

# ಮಕ್ಕಳ ರಕ್ಷಣಾ ನಿರ್ದೇಶನಾಲಯ

ವಿಶ್ವೇಶ್ವರಯ್ಯ ಕೇಂದ್ರ, ಚಿಕ್ಕಗೋಪುರ, 03ನೇ ಮಹಡಿ, ಡಾ॥ಬಿ.ಆರ್.ಅಂಬೇಡ್ಕರ್ ವೀದಿ, ಬೆಂಗಳೂರು–560 001 E-mail ID:icps.kar@gmail.com Ph.No. 080-22867381

ಸಂಖ್ಯೆ:ಮರನಿ/ಮರ/ಬಾ.ಗರ್ಭಿಣಿ/7/2024-25

ದಿನಾಂಕ:14.10.2024

ಜಿಲ್ಲಾ ಮಕ್ಕಳ ರಕ್ಷಣಾಧಿಕಾರಿಗಳು ಜಿಲ್ಲಾ ಮಕ್ಕಳ ರಕ್ಷಣಾ ಘಟಕ, ಎಲ್ಲಾ ಜಿಲ್ಲೆಗಳು.

ಮಾನ್ಯರೇ,

ವಿಷಯ: Scheme for Care and support to victims under section

4 & 6 of the POCSO Act 2012ನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸುವ ಕುರಿತು.

ಉಲ್ಲೇಖ: 1. ಈ ಕಛೇರಿ ಇ–ಮೇಲ್ ದಿನಾಂಕ:12.04.2024.

2. ಈ ಕಛೇರಿ ಆದೇಶ ಸಂಖ್ಯೇಮರನಿ/ಮರ/ಹೊ.ಯೋ/ಪೋ.ಕಾಯ್ದೆ/ ಅಬಿ-07/2024-25, ದಿನಾಂಕ:22.05.2024.

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ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಪೋಕ್ಸೋ ಕಾಯ್ದೆಯ ಸೆಕ್ಷನ್ 4 & 6 ಅಪರಾಧಕ್ಕೆ ಗುರಿಯಾಗಿ ಅಪ್ರಾಪ್ತ ವಯಸ್ಸಿನಲ್ಲಿ ಗರ್ಭಿಣಿ ಮತ್ತು ಬಾಣಂತಿಯರಾಗಿರುವ 18 ವರ್ಷದೊಳಗಿನ ಹೆಣ್ಣು ಮಕ್ಕಳಿಗೆ ಕೇಂದ್ರ ಸರ್ಕಾರದ ಹೊಸ ಯೋಜನೆಯಾದ Scheme for Care and support to victims under section 4 & 6 of the POCSO Act 2012ನ್ನು ಅನುಷ್ಠಾನಗೊಳಿಸುವ ಕುರಿತು ಈಗಾಗಲೇ ಉಲ್ಲೇಖ(1)ರಂತೆ ಮಾರ್ಗಸೂಚಿಯನ್ನು ಹೊರಡಿಸಲಾಗಿದೆ. ಉಲ್ಲೇಖ(2)ರಂತೆ ಅನುದಾನವನ್ನು ಬಿಡುಗಡೆಗೊಳಿಸಲಾಗಿದ್ದು, ಯೋಜನೆ ಅನುಷ್ಠಾನ ಕುರಿತಂತೆ ಈ ಕೆಳಗಿನ ಸೂಚನೆಗಳನ್ನು ಕಡ್ಡಾಯವಾಗಿ ಪಾಲಿಸುವುದು.

- Scheme for Care and support to victims under section 4 & 6 of the (POCSO) Act 2012 ಯೋಜನೆಯು 1ನೇ ಏಪ್ರಿಲ್ 2024 ಮತ್ತು ನಂತರದಲ್ಲಿ ಪೋಕ್ಸೋ ಕಾಯ್ದೆಯ ಸೆಕ್ಷನ್ 4 & 6 ಅಪರಾಧಕ್ಕೆ ಬಲಿಯಾಗಿ ಗರ್ಭಿಣಿಯಾಗಿರುವ 18 ವರ್ಷದೊಳಗಿನ ಹೆಣ್ಣು ಮಕ್ಕಳಿಗೆ ಅನ್ವಯಿಸುತ್ತದೆ.
- ಆಶ್ರಯ ಅಗತ್ಯವಿರುವ ಸಂತ್ರಸ್ತ ಬಾಲಕಿಯರಿಗೆ 18 ವರ್ಷಗಳವರೆಗೆ ಮಕ್ಕಳ ಪಾಲನಾ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಅಥವಾ ಗುರುತಿಸಲಾದ ಅರ್ಹ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಮತ್ತು 23 ವರ್ಷ ತುಂಬುವವರೆಗೆ ಅನುಪಾಲನಾ ಗೃಹಗಳಲ್ಲಿ ಆಶ್ರಯ ಒದಗಿಸಬೇಕಾಗಿರುತ್ತದೆ.
- ಎಲ್ಲಾ ಮಕ್ಕಳ ಪಾಲನಾ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ಪೋಕ್ಸೋ ಸಂತ್ರಸ್ತ ಮಕ್ಕಳಿಗಾಗಿ 10 ಮಕ್ಕಳ ಸಾಮರ್ಥ್ಯದ ಪ್ರತ್ಯೇಕ ಆಶ್ರಯ ವ್ಯವಸ್ಥೆಯನ್ನು ಮಾಡಿಕೊಳ್ಳುವುದು.
- ಸಂತ್ರಸ್ತ ಬಾಲಕಿಯರಿಗೆ ಆರೋಗ್ಯ ಸೇವೆಗಳಾದ ಜನನಿ ಸುರಕ್ಷಾ ಯೋಜನೆ, ಜನನಿ ಶಿಶು ಸುರಕ್ಷಾ ಕಾರ್ಯಕ್ರಮ, ಪ್ರಧಾನ ಮಂತ್ರಿ ಸುರಕ್ಷಿತ ಮಾತೃತ್ವ ಅಭಿಯಾನ ಇತ್ಯಾದಿ ಕೇಂದ್ರ ಮತ್ತು ರಾಜ್ಯ ಸರ್ಕಾರಗಳ ಯೋಜನೆಗಳನ್ನು ಆರೋಗ್ಯ ಇಲಾಖೆಯ ಸಹಯೋಗದೊಂದಿಗೆ ಒದಗಿಸುವುದು.
- ಮಾತೃ ವಂದನ ಯೋಜನೆಗೆ ಸಮನಾಗಿ ರೂ.6000/–ಗಳನ್ನು ಒಂದೇ ಬಾರಿಗೆ ಗರ್ಭಿಣಿ / ಬಾಣಂತಿ ಮಾತೃತ್ವ ಆರೈಕೆಗಾಗಿ ಸಂತ್ರಸ್ತ ಬಾಲಕಿಯ ಜಂಟಿ ಖಾತೆಗೆ ಜಮೆ ಮಾಡುವುದು.
- ಬಾಲಕಿಯು MTP (Medically terminated pregnancy)ಗೆ ಒಳಗಾಗಿದ್ದಲ್ಲಿ ಅಥವಾ ಗರ್ಭಪಾತವಾಗಿದ್ದಲ್ಲಿಯೂ ಸಹ ರೂ.6000/–ಗಳ ಮಾತೃತ್ವ ಆರೈಕೆ ಬೆಂಬಲ ಅನ್ವಯಿಸುತ್ತದೆ.

