protected from violence, abuse, neglect and social isolation through community-level interventions assisted through field agencies of State Government.
- ii. Identification of the pockets inhabited by senior citizens;
- iii. Collection of basic demographic data on older persons and their families, including information on their health situation at the community level for need assessment.

- iv. Personal visit to the homes of senior citizens;
  - v. Monitoring and review of cases concerning senior citizens;
  - vi. Prompt attendance of complaint of harassment or deception and other crimes against senior citizens;
  - vii. Facilitation of legal aid for senior citizens;
  - viii. Strengthening community policing programmes with a focus on senior citizens;
  - ix. Generating awareness amongst senior citizens regarding 112 emergency response services and/ or any other helpline that may have been set up. States/ UTs which have operationalized 112 services may ensure that all senior citizens are aware of this facility and its use. Further, senior citizens with smart phones may be encouraged to download and register on 112 India App for effective and expeditious response.
  - x. As it is not advisable for senior citizens to go out, their access to essential goods and services, medicines and health-care facilities etc. may also be paid special attention.
  - xi. Issue of Do's and Don'ts guidelines for senior citizens. The Guidelines issued by Ministry of Social Justice is a ready reckoner.
2. It is requested to issue suitable directions in this regard under intimation to this Ministry.

Encl: as above

Yours faithfully,



(Pawan Mehta)

Deputy Secretary to the Govt. of India

Tel: 011-23075293

Email: [pawan.mehta69@gov.in](mailto:pawan.mehta69@gov.in)

Copy to:

1. DsGP/IsGP (all States and UTs).
2. Principal Secretary/ Secretary, Home Department (All States & UTs),
3. Commissioner of Police, Delhi.



No. 15011/129/2010 (CF-104307) – SC/ST CELL

GOVERNMENT OF INDIA  
MINISTRY OF HOME AFFAIRS  
(CENTRE STATE DIVISION)

New Delhi, the 30<sup>th</sup> August, 2013

To

- 1) The Chief Secretaries of all State Governments/UT Administrations
- 2) Administrator of Dadra Nagar Haveli, Daman & Diu and Lakshadweep

**Subject: Protection of Life and Property of Senior Citizens**

Sir,

An advisory dated 24<sup>th</sup> October 2005 had been previously sent by the Home Ministry regarding the implementation of the National Policy on Old People (NPOP 1999)<sup>1</sup>. The advisory advises States/UTs to ensure that life and property of senior citizens (i.e those beyond 60 years) is fully protected.

2. In recent decades, the supporting mechanisms of the family and the responsibility of the young to look after the elderly have weakened due to underlying societal changes such as emigration of the young, lower fertility levels, increased life expectancy and the appearance of the nuclear family etc. A study conducted by the BPR&D (September 2009) of the four metros showed that there are a number of problems in the manner of providing safety and security to elderly. The revised National Policy on Senior Citizens 2011 (NPSC)<sup>2</sup> has also adopted a fresh approach regarding the issues related to the elderly. A National Conference on Ageing had been organised by the Ministry of Social Justice and Empowerment (MOSJE) on the 6<sup>th</sup>-7<sup>th</sup> November, 2012 in this regard. Based on the deliberations there the Ministry of Social Justice and Empowerment has drawn upon a set of recommendations for a more effective implementation of various programmes for the welfare of the senior citizens.

4. The MOSJE had taken up the enactment of the **Maintenance and Welfare of Parents and Senior Citizens Act, 2007**. The Act envisages that the State Governments shall prescribe a comprehensive action plan for providing protection of life and property of senior citizens [Section 22(2)].

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<sup>1</sup> [http://mha.nic.in/uniquepage.asp?ID\\_PK=466](http://mha.nic.in/uniquepage.asp?ID_PK=466)

