

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

**RAJYA SABHA**  
**UNSTARRED QUESTION NO 1589**  
TO BE ANSWERED ON 02.08.2023

**GROWING CASES OF CHILD SEX ABUSE**

1589 SMT. VANDANA CHAVAN:

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether National Crime Bureau Record (NCRB) has revealed a significant increase in the number of online child sex abuse cases, from 162 in 2019 to 964 in 2022;
- (b) details of the steps taken by Government to address the issue;
- (c) whether Government has formulated Standard Operating Procedure (SOP) for relevant stakeholders regarding moderation of available online content; and
- (d) if so, details of the SOP formulated and if not, the reasons therefor?

**ANSWER**

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

(a): As per the information received from National Crime Records Bureau, State/UT-wise Cases Registered(CR), Cases Chargesheeted(CCS), Cases Convicted(CON), Persons Arrested(PAR), Persons Chargesheeted(PCS) and Persons Convicted(PCV) under Cyber Pornography/ Hosting or Publishing Obscene Sexual Materials depicting children (Sec.67B of IT Act r/w other IPC/SLL) under Cyber Crimes against Children during 2019-2021 is at **Annexure-I**.

(b) to (d): The Protection of Children from Sexual Offences (POCSO) Act, 2012 enacted by Govt. of India to safeguard children from sexual abuse and sexual offences. The act clearly defines a child as any person below the age of 18 years. The POCSO Act provides punishment as per the gravity of offence.

The Act was further amended in 2019 to introduce more stringent punishment including death penalty for committing sexual crimes on children, with a view to deter the perpetrators & prevent such crimes against children.

In furtherance to the Criminal law (Amendment) Act, 2018, Department of Justice has started a Centrally Sponsored Scheme in October, 2019 for setting up of a total of 1023 Fast Track Special Courts (FTSCs) (including 389 exclusive POCSO Courts) across the country.

As on 31.05.2023, a total of 758 FTSCs including 412 exclusive POCSO (e-POCSO) Courts are functional in 29 States/UTs across the country. As per data provided by the High Courts up to May, 2023, total 169342 cases have been disposed of by these courts since inception of the Scheme.

The Information Technology Act, 2000 ("IT Act") and rules made thereunder contain provisions aimed at making cyberspace safe and accountable for children. Section 67B of the IT Act penalises the publishing or transmitting of electronic material depicting children in sexually explicit act, the creation of text or images, collection, seeking, browsing,

downloading, advertising, promotion, exchange or distribution of electronic material depicting them in obscene or indecent or sexually explicit manner, cultivating or enticing or inducing them to online relationship with other children for sexually explicit act or in an offending manner, facilitating their online abuse, and electronically recording abuse pertaining to sexually explicit act with children. Such an offence is punishable with imprisonment of up to five years on first conviction and seven years on subsequent conviction along with fine of up to ten lakh rupees, and is a cognizable offence. Since, as per the Code of Criminal Procedure, 1973, prevention and investigation of cognizable offences is to be done by the police and 'Police' is a State subject under the Seventh Schedule to the Constitution, States are primarily responsible for the prevention, investigation, etc. of such cybercrime against children. Accordingly, State police departments take preventive and penal action as per law in respect of cybercrime against children.

To help achieve the aim of making Internet Open, Safe and Trusted and Accountable and to strengthen the mechanism to deal with such cybercrimes in a coordinated manner, the Central Government, in exercise of powers conferred by the IT Act, has made the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. These rules cast specific obligation on intermediaries, including social media intermediaries, to observe due diligence and provide that if they fail to observe such due diligence, they shall no longer be exempted from their liability under law for third-party information or data or communication link hosted by them. Such due diligence includes the following:

- (i) To make reasonable efforts to cause the users not to host, display, upload, modify, publish, transmit, store, update or share, information which is harmful to child, or obscene, or invasive of another's bodily privacy, or violates any law;
- (ii) On a voluntary basis on violation of the above, and on actual knowledge upon receipt of a grievance or court order or notice from the appropriate government or its agency, to not host, store or publish unlawful information prohibited under law for the time being in force in relation to the interest of decency or morality or defamation;
- (iii) Upon receipt of an order from a lawfully authorised government agency, to provide information or assistance for prevention, detection, investigation or prosecution under law in a timebound manner within 72 hours;
- (iv) To have in place a grievance redressal machinery, and resolve complaints of violation of the rules within 72 hours of being reported and, in case of a complaint by an individual or her/his authorised representative, remove within 24 hours any content which prima facie exposes the private area of such individual, shows such individual in full or partial nudity or shows or depicts such individual in any sexual act or conduct; further, the rules have been amended on 28.10.2022 to provide for the establishment of one or more Grievance Appellate Committee(s) to allow users to appeal against decisions taken by Grievance Officers on such complaints;
- (v) In case an intermediary is a significant social media intermediary (i.e., an intermediary having more than 50 lakh registered users in India), to additionally observe due diligence in terms of appointing a Chief Compliance Officer, a nodal contact person for 24x7 coordination with law enforcement agencies and a Resident Grievance Officer, and to endeavour to deploy technology-based measures, including automated tools or other mechanisms, to proactively identify information that depicts any act or simulation in any form depicting child sexual abuse or conduct.

