

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.3065
TO BE ANSWERED ON 06.12.2019

CHILD IN SEXUAL VIOLENCE TRADE

3065. SHRI NATARAJAN P.R.:

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

- (a) whether the Government is aware of the commercial sexual exploitation of children in India;
- (b) if so, the details of such children as on date, State-wise;
- (c) the mechanisms available towards ensuring accountability of the perpetrators of crimes such as sexual violence of children; and
- (d) the measures taken by the Government to ensure safety of such child victims from being commercially exploited by the sex traders?

ANSWER

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

(a) & (b) As informed by National Crime Record Bureau (NCRB), no information is available in this regard.

(c) The Government of India has implemented the Protection of Children from Sexual Offences (POCSO) Act, 2012 which is a comprehensive law that provides protection to children from the offences of sexual assault, sexual harassment and pornography. The Act provides mandatory reporting, child friendly provisions of recording of statement and evidence and speedy trial of the cases. Recently, the POCSO Act has been amended in order to make it more effective in dealing with cases of child sex abuse in the country. It addresses the need for stringent measures to deter the rising trend of child sex abuse in the country on one hand and the menace of relatively new kind of crimes on the other hand.

Besides, the Government of India has taken following initiatives for preventing cases of crimes against children:

- 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 a girl below age of 12 years. The Act also inter-alia mandates completion of investigation and trials within 2 months each.

- ii. A “National Database on Sexual Offenders” has been launched on 20th September, 2018 to facilitate investigation and tracking of sexual offenders across the country by law enforcement agencies.
- iii. An online analytic tool for police called “Investigation Tracking System for Sexual Offences” has been launched on 19.02.2019 to monitor and track time-bound investigation on sexual assault cases in accordance with the Criminal Law (Amendment) Act, 2018.
- iv. In order to improve investigation, steps have been taken to strengthen DNA analysis units in Central and State Forensic Science Laboratories. This includes setting up of a State-of-the-Art DNA Analysis Unit in Central Forensic Science Laboratory, Chandigarh.
- v. Guidelines have been notified for collection of forensic evidence in sexual assault cases and the standard composition in a Sexual Assault Evidence Collection Kit. A total number of 6023 officers have been trained by the Bureau of Police Research and Development (BPR&D) and Lok Nayak Jayaprakash Narayan National Institute of Criminology and Forensic Science. BPR&D has distributed 3,120 Sexual Assault Evidence Collection Kits to State Governments/ UT Administration, as orientation kit, as part of training.
- vi. A scheme namely Cyber Crime Prevention against Women and Children (CCPWC) has been approved under which an online cybercrime reporting portal (www.cybercrime.gov.in) has been launched on 20th September, 2018 to enable public to report complaints pertaining to child pornography/ child sexual abuse material, rape/gang rape imageries or sexually explicit content.

(d) ‘Police’ is a State subject under the Seventh Schedule to the Constitution of India and as such prevention of the crime of human trafficking and crime against children is the responsibility of State Governments. However, the Government of India has been supplementing the efforts of the State Governments by taking various initiatives and measures. The Government of India has provided financial assistance to all States for setting up of Anti-Human Trafficking Units and 332 Anti-Human Trafficking Units have been set-up in various districts of the State. The Government of India also provides financial assistance to the States and judicial academies in States to hold ‘Judicial Colloquiums’ and ‘ State level conference’ to sensitize police officials, judicial officers and prosecutors about various provisions of law relevant to trafficking and their role in curbing trafficking. The Government of India has also issued various advisories to the State Governments and UT Administrations, from time to time, on preventing and combating human trafficking. Through the National Investigation Agencies (Amendment) Act, 2019, the Schedule of NIA Act, 2008 has been amended and National Investigation Agency has been empowered to investigate the cases committed under Section 370 and 370A of Indian Penal Code relating to Human Trafficking.
