

STANDING ORDER NO. 281

Special Police Unit for Women and Children

INTRODUCTION

A special police unit exclusively dealing with the Women and Children issues vis a vis police, is functioning at Nanakpura, New Delhi. SPUWC has two divisions, namely Women Cell & Juvenile Cell. The Women Cell of the unit has a primary function of enquiring and investigation into the complaints of Crime Against Women.

In view of the increasing need to give special consideration to children the charter of the Unit has been further expanded, making it the nodal unit of Delhi Police for co-ordinating issues of children and juveniles both victims as well as offenders and upgrade role of police on all issues pertaining to care and protection of children or juveniles under the Juvenile Justice Act. Primarily engaged in reconciliation and amicable out of court settlement in marital discords has undertaken a variety of activities to help, guide and empower & equip women with facing violence, harassment etc. The role of police officers in the Women Cell is different to the extent that it deals with women complainants and aids in their support and defence, as a protection from the violence, both physical and mental. Thus, keeping in view the extended role the Crime Women Cell has been renamed as “**Special Police Unit for Women and Children**”.

This unit is headed by a Joint Commissioner of Police, assisted by the Deputy Commissioner of Police, Assistant Commissioner of Police and other staff.

FUNCTIONS - ROLE AND RESPONSIBILITIES

Women Cell:

i. Enquires/reconciliation

Pursuant to directions given by the Honb'le High Court of Delhi in case of Chander Bhan Vs State, the Commissioner of Police, Delhi vide Standing Order No. 330/2007 had already issued guidelines for arrest in dowry cases registered under sections 498A/406 IPC and the said guidelines should be followed by the Delhi Police strictly and scrupulously. (i) No case under Section 498-A/406 IPC should be registered without the prior approval of DCP/ Addl.DCP. (ii) Arrest of main accused should be made only after thorough investigation has been conducted and with the prior approval of ACP/DCP. (iii) Arrest of the collateral accused such as father-in-law, mother-in-law, brother-in-law or sister-in-law etc should only be made after prior approval of DCP on file. (b) Police should also depute a well trained and a well

behaved staff in all the Crime Against Women Cells especially the lady officers, all well equipped with the abilities of perseverance, persuasion, patience and forbearance. (c) FIR in such cases should not be registered in a routine manner. (d) The endeavour of the Police should be to scrutinize complaints very carefully and then register FIR. (e) The FIR should be registered only against those persons against whom there are strong allegations of causing any kind of physical or mental cruelty as well as breach of trust. (f) All possible efforts should be made, before recommending registration of any FIR, for reconciliation and in case it is found that there is no possibility of settlement, then necessary steps in the first instance be taken to ensure return of stridhan and dowry articles etc. by the accused party to the complainant.

ii. Mediation (Counselling)

The objective of this mediation cell is to give a platform to warring parties to settle their differences through the intervention of trained mediators. A mediation Cell of the Delhi High Court Legal Services Authority is also running in the CWC premises. The objective of this mediation cell is to give a platform to warring parties to settle their differences through the intervention of trained mediators with an objective of reducing the litigation and offering solutions outside the court. This unit is headed by an Assistant Commissioner of Police and assisted by other officers. Other districts can also refer the cases to this mediation cell by forwarding a copy of complaint with a consent form signed by both the parties giving their willingness for opting for mediation.

iii. Women Helpline

To increase the accessibility of Delhi Police to the women Crimes against Women Cell started a 24 hour women helpline.

iv. Women Empowered:

a. Domestic Violence

Domestic Violence can be addressed by use of criminal provisions on cruelty within marriage (Section 498A) or the Protection of Women from Domestic Violence Act 2005 (PWDVA) which is aimed at providing support and relief to women in all domestic relationships.

b. Safety tips-education/gender sensitization

c. Self-Defence Training

The endeavour of this project was to empower women by teaching them simple self defence techniques so that they need not feel vulnerable in every threatening situation till police help arrives. The self defence Unit is headed by an Assistant Commissioner of Police and assisted by other officers. Periodic in-house programmes are held by this unit and it has an outreach programs in various schools and colleges also.

- d. Women empowerment programme
- v. Trainings/Capacity Building

Pursuant to its mandate on women and children, the **Special Police Unit for Women and Children** has been conducting various training/ workshops to police personnel on

- a. Juvenile Justice Act
- b. Gender sensitization
- c. Domestic Violence Act and role of police
- d. Investigation of cases relating to women victims.

In this endeavour to impart professional training to the police personnel various agencies like DLSA, NCW, DCW, TISS, Jamia University, NIPCCED and other NGOs have come forward with their professional resource persons as well as resources. The purpose is to facilitate understanding of gender and related issues, including gender dimensions of laws relating to women; to build capacity of the police personnel to deal with offences against women; to build investigation skills/ procedures thus making police organization more effective in protecting the human rights/ constitutional rights of the women.

- vi. Registration & investigation of women related offences

Juvenile Section:

- i. The Juvenile Justice Unit aims at ensuring capacity building of the police personnel for the effective implementation of the Act and realization of the Juvenile Justice System in the capital city. The unit organises and coordinates sensitization cum orientation and training programme for police personnel at police station levels and at district level for the SJPU.
- ii. The Juvenile Unit will have monthly meeting with the districts SJPU to coordinate police efforts especially in regards to Children in Need of Care and Protection, to guide and monitor the functioning of the Juvenile welfare officers.
- iii. To coordinate with various govt departments on issues of children.

