



प्रियंक कानूनगो
Priyank Kanoongo
अध्यक्ष
Chairperson

भारत सरकार
GOVERNMENT OF INDIA
राष्ट्रीय बाल अधिकार संरक्षण आयोग
NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS
नई दिल्ली-110 001
New Delhi - 110 001



F. No. 1/Misc/LRC/NCPCR/2024/32878

Dated: 07.10.2024

To,

The Chief Secretaries,
(All States and Union Territories)

Sub: Request for Immediate Action on Compensation for SC/ST POCSO Victims and Establishment of State-Specific Schemes – reg.

The National Commission for Protection of Child Rights (NCPCR) (hereinafter referred to as 'the Commission') is a statutory body constituted under Section 3 of the Commission for Protection of Child Rights (CPCR) Act, 2005 to protect the child rights and other related matters in the Country. The Commission is further mandated to monitor the proper and effective implementation of Protection of Children from Sexual Offences (POCSO) Act, 2012; Juvenile Justice (Care and Protection of Children) Act, 2015 and Right to Free and Compulsory Education (RTE) Act, 2009.

2. The Commission has been informed by the NGO 'Just Rights for Children' that during their work on approximately 19,000 cases of sexual abuse, they have identified a significant number of child victims of trafficking and offences under the POCSO Act who falls under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act. The SC & ST Act mandates that victims of atrocities are entitled to immediate relief, either in cash or in kind, irrespective of the outcome of the trial, in addition to compensation available under other applicable laws or relevant schemes.

3. The Commission, having taken cognizance of this matter under Section 13 of the Commissions for Protection of Child Rights (CPCR) Act, 2005, has conducted further inquiries. Through its "**POCSO Tracking Portal**," envisioned to monitor cases involving child sexual abuse victims in real-time and facilitate services such as victim compensation and rehabilitation for their care and protection, the Commission has observed that a **total of 5,178 POCSO victims are registered** on the portal. Of these, **1,546 victims, constituting approximately 41%, belong to the Scheduled Castes and Scheduled Tribes (SC/ST) categories.**

POCSO TRACKING PORTAL DATA 07-10-2024	
Caste	No. of Registrations
Don't Know	1386
General	714
OBC	1141
Others	373
Scheduled Caste	860
Scheduled Tribe	704
Grand Total	5178

Contd...

5वां तल, चन्द्रलोक बिल्डिंग, 36, जनपथ, नई दिल्ली-110 001

5th Floor, Chanderlok Building, 36, Janpath, New Delhi-110 001

दूरभाष /Ph. :011-23478212, 23478200

ई-मेल / E-mail : cp.ncpcr@nic.in वेब / Web:www.ncpcr.gov.in

4. Despite the availability of this data and the clear legal obligations, there remains a significant deficiency in the disbursement of compensation to these victims. For instance, as per the data uploaded on the POCSO Tracking Portal, in the State of **Andhra Pradesh**, **41.1%** of the children identified as POCSO victims belong to the SC/ST categories; however, the Commission has not received any information regarding whether these victims have been compensated under the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989. Similarly, in **Karnataka**, the figure stands **45%**, in **Punjab** at **48.5%**, in **Tamil Nadu** at **35.4%**, and in **Uttar Pradesh** at **13%**.

5. Notwithstanding the unambiguous provisions of law, it remains unclear whether these SC & ST POCSO victims have received any compensation under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

6. Additionally, the NCPCR has approached various courts, including the Hon'ble Supreme Court, to ensure the safety and security of POCSO victims and to ensure for the disbursement of their rightful entitlements under the POCSO Act.

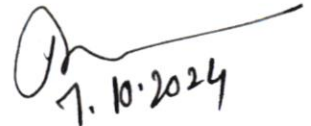
7. In view of the sensitivity and urgency of this matter, **your good office is requested to issue necessary directions to the relevant stakeholders for the immediate release of compensation to the eligible SC & ST victims as per Ministry of Social Justice and Empowerment G.S.R. 416 (E) dated 23rd June 2014** for their proper rehabilitation purpose.

Furthermore, the Commission under Section 13 of the CPCRA Act, 2005, recommends your good office to **issue directions to establish a state-specific victim compensation scheme for all victims, including SC & ST victims, to ensure timely financial assistance to these children** as well.

8. You are further requested to submit a compliance report to the Commission within **10 days** from the issue of this letter.

With Request

Yours sincerely,



(Priyank Kanoongo)