

**GOVERNMENT OF INDIA
WOMEN AND CHILD DEVELOPMENT
LOK SABHA**

UNSTARRED QUESTION NO:2216
ANSWERED ON:05.12.2014
WEAK IMPLEMENTATION OF PCSO ACT
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Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) the details of review of the implementation of the Protection of Children from Sexual Offences Act, 2012 undertaken by National Commission for Protection of Child Rights (NCPCR) across the country;
- (b) whether their report have indicated certain short-comings in the implementation of the said act; and
- (c) if so, the details thereof and the remedial steps taken/being taken by the Government in this regard?

Answer

MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI MANEKA SANJAY GANDHI)

(a) to (c): Section 44 of the Protection of Children from Sexual Offences Act, 2012 empowers the NCPCR and State Commission for Protection of Child Rights for monitoring the implementation of the provisions of this Act in such manner as may be prescribed. Though no formal review of POCSO Act has been undertaken by NCPCR, yet in discharge of its duties NCPCR has been taking up the matter with regard to implementation of the POCSO Act in respect of following aspects:-

- (i) Designation of Special Courts;
- (ii) Appointment of Special Public Prosecutors;
- (iii) Formulation of Guidelines u/s 39 of POCSO Act for various stakeholders;
- (iv) Designation and implementation of modules for training of various stakeholders;
- (v) Steps taken for spreading the awareness on the provisions of the POCSO Act;
- (vi) Setting up of child Welfare Committees (CWCs), District Child Protection Units (DCPUs) and Special Juvenile Police Units (SJPU)s;
- (vii) The number of FIRs filed under the Act, cases in which charge-sheet filed, compensation awarded to the victims, number of cases in which accused convicted/acquitted, number of cases in which witness turned hostile, cases in which appeal has been filed etc.
- (viii) Number of trial of sexual abuse cases which have been pending with Special/Session Court for more than a period of one year;
- (ix) Number of applications for compensation received by District Legal Services Authority, number of cases compensation awarded by the Special Court, number of cases pending for receiving the amount of compensation for more than 30 days etc.

2. While monitoring the implementation of the POCSO Act, NCPCR has come across the following shortcomings:-

- # Some States/UTs have still not set up Special Courts and appointed Special Public Prosecutors in all districts;
- # There are a large number of cases of child sexual abuse pending in various courts;
- # Inordinate delay in preparing guidelines for use of professionals to be associated in the pre-trial and trial stage to assist child;
- # Delay in formulating modules and conducting training of police and other stakeholders; and,
- # Provision for compensation to the victims is not being implemented;

3. NCPCR as well as this Ministry has been impressing upon the State Governments for proper implementation of the POCSO Act.