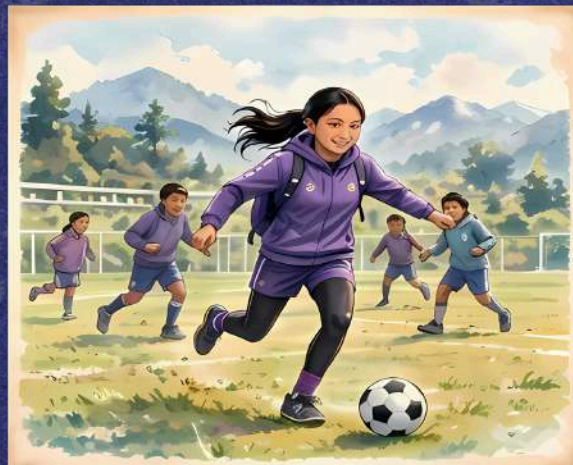
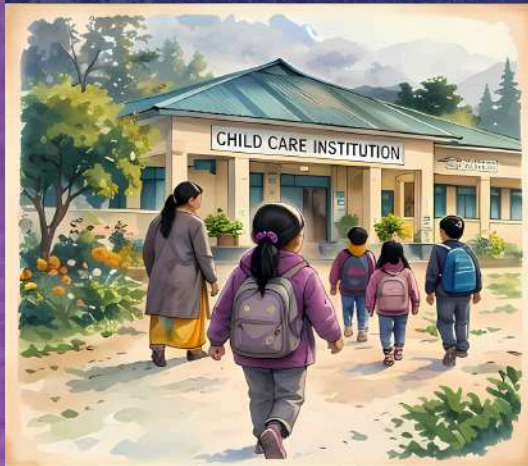




SIKKIM STATE LEGAL SERVICES AUTHORITY



SUPPORT, ASSURANCE, HEALING, AFTERCARE & REHABILITATION ASSISTANCE (SAHARA) SCHEME, 2026



Extended by Sikkim SLISA under
NALSA (Child-Friendly Legal Services for Children) Scheme, 2024

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(Child-Friendly Legal Services for Children) Scheme, 2024

1. Short Title and Commencement

This Scheme shall be called the “**Sikkim State Legal Services Authority Support, Assurance, Healing, Aftercare & Rehabilitation Assistance (SAHARA) Scheme, 2026**”.

2. Background and Objective

(a) The Hon'ble High Court of Sikkim, vide Order dated **29.07.2026 in Crl A No 15 of 2026, Shri Amrit Tamang Versus State of Sikkim**, directed the Sikkim State Legal Services Authority to formulate a scheme for providing assistance to victims of sexual offences.

(b) Pursuant thereto, the Sikkim State Legal Services Authority has formulated this Scheme to establish a continuum of care for the victims, from reporting of the offence through institutional care, rehabilitation, transition to adulthood and aftercare, by streamlining the existing initiatives of Sikkim SLSA, and ensuring coordinated assistance through convergence with the Departments and statutory authorities concerned.

(c) The primary objective of the Scheme is to ensure that every child, victim, survivor of a sexual offence has access to timely and appropriate legal, medical, psychological, educational, rehabilitative and livelihood assistance, in accordance with the best interests of the child.

(d) The Scheme shall particularly seek to ensure the safety and dignity of the child, prevent re-traumatisation, facilitate access to justice and compensation, maintain continuity of education and healthcare, monitor the conditions of children residing in Child Care Institutions, facilitate safe family-based rehabilitation wherever appropriate, and ensure that children approaching adulthood are adequately prepared for independent living and are not left without support on attaining eighteen years.

3. Guiding Principles

(a) Implementation of the Scheme shall be guided by the principles of the best interests of the child, safety and protection, dignity, confidentiality, nondiscrimination, child participation, trauma-informed care, non-revictimization and continuity of support. The views and wishes of the child shall (to the extent appropriate having regard to the child's age and maturity) be considered in decisions affecting the child.

