

#DATA4JUSTICE  
Unpacking Judicial Data to Track  
Implementation of the POCSO Act (2012 to  
April 2020)

**FACTSHEET - ASSAM**

HAQ: Centre for Child Rights & CivicDataLab

# Distribution of Cases Analysed

- Total No. of Cases Analysed – 19, 783
- **Assam – 5786**
- Delhi – 9366
- Haryana – 4631
- **29.24 %** of total cases analysed are from **Assam**, 47.34% from the National Capital Territory of Delhi, and 23.41% from Haryana.
- From the total number of 19,783 cases that were analysed, Delhi contributes the maximum number of cases registered under the POCSO Act each year, followed by Assam and Haryana.

# Data Challenges

- In the data sheet that emerged from compilation of all case-wise information downloaded from the e-Courts portal, 153 cases (from Assam and Delhi) had to be tagged as NA under the “Designation of Judge” field as the requisite information is not available. In addition, there are 2 cases (from Assam) tagged as "CASE NOT ALLOCATED TO COURT." under the “Designation of Judge” data field.
- In 1250 cases from Assam, the year of registration of the First Information Report (FIR) was found missing under the “FIR Details” on the e-Courts portal.
- Disposal is wrongly recorded and uploaded on the e-Courts portal: Upon reading the judgment in one case from Assam where the nature of disposal is recorded as ‘Conciliation’ on the e-Courts portal, it was found that the sessions court has convicted the accused under Section 4 of POCSO Act and sentenced the convict to 7 years of imprisonment along with granting compensation to the victim. Instances like these make the entries on the e-Courts portal unreliable and lead to data riddled with errors.

# Judgements not Uploaded

- Of a total of 2706 cases disposed in Assam, judgments are available on the e-Courts portal for 1152 cases i.e. 42% of the disposed cases. In comparison, Delhi has 14% judgements in disposed cases uploaded and Haryana has 69% of its judgements uploaded.
- Compared to Assam and Delhi, Haryana appears to be ahead in uploading judgments.
- A cross-country comparison of policies and practices studied in a report available at <https://www.haqcrc.org/wp-content/uploads/2020/06/balancing-childrens-confidentiality-and-judicial-accountability.pdf> makes it clear that children's confidentiality and judicial transparency are not mutually exclusive.
- Non-availability of judgements hampers rights of children to have access to their own case record and makes them dependant on lawyers and the system. They end up paying huge amounts as bribes or fee to private lawyers to get their own case record.
- It also affects valuable research.

# Rise in Number of Cases in Assam & Data Mismatch

No. of cases registered under POCSO Act		
Year of Registration	Assam	Total
2012	0	156
2013	18	230
2014	169	311
2015	353	731
2016	632	821
2017	918	1149
2018*	1522	1733
2019**	1793	1782
23 April, 2020	381	NA
<b>Total</b>	<b>5786</b>	<b>6913</b>

\*For the years 2012 and 2013, NCRB data for Child Rape (cases registered under section 376 IPC) have been considered primarily for two reasons:

- a) The POCSO Act came into effect from 14 November, 2012; and
- b) NCRB has not tabulated data for cases registered under the POCSO for 2012 and 2013.

\*\*For the years 2018 and 2019, incidences of "Murder with Rape/POCSO" have also been taken into account since it was added as a distinct category of crimes

**District-wise Details of Cases  
Assam**

<b>District</b>	<b>Share of District in Total Cases in the State</b>	<b>Police Station with Highest Share in the District</b>	<b>No. of Cases in Police Station with Highest Share in the District</b>
Dima Hasao	20	Haflong	8
Karimganj	82	Karimganj	12
Bongaigaon	88	Abhayapuri	18
Goalpara	101	Golaghat	41
Hailakandi	108	Hailakandi	21
Chirang	109	Runikhata	19
Dhemaji	126	Dhemaji	38
Lakhimpur	131	North Lakhimpur	32
Udalguri	152	Udalguri	23
Kokrajhar	169	Gossaigaon	48
Dibrugarh	171	Dibrugarh	22
Jorhat	173	Jorhat	47
Darrang	177	Sipajhar	6
Baksa	184	Tamulpur	51
Karbi Anglong	184	Khatkhati	41