HELPLINE

- i. Procedure

The helpline number, 1091, is managed by the Police Control Room which receives and manages all calls for police help. A Women Police mobile team headed by a women upper subordinate officer is available round the clock at the

Crimes against Women Cell to attend to distress calls received through the helpline or directly in the Cell. Helpline team will visit to place of occurrence for further necessary action. Women Officer have to submit her enquiry report to concerned officer and the same will be cross checked by the senior officers.

ii. Duties of Helpline Staff

Women Helpline Mobile team consists one upper subordinate women officer & one lower subordinate women officer alongwith PCR Staff. The team works 24 hours in two shifts and their duty hours are 8 AM to 8 PM & 8 PM to 8 AM.

iii. Daily round-up/follow-up action

iv. Weekly/fortnightly review

A weekly and monthly report of received calls and their status report should be produced before senior officers.

RECORD OF ENQUIRIES – RECONCILIATION/MEDIATION PROCEEDING

i. Computerisation

All records pertaining to received complaints and its proceeding are computerised and top authorities can check proceeding done by the E.O.s on their own desk. Old record can be fetched easily.

ii. File maintenance & its retrieval

File kept in Record Room which is supervised by one police officer and records of computerised files are kept in computer server. File can be retrieve only by the permission of DCP/CWC.

RECONCILIATION/COUNSELLING

i. Authorisation/decision

ACP-enquiry takes decision after interviewing complaint.

ii. Procedure to be followed/limit to meeting

E.O. proceedings checked day by day by concerned ACP, once in month by DCP. Time limit to precede a complaint is three months.

iii. Final orders

Final order is taken by DCP/CWC. It could be Closure, settlement, pending Or Registration of case.

MEDIATION

Time limit for disposal of proceedings

Counselling

REGISTRATION OF CASES

- i. Investigation
- ii. Evidence Collection
- iii. Arrest of alleged accused
- iv. Permission of DCP
- v. Charge Sheet & Pros. Compliance

LEVEL OF ENQUIRY OFFICERS & INVESTIGATING OFFICERS

Enquiry officer should be an Inspector

Investigation officer should be a Sub. Inspector.

CONFIDENTIALITY & SECRECY

- i) Weekly/fortnightly review of enquiries by the DCP/CWC.
- ii) Review of pending enquiries.

DURATION OF POSTING IN CWC/PS CWC

DISTRIBUTION OF OTHER DUTIES OF STAFF

NIGHT DUTY ROSTER

WEEKEND DUTY DETAILMENT

MULTI TASKING

DCP/CWC

ENQUIRY – RECONCILIATION PROCEDURE THEREOF

ACsP

- i. ACP/Juvenile
ACP/Juvenile will supervise the matter regarding juvenile related issues, Vigilance, DDO and RTI.
- ii. ACP/Training
ACP/Training will function over the Gender sensitization programmes & Investigation.
- iii. ACP/Enquiries
The roles of ACP/Enquiries as supervise the matter regarding Self Defence Training & Domestic Violence.
- iv. ACP/Co-ordination
ACP/Co-ordination will oversee the matter regarding Crisis Intervention Centres.
- v. ACP/Headquarters
ACP/HQ will supervise administration related matter.
- vi. ACP/Police Station/CWC
ACP/CWC will control the Police Station/CWC and Women Helpline.

GENERAL

POLICE STATION – LOCAL PS - DESK

Crime (Women) Cell Police Station has been set up in the Special Police Unit for Women and Children vide notification F. No.1/16/2007/HP-1/Estt:7607, for the registration and investigation of cases relating to the matrimonial disputes i.e., torture, harassment for the sake of dowry demand and related cases, cases of rape, attempt to rape, molestation, sexual harassment etc. requiring specialized investigation.

Police Station/Crime Women Cell is headed by an officer of the rank of Inspector, who will function as SHO, assisted by two Inspectors, who are Incharge of Women Helpline-1091 and investigation and a number of Sub-Inspectors to attend to complainants/victims,

conduct enquiry into a complaint, counselling and guidance to victims of violence and investigation of cases besides overseeing/ guiding/monitoring the functioning of branches like Malkhana, records, service of summons/warrants, functioning of reporting room and lock up etc.

The officer will work five days a week and will take turns to look after the Police Station on weekends. Thus, while SHO will be responsible for overall functioning of Police Station, she would take off on the week ends, the Police Station will be looked after by the Inspector helpline on one weekend and the Inspector Investigation on the other.

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

Investigation/Regn. of cases – incorporation of guidelines

- i. IO should go through the contents of the complaints/FIR.
- ii. Contact the complainant of the case and record her/his statement u/s 161 Cr.PC.
- iii. The case must be in the jurisdiction.
- iv. Proof of residence of the complainant must be obtained and placed on the file.
- v. The proof of marriage be obtained and placed on the file i.e. marriage certificate, marriage invitation card, photographs & VCD etc.
- vi. In case no such proof is available, statements of Priest/Qazi/Pandit, mediator of the marriage, parents, relatives, independent witnesses who attended the marriage, owner of Banquet/party hall, photographer, tent house contractor, Halwai etc. be recorded and placed on file and such person/persons be cited as PWs.
- vii. List of dowry articles given at the time of marriage be obtained. Bill/cash memos in support of the said articles be procured and placed on file. Statements of jewellers/furniture/household retailers be recorded and they be cited as PWs.
- viii. In cases where the complainant claim huge amount spent on the marriage ceremony the source of money be verified whether the money was withdraw

from bank or lend by some relative, if so, their statements be recorded and they be cited as PWs.

