

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UN STARRED QUESTION NO.4148
TO BE ANSWERED ON 13.12.2019

PROTECTION OF CHILDREN FROM SEXUAL OFFENCE

4148. SHRI CHANDRA SEKHAR BELLANA:

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

- (a) whether the Protection of Children from Sexual Offence (POCSO) Act was amended earlier with provision for stringent punishment for possession and transmission of child pornography;
- (b) if so, the details thereof along with the number of persons who have been booked and charged for the said offence; and
- (c) the steps taken by the Government to implement POCSO Act in letter and spirit?

ANSWER

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

(a) & (b) The Protection of Children from Sexual Offences (Amendment) Act, 2019 has been notified on 06.08.2019 and made effective from 16.08.2019. Section 15 (Punishment for storage of pornographic material involving child) has been amended as below:

Section 15 (1): Any person, who stores or possesses pornographic material in any form involving a child, but fails to delete or destroy or report the same to the designated authority, as may be prescribed, with an intention to share or transmit child pornography, shall be liable to fine not less than five thousand rupees, and in the event of second or subsequent offence, with fine which shall not be less than ten thousand rupees.

Section 15(2): Any person, who stores or possesses pornographic material in any form involving a child for transmitting or propagating or displaying or distributing in any manner at any time except for the purpose of reporting, as may be prescribed, or for use as evidence in court, shall be punished with imprisonment of either description which may extend to three years, or with fine, or with both.

Section 15(3): Any person, who stores or possesses pornographic material in any form involving a child for commercial purpose shall be punished on the first conviction with imprisonment of either description which shall not be less than three years which may extend to five years, or with fine, or with both, and in the event of second or subsequent conviction, with imprisonment of either description which shall not be less than five years which may extend to seven years and shall also be liable to fine.

The details of the number of persons who have been booked and charged for the offence of Child Pornography during 2015-2017 is at **Annexure-I**.

(c) The National Commission for Protection of Child Rights (NCPCR) and State Commission for Protection of Child Rights (SCPCRs) are mandated under Section 44 of POCSO Act to monitor the implementation of the POCSO Act. Further Section 43 of the POCSO Act provides that the Central Government and every State Government shall take all measures to give wide publicity to the provisions of the Act. In accordance with this, 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 clip (duration 45 secs) on POCSO Act was disseminated in Cinema Halls and Doordarshan across the nation from 02.10.2019 to 08.10.2019. Hon'ble Minister, Women and Child Development (WCD) has written to all the Chief Ministers, Members of Parliament, and Heads of local Bodies/Panchayati Raj Institutions to take note of the POCSO Act as amended, and take all necessary measures for its effective implementation. Secretary, WCD has also written a letter to this effect to all the Secretaries of line Ministries.

'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibility to maintain law and order, protection of life and property of the citizens including children, rest primarily with the respective State Governments and UT Administration.

Statement Referred To In Part (b) of Reply To Lok Sabha Un-Starred Question No.4148 For Answer On 13.12.2019 Raised By SHRI CHANDRA SEKHAR BELLANA "Protection Of Children From Sexual Offence" indicating Cases Registered (CR), Cases Chargesheeted (CS), Cases Convicted (CV), Persons Arrested (PAR), Persons Chargesheeted (PCS) and Persons Convicted (PCV) for usage of children for pornographic purpose and storage of pornographic material of children under POCSO Act

SL	State/UT	2015						2016						2017					
		CR	CS	CV	PAR	PCS	PCV	CR	CS	CV	PAR	PCS	PCV	CR	CS	CV	PAR	PCS	PCV
1	Andhra Pradesh	11	4	0	4	4	0	0	0	0	0	0	0	0	0	0	0	0	0
2	Arunachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3	Assam	0	0	0	0	0	0	0	0	0	0	0	0	3	2	0	3	2	0
4	Bihar	0	0	0	0	0	0	0	0	0	0	0	0	26	5	0	27	7	0
5	Chhattisgarh	26	24	0	26	24	0	1	3	0	1	3	0	6	6	3	7	7	3
6	Goa	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7	Gujarat	1	2	0	1	2	0	1	1	0	2	2	0	1	1	0	1	1	0
8	Haryana	3	1	0	1	1	0	0	0	0	0	0	0	2	1	0	1	1	0
9	Himachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	5	0	5	5	0
10	Jammu & Kashmir	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11	Jharkhand	17	17	17	17	17	17	19	8	0	18	8	0	24	8	2	17	17	2
12	Karnataka	7	4	0	7	4	0	3	4	0	4	6	0	47	38	3	72	54	4
13	Kerala	0	0	0	0	0	0	4	1	0	4	1	0	109	76	10	166	72	10
14	Madhya Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	8	6	0	11	11	0
15	Maharashtra	0	0	0	0	0	0	1	0	0	0	0	0	9	11	0	14	13	0
16	Manipur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17	Meghalaya	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18	Mizoram	0	0	0	0	0	0	1	1	1	1	1	1	0	0	0	0	0	0
19	Nagaland	1	0	0	1	0	0	0	1	0	0	1	0	0	0	0	0	0	0

20	Odisha	1	1	0	1	1	0	1	1	0	1	1	0	8	22	3	22	22	3
21	Punjab	0	0	0	0	0	0	0	0	0	1	0	0	32	36	0	32	45	0
22	Rajasthan	0	0	0	0	0	0	3	2	0	2	2	0	84	64	1	84	84	2
23	Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
24	Tamil Nadu	8	10	0	8	10	0	9	4	0	9	4	0	8	8	1	13	16	1
25	Telangana	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	5	1	0
26	Tripura	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
27	Uttar Pradesh	19	19	3	36	32	6	2	2	1	4	4	1	4	1	4	4	4	11
28	Uttarakhand	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
29	West Bengal	0	0	0	0	0	0	2	5	0	18	18	0	2	12	0	1	12	0
	TOTAL STATE(S)	94	82	20	102	95	23	47	33	2	65	51	2	374	303	27	485	374	36
30	A&N Islands	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
31	Chandigarh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
32	D&N Haveli	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
33	Daman & Diu	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
34	Delhi	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35	Lakshadweep	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
36	Puducherry	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL UT(S)	0	0	0	5	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	TOTAL (ALL INDIA)	94	82	20	107	95	23	47	33	2	65	51	2	374	303	27	485	374	36

Source: Crime in India