# OFFICE OF THE COMMISSIONER OF POLICE : DELHI

## CIRCULAR

No. 35 /2013

While deciding Criminal Appeal No. 1156/2010 titled Dilip v/s State of Madhya Pradesh in the case titled Delhi Domestic Working Women Forum v/s Union of India and others (1995) the Hon'ble Supreme Court issued the following directions with regard to cases of crime against women, particularly cases of rapes and the same are enumerated below:-

1. (i) The complainants of sexual assault cases should be provided with legal representation. It is important to have someone who is well acquainted with the criminal justice system. The role of the victim's advocate would not only be to explain to the victim the nature of the proceedings, to prepare her for the case and to assist here in the police station and in court but to provide her with guidance as to how she might obtain help of a different nature from other agencies, for example, counseling and medical assistance. It is important to secure continuity of assistance by ensuring that the same person who looked after the complainant's interests in the police station represents her until the end of the case.

(ii) Legal assistance would have to be provided at the police station since the victim of sexual assault might very well be in a distressed state upon arrival at the police station, the guidance and support of a lawyer at this stage whilst she was being questioned, would be of great assistance to her.

(iii) The police should be under obligation to inform the victim of her right to representation before any questions were asked of her and that the police report should state that the victim was so informed.

(iv) A list of advocates willing to act in these cases should be kept ready at the police station for victims who did not have a lawyer or whose own lawyer was unavailable.

(v) The advocate would have to be appointed by the court, upon application by the police at the earliest convenient moment, but in order to ensure that victims were questioned without undue delay,

advocates would be authorized to act at the police station before leave of the court was sought or obtained.

(vi) In all rape trials, anonymity of the victim would have to be maintained, as far as necessary.

2. The Hon'ble Supreme Court reiterated all the guidelines incorporated in its order dated 19.10.1994 in the matter of Dilip Vs State of Madhya Pradesh and directed all stakeholders to comply with them. These guidelines have been incorporated in SO Ops. No. 49.

3. All Districts/Units, Addl CsP/DCsP should direct ACsP, SHOs and IOs for strict compliance and implementation of these guidelines enumerated by the Hon'ble Supreme Court of India as well as SO Ops. No. 49.

**(K.K. VYAS)DCP/HQ.,**
**For COMMISSIONER OF POLICE,**
**DELHI**

No. 6656-6705 /Record Branch/PHQ, dated, Delhi the 3/1 /2013.

Copy forwarded for information and necessary action to the:-

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi.
3. All Additional Commissioners of Police, Delhi.
4. SO to Commissioner of Police, Delhi.
5. All Districts/Units Addl.CsP/DCsP including P/PTC, FRRO & IGIA, Delhi/New Delhi.
6. All ACsP/PHQ, LA to CP. FA to CP, Delhi & PRO.
7. All Insprs./PHQ.
8. SO to DCP/Hdqrs., Delhi.
9. HAR PHQ with 10 spare copies.