- ರೂ.6000/–ಗಳ ಮಾತೃತ್ವ ಆರೈಕೆ ಅನುದಾನ ವೈದ್ಯಕೀಯ ವೆಚ್ಚ ಮತ್ತು ಪ್ರಾಸಂಗಿಕ ವೆಚ್ಚಗಳು ಬೇರೆ ಬೇರೆಯಾಗಿರುತ್ತದೆ. ಸಂತ್ರಸ್ತೆಗೆ ಅಗತ್ಯವಿದ್ದಲ್ಲಿ ಈ ಎಲ್ಲಾ ವೆಚ್ಚಗಳನ್ನೂ ನೀಡಬೇಕಾಗಿರುತ್ತದೆ.
- ಸಂತ್ರಸ್ತ ಬಾಲಕಿಯು ಮಕ್ಕಳ ಪಾಲನಾ ಸಂಸ್ಥೆಗಳಲ್ಲಿ ದಾಖಲಾಗಿದ್ದಲ್ಲಿ, ಬಾಲಕಿ ಮತ್ತು ಅಧೀಕ್ಷಕರ ಜಂಟಿ ಖಾತೆಯನ್ನು ತೆರೆಯುವುದು ಅಥವಾ ಪೋಷಕರೊಂದಿಗೆ ವಾಸವಿದ್ದಲ್ಲಿ, ಬಾಲಕಿ ಮತ್ತು ಪೋಷಕರ ಜಂಟಿ ಖಾತೆಯನ್ನು ತೆರೆಯುವುದು.
- ಬಾಧಿತ ಬಾಲಕಿ ಮಾನಸಿಕ ಆಘಾತದಿಂದ ಹೊರಬರಲು ಅಗತ್ಯ ಆಪ್ತ ಸಮಾಲೋಚನೆ, ಮಾನಸಿಕ ಆರೋಗ್ಯ ತಜ್ಞರ ನೆರವು, ಶಿಕ್ಷಣವನ್ನು ಮುಂದುವರೆಸಲು ಅವಕಾಶ, ವೃತ್ತಿ ತರಬೇತಿ, ಕೌಶಲ್ಯ ತರಬೇತಿ, ಬೆಂಬಲ ವ್ಯಕ್ತಿಗಳ ನೆರವು, interpreter, ಅನುವಾದಕರ ನೆರವು, ಕಾನೂನು ಸೇವಾ ಪ್ರಾಧಿಕಾರರ ವತಿಯಿಂದ ವಕೀಲರ ನೆರವು ಮತ್ತು ಅಗತ್ಯವಿದ್ದಲ್ಲಿ ಖಾಸಗಿ ವಕೀಲರನ್ನು ನೇಮಿಸಿಕೊಳ್ಳುವುದು.
- ಕೋರ್ಟ್, ಆಸ್ಪತ್ರೆ, ಶಾಲೆ ಅಥವಾ ಇನ್ನ್ಯಾವುದೇ ಸ್ಥಳಗಳಿಗೆ ತೆರಳುವಾಗ ಸೂಕ್ತ ಸುರಕ್ಷಿತ ಕ್ರಮಗಳೊಂದಿಗೆ ಬಾಲಕಿ ಮತ್ತು ಅವಳೊಂದಿಗೆ ತೆರಳುವ ವ್ಯಕ್ತಿಗಳಿಗೆ ಗ್ರೂಪ್–ಸಿ ನೌಕರರಿಗೆ ಅನ್ವಯಿಸುವ ದರಗಳಲ್ಲಿ ಪ್ರಯಾಣ ವೆಚ್ಚವನ್ನು ಪಾವತಿಸುವುದು.
- ರಾಜ್ಯ ಮತ್ತು ಕೇಂದ್ರ ಸರ್ಕಾರಗಳ ಚಾಲ್ತಿಯಲ್ಲಿರುವ ಯೋಜನೆಗಳ ಆರ್ಥಿಕ ಬೆಂಬಲವನ್ನು ಒದಗಿಸುವುದು. NALSAದ Compensation Scheme for Women Victims / Survivors of Sexual Assault / Other Crimes –2018 ಯೋಜನೆಯ ನೆರವನ್ನು DLSA ಸಹಯೋಗದೊಂದಿಗೆ ಒದಗಿಸಿಕೊಡುವುದು.
- ಬಾಧಿತ ಬಾಲಕಿ ಮತ್ತು ಅವಳ ಮಗುವಿಗೆ ಪ್ರಧಾನ ಮಂತ್ರಿ ಜನ್ ಆರೋಗ್ಯ ಯೋಜನಾ ಆರೋಗ್ಯ ವಿಮೆ ಒದಗಿಸುವುದು.
- ಪ್ರಾಯೋಜಕತ್ವ ಯೋಜನೆ, ಉಪಕಾರ್ ಯೋಜನೆಗಳ ಬೆಂಬಲ ಮತ್ತು 23 ವರ್ಷಗಳ ವರೆಗೆ ಅನುಪಾಲನಾ ಸೇವೆಯನ್ನು ಒದಗಿಸುವುದು.
- ಬಾಲಕಿಯು ಆಧಾರ್ ಕಾರ್ಡ್ ನ್ನು ಹೊಂದಿಲ್ಲದಿದ್ದಲ್ಲಿ, ಆಧಾರ್ ಕಾರ್ಡ್ ಒದಗಿಸಿಕೊಡುವುದು ಮತ್ತು ಅವಳ ಮಗುವಿಗೂ ಸಹ ಜನನ ಪ್ರಮಾಣ ಪತ್ರ ಮತ್ತು ಆಧಾರ್ ಕಾರ್ಡ್ ನ್ನು ಒದಗಿಸಲು ಕ್ರಮವಹಿಸುವುದು.
- ವೈದ್ಯಕೀಯ ವೆಚ್ಚಕ್ಕಾಗಿ Scheme for Care and support to victims under section 4 & 6 of the POCSO Act 2012ರಲ್ಲಿ ಅನುದಾನವನ್ನು ಒದಗಿಸಲಾಗಿರುತ್ತದೆ. ಒಂದು ವೇಳೆ ಅನುದಾನದ ಅಲಭ್ಯತೆಯ ಸಂದರ್ಭದಲ್ಲಿ ಬಾಲನ್ಯಾಯ ನಿಧಿಯನ್ನು ಮಾರ್ಗಸೂಚಿಯಲ್ಲಿ ನಿಗದಿಪಡಿಸಿರುವಂತೆ ಬಳಕೆ ಮಾಡಬಹುದಾಗಿರುತ್ತದೆ.
- ಪ್ರಾಸಂಗಿಕ ವೆಚ್ಚಗಳಾದ ಆಹಾರ, ಬಟ್ಟೆ, ನೀರು ಮತ್ತು ಇತರೆ ಅನಿರೀಕ್ಷಿತ ವೆಚ್ಚಗಳನ್ನು Scheme for Care and support to victims under section 4 & 6 of the POCSO Act 2012ರಲ್ಲಿ ಒದಗಿಸಲಾದ Flexi Fund ನಲ್ಲಿ ಭರಿಸುವುದು ಅಥವಾ ಅನುದಾನ ಅಲಭ್ಯತೆಯ ಸಂದರ್ಭದಲ್ಲಿ ಬಾಲನ್ಯಾಯ ನಿಧಿ ಮಾರ್ಗಸೂಚಿಯಲ್ಲಿ ನಿಗದಿಪಡಿಸಿ ಬಿಡುಗಡೆಗೊಳಿಸಲಾಗಿರುವ ಅನುದಾನದಲ್ಲಿ ವೆಚ್ಚ ಭರಿಸುವುದು. ಆದರೆ ಸದರಿ ವೈದ್ಯಕೀಯ / ಪ್ರಾಸಂಗಿಕ ವೆಚ್ಚಗಳನ್ನು ಯಾವುದಾದರು ಒಂದು ಯೋಜನೆಯಡಿ ಸೀಮಿತಗೊಳಿಸುವುದು.
- ಬಾಲಮಂದಿರಗಳಲ್ಲಿ ದಾಖಲಾದ ಪೋಕ್ಸೋ ಕಾಯ್ದೆಯ ಸೆಕ್ಷನ್ 4 & 6 ಅಪರಾಧಕ್ಕೆ ಬಲಿಯಾಗಿ ಗರ್ಭಿಣಿ/ ಬಾಣಂತಿಯಾಗಿರುವ ಮಕ್ಕಳ ಮಾಹಿತಿಯನ್ನು ಮಾರ್ಗಸೂಚಿಯ Appendix-A ರಂತೆ ನಿರ್ವಹಿಸುವುದು.