(b) The Scheme shall operate on the principle that institutional care is not an end in itself and that every effort shall be made for safe family-based rehabilitation, foster care or adoption, wherever legally permissible and in the best interests of the child.

4. Institutional and Coordination Mechanism

(a) There shall be a **State-level Nodal Officer**, nominated by the Sikkim State Legal Services Authority, who shall be the principal point of contact for coordination with all relevant Departments, statutory authorities, Courts and other agencies concerned with the implementation of the Scheme and shall oversee its overall implementation at the State level. The State level Nodal officer shall be a lawyer (preferably a lady lawyer) having not less than 15yrs of practice, is a Panel lawyer of the Sikkim SLSA, and is driven by service rather than monetary benefit. She shall be nominated by the Hon'ble Executive Chairperson after seeking consent to render her pro bono services to the Sikkim SLSA.

(b) There shall be a pool of 15 number of female lawyers known as **Mentors** across the State of Sikkim, with the State Level Nodal Officer, to assist the Nodal Officer and the Sikkim SLSA in fulfilling the principles of this Scheme. These Mentors also shall be driven by service rather than monetary benefit. The Sikkim SLSA shall seek consent from lady lawyers to render such services to this Authority.

(c) At the district level, the Secretary, District Legal Services Authority (DLSA) shall be the **District Nodal Officer** and shall coordinate with the agencies concerned and monitor the assistance and rehabilitation of child victims/survivors within the district. There shall be an overall coordination between the Member Secretary, Sikkim SLSA, Secretary, District Legal Services Authorities, the State Level Nodal Officer and the pool of lawyers as Mentors.

5. Stages Of Implementation

The Scheme shall be implemented in different stages, commencing from the reporting of the offence and extending through the investigation and trial, medical and psychological care, institutional care, rehabilitation, education, transition to adulthood, and aftercare after attaining eighteen years. The assistance provided at each stage shall be based on the individual needs and best interests of the child. There shall be a coordination with the Departments concerned, statutory authorities and other stakeholders, at each stage so as to ensure continuity of care and avoid any gap in assistance.

Stage I - Immediate Protection, Safety and Assistance

(a) A dedicated email address and a 24×7 helpline/contact facility shall be operationalised by the Sikkim SLSA to enable the child, survivor, caregiver or any other person concerned, to intimate and report any incident of sexual abuse and seek assistance under the Scheme.

(b) Immediately upon information regarding a sexual offence against a child, the DLSA concerned shall, wherever required, coordinate with the Police, Child Welfare Committee, District Child Protection Unit and other authorities concerned to facilitate immediate protection and safety of the child.

(c) The respective DLSA shall facilitate immediate medical examination and treatment in coordination with the Health Department, Government of Sikkim. Where specialised medical treatment is required outside the State, necessary assistance shall be extended for referral, transportation, treatment and follow-up care in coordination with the authorities concerned. Medical assistance shall be facilitated without unnecessary delay and with due regard to the child's dignity and emotional condition. The Nodal Officer shall coordinate with the Member Secretary, Sikkim SLSA and the DLSA concerned, in order to facilitate the medical treatment of such victim(s).

(d) A legal aid lawyer shall be provided to the child at the earliest appropriate stage who shall, preferably along with a Counselor, explain the legal process to the child and caregiver in an age-appropriate manner and assist in protecting the child's legal rights during investigation, court proceedings and compensation proceedings.

(e) The State Nodal Officer in coordination with the pool of lawyers (mentors) shall provide pre-trial counselling to the child. The Para Legal Volunteers of Sikkim SLSA, wherever designated and required, shall function as Victim Assistance Facilitator (VAF) in accordance with the applicable statutory framework. VAF shall accompany and assist the child during medical examination, investigation and trial, while facilitating communication between the child, legal aid advocate and authorities concerned. Sikkim SLSA shall regularly undertake specialised training programmes for Para Legal Volunteers/Victim Assistance Facilitators, legal aid lawyers, Mentors and the Nodal officers.

