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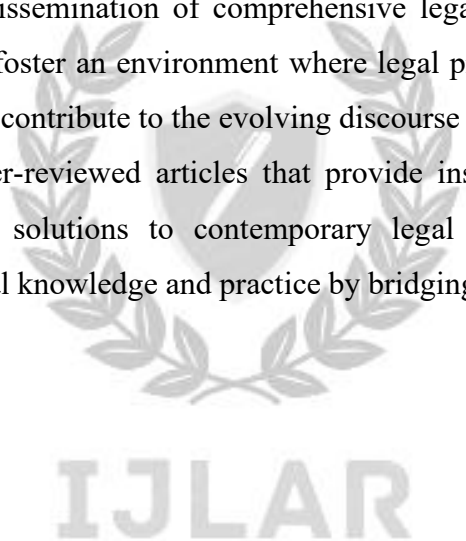
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Introduction

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Preface

The Indian Journal of Legal Affairs and Research is a testament to our unwavering commitment to excellence in legal scholarship. This volume presents a curated selection of articles that reflect the diverse and dynamic nature of legal studies today. Our contributors, ranging from esteemed legal scholars to emerging academics, bring forward a rich tapestry of insights that address critical legal issues and offer novel contributions to the field. We are grateful to our editorial board, reviewers, and authors for their dedication and hard work, which have made this publication possible. It is our hope that this journal will serve as a valuable resource for researchers, practitioners, and policymakers, and will inspire further inquiry and debate within the legal community.

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Description

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POCSO JUSTICE AND FAST-TRACK COURTS IN INDIA: A STATE-WISE EMPIRICAL ANALYSIS OF COURT CAPACITY, TRIAL DURATION, CONVICTION AND JUDICIAL PENDENCY

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Abstract

The Protection of Children from Sexual Offences (POCSO) Act, 2012 was enacted to strengthen the legal and institutional framework for protecting children from sexual offences and ensuring child-sensitive justice. Despite the establishment of Fast Track Special Courts and exclusive POCSO courts, delays and judicial pendency remain significant concerns. This study empirically examines the state-wise functioning of POCSO justice mechanisms in India, focusing on court capacity, trial duration, conviction and judicial pendency. The study is based primarily on secondary data obtained from the Department of Justice, Government of India, including the FTSC/e-POCSO system and parliamentary data on Fast Track Special Courts. Using descriptive and comparative statistical analysis, the study examines variations across States and Union Territories and explores the relationship between court capacity and judicial outcomes. The study seeks to identify institutional gaps and provide evidence-based recommendations for improving the efficiency, timeliness and effectiveness of POCSO justice in India.

Keywords: POCSO, Court Capacity, Trial Duration, Conviction, Judicial Pendency, Child Protection, India

Introduction

The protection of children from sexual abuse continues to be a serious concern for the Indian criminal justice system. The Protection of Children from Sexual Offences (POCSO) Act, 2012 was enacted to provide a specific legal framework for dealing with sexual offences against

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children and to make the process of investigation and trial more child-sensitive. The Act also recognises the need for speedy adjudication through special courts, reflecting the understanding that delay in such cases can have consequences beyond the ordinary concerns of judicial pendency.³

In practice, however, the effectiveness of the POCSO framework depends considerably on the capacity of courts to deal with the volume of cases coming before them. To address delays, the Government of India has established Fast Track Special Courts (FTSCs), including exclusive POCSO courts, for expediting the trial of rape and POCSO cases. The Department of Justice monitors their functioning through the FTSC and e-POCSO system, which provides state-wise information on court capacity, disposal and pendency.⁴ The latest Government information available up to December 2025 indicates that 398 exclusive POCSO courts were functional in 29 States/Union Territories, while 2,24,572 POCSO cases were pending in the FTSC system.⁵

Table 1. National Snapshot of the POCSO/FTSC Judicial Mechanism

Indicator	Government Data
Functional FTSCs, including exclusive POCSO Courts	774
Functional exclusive POCSO Courts	398
States/UTs with functional FTSCs	29
POCSO cases pending as on 31 December 2025	2,24,572

Source: Department of Justice, Government of India, Rajya Sabha Unstarred Question No. 1545, Pendency of Cases under POCSO Act, answered Feb. 12, 2026.