• Statement of expenditure ನ್ನು ಮಾರ್ಗಸೂಚಿಯ Appendix-B ಮತ್ತು ಅನುದಾನ ಉಪಯೋಗತ ಪ್ರಮಾಣ ಪತ್ರವನ್ನು Appendix-C ನಮೂನೆಯಲ್ಲಿ ಪ್ರತಿ ತ್ರೈಮಾಸಿಕ ಕೇಂದ್ರ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸುವುದು.

ಮೇಲ್ಕಂಡ ಎಲ್ಲಾ ಸೇವೆಗಳನ್ನು ಪೋಕ್ಸೋ ಕಾಯ್ದೆಯ ಸೆಕ್ಷನ್ 4 & 6 ಅಪರಾಧಕ್ಕೆ ಗುರಿಯಾಗಿ ಗರ್ಭಿಣಿ / ಬಾಣಂತಿಯಾಗಿರುವ ಸಂತ್ರಸ್ತ ಬಾಲಕಿಯರಿಗೆ ಒದಗಿಸುವುದನ್ನು ಖಾತ್ರಿ ಪಡಿಸಿಕೊಳ್ಳುವುದು ಮತ್ತು ಈ ಎಲ್ಲಾ ಸೇವೆಗಳನ್ನು ಸಂತ್ರಸ್ತ ಬಾಲಕಿಗೆ ಒದಗಿಸಲು ಎಫ್.ಐ.ಆರ್ ಕಡ್ಡಾಯವಾಗಿರುವುದಿಲ್ಲ. ಆದರೆ ಪೋಕ್ಸೋ ಕಾಯ್ದೆಯ ಸೆಕ್ಷನ್–19 ರನ್ವಯ ಪೊಲೀಸರಿಗೆ ಮಾಹಿತಿ ನೀಡಿ ಎಫ್.ಐ.ಆರ್ ದಾಖಲಿಸುವುದನ್ನು ಖಾತ್ರಿ ಪಡಿಸಿಕೊಳ್ಳಬೇಕು.

ತಮ್ಮ ವಿಶ್ವಾಸಿ,

ನಿರ್ದೇಶಕರು, ಮಕ್ಕಳ ರಕ್ಷಣಾ ನಿರ್ದೇಶನಾಲಯ

ಬೆಂಗಳೂರು.

## ಪ್ರತಿಯನ್ನು:

- 1. ಜಿಲ್ಲಾಧಿಕಾರಿಗಳು ಹಾಗೂ ಅಧ್ಯಕ್ಷರು, ಜಿಲ್ಲಾ ಮಕ್ಕಳ ರಕ್ಷಣಾ ಘಟಕ, ಎಲ್ಲಾ ಜಿಲ್ಲೆಗಳು ಇವರ ಅಗತ್ಯ ಮಾಹಿತಿಗಾಗಿ.
- 2. ಮಕ್ಕಳ ಕಲ್ಯಾಣ ಸಮಿತಿಯ ಅಗತ್ಯ ಮಾಹಿತಿ ಮತ್ತು ಕ್ರಮಕ್ಕಾಗಿ.