## District-wise Details of Cases

### Assam

District	Share of District in Total Cases in the State	Police Station with Highest Share in the District	No. of Cases in Police Station with Highest Share in the District
Nalbari	184	Nalbari	42
Tinsukia	187	Margherita	31
Cachar	245	Silchar	69
Kamrup Metro	266	Noonmati	29
Kamrup	271	Boko	48
Dhubri	281	Dhubri	46
Golaghat	314	Golaghat	41
Morigaon	340	Mikirbheta	70
Nagaon	370	Rupahihat	57
Sivasagar	409	Sonari	50
Sonitpur	451	Tezpur	29
Barpeta	493	Barpeta	136

# Police Stations Contributing to High Number of Cases

Police Stations with Maximum Cases in each of the Top 5 Districts of Assam  
2012 to 23 April, 2020

District	Police Station	No. of Cases
Barpeta	Barpeta	136
Morigaon	Mikirbheta	70
Nagaon	Rupahihat	57
Sivasagar	Sonari	50
Sonitpur	Tezpur	29



# Pendency and Disposal

## No. of Pending Cases

- **Assam – 3080 (53% of all cases from Assam)**
- **Delhi – 7020 (75% of all cases from Delhi)**
- **Haryana – 1586 (34% of all cases from Haryana)**

## No. of Disposed Cases

- **Assam – 2706 (47% of all cases from Assam)**
- **Delhi – 2346 (25% of all cases from Delhi)**
- **Haryana – 3045 (65.7% of all cases from Haryana)**

## Pendency at the end of 2019

- **Assam - 74%**
- **Delhi - 88%**
- **Haryana - 60%**

**Pendency under Category I – Share of Different Types of Offences 2012 to 23 April, 2020 (in per cent)**

Offences	Assam
PSA	56.27
APSA	17.18
SA	18.60
ASA	2.24
SH	5.54
CP	0.03
PSA + CP	0.07
APSA + CP	0.03
APSA + Storage of CP	0.00
SA + CP	0.03
ASA + CP	0.00
SH + CP	0.00

**Pendency for Abetment of Different Types of Offences Share in Total Pending cases of Abetment 2012 to 23 April, 2020 (in per cent)**

Different Types of Cases of Abetment	Assam
Abetment of PSA	0.00
Abetment of APSA	35.71
Abetment of SA	0.00
Abetment of ASA	0.00
Abetment of SH	7.14
Abetment of CP	50.00
Abetment of APSA + CP	0.00
Abetment to SH + CP	0.00
Abetment of SA + Storage of CP	7.14
Abetment of PSA + CP + Storage of CP	0.00

**Pendency for Attempt to Commit Different Types of Offences Share in Total Pending cases of Attempt 2012 to 23 April, 2020 (in per cent)**

Different Types of Cases of Attempt	Assam
Attempt to PSA	29.41
Attempt to APSA	29.41
Attempt to SA	17.65
Attempt to ASA	5.88
Attempt to SH	17.65