The availability of specialised courts, however, should not by itself be treated as evidence of an effective justice system. States differ substantially in their institutional capacity and in the number of cases pending before exclusive POCSO courts. For example, the Department of Justice dashboard reports 74 functional exclusive POCSO courts and 61,339 pending cases in Uttar Pradesh, while Madhya Pradesh has 56 such courts with 7,828 pending cases.⁶ These differences make a state-wise analysis useful, particularly for understanding whether greater court capacity is actually associated with lower pendency and faster disposal.

³ The Protection of Children from Sexual Offences Act, 2012, No. 32 of 2012, §§ 35, 36, India Code.

⁴ Department of Justice, Government of India, Scheme on Setting Up Fast Track Special Courts for Rape and POCSO Act Cases, explaining the monitoring of FTSCs and exclusive POCSO Courts through monthly case statistics.

⁵ Ministry of Law and Justice, Department of Justice, Government of India, Rajya Sabha Unstarred Question No. 1545, Pendency of Cases under POCSO Act (Feb. 12, 2026) (reporting data as of Dec. 31, 2025).

⁶ Department of Justice, Government of India, Pendency of Cases in Exclusive POCSO Courts and Functional Exclusive POCSO Courts, FTSC/e-POCSO Dashboard.

The present study therefore examines POCSO justice in India through four measurable dimensions: court capacity, trial duration, conviction and judicial pendency. It primarily relies on official Government data, particularly the Department of Justice, and uses other official sources only where the data are comparable. Rather than treating the number of specialised courts as an end in itself, the study asks a more practical question: does greater court capacity correspond with better judicial outcomes? The state-wise analysis is intended to identify variations in performance and to provide a more evidence-based understanding of the institutional challenges that continue to affect timely POCSO justice in India.

2. Objectives of the Study

The study has the following objectives:

To examine the state-wise capacity of exclusive POCSO courts in India.

To analyse state-wise variations in trial duration, conviction outcomes and judicial pendency.

To examine the relationship between court capacity and selected judicial outcomes, particularly disposal and pendency.

3. Research Methodology

3.1 Research Design

The study adopts a quantitative, empirical and secondary-data based research design.

3.2 Data Sources The principal source will be:

Department of Justice, Government of India — FTSC/e-POCSO Dashboard

The study will use the latest Government data available up to December 2025. Data from different Government platforms will not be combined unless their definitions, time periods and units of measurement are reasonably comparable.

The analysis uses Government datasets with different reference periods because no single official dataset provides all variables for the same date. State-wise FTSC pendency and court capacity are reported as of 31 December 2025, conviction rates are reported for January–November 2025, and average trial duration relates to trials during 2024. The disposal analysis uses the latest state-wise dataset providing cases instituted, disposed and pending together, reported as of 30 September 2025. Accordingly, the study does not treat these indicators as observations from a single common time point.

4. Results and Empirical Analysis

The empirical analysis is based primarily on the state/UT-wise data reported by the Department of Justice, Government of India, as on 31 December 2025. The Government dataset provides a comparable set of indicators for functional Fast Track Special Courts (FTSCs), including exclusive POCSO courts, judicial pendency, conviction rate and average time taken for trial. The analysis therefore uses these variables to examine the institutional capacity and judicial outcomes of the POCSO/FTSC framework. The data cover 29 States/UTs participating in the scheme; Jharkhand had exited the scheme in July 2025, while Andaman & Nicobar Islands and Arunachal Pradesh had not operationalised courts under the scheme.

4.1 State-wise Court Capacity and Judicial Pendency

The distribution of specialised courts is highly uneven across States. Uttar Pradesh has the highest number of functional FTSCs, including exclusive POCSO courts, with 218 courts, followed by Madhya Pradesh (67), Kerala (55), Bihar (54) and Rajasthan (45). At the other end, several smaller jurisdictions have only one or a few functional courts. This indicates that the institutional design of fast-track justice has been implemented differently across States, broadly reflecting differences in the volume of FTSC Pending Cases (Rape + POCSO) and State-level requirements.