Stage II – Investigation, Trial and Legal Assistance

(a) During investigation and trial, the Sikkim SLSA in coordination with the State level Nodal officer and DLSA shall ensure effective coordination between the legal aid lawyer, Victim Assistance Facilitator (VAF), Police, Child Welfare Committee, Special Public Prosecutor and Special Court. The legal aid lawyer shall monitor the progress of the case, assist in appropriate applications, ensure that important orders and developments are appropriately communicated and assist the child in relation to compensation and other legal remedies.

(b) The child and caregiver shall be informed, in a child-friendly and ageappropriate manner, of the child's rights under the POCSO Act, the availability of free legal aid, compensation, medical and psychological assistance and other support services.

(c) The child shall be assisted in obtaining documents required for legal aid, medical treatment, compensation, education, disability certification, scholarships, rehabilitation and other government assistance where the child or family is unable to arrange such documents, independently.

(d) The legal aid lawyer, pool lawyers (Mentor) and Victim Assistance Facilitator (VAF) shall endeavour to ensure that the child is not subjected to unnecessary repetition of the accounts of the incident and that all proceedings are conducted in a manner that safeguards the child's dignity, privacy and emotional well-being.

(e) **Compensation:** The Sikkim SLSA/DLSAs shall ensure that eligible child is assisted in obtaining compensation under the Sikkim Compensation to Victims (or their Dependents) Scheme, 2021. The State level Nodal officer along with the pool of lawyers (mentor), Para Legal Volunteers/Victim Assistance Facilitator (VAF), shall assist the child and caregiver in understanding the compensation process, obtaining necessary documents, submitting applications and following up with the authority concerned.

(f) The Sikkim SLSA and the DLSA shall periodically monitor the status of compensation applications and ensure that eligible children do not remain deprived of compensation merely due to procedural or documentation difficulties. The meeting for the review shall be called by the Member Secretary, Sikkim SLSA, on quarterly basis.

Stage III – Medical, Psychological and Psychosocial Support

(a) The Sikkim SLSA through the respective DLSAs shall facilitate referral of child requiring psychological assistance to a qualified child psychologist, psychiatrist, counsellor or other appropriate professional(s) after the child is admitted to the concerned Child Care Institution(s). The assessment and evaluation of the child shall be undertaken by the counsellor appointed in the concerned Child Care Institution after which the child shall be referred to the Counsellor so appointed by the Sikkim SLSA. Counselling shall be directed towards trauma recovery, emotional support, psychosocial rehabilitation, coping mechanisms and restoration of the child's confidence and sense of security. The State level Nodal

officer shall assist the Sikkim SLSA in this regard in coordination with the pool of lawyers (mentors) so nominated.

(b) Where the child continues to reside in a Child Care Institution, the need for continued counselling and psychological support shall be periodically assessed by the Psychologist/ Counselor so nominated by the Sikkim SLSA. Particular attention shall be given to children who exhibit signs of trauma, anxiety, depression, behavioural difficulties, self-isolation or other indicators requiring professional intervention.

(c) The legal, medical and psychosocial requirements of each child shall, as far as practicable, be recorded in an Individual Child Assistance and Rehabilitation Plan, which shall be periodically reviewed and modified according to the changing needs of the child by the Sikkim SLSA, in coordination with the State level Nodal officer, the pool of lawyers (Mentors) and the Clinical Psychologist of the Health Department, Government of Sikkim. Such review shall be made on a quarterly basis, for which a meeting shall be convened by the Member Secretary, Sikkim SLSA.

Stage IV – Assistance and Monitoring During Institutional Care

(a) Where a child (victim) is residing in a Child Care Institution, the Sikkim SLSA shall ensure regular monitoring of the child's welfare through the existing institutional inspection mechanism.

