

GOVERNMENT OF INDIA  
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

**LOK SABHA**  
**UNSTARRED QUESTION NO. 1082**  
TO BE ANSWERED ON 22.11.2019

**CHILD DEVELOPMENT COMMITTEE**

1082. SHRI N.K. PREMACHANDRAN  
SHRI RAJMOHAN UNNITHAN

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

- (a) whether the Government has taken note of allegations regarding the politicalisation of Child Development Committees in Kerala;
- (b) if so, the corrective action taken by the Government in this regard;
- (c) whether the Government has stipulated qualifications for the Chairman and Members of Child Development Committees and if so, the details thereof;
- (d) the initiative taken by the Government for ensuring proper investigation and prosecution of Protection of Children from Sexual Offences (POCSO) cases;
- (e) whether it has come to the notice of the Government that agitation is going on in Kerala against the release of accused in POCSO cases due to the failure of fair police investigation;
- (f) if so, the steps taken by the Government to address the problem; and
- (g) whether the Government proposes to formulate a scheme for the investigation of POCSO cases so as to ensure a fair enquiry and prosecution of the accused in POCSO cases in a time-bound manner?

**ANSWER**

THE MINISTER OF WOMEN AND CHILD DEVELOPMENT  
(SRIMATI SMRITI ZUBIN IRANI)

(a) to (c): As per the information provided by the Directorate of Women and Child Development, Kerala, Child Welfare Committees (CWCs) are functional in all 14 district of Kerala. An inquiry was instituted against CWC Chairperson, Pallakad, Govt. of Kerala on the basis of a complaint. Based on the preliminary report of enquiry Committee, Chairperson, CWC, Pallakad has been restrained from exercising the duties and powers of Chairperson/Member of CWC. He subsequently, resigned from his post.

As per the Section 27(1) of Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act), Child Welfare Committees (CWCs) are to be constituted by State Government by notification in the Official Gazette for every district, for exercising the powers and to discharge the duties conferred on such Committees in relation to children in need of care and protection under JJ Act, 2015. The Committee shall consist of a Chairperson, and four other members as the State Government may think fit to appoint, of whom atleast one shall be a woman and another, an expert on the matters concerning children. As per Rule 15 (3) of the Juvenile Justice (Care and Protection of Children) Model Rules, 2016 framed under

JJ Act, 2015 Chairperson and the members shall be above the age of thirty-five years and shall have a minimum of seven years of experience of working with children in the field of education, health, or welfare activities, or should be a practicing professional with a degree in child psychology or psychiatry or social work or sociology or human development or in the field of law or a retired judicial officer. The primary responsibility of execution of the Act and Rules lies with the State/UTs.

(d) to (g): As informed by **Directorate of Women and Child Development, Kerala**, Hon'ble Chief Minister of Kerala called a Higher Level meeting on 5.11.2019 to review the status of POCSO cases in Kerala and a Committee has been constituted under Chief Secretary to conduct State Level review of cases time to time.

'Police' and 'Public Order' are State subjects under the Seventh Schedule to the Constitution of India. The responsibilities to maintain law and order, protection of life and property of the citizens including children rest with the respective State Governments. The State Governments are competent to deal with such offences under the extant provisions of laws. As per Ministry of Home Affairs, a number of initiatives have been taken for prevention and speedy investigation relating to cases of sexual assault, which are given below:

i. The Criminal Law (Amendment), Act 2013 was enacted for effective deterrence against sexual offences. Further, the Criminal Law (Amendment) Act, 2018 was enacted to prescribe even more stringent penal provisions including death penalty for rape of a girl below the age of 12 years. The Act also inter-alia mandates completion of investigation and trials within 2 months each.

ii. MHA has launched the "National Database on Sexual Offenders"(NDSO) on 20<sup>th</sup> September 2018 to facilitate investigation and tracking of sexual offenders across the country by law enforcement agencies.

iii. In order to facilitate States/UTs, MHA on 19<sup>th</sup> February 2019 launched an online analytic tool for police called "Investigation Tracking System for Sexual Offences" to monitor and track time-bound investigation in sexual assault cases in accordance with the Criminal Law (Amendment) Act 2018.

iv. In order to improve investigation, MHA has taken steps to strengthen DNA analysis units in Central and State Forensic Science Laboratories. This includes setting up of a State-of-the-Art DNA Analysis Unit in Central Forensic Science Laboratory, Chandigarh. MHA has also sanctioned setting-up and upgrading of DNA Analysis units in State Forensic Science Laboratories in 13 States/UT.

v. MHA has notified guidelines for collection of forensic evidence in sexual assault cases and the standard composition in a Sexual Assault Evidence Collection Kit. To facilitate adequate capacity in manpower, training and skill building programs for Investigation Officers, Prosecution Officers and Medical Officers has commenced. A total number of 6023 Officers have already been trained by the Bureau of Police Research and Development (BPR&D) and Lok Nayak Jayaprakash Narayan National Institute of Criminology and Forensic Science in collection, handling and transportation of forensic evidence. BPR&D has distributed 3,120 Sexual Assault Evidence Collection Kits to States/UTs as orientation kit as part of training.

vi. In addition to the above-mentioned measures, the Ministry of Home Affairs have issued advisories from time to time with a view to help the States/UTs to deal with crimes against women, which are available at [www.mha.gov.in](http://www.mha.gov.in).