Table 2. State-wise FTSC Capacity, Pendency, Conviction Rate and Trial Duration

State/UT	Functional FTSCs*	Pending Cases	Conviction Rate (%)	Avg. Trial Duration (Days)
Andhra Pradesh	16	5,970	3.66	257
Assam	17	6,588	17.25	940
Bihar	54	23,333	10.83	941
Chandigarh	1	203	22.31	593
Chhattisgarh	15	1,429	19.92	333
Delhi	16	3,361	14.33	1,640
Goa	1	158	18.75	548
Gujarat	35	5,095	11.84	1,293
Haryana	18	4,776	26.68	575
Himachal Pradesh	6	595	31.13	435
Jammu & Kashmir	4	491	4.44	913
Karnataka	30	5,209	9.84	817
Kerala	55	6,361	16.55	796

Madhya Pradesh	67	10,533	20.11	380
Maharashtra	37	35,096	9.77	575
Manipur	2	39	27.08	1,350
Meghalaya	5	1,143	43.36	910
Mizoram	3	92	81.03	1,155
Nagaland	1	58	50.00	1,185
Odisha	44	9,125	10.31	500
Puducherry	1	261	17.14	180
Punjab	12	1,489	26.06	590
Rajasthan	45	4,240	23.07	880
Tamil Nadu	20	8,334	27.51	466
Telangana	36	8,992	9.72	435
Tripura	3	229	11.76	1,484
Uttarakhand	4	1,271	21.29	512
Uttar Pradesh	218	95,457	27.32	861
West Bengal	8	5,651	7.25	910
Total	774	2,45,579	—	—

*Functional FTSCs including exclusive POCSO courts.

Source: Department of Justice, Government of India, State/UT-wise details of functional FTSCs, pendency, conviction rate and average time taken for trial, as on Dec. 31, 2025.⁷

The data show that pendency is also concentrated in a relatively small number of States. Uttar Pradesh accounts for 95,457 pending cases, followed by Maharashtra (35,096), Bihar (23,333), Madhya Pradesh (10,533), Odisha (9,125) and Telangana (8,992). Thus, the States having larger court capacity are not necessarily the States having low pendency. In fact, the raw data show a strong positive correlation between the number of functional FTSCs and pending cases ($r \approx 0.93$). This should not, however, be interpreted as evidence that more courts cause greater pendency. A more plausible explanation is that States with a larger volume of pending cases have also required or established more specialised courts. The relationship therefore reflects case burden and institutional response together, rather than court inefficiency alone.

