

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO. 2397
TO BE ANSWERED ON 09.08.2023

SEXUAL OFFENCES AGAINST CHILDREN

2397 SHRI S. SELVAGANABATHY:

Will the Minister of Women and Child Development be pleased to state?

- (a) whether Government has taken note of the sexual offences committed against children in the country;
- (b) if so, the details thereof along with the steps taken by Government to effectively address and prevent the rising cases of crimes against children; and
- (c) The stringent/punitive measures taken by Government to deter the rising trend of Child sexual abuse in the country?

ANSWER

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

(a) to (c): The Protection of Children from Sexual Offences (POCSO) Act, 2012 (as amended in 2019) 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 reviewed and 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.

Further, the schemes/ projects implemented by the Government under Nirbhaya Fund include One Stop Centres (733 OSCs are functional); Emergency Response Support System (ERSS), which is a Pan-India single number (112)/ mobile app based system for emergencies (functional in all States/ UTs) ; a cyber-crime reporting portal to report obscene content; safe city projects in 8 cities (Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai) including infrastructure, technology adoption and capacity building in community through awareness programmes, establishment of state of the art DNA Laboratory at CFSL, Chandigarh;

Assistance to 28 States/ UTs to strengthen Forensic Science Laboratories; setting up of 1023 Fast Track Special Courts (FTSCs) for speedy disposal of cases of rape and cases under POCSO Act (758 FTSCs have been made functional having disposed of more than 1.50 lakh cases); setting up/ strengthening of Anti Human Trafficking Units (AHTUs) in all districts of the country (788 AHTUs are functional including 30 in Border Guarding Forces such as Border Security Force and Sashastra Seema Bal) ; setting up/strengthening of Women Help Desks (WHDs) at Police Stations (13557 WHDs are functional across the country), etc.

Further as per the information received from Ministry of Home Affairs, 'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens including children rest with the respective State Governments. The State Governments are competent to deal with such offences under the extant provisions of laws. However, initiatives taken by MHA for safety of children across the country is as follows:

- i. The Criminal Law (Amendment), Act 2013 was enacted for effective deterrence against sexual offences. Further, the Criminal Law (Amendment) Act, 2018 was enacted to prescribe even more stringent penal provisions including death penalty for rape of girls below the age of 12 years. The Act also inter-alia mandates completion of investigation and filing of charge-sheet in rape cases in 2 months and trials to be completed in 2 months.
- ii. Emergency Response Support System (ERSS) provides a pan-India, single internationally recognized number (112) based system for all emergencies with computer aided dispatch of field resources to the location of distress.
- iii. Using technology to aid smart policing and safety management, Safe City Projects have been sanctioned in first Phase in 8 cities (Ahmedabad, Bengaluru, Chennai, Delhi, Hyderabad, Kolkata, Lucknow and Mumbai).
- iv. The Ministry of Home Affairs (MHA) has launched a cyber-crime reporting portal on 20th September, 2018 for citizens to report obscene content.
- v. MHA has launched the "National Database on Sexual Offenders" (NDSO) on 20th September 2018 to facilitate investigation and tracking of sexual offenders across the country by law enforcement agencies.
- vi. MHA has launched an online analytic tool "Investigation Tracking System for Sexual Offences" for Police on 19th February 2019 to facilitate them to monitor and track time-bound investigation in sexual assault cases in accordance with Criminal Law (Amendment) Act 2018.
- vii. In order to improve investigation, MHA has taken steps to strengthen DNA analysis units in Central and State Forensic Science Laboratories. This includes setting up of State-of-the-Art DNA Analysis unit in Central Forensic Science Laboratory, Chandigarh. MHA has also sanctioned setting-up and upgrading of DNA Analysis units in State Forensic Science Laboratories after gap analysis and demand assessment.

- viii. MHA has notified guidelines for collection of forensic evidence in sexual assault cases and the standard composition in a sexual assault evidence collection kit. To facilitate adequate capacity in manpower, training and skill building programs have been undertaken for Investigation Officers, Prosecution Officers and Medical Officers. Bureau of Police Research & Development has distributed 14,950 Sexual Assault Evidence Collection Kits to States/ UTs as orientation kit as part of training.
- ix. MHA has also approved two projects for setting up and strengthening of Women Help Desks in Police Stations and Anti-Hyman Trafficking Units in all districts of the country.
- x. In addition to the above-mentioned measures, the Ministry of Home Affairs have issued advisories from time to time with a view to help the States/UTs to deal with crimes against children, which are available at www.mha.gov.in.