- ix. Collect the birth certificate/school certificate of child/children, if any, out of the wedlock.
- x. The evidences regarding torture/harassment be brought on record. Statements of the witnesses are recorded u/s 161 Cr. PC.
- xi. If there is any medical certificate w.e.t. torture/physical harassment, collect the same & place it on record.
- xii. Collect the telephone call details which the complainant made during the time of the aforesaid harassment & torture.
- xiii. Seize the letters send by the complainant to her parents/relatives regarding the said harassment and demand of dowry.
- xiv. Previous record of the respondent, police complaints, DD Entries, complaints to other agencies i.e. CWC/NHRC/NGO's be placed on record and the concerned persons be cited as PWs.
- xv. Collect the copy of Panchayatnama/agreement if any and place the same on record.
- xvi. If some suit/complaint is pending before any court, collect a copy of the same and place on record along with relevant orders of the court.
- xvii. Evidences regarding desertion/throwing out of the complainant by her husband/in-laws from her matrimonial house be collected and placed on file. Local enquiries be made and statements of the witnesses be recorded u/s 161 CrPC and they be cited as PWs. In case the neighbours are reluctant to give evidence, the gist of enquiry can be entered in the body of the case diary.
- xviii. Collect the evidences regarding extra-marital affairs/unnatural sex if alleged.
- xix. Verify the active role of each person alleged with harassment & cruelty.
- xx. During the course of investigation if any other offence is made out, add the relevant section of law and the same be brought to the knowledge of the seniors.
- xxi. If there is any apprehension that the accused person will leave India, his LOC may be opened.

Instruction regarding arrest/investigation

After collecting sufficient evidences against the accused person, the guidelines of Supreme Court/ High Court and SO No. 330/07 must be followed while arresting a person under the provisions of the law Prior approval of the senior officers must be obtained before arresting the accused person/persons. The arrestee

should be intimated about the grounds of arrest. He/she should be informed about his rights at the time of arrest. It is not necessary that all the accused persons are arrested. When sufficient evidences are not there against the alleged persons, we can keep their names in column number 2 of the report made u/s 173 CrPC.

Steps by IO in such case in chronological order

The IOs must maintain the Guard File according to a specimen proforma.

SUPERVISION/CO-ORDINATION WITH DISTRICT WOMEN/JUVENILE CELL (SJPU)

All the 11 District Women Cells report and maintain close liaison with the Deputy Commissioner of Police and Joint Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi. They shall instantly intimate to (Women) Cell, Nanak Pura, New Delhi regarding the atrocious incidents of violence against women, related to eve teasing, domestic violence, burning, rape and dowry related murder etc. they shall also ensure that the recommendations of registration of cases send by the CWCC Unit are promptly attended by the concerned Police Station.

In selected cases, personnel of District Women Cells will make enquiries into the complaints and take up investigations on the direction of Additional Deputy Commissioner of Police of District. They will furnish periodic progress reports in respect of cases being dealt by them to the Deputy Commissioner of Police, (Women) Cell, Nanak Pura, New Delhi. They will ensure proper enquiry and handling of complaints and investigation as per the established procedure of the CWC, Nanakpura.

Dy. Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi shall hold a monthly meeting with the Additional DCsP/Incharge Special Police Unit for Women and Children for better co-ordination, uniform handling of complaints and case and discussion of important cases as well as over all functioning of District Women Cells.

MODALITIES REGARDING TRANSFER OF COMPLAINTS/CASES

- i) Important registered cases/complaints of crimes committed against women will be referred to the Joint Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi through the concerned Joint Commissioner of Police/Range for transfer.

- ii) The Deputy Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi may suo moto take up any case/complaint for investigation on being satisfied that there are grounds for doing so.

Distt.-Women /Juvenile

Apex/DP - Spl. Units for Women & Child

The endeavour of the **Special Police Unit for Women and Children** is to promote gender equality within as well as outside the force by focusing on issues like harassment including sexual harassment, cruelty, violence, discrimination, female foeticide; in order to create and ensure a safe environment for the women and children in Delhi and to promote community partnership through programs like PARIVARTAN in whole of Delhi with focus on -

- a. anti rape strategy,
- b. anti domestic violence strategy,
- c. victim empowerment programs,
- d. Implementation of JJ Act in its true letter and spirit.

with an aim that the community outreach programs reach all the schools and colleges and the community at large in addition to the police personnel within the force in Delhi for creating awareness about women's legal rights, remedies available, creating self help group at micro levels and increasing interaction with police so that we become easily available and accessible to all women and children in need of care and protection.

Within the organization the goal is to promote zero tolerance to harassment of women and child victims; to have proper SOPs and time bound investigation thus avoiding late referrals to the courts and other departments like forensics; to provide adequate infrastructure and facilities to the women cells to reduce the trauma of the women and child victims through legal, practical, psychological and medical support.

Women Cell

1. Handling Complaint regarding dowry harassment, domestic violence

The **Special Police Unit for Women and Children** has been providing counselling to the victims of domestic violence in addition to offering a single window redressal for the women

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

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

In the case of *Chander Bhan vs, State*¹, the Delhi High Court gave broad guidelines and directions in such matters (498a, 406 of the IPC) in order to salvage and save the institution of marriage and matrimonial homes of the couple. The **guidelines** given below will be followed:

Police Authorities: (a) Pursuant to directions given by the Honb'le High Court of Delhi in case of *Chander Bhan Vs State*, the Commissioner of Police, Delhi vide Standing Order No. 330/2007 had already issued guidelines for arrest in dowry cases registered under sections 498A/406 IPC and the said guidelines should be followed by the Delhi Police strictly and scrupulously. (i) No case under Section 498-A/406 IPC should be registered without the prior approval of DCP/ Addl DCP. (ii) Arrest of main accused should be made only after thorough investigation has been conducted and with the prior approval of ACP/DCP. (iii) Arrest of the collateral accused such as father-in-law, mother-in-law, brother-in-law or sister-in-law etc should only be made after prior approval of DCP on file. (b) police should also depute a well trained and a well behaved staff in all the Crime Against Women Cells especially the lady officers, all well equipped with the abilities of perseverance, persuasion, patience and forbearance. (c) FIR in such cases should not be registered in a routine manner. (d) The endeavour of the Police should be to scrutinize complaints very carefully and then register FIR. (e) The FIR should be registered only against those persons against whom there are strong allegations of causing any kind of physical or mental cruelty as well as breach of trust. (f) All possible efforts should be made, before recommending registration of any FIR, for reconciliation and in case it is found that there is no possibility of settlement, then necessary steps in the first instance be taken to ensure return of stridhan and dowry articles etc. by the accused party to the complainant.