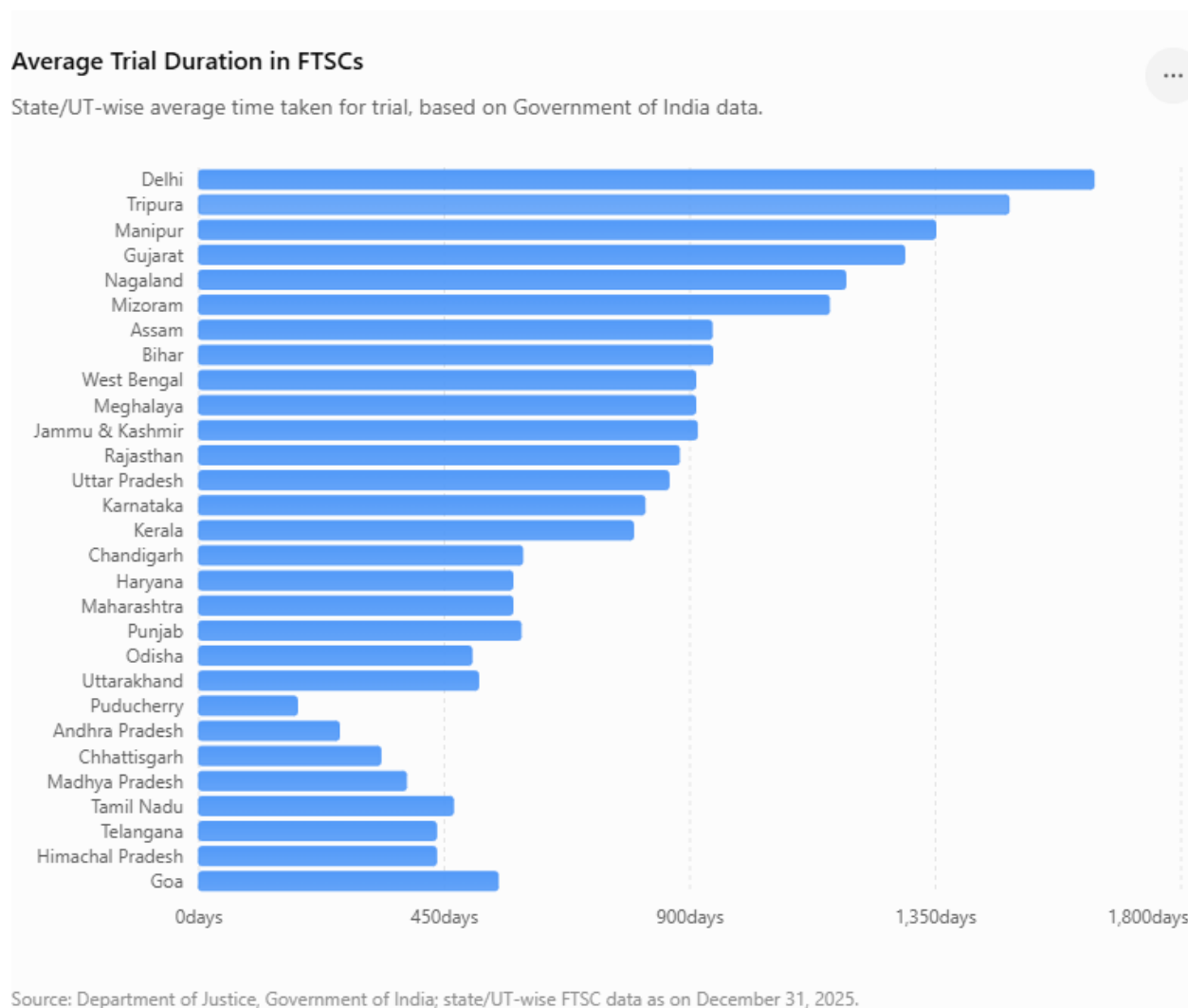
4.2 Trial Duration

Trial duration presents a different picture. The Government data reveal considerable variation among States. The shortest average trial duration is reported in Puducherry at 180 days,

⁷ State-wise pendency reported by the Department of Justice relates to cases pending before FTSCs, including exclusive POCSO courts, and is not limited to POCSO cases.

followed by Andhra Pradesh at 257 days and Chhattisgarh at 333 days. In contrast, Delhi reports the longest average trial duration at 1,640 days, followed by Tripura (1,484 days), Manipur (1,350 days), Gujarat (1,293 days) and Nagaland (1,185 days).

Figure 1, Average Trial Duration in FTSCs



Source: Department of Justice, Government of India; average time taken for trial during 2024, as reported in the Government's 2025 state-wise FTSC data

The variation is noteworthy because the number of courts alone does not appear to explain trial duration. The correlation between functional FTSCs and average trial duration in the available state-wise data is very weak ($r \approx -0.03$). This suggests that increasing the number of specialised courts, while important, may not by itself ensure shorter trials. Administrative processes, availability of judicial and support staff, investigation, prosecution and the complexity of individual cases may also influence the time taken to conclude proceedings.

4.3 Conviction Outcomes

Conviction rates also show substantial inter-state variation. The highest reported conviction rate is in Mizoram (81.03%), followed by Nagaland (50.00%), Meghalaya (43.36%), Himachal Pradesh (31.13%) and Tamil Nadu (27.51%). At the lower end, Andhra Pradesh reports 3.66%, Jammu & Kashmir 4.44% and West Bengal 7.25%.¹

The variation indicates that court capacity and conviction are not directly interchangeable measures of judicial effectiveness. The correlation between the number of functional FTSCs and conviction rate is weak and negative ($r \approx -0.09$). This finding should be treated cautiously, particularly because the Government's conviction-rate figures relate to January–November 2025, while average trial duration is reported for 2024.¹ Nevertheless, the data suggest that conviction outcomes are influenced by factors beyond the numerical availability of specialised courts.

