

AN ASSESSMENT OF IMPLEMENTATION OF THE POCSO ACT IN TWO MAJOR CITIES - DELHI & MUMBAI

Preliminary Findings from an Ongoing Research undertaken by HAQ: Centre for Child Rights

HAQ: Centre for Child Rights is currently engaged in a research study on implementation of the POCSO Act in Delhi and Mumbai. The study is being carried out in partnership with FACSE.

On 14 November 2012, Government of India enacted a long awaited special law to ensure justice to children who are victims of sexual violence and abuse, called the Protection of Children from Sexual Offences Act, 2012 (the POCSO Act). Since this is the first time such a law has come into force, its implementation is met with challenges posed by increased reporting of cases, lack of trained manpower and support services to deal with child victims, combined with inadequate training and skills on interviewing children, carrying out proper investigation and ensuring speedy trial. Almost three years since its enforcement is a good time to review its implementation and build evidence that can be used to seek improvement and/or appropriate changes.

As part of its preliminary findings, HAQ shares the current status of pendency in the Special Courts in Delhi dealing with the POCSO Cases.

PENDENCY IN POCSO COURTS IN DELHI¹

As on 30 June 2015

Name of the Judge Presiding over the Special Court Under the POCSO Act ever since the POCSO Act came into force	Court No	Tenure of the Judge	Number of POCSO Cases Dealt by the Judge	Pendency of POCSO cases	Pendency with respect to Different Types of Matters	Total Pendency
South East District (Saket Court)						
Ms. Renu Bhatnagar	315	01 November 2012 till date	302	302	POCSO Act (Child Victim) - 302 MACOCA-4 Drugs and Cosmetics- Nil NDPS Act- Nil Section 302 IPC- 3 Section 376 IPC- 36	398

¹ As per the RTI replies

					Section 304-B IPC- 2 Section 304 IPC- 1 Section 306 IPC- Nil Section 364A IPC- 3 Other Sessions Cases (363and 366 IPC)- 16 ITP Act- 4 SEBI- 1 TADA/POTA- Nil Criminal Appeals- 7 Criminal Revisions- 19	
South District (Saket Court)						
Sh. Gulshan Kumar	302	August 2012 to 16 th May 2015	-	208	POCSO- 208 Culpable Homicide- 21	324
Sh. Manoj Kumar	302	16 th May 2015 to till date	-	208	Section 304B IPC- 04 MACOCA- 04 Section 376 IPC- 38 Section 306 IPC- 01 Other Session Cases- 47 J.J. Act- 01	
East District (Karkardooma Court)						
Sh. Sanjay Garg	76	1 st January 2012 to 23 rd January 2015	129	169	POCSO Act (Child Victim)- 169 MACOCA- 01 Drugs and Cosmetics- Nil NDPS- Nil Culpable Homicide and Section 302 IPC- 50	361
Ms. Sujata Kohli	76	24 th January 2015 to 28 th April 2015	153	169	Section 376 IPC- 17 Section 304B IPC- 06 Section 304 IPC- Nil	
Sh. Raghubir Singh	34	28 th April 2015 till date	169	169	Section 306 IPC- Nil Section 364A IPC- 04	

					Section 363 IPC- Nil Section 366 IPC- Nil ITP Act- Nil SEBI- Nil TADA/POTA- Nil Criminal Appeals- 20 Criminal Revisions- 31 Arms Act- 01 Any Other Session Cases- 61	
North District (Rohini Courts)						
Sh. Sanjeev kumar	201	6 th January 2012 to 13 th January 2014	104	331	POCSO Act- 331 MACOCA- 04 Drugs and Cosmetics- 1 NDPS- Nil Section 302 IPC- 02 Section 376 IPC- 32 Section 304B IPC- Nil Section 304 IPC- Nil Section 306 IPC- Nil Section 364A IPC- Nil Section 363 IPC and Section 366 IPC- 15 ITP Act- Nil SEBI- Nil TADA/POTA- Nil Criminal Appeals- 01 Criminal Revisions- 02 Any Other Session Cases- Nil	388
Sh. Deepak Garg	201	15 th January 2014 to 23 rd January 2015	280	331		
Sh. Gautam Mannan	201	24 th January 2015 to till date	331	331		
South West District (Dwarka Courts)						
Sh. Vikas Dhull	302	2 years and 6 Months	249	249	POCSO Act- 249 MACOCA- Nil Drugs and Cosmetics- Nil NDPS- Nil Culpable Homicide- 19 Section 302 IPC- Nil Section 376 IPC- Nil Section 304B IPC- 7 Section 304 IPC- Nil Section 306 IPC- 2	326

