

No. IGP(A&T)/NCL(BNSS/BNA/BSA 2023)/28/2024/34
GOVERNMENT OF MIZORAM
POLICE HEADQUARTERS: AIZAWL

: Dated Aizawl, the June, 2024.

STANDING ORDER NO. 5/2024

**STANDARD OPERATING PROCEDURE FOR DEALING THE
OFFENCES AGAINST THE CHILDREN.**

The children by reason of their physical and mental status need special safeguards and care. Child victims of sexual abuse are to be treated with compassion and dignity and to ensure this, the police officials/investigation Officers are required to follow the following guidelines-

1. On receipt of a complaint disclosing cognizable offence involving a child victim, the concerned police officer shall record the complaint promptly without any delay and provisions of The Protection of Children from Sexual Offences (POCSO) Act 2012 shall be strictly complied with and appropriate sections of BNS, 2023 shall also be added. The case shall be referred to a woman police officer not below the rank of a Sub-Inspector.
2. The statement of the victim shall be recorded verbatim. The reporting officer must ensure psychological counseling of the child victim to make the child comfortable before proceeding to record his/her statement. This would help in accurate narration of the incident.
3. The police officer/investigating officer who is, recording the statement of the child victim shall wear

plain cloths during this process as per the mandate of section 24(2) POCSO Act.

4. The statement of the child victim shall be recorded at the residence of the victim or at any other place where the victim can make a statement freely without fear/pressure. The statement of the victim should be recorded promptly without any loss of time. The parents/guardians of the child or any other person in whom the child reposes trust and confidence will be allowed to remain present, as per the mandate of section 26(1) POCSO Act, 2012.
5. The investigating officer to ensure that at no point of time, the child victim come in contact with the accused, except during TIP in the court, as per the mandate of section 24 (3) & 36 of POCSO Act, 2012 and section 308 of BNSS, 2023.
6. The child victim shall not be kept in the Police Station overnight on any pretext whatsoever, including medical examination as per the mandate of section 24(4) POCSO Act, 2012.
7. The investigating officer shall ensure that the child victim is medically examined at the earliest in accordance with provisions of section 184 BNS, 2023 at the nearest government hospital.
8. The investigating officer shall ensure that the investigating team visits the scene of the crime at the earliest to collect all incriminating evidences available at the spot for forensic examination.
9. The investigating officer shall promptly refer the samples collected for forensic examination to the forensic laboratory which shall deal with such cases on priority basis to make its report available at an early date.
10. The statement of victim is required to be recorded before the Ld. Magistrate for the offences of rape and

POCSO Act cases and the Woman Police Officer shall move an application before the Ld. Judicial Magistrate mentioning therein that the such statement shall be recorded by a Woman Magistrate and in her absence by a male Magistrate, in presence of a woman.

11. The identity of the victim of rape and POCSO Act cases should not be disclosed in the FIR or in other documents of the investigation and where the name of the victim is mentioned in any document, the same be put in sealed cover.
12. The record relating to receipt of information through electronic communication regarding cognizable offences should be maintained properly, which will be signed by the OC weekly and supervised by the SDPO fortnightly.
13. The Investigating Officer shall further ensure that for the offences of rape and POCSO Act cases, if the person making the statement is temporarily or permanently, mentally or physically disabled, the Investigating Officer as well the Magistrate shall take the assistance of an interpreter or a special educator in recording the statement of such person and it shall be recorded through audio-video electronic means preferably by mobile phone.
14. The statement of the victim of rape and POCSO Act cases shall be recorded in private at her residence or other place of her choice and by women police officer in the presence of parents or guardians or near relatives or social worker of the locality with a view to make the victim comfortable.
15. The investigation of the cases involving sexually abused child may be investigated on a priority basis **within 60 days** of the registration of the case as per the mandate of section 193 (2) BNSS, 2023. The supervisory officer shall monitor the progress of the

investigation and filing of Charge-sheet within the stipulated time before the Ld. Court.

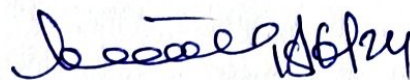
16. In all cases under the POCSO Act, where the age of the victim, and cases where the age of the child in conflict with law are material, the following documents/procedure shall be relied upon (section 34 of POCSO Act read along with Juvenile Justice (Care and Protection of Children) Act, 2000.

- ✍ A date of birth certificate from the school, or matriculation or equivalent certificate from the concerned Examination Board, if available and in the absence thereof;
- ✍ Birth certificate given by a corporation or a Municipal Authority or a Panchayat;
- ✍ And only in the absence of (i) and (ii) above, age shall be determined by an ossification test or any other medically proven and improved age determination test.

17. The statement of the child victim shall be got recorded promptly and at the earliest by the concerned Magistrate u/s 183 BNSS, 2023. In the event of child victim being in the hospital, then the statement shall be recorded in the hospital itself. Wherever it is possible, the IO shall ensure that the statement of the child victim is also recorded through audio video means.

18. The investigating officer shall bring the cases relating to Child in need of care and protection and the child victim involved in the incest cases to the notice of child welfare committee. While dealing with the children in conflict with law the provisions of the Juvenile Justice act, 2000, (Amendment Act 2011) and Amendment Rules 2011 should be strictly complied with.

19. All the DySP's shall organize seminars and training sessions for police personnel for sensitization in cases of rape and sexual offences violence/crime against women and children. They shall also conduct awareness programs at various educational institutes including schools, bus stands, railway areas and other crime prone areas with an objective to spread awareness in the public, especially among women and children.
20. Superintendents of Police of each district shall act as the 'Nodal Officers' for the cases of rape/sexual assault/violence on women and children in their concerned districts.



(LALBIAKTHANGA KHIANGTE), IPS
Director General of Police,
Mizoram, Aizawl.

No. IGP(A&T)/NCL(BNSS/BNA/BSA 2023)/28/24/34 Dt. 19 June, 2024
Copy to :

- 1) SO to DGP, Mizoram.
- 2) IGP(Hqrs)/IGP(L&O) for kind information.
- 3) DIG(NR)/DIG(SR0)/DIG(ER)/DIG(CID)/DIG(Trg.) Mizoram for kind information.
- 4) AIG(Hqrs)/AIG(Legal) Mizoram for kind information.
- 5) All District SPs, Mizoram, SP CID(Crime)/SP Cyber Crime/SP Narcotic for information and necessary action.



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