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**State/UT-wise Cases Registered(CR), Cases Chargesheeted(CCS), Cases Convicted(CON), Persons Arrested(PAR), Persons Chargesheeted(PCS) and Persons Convicted(PCV) under Cyber Pornography/ Hosting or Publishing Obscene Sexual Materials depicting children (Sec.67B of IT Act r/w other IPC/SLL) under Cyber Crimes against Children during 2019-2021**

SL	State/UT	2019						2020						2021					
		CR	CCS	CON	PAR	PCS	PCV	CR	CCS	CON	PAR	PCS	PCV	CR	CCS	CON	PAR	PCS	PCV
1	Andhra Pradesh	2	1	0	2	1	0	15	0	0	2	0	0	39	1	0	6	1	0
2	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Assam	6	2	0	5	3	0	21	6	0	6	10	0	81	46	0	52	46	0
4	Bihar	0	0	0	0	0	0	1	0	0	0	0	0	1	0	0	0	0	0
5	Chhattisgarh	3	3	0	2	3	0	3	3	0	5	5	0	72	48	0	58	48	0
6	Goa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Gujarat	1	0	0	0	0	0	1	1	0	4	4	0	15	13	0	14	15	0
8	Haryana	3	1	0	5	3	0	16	8	0	11	10	0	0	2	0	2	2	0
9	Himachal Pradesh	8	1	0	1	1	0	17	5	0	9	6	0	5	10	0	9	10	0
10	Jharkhand	0	0	0	0	0	0	0	0	0	0	0	0	6	4	0	4	4	0
11	Karnataka	2	1	0	3	1	0	122	10	0	31	10	0	159	35	3	72	43	3
12	Kerala	27	9	0	22	14	0	101	26	0	103	27	0	129	71	1	96	79	1
13	Madhya Pradesh	8	9	0	13	10	0	20	14	0	17	21	0	11	12	1	20	14	1
14	Maharashtra	6	4	0	3	4	0	123	31	0	56	38	0	61	46	0	63	59	0
15	Manipur	1	0	0	1	0	0	3	0	0	0	0	0	1	1	0	0	1	0
16	Meghalaya	0	0	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0
17	Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18	Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19	Odisha	2	0	0	0	0	0	71	46	0	77	77	0	48	42	0	50	50	0
20	Punjab	1	0	0	0	0	0	8	8	0	8	8	0	56	3	0	27	6	0
21	Rajasthan	3	3	1	8	8	3	6	4	0	9	9	0	9	6	2	10	10	2
22	Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
23	Tamil Nadu	3	1	0	2	1	0	28	5	0	11	5	0	15	2	0	7	2	0
24	Telangana	0	0	0	0	0	0	7	0	0	7	0	0	2	3	0	4	4	0
25	Tripura	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
26	Uttar Pradesh	25	23	1	37	37	1	161	99	0	12	147	0	73	58	0	76	74	0
27	Uttarakhand	0	0	0	0	0	0	11	4	0	4	4	0	20	13	0	10	16	0
28	West Bengal	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	<b>TOTAL STATE(S)</b>	<b>102</b>	<b>58</b>	<b>2</b>	<b>104</b>	<b>86</b>	<b>4</b>	<b>735</b>	<b>270</b>	<b>0</b>	<b>372</b>	<b>381</b>	<b>0</b>	<b>805</b>	<b>416</b>	<b>7</b>	<b>580</b>	<b>484</b>	<b>7</b>
29	A&N Islands	0	0	0	0	0	0	1	2	0	0	2	0	1	1	0	1	2	0
30	Chandigarh	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	0
31	D&N Haveli and Daman & Diu+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
32	Delhi	1	0	0	0	0	0	1	0	0	0	0	0	160	33	0	130	33	0
33	Jammu & Kashmir*	0	0	0	0	0	0	0	0	0	0	0	0	3	1	0	1	1	0
34	Ladakh	-	-	-	-	-	-	0	0	0	0	0	0	0	0	0	0	0	0
35	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
36	Puducherry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	<b>TOTAL UT(S)</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>164</b>	<b>35</b>	<b>0</b>	<b>132</b>	<b>36</b>	<b>0</b>
	<b>TOTAL (ALL INDIA)</b>	<b>103</b>	<b>58</b>	<b>2</b>	<b>104</b>	<b>86</b>	<b>4</b>	<b>738</b>	<b>272</b>	<b>0</b>	<b>372</b>	<b>383</b>	<b>0</b>	<b>969</b>	<b>451</b>	<b>7</b>	<b>712</b>	<b>520</b>	<b>7</b>

Source: Crime in India

Note : '+' Combined data of erstwhile D&amp;N Haveli UT and Daman &amp; Diu UT during 2019

\*1 Data of erstwhile Jammu &amp; Kashmir State including Ladakh during 2019