(b) An Observation and Children's Home Committee, comprising the Secretary of the DLSA concerned, Retainer Lawyer(s) so appointed by the Sikkim SLSA and Probation Officer(s), shall visit the Observation Home(s), Special Home(s) or Children Home(s) concerned at least once, every month, to assess whether the institution is providing a child-friendly environment and adequate standards of care.

(c) The Committee shall, during such visits, examine the general conditions of the Home, whether the home is child friendly including sanitation and hygiene, clothing and bedding, meals and diet, medical healthcare, education, safety, counselling, recreational facilities, behaviour of staff and the overall dignity and well-being of the children. Any deficiency or inadequacy noticed shall be recorded and be informed to Sikkim SLSA. The Sikkim SLSA shall then take up the said issue with the Department concerned or authority, for appropriate remedial action. In respect of individual POCSO survivors, the DLSA shall also periodically review the status of the criminal case, medical treatment, counselling, compensation, education, family circumstances and rehabilitation plan. The State level Nodal officer shall have a record of the criminal case, medical treatment, counselling, compensation, education, family circumstances and rehabilitation plan. The State level Nodal officer is to act as bridge between the child and the Sikkim SLSA facilitating all needs of the child in coordination with the pool of lawyers (Mentors).

Stage V – Education, Rehabilitation and Family-Based Care

(a) Every effort shall be made to ensure that the sexual offence or institutional placement does not result in permanent disruption of the child's education. The DLSA shall facilitate coordination with the Education Department for admission, readmission, transfer, examinations, educational materials, scholarships and other educational requirements. The DLSA can seek assistance from the Sikkim SLSA.

(b) The existing facility for mainstreaming/readmission of children through distance learning under the **National Institute of Open Schooling (NIOS) and the Board of Open Schooling and Skill Education (BOSSE)** may be utilised for POCSO survivors who wish to continue their education through distance learning. For which the State level Nodal officer shall assist the child concerned in coordination with the Sikkim SLSA and the pool of lawyers (Mentors).

(c) Where restoration to the family is considered, the safety, wishes and best interests of the child shall

be given paramount consideration. In cases involving the alleged offender being a parent or other household member, restoration shall not be undertaken merely on the ground of biological relationship and shall be subject to appropriate assessment by the competent authority. The Competent Authority in this regard shall be the Sikkim SLA. In case of such restoration, application in writing, should be submitted to the Member Secretary, Sikkim SLA for examination.

(d) Where family restoration is not possible or is not in the best interests of the child, the DLSA may facilitate access to the appropriate statutory authorities for consideration of foster care, sponsorship or other forms of noninstitutional care. Foster care shall be in accordance with the Juvenile Justice (Care and Protection of Children) Act, 2015.

(e) Where a child is legally free for adoption and adoption is determined to be in the child's best interests, necessary assistance may be provided in coordination with the Central Adoption Resource Authority (CARA) and the State Adoption Resource Agency (SARA). The State level Nodal officer shall be responsible for facilitating such adoption.

6. Disability and Special Rehabilitation Needs

(a) Where a child has a physical, intellectual, developmental or other disability, the Sikkim SLA and the DLSA shall facilitate access to appropriate disability certification, rehabilitation, assistive services, education, skill development and livelihood opportunities in coordination with the department concerned.

(b) The Sikkim SLA shall facilitate access to appropriate rehabilitation, skill development and employment opportunities through the PM-DAKSHDEPwD Digital Portal, in coordination with the Social Welfare Department, Government of Sikkim.

7. Transition Planning Before Attaining Eighteen Years

(a) A child who has spent a substantial period in institutional care should not be left without a plan upon attaining eighteen years. Accordingly, a Transition Plan shall, as far as practicable, be initiated when the child attains sixteen years of age, or earlier where circumstances so require.

(b) The Transition Plan shall assess the child's educational status, vocational interests, skill-development requirements, financial position, accommodation, family and social support, health and counselling requirements and likely livelihood options. The objective shall be to establish a realistic pathway for higher education, vocational training, employment, self-employment or other suitable means of sustainable living.

