

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO. 793
TO BE ANSWERED ON 08.02.2023

FAST TRACK COURTS UNDER POCSO ACT IN ANDHRA PRADESH

793. SHRI KANAKAMEDALA RAVINDRA KUMAR:

Will the minister of Women And Child Development be pleased to state:

- (a) the details of number of POCSO Courts that have been established in the State of Andhra Pradesh since Protection of Children against Sexual Offences Act, (POCSO) 2012 came into operation;
- (b) the details of funds that have been released to establish/designate POCSO Courts in the State of Andhra Pradesh;
- (c) the details of funds that have been utilized; and
- (d) the details of the status of appointment of Special Public Prosecutor as per Section 32 of the POCSO Act in POCSO Courts in the State of Andhra Pradesh?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

- (a) to (d): As per the information provided by Department of Justice (DoJ), DoJ is implementing a Centrally Sponsored Scheme for setting up 1023 Fast Track Special Courts (FTSCs) including 389 exclusive POCSO Courts (e-POCSO) for disposal of pending cases of rape and POCSO Act since October, 2019. As per the data submitted by the High Courts on the Fast Track Special Courts Dashboard, as on 31.12.2022, 14 FTSCs including 14 exclusive POCSO Courts are functional in the state of Andhra Pradesh. Rs 1.8 Cr has been released to the state of Andhra Pradesh till date for setting up the FTSCs. However, no Utilization Certificate (UC) has been received till date.

Section- 32 of the Protection of Children from Sexual Offences Act, 2012 provides that the State Government shall, by notification in the Official Gazette, appoint a Special Public Prosecutor for every Special Court for conducting cases only under the provisions of this Act. A person shall be eligible to be appointed as a Special Public Prosecutor under sub-section (7) only if he had been in practice for not less than seven years as an advocate. Every person appointed as a Special Public Prosecutor under this section shall be deemed to be a Public Prosecutor within the meaning of clause (u) of section 2 of the Code of Criminal Procedure, 1973 and provision of that Code shall have effect accordingly. Therefore, the responsibility of appointment of Special Public Prosecutor as per Section 32 of the POCSO Act lies with the respective State Governments.