Three broad findings emerge from the analysis. First, court capacity is strongly concentrated in States with a substantial case burden, with Uttar Pradesh standing out considerably from the other States. Second, trial duration varies widely, and the number of specialised courts alone does not appear to have a meaningful linear relationship with the time taken for trial. Third, conviction rates differ substantially across States, but their relationship with court capacity is weak.

The overall picture therefore suggests that POCSO justice requires more than simply increasing the number of specialised courts. Court capacity remains an important institutional foundation, but its effectiveness needs to be considered alongside case burden, trial management, investigation, prosecution and other procedural factors. The findings also support the need for State-specific strategies rather than a uniform approach to improving POCSO justice.

4.4. Court Capacity and Judicial Outcomes

To examine whether institutional capacity is associated with judicial performance, this section compares the number of functional FTSCs with cases instituted, cases disposed and cases pending. For this particular analysis, the 30 September 2025 Government dataset is used because it is the latest official state-wise dataset that reports all three variables—cases instituted, cumulative disposal and pendency—together. The December 2025 Government dataset reports updated pendency and court capacity, but does not provide a corresponding state-wise cumulative disposal figure.¹

Table 3. Court Capacity, Disposal and Pendency in FTSCs

State/UT	Functional FTSCs	Cases Instituted	Cases Disposed	Pending Cases	Disposal Rate (%)
Andhra Pradesh	16	14,512	8,170	6,342	56.3
Assam	17	16,094	9,617	6,477	59.8
Bihar	54	41,871	18,937	22,934	45.2
Chandigarh	1	623	413	210	66.3
Chhattisgarh	15	8,299	6,807	1,492	82.0
Delhi	16	6,446	2,931	3,515	45.5
Goa	1	279	138	141	49.5
Gujarat	35	22,710	17,575	5,135	77.4
Haryana	18	13,092	8,548	4,544	65.3
Himachal Pradesh	6	2,121	1,516	605	71.5
Jammu & Kashmir	4	832	338	494	40.6
Karnataka	30	20,200	14,969	5,231	74.1
Kerala	55	33,465	27,164	6,301	81.2
Madhya Pradesh	67	44,500	33,621	10,879	75.6
Maharashtra	36	54,725	21,095	33,630	38.5
Manipur	2	256	212	44	82.8
Meghalaya	5	1,899	771	1,128	40.6
Mizoram	3	376	286	90	76.1
Nagaland	1	132	73	59	55.3
Odisha	44	30,775	21,646	9,129	70.3
Puducherry	1	414	184	230	44.4
Punjab	12	7,097	5,627	1,470	79.3
Rajasthan	45	25,243	20,324	4,919	80.5
Tamil Nadu	20	18,752	10,617	8,135	56.6
Telangana	36	20,965	12,115	8,850	57.8
Tripura	3	748	527	221	70.5
Uttarakhand	4	3,117	2,004	1,113	64.3
Uttar Pradesh	218	189,601	94,775	94,826	50.0

West Bengal	8	6,042	571	5,471	9.4
Total	773	5,94,300	3,50,685	2,43,615	59.0

Source: Compiled by the author from Department of Justice, Government of India, state/UT-wise FTSC data as on 30 September 2025. Disposal Rate = Cases Disposed ÷ Cases Instituted × 100.

The data show considerable variation in judicial performance. At the national level, 3,50,685 of 5,94,300 cases had been disposed, giving an overall disposal rate of approximately 59.0%. However, the state-wise picture is much less uniform. Chhattisgarh, Kerala, Rajasthan and Manipur recorded disposal rates above 80%, whereas West Bengal recorded only 9.4%. Maharashtra, despite having 36 functional FTSCs, had 33,630 pending cases, while Uttar Pradesh had the largest institutional capacity with 218 courts but also the highest pendency, at 94,826 cases.⁸

Court Capacity and Pendency The Pearson correlation between functional FTSCs and pending cases is approximately +0.93, indicating a very strong positive association. At first sight, this may appear counter-intuitive: if more courts are intended to reduce pendency, why do States with more courts also have more pending cases?