<sup>2</sup> <http://socialjustice.nic.in/pdf/dnpsc.pdf>

5. In view of the particular vulnerability of the elderly to crime, special crime control measures for elderly include:

- a) **Review existing Policing Arrangements:** Police set-up of each metro/state headquarter should be urgently reviewed to reorganise it to make it better to face its current and future challenges and to meet the expectations of the people. This will automatically improve security for all including elderly. At present, the police in some of the Police Stations in metro/state headquarter are over stretched. The Police Headquarters should ensure that each Police Station has a Security Scheme for the protection of the elderly in the context of local requirements which should be updated regularly. These should, *inter alia*, provide for patrolling, both during day and night. Police should get extra functional and supervisory staff needed for enforcing the scheme. Police should maintain and regularly update the data base about the elderly and obtain a feedback about security arrangements in force for the elderly. Police personnel should also be given training and re-orientation in dealing with and taking care of elderly. Security and placement agencies should be co-opted and encouraged to provide guards and domestic help having skill for taking care of the elderly. They should be cleared from security angle so that well-to-do senior citizens, who are at greater security risks, can have qualified and reliable personal and security staff. Police should organise special drives for verification of the antecedents of servants, drivers and other domestic help as also of tenants. Each police head quarters and each district police office of the metro/state headquarter should have a Senior Citizen Cell and Toll-Free Help-lines and an interactive Web-Site to enable easy interaction should be available. Enquiries should be held to fix responsibility for lapses whenever serious incidents of crime against elderly take place and suitable remedial measures/ action should be instituted/ taken in the light of the result of these enquires. At the same time, police personnel and members of the public who help in prevention and detection of crime against elderly should be handsomely rewarded/ recognised.
  
- b) **Strengthening Community Policing:** More effective development of police-public relationships is necessary. Issues like registration with police of senior citizens living alone for exercising extra vigilance in relation to them, strengthening of the beat police system, more frequent visits of beat constables, police patrol vans and volunteers from local communities, enrolled as special police officers for those who are living alone or with spouses, foot patrolling both during daytime and night etc. should be taken up. There should be more frequent interaction between the police

and the residents of the area. Police could setup Community Liaison Groups which can organize volunteers to pay regular visits to senior citizens to attend to their emotional needs and to run errands for them. Neighbourhood Watch Schemes can be setup involving RWAs, Senior Citizen's Welfare Associations, Senior Citizen's Neighbourhood Societies which should evolve and enforce neighbourhood watch schemes.

- c) **Engaging the Resident Welfare Associations (RWAs):** Sensitisation of people/RWAs regarding safety measures is necessary. RWAs could play an active role in resolving minor disputes in which senior citizens are involved; they should convince senior citizens to follow police advisories concerning safety and security matters, verification of antecedents of their domestic help and tenants, and registration with police and they should also help senior citizens to organise their own groups for solving their problems mutually. RWAs could arrange for better local area security. They could regulate entry of outsiders including casual workers, vendors and tradesmen in their premises more effectively. RWAs could provide a panel of security verified electricians, plumbers and other tradesmen for service in their premises and have arrangements with registered firms/ placement agencies for providing reliable domestic help to the houses in their premises.
  
- d) **Creation of Self Help Groups:** Mobilisation of members of the public, RWAs, NGOs, youth clubs, and women groups could help senior citizens to organise their own groups/ organisations involving persons from different walks of life like doctors, lawyers, security experts, etc. so that their expertise can be of use to them in solving their problems mutually and for providing emotional support to lonely citizens; and State Governments could partly fund senior citizens groups/ organisations by encouraging setting up of senior citizens organisations.
  
- e) **Need for greater awareness:** There is a need to introduce Literacy Programmes for older persons, which would reduce their vulnerability to exploitation. This would also help in strengthening their knowledge of their rights, access to entitlements and services, capacity to overcome discrimination and ability to resist violence though appropriate Do's and Don'ts. Information and education material (IEC) relevant to the lives and security of older people should be developed and translated in local languages and widely disseminated. School Curricula should include



material that inculcates sensitivity and values, which promote proper attitude for care and respect for elderly and develop skills for giving care and emotional support to elderly and aids the sensitisation of the younger generation.

7. All the States/UTs are advised to consider adopting the measures elucidated above and any additional measure that is required for the effective management of crime against the elderly. An template for the monitoring of the action plan has been provided in the **Annexure** to this advisory for which information may be sent on a quarterly basis. Action taken may kindly be intimated. The receipt of the letter may please be acknowledged.

