

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO-740
ANSWERED ON – 08/02/2024

PENDENCY OF CASES IN POCSO COURTS

740. SHRI A.D. SINGH:

Will the Minister of **LAW AND JUSTICE** be pleased to state:

- (a) whether it is a fact that over 2.43 lakh POCSO cases are pending trial in the Fast Track Special Courts in the country;
- (b) whether it is also a fact that over 1000 POCSO courts in the country are disposing of only 28 cases per year per court; and
- (c) if so, the reasons therefor, and the efforts which are being made to accelerate the disposal of POCSO cases?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) to (c): Pursuant to the Criminal Law Amendment Act, 2018, the Central Government is implementing a Centrally Sponsored Scheme for setting up of Fast Track Special Courts (FTSCs) including exclusive POCSO (e-POCSO) Courts since October, 2019 for expeditious trial and disposal of pending cases pertaining to Rape and Prevention of Children from Sexual Offences (POCSO) Act in a time-bound manner. As on 31.12.2023, 411 e-POCSO Courts are functional across the country. These e-POCSO courts have disposed of more than 1,38,000 cases since the inception of the Scheme while more than 1,34,945 cases remain pending as on 31.12.2023. As per the data submitted by the High Courts, on an average, approximately 125 POCSO Act cases have been disposed of by each FTSC during the year, 2023.

The disposal of pending cases is within the exclusive domain of the judiciary wherein the Government has no direct role as such. There are several reasons that lead to delay in disposal of cases in courts which, inter-alia, include availability of physical infrastructure, complexity of facts involved,

nature of evidence, co-operation of stake holders viz. bar, investigation agencies, witnesses and litigants and proper application of rules and procedures. Other factors that lead to delay in disposal of cases include frequent adjournments and lack of adequate arrangement to monitor, track and bunch cases for hearing. Moreover, the Criminal Justice System functions on assistance by various agencies viz. Police, Prosecution, Forensic Labs, Handwriting Experts and Medico-Legal Experts. Though for e-POCSO Courts, the FTSC Scheme is instrumental in providing dedicated resources and personnel to help expedite and streamline the judicial process for POCSO-related cases, however, delays in these cases often arise due to various factors, including a shortage of public prosecutors, unavailability of witnesses, and the absence of crucial experts such as interpreters, translators, deposition writers etc.

For efficient implementation of the scheme, the Department of Justice is conducting regular review meetings through Video Conferencing with the State Governments and High Court officials. Communications have been sent at the level of Hon'ble Minister of Law & Justice to the Hon'ble Chief Ministers of the States/UTs and Hon'ble Chief Justices of High Courts to ensure adherence to timelines for disposal of cases as prescribed by the amendment to CrPC in 2018. To ensure effective monitoring and data collection, a dashboard has been created to gather detailed information and track the performance of the FTSCs. The performance of FTSCs is also a permanent item on the agenda of Inter-State Zonal Council Meetings.
