



Fast Track Courts for Justice in Sexual Offense Cases

For Prelims: [Fast Track Courts](#), [Justice in Sexual Offense Cases](#), [Protection of Children from Sexual Offenses \(POCSO\) Act, 2012](#), [Indian Penal Code \(IPC\)](#), [UN Convention on the Rights of the Child in 1992](#).

For Mains: Fast Track Courts for Justice in Sexual Offense Cases.

Source: [PIB](#)

Why in News?

The performance of the [Fast Track Special Courts \(FTSCs\)](#) has been commendable, making substantial progress in expediting the trial process for cases related to [Rape and the Protection of Children from Sexual Offenses \(POCSO\) Act, 2012](#).

What is the Background?

▪ About:

- FTSCs are dedicated courts expected to **ensure swift dispensation of justice**. They have a better clearance rate as compared to the regular courts and hold speedy trials.
- Fast track courts (FTCs) were first recommended by the **Eleventh Finance Commission in 2000** "to substantially bring down, if not eliminate, pendency in the district and subordinate courts over the next five years".
- **Following the December 2012 Gangrape** and murder, the Union Government set up a '**Nirbhaya Fund**', amended the [Juvenile Justice Act](#) and set up fast-track Mahila Courts.
 - Some other states such as Uttar Pradesh, Jammu and Kashmir, Bihar etc. also set up FTCs for rape cases thereafter.

▪ Scheme for Fast Track Special Courts:

- In 2019, the government approved a scheme for setting up 1,023 FTSCs across the country for **expeditious disposal of pending rape cases under the [Indian penal Code \(IPC\)](#)** and crimes under the POCSO Act.
- It also strengthens the **deterrence framework for sexual offenders**.

▪ Performance:

- As of June 2023, the FTSCs have successfully disposed of more than **1.74 lakh cases related to rape and POCSO Act**.
 - This reflects the significant impact of these specialized courts in providing speedy justice to the victims of sexual offences.
- 763 FTSCs are currently functional across **29 States and Union Territories**.
 - Among these, 412 courts are exclusive POCSO Courts.

What is the POCSO Act?

▪ About:

- POCSO Act came into effect on **14th November 2012** which was enacted in consequence to India's ratification of the [UN Convention on the Rights of the Child in 1992](#).

- The aim of this special law is to address offences of sexual exploitation and sexual abuse of children, which were either not specifically defined or in adequately penalised.
- The Act defines a **child as any person below the age of 18 years**. The Act provides punishment as per the gravity of offence.
- **Features:**
 - **Gender-Neutral Nature:** The Act recognizes that both girls and boys can be victims of sexual abuse and that such abuse is a crime regardless of the gender of the victim.
 - This is in line with the principle that all children have the right to protection from sexual abuse and exploitation, and that laws should not discriminate based on gender.
 - **Ease in Reporting Cases:** There is sufficient general awareness now to report cases of **sexual exploitation of children** not only by individuals but also by institutions as non-reporting has been made a specific offence under the POCSO Act.
 - This has made it comparatively difficult to hide offences against children.
 - **Explicit Definition of Terms:** The storage of child pornography material has been made a new offence.
 - Further, the offence of 'sexual assault' has been defined in explicit terms (with increased minimum punishment) unlike an abstract definition of 'outraging modesty of a woman' in the [Indian Penal Code](#).

What are the Initiatives to Curb Women and Child Abuse?

- [Child Abuse Prevention and Investigation Unit](#)
- [Beti Bachao Beti Padhao](#)
- [The Juvenile Justice \(Care and Protection of Children\) Act, 2015](#)
- [Child Marriage Prohibition Act \(2006\)](#)
- [Child Labour Prohibition and Regulation Act, 2016](#)

UPSC Civil Services Examination, Previous Year Question (PYQ)

Mains

Q.1 Examine the main provisions of the National Child Policy and throw light on the status of its implementation. **(2016)**

Q.2 We are witnessing increasing instances of sexual violence against women in the country. Despite existing legal provisions against it, the number of such incidences is on the rise. Suggest Some innovative measures to tackle this menace. **(2014)**

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