					Section 364A IPC- Nil Section 363 IPC- Nil Section 366 IPC- Nil ITP Act- Nil SEBI- Nil TADA/POTA- Nil Criminal Appeals- 17 Criminal Revisions- 12 Any Other Sessions Cases- 20	
Shahdara District (Karkardooma Courts)						
Sh. T.S. Kashyap	59	1 st March 2013 to 4 th December 2014	201	182	POCSO Act- 182 MACOCA- Nil Drugs and Cosmetics- Nil NDPS- 10 Culpable Homicide- Nil Section 302 IPC- 01 Section 376 IPC- Nil	197
		5 December 2014 to 23 rd January 2015 Vacated Court				
Sh. Sidharth Sharma	53	24 th January 2015 till date	266	182	Section 304B IPC- Nil Section 304 IPC- Nil Section 306 IPC- Nil Section 364A IPC- 01 Section 363 IPC- 01 Section 366 IPC- Nil ITP Act- Nil SEBI- Nil TADA/POTA- Nil Criminal Appeals- 01 Criminal Revisions- 01 Any Other Sessions Cases- Nil	
North-East District (Karkardooma Courts)						
Sh. Ramesh Kumar	66 & 75	December 2012 to January 2014	186	149	POCSO Act- 149 Child Victim- 61 MACOCA- Nil Drugs & Cosmetics- Nil NDPS- Nil Culpable Homicide- Nil Section 302- 35 Section 376- 3	382

Sh. Pratap S. Malik	75	January 2014 to May 2015	150	149	Section 304-B- 19 Section 304 IPC- 2 Section 306 IPC- 1	
Sh. Sanjay Sharma -I	75	May 2015 till date	149	149	Section 364 A IPC- Nil Section 363 IPC- Nil Section 366 IPC- Nil	
					ITP Act- Nil SEBI- Nil TADA/POTA- Nil Criminal Appeal- 16 Criminal revision- 26 Any Other Sessions Cases- 66 Execution - 3	

West District (Tis Hazari Court)

Sh. Rajneesh Kumar Gupta	122	18 th February 2011 to 24 th January 2015	-	430	POCSO Act with section 376 IPC- 260 POCSO Act without section 376 IPC- 170 MACOCA- 01 SEBI- 01 Section 302 IPC- 16 Section 376 IPC- 50 Section 304B IPC- 06 Section 304 IPC- 01 Section 306 IPC- 01 Section 364A IPC- 04 Section 363 IPC and Section 366 IPC- 15 Criminal Appeals- 33 Criminal Revisions- 45 Other Session Cases- 55	661
Sh. Pawan Kumar Matto	122	24 th January 2015 till date				

Central District (Tis Hazari Court)						
Sh. Pawan Kumar Jain	318	7 th April 2011 to 23 rd January 2015	135	181	POCSO- 181 Culpable Homicide (Section 302/304	312
Sh. Arvind Kumar	318	24 th January 2015 till date	181	181	IPC)- 9 Section 304-B IPC- 01 Section 376 IPC- 15 CBI- 3 SEBI- 53 Other Sessions Cases- 31 Criminal Appeal- 5 Criminal Revision- 11 Misc.- 3	
North-West District (Rohini Court)						
Ms Illa Rawat	307	2 nd January 2012 to 23 rd January 2015	-	332	POCSO Act- 332 MACOCA- Drugs & Cosmetics- 2	401
Sh. Vinod Yadav	307	24 th January 2015 till date	332	332	NDPS- Culpable Homicide- Section 302 IPC- 2 Section 376 IPC- 36 Section 304B IPC- Nil Section 304 IPC- Nil Section 306 IPC- Nil Section 364A IPC- Nil Section 363 IPC and Section 366 IPC- Nil Criminal Appeals- Nil Criminal Revisions- 03 Other Session Cases- 23 Comp. Case- 03	
New Delhi District (Patiala Court)						
Ms. Poonam A. Bamba	-	POCSO Court is Functioning since March 2013 till date	-	156	POCSO Act including Section 376 IPC- 156	312
Sh. Dharmesh Sharma	-	-	-	156	Section 376 Excluding POCSO Act- 23	
Sh. Bharat Parashar	-	-	-	156	MACOCA- 05	

<p>Ms. Neena Krishna Bansal</p>	<p>25</p>	<p>-</p>	<p>-</p>	<p>156</p>	<p>Drugs & Cosmetics- Nil NDPS- Nil Culpable Homicide- --- Section 302 IPC- 17 Section 304 B IPC- Nil Section 304- IPC- Nil Section 306 IPC- 01 Section 364 A IPC- 02 Section 363 & Section 366- covered under major head under section 376 IPC ITP Act- 02 but are covered under POCSO Act. SEBI- Nil TADA/POTA- Nil Criminal Appeals- 85 Criminal Revisions- 14 Any other sessions cases- 01</p>	
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