#### इंद्रा मालो, भा.प्रा.से. संयुक्त सचिव **INDRA MALLO (IAS) Joint Secretary**



भारत सरकार महिला एवं बाल विकास मंत्रालय शास्त्री भवन, नई दिल्ली-110 001 **GOVERNMENT OF INDIA** MINISTRY OF WOMEN & CHILD DEVELOPMENT

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30/11/2023

D.O.No. CW-II-11/1/2023-CW-II (e-109297)



Dear Ma'am & Sir,

As you are aware that Ministry of Women and Child Development is administering the Protection of Children from Sexual Offences (POCSO) Act enacted in 2012 (as amended in 2019) to protect all children below the age of 18 years from sexual crimes. A disproportionate number of the victims are girl children between the age of 13-18 years. These girl child victims sometimes fail to receive timely help and support especially during and after pregnancy due to social stigma attached to them.

- 2. In order to address the above gaps, the centrally funded scheme namely "Scheme for Care and Support to Victims under Section 4 & 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012" from NIRBHAYA fund is therefore, being introduced to address the challenges faced by the minor pregnant girl child victims and fills the gaps of the existing schemes for implementation by the State/UT Governments.
- 3. The main objective of this Scheme is to provide integrated support and assistance to minor pregnant girl child victims under one roof and to facilitate their immediate, emergency and nonemergency access to a range of services for long term rehabilitation in terms of access to education, police assistance, medical (also comprising maternity, neo-natal and infant care), psychological, mental health counseling, legal support, Non-Institutional Care support, place of stay in CCI/Aftercare facilities and health insurance cover for the girl child victim and her new-born under one roof to enable access to justice and empowerment of such girl child victims.
- 4 The Guidelines of the Scheme are enclosed for implementation by the States/UTs. The Guidelines will also be available on the Ministry's website i.e. www.wcd.nic.in and on Mission Vatsalya Portal i.e. https://missionvatsalya.wcd.gov.in.

I shall be grateful, if you kindly take necessary action for implementation of the "Scheme for Care and Support to Victims under Section 4 & 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012".

Encl. as above

To

With agards,



# Scheme for Care and Support to Victims under Section 4 & 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012

Ministry of Women and Child Development Government of India

#### **List of Abbreviations**

AWW Anganwadi Worker

ASHA Accredited Social Health Activist

CWC Child Welfare Committee

CCI Child Care Institution

DCPU District Child Protection Unit

DCPO District Child Protection Officer

DLSA District Legal Services Authority

DM District Magistrate

FIR First Information Report

GFR General Financial Rules

JJ Act, 2015 Juvenile Justice (Care and Protection of Children) Act,

2015

JJ Model Rules, 2016 Juvenile Justice (Care and Protection of Children)

Model Rules, 2016

POCSO Act, 2012 Protection of Children from Sexual Offences Act, 2012

IPC Indian Penal Code

MTP Medical Termination of Pregnancy

MWCD Ministry of Women and Child Development

NALSA National Legal Services Authority

NGO Non-Government Organisation

SIR Social Investigation Report

SOE Statement of Expenditure

UC Utilisation Certificate

#### **Table of Contents**

1.	Introduction	1
2.	Objectives of the Scheme	1
3.	Eligibility Criteria	1
4.	Services provided under the Scheme	2
5	Benefits under the Scheme	4
8	Process of Availing Benefits under the Scheme	5
8	Access of the Scheme	6
9	Procedure to be followed by Police and CWC	7
10	Procedure to be followed by CCIs	8
11	Duration of access to services under the Scheme	9
11.	Process flow diagram of the Scheme	10
12.	Administration of the Scheme	10
13.	Fund Flow under the Scheme	10
14.	Monitoring and Evaluation of the Scheme	10
15	Annexure-I : Roles and responsibilities for the implementation of the Scheme	12
16	Annexure-II : Component wise fund allocation at district level	14
17	Appendix – A : Format for details of minor girl child victim	15
18	Appendix – B: Annual Statement of Expenditure	16
19	Appendix – C: Utilisation Certificate	17

#### 1. Introduction:

The Protection of Children from Sexual Offences (POCSO) Act was enacted in 2012 as amended in 2019 to protect all children below the age of 18 years from sexual crimes. As sexual crimes are unfortunately associated with social stigma for the victims, a large number of cases remain unreported denying justice to victims. However, with mandatory reporting provision under the POCSO Act, the reporting of cases has increased. During the last three years on an average as per NCRB reports, 29472 cases have been registered under section 4 and 6 of the POCSO Act, 2012. Of these, on an average 29188 are cases where the victim is a girl child. These girl child victims often fail to receive timely help and support. Therefore, this needed to be addressed on priority.

Additionally, Section 4 and Section 6 of the POCSO Act cover the offence of rape where the punishments are severest (Section 5 is aggravated form of rape titled as "Aggravated Penetrative Sexual Assault" under POCSO Act where the punishment includes death penalty for the offender). In many of these cases, girls become pregnant and bear several physical and mental health concerns, which are further aggravated when they are disowned or abandoned by their own families or are orphaned. This centrally funded scheme from NIRBHAYA fund is therefore, being introduced to address the challenges faced by the minor pregnant girl child victims and fill the gaps of the existing schemes. The scheme shall be implemented through the State/UT Governments.

#### **2. Objectives of the Scheme:** The objectives of the Scheme are:

- To provide integrated support and assistance to minor pregnant girl child victims under one roof; and
- To facilitate immediate, emergency and non-emergency access to a range of services for long term rehabilitation in terms of access to education, police assistance, medical (also comprising maternity, neo-natal and infant care), psychological, mental health counselling, legal support, Non-Institutional Care monthly support, place of stay in CCI/Aftercare facilities and health insurance cover for the girl child victim and her new-born under one roof to enable access to justice and empowerment of such girl child victims.

