



OFFICE OF THE COMMISSIONER OF POLICE: DELHI

POLICE HEADQUARTERS, JAI SINGH ROAD, NEW DELHI-110001

C I R C U L A R

No. 07 /2025

Subject: - “Guidelines for availing free medical care and treatment to survivors of sexual violence and acid attacks.

The Hon’ble High Court of Delhi, in its Judgment dated 10.12.2024, passed in CrI. A. 728/2024 & CrI. M.B. 1343/2024 observed that in spite of the provisions of the Bharatiya Nagarik Suraksha Sanhita, 2023 (earlier Cr.P.C) and also, the guidelines formulated by the Ministry of Health & Family Welfare, Govt. of India, survivors of sexual violence and acid attacks are still facing difficulties in availing free medical treatment.

OFFENCES COVERED UNDER THE SCHEME

The aforementioned directions of the Hon’ble Court shall apply in respect of the victims/survivors of the following offences: –

- a) Rape (Section 64 read with Section 71 of Bharatiya Nyaya Sanhita, 2023 (BNS); Section 376 read with Section 376E of IPC).
- b) Rape of woman under the age of sixteen or twelve years (Section 65 read with Section 71 of BNS; Section 376AB read with Section 376E of IPC).
- c) Rape resulting in persistent vegetative state (Section 66 read with Section 71 of BNS; Section 376A read with Section 376E of IPC).
- d) Sexual intercourse by husband upon his wife during separation (Section 67 read with Section 71 of BNS; Section 376B of IPC).
- e) Sexual intercourse by a person in authority (Section 68 read with Section 71 of BNS; Section 376C of IPC).

- f) Gang Rape (Section 70 read with Section 71 of BNS; Sections 376D, 376DA & 376DB read with Section 376E of IPC).
- g) Voluntarily causing grievous hurt by use of acid, etc. (Section 124(1) of BNS; Section 326A of IPC).
- h) Penetrative sexual assault (Section 4 of POCSO Act).
- i) Aggravated penetrative sexual assault (Section 6 of POCSO Act).
- j) Sexual assault (Section 8 of POCSO Act).
- k) Aggravated sexual assault (Section 10 of POCSO Act)

The word **treatment**, as per above Order of the Hon'ble High Court, "includes first aid, diagnosis, in-patient admission, continued out-patient assistance, diagnostic test, lab tests, surgery (if required), physical and mental counselling, psychological help, and family counselling etc."

SALIENT POINTS OF THE ORDER OF THE HON'BLE HIGH COURT

- (a) **DUTIES INCUMBENT ON GNCTD, HOSPITALS, DLSA, DVCS etc.**
 - i. Whenever any victim/survivor, of any of the offences mentioned above, approaches a medical facility, diagnostic facility, diagnostic lab, nursing home, hospital, health clinic etc., whether private or public/Government, such victim / survivor shall not be turned away without providing FREE medical treatment, including first aid, diagnostic tests, lab tests, surgery and any other required medical intervention, and
 - ii. Such victim/survivor shall be immediately examined and if required, be given treatment even for sexually transmitted diseases such as HIV etc., and
 - iii. Such victim/survivor shall be provided physical and mental counselling as may be required, and
 - iv. Such victim/survivor shall be checked for pregnancy, and provided with contraception, if required, and
 - v. Further, if any tests are required to be conducted including ultrasound, etc., the same shall also be conducted. Proper medical advice shall be given to such victim/survivor by the concerned gynaecologist who shall also counsel the victim/survivor and her family members, and

- vi. If the victim/survivor has been brought in an emergent situation, the concerned medical establishment that has been approached by or on behalf of such victim/ survivor, shall not insist on ID proof etc. in order to admit the said victim/survivor and administer immediate treatment to the same, and
- vii. If such a victim/survivor requires in-patient medical treatment, no payment shall be demanded and admission shall be provided to the said victim/survivor, and
- viii. Every medical facility shall put up a board in the following terms:

“Free out-patient and in-patient medical treatment is available for victims/survivors of sexual assault, rape, gang rape, acid attacks, etc.” The above board shall be put up at the-entrance, the reception, counters and all prominent places with in the medical establishment, in both English and vernacular.