The Complaint Handling Unit is headed by Assistant Commissioner of Police and assisted by Inspectors and Sub-Inspectors of police. The process of complaint handling is.....

2. Crisis Intervention Centres

The need for a multi professional approach to victims of crime has been recognized from the very inception of the **Special Police Unit for Women and Children**. Crisis Intervention Centres have been set up in the districts to assist the women victim of rape or sexual abuse in all the districts of Delhi. This is being supervised by the centralized cell at Nanakpura. As soon as a case of this nature is reported, professional help is provided to the victim be it the psychological, social, medical, legal through these cells with an objective of rehabilitation of the victim and to prevent any secondary victimization in the criminal justice system from the investigation to trial stage. Monthly meeting of all the districts is taken by the DCP/CWC to review the functioning of these Crisis Intervention Centres.

3. Round the Clock Helpline

To increase the accessibility of Delhi Police to the women Crimes against Women Cell started a 24 hour women helpline in the year 2002, that responds to callers in distress. The helpline number, 1091, is managed by the Police Control Room which receives and manages all calls for police help. A Women Police mobile team headed by a women officer is available round the clock at the Crimes against Women Cell to attend to distress calls received through the helpline or directly in the Cell. The staff receives continued training in dealing with distress calls, and are equipped both to initiate criminal action and to provide counselling and other assistance. The team also provides links to emergency support services such as shelters and short stay homes, besides offering on the spot counselling and legal advice in needy

4. Domestic Violence

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

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

5. Self-Defence Training

The endeavour of this project was to empower women by teaching them simple self defence techniques so that they need not feel vulnerable in every threatening situation till police help arrives. The self defence Unit is headed by an Assistant Commissioner of Police and assisted by other officers. Periodic in-house programmes are held by this unit and it has an outreach programs in various schools and colleges also.

6. Training

Pursuant to its mandate on women and children, the **Special Police Unit for Women and Children** has been conducting various training/ workshops to police personnel on

- e. Juvenile Justice Act
- f. Gender sensitization
- g. Domestic Violence Act and role of police
- h. Investigation of cases relating to women victims.

In this endeavour to impart professional training to the police personnel various agencies like DLSA, NCW, DCW, TISS, Jamia University, NIPCCED and other NGOs have come forward with their professional resource persons as well as resources. The purpose is to facilitate understanding of gender and related issues, including gender dimensions of laws relating to women; to build capacity of the police personnel to deal with offences against women; to build investigation skills/ procedures thus making police organization more effective in protecting the human rights/ constitutional rights of the women.

7. Delhi High Court Mediation Cell

A mediation Cell of the Delhi High Court Legal Services Authority is also running in the CWC premises. The objective of this mediation cell is to give a platform to warring parties to settle their differences through the intervention of trained mediators with an objective of reducing the litigation and offering solutions outside the court. This unit is headed by an Assistant Commissioner of Police and assisted by other officers. Other districts can also refer the cases to this mediation cell by forwarding a copy of complaint with a consent form signed by both the parties giving their willingness for opting for mediation.

8. Juvenile Cell

Notified as nodal agency of the Delhi Police for effective implementation of the Juvenile Justice Act, to co-ordinate and upgrade the treatment of Children in association with other

stakeholders, NGOs and government departments and to formulate policies on various aspects of the Act and in defining police role within its ambit, a juvenile Unit has been set up in the **Special Police Unit for Women and Children**. The functions of the unit are

1. The Juvenile Justice Unit aims at ensuring capacity building of the police personnel for the effective implementation of the Act and realization of the Juvenile Justice System in the capital city. The unit organises and coordinates sensitization cum orientation and training programme for police personnel at police station levels and at district level for the SJPU.
2. The Juvenile Unit will have monthly meeting with the districts SJPU to coordinate police efforts especially in regards to Children in Need of Care and Protection, to guide and monitor the functioning of the Juvenile welfare officers.
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MODALITIES OF TRANSFER OF CASES/COMPLAINTS OF WOMEN CELL

- iii) Important registered cases/complaints of crimes committed against women will be referred to the Joint Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi through the concerned Joint Commissioner of Police/Range for transfer.
- iv) The Deputy Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi may suo moto take up any case/complaint for investigation on being satisfied that there are grounds for doing so.

CONTROL ON THE FUNCTIONING OF DISTRICTS WOMEN CELLS.

All the 11 District Women Cells report and maintain close liaison with the Deputy Commissioner of Police and Joint Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi. They shall instantly intimate to (Women) Cell, Nanak Pura, New Delhi regarding the atrocious incidents of violence against women, related to eve teasing, domestic violence, burning, rape and dowry related murder etc. they shall also ensure that the recommendations of registration of cases send by the CWCC Unit are promptly attended by the concerned Police Station.

In selected cases, personnel of District Women Cells will make enquiries into the complaints and take up investigations on the direction of Additional Deputy Commissioner of Police of District. They will furnish periodic progress reports in respect of cases being dealt by them to the Deputy Commissioner of Police, (Women) Cell, Nanak Pura, New Delhi. They will ensure proper enquiry and handling of complaints and investigation as per the established procedure of the CWC, Nanakpura.

Joint Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi shall hold a monthly meeting with the Additional DCSP/Special Police Unit for Women and Children for better co-ordination, uniform handling of complaints and

case and discussion of important cases as well as over all functioning of District Women Cells.

