

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
STARRED QUESTION NO 32
TO BE ANSWERED ON 21.07.2023

REHABILITATION OF MINOR RAPE SURVIVORS

32. SHRI SANJAY SADASHIVRAO MANDLIK
SHRI PRATAPRAO JADHAV:

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

- (a) whether the Government has rolled out a new scheme under the Nirbhaya Fund to provide support to minor rape survivors, abandoned by their family often due to pregnancy and who have no other means to survive;
- (b) if so, the details thereof and the salient features and aims and objectives of this new scheme;
- (c) whether the Government has asked the State Governments and Child welfare Committees to send proposals in this regard;
- (d) if so, the details thereof and the response of the States and Child Welfare Committees in this regard;
- (e) the details of funds sanctioned and released by the Government under the said scheme during the current year; and
- (f) the details of steps taken by the Government for rehabilitation of minor rape survivors who face such a trauma?

ANSWER

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

(a) to (f) A statement is laid on the Table of the House.

Statement referred to in reply to part (a) to (f) of the Lok Sabha Starred Question No. 32 for answer on 21.07.2023 raised by Shri Sanjay Sadashivrao Mandlik & Shri Prataprao Jadhav regarding Rehabilitation of Minor Rape Survivors

(a) to (f) The Government of India has enacted the Protection of Children from Sexual Offences (POCSO) Act, 2012 to provide safeguards for children against sexual abuse. The Act defines a child as any person below the age of 18 years. The POCSO Act, 2012 provides for establishment of Special Courts for the purpose of ensuring speedy trial. The Act was 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.

The Government of India has also notified the POCSO Rules, 2020. Rule-9 of the POCSO Rules provides that the Special Court may, in appropriate cases, on its own or on an application filed by or on behalf of the child, pass an order for interim compensation to meet the needs of the child for relief or rehabilitation at any stage after registration of the First Information Report (FIR). Such interim compensation paid to the child shall be adjusted against the final compensation, if any.

Further, the POCSO Rules also provide that for special relief, if any, to be provided for contingencies such as food, clothes, transport and other essential needs, Child Welfare Committee (CWC) may recommend immediate payment of such amount as it may assess to be required at that stage, to any of the following:

- i. the DLSA under Section 357A; or;
- ii. the DCPU, out of such funds placed at their disposal by state or;
- iii. funds maintained under section 105 of the Juvenile Justice (Care and Protection of Children) Act, 2015 (2 of 2016);

Such immediate payment is made within a week of receipt of recommendation from the CWC.

Besides above provisions of POCSO Act, 2012 and POCSO Rules, 2020, the Empowered Committee constituted under the Framework of Nirbhaya Fund also approved the Scheme for critical care and support for accessing justice to rape/gang-rape survivors and minor girls who get pregnant at the total outlay of Rs. 74.10 crores and to place funds at the disposal of each DM/DC of Districts of the country for the purpose of providing shelter, food & daily needs, safe transportation for attending court hearings and legal aid to the minor girls who have been abandoned by the family due to forced pregnancy either due to rape/ gang rape or due to any other reasons and have no other means to support themselves.