(c) The Sikkim SLA in coordination with the respective DLSA shall coordinate with the Women, Child, Senior Citizen and Divyangjan Welfare Department; Education Department; Skill Development Department and other Departments concerned so that appropriate services are identified before the child leaves institutional care. The State level Nodal officer, the District Child Protection Officer, the Psychologist and the caretaker of the Child Care Institution concerned shall be a part of transition plan along with the mentors. The plan shall be developed and studied from the time the child is admitted in the institution.

8. Aftercare Programme After Attaining Eighteen Years

(a) The support mechanism under this Scheme shall extend, wherever required, beyond the age of eighteen years through an appropriate Aftercare Programme. The attainment of eighteen years shall not, by itself, result in automatic closure of the child's assistance and the transition plan of the child.

(b) The Sikkim SLSA shall facilitate the child's access to assistance and other available schemes for education, vocational training, employment, skill development, disability rehabilitation, accommodation and livelihood in coordination with the relevant departments. For the said purpose a Special Cell is to be constituted.

9. Constitution of Special Cell

(a) The Special Cell comprising of the Officers and officials from the Sikkim SLSA shall be constituted for monitoring POCSO survivors, who have attained eighteen years. The State level Nodal officer shall be part of this cell. The cell shall function as the nodal mechanism for the aftercare component of the Scheme. The Cell shall consist of the Deputy Secretary, Under Secretary, Office Superintendent and the Senior Accounts Officer of the Sikkim SLSA.

(b) The Cell shall maintain a confidential record of eligible survivors, identify children approaching eighteen years, initiate the transition assessment, contact the survivor and family, ascertain the survivor's willingness for continued assistance and prepare or facilitate preparation of an individual Aftercare Plan.

(c) The Cell shall coordinate with the Departments concerned and agencies for financial assistance, education, vocational and skill development, employment, self-employment, disability rehabilitation, accommodation and other suitable measures required for rehabilitation and sustainable livelihood. It shall be reviewed periodically, which would include follow up with the survivor and review whether the assistance provided is achieving the intended objective.

(d) The State Nodal Officer on behalf of the cell shall also identify survivors who are particularly vulnerable due to absence of family support, disability, homelessness, unemployment or other circumstances and facilitate priority intervention through the authorities concerned in coordination with the Mentors.

(e) Terms of Reference and Workflow of the Special Cell

i. The Aftercare Cell shall receive information regarding children approaching eighteen years from the DLSA concerned, Child Care Institution, District Child Protection Unit or other competent authority.

ii. On receipt of such information, the Cell shall review the existing assistance and initiate a transition assessment. It shall also consider the transition plan so prepared for the child.

iii. The State Nodal Officer on behalf of the Cell shall thereafter contact the child, where appropriate, and the family or caregiver, ascertain the child's wishes and prepare an individualised Aftercare Plan. The Plan shall identify the immediate and long-term requirements of the child and the Department or agency responsible for addressing each identified need. The State level Nodal officer shall be the bridge between the Child Care Institution and the Special Cell, coordinating relevant information and also the transition plan of the child to the Special Cell.

iv. The Cell shall thereafter coordinate with the authorities concerned, facilitate access to available schemes and maintain periodic follow-up. Progress shall be reviewed at prescribed intervals and recorded confidentially. Where the child requires continued assistance, the matter shall remain under followup until the identified needs are substantially addressed or the child voluntarily declines further assistance.

10. Case Monitoring and Record

- (a) The Sikkim SLSA shall establish a confidential Child Victim Assistance Record for each identified case. The record shall enable monitoring of the child's legal, medical, psychological, educational, institutional, compensation, rehabilitation and aftercare requirements.
- (b) The DLSA shall periodically review the case and coordinate with the Police, Child Welfare Committee, hospital, Special Court, Child Care Institutions, Education Department and other authorities concerned, as required.