DUTIES OF THE LOCAL POLICE

- iii) The setting up of Special Police Unit for Women and Children in no way dilutes the responsibility of the local police to initiate action whenever a woman victim of crime approaches them for assistance. They will continue to register and investigate all cases up to the time it is transferred to the Special Police Unit for Women and Children and will later also extend all necessary to help to the officers of the cell for successful investigation and prosecution.
- iv) They will provide all psychological and legal help to the women victim.
- v) When the enquiries regarding matrimonial discord being undertaken by Special Police Unit for Women and Children, Nanak Pura, New Delhi do not result in any conciliation, mutual resolution and where legal action is to be initiated, it will be referred to the Districts and the case under relevant sections must be registered with out any delay. The Special Police Unit for Women and Children, Nanak Pura and district Deputy Commissioner of Police be informed about the same.
- vi) The local police will ensure that information in all cases of unnatural death or rape of women is promptly communicated to the Special Police Unit for Women and Children to enable the staff of the cell to visit the spot and get acquainted with the facts, for this purpose Helpline of the Special Police Unit for Women and Children has been set up to work round the clock with Telephone No.1091.

POLICE STATION, CRIME (WOMEN) CELL, SPECIAL POLICE UNIT FOR WOMEN AND CHILDREN, NANAKPURA, NEW DELHI.

Crime (Women) Cell Police Station has been set up in the Special Police Unit for Women and Children vide notification F. No.1/16/2007/HP-1/Estt:7607, for the registration and investigation of cases relating to the matrimonial disputes i.e., torture, harassment for the sake of dowry demand and related cases, cases of rape, attempt to rape, molestation, sexual harassment etc. requiring specialized investigation.

Police Station, Crime Women Cell is headed by an officer of the rank of Inspector, who will function as SHO, assisted by two Inspectors, who are Incharge of Women Helpline-1091 and investigation and a number of Sub-Inspectors to attend to complainants/victims, conduct enquiry into a complaint, counselling and guidance to victims of violence and investigation of cases besides overseeing/guiding/monitoring the functioning of branches like Malkhana, records, service of summons/warrants, functioning of reporting room and lock up etc.

The officer will work five days a week and will take turns to look after the Police Station on weekends. Thus, while SHO will be responsible for overall functioning of Police Station, she would take off on the week ends, the Police Station will be looked after by the Inspector helpline on one weekend and the Inspector Investigation on the other.

Training:

Training is most important aspect of functioning of such a sensitive and specialized Police Station. The officers and men posted to the Police Station will necessarily undergo regular trainings, twice a year, one specialized and other refresher course at reputed training institutes and training programmes organized in the Cell and Police Training College respectively. Any officer or men posted to Police Station shall undergo exhaustive sensitization cum orientation programme (induction training) specifically tailored to train the police officers according to the need and requirement of the job which he is expected to perform in the Cell, before he takes up the charge at the Police Station, so that he is able to perform better and rise upto the expectations of the women victims/complainants, approaching police in situations of distress and difficulty.

Police Station Crime Women Cell works in three shifts as under:-

Shift	Timing	strength
A	0800 hrs. to 1400 hrs	40% of total strength of PS
B	1400 hrs. to 2000 hrs	40% of total strength of PS
C	2000 hrs. to 0800 hrs	20% of total strength of PS

Inspector Station House Officer who normally be available in the Police Station from 0900 hrs to 2000 hrs. Inspector or Senior Sub-Inspector who remain available during night shift to guide and supervise the staff and functioning of the Police Station besides attending to complainants/victims and arranging necessary assistance to women approaching Police Station in situations of distress.

Jurisdiction:

The police station will have jurisdiction over the whole of the capital territory of Delhi for the registration and investigation of cases relating to the matrimonial disputes i.e. torture, harassment for the sake of dowry demand and cases of rape, attempt to rape, molestation, sexual harassment and any other case of crime against women requiring investigation.

The Inspectors and above shall enjoy the power of Officer Incharge of the Police Station for exercising powers under the provisions of the Code of Criminal Procedure 1973.

ACP, Incharge helpline will be the immediate supervisory officer for the purpose of day to day supervision over the functioning of Police Station and shall report to the Deputy Commissioner of Police, Crime Women Cell.

Duties of Police Station:

- Registration and investigation of IPC cases related to crime against women.
- Enquiry into complaints or petitions referred by a woman on behalf of victim woman.
- Counselling and the reconciliation in marital discounts.
- Information and guidance to women victims of domestic violence and other police/legal issues pertaining to women.

The duties at Police Station Crime Women Cell being specialized and sensitive, the same shall clearly be demarcated in writing, without any ambiguity, so that each officer knows that what is required to be done and the time at which they are required to be done, by whom they are required to be done are clearly demarcated.

The staff of Crime Women Cell should not be deployed on routine police duties such as Beat, Guard, Escort and Law and Order.

NATURE OF CASES TO BE INVESTIGATED

Crime (Women) Cell Police Station would take up investigation in sensational/complicated and important cases either referred by the Commissioner of Police or Joint C.P. Crime (Women) Cell. Referral cases by the Hon'ble Supreme Court, High Court, and District Court or by various Commissions and VIP references would be registered at police station Crime (Women) Cell, Nanak Pura, New Delhi. These cases will be investigated under the close supervision of SHO and ACP, Crime (Women) Cell Police Station.

PROSECUTION

Scrutiny of challans and prosecution of cases investigated by the Crime (Women) Cell will be done by the Govt. Prosecutors handling cases of Delhi Police. There shall be a special designated Govt. Counsel for cases investigated by Police Station Crime (Women) Cell, Nanak Pura, New Delhi.

RECORDS

Districts Women Cell will maintain statistics regarding all cases of Crime Against Women. They shall submit weekly report to the Deputy Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi. The Deputy Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi will compile and put up a report regarding the work done by the cell to the Joint Commissioner of Police,

Special Police Unit for Women and Children, Nanak Pura, New Delhi by the 5th of every month.

issued Standing Order bearing No.281/89 vide No.2980-3230/Crime (W) Cell, dated 18.05.1989 stands cancelled.

