

**HIGH COURT OF DELHI: NEW DELHI**

No. 180/SCMS/DHC/2024

Dated:- 30.09.2024

**CIRCULAR**

**Addendum to the Standard Operating Procedure, 2020 for Disbursal of Compensation under the Delhi Victim Compensation Scheme, 2018 for POCSO Cases**

It is hereby circulated for information and compliance by all Special Courts dealing with cases under the Protection of Children from Sexual Offences (POCSO) Act, 2012 that Hon'ble Delhi High Court in *W.P. (C) No.4827/2024 titled Abhishek Yadav vs. Delhi State Legal Services Authority & Anr. Vide Dated 24.09.2024* has added the following addendum in form of *Part F to the Standard Operating Procedure, 2020 already having five (05) parts A to E issued by Delhi State Legal Services Authority (with respect to operation of Delhi Victim Compensation Scheme, 2018)*.

*Part F*

*Preface*

*F-1 A harmonious reading of the provisions of the 2018 Scheme and Section 33(8) of the POCSO Act and the rules framed thereunder could establish that a child victim of sexual abuse is entitled to the following three (03) kinds of compensation:*

*(i) Interim compensation given directly under the 2018 Scheme based on the schedule appended thereto and the judgment rendered by the court in X v. State of NCT of Delhi (Acting through its Secretary) & Anr., 2022 SCC OnLine Del 3496. This compensation is payable once the victim makes an application in that behalf to the concerned District Legal Services Authority [DLSA].*

*(ii) Interim compensation awarded by the concerned special court under the POCSO Act.*

*(iii) Final compensation awarded by the special court under the POCSO Act.*

*F-1.1 Thus, the direction and instructions in this part would apply only to disbursal of compensation where the offence committed falls within the ambit of the POCSO Act and compensation is to be given in the circumstances referred to in F-1 (i) to (iii) referred to hereinabove.*

#### *F-2 Directions*

*F-2.1 DLSAs will strictly adhere to the compensation disbursal regime put in place in this part concerning child victims of sexual abuse whose cases come within the purview of the POCSO Act.*

*F-2.2 The directions and instructions in this part will be in addition to and not in derogation of those set out in parts A to E of the SOP. However, in case of conflict between the directions/instructions in this part and those in other parts of the SOP, the directions/instructions in this part shall prevail.*

#### *F-3 Procedure and safeguards for disbursal of compensation*

*F-3.1 The child victim would be required to submit only the following documents to the concerned DLSA for disbursal of compensation referred to under sub-clauses (i) to (iii) of Clause F-1 above:*

*(a) Documents such as an Aadhar card and birth certificate would suffice as proof of the child victim's identity.*

*(b) To establish the existence of a valid bank account in the name of the child victim, inter alia, the copy of the passbook issued by the bank. A valid account will be one that satisfies the requirements of clause 11(I) and/or clause 15 of the 2018 Scheme, as applicable.*

*(c) An undertaking/indemnity bond shall be furnished in terms of clause B.12 of the SOP. No affidavit will be sought in terms of Part-I clause 4 of the 2018 Scheme.*

*F-4 As regards child victims who ordinarily reside outside the NCT of Delhi but were subjected to offences within the jurisdiction of NCT of Delhi, the concerned DLSA shall seek assistance of the local DLSA and/or any other statutory authority which has sway over the area where the child victim is located for conducting verification of documents.*

*F-4.1 After the child victim submits relevant documents, the concerned DLSA shall, with the assistance of the Investigating Officer [IO], endeavour to complete verification of the documents submitted within two (2) weeks commencing from the date of submission of the said documents.*

*F-4.2 The Deputy Police Commissioner having jurisdiction over the concerned area will ensure that the timeline indicated above is not crossed.*

*F-4.3 To ensure strict adherence to timelines, the Commissioner of Police will issue standing instructions to all field formations.*

*F-4.4 Upon completion of verification of documents by the concerned DLSA with the assistance of an I.O., a certificate will be issued detailing the documents that stand verified. Thereafter, in case the child victim is awarded any further compensation, whether under sub-clause (i), (ii), or*

*(iii) of Clause F-1 or otherwise, the said certificate shall be taken as valid proof of his/her documents being verified.*

*F-4.5 Once verification is complete and a certificate is issued, the concerned DLSA will ensure that no further objections regarding jurisdiction are raised for issuing compensation to the bank account of the child victim.*

*F-4.6 The child victim will not be required to undergo a re-verification unless the reliance is placed on new documents not mentioned in the certificate. In case such an eventuality arises, verification of the new document shall be conducted by the concerned DLSA with the assistance of the I.O. at the earliest, at least two (02) weeks from the date of submission of the new document(s).*

*F-5 The DSLSA, along with the concerned DLSA, shall ensure that disbursal of interim or final compensation takes place within 30 days from the date of issuance of direction by the concerned DLSA for grant of compensation in terms of sub-clause (i) of Clause F-1 above or the receipt of the order passed by the special court for grant of compensation under subclause (ii) or (iii) of Clause F-1 above.*

