

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ: ಕಾಇ 30 ಸಿಎಲ್‌ಸಿ 2020

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ

ವಿಕಾಸಸೌಧ

ಬೆಂಗಳೂರು ದಿನಾಂಕ: 14.08.2020

ಇಂದ,

ಸರ್ಕಾರದ ಅಪರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ,  
ಕಾರ್ಮಿಕ ಇಲಾಖೆ,  
ಬೆಂಗಳೂರು.

ಅತೀ ಜರೂರು

✓ ಇವರಿಗೆ,

ಕಾರ್ಮಿಕ ಆಯುಕ್ತರು  
ಕಾರ್ಮಿಕ ಭವನ  
ಬನ್ನೇರುಘಟ್ಟ ರಸ್ತೆ, ಬೆಂಗಳೂರು.

ಮಾನ್ಯರೇ,

ವಿಷಯ: ಪೋಕ್ಸೋ ಕಾಯ್ದೆ ಅನುಷ್ಠಾನ ಕುರಿತಂತೆ ಅಧ್ಯಯನ  
ವರದಿಗಳಿಂದ ಬಂದಂತಹ ಶಿಪಾರಸ್ಸುಗಳನ್ನು ಜಾರಿಗೆ  
ತರುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ಸರ್ಕಾರದ ಪತ್ರ ಸಂಖ್ಯೆ: ಮಮಇ 70 ಮುಬಾಬ 2018  
ದಿನಾಂಕ: 29.06.2020.

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖಿತ ಪತ್ರದ ಪ್ರತಿ ಹಾಗೂ ಅದರೊಂದಿಗಿನ ಅಡಕಗಳನ್ನು ಇದರೊಂದಿಗೆ  
ಲಗತ್ತಿಸಲಾಗಿದೆ. ಸದರಿ ಪತ್ರದಲ್ಲಿ, ದಿನಾಂಕ: 17.04.2018 ರಂದು ನಡೆದ ಸಭಾ ನಡವಳಿಯ ಪ್ರಸ್ತಾವನೆಯನ್ನು ಪರಿಶೀಲಿಸಿ  
ಕೂಡಲೇ ಅಗತ್ಯ ಕ್ರಮ ಕೈಗೊಳ್ಳುವಂತೆ, ಹಾಗೂ ಕೈಗೊಂಡ ಕ್ರಮದ ವರದಿಯನ್ನು ಸರ್ಕಾರಕ್ಕೆ ಒದಗಿಸುವಂತೆ ತಮ್ಮನ್ನು  
ಕೋರಲು ನಿರ್ದೇಶಿಸಲ್ಪಟ್ಟಿದ್ದೇನೆ.



CLM  
19/8



ತಮ್ಮ ವಿಶ್ವಾಸಿ

Girish

(ಗಿರಿಜಮ್ಮ)

ಪೀಠಾಧಿಕಾರಿ (ಬಾಕಾಕೋ)

ಕಾರ್ಮಿಕ ಇಲಾಖೆ

LD 30 CLC 2020

## ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಖ್ಯೆ:ಮಮಇ 70 ಮಭಾಬ 2018

ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,

ಬಹುಮಹಡಿ ಕಟ್ಟಡ

ಬೆಂಗಳೂರು, ದಿನಾಂಕ:29.06.2020

1426548  
1-7-20

## ಅನಧಿಕೃತ ಟಿಪ್ಪಣಿ

ವಿಷಯ: ಪೊಕ್ಕೋ ಕಾಯ್ದೆ ಅನುಷ್ಠಾನ ಕುರಿತಂತೆ ಅಧ್ಯಯನ ವರದಿಗಳಿಂದ  
ಬಂದಂತಹ ಶಿಪಾರಸ್ಸುಗಳನ್ನು ಜಾರಿಗೆ ತರುವ ಬಗ್ಗೆ.