Yours faithfully,

— Sd —

(S Suresh KUMAR)  
Joint Secretary (CS)  
Telefax: 23438100  
E mail: jscs@nic.in

Copy also for information and necessary action to:

- i. All State Governments and Union Territories Principal Secretary/Secretary (Home)
- ii. The DGs of all State Governments/UTs.
- iii. Director General BPR&D
- iv. Secretary, Ministry of Social Justice and Empowerment

— Sd —

(S. Suresh KUMAR)  
Joint Secretary to Govt. of India

**MONITORING OF ACTION PLAN**  
**FOR SAFETY AND SECURITY OF OLDER PERSONS**

S.No.	Measures (Suggested)	Monitoring Indicators (to be indicated Quaterly)
1.	Identification of crime prone pockets/localities inhabited by older persons	For a list of registered Senior Citizens upto the last date of the quarter. Information may please be given in Format A.
2.	Sensitization workshops for police personnel regarding safety and security of older persons	No. of workshop held by different districts in the quarter may be indicated.
3.	(a) Registering old persons (single or couple) living alone under each police station of identified crime prone area	Police Station wise list of registered Senior Citizens (upto the last date of the quarter) is to be given in Format B.
	(b) Senior Police Officers to periodically inspect the registers related to older persons in police stations to ensure they are regularly updated	No. of inspections done district-wise are as follows:
4.	(a) Regular visits of the beat staff along with a Community / NGO members to the residences of older persons living alone.	No. of visits made under each police station is to be given in Format C.
	(b) Senior Police Officers to also periodically interact with older persons living alone	No. of meetings held district/zone-wise in the last quarter are as follows:
5.	Set up Senior Citizens' Special Cell at State and District Police Headquarters to coordinate and monitor safety and security of older persons	Date of notifications and date f from which functioning started to be given.
6.	Set up 24x7 Senior Citizens' toll free Helpline(s) (DGP to decide number of Helplines required based on population of senior citizens	Toll free no. started and call outcomes could be given.
7.	Establish Community Policing Programmes in areas with high proportion of older persons	Details of the programmes initiated and their activities could be given

S.No.	Measures (Suggested)	Monitoring Indicators (to be indicated Quaterly)
8.	Issue Dos & Don'ts Guidelines for older persons to be followed by them for home security measures, while dealing with salespersons, while going out shopping or walking or to the bank etc and distribute leaflets of guidelines and / or advertise through media.	Police should issue the same and publicise through their web-sites as well as thro' media interaction. Status of issue of 'Do's and Don'ts'.
9.	Organize sensitization programmes for older persons about police helplines, Dos & Don'ts guidelines, legal aid facilities, etc available specially for them.	No. of meetings held district/zone-wise in the last quarter are as follows:
10.	Identification of reputed NGOs experienced in the field and consulting and coordinating with them whenever necessary.	No. of NGOs identified and their activities in the quarter
11.	SHOs to regularly visit old age homes if any, within his jurisdiction to apprise himself of problems being faced by the inhabitants.	No. of visits made to the old age homes (number)
12.	Prompt attendance to complaints by older of harassment, deception etc. and cases of crimes against them.	No. of complaints received, no. disposed, no. referred to other authorities etc.
13.	Senior Police Officers to periodically inspect progress of investigations of cases of complaints by older persons or crimes against them.	No. of inspections done district/zone-wise in the last quarter are as follows:
14.	Establish advisory bodies of prominent senior citizens at State / District level which would periodically interact with the police regarding safety and security of older persons	Date of notification and date(s) of meetings held by the advisory boards









D.O. No.Secy(SJE)/SD/2020/214513

Date: 13.4.2020

Subject: Advisory for protection of senior citizens aged above 60 years.

Dear Chief Secretary,

The Senior Citizens who are aged above 60 years and especially those with medical conditions are particularly susceptible to infections during the COVID times. MSJE alongwith Ministry of Health & Family Welfare and Department of Geriatric Medicine, AIIMS Delhi has prepared an Advisory to be followed by all the senior citizens and their care givers during these times.

I would request that this Advisory is widely publicised in all the districts, in all institutions working for senior citizens and through NGOs who are working in this area.

With regards,



Yours sincerely,

Encl: As above

  
(R. Subrahmanyam)

Chief Secretary of States/UTs



 Ministry of Social Justice and Empowerment, Government of India	 Department of Geriatric Medicine AIIMS, New Delhi
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### Advisory for Senior Citizens during COVID-19

Based on the Census 2011 age-cohort data, it is projected that there would be approximately 16 Crore Senior citizens (aged above 60 yrs) in the Country.