In view of the increasing need to give special consideration to children the charter of Crime Women Cell has been further expanded and the Cell has been made the nodal unit of Delhi Police for coordinating issues of children and juveniles both victims and offenders and upgrade role of police on all issues pertaining to care and protection of children or juveniles under the Juvenile Justice Act.

STANDING ORDER NO. 109 Of 2009

LEGAL REQUIREMENTS OF SECTIONS 160 AND 175 CR.P.C. 1973 WITH REGARD TO THE SUMMONING OF WITNESSES OR SUSPECTS IN THE COURSE OF AN INVESTIGATION OR IN CONNECTION WITH AN INQUEST U/S 174 CR.P.C.

Pursuant to directions given by the Honb'le High Court of Delhi in case of Chander Bhan Vs State, in order to salvage marriages the following guidelines should be followed by the Delhi Police strictly and scrupulously in addition to Para 5 of Standing Order No. 109 of 2009.

1. No case under Section 498-A/406 IPC should be registered without the prior approval of DCP/Addl. DCP.
2. Arrest of main accused should be made only after thorough investigation has been conducted and with the prior approval of ACP/DCP.
3. Arrest of the collateral accused such as father-in-law, mother-in-law, brother-in-law or sister-in-law etc should only be made after prior approval of DCP on file.
4. Police should also depute a well trained and a well behaved staff in all the Crime Against Women Cells especially the lady officers, all well equipped with the abilities of perseverance, persuasion, patience and forbearance.
5. FIR in such cases should not be registered in a routine manner.
6. The endeavour of the Police should be to scrutinize complaints very carefully and then register FIR.
7. The FIR should be registered only against those persons against whom there are strong allegations of causing any kind of physical or mental cruelty as well as breach of trust.
8. All possible efforts should be made, before recommending registration of any FIR, for reconciliation and in case it is found that there is no possibility of settlement, then necessary steps in the first instance be taken to ensure return of stridhan and dowry articles etc. by the accused party to the complainant.

STANDING ORDER NO. 281

Special Police Unit for Women and Children

INTRODUCTION

A special police unit exclusively dealing with the Women and Children issues vis a vis police, is functioning at Nanakpura, New Delhi. SPUWC has two divisions, namely Women Cell & Juvenile Cell. The Women Cell of the unit has a primary function of enquiring and investigation into the complaints of Crime Against Women.

In view of the increasing need to give special consideration to children the charter of the Unit has been further expanded, making it the nodal unit of Delhi Police for co-ordinating issues of children and juveniles both victims as well as offenders and upgrade role of police on all issues pertaining to care and protection of children or juveniles under the Juvenile Justice Act. Primarily engaged in reconciliation and amicable out of court settlement in marital discords has undertaken a variety of activities to help, guide and empower & equip women with facing violence, harassment etc. The role of police officers in the Women Cell is different to the extent that it deals with women complainants and aids in their support and defence, as a protection from the violence, both physical and mental. Thus, keeping in view the extended role the Crime Women Cell has been renamed as “**Special Police Unit for Women and Children**”. Similarly in the District Crime Against Women & Children Cells will be handling functioning under the over all supervision of District DCsP, thus giving special focus on Crime relating to Women & Children of District Level. The Special Juvenile Police Units have already been established in these units.

At the Police Station’s Level women & Child Help Desk will be established to give focus to women & Children issues at the Police Station Level under the supervision of the SHO concerned.

This unit is headed by a Joint Commissioner of Police, assisted by the Deputy Commissioner of Police, Assistant Commissioner of Police and other staff.

FUNCTIONS - ROLE AND RESPONSIBILITIES—Women Unit of SPUWC

Handling of complaint relating to matrimonial discord/cruelty/dowry harassment by a woman:

When ever a complaint is received in Special Police Unit for Women & Children in this regard ACsP/Enquiry will interview the complainant & after going through the complaint will decide along with complainant on the best course of action after explaining all the services of counselling, mediation & legal action available in the unit.

Depending upon the outcome of discussion, the case will be referred to ACP/Mediation & Counselling or to Inspector/Enquiry.

ACP/MEDIATION & COUNSELLING

i. Enquires/reconciliation (Direction to be followed)

Pursuant to directions given by the Honb'le High Court of Delhi in case of Chander Bhan Vs State, the Commissioner of Police, Delhi vide Standing Order No. 330/2007 had already issued guidelines for arrest in dowry cases registered under sections 498A/406 IPC and the said guidelines should be followed by the Delhi Police strictly and scrupulously. (i) No case under Section 498-A/406 IPC should be registered without the prior approval of DCP/Addl.DCP. (ii) Arrest of main accused should be made only after thorough investigation has been conducted and with the prior approval of ACP/DCP. (iii) Arrest of the collateral accused such as father-in-law, mother-in-law, brother-in-law or sister-in-law etc should only be made after prior approval of DCP on file. (b) Police should also depute a well trained and a well behaved staff in all the Crime Against Women Cells especially the lady officers, all well equipped with the abilities of perseverance, persuasion, patience and forbearance. (c) FIR in such cases should not be registered in a routine manner. (d) The endeavour of the Police should be to scrutinize complaints very carefully and then register FIR. (e) The FIR should be registered only against those persons against whom there are strong allegations of causing any kind of physical or mental cruelty as well as breach of trust. (f) All possible efforts should be made, before recommending registration of any FIR, for reconciliation and in case it is found that there is no possibility of settlement, then necessary steps in the first instance be taken to ensure return of stridhan and dowry articles etc. by the accused party to the complainant.

ii. Mediation/Counselling:

A mediation Cell of the Delhi High Court Legal Services Authority is also running in the CWC premises. The objective of this mediation cell is to give a platform to warring parties to settle their differences through the intervention of trained mediators with an objective of reducing the litigation and offering solutions outside the court. This unit is headed by an Assistant Commissioner of Police and assisted by other officers. Other districts can also refer the cases to this mediation cell by forwarding a copy of complaint with a consent form signed by both the parties giving their willingness for opting for mediation. In case of mediation or counselling fails, the complaint shall be referred to ACP/Enquiry concerned (as per work distribution decided by DCP/CWC).