ಉಲ್ಲೇಖ: ಸಮ ಸಂಖ್ಯೆ ಅನಧಿಕೃತ ಟಿಪ್ಪಣಿ ದಿನಾಂಕ :23.07.2018

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖಿತ ಅ.ಟಿ ಕಡೆಗೆ ತಮ್ಮ ಗಮನ  
ಸೆಳೆಯಲಾಗಿದೆ. ಸದರಿ ಅ.ಟಿಯಲ್ಲಿ ಪ್ರಸ್ತಾಪಿಸಿರುವಂತೆ ಇಲಾಖಾ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳ  
ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ ದಿನಾಂಕ: 17.04.2018 ರಂದು ನಡೆದ ಸಭೆಯ ನಡವಳಿಯಲ್ಲಿರುವ ಅಂಶಗಳ  
ಬಗ್ಗೆ ತಮ್ಮ ಇಲಾಖಾ ವ್ಯಾಪ್ತಿಯ ಕ್ರಮದ ಬಗ್ಗೆ ವರದಿ ನೀಡುವಂತೆ ಕೋರಲಾಗಿತ್ತು. ಆದರೆ  
ಇದುವರೆಗೂ ವರದಿ ಸ್ವೀಕೃತವಾಗಿರುವುದಿಲ್ಲ. ಆದ್ದರಿಂದ ಕೋರಿರುವ ವರದಿಯನ್ನು  
ಸಲ್ಲಿಸುವಂತೆ ಮತ್ತೊಮ್ಮೆ ಕೋರಲಾಗಿದೆ.

ತಮ್ಮ ನಂಬುಗೆಯು,

ಎ.ಐ.ಎ.ಎಲ್.ಎಲ್. 29/6/20  
(ಎ. ಭಾಗ್ಯಲಕ್ಷ್ಮಿ)

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ-3,  
ಮಹಿಳಾ ಮತ್ತು ಮಕ್ಕಳ ಅಭಿವೃದ್ಧಿ ಹಾಗೂ  
ವಿಕಲಚೇತನರ ಹಾಗೂ ಹಿರಿಯ ನಾಗರಿಕರ  
ಸಬಲೀಕರಣ ಇಲಾಖೆ (ಡಿ ಶಾಖೆ).

D.O - 26

ಇವರಿಗೆ,

- 1) ಸರ್ಕಾರದ ಅವರ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ, ಕಾರ್ಮಿಕ ಇಲಾಖೆ, ವಿಕಾಸಸೌಧ, ಬೆಂಗಳೂರು.
- 2) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಒಳಾಡಳಿತ ಇಲಾಖೆ, (ಪಿ.ಸಿ.ಎ.ಎಸ್) ವಿಧಾನಸೌಧ,  
ಬೆಂಗಳೂರು.
- 3) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಕಾನೂನು ಇಲಾಖೆ, ವಿಧಾನಸೌಧ, ಬೆಂಗಳೂರು.

(Ab)

ಕರ್ನಾಟಕ ಸರ್ಕಾರ

ಸಂಪುಟ 70 ಮುಖ್ಯ 2018

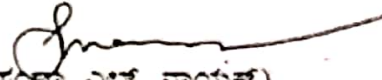
ಕರ್ನಾಟಕ ಸರ್ಕಾರದ ಸಚಿವಾಲಯ,  
ಬಹುಮಹಡಿ ಕಟ್ಟಡ,  
ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 23.07.2018.

ಅನಧಿಕೃತ ಬಪ್ಪಣೆ

ವಿಷಯ: ಬೋಕ್ಸೈಟ್ ಕಾಯ್ದೆ ಅನುಷ್ಠಾನ ಕುರಿತಂತೆ ಅಧ್ಯಯನ  
ವರದಿಗಳಿಂದ ಬಂದಂತಹ ಶಿಪಾರಸ್ಸುಗಳನ್ನು ಬಾರಿಗೆ ತರುವ  
ಬಗ್ಗೆ

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಇಲಾಖಾ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿಗಳ ಅಧ್ಯಕ್ಷತೆಯಲ್ಲಿ  
ದಿನಾಂಕ: 17.04.2018ರಂದು ನಡೆದ ಸಭೆಯ ಸಭಾ ನಡವಳಿಯನ್ನು ಇದರೊಂದಿಗೆ ಲಗತ್ತಿಸಿದೆ. ಸದರಿ ಸಭಾ  
ನಡವಳಿಗಳಲ್ಲಿರುವ ಅಂಶಗಳ ಬಗ್ಗೆ ತಮ್ಮ ವ್ಯಾಪ್ತಿಯ ಕ್ರಮದ ಬಗ್ಗೆ ಸರ್ಕಾರಕ್ಕೆ ವರದಿ ನೀಡುವಂತೆ ತಮ್ಮನ್ನು  
ಕೋರಲಾಗಿದೆ

  
(ಸಂಖ್ಯಾ ಎಲ್. ನಾಯಕ್)

ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ-1,

ಒಳಾ ಮತ್ತು ಮಕ್ಕಳ ಅಭಿವೃದ್ಧಿ ಹಾಗೂ ವಿಕಲಚೇತನರ  
ಹಾಗೂ ಒರಿಯ ನಾಗರಿಕರ ಸಬಲೀಕರಣ ಇಲಾಖೆ.