Sr Citizens between age group 60-69 yrs	8.8cr
Sr Citizens between age group 70-79 yrs	6.4cr
Assisted elders (above 80 years or people who require medical assistance)	2.8cr
Indigent elders (destitute who are homeless or deserted by the families)	0.18cr

Senior citizens above the age of 60 years face an increased risk in COVID times. This is an advisory for Senior Citizens and their caregivers on how to protect them from increased health risk during this period.

#### **For whom is this?**

- Aged 60 and above particularly those with following medical conditions
  - Chronic (long-term) respiratory disease, such as asthma, chronic obstructive pulmonary disease (COPD), bronchiectasis, post tuberculous sequelae, interstitial lung disease
  - Chronic heart disease, such as heart failure
  - Chronic kidney disease
  - Chronic liver disease, such as alcoholic, and viral hepatitis
  - Chronic neurologic conditions, such as Parkinson's disease, stroke
  - Diabetes
  - Hypertension
  - Cancer

**Advisory for Senior Citizens who are mobile**

Do's	Don'ts
<ul style="list-style-type: none"> <li>• Stay within the house all the time</li> <li>• Avoid having visitors at home</li> <li>• If meeting is essential, maintain a distance of 1 meter</li> <li>• If living alone, one can consider depending on healthy neighbours for acquiring essentials for home</li> <li>• Avoid small and large gatherings at all cost</li> <li>• Remain actively mobile within the house</li> <li>• consider doing light exercise and yoga at home</li> <li>• Maintain hygiene by washing hands. Especially before having meals and after using the washroom. This can be done by washing hands with soap and water for at least 20 seconds</li> <li>• Clean frequently touched objects such as spectacles</li> <li>• Sneeze and cough into tissue paper/handkerchief. After coughing or sneezing dispose of the tissue paper in a closed bin/wash your handkerchief and hands</li> <li>• Ensure proper nutrition through home cooked fresh hot meals, hydrate frequently and take fresh juices to boost immunity</li> <li>• Take your daily prescribed medicines regularly.</li> <li>• Monitor your health. If you develop fever, cough and/or breathing difficulty or any other health issue, immediately contact nearest health care facility and follow the medical advice</li> <li>• Talk to your family members (not staying with you), relatives, friends via call or video conferencing, take help from family members if needed</li> </ul>	<ul style="list-style-type: none"> <li>• Come in close contact with someone who is displaying symptoms of coronavirus disease (fever/cough/breathing difficulty).</li> <li>• Shake hands or hug your friends and near ones</li> <li>• Go to crowded places like parks, markets and religious places</li> <li>• Cough or sneeze into your bare hands</li> <li>• Touch your eyes, face and nose</li> <li>• self-medicate</li> <li>• Go to hospital for routine checkup or follow up. As far as possible make tele-consultation with your healthcare provider</li> <li>• Invite family members and friends at home</li> </ul>
<ul style="list-style-type: none"> <li>• Due to Summer, avoid dehydration. Consume an adequate amount of water. (Caution for individuals with pre-existing Heart and Kidney disease)</li> </ul>	

**Advisory for caregivers of dependent senior citizens**

Do's	Don'ts
<ul style="list-style-type: none"> <li>• Wash your hands before helping the older individual</li> <li>• Cover nose and mouth adequately using a tissue or cloth while attending on the senior citizen</li> <li>• Clean the surfaces which are frequently used. These include a walking cane, walker, wheel-chair, bedpan etc</li> <li>• Assist the older individual and help her/him in washing hands</li> <li>• Ensure proper food and water intake by senior citizens</li> <li>• Monitor his/her health</li> </ul>	<ul style="list-style-type: none"> <li>• Go near senior citizens if suffering from fever/cough/breathing difficulty</li> <li>• Keep senior citizens completely bed-bound</li> <li>• Touch the Senior Citizen without washing hands</li> </ul> <input type="checkbox"/>
<ul style="list-style-type: none"> <li>• Contact help-line if the older adult has the following symptoms: <ul style="list-style-type: none"> <li>○ Fever, with or without body ache</li> <li>○ New-onset, continuous cough, shortness of breath</li> <li>○ Unusually poor appetite, inability to feed</li> </ul> </li> </ul>	