#### 3. Eligibility Criteria:

Any girl below the age of 18 years, who is a victim of:

- Penetrative Sexual Assault Section 4 of the POCSO Act,
- Aggravated Penetrative Sexual Assault Section 6 of the POCSO Act,
- Section 376, 376A-E of Indian Penal Code, 1860 (IPC)

And becomes pregnant due to such assault or rape is covered under the Scheme. The Scheme shall extend support to every minor pregnant girl child victim.

It is not mandatory for the girl child victim to have a copy of the FIR for availing the benefits under the Scheme. However, it shall be the responsibility of the State/UT to ensure that information is provided to the police and that an FIR is registered, as per section 19 of POCSO Act, 2012.

Such a girl child victim is a 'Child in Need of Care and Protection' as defined under Section 2(14) of the Juvenile Justice (Care and Protection of Children) Act (JJ Act), 2015 and is therefore entitled to avail all the benefits/support provided under Mission Vatsalya Scheme support and the JJ Act along with the POCSO Act and IPC under which the offence has been committed upon her. The format for details of minor girl child victim is at **Appendix - A.** 

## **4. Services under the Scheme:** The Scheme envisaged to provide following services as given below:

S. No.	Type of Service	Description
1	Safe space to live	Within the designated Child Care Institutions (CCIs) preferably or a separate space shall be created/identified to provide accommodation to such girl child victims up to age of 18 years thereafter, in Aftercare support up to 23 years. If required these girls may be linked with the Shakti Sadan /Sakhi Niwas as per the requirement for the institutional care after attaining the age of 18 years.
2	Health Services and medical examination	This includes reproductive health care services such as antenatal, post-natal care including institutional delivery and proper nutrition of minor girls during pregnancy and after delivery. For the purpose, the benefits to be provided under this scheme on the lines of schemes such as Janani Suraksha Yojana (JSY), Janani Shishu Suraksha Karyakram (JSSK), Pradhan Mantri Matru Vandana Yojana (PMMVY), Pradhan Mantri Surakshit Matritva Abhiyan or any other relevant scheme of the Central and State Governments.
		Such pregnant girl child victim shall be referred to the nearest government/private hospital for medical aid/examination which shall be undertaken as per the guidelines and protocols developed by the Ministry of Health and Family Welfare.
		In case the child is below 12 years of age, then the Child Welfare Committee shall give the consent for her medical examination but in case the victim is above 12 years of age, then the child's consent is required for any medical examination. If she refuses for the medical examination, then the doctor should explain the importance of examination and evidence collection, however her refusal will be respected. It should also be explained that refusal for such examination will not affect/compromise treatment or receipt of benefits. Such informed refusal for examination and evidence collection must be documented.
		<b>Note</b> - In case such girl child victim does not want to continue with her pregnancy, then options available under the Medical Termination of Pregnancy (MTP) Act, 1961 and JJ Act, 2015 shall be explained with proper counselling.
3	Counselling and Mental Health Services	Such victims shall be provided with counselling and other mental health services to overcome the trauma so that they become confident to seek justice

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S. No.	Type of Service	Description	
		and confidence, shall provide a support person to render assistance to the child in all possible manner throughout the process of investigation and trial, and shall immediately inform the SJPU or Local Police about providing a support person to the child. The SJPU or the local police shall inform the child about support person within 24 hours of making such assignment and inform the Special Court in writing.	
	The support person shall at all times maintain the confident of all information pertaining to the child to which he or she access and shall keep the child and child's parent or guardia other person in whom the child has trust and confide informed regarding the proceedings of the case, incluavailable assistance, judicial procedures, and pote outcomes. The Support person shall also inform the child or role the Support person may play in the judicial process ensure that any concerns that the child may have, regar child's safety in relation to the accused and the manner in whe Support person would like to provide child's testimony conveyed to the relevant authorities.		

#### 5. Benefits under the Scheme

- Safe space to live: A dedicated Child Care Institutions (CCI) or a separate space to accommodate girl child victims up to the age of 18 years; and aftercare support shall be provided up to 23 years.
- Health Services and medical examination: Holistic reproductive and child health care services shall be provided under this scheme on the lines of provisions contained in the schemes JSY, JSSK and PMMVY @ Rs. 6000/- (one time financial support) or any other relevant scheme of the Central and State Governments.
- 3. **Counselling and Mental Health Services:** Counselling and other mental health services shall be provided to overcome the trauma.
- 4. **Education and Vocational Skills:** Continue education of girl child victims and in case any victim wants to peruse any formal education or vocational training then the same shall be provided.
- 5. **Safe Transportation & Police Protection:** Transport support with adequate safety measure while communicating to court, hospital, school or any other place. Police protection will be provided wherever and whenever safety of victim is threatened.
- 6. **Legal Aid and Assistance:** Legal aid and counselling shall be provided to facilitate access to justice for the girl child victim.
- 7. **Police Assistance:** Statement of the girl child victim to be recorded in the place of her choice by a female police officer who is in plain clothes.

- 8. **Monetary and Other Entitlements:** CCI/Lawyer/Support Person shall enable access of victims to monetary and other entitlements as per the law and different scheme/compensation of the Central and State Government.
- 9. **Health Insurance Coverage:** The girl child victim and her new-born shall be provided health insurance cover @ Rs. 5 Lakhs per year/- under PM-JAY.
- 10. Care under Mission Vatsalya: The minor girl victim shall be provided with Institutional Care and Non-institutional Care @ Rs. 4000/- per month per child for Sponsorship/After Care under Mission Vatsalya up to 23 years or till she gets employment, whichever is earlier.

#### 6. Process of Availing Benefits under the Scheme:

A child in need of care and protection is produced before Child Welfare Committee (CWC) constituted under section 27 of JJ Act, 2015 (as amended in 2021). The Committee has the final authority to dispose of cases for the care, protection, treatment, development and rehabilitation of the children as well as to provide for their basic needs.