In case the complaint is not covered under the Dowry Prohibitions Act, 498-A of IPC, the ACP/Enquiry may counsel the women regarding protection of women in Domestic Violence Act-2005 & make available such help as is required by the complaint through networking with DLSA, NGOs, Shelter Homes, etc. before closing the complaint in this unit.

Procedure for Enquiry:

ACP/Enquiry will entrust the complaint to their Inspector/Enquiry Officers, after interviewing the complainant. The proceeding of the same shall be checked by ACP concerned on day to day basis, so that the complaint is finalized within three months. The final orders an action taken on complaints will be taken by DCP/SPUWC, whether it is closer of complaint on account of settlement or re-conciliation, registration of Criminal Case, or no action taken on account of the complainants withdrawing the complaint, jurisdiction not made out or any other reason. The ACP will put forward the report to the DCP concerned accordingly. If the case is sent for taking legal action it is referred to Police Station/CWC.

ACP/SELF DEFENCE TRAINING

iii Self-Defence Training

The endeavour of this project was to empower women by teaching them simple self defence techniques so that they need not feel vulnerable in every threatening situation till police help arrives. The self defence Unit is headed by an Assistant Commissioner of Police and assisted by other officers. Periodic in-house programmes are held by this unit and it has an outreach programs in various schools and colleges also. A year wise register of all such programs conducted will be maintained in the CWC.

ACP/TRAININGS/CAPACITY BUILDING

Pursuant to its mandate on women and children, the **Special Police Unit for Women and Children** has been conducting various training/ workshops to police personnel on

- a. Juvenile Justice Act
- b. Gender sensitization
- c. Domestic Violence Act and role of police
- d. Investigation of cases relating to women victims.

In this endeavour to impart professional training to the police personnel various agencies like DLSA, NCW, DCW, TISS, Jamia University, NIPCCED and other NGOs have come forward with their professional resource persons as well as resources. The purpose is to facilitate understanding of gender and related issues, including gender dimensions of laws relating to women; to build capacity of the police personnel to deal with offences against women; to build investigation skills/ procedures thus making police organization more effective in protecting the human rights/ constitutional rights of the women. The ACP/Training shall be the co-ordinator for all such training programs for Districts.

ACP/JUVENILE:

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

- i. The Juvenile Unit will have monthly meeting with the districts SJPU to coordinate police efforts especially in regards to Children in Need of Care and Protection, to guide and monitor the functioning of the Juvenile welfare officers.
- ii. The Juvenile Unit will also follow various Writ Petition relating to juvenile issues.
- iii. The unit has been able to develop close bonds with all the stakeholders be it the Delhi Government, the Judiciary, the Child Welfare Agency, the NGOs & thus formulating policies on various aspect of the Act thus redefining the crucial role and intervention of Police.
- iv. The Juvenile Justice Unit will also represented Delhi police in the Juvenile Justice Committee on the High Court.
- v. The Juvenile Justice Unit will collect Daily, Weekly & Monthly Diaries from District/units of Delhi in connection with Children in Need Care & Protection (CNCP) & Juvenile in Conflict with Law (JICL). A database of the same shall be maintained in this unit.
- vi. **Launching of Website on Juveniles:** The focus of this website is to make information and resources available in the area of Juveniles in Conflict with Law and Children in Need of Care and Protection. The aim is to increase information exchange and to disseminate information on these issues amongst police, young persons, social workers, community workers and civil society at large. Citizens are invited to post suggestions, articles on this site to raise contentious issues, progressive suggestions etc. on juveniles/ children. The website will be maintained, updated by the Juvenile Unit.

ACP/HELPLINE

i. Procedure

The helpline number, 1091, is managed by the Police Control Room which receives and manages all calls for police help. A Women Police mobile team headed by a women upper subordinate officer is available round the clock at the Crimes against Women Cell to attend to distress calls received through the helpline or directly in the Cell. Helpline team will visit to place of occurrence for further necessary action. Women Officer have to submit her enquiry report to concerned officer and the same will be cross checked by the senior officers.

ii. Duties of Helpline Staff

Women Helpline Mobile team consists one upper subordinate women officer & one lower subordinate women officer along with PCR Staff. The team works 24 hours in two shifts and their duty hours are 8 AM to 8 PM & 8 PM to 8 AM.

iii. Daily round-up/follow-up action

A Police Official has already depute on this reputed seat to take follow up action on the complaint related with Crime Against Women & Juvenile issues, which are received in various Police Stations.

iv. Weekly/fortnightly review

A weekly and monthly report of received calls and their status report should be produced before senior officers.

ACP/CORDINATION

The designation is creating to oversee the matter regarding Crisis Intervention Centres. Duties & responsibility including training programme/sensitization programme organizing periodic for police personal accordingly. Compiling Data received from other District & Units, issuing directions, guidelines regarding rape cases to the district.

ACP/HEADQUARTER

ACP/HQ will supervise administration related matter including the RTI & legal cell.

ACP/POLICE STATION/CWC

ACP/Police Station/CWC shall supervise the police station functioning including all cases of the pending investigations & complaints marked.

POLICE STATION – LOCAL PS - DESK

Crime (Women) Cell Police Station has been set up in the Special Police Unit for Women and Children vide notification F. No.1/16/2007/HP-1/Estt:7607, for the registration and investigation of cases relating to the matrimonial disputes i.e., torture, harassment for the sake of dowry demand and related cases, cases of rape, attempt to rape, molestation, sexual harassment etc. requiring specialized investigation.