Apart from the addendum mentioned above in form of Part F to the Standard Operating Procedure 2020 issued by DSLSA (with respect to operation of Delhi Victim Compensation Scheme, 2018), the Hon'ble Court in the aforesaid judgment has also issued the following additional directions to all the POCSO Courts for necessary compliance :-

*(i) The special courts established under the POCSO Act shall communicate orders to the concerned DLSA as soon as they are*

*passed, though not later than three (03) working days from the date of issuance of the order, by sending a copy of the order physically and also via the official email id of the designated court reader.*

*(ii) The special courts shall ensure that the victim impact assessment report is filed by the I.O. ordinarily within two (02) weeks.*

Above directions of the Hon'ble Court should be complied scrupulously by all the Special Courts dealing with cases under the Protection of Children from Sexual Offences (POCSO) Act, 2012 so as to ensure timely and effective disbursement of compensation to the child victims.

Sd/-

Kanwal Jeet Arora  
Registrar General

Endst. No.: 181-187/SCMSC/DHC/2024

Dated: 30.09.2024

*Copy forwarded for information to:*

1. All Special POCSO Courts in Delhi through the Learned Principal District and Sessions Judges (HQ), Tis Hazari Courts, Delhi.
2. All Learned Principal District and Sessions Judges, Delhi with a request to bring the circular to the notice of all the Judicial Officers in their respective District along with the request to upload the same on the official website of the respective District Courts and Delhi District Courts.
3. The Director (Academics), Delhi Judicial Academy
4. Member Secretary, Delhi State Legal Services Authorities (DSLISA).
5. The Commissioner of Police, Delhi.
6. P.A. to Registrar (Computer) for uploading the same on the website of this court under the heading of Notifications and Practice Directions.
7. Guard File.

S.No.	Name of the Judicial Officer	Designation	District-Wise
1	Sh. Rajesh Kumar	ASJ (SC-Pocso)	Central
2	Sh. Muneesh Garg	ASJ-01 (Pocso)	Central
3	Sh. Manoj Kumar	ASJ (FTSC) (Pocso)-02	Central
4	Sh. Balwinder Singh	ASJ (FTSC) (Pocso)-01	Central
5	Ms. Harleen Singh	ASJ-01 (Pocso)	West
6	Ms. Aditi Garg	ASJ-06 (Pocso & CPR)	West
7	Sh. Sachin Jain	ASJ-07 (Pocso & CPR)	West
8	Ms. Preeti Parewa	ASJ (FTSC) (Pocso)-01	West
9	Ms. Babita Puniya	ASJ (FTSC) (Pocso)-02	West
10	Sh. Siddhartha Malik	ASJ (SC-Pocso)-01	West
11	Sh. Ankit Mehta	ASJ (SC-Pocso)-02	Wes
12	Ms. Chhavi Kapoor	ASJ-01 (Pocso & CPR)	New Delhi District
13	Sh. Devendra Kr. Sharma	ASJ-01 (Pocso & CPR)	South
14	Ms. Manika	ASJ-04 (Pocso)	South
15	Sh. Ajay Garg	ASJ (FTSC) (Pocso)	South
16	Sh. Dinesh Kumar	ASJ (SC-Pocso)	South
17	Sh. Pooran Chand	ASJ-01 (Pocso & CPR)	South-East
18	Ms. Anu Aggarwal	ASJ-06 (Pocso & CPR)	South-East
19	Ms. Shivani Chauhan	ASJ (FTSC)-(Pocso)	South-East
20	Ms. Ankita Lal	ASJ (SC-Pocso)	South-East
21	Sh. Ramesh Kumar-II	ASJ-01 (Pocso & CPR)	East
22	Ms. Colette Rashmi Kujur	ASJ-06 (Pocso & CPR)	East
23	Sh. Rakesh Kumar Rampuri	ASJ (SC-Pocso)	East
24	Sh. Shankar Narayan	ASJ-01 (Pocso & CPR)	North-East
25	Ms. Richa Parihar	ASJ (SC-Pocso)-01	North-East
26	Sh. Ajay Gulati-II	(SC-Pocso)	North-East
27	Sh. Munish Markan	ASJ-01 (Pocso & CPR)	SHD
28	Sh. Nipun Awasthi	ASJ-06 (Pocso & CPR)	SHD
29	Ms. Niti Phutela	ASJ (SC-Pocso)-01	SHD
30	Ms. Manisha Tripathy	ASJ (SC-Pocso)-02	SHD
31	Sh. Amit Sehrawat	ASJ-01 (Pocso & CPR)	North
32	Ms. Meenu Kaushik	ASJ-05 (Pocso & CPR)	North
33	Sh. Ajay Nagar	ASJ (FTSC) (Pocso)	North
34	Ms. Susheel Bala Dagar	ASJ-01 (Pocso & CPR)	North-West
35	Ms. Jasjeet Kaur	ASJ-04 (Pocso & CPR)	North-West
36	Sh. Virender Singh	ASJ (FTSC) (Pocso)	North-West
37	Ms. Pooja Talwar	ASJ-01 (Pocso & CPR)	South-West
38	Sh. Rohit Gulia	ASJ (FTSC) (Pocso)-01	South-West
39	Sh. Santosh Kumar Singh	ASJ (FTSC) (Pocso)-02	South-West
40	Sh. Anurag Dass	ASJ (FTSC) (Pocso)-03	South-West
41	Sh. Vinod Kumar Gautam	ASJ (SC-Pocso)	South-West
42	Sh. Gaurav Rao	Spl.Judge (PC-Act) (CBI)-01	RACC
43	Sh. Ankit Singla	Spl.Judge (PC-Act) (CBI)-02	RACC