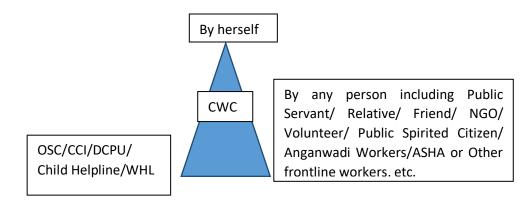
Any child in need of care and protection may be produced before the Committee by one of the following persons: -

- i) Any police officer or Special Juvenile Police Unit or a designated Child Welfare Police Officer or any officer of District Child Protection Unit or inspector appointed under any labour law for the time being in force;
- ii) Any public servant;
- iii) Child Helpline Services or any voluntary or non-governmental organization or any agency as may be recognised by the State Government;
- iv) Child Welfare Officer or probation officer;
- v) Any social worker or a public-spirited citizen;
- vi) By the child himself; or
- vii) Any nurse, doctor or management of a nursing home, hospital or maternity home

Under section 29 of the JJ Act, 2015, the Committee shall have the authority to dispose of cases for the care, protection, treatment, development and rehabilitation of children, in need of care and protection, and shall also provide for their basic needs and protection.

Any girl child victim can avail, by the orders of Child Welfare Committee, the benefits of Institutional Care through CCIs or Non-Institutional Care (in case any girl child victim opts to live with parents / guardians or extended family) under Mission Vatsalya Scheme. Thereafter, the girl child victim can avail the facility of Aftercare under Non-Institutional Care of Mission Vatsalya Scheme.

#### 6.1 Access of the Scheme



Any girl child victim can access the benefits under the scheme by presenting before Child Welfare Committee (CWC) in the following manner:

- By herself; or
- Through any person including any public-spirited citizen, public servant (as defined under section 21 of Indian Penal Code, 1860), relative, friend, NGO, volunteer, etc.; or
- Through Child Helpline, Women Helpline, ambulance and other emergency response helplines/One Stop Centre (OSC)/CCI/ District Child Protection Unit (DCPU) etc.

If the girl approaches DCPU, Child Helpline or CCI or OSC then the same shall immediately provide information to police and produce the girl before the Child Welfare Committee for placement in a Child Care Institution meant for girls. The Roles and Responsibilities of the Persons responsible for the Implementation of the Scheme are at **Annexure-I.** 

#### 6.2 Procedure to be followed by Police and CWC:

The CWC may refer the case to the Juvenile Justice Board of the district for issuing suitable directions to the SJPU for registration of FIR, which is mandatory as per Section 19 of the POCSO Act.

In case the girl approaches the CCI/DCPU/OSC/Child Helpline/WHL, it shall be responsibility of the person-in-charge of CCI, District Child Protection Officer and Child Helpline respectively to inform the police for registration of case. All the three agencies thereafter must produce the child before the CWC immediately.

The police shall inform the girl child about her entitlements about various services as provided under Rule 4(14) under Form A of the POCSO Rules, 2020 and take her to the nearest hospital within 24 hours to facilitate emergency medical care and examination. The medical examination of the girl child shall be conducted as per the "Guidelines & Protocols Medico-legal care for survivors/victims of Sexual Violence" issued by the Ministry of Health and Family Welfare.

Once the girl child is produced before the CWC, it shall follow the procedure as per Section 30 of the JJ Act, 2015 and under section 27 of the POCSO Act, 2012 by taking cognizance of the matter and shall pass an order for placement of the girl child in a CCI or issue order for non-institutional care support in case girl prefer to live with her parents/extended family members/relatives. CWC shall also appoint an appropriate Support Person for such victim. At least one CCI shall be designated in each district for providing institutional care to these girls. A separate unit as a room/dormitory/place may be identified/created for the capacity of 10 beds in a children's home. In case, the district does not have a CCI for girls, the CWC shall transfer the case to the neighbouring district.

It shall also direct Child Welfare Officers or Probation Officers or District Child Protection Unit to conduct social investigation within 15 days.

Once the Social Investigation Report (SIR) has been prepared and a detailed Case History as per Form 43 of the JJ Model Rules, 2022 has been developed by Child Welfare Officer or Case Worker of the CCI, the CWC shall order for development of an Individual Care Plan (Form 7 of the JJ Model Rules 2022) for such victim addressing the health and nutrition, emotional and psychological, education and training, self-care and life skills training for protection from all kinds of abuse, neglect and maltreatment.

The Individual Care Plan shall be monitored by the CWC every 15 days and the Committee shall meet the girl child victim once a month to check her progress and well-being as per ICP.

#### 6.3 Procedure to be followed by Child Care Institutions (CCI)

In order to provide institutional care in the designated CCIs for the POCSO victims, the person-in-charge of the Home shall provide a safe living space for the girl child or a separate unit as a room/dormitory/place may be identified/created up to the capacity of 10 beds in a children home to accommodate such victims. A case worker shall be immediately designated by the person-in-charge for the girl child victim.

Additional funds shall be provided under this scheme to the CCI for the care and protection of the girl child, which shall be utilised for extending benefits for the following purposes:

- 1. Providing professional counselling services to the girl
- 2. Providing professional mental health support, wherever required
- 3. Ensuring access to benefits under this scheme on the lines of the following Government schemes to the girl child victim and young mothers-to-be such as
  - a. Janani Shishu Suraksha Karyakram
  - b. Pradhan Mantri Matru Vandana Yojana
  - c. Janani Suraksha Yojana
  - d. Pradhan Mantri Surakshit Matritva Abhiyan
- 4. Proving education as per her age and education level
- 5. Providing vocational skills as per her interest and choice
- 6. Supporting her legal case and access to entitlements and rights under the POCSO Act as listed below:

- a. Receive a copy of the FIR
- b. Adequate security and protection by police
- c. Recording of her statement by woman police officer at Children's Home or any other place convenient to the girl child
- d. Being kept away from accused at all times, during trial and otherwise
- e. Have an interpreter or translator, where needed
- f. Special educator or other specialized person for special needs girl child
- g. Free legal aid
- h. Support Person appointed by CWC
- i. Privacy and confidentiality
- j. Expediting the process of receiving compensation including interim compensation especially under the NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes – 2018
- k. Providing for insurance cover for the girl child victim and new-born through the Ayushman Bharat Yojana
- 7. Providing legal aid/assistance from the panel of advocates at District Legal services authority (DLSA). In case the person-in-charge feels any lack of good quality of legal assistance /support through DLSA, they can ask the District Child Protection Officer for providing assistance under the Scheme.
- **6.4 Reporting of case progress**: The support person as designated by the CWC shall submit a monthly report of the girl child that would cover all aspects of her care and protection including progress in the legal case to the Child Welfare Committee and the District Child Protection Officer.