C/C

ಇವರಿಗೆ,

- 1) ಸರ್ಕಾರದ ಅರಸ ಮುಖ್ಯ ಕಾರ್ಯದರ್ಶಿ, ಕಾರ್ಮಿಕ ಇಲಾಖೆ, ವಿಕಾಸಸೌಧ, ಬೆಂಗಳೂರು  
2) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಒಳಾಡಳಿತ ಇಲಾಖೆ, (ಪಿ.ಒ.ಎ.ಎಸ್) ವಿಧಾನಸೌಧ, ಬೆಂಗಳೂರು.  
3) ಸರ್ಕಾರದ ಪ್ರಧಾನ ಕಾರ್ಯದರ್ಶಿ, ಕಾನೂನು ಇಲಾಖೆ, ವಿಧಾನಸೌಧ, ಬೆಂಗಳೂರು.

  
24/7/2018



PS  
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Proceedings of the Meeting held on 17-04-2018 Chaired by the Principal Secretary for action and steps to be taken to implement the recommendations of the study on POCSO Act – 2012 – Enforcement in Karnataka.

Members present: List enclosed.

At the outset Principal Secretary welcomed all participants for the meeting.

Key Discussion Points, Decision Taken and Follow-up Action proposed:

**A. Primarily Based on the Supreme Court Direction:**

**1. Setting up of infrastructure requirements for Special Courts:**

- i. The state had already moved forward with budget allocation for 2017-18 which enabled setting up of Child friendly Courts in 2 districts and the allocation in 2018-19 would ensure 10 courts to be covered.
- ii. A key consideration for Special Courts is the need to have separate space for the two categories of children and their families accessing the services – a) the infants and younger children b) adolescents. Principal Secretary proposed that changes have to be made in the existing Special Courts if feasible, including Bangalore, to provide space and build in this feature in the upcoming design for other districts.
- iii. It is proposed that a **Comprehensive Action Plan** will be developed for the 33 Courts by ICPS in coordination with PWD, PDJ and DCPOs of the districts to assess the infrastructural gaps and requirements of child friendly courts. The Action Plan will delineate the immediate, short term and long term measures to be put in place and will include the following:
  - Take into considerations the two categories of children accessing the Courts – toddlers/young children and adolescents
  - Have accessibility features for people with disability
  - Video conferencing facility
  - Space for the SPP to interact with family and child
  - Address the space requirement at JJB for child victims when the offender is a children in conflict with law.

**2. HR issues:**

- i. Protocol to be developed for the person staffing the Special Court. Maintenance and access for families, privacy and such issues to be considered.
- ii. Assess if requirements and processes are in place and sufficient, and list further requirements.

**3. Media Protocols:** Citing the recent cases of insensitivity of certain sections of the media (including social media) the Principal Secretary insisted on the need for stringent measures to safeguard privacy and uphold dignity of child and family.

- i. Presently NCPCR and UNICEF Guidelines for media on POCSO and other child related issues exist.

- ii. To organize a sensitization workshop for the media and share the guidelines/protocols
  - iii. Appoint a nodal officer at the department (ICPS) for facilitating filing of cases under the IPC, JJA and POCSO for media violation. (Project Director, ICPS should be responsible for lodging such complaints).
4. **Appointment of SPP:** It is proposed that a letter be sent to the Law Department for looking into appointment, training and review of the SPPs as SPPs were not exclusively handling POCSO matters as is required under Section 32 of POCSO Act.  
It was proposed to send a letter to the Home Department for looking into the appointment, training and review of the SPPs.
5. The issue of legal representation was also discussed and it has been proposed that an assessment be made of the gaps/lacuna and communication to KSLSA seeking suggestions on ways to address the same.
6. The Principal Secretary also proposed that the **Victim and Witness Protection** program on the lines of what is implemented in Delhi be taken as a model and coordination with law enforcement for implementation of the same.
7. **Review of pendency of POCSO cases:**
  - i. Presently there is data from SCRB, KSCPCR and ICPS (based on DCPU and CWC data). The Gender and Child Friendly Police Cell also have data from 2014 to present and the analysis will be provided to DWCD. This will be disaggregate data based on age, sex, region, profile of perpetrator etc.
  - ii. ICPS to collate all data including from ICJS, for review with Police.
8. **Cyber Safety:**  
ICPS to set up a team to work on the digital/cyber safety communication for parents, children, school.