Police Station/Crime Women Cell is headed by an officer of the rank of Inspector, who will function as SHO, assisted by two Inspectors, who are Incharge of Women Helpline-1091 and investigation and a number of Sub-Inspectors to attend to complainants/victims, conduct enquiry into a complaint, counselling and guidance to victims of violence and investigation of cases besides overseeing/ guiding/monitoring the functioning of branches like Malkhana, records, service of summons/warrants, functioning of reporting room and lock up etc.

Investigation/Regn. of cases – incorporation of guidelines

- i. IO should go through the contents of the complaints/FIR.
- ii. Contact the complainant of the case and record her/his statement u/s 161 Cr.PC.
- iii. The case must be in the jurisdiction.
- iv. Proof of residence of the complainant must be obtained and placed on the file.
- v. The proof of marriage be obtained and placed on the file i.e. marriage certificate, marriage invitation card, photographs & VCD etc.
- vi. In case no such proof is available, statements of Priest/Qazi/Pandit, mediator of the marriage, parents, relatives, independent witnesses who attended the marriage, owner of Banquet/party hall, photographer, tent house contractor, Halwai etc. be recorded and placed on file and such person/persons be cited as PWs.
- vii. List of dowry articles given at the time of marriage be obtained. Bill/cash memos in support of the said articles be procured and placed on file. Statements of jewellers/furniture/household retailers be recorded and they be cited as PWs.
- viii. In cases where the complainant claim huge amount spent on the marriage ceremony the source of money be verified whether the money was withdraw from bank or lend by some relative, if so, their statements be recorded and they be cited as PWs.
- ix. Collect the birth certificate/school certificate of child/children, if any, out of the wedlock.

- x. The evidences regarding torture/harassment be brought on record. Statements of the witnesses are recorded u/s 161 Cr. PC.
- xi. If there is any medical certificate w.e.t. torture/physical harassment, collect the same & place it on record.
- xii. Collect the telephone call details which the complainant made during the time of the aforesaid harassment & torture.
- xiii. Seize the letters send by the complainant to her parents/relatives regarding the said harassment and demand of dowry.
- xiv. Previous record of the respondent, police complaints, DD Entries, complaints to other agencies i.e. CWC/NHRC/NGO's be placed on record and the concerned persons be cited as PWs.
- xv. Collect the copy of Panchayatnama/agreement if any and place the same on record.
- xvi. If some suit/complaint is pending before any court, collect a copy of the same and place on record along with relevant orders of the court.
- xvii. Evidences regarding desertion/throwing out of the complainant by her husband/in-laws from her matrimonial house be collected and placed on file. Local enquiries be made and statements of the witnesses be recorded u/s 161 Cr.P.C and they be cited as PWs. In case the neighbours are reluctant to give evidence, the gist of enquiry can be entered in the body of the case diary.
- xviii. Collect the evidences regarding extra-marital affairs/unnatural sex if alleged.
- xix. Verify the active role of each person alleged with harassment & cruelty.
- xx. During the course of investigation if any other offence is made out, add the relevant section of law and the same be brought to the knowledge of the seniors.
- xxi. If there is any apprehension that the accused person will leave India, his LOC may be opened.
- xxii. The IOs must maintain the Guard File according to a specimen proforma

Instruction regarding arrest/investigation

After collecting sufficient evidences against the accused person, the guidelines of Supreme Court/ High Court and SO No. 330/07 must be followed while arresting a person under the provisions of the law Prior approval of the senior officers must be obtained before arresting the accused person/persons. The arrestee should be intimated about the grounds of arrest. He/she should be informed about his rights at the time of arrest. It is not necessary that all the accused persons are arrested. When sufficient evidences are not there against the

alleged persons, we can keep their names in column number 2 of the report made u/s 173 CrPC.

SUPERVISION/CO-ORDINATION WITH DISTRICT WOMEN/JUVENILE CELL (SJPU)

All the 11 District Women Cells i.e. Crime against Women & Children Cell report and maintain close liaison with the Deputy Commissioner of Police and Joint Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi & follow such directions as issued from time to time regarding handling of investigation of complaints.

They will furnish periodic progress reports in respect of cases being dealt by them to the Deputy Commissioner of Police, (Women) Cell, Nanak Pura, New Delhi. They will ensure proper enquiry and handling of complaints and investigation as per the established procedure of the CWC, Nanakpura.

Dy. Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi shall hold a monthly meeting with the Additional DCsP/Incharge Special Police Unit for Women and Children for better co-ordination, uniform handling of complaints and case and discussion of important cases as well as over all functioning of District Women Cells.

MODALITIES REGARDING TRANSFER OF COMPLAINTS/CASES

Important registered cases/complaints of crimes committed against women will be referred to the Joint Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi through the concerned Joint Commissioner of Police/Range for transfer.

The Deputy Commissioner of Police, Special Police Unit for Women and Children, Nanak Pura, New Delhi may suo moto take up any case/complaint for investigation on being satisfied that there are grounds for doing so.

(YUDHBIR SINGH DADWAL)

COMMISSIONER OF POLICE: DELHI

No.48375-474/C&T/AC-(PHQ) dated Delhi the 25/08/2008

Copy to:

1. All Special Commissioners of Police, Delhi for Information.
2. All Joint/Additional Commissioners of Police, Delhi including P/PTC, Jharoda Kalan, New Delhi for information.
3. All Deputy Commissioners of Police, District/Units in Delhi, including FRRO, New Delhi.
4. SO to C.P., Delhi.
5. LA/FA to C.P., Delhi.
6. All ACsP/PHQ including ACP/IT Centre.
7. I/C Central Library, PHQ, Delhi with 10 spare copies.
8. HAR with 10 spare copies
9. Guard File.