#### 7. Duration of access to services under the Scheme:

The Scheme applies to the pregnant girl child victim from the time of report of the case. As the victim is below 18 years of age, she may like to continue to stay in the CCI till she attains 18 years of age and thereafter, the CCI shall refer the case to the Child Welfare Committee for recommendation for After Care as per Section 46 of the JJ Act. Under After Care, the girl child who leaves a Child Care Institution on attaining the age of 18 years may be provided after care till the age of 23 years.

In case the girl child delivers her baby, the infant may be placed in the co-located SAA till attaining the age of 6 years.

In case the girl child wishes to surrender her baby, the newborn may be placed in the designated Specialized Adoption Agency (SAA) till the girl child victim attains the age of 18 years. Thereafter, she will be informed of the process of surrender as per Section 35 of the JJ Act, wherein the child can be surrendered before a Child Welfare Committee and also given two months' time to reconsider subject to providing counseling to take informed decision in this regard. The girl child must be informed that after signing surrender deed, the child becomes eligible for declaration of Legally Free for Adoption (LFA) followed by the Adoption process as per the Child Adoption Resource Information and Guiding System (CARINGS) portal and if adopted by Prospective Adoptive Parents (PAPs), the adoption is irreversible.

In case of termination of pregnancy as per the MTP Act, the DM on advice of District Chief Medical Officer shall order for the same to a government facility or registered medical practitioner, the cost of the same will be borne by the government.

**8. Process flow diagram of the Scheme:** The flow diagram of the process and access to services under the Scheme are as given below:-

Child District Child Child Welfare Child Care Helpline/Women Helpline Committee Stop Centre

Information to police for registration of FIR

Production of girl child before Child Welfare Committee

Safe Space for girl child in a Child Care Institution (CCI) till her delivery and her infant turns 6 months of age or till the girl child attains 18 years of age Entitlements for Girl child under the Scheme

- Safe space to stay
- Medical/Health care
- Nutritious food and care
- Counselling and men all health services
- Safe commutation to court, hospital, etc.
- Support in legal case through DLSA
- Services of Support Person
- Special relief by the CWC
- Compensation including interim compensation
- Insurance cover for the girl child victim and her new-born
- Non -Institutional Care monthly support up to 23 years of age

Non-institutional care support (Sponsorship/ Aftercare) to the girls who prefer to live with their parents/family members /extended family members

**9. Administration of the Scheme:** The scheme shall be administered and reviewed by the Ministry of Women and Child Development, Government of India as 100% centrally funded scheme under Nirbhaya Fund and implemented by the States/UTs through the District Magistrate. The Scheme shall have separate budget line and State linked Scheme (SLS) for transfer of funds to the Care and Support to Victims of POCSO Scheme from the Ministry to the States/UTs. The implementation of the Scheme by the State/UT Government shall be carried out by the concerned Principal Secretary/Secretary in-charge of Mission Vatsalya Scheme in the State Government and by the District Magistrate/District Collector as provided in the Mission Vatsalya Guidelines.

Funds under the Scheme: A sum of Rs. 10.00 lakh per district shall be allocated to the State/UT provided from the Nirbhaya Fund of MWCD. States may utilize the fund flexibly as per actual incidence and need of districts. At district level DCPU shall utilize this fund under the overall control of District Magistrate/District Collector. This Fund shall be replenished in the event of expenditure of over 75% of the amount. The Annual Utilization Certificates (UCs)/ Statement of Expenditure (SOE) as per the General Financial Rules (GFR), may be submitted by the State/UT governments as per formats of SoE and UCs given at Appendix B & C, to the Ministry of Women and Child Development. The component wise fund allocation at district level for annual utilization is at Annexure-II.

The State/UT may provision for the fund required in their respective annual budget and submit the annual financial proposal to the Project Approval Board (PAB) under Mission Vatsalya Scheme as per the Mission Vatsalya guidelines.

#### 10. Fund Flow under the Scheme:

**10.1** The Central Government shall release funds to the State/UT Government and thereafter funds shall be released and made available to District Magistrates.

The said fund shall be released to Children's Home by the District Child Protection Officer in each District. This would be in addition and separate to the funds released for management / administration of CCI under Mission Vatsalya. A monthly sponsorship amount of Rs. 4000/per child shall be disbursed to the Adhaar linked bank accounts of these girl child victims for providing non-institutional care (Sponsorship/After Care) support under Mission Vatsalya Scheme.

- **10.2 Opening of minor bank accounts for girl child victim:** The girls placed in the CCIs are minor girls, therefore, their bank accounts are to be opened with guardianship of Superintendent /Officer-In-charge of CCI. In case a girl prefers to live with parents/family members/extended family members or any other relative, their bank accounts as minor are to be opened jointly with her guardian. DCPU will ensure Aadhar card of these girls and opening of Aadhaar linked bank accounts for these girls.
- **11. Monitoring and Evaluation of the Scheme:** The State Child Protection Society shall regularly monitor and review the implementation of the scheme. The District Magistrate shall be the implementing authority of the scheme in the district. The DM shall maintain the details

of all such girls. The scheme will be monitored as per the provisions of Juvenile Justice Act 2015 (amended in 2021) and POCSO Act. 2012 (as amended in 2019). All the data of Key Performance Indicators (KPIs) as decided at the time of its implementation will be monitored through Mission Vatsalya Portal or any other dedicated portal. The scheme may also be evaluated through the third party, if found appropriate, after an interval of three years.

### Roles and Responsibilities of the Persons responsible for the Implementation of the Scheme

#### 1. Child Helpline/Women Helpline

- a. Respond and reach out the girl child
- b. Produce the girl child before the Child Welfare Committee
- c. Register an FIR under appropriate sections of law

#### 2. District Child Protection Officer

- a. Respond and reach out the girl child
- b. Produce the girl child before the Child Welfare Committee
- c. Register an FIR under appropriate sections of law
- d. Inform the DM/DC about the case
- e. Provide funds under the Scheme to the CCI
- f. Monitor the care and protection of the girl child
- g. Visit the child at least once a month to check her well-being
- h. Monitor the legal case
- i. Ensure the girl child receives compensation and other relief as per law
- j. Provide insurance for the girl child victim and her new-born through Ayushman Bharat Yojana