Email

PDJ Office HQ

**Addendum to the Standard Operating Procedure, 2020 for Disbursal of Compensation under the Delhi Victim Compensation Scheme, 2018 for POCSO Cases.**

**From :** Nisha Sharma <drscms.dhc@gov.in>

Mon, Sep 30, 2024 03:07 PM

**Subject :** Addendum to the Standard Operating Procedure, 2020 for Disbursal of Compensation under the Delhi Victim Compensation Scheme, 2018 for POCSO Cases.

3 attachments

**To :** PDJ Office North East <pdj-northeast@ddc.nic.in>, Secretariat to Pr Distt and SJ SW <djsw.ddc@gov.in>, PDJ Office New Delhi District <pdj-newdelhi@ddc.nic.in>, PS to PDJ CUM SPL JUDGE CBI RADC <pdj-racc@ddc.nic.in>, Mr Shamim <djwest.ddc@gov.in>, Viresh Panwar <pdj-east@ddc.nic.in>, PDJ OFFICE NORTH WEST ROHINI <pdj-northwest.ddc@nic.in>, PDJ Office HQ <pdj-central@ddc.nic.in>, Ram Singh <djst.ddc@gov.in>, PDJ OFFICE SOUTH EAST SAKET <pdj-southeast@ddc.nic.in>, Tilak Raj <pdj-shahdara@ddc.nic.in>, Ram Janma Prasad <pdj-north@ddc.nic.in>, RAM SINGH <pdj-south@ddc.nic.in>, Secretariat to Pr Distt and SJ <pdj-southwest@ddc.nic.in>, VIKAS BHARDWAJ <pdj-west@ddc.nic.in>, Delhi Judicial Academy <dja@nic.in>, Member Secretary, Delhi SLSA <dlsa-phc@nic.in>, Member Secretary, Delhi SLSA <dlsa-phc@nic.in>, Sanjay Arora <cp.sanjayarora@delhipolice.gov.in>

**Cc :** ravinder kharb <ravinder\_kharb@yahoo.co.in>, Nishas dhc <Nishas.dhc@gmail.com>, akshay menghi <akshay.menghi@gmail.com>, Madan Mehra <judleast.kkd.ddc@gov.in>, G K Mathur <judlbrnw.ddc@gov.in>, Vivek Chaudhary <judlbrne.ddc@gov.in>, Balbir Sharma <judicialbrnd.ddc@nic.in>, Sh. Dinesh Sapra <judicialbrwt.ddc@gov.in>, Gurpreet Singh <judlbrddc@gov.in>, Judicial Branch South District <judicialbrst.ddc@gov.in>, districtcourtrohininorth@yahoo.com, headquarterjudicial@gmail.com, Ram Pher <judicialbr-radc@ddc.nic.in>, judicialbranch@yahoo.com

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OIC (Judl.) /  
DLSA Secretary  
(Central)

P D/S J (Hes)  
30/09/24

Seen  
(Ld. Secy.)

Respected Sir/ Madam,

Please find attached herewith the scanned copy of circular dated 30.09.2024 on the subject cited above, alongwith the copy of Judgment dated 24.09.2024 and the SOP (with respect to operation of Delhi Victim Compensation Scheme 2018) for your kind information and further necessary action in this regard.

Regards,  
Ravinder Singh, DHJS  
Joint Registrar (Judicial) (SCMS)  
High Court of Delhi.

30.09.2024.pdf  
150 KB

FINAL SOP DVCS 2018.pdf  
820 KB

Judgement dated 24.09.24.pdf  
11 MB

**OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQs): DELHI**

No. 37411-37571  
/Rules/Gaz/2024

Dated 08 OCT 2024

**Copy along with its enclosure forwarded for information and compliance to:**

1. All the POCSO Courts in Delhi District Courts, Delhi/New Delhi (As per list attached) **for compliance.**
2. All the Officers of DHJS/DJS, (except Pocso), Central District, Tis Hazari Courts, Delhi, **for information.**
3. The Secretary, DLSA, Central District, Tis Hazari Courts, Delhi.
4. The Website Committee (Hindi/English) Tis Hazari Courts, Delhi (for uploading).
5. The R&I Branch (Central) for uploading on Layers.

Encl: as above

08 OCT 2024  
(MUKESH KUMAR GUPTA)  
District Judge (Comm.Court-07)  
Officer In-Charge Judicial Branch, Central  
For Principal District & Sessions Judge (HQs)  
Delhi