

**Child-friendly courts**

634. SHRI BINOY VISWAM: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether Government has set up any child-friendly courts as stated in the POCSO Act, 2012;
- (b) if so, the number of such court rooms established in each State;
- (c) if no, the special steps that have been taken to make these courts child-friendly;
- (d) if not, the reasons for the non-compliance with the act; and
- (e) whether the Ministry has conducted any research study on the effectiveness and impact of such courts, if so, the details thereof?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI SMRITI ZUBIN IRANI): (a) to (e) Section 28 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 provides for establishment of Special Courts for trying the offences under the POCSO Act. The POCSO Act has adequate provisions to ensure that child-friendly procedures are adopted by Special Courts during the trial. These include the following:—

- (i) The Special Court shall create child-friendly atmosphere by allowing a family member, a guardian, a friend or a relative, in whom the child has trust or confidence, to be present in the court [Section 33(4)];
- (ii) The Special Court may, if it considers necessary, permit frequent breaks for the child during the trial [Section 33(3)];
- (iii) The Special Court shall ensure that the child is not called repeatedly to testify in the court [Section 33(5)];
- (iv) The Special Court shall not permit aggressive questioning or character assassination of the child and ensure that dignity of the child is maintained at all times during the trial [Section 33(6)];
- (v) The Special Court shall ensure that the identity of the child is not disclosed at any time during the course of investigation or trial [Section 33(7)];
- (vi) The Special Court shall try cases in camera and in the presence of the parents of the child or any other person in whom the child has trust or confidence [Section 37];

- (vii) The Special Court shall ensure that the child is not exposed in any way to the accused at the time of recording of the evidence [Section 36(1)];
- (viii) The Act provides that whenever necessary, the Court may take the assistance of a translator or interpreter having such qualifications, experience and on payment of such fees as may be prescribed, while recording the evidence of the child [Section 38].

Section 44 (1) of the POCSO Act provides that the National Commission for Protection of Child Rights (NCPCR) shall monitor the implementation of the provisions of the POCSO Act. As per information provided by NCPCR there are 664 Special Courts established across the country till 30th June, 2019.

Besides, as informed by Department of Justice, an amount of ₹99.35 crore has been released, till 30.01.2020, to 26 States/UTs for setting up of 648 Fast Track Special Courts (FTSCs) including 363 POCSO courts.

#### **Crime against children**

635. DR. AMEE YAJNIK: Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether Government is aware of the rising incidence of crime against children;
- (b) whether Government understands the need to amend the POCSO Act with a view to increase protection offered to children against sexual abuse; and
- (c) the details of the number of prosecutions made under the POCSO Act over the last five years, State-wise, including Karnataka?

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT (SHRIMATI SMRITI ZUBIN IRANI): (a) The total number of cases registered under crimes against children in the year 2016 was 106958, which rose to 129032 in the year 2017 and to 141764 in the year 2018.

(b) The Government of India has recently amended the Protection of Children from Sexual Offences (POCSO) Act, 2012 which has been notified on 06.08.2019 and made effective from 16.08.2019 with a view to provide stringent provisions for protection to children against sexual abuse.

(c) The details of the number of prosecutions made under the POCSO Act from 2014 to 2018, State-wise, including Karnataka, as provided by National Crime Records Bureau is given in the Statement.