- ix. All doctors, nurses, paramedical personnel, administrative staff of a medical establishment shall be sensitized about the relevant provisions being Section 397 BNSS (Section 357C of CrPC), Section 200 of BNS (Section 166B of IPC) and Rule 6(4) of POCSO Rules, 2020. Specific circulars shall be issued by the management of the medical establishments informing that anyone violating the above provisions would be liable to be punished with imprisonment for a period of one year or with fine or with both. Thus, non-providing such victim / survivor with required medical treatment is a criminal offence and all doctors, administration, officers, nurses, paramedical personnel etc., shall be informed of the same;
- x. If any victim/survivor is required to be transferred from one hospital or medical establishment to another, the transition shall also be made smooth and hassle free by providing ambulance, if required, along with certificate to the effect that the victim/survivor is entitled to free medical treatment as per law.
- xi. In the city of Delhi, if such victims/survivors approach the DSLSA/DLSA for seeking assistance for availing free medical treatment, then the Delhi Victims Compensation Scheme (DVCS), requires the DSLSA/DLSA to forward cases of such victims/survivors to Government of NCT of Delhi, to ensure free of cost treatment from any Government hospital, if the need so arises. However, the DSLSA/DLSA is also free to refer such cases

to private hospitals, nursing home, laboratories, etc. at their discretion.

- xii. It is clarified that availing of free medical treatment by such victims/survivors from either Government/Public or Private hospitals is not dependent upon a referral by the DSLSA/DLSA under the DVCS, as the same is a Statutory right of such victims/survivors under Section 357C of CrPC, Section 397 of BNSS and Rule 6 (4) of POCSO Rules, 2020.
- xiii. The DSLSA upon receiving information on its "Sampark" email-id i.e., sampark.dslsa@gov.in regarding registration of a FIR in respect of any of the offence mentioned above, shall take necessary action and follow-up with the concerned victim/survivor in respect of receiving free medical aid. Further, the DSLSA shall take urgent steps to process such FIRs and communicate/circulate the same to the concerned DLSAs for taking appropriate steps in terms of the directions herein.

(b) DUTIES INCUMBENT UPON POLICE

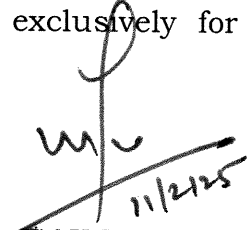
The Hon'ble High Court Order envisages the following duties with respect to Police authorities: -

- i. If the police finds that any medical professional, para-medical professional, medical establishment, whether public or private, refuses to provide necessary medical treatment to such victims/survivors, then a complaint shall be immediately registered under Section 200 of BNS, 2023 (Section 166B of IPC) as the same is a punishable offence. The police may also inform the concerned DLSA or DSLSA to enable assistance to the victim/survivor.
- ii. If, the concerned Police Station is approached by or on behalf of such victim/survivor, the police station staff shall take the said victim/survivor to the nearest hospital, whether public or private, for obtaining the above medical treatment without any delay and in an expeditious manner.
- iii. Such victim/ survivor shall also be referred by the Police to the Delhi State Legal Services Authority (DSLSA) / District Legal Services Authority (DLSA) for providing legal assistance including appointment of a lawyer for the complaint to be filed in respect of the offence committed upon the said victim/survivor.

All formations are hereby directed to comply with aforementioned directions in letter and spirit. Due awareness about the order of the Hon'ble High Court, amongst staff, be made through periodical briefing by SHOs/ACsP/DCsP for due compliance.

DISCLAIMER

It is made clear that this Circular is exclusively for internal smooth functioning of Police Department.


(SANJAY ARORA)
COMMISSIONER OF POLICE:
DELHI

No. 1201-1350 /Record Branch/PHQ, Delhi, dated 11/02/2025.

Copy to: -

1. All Special Commissioners of Police, Delhi.
2. All Joint Commissioners of Police, Delhi including Jt. Director, Delhi Police Academy, Delhi/New Delhi.
3. All Additional Commissioners of Police, Delhi.
4. OSD to C.P., Delhi.
5. All Deputy Commissioners of Police, Districts/Units including PHQ, FRRO and Deputy Director/Delhi Police Academy, Delhi/New Delhi.
6. DCP/HQ(IV)/PHQ with the direction to upload the Circular Order on Intra-DP.
7. LA to CP and FA to C.P., Delhi.
8. All ACsP/Insprs. /PHQ.
9. PS/Reader to C.P., Delhi.
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