

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO. 3645
TO BE ANSWERED ON 21.03.2025

POCSO Act.

3645. DR. D RAVI KUMAR:

Will The Minister of Women and Child Development Be Pleased To State:

- (a) the current status of implementation of the Protection of Children from Sexual Offences (POCSO) Act, 2012 along with and the measures taken to ensure its effective enforcement across the country;
- (b) whether the Government has assessed any gaps in the child protection framework, including delays in investigation, lack of forensic infrastructure and inadequate rehabilitation services for child survivors, if so, the details thereof;
- (c) whether the Government has taken any steps to strengthen child protection mechanisms including training of law enforcement officials, sensitization programmes, establishment of child- friendly courts, if so, the details thereof; and
- (d) whether the Ministry is planning to review/amend existing laws related to child protection in light of new challenges and emerging threats, if so, the details thereof?

ANSWER

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

(a) to (d) Government accords the highest priority for ensuring safety and security of children and has undertaken various initiatives in this regard. To safeguard children against sexual abuse and sexual harassment, Government has enacted The Protection of Children from Sexual Offences (POCSO) Act, 2012. It defines a child as any person below the age of 18 years.

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.

Section 4 of the Act prescribes rigorous imprisonment for a minimum of 20 years, which can extend to life imprisonment, for "Penetrative Sexual Assault". If the assault results in the death or causes the victim to be in a persistent vegetative state, Section 6 provides for the death penalty or life imprisonment.

Section 8 outlines imprisonment for a minimum of three to five years for those found guilty of sexual assault, while Section 10 increases this to a minimum of five years for Aggravated Sexual Assault (A person can be charged with this offense in certain aggravating circumstances, such as if the rape occurs within a relationship of trust or authority, or if it leads to pregnancy, among others). Section 14 of the Act imposes imprisonment of up to seven years for using children for pornographic purposes.

Additionally, the Act mandates special courts for speedy trials under Section 28; ensuring that the cases are handled with the utmost urgency and sensitivity, reflecting the law's zero-tolerance approach to crimes against children.

Further the POCSO Rules, 2020 were also notified to protect the children from exploitation and violence and sexual exploitation. Rule 3 provides that any institution housing children or coming in regular contact with children including schools, creches, sports academies or any other facility for Children must ensure police verification and background check on periodic basis, of every staff, teaching or non-teaching, regular or contractual, or any other person being an employee of such Institution coming in contact with the child. Such Institution shall also ensure that periodic training is organized for sensitizing them on child safety and protection.

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 may recommend immediate payment of such amount. Such immediate payment shall be made within a week of receipt of recommendation from the CWC.

Department of Justice is implementing a scheme for setting up Fast Track Special Courts (FTSCs) including Exclusive POCSO Courts for expeditious trial and disposal of cases related to rape and POCSO cases. As per the information received from High Courts, as of 31.01.2025, **754 FTSCs** including **404 exclusive POCSO Courts** are functional in 30 States/UTs, which have disposed more than 3,06,000 cases.

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 which is a 24x7x365 toll free 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 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 were organised.

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 were organised 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 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) 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 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 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.

Furthermore, NCPCR, as per its mandate under Section 13(1)(h) of the CPC Act, 2005, has also been continuously conducting sensitization and awareness-generation activities, along with monitoring efforts, focusing on various critical child protection themes, particularly POCSO mechanisms, to ensure that stakeholders are well-informed, actively involved, and effectively equipped to enhance child protection efforts and address child welfare concerns, especially within the POCSO framework. Engaging a wide range of stakeholders, including government functionaries at the State, District, Village, and Block levels, SPs, DMs, NGOs, CWCs, DCPOs, volunteers, and others, these initiatives are as follows:

1. Development of Digital Portals: Following the directions of the Hon'ble Supreme Court under SMWP(C) of 4/2020 and SMWP(C) of 6/2021, the Commission developed **several digital portals** to ensure timely, efficient, and seamless monitoring of data related to violations and deprivation of child rights. One such portal is the **Baal Swaraj-POCSO tracking portal**. This portal facilitates real-time tracking of child sexual abuse cases, providing services like victim compensation and rehabilitation to ensure the care and safety of POCSO victims.

2. Addressing Child Sexual Abuse Material (CSAM): In August 2024, the Commission **convened a meeting on child sexual abuse material (CSAM)**, inviting social media platforms to discuss issues surrounding the online availability of sexually provocative material involving children. Additionally, in a **joint meeting on 05.08.2024**, the Commission explored potential solutions to address the alarming increase in crimes committed by minors after viewing pornographic content. This meeting included representatives from Ministry of Women and Child Development, the Ministry of Home Affairs, Ministry of Law and Justice, and others.

3. Regional Meetings on POCSO Implementation: The Commission organized regional meetings on ***POCSO: Factors Hindering Implementation and Aspects of Assistance to Victims*** to address victim support mechanisms and identify specific areas where NCPCR/SCPCRs could provide assistance. These meetings, held in collaboration with NALSA, NFSU, SVPNPA, and BPR&D, brought together key stakeholders, including forensic experts, police officials, and legal representatives. Additionally, through its North East Cell, NCPCR conducted consultations and State-Level Workshops on ***Handling POCSO Cases*** to enhance victim assistance and improve the implementation of POCSO provisions in the region.