11. Convergence and Institutional Coordination

- (a) The Scheme shall be implemented through effective convergence between the Sikkim SLSA/DLSAs, the Government Departments and statutory authorities concerned, including the Women, Child, Senior Citizen and Divyangjan Welfare Department, District Child Protection Units, Child Welfare Committees, Police, Health Department, Education Department, Child Care Institutions, Probation Officers, Special Courts, Special Public Prosecutors, Central and State Adoption Resource Agencies and authorities dealing with disability and skill development.
- (b) The Sikkim SLSA shall function primarily as a legal aid, facilitation, convergence and monitoring mechanism and shall not substitute or assume the statutory functions assigned to any other authority under the applicable law.

12. Training and Capacity Building

- (a) The Sikkim SLSA shall undertake periodic capacity-building programmes for Para Legal Volunteers, Retainer Lawyers, Panel Lawyers, State Nodal Officer, Mentors and other stakeholders associated with the Scheme. The training shall focus on relevant laws and procedures, trauma-informed communication, child psychology, confidentiality, prevention of retraumatisation, disability-sensitive assistance, compensation, rehabilitation and aftercare.

13. Monitoring, Review, and Closure

- (a) The Sikkim SLSA shall undertake overall monitoring of the implementation of the Scheme to ensure its effective and uniform implementation across the State. Such monitoring shall include periodic review of the functioning of the mechanism established under the Scheme, compliance by the concerned DLSAs and stakeholders, and identification of any gaps requiring corrective measures or further coordination.
- (b) The Sikkim SLSA shall periodically review the implementation of the Scheme, including the extent to which the identified needs of the child have been addressed and any administrative or operational bottlenecks encountered during implementation. Where necessary, meetings shall be convened with the stakeholders concerned and relevant Departments/authorities to identify and resolve such bottlenecks and ensure effective coordination and implementation of the Scheme. The State level Nodal Officer shall assist the Sikkim SLSA, in this regard.
- (c) A case shall not be closed merely because investigation or trial has concluded, the accused has been convicted or acquitted, or the child has attained eighteen years. Before closure, the DLSA shall satisfy itself that the child's identified legal, medical, psychological, educational, compensation and rehabilitation

needs have been addressed to the extent reasonably possible and that, where necessary, an appropriate aftercare or continuing support mechanism has been put in place.

(d) The Scheme shall be reviewed periodically by the Sikkim SLSA, in light of experience gained during implementation, changes in law, directions of the Hon'ble Courts and Government schemes and programmes, and such modifications may be made with the approval of the competent authority.

14. Expected Outcome

(a) The Scheme seeks to establish a continuous and coordinated support system for child of sexual offences, beginning with immediate protection and medical care and extending through legal proceedings, psychological rehabilitation, institutional care, education, compensation, family-based rehabilitation, preparation for adulthood and post-eighteen aftercare.

(b) The ultimate objective shall be to ensure that no child survivor is left without appropriate support at any stage merely because the criminal proceedings have concluded, the child has moved from one institution to another, or the child has attained eighteen years of age. The Scheme shall endeavour to enable every survivor, according to his or her circumstances and wishes, to move from victimisation towards safety, dignity, education, rehabilitation and sustainable independent living.

15. Funds and Financial Management

(a) The expenditure under the Scheme shall be met from the funds available with the Sikkim State Legal Services Authority under the following sources, subject to the availability of funds and the applicable financial rules, guidelines and directions of the competent authority:

- (i) NALSA Fund;
- (ii) State Fund; and
- (ii) Sikkim Compensation to Victims (or their Dependents) Scheme, 2021 Fund.

(b) The funds earmarked for implementation of the Scheme shall be utilized for travelling allowance for the Mentor Lawyers. The funds from the heads as detailed at (a) above shall also be utilized for the purposes for which they are sanctioned. Funds shall be subject to the prescribed financial norms, delegation of financial powers, budgetary provisions and other applicable rules and instructions issued by NALSA, the Government of Sikkim, and the competent authority, from time to time.