The answer lies partly in the way the FTSC scheme has been designed. States with a larger underlying case burden have required a greater number of specialised courts. Thus, the positive correlation should not be interpreted as evidence that additional courts increase pendency. Rather, it indicates that court capacity has broadly followed the distribution of the existing workload. Uttar Pradesh is the clearest example: its 218 functional FTSCs coexist with a very large pending caseload.

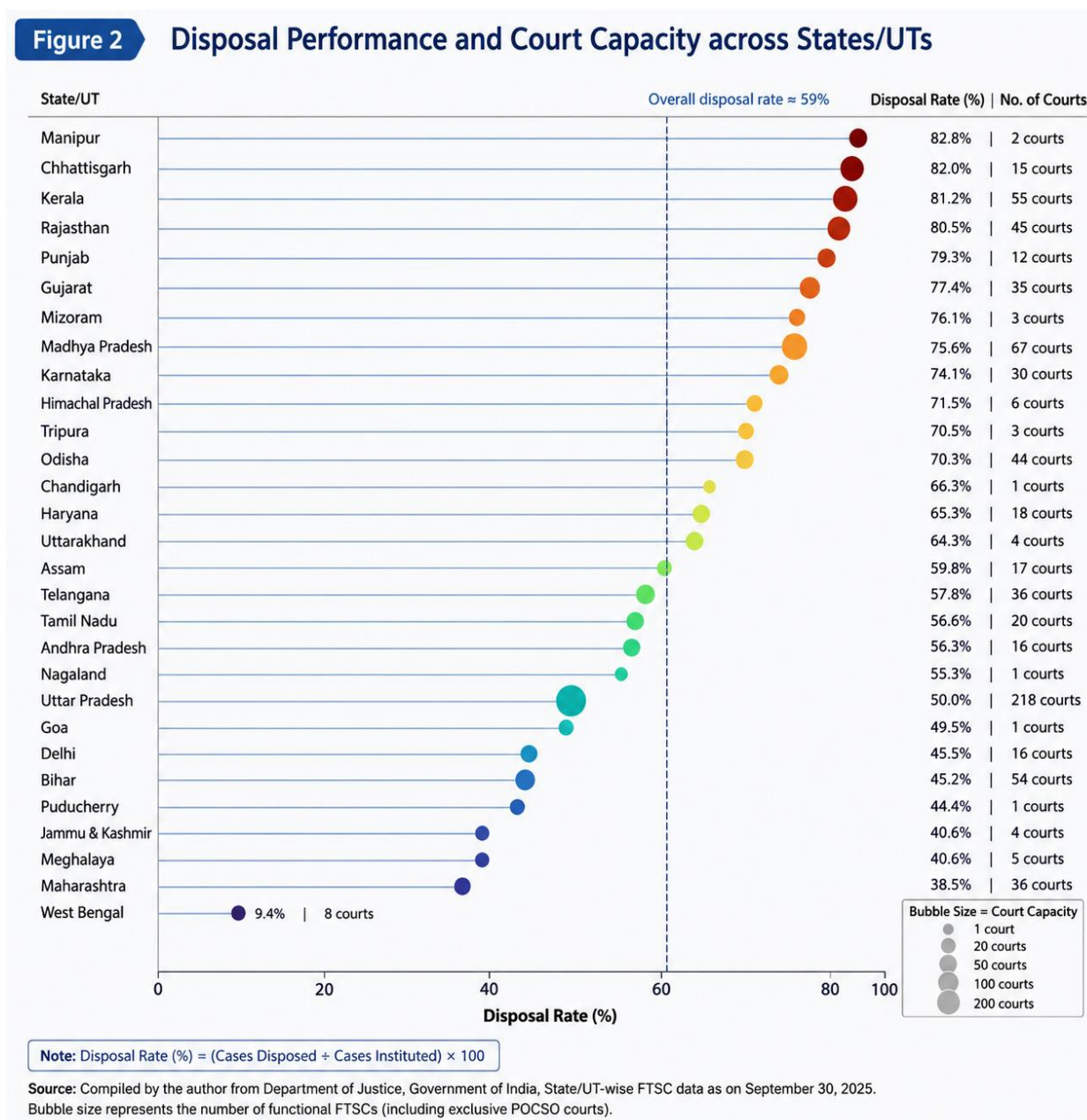
Court Capacity and Disposal The correlation between functional FTSCs and the absolute number of cases disposed is approximately +0.99. This very strong association is largely expected because States with more courts generally process a larger volume of cases. However, absolute disposal alone is not a sufficient measure of efficiency.

