

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO. 2322
TO BE ANSWERED ON 9.03.2018

INTRA –FAMILIAL ABUSE

2322. SHRIMATI POONAM MAHAJAN

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

- (a) the number of cases filed against parents accused of incest during each of the last three years and the current year, State/UT-wise;
- (b) whether it is a fact that no legislative prohibition exists against the granting of custody or visitation rights to fathers committing sexual offence pending conviction in a criminal trial, if so, the details thereof and the reaction of the Government thereto;
- (c) the time-frame by which the Government is expected to prepare guidelines to debar custodial rights and visitation claims of an offending parent accused of incest; and
- (d) the steps taken by the Government to prevent intra-familial abuse?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(DR. VIRENDRA KUMAR)

- (a) : National Crime Record Bureau (NCRB) has reported that no such specific information is maintained by the Bureau. However, a total of 3328, 3167 and 3891 cases reported under category of rape cases in which offenders were known to the victim during 2014, 2015 and 2016 respectively. The State/UTs wise details of the cases is enclosed as **Annexure-I**.
- (b) : As per Section 36 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, the special court shall ensure that the child is not exposed in any way to the accused at the time of recording of the evidence. Also, Rule 4 of the POCSO Act, 2012

ensures that a child has to be produced before the Child Welfare Committee (CWC), if the police receives information under Section 19 of the Act and there is apprehension that the offence has been committed or is likely to be committed by a person living in the same or shared household with the child with a request for detailed assessment by the CWC. After examination, CWC determines within three days whether the child needs to be taken out of the custody of his family or shared household and placed in a children's home or a shelter home.

- (c) : In view of (b) above, question does not arise.
- (d) : The Government has taken various steps to create awareness against Sexual Abuse of children through advertisement, electronic media, print media and by holding Conferences, seminars etc.
