

OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (WEST)
TIS HAZARI COURTS : DELHI

ORDER

Pursuant to the directions of Hon'ble High Court of Delhi, an exercise is being carried out in all the District Legal Services Authorities (DLSAs) under which applications for compensation in POCSO cases/Rape Cases/other sexual offence cases are being moved in deserving cases (both pending as well as disposed of) which were registered during the period 2012-2017. Such applications are being filed by engaging the service of Legal Aid Counsels and the lawyers of the Rape Crisis Cell (RCC) of the Delhi Commission for Women.

In the disposed cases, the applications for compensation are only being moved post inspection of the judicial records of disposed of cases by the Advocates empanelled with Bachpan Bachao Andolan (BBA), in whose favour "Letter of Authorization" are being issued by the respective DLSAs.

The Concerned Judges/Ahlmads/Record Room In-Charge are hereby impressed upon to identify and trace out the files of the disposed of POCSO cases/Rape Cases/other sexual offence cases expeditiously and to permit inspection by the Lawyers provided by BBA (in whose favour DSLSA issues entrustment/authorization letter), so that the records can be inspected and appropriate applications for compensation can be filed at the earliest.

In view of letter dated 10/05/2023, it is further impressed upon the Record Room in-Charge to make the files of disposed off cases (which are subject matter in Manish Vs. State) available in substantial numbers for inspection by the BBA Lawyers so that a considerable number of cases are reviewed/inspected on a weekly basis. Also make an arrangement of a separate space for inspection by the BBA Lawyers (by providing at least a chair and table in the Record Room) and also to allow them to inspect the judicial files during the vacation period so that more number of files can be inspected on a given day.

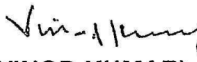
It is brought to kind notice that during the hearing on 26/05/2023 in the instant matter Ms. Prabhsahay Kaur, Ld. Counsel appearing for the Bachpan Bachao Andolan (BBA) stated that files are not being made available to the BBA Lawyers for conducting inspection. Hon'ble High Court of Delhi has taken a serious view on this and aspect and while reiterating the previous directions dated 12/12/2022 in this regard has directed that "*Despite these directions, the concerned Ahlmad/Record Room In-Charge are taking their own sweet time to make the files available to the Lawyers and the rights*

of Child victims are getting severely affected due to the same." Accordingly, it is made clear that a strict disciplinary action shall be taken against the Ahlmad/Record Room In-Charge found at fault for violation of the directions given above.

Besides, Hon'ble High Court has further directed to take appropriate steps to make available the files to BBA Lawyers for inspection during the entire summer holidays.

The Secretary, DLSA, West District, Tis Hazari Courts, Delhi is hereby nominated as a 'Nodal Officer' to look into the process of accessing the judicial Record and moving the applications for compensation which is to be continued in ensuing summer vacations.

Copies of letter dated 06/06/2023 alongwith copies of orders dated 10/05/2023 and 26/05/2023 of Hon'ble High Court of Delhi are hereby annexed for perusal and necessary compliance.


(VINOD KUMAR) 09/06/23

PRINCIPAL DISTRICT & SESSIONS JUDGE
WEST DISTRICT, THC, DELHI

743/10046-10096
No. _____/DLSA/Gaz./PDJ West/2023

Dated, Delhi the 09/06/23

Copy forwarded alongwith its enclosure to :-

1. The Registrar General, High Court of Delhi, New Delhi.
2. All the Additional Sessions Judges, West District, Tis Hazari Courts, Delhi with the request to bring the same in the knowledge of concerned Court staff for strict compliance.
3. The Officer Incharge, General Branch, West District, Tis Hazari Courts, Delhi.
4. The CMM/ACMM/MMs, West District, Tis Hazari Courts, Delhi with the request to bring the same in the knowledge of concerned Court staff for strict compliance.
5. The Secretary (Litigation) for Member Secretary, DSLSA, Rouse Avenue District Court Complex, New Delhi.
6. The Secretary, DLSA, West District, Tis Hazari Courts, Delhi.
7. The Branch Incharge, Record Room, Civil/Criminal, Tis Hazari Courts, Delhi for strict compliance.
8. The O/o CMM, West District, Tis Hazari Courts, Delhi.
9. The Reader/Ahlmad to the undersigned.
10. The PS to Principal District & Sessions Judge (HQs), Delhi.
11. The PS to the undersigned.
12. For uploading on LAYERS.
13. For uploading on centralized Website through LAYERS.


09/06/23

PRINCIPAL DISTRICT & SESSIONS JUDGE
WEST DISTRICT, THC, DELHI