For this reason, the more meaningful indicator is the disposal rate—the proportion of instituted cases that had been disposed. The correlation between court capacity and disposal rate is approximately −0.001, which is effectively zero. This is an important finding. It suggests that,

⁸ Ministry of Law & Justice, Department of Justice, Government of India, Lok Sabha Unstarred Question No. 2072, Fast Track Special Court Scheme 2019, Annexure I (Dec. 12, 2025) (providing State/UT-wise functional FTSCs, cases instituted, cumulative cases disposed and pending cases as of Sept. 30, 2025).

at the aggregate state level, simply having more FTSCs does not appear to be associated with a higher disposal rate. Court capacity is therefore necessary, but it does not by itself explain differences in judicial performance.

Figure 2. Disposal Performance and Court Capacity across States/UTs



4.5 Discussion

The findings of the study indicate that increasing the number of specialised courts is important, but court capacity by itself does not guarantee timely or effective POCSO justice. The strong positive association between functional FTSCs and pending cases should not be understood as

meaning that additional courts create greater pendency. Rather, States with a larger existing caseload have generally required a larger number of specialised courts. Uttar Pradesh provides the clearest example, having the highest court capacity as well as the highest pendency.⁹

More importantly, the analysis of disposal rates does not show a clear relationship between the number of courts and judicial performance. Some States with comparatively fewer courts, such as Manipur and Chhattisgarh, recorded high disposal rates, whereas States with substantially larger court capacity did not necessarily perform similarly. This suggests that institutional capacity needs to be accompanied by effective case management, adequate judicial and support staff, efficient prosecution and timely investigation.

The considerable variation in trial duration further supports this observation. The existence of an FTSC does not automatically ensure a short trial. Delays may arise at different stages of the criminal justice process, including investigation, forensic examination, witness availability, prosecution and repeated adjournments. However, the present dataset does not permit these factors to be measured separately, and therefore no direct causal conclusion can be drawn.¹⁰

The conviction-rate variation also indicates that court capacity alone cannot explain judicial outcomes. POCSO justice is therefore better understood as a system-level process, where courts, investigation, prosecution and evidence management collectively influence the final outcome.

5. Conclusion and Policy Suggestions

The present study shows that the functioning of the POCSO justice system in India presents a mixed picture. The expansion of Fast Track Special Courts and exclusive POCSO courts has created a significant specialised judicial capacity, but the data do not indicate that the number of courts alone is sufficient to ensure speedy disposal or lower pendency. States with greater court capacity continue to face substantial caseloads, while some States with relatively fewer courts have reported comparatively better disposal rates. The wide variation in trial duration and conviction rates further suggests that POCSO justice is influenced by several institutional and procedural factors beyond the availability of specialised courts.

Based on these findings, four measures appear particularly important. First, expansion of POCSO courts should be linked to actual caseload and workload assessment, rather than relying

⁹ Ministry of Law & Justice, Department of Justice, Government of India, Lok Sabha Unstarred Question No. 2072, Fast Track Special Court Scheme 2019, Annexure I (Dec. 12, 2025).

¹⁰ Ministry of Women & Child Development, Government of India, Rajya Sabha Unstarred Question No. 1436, Annexure II (Feb. 11, 2026).

only on uniform numerical targets. Second, high-pendency States require stronger case-management mechanisms, including periodic monitoring of old and long-pending cases. Third, trial duration should be treated as an independent performance indicator, with greater attention to delays in investigation, forensic reporting, prosecution and witness examination. Finally, conviction rates should be assessed alongside investigation and prosecution indicators instead of being treated as a standalone measure of judicial performance.

Overall, the study suggests that the objective of speedy POCSO justice cannot be achieved simply by creating more courts. What is required is a coordinated institutional approach combining adequate judicial capacity with effective case management, timely investigation, specialised prosecution and continuous monitoring. This would make the fast-track mechanism more responsive to the actual needs of children seeking justice.