#### 3. Child Welfare Committee

- a. Respond and reach out the girl child
- b. Refer the case to the Juvenile Justice Board to register an FIR under appropriate sections of law
- c. Place the girl in a CCI that is registered under the Juvenile Justice (Care and Protection of Children's) Act, 2015 (Amended in 2021)
- d. Facilitate medical examination of the child
- e. Order for preparation of Social Investigation Report
- f. Order for development of Individual Care Plan and ensure its monitoring every 15 days
- g. Appoint a support person to help the girl child in the legal case
- h. Meet the girl child once a month to check her well-being
- i. Provide special relief as per Rule 8 of POCSO Rules, 2020
- j. Ensure the girl child receives compensation and other relief as per law

#### 4. Person-in-Charge of the Child Care Institution

- a. Provide a separate safe place for the girl child
- Designate or appoint a Child welfare Officer or Case Worker to specifically cater to the needs of the girl child
- c. Prepare a case history of the child
- d. Develop and implement the Individual Care Plan
- e. Provide nutritious food to the child as advised by the doctor
- f. Provide medical care

- g. Provide professional counselling and mental health services
- h. Ensure the girl child receives benefits of the Schemes of the Government for pregnant and lactating mothers
- i. Open an account for the girl child and also arrange for development of identity proofs
- j. Get an Aadhaar Card for the child if she does not have one
- k. Facilitate her continued education
- I. Provide access to vocational skill as per her needs and interest
- m. Follow-up with DLSA regarding her case
- n. Ensure her safety during commute to the court, hospital or any other place
- o. Ensure the girl child receives compensation and other relief as per law
- p. Provide special services for the new-born
- q. Support and advise in case the girl child wish to surrender the new-born
- r. Recommend for after care to the Child welfare Committee once the girl completes 18 years of age

#### 5. Support Person

- a. Explain to the girl child about the legal process
- b. Prepare her for court proceedings including visit to the court to familiarise her with the court atmosphere
- c. Provide professional counselling and mental health services
- d. Ensure her continued education
- e. Understand her interests and guide her about the vocational skills
- f. Monitor the progress of the Individual Care Plan
- g. Expedite the process of compensation including interim compensation especially under the NALSA's Compensation Scheme for Women Victims/Survivors of Sexual Assault/other Crimes – 2018
- h. Report the progress of the child every month to the Child Welfare Committee
- i. Open a bank account for the girl child
- j. Inform about the various benefits under the Central and State Government Schemes
- k. Ensure the confidentiality and privacy of the child and protect her from media
- render assistance to the child in all possible manner throughout the process of investigation and trial including about the developments, the arrest of the accused, applications filed and other court proceedings
- m. Counsel the child regarding the various lawful options available to the child as per the Medical Termination of Pregnancy Act 1971 and the Juvenile Justice (Care and Protection of Children) Act 2015 (as amended in 2021).
- **6. Mental Health Professionals and counsellors**: The Mental Health Professional shall follow the Model Guidelines developed by Ministry of Women and Child Development under Section 39 of The Protection of Children from Sexual Offences Act, 2012 and issued in September 2013.

#### **Component-wise fund allocation per annum at District Level:**

District level component-wise fund allocation			
Sr. No.	Activity/Item	Annual Funds Ceiling (*)	
1.	To provide one-time financial support @ Rs. 6000/-equivalent to the benefit as prescribed for Pregnant Women and Lactating Mothers (PW&LM) in the Pradhan Mantri Matru Vandana Yojana in the Aadhaar linked bank account of minor pregnant girl.	Rs. 2 lakh	
2.	To provide medical /health care support as prescribed under the schemes of Ministry of Health and Family Welfare in government hospitals, private hospitals or private nursing homes.	Rs. 3 Lakh	
3.	To provide Transport Allowance / Daily Allowance to the victim and her accompany for visiting court/CWC/hospital/police station etc as per the entitlement of Group 'C' employee of the state government.	Rs. 2 Lakh	
4.	To provide legal Aid expenses	Rs. 2 Lakh	
5.	Flexi Funds for meeting unforeseen expenses	Rs. 1 Lakh	
	Total	Rs. 10 Lakh	

<sup>(\*)</sup> Above fund ceiling at district level is indicative only, District Magistrates have flexibility to change the inter-component ceiling in accordance with trend of actual expenditure within the overall ceiling of Rs. 10 Lakh per district. At State level, the Principal Secretary /Secretary incharge of Mission Vatsalya may judiciously exercise the inter-district flexibility of fund ceiling and fund allocation/re-allocation/utilization at district level in administrative exigency/emergency situation as decided by the State Government.

#### Appendix-A

#### **Details of the minor girl Child Victim**

1.	Full Name of Girl Child:
2.	Address:
3.	Government Photo ID Number:
4.	Contact Number:
5.	Email address:
6.	Details of incident:
7.	Date and place of incident:
8.	Date of FIR
9.	Details of the services / facilities required:
10.	Any other information:

Page **15** of **17** 

Person-in-Charge of the CCI

#### **Annual Statement of Expenditure**

Name	of State :			
Name o	Name of District:			
Year / F	Period			
	(Rs. in laki	hs,		
1.	Funds released during previous financial year by Gol			
2.	Expenditure incurred in previous financial year			
3.	(a)Unutilized balance of previous financial year (1-2)			
	OR			
(	(b)Excess expenditure incurred in previous FY (2-1)			
4.	Funds released during the current year by Gol			
(San	nction Order NoDate:)			
5.	Net Central funds available [4 +3(a) OR 4– 3(b)] as the case may be)			
6.	No. of survivors supported during previous FY			
7.	No. of survivors supported during current FY			
8.	Expenditure incurred during current FY (in lakhs)			
9.	Unutilised Fund / Saving, if any (5 – 8)			

Signature and Seal of the  $\ensuremath{\mathsf{DM}}\,/\,\ensuremath{\mathsf{DC}}$ 

#### **Utilisation Certificate**

Name of State :		
Name of District :		
Year / Period :		
Certified that out of the total amount of Rs.	released	under
Scheme for Care and support to the Girl Child Victims of Rape	who turn I	Pregnant
during FY to the State / UT / District of		by
the Government of India, a sum of Rs has b	een utilized	for the
purpose for which theamountwas released as per Scheme norms.	The unspent	balance
available with the State / District as onis Rs	OR	the
excess expenditure of Rs incurred by the State	te / District	as on
is Rs, which will be adjusted in	subsequent	grant.

Signature and Seal of the DM / DC