**B. Recommendations of the Study on POCSO Implementation in Karnataka:**

1. **Kannada Translation of the Study Report:** To make available at the earliest the translation of the POCSO Study report, in Kannada.
2. **Non-availability of FIR to family/complainants:**
  - i. Letter from Principal Secretary to Home Department requesting for mandatory FIR hard copy being made available to family/complainant on all POCSO cases.
  - ii. It is proposed that letter be sent to Home Department stating the need to protect identity/privacy of child and family while uploading FIR for public view in the POCSO cases, by masking of details of child victim.



3. Guidelines on POCSO:

- i. The draft Central guidelines to be reviewed and finalized for Karnataka, as this is a statutory requirement, within a month.

4. Review of POCSO cases by Police at district level for strengthening enforcement and conviction:

- i. Principal Secretary proposed that a letter will be sent to all SPs with copy marked to DG (Training), City Commissioners and Sr. CWO of SJPU for compulsory monthly/periodic review of pending cases of POCSO for speedy action *representative*.
- ii. Unicef *representations* to provide a write up on the deputation of PCs to districts to exclusively work on the CP issues as was done in Koppal and Raichur as part of UNICEF intervention, stating the impact.

5. Guidelines for MTP in the cases of child and minor victims under POCSO Act:

- i. Principal Secretary proposed that communication be sent to the Department of Health and Family Welfare to facilitate guidelines for Medical Practitioners as per the provision of the MTP Act and in the context of POCSO.
- ii. The draft guidelines prepared for procedures to be followed by CWC, DCPOs, Police, etc., to be reviewed and finalized by WCD.

6. Standardized approach to 164 statement by the Magistrate:

- i. Special needs of a child victim are sometimes not taken into account when a 164 statement is recorded. Very young children need preparation and may have to be asked questions to obtain responses. This is seen as contrary to the guidelines for recording a 164 statement.
- ii. Enfold/ NLSIU to provide a concept note on the best practices in other countries and how this can be addressed in Karnataka
- iii. Examples also to be drawn from the sensitive statements by Magistrates from Karnataka
- iv. Organize sensitization through KSLSA and KJA.

7. Posters to be completed on

- i. Rights of victims
- ii. Duties of Police
- iii. Victim Compensation & Relief (including Abhaya Nidhi)

- iv. Duties of Medical Officers
- v. Role of SPP- These may be exhibited in Gelati Mahila Vishesha Chikitsa Centers at District and Talukas.

The Meeting concluded with thanks to all.

Sd/-

(Uma Mahadevan)

Principal Secretary to Government,  
Department of Women and Child Development  
and Empowerment of Differently Abled and  
Senior Citizens.

No. WCD 70 SBB 2018

(Sandhya L. Nayak)

Under Secretary to Government-1,  
Department of Women and Child Development  
and Empowerment of Differently Abled and  
Senior Citizens.

To:

- 1) Additional Secretary to Government, Home Department, Bangalore.
- 2) Principal Secretary to Government, Law Department, Bangalore.
- 3) Principal Secretary to Government, Labour Department, Bangalore.
- 4) Member Secretary, Karnataka State Integrated Child Protection Society, Bangalore.
- 5) Secretary, Legal Service Authority, Bangalore.
- 6) Secretary, Karnataka State Child Rights Protection Commission, Bangalore.
- 7) Project Director, ICPS, Bangalore.
- 8) Programme Manager, ICPS, Bangalore.
- 9) Smt. Suchithra Rao, Consultant, UNICEF, Bangalore.
- 10) Smt. Arlin, CCL, Bangalore.
- 11) Smt. Swagatha Raha, CCL-NLSIU, Bangalore.
- 12) Smt. Khushi, ENFOLD Proactive Trust, Bangalore.
- 13) Dr. Shekar Sheshadri, NIMHANS, Bangalore.
- 14) District Child Protection Officer, District Child Protection Unit, Bangalore, Gadag and Tumkur District. (Sl No. 7 to 14 through Karnataka State Integrated Child Protection Society)

Copy to:

- 1) Secretary, National Commission for Protection of Child Rights, 5<sup>th</sup> Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001.
- 2) PS to Chief Secretary, Government of Karnataka, Vidhanasoudha, Bangalore. (CS 222/2018, Dated: 23.02.2018)
- 3) PS to Principal Secretary, Department of Women and Child Development and Empowerment of Differently Abled and Senior Citizens.
- 4) PS to Deputy Secretary, Department of Women and Child Development and Empowerment of Differently Abled and Senior Citizens.

