



ODISHA POLICE
CRIME AGAINST WOMEN & CHILDREN WING
BHUBANESWAR.

CAW&CW CIRCULAR ORDER NO. 03 /2022

No. 2214 /CAW&CW (Estt.)

Dated. 08.09.2022

To

All Distt. SsP/DCsP BBSR & CTC/SRP CTC and RKL.

Sub: Facilitation for victim Compensation Scheme.

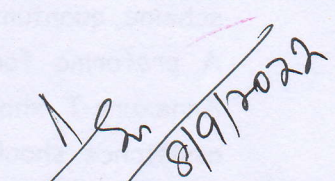
Odisha Victim Compensation Scheme 2018 as notified vide Notification No.44108/CP&M, dtd.20.10.2018 stipulates varied amounts of compensation for women victim or survivors of sexual assault or other crimes involving loss or injury as a result of crimes and requiring rehabilitation for self or his/her dependents in event of victim's death. In instances involving women victim or survivor of sexual assault, the application needs to be made by the victim before District Legal Service Authority (DLSA) & in POCSO related cases, the child victim may make such application before Child Welfare Committee (CWC) for Special Relief & before POCSO Court for interim and final compensation.

2) However, the glaring reality is that majority of the victims are not aware of existence of such a scheme or procedure for applying for it. Accordingly, they may at times fall prey to allurements offered by accused side anytime before the trial concludes and turn hostile. Hence, in view of the above, following directions are **issued :-**

- i. Distt. SsP should re-sensitize the OIC/IIC/SDPO and other officers in district about provision of Odisha Victim Compensation Scheme 2018 and 2017. IIC/OIC of the P.S. should supply a copy of the scheme to Mahila & Shishu Desk of their PS and apprise them of all the provisions of scheme, quantum of compensation and procedure of application and grant of compensation.
- ii. In all category of cases other than POCSO related cases, where the victim/dependents of victim are eligible for compensation as per Odisha Victim Compensation Scheme 2018 and 2017, Mahila & Shishu Desk in-charge Officer or in their absence, IO shall inform the victim/dependents about provision of scheme, quantum of maximum compensation permissible, procedure of application. A proforma for applying for compensation under the scheme, enclosed as Annexure-I shall be made available to the victim/guardian and all possible assistance should be provided by Mahila & Shishu Desk/IO in filling up the proforma for making necessary application to Secretary, District Legal Service Authority (DLSA). IO shall forward copy of the form so filled to Secretary, DLSA.

o/c

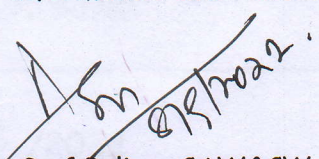
- iii. In cases under Protection of Children from Sexual Offences Act, I.O. should mandatorily inform the child/parent/guardian or any person in whom the child has trust and confidence about their entitlement to information and services as per Form A enclosed as Annexure-II. Further, I.O. should mandatorily complete Preliminary Assessment Report, enclosed as Annexure - III within 24 hours of the Registration of FIR and submit the same to Child Welfare Committee [Rule 4 (14) of POCSO Rules, 2020] for ordering Special Relief in accordance with Rule 8 of POCSO Rules 2020.
- iv. As regards interim compensation in accordance with Section 33(8) of POCSO Act 2012 and Rule 9(1) of POCSO Rules 2020, Mahila and Shishu Desk Officials, and in their absence, IO shall assist the victim/guardian to fill an application in Form-I for interim compensation and send the same to Special PP for placing it before POCSO Court for consideration.
- v. The application made to DLSA/CWC/Special Court in accordance with above, should be reflected in the Case Diary. Further, Mahila and Shishu Desk officials shall maintain a register for all cases handled by them for victim compensation, as per the format given in Annexure- IV.
- vi. A list of empanelled lawyers with DLSA and Legal Assistant available in One Stop Centres of dist. should be obtained by distt. SP and provided to Mahila & Shishu Desk in-charge in all Police Stations so that victims can consult/approach them for soliciting any further assistance in claiming victim compensation in DLSA/CWC/POCSO Court. If so required by the victim, a session of discussion of the victim and panel lawyer concerned will be arranged by the Desk.
- vii. All SsP, being members of DLSA, should mandatorily attend meetings convened by Chairperson, DLSA in connection with Victim Compensation Scheme and take up the issue of pendency of application pending, during regular meetings.
- viii. Under clause 10 of Odisha Victim compensation Scheme 2017, no claim by victim under sub-section 4 of 357 CrPC can be entertained after a period of 12 months from the date of crime, hence timely expeditious action need to be taken by the Mahila & Shishu Desk/IO for processing connected application.
- ix. All Distt. SsP/DCsP to educate the IsO and Mahila & Shishu Desk Officers regarding provisions of this Circular.


Addl. D.G of Police, CAW&CW,
Odisha, Bhubaneswar.

Memo No. 2215 /CAW&CW (Estt.)

Dated. 08.09.2022

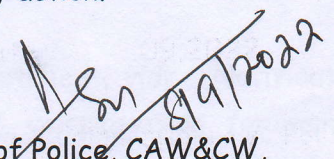
Copy forwarded to Addl.D.G. of Police, Railway, Bhubaneswar/ Commissioner of Police, Bhubaneswar-Cuttack, Bhubaneswar/All Range IsGP & DIsGP for information and necessary action.


