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Faster is not Fairer in POCSO Case Clearance Numbers

Context

- India's milestone achievement in 2025, when fast track special courts disposed more child sexual offence cases than registered under the **POCSO** Act, generated widespread optimism.
- That year recorded a 109% disposal rate with 87,754 cases concluded against 80,320 registered. The moment appeared to signal decisive progress against chronic backlogs.
- Yet rising speed has coexisted with falling conviction rates and inadequate support for **child survivors**, revealing a justice system where efficiency outpaces fairness.

From Backlog to Breakdown: When Speed Distorts Justice

- The **POCSO Act**, enacted in 2012, sought to recognise the distinctive nature of offences against children and ensure a child-friendly justice process.
- Trials were expected to be time-bound, trauma-sensitive, and supported by welfare mechanisms designed to prevent **secondary victimisation**.
- In pursuit of these goals, 773 fast track special courts were established, 400 dedicated exclusively for POCSO cases and funded primarily through the **Nirbhaya Fund** after Supreme Court directives in 2019.
- These courts processed 9.51 cases per month compared to 3.26 in regular courts, clearing over 350,000 cases by September 2025.
- Despite these gains, conviction rates have steadily declined. National convictions fell from 35% in 2019 to 29% by 2023, while fast track courts averaged just 19%.
- Statistically, a 90% disposal rate in 2023 should have pushed convictions to roughly 45% based on earlier baselines.
- Instead, the gap widened, indicating that accelerated hearings often coincided with weaker **investigations**, incomplete **charge sheets**, and delayed **forensics** rather than improved adjudication.

Children in Court: Support Promised, Support Denied

- Children who testify in POCSO cases require more than quick hearings.
- They need trained **support persons**, sensitive police and lawyers, timely compensation, and functioning child welfare committees.
- When these protections remain under-implemented, speed becomes superficial and children navigate the legal system without emotional safety or procedural clarity.

- Support persons mandated under Section 39 and reaffirmed by the Supreme Court in 2021 are still unavailable in many jurisdictions.
- Their absence leaves children uninformed about trial processes, exposing them to intimidation and re-traumatisation.
- Some regional initiatives demonstrate that child-centred design can improve outcomes.
- In Madhya Pradesh, expedited forensic processes and protected testimony scheduling improved conviction rates, showing that accelerated handling and substantive justice can be compatible when implemented deliberately rather than reactively.

The Missing First Line of Defence: Para-Legal Volunteers

- At the policing stage, the absence of para-legal volunteers (PLVs) represents a critical weakness.
- PLVs provide guidance at the moment when families first approach the **police**, helping secure First Information Reports (FIRs), protect evidence, and prevent coercion.
- The Supreme Court ordered PLV deployment across all police stations for POCSO cases in December 2025, yet implementation remains minimal.
- Andhra Pradesh has PLVs in only 42 of 919 stations, and Tamil Nadu has none across more than 1,500.
- Without PLVs, families often enter police stations alone, frightened, and unprepared to confront institutional power.
- Examples from Uttar Pradesh illustrate the consequences.
- In Unnao, FIR registration was delayed and the family allegedly threatened. In Lalitpur in 2022, a 13-year-old gang-rape survivor was assaulted again within the police station, and her FIR was filed only after intervention by a **non-governmental organisation**.
- Proper PLV deployment could have prevented coercion, secured timely documentation, and protected the survivor and evidence from contamination.

Compensation, Class, and the Unequal Burden of Seeking Justice

- Economic vulnerability shapes access to justice. Courts are empowered to award **interim compensation** at any stage to protect schooling, health, and safety, yet many wait until final verdicts years later.
- By then, the harm to education, income, and family stability is often irreversible, and survivors receive payments that arrive too late to offset the debts incurred during trial.
- Daily wage families miss work for hearings, and mothers frequently leave employment to accompany children to court.
- Many spend more on travel and subsistence than the State eventually reimburses. Justice thus becomes economically extractive, particularly for **marginalised**

Conclusion

- India's POCSO system has reached a point where rising disposal rates mask falling conviction rates, inadequate welfare protection, inconsistent forensic practices, and judicial interpretations that deviate from statutory purpose.
- Efficiency without support leaves children more harmed than protected and erodes trust in the legal system.

- Durable reform requires shifting evaluation metrics from backlog-clearance to substantive outcomes and expanding welfare infrastructures such as PLVs, support persons, forensic capacity, and timely compensation.
- Only then can the system deliver justice that is not merely fast but genuinely **child-centred, protective, and fair**.

Faster is not Fairer in POCSO Case Clearance Numbers FAQs

Q1. What milestone did India's fast track special courts achieve in 2025?

Ans. They disposed more POCSO cases than were registered, reaching a 109% disposal rate.

Q2. Why did the POCSO Act require a special framework?

Ans. It recognised that offences against children needed child-sensitive procedures and protections beyond regular criminal law.

Q3. What key weakness accompanied higher disposal rates?

Ans. Conviction rates declined, indicating weaker investigations and fragile adjudication.

Q4. Why are para-legal volunteers important in POCSO cases?

Ans. They help families secure FIRs, protect evidence, and prevent coercion at the police station stage.

Q5. How do economic conditions affect child survivors during trials?

Ans. Families often incur costs and income losses that exceed delayed compensation, making the pursuit of justice financially burdensome.

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