

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

STARRED QUESTION NO.*133

TO BE ANSWERED ON FRIDAY, THE 10th February, 2023

Pending Cases of POCSO

***133. SHRI RAVIKUMAR D. :**

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government is aware of increasing number of pending cases related to Protection of Children from Sexual Offences (POCSO) in Fast Track Courts reported during last five years;
- (b) if so, the details thereof and the steps taken to address the issue;
- (c) whether the Government is aware of increasing number of total Cases For Trial (CFT) during 2017-22;
- (d) if so, whether the Government is making any special provisions or planning to expand Fast Track Courts in the country to deal with POCSO cases; and
- (e) if so, the details thereof?

**ANSWER
MINISTER OF LAW & JUSTICE
(SHRI KIREN RIJJU)**

(a) to (e): A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SABHA STARRED QUESTION NO. *133 FOR THE 10TH FEBRUARY, 2023 REGARDING 'PENDING CASES OF POCSO'

(a) to (e): The Government of India, taking cognizance of the seriousness and sensitivity of the increasing number of pending cases of rape and POCSO Act brought the Criminal Law (Amendment) Act 2018 which amended the Indian Penal Code, Indian Evidence Act, 1872, Code of Criminal Procedure, 1973 and the Protection of Children From Sexual Offences, Act, 2012. The Amendment Act increased the minimum punishment for rape to 10 years of imprisonment, extendable to life imprisonment. In cases of rape of girl under 12 years of age, provision of death penalty was introduced. A time limit of 2 months each for investigation and trial was prescribed vide Sections 173(1A) and Section 309 of Cr PC. To ensure time bound disposal of cases, as mandated in the Act and in compliance of the directions of Hon'ble Supreme Court of India in Suo Moto 1/2019 dated 25.7.2019, the Government started a Centrally Sponsored Scheme (CSS) in October, 2019 for setting up of 1023 Fast Track Special Courts (FTSCs) including 389 exclusive POCSO Courts in 31 States/UTs. As per the guidelines of the FTSC scheme each court is to dispose of 165 cases per year. The scheme provided for financial assistance to the states in the CSS pattern for salary payment to 1 Judicial officer and 7 Court staff members for each court. Further provision has also been made for a flexi grant to cover office expenses, rental charges etc where needed. To facilitate quick operationalization, liberty has been given for engaging retired judicial officers and other court staff on contract basis. Initially, the Scheme was for 1 year which was further continued

up to 31.03.2023. An amount of Rs. 140 Cr. in FY 2019-20, Rs.160.00 Cr in FY 2020-21, Rs.134.56 Cr., in FY 2021-22 and Rs.186.93 Cr. during the current financial year (up to 31/1/2023) have been released to various States/UTs for functioning of these courts.

As of 31.12.2022, a total of 768 FTSCs including 418 exclusive POCSO Courts are operational in 28 States/UTs which have disposed of more than 1,37,000 cases while 1,98,208 cases were pending. State-wise status of FTSCs including disposal and pendency since, inception of the scheme is placed at **Annexure**. For robust implementation of the scheme, the Department of Justice has been regularly conducting review meetings by the way of Video Conferencing with the Law Secretaries of the States/UTs and Registrar Generals of High Courts and Nodal Officers. In addition, D.O. Letters dated 12.12.2019, 16.03.2020, 16.07.2020, 16.02.2021, 03.08.2021 & 02.09.2022 from Minister of Law & Justice addressed to the Chief Ministers of States and the Chief Justices of High Courts have been issued requesting for early operationalization of earmarked FTSCs and for expediting the disposal of pending cases.

In view of large number of pending cases, the Department of Justice has initiated action for extension of the scheme for three more years i.e., up to 2026.

ANNEXURE

Status of FTSC - Number of cases disposed and pending during the last three years

S. NO.	State/UT	2020			2021			2022		
		No of functional FTSCs (31.12.2020)	Cases pending (31.12.2020)	Cases Disposed during the Year	No of functional FTSCs (31.12.2021)	Cases pending (31.12.2021)	Cases Disposed during the Year	No of functional FTSCs (31.12.2022)	Cases pending (31.12.2022)	Cases Disposed during the Year
1	Andhra Pr	8	3980	127	10	5483	296	14	7328	1511
2	Assam	7	1211	36	15	3023	818	17	3881	1861
3	Bihar	45	12132	492	45	14002	2127	45	15587	3610
4	Chandigarh	1	176	2	1	235	19	48	220	97
5	Chhattisgarh	15	2721	162	15	2674	1694	15	2745	1393
6	Delhi	0	0	0	16	4410	195	16	4426	552
7	Gujarat	35	5236	888	35	5632	2485	35	6619	3535
8	Goa	0	0	0	0	0	0	01	51	26
9	Haryana	16	3334	130	16	4373	1373	16	4103	1875
10	Himachal	3	462	40	6	961	148	6	923	378
11	J&K	0	0	0	4	390	49	4	444	66
12	Jharkhand	20	3401	463	22	5380	1330	22	4384	2303
13	Karnataka	14	2729	268	18	3962	1760	30	5532	3424
14	Kerala	23	4629	257	28	7653	3478	52	7213	6356

15	Madhya Pr	66	11196	3422	67	14139	7944	67	12435	7539
16	Maharashtra	25	5624	1270	34	7445	4489	39	8539	5607
17	Manipur	0	0	0	2	171	19	2	130	60
18	Meghalaya	0	0	0	5	946	71	5	995	156
19	Mizoram	0	0	0	3	40	47	3	36	62
20	Nagaland	0	0	0	1	96	39	1	53	9
21	Odisha	15	6119	240	36	10613	2563	44	11754	4244
22	Punjab	3	440	537	12	2009	964	12	1842	1099
23	Rajasthan	45	7938	1421	45	7581	4775	45	6801	4015
24	Tamil Nadu	14	4230	506	14	4684	1703	14	5127	2664
25	Telangana	19	2864	481	25	5031	2979	34	7544	3498
26	Tripura	3	285	17	3	323	94	3	318	92
27	Uttar Pradesh	218	79468	26318	218	72924	31562	218	78238	8561
28	Uttarakhand	4	668	80	4	763	606	4	940	366
	Total	599	158843	37148	700	184943	73627	768	198208	64959

Note- The scheme of FTSC started in October 2019.
