

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO. 2718
TO BE ANSWERED ON 18.12.2024

LOW CONVICTION RATES IN POCSO CASES

2718. SMT. SAGARIKA GHOSE:

DR. SYED NASEER HUSSAIN

Will the Minister of Women and Child Development be please to state:

- (a) the total number of Protection of Children from Sexual Offences (POCSO) cases filed till date, and the total number of pending cases;
- (b) the reasons for delays in disposal of cases and large number of pending cases, even in the Fast Track Special Courts set up;
- (c) the reasons for low conviction rates in POCSO cases;
- (d) the steps taken or planned by the Ministry to address these issues; and
- (e) the steps taken by the Ministry in response to the POCSO Act being misused against teens in consensual relationships?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SAVITRI THAKUR)

(a) to (e): A Centrally Sponsored Scheme for the establishment of Fast Track Special Courts (FTSCs), including exclusive POCSO Courts for expeditious disposal of Rape and POCSO Act cases was introduced in October 2019, following the enactment of the Criminal Law (Amendment) Act, 2018 and the order of Hon'ble Supreme Court (Suo Motu Writ (Criminal) No. 1/2019). The Scheme has been extended twice, with the latest extension up to 31st March 2026, targeting establishment of 790 courts. As per the information received from High Courts, as of 31.10.2024, 750 FTSCs including 408 exclusive POCSO Courts are functional in 30 States/UTs, which have disposed of more than 2,87,000 cases. Since the inception of the Scheme, exclusive POCSO Courts have disposed of over 1,83,000 cases, while more than 1,41,000 cases remain pending as of 31.10.2024.

As informed by the Ministry of Law and Justice, the disposal of pending cases in the Courts including POCSO cases, lies exclusively within the domain of the judiciary. Pendency of court cases is a multi-faceted problem. Due to the increase in the population of the country and awareness of their rights amongst the public, filing of fresh cases is also increasing year after year. Several factors may contribute to the high pendency of cases, including shortage of judicial officers & supporting court staff, complex evidence and insufficient cooperation amongst stakeholders such as the bar, investigation agencies, witnesses, and litigants, as well as the improper application of rules and procedures. In criminal cases, including POCSO cases, the criminal justice system relies on full support from various agencies such as the police, prosecution, forensic labs, handwriting experts, and medico-legal experts. Delays in receiving full assistance from any of these allied agencies may exacerbate delays in case disposal.

To address these challenges, the Department of Justice has conducted regular review meetings to ensure robust implementation of the Scheme, including the establishment of the FTSCs. Further, the Government has taken various steps from time to time to create awareness of the provisions of the POCSO Act through electronic and print media, consultations, workshops and training programmes with stakeholders concerned. In order to generate awareness about the POCSO Act, a short film was disseminated in Cinema Halls and Doordarshan across the nation. Thereafter, Ministry has undertaken awareness campaign to encompass various aspects of the POCSO Act in an effective manner by way of a short video clips, an audio clip and a poster which have been disseminated through various means all over India. For effective dissemination of these creatives, they have also been translated into regional languages for effective outreach. National Council of Educational Research and Training (NCERT) has published Childline (1098) – 24x7x365 Helpline for children and POCSO E-box on the back side of the front cover of all the course books from class 6th to class 12th to equip the children with the information regarding the possible modes of protection/complaints and emergency outreach.

Ministry of Women and Child Development has organized the following zonal conferences and sensitization/dissemination workshops under Mission Vatsalya Scheme:

- i. Zonal Conferences: Outreach with State Governments/UT Administrations and Stakeholders through Zonal Conferences on Strategic Interventions for addressing Malnutrition Concerns and for the Development, Empowerment and Protection of Women and Children including Mission Vatsalya scheme during the last financial year.
- ii. Dissemination Workshops: National Dissemination Workshop on Juvenile Justice (Care and Protection of Children) Act, 2015, Protection of Children from Sexual Offences Act, 2012 and the rules there under and the Adoption Regulations, 2017 including Mission Vatsalya Scheme on 17.08.2022 and 29.08.2022 with all States/UTs, line Ministries/ Departments, representatives from Police, National Institute of Mental Health and Neuro Sciences (NIMHANS), National Commission for Protection of Child Rights (NCPCR), Child Protection functionaries including members of Child Welfare Committees(CWCs)/Juvenile Justice Boards(JJBs) and other stakeholders.

- iii. Workshops: Workshops on Sensitization/ Training Programme for representatives of Panchayati Raj Representatives (PRIs), Urban Local Bodies (ULBs) and Police on Child Rights & Protection including Mission Vatsalya Scheme at Srinagar, Jammu & Kashmir (J&K) on 16.11.2022 and 14-15.09.2023 in collaboration with UT Administration. This workshop was attended by officers from Ministry, NCPCR, UT of J&K, Administrative and Police Training Institutes, District Child Protection Officers (DCPOs), CWCs, JJBs, Special Juvenile Police Units (SJPU), representative from UNICEF and other Stakeholders.
- iv. Vatsal Bharat: Regional Symposiums on 'Child Protection, Child Safety and Child Welfare' including Mission Vatsalya were organized, starting from 02.07.2023 to 18.08.2023 at Delhi, Bhopal, Mumbai, Ranchi, Guwahati and Varanasi. In the Regional Symposiums, representatives from States/UTs including members of Child Welfare Committees (CWCs), Juvenile Justice Boards (JJBs), Members of Village Child Protection Committee (VCPC) and Anganwadi Workers had participated.
- v. A three day consultation was organized by the Ministry from 22.03.2023 to 24.03.2023 at NIPCCD to improve adoptability of Mission Vatsalya portal by its users/stakeholders.
- vi. A virtual technical training Session on the Modules of Institutional and Non- Institutional Care in the Mission Vatsalya Portal for North Eastern States (Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Sikkim and Tripura) was organized by the Ministry on 15.11.2023.

The National Institute of Public Cooperation and Child Development have conducted a total of 65 Programmes under Section 3(6) of POCSO Rules during the year April, 2020 to December, 2023. These programmes were attended by about 3515 participants including Principals of Kendriya Vidyalaya, Government Officers of Railways Banks and others Public Service Undertaking (PSUs), Representatives of Voluntary Organizations working in the field of Women and Children, Officials of Ministry of Women and Child Development, Faculty of National Institute of Public Cooperation and Child Development, Child Development Project Officers, Supervisors, Aanganwadi Workers, Functionaries of Competition Commission of India (Superintendents, Child Welfare Officers, Protection Officers, Social Workers & Counsellors), School Teachers and Staff, Faculty of University, Secondary and Higher Secondary School Children, Functionaries of Mission Vatsalaya (District Child Protection Officers, Protection Officers, I/C, Protection Officers NIC, Social Workers and Counsellors), Special Juvenile Police Units, Child and Functionaries, Law Enforcement Agencies like Police & Judiciary, Medical Professionals, Members of Child Welfare Committees & Juvenile Justice Board and Coordinators of Special Adoption Agency.