**Advisory for senior citizens on mental well-being**

Do's	Don'ts
<ul style="list-style-type: none"> <li>• Communicate with relatives at home</li> <li>• Communicate with neighbours, provided social distancing is followed, and gathering of people is avoided</li> <li>• Provide a peaceful environment</li> <li>• Rediscover old hobbies like painting, listening to music, reading</li> <li>• Make sure to access and believe only the most reliable sources of information</li> <li>• Avoid tobacco, alcohol and other drugs to avoid loneliness or boredom</li> <li>• If you have an already existing mental illness, call helpline (08046110007)</li> </ul>	<ul style="list-style-type: none"> <li>• Isolate yourself</li> <li>• Confine oneself in a room</li> <li>• Follow any sensational news or social media posts.</li> <li>• Spread or share any unverified news or information further</li> </ul>
<ul style="list-style-type: none"> <li>• Contact helpline in case of <ul style="list-style-type: none"> <li>○ Change in mental status, such as excessively drowsy during the day, not responding, speaking inappropriately</li> <li>○ New onset of inability to recognise relative which he/she could do before</li> </ul> </li> </ul>	

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AJAY BHALLA, IAS



गृह सचिव  
Home Secretary  
भारत सरकार  
Government of India  
North Block,  
New Delhi

D.O. No. 40-3/2020-DM-1(A)

29<sup>th</sup> June, 2020

Dear *Chief Secretary,*

Kindly refer to Ministry of Home Affairs (MHA)'s Order of even number issued today whereby new guidelines for phased re-opening, Unlock 2, for opening up of more activities in areas outside the Containment Zones have been issued.

2. As stipulated in the Unlock 1 Order and guidelines issued on 30.05.2020, certain activities, i.e., religious places and places of worship for public; hotels, restaurants and other hospitality services; and shopping malls; have been permitted outside the containment zones from Jun 8, 2020, and the detailed standard operating procedures (SOPs) have also been issued. In Unlock 2, which will come into effect from July 1, 2020, the process of phased re-opening of activities has been extended further. Lockdown, however, shall continue to be implemented strictly in the containment zones till 31 July, 2020 with strict perimeter control and strict enforcement of containment measures as per guidelines of the Ministry of Health & Family Welfare (MOHFW).

3. As per the practice, the guidelines on Unlock 2 are based on feedback received from States and UTs, and consultations held with the related Central Ministries and Departments. After extensive consultations, it has been decided that schools, colleges and coaching institutions will remain closed till July 31, 2020. Government training institutions will be opened from July 15, 2020; night curfew will continue with relaxation in timings and with more permitted activities; and shops, depending upon space available, can have more than 5 persons at a time, while maintaining adequate physical distance among customers. Domestic flights and passenger trains have already been allowed in a limited manner. Their operations will be further expanded in a calibrated manner. Further dates for opening up of the remaining prohibited activities will be decided separately, based on the assessment of the situation.

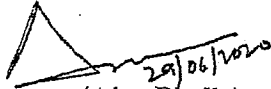
4. As emphasized in my earlier D.O. letters, I would like to reiterate again that States/Union Territories cannot dilute restrictions imposed vide the aforesaid guidelines issued by MHA. States/UTs, based on their assessment of the situation, may prohibit certain activities in areas outside containment zones, or impose such restrictions as deemed necessary. However, there shall be no restriction on inter-State and intra-State movement of persons and goods including those for cross land-border trade under Treaties with neighbouring countries. No separate permission/ approval/ e-permit will be required for such movements.

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5. I would urge you to ensure compliance of the Unlock 2 guidelines and direct all authorities concerned for their strict implementation. Further, guidelines issued by MHA, and consequent Orders issued by the respective State Governments / UT Administrations should be widely disseminated to the field functionaries for implementation and to the public for awareness and compliance.

*With regards,*

Yours sincerely,

  
28/06/2020  
(Ajay Bhalla)

Chief Secretaries of All States  
(As per Standard List attached)

AJAY BHALLA, IAS



गृह सचिव  
Home Secretary  
भारत सरकार  
Government of India  
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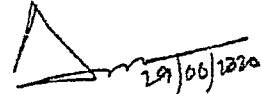
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