Addl.D.G of Police, CAW&CW,
Odisha, Bhubaneswar.

O.D. 2216 / CAW & CW (Estt.)

Dt. 08/9/22

Copy forwarded to Addl. Supdt. of Police and S.Os. of 'C', 'W' & 'T' Sections, CAW & CW, CID-CB, Odisha, Bhubaneswar for information and necessary action.


Addl.DG of Police, CAW&CW,
Odisha, Bhubaneswar.

FORM - I

Annexure-I

APPLICATION FOR AWARD OF COMPENSATION UNDER ODISHA VICTIM COMPENSATION SCHEME 2018 FOR WOMEN AND CHILD VICTIMS/SURVIVORS OF SEXUAL ASSAULT/OTHER CRIMES FOR IMMEDIATE/INTERIM/FINAL RELIEF.

1.	Name of the Applicant Victim(s) or her Dependent(s)	
2.	Age of the Victim(s) or her Dependent(s)	
3.	(a) Father's/Mother Name (b) Spouse's Name (c) Guardian of the applicant	
4.	Address of the Victim(s) or her/their Dependent(s)	
5.	Date and time of the Incident	
6.	Case Reference of the FIR lodged. Enclose copy of FIR.	
7.	Brief facts of the case and injury/wound/ damage caused to the victim	
8.	Whether medical examination has been done? If yes, enclose Medical Report/Post Mortem Report. (Else mention that it is awaited/Not received).	
9.	Status of trial, if pending. If over, enclose copy of judgment and order on sentence.	
10.	Has the applicant been awarded any compensation by the trial court or any other Govt. agency? If yes, give details.	
11.	Give details of financial expenditure/loss incurred.	
12.	(a) Amount of compensation claimed (b) Compensation received from other sources (if any, indicate source) (c) Assistance, Support Services, if any already provided.	

13.	Have you instituted any civil suit/claim against the perpetrator of offence? If yes, give details.	
14.	Any other information	
15.	Signature of the victim/dependent	

Signature of the Victim/Dependent/Attendant
Contact details:

Documents to be enclosed with Application

- (i) One Passport size photo of victim/applicant/dependant.
- (ii) Copy of FIR
- (iii) Medical Report of victim (if received in meantime)
- (iv) Xerox copy of Bank Pass Book of victim/dependant/applicant.
- (v) Copy of Voter ID Card, Adhar card as identity proof of victim/dependant/attendant.

Signature of the Victim/Dependent/Attendant

FORM -A

Rule 4(14) of POCSO Rules, 2020]

ENTITLEMENT OF CHILDREN WHO HAVE SUFFERED SEXUAL ABUSE TO RECEIVE INFORMATION AND SERVICES

1. To receive a copy of the FIR.
2. To receive adequate security and protection by Police.
3. To receive immediate and free medical examination by civil hospital/ PHC etc.
4. To receive Counseling and consultation for mental and psychological wellbeing
5. For Recording of statement of child by woman police officer at child's home or any other place convenient to child
6. To be moved to a Child Care Institution where offence was at home or in a shared house hold, to the custody of a person whom child reposes faith.
7. For Immediate aid and assistance on the recommendation of CWC.
8. For being kept away from accused at all times, during trial and otherwise.
9. To have an interpreter or translator, where needed.
10. To have special educator for the child or other specialized person where child is disabled.
11. For Free Legal Aid.
12. For Support Person to be appointed by Child Welfare Committee.
13. To continue with education.
14. To privacy and confidentiality.
15. For list of Important Contact No.'s including that of the District Magistrate and the Superintendent of Police.

Signature of informant

I have received a copy of Form A

Signature of Police Officer
Registering FIR

FORM-B

[Rule 4(14) of POCSO Rules, 2020]

PRELIMINARY ASSESSMENT REPORT

Sl.No.	Parameters	Comment
1.	Age of the victim	
2.	Relationship of child to the offender	
3.	Type of abuse and gravity of the offence	
4.	Available details and severity of mental and physical harm/injury suffered by the child	
5.	Whether the child is disabled (physical, mental or intellectual)	
6.	Details regarding economic status of victim's parents, total number of child's family members, occupation of child's parents and monthly family income.	
7.	Whether the victim has undergone or is undergoing any medical treatment due to incident of the present case or needs medical treatment on account of offence.	
8.	Whether there has been loss of educational opportunity as a consequence of the offence, including absence from school due to mental trauma, bodily injury, medical treatment, investigation and trial or other reason?	
9.	Whether the abuse was a single isolated incident or whether the abuse took place over a period of time?	
10.	Whether the parents of victim are undergoing any treatment or have any health issues?	
11.	Aadhar No. of the child, if available.	

Date:

Station House Officer

**Format of the register to be maintained at the PS for cases handled by Mahila Shishu
Desk for victim compensation**

Sl No	PS Case No	Name of the complainant	Date of application of the immediate compensation/special relief sent to DLSA/CWC	Date of application of the interim compensation sent to POCSO court	Remarks