**District-wise Nature of Disposal  
Assam (2012 to 23 April, 2012)**

District	Abated	Acquitted	Convicted	Discharged	Transferred	Other Disposal	Acquittal (%)	Conviction (%)	Transfer (%)
	Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G = (Col. B / Total of Col. A to F) x 100	Col. H = (Col. C / Total of Col. A to F) x 100	Col. I = (Col. E / Total of Col. A to F) x 100
Baksa	0	15	1	0	0	28	34.09	2.27	0
Barpeta	0	199	26	3	30	10	74.25	9.70	11.19
Bongaigaon	0	32	5	0	0	4	78.05	12.20	0
Cachar	2	73	24	0	2	14	63.48	20.87	1.74
Chirang	2	37	13	0	13	7	51.39	18.06	18.06
Darrang	0	40	3	0	0	13	71.43	5.36	0
Dhemaji	1	51	17	0	7	12	57.95	19.32	7.95
Dhubri	0	137	25	1	7	3	79.19	14.45	4.05
Dibrugarh	1	76	41	6	2	22	51.35	27.70	1.35
Dima Hasao	0	2	0	0	0	0	100.00	0	0
Goalpara	0	14	0	0	3	4	66.67	0	14.29
Golaghat	2	110	16	0	4	32	67.07	9.76	2.44
Hailakandi	0	37	5	0	0	1	86.05	11.63	0
Jorhat	0	51	16	2	1	11	62.96	19.75	1.23

**District-wise Nature of Disposal**  
**Assam**  
**(2012 to 23 April, 2012)**

District	Abated	Acquitted	Convicted	Discharged	Transferred	Other Disposal	Acquittal (%)	Conviction (%)	Transfer (%)
	Col. A	Col. B	Col. C	Col. D	Col. E	Col. F	Col. G = (Col. B / Total of Col. A to F) x 100	Col. H = (Col. C / Total of Col. A to F) x 100	Col. I = (Col. E / Total of Col. A to F) x 100
Kamrup	2	63	27	0	14	10	54.31	23.28	12.07
Kamrup Metro	2	31	9	2	1	6	60.78	17.65	1.96
Karbi Anglong	0	15	29	1	7	11	23.81	46.03	11.11
Karimganj	0	23	2	6	1	2	67.65	5.88	2.94
Kokrajhar	1	48	15	0	4	1	69.57	21.74	5.80
Lakhimpur	0	31	7	0	0	37	41.33	9.33	0
Morigaon	1	69	8	4	14	15	62.16	7.21	12.61
Nagaon	4	33	11	2	48	13	29.73	9.91	43.24
Nalbari	0	40	6	0	26	4	52.63	7.89	34.21
Sivasagar	1	125	26	0	63	26	51.87	10.79	26.14
Sonitpur	4	131	41	1	22	103	43.38	13.58	7.28
Tinsukia	0	33	6	0	7	4	66.00	12.00	14.00
Udalguri	0	80	5	0	0	6	87.91	5.49	0
<b>Total</b>	<b>23</b>	<b>1596</b>	<b>384</b>	<b>28</b>	<b>276</b>	<b>399</b>	<b>58.98</b>	<b>14.19</b>	<b>10.20</b>

# Poor Recording of Type of Disposal

## Use of Different terms for Disposal in Different States/UTs

- Assam has disposed 10 cases as “Stayed”
- In one case from Assam where the nature of disposal is recorded as ‘Conciliation’ on the e-Courts portal, upon reading of the judgment, it was found that the sessions court has convicted the accused under section 4 of POCSO Act and sentenced the convict to 7 years of imprisonment along with granting compensation to the victim.

## Questions that need to be asked ...

- Do all Special Courts have the same understanding and interpretation of terms used for recording nature of disposal? Do they all follow the same rules for maintaining records and uploading data on disposal of cases on e-Courts portal?
- Are the judges not familiar with the law or those who enter such data or manage the e-Courts portal?

# Convictions and Acquittals

- Most cases have ended in acquittal in Assam with the rate of Acquittal recorded at **58.98%** which is more than Delhi (55.5%), but less than Haryana (63.48%).
- Rate of conviction on the other hand is lowest in Assam at **14.19%**, followed by Delhi at 16.58% and Haryana at 30.38%.
- Dima Hasao is the district with lowest number of disposed cases but 100% acquittal. There are only 2 disposed cases in the district, both ending in acquittal.
- Barpeta has the highest number of 268 disposed cases with a significant 74.25% of these ending in acquittal and a rate of conviction of 9.70%.
- Goalpara stands out as the only district with zero conviction rate in the seven and a half years for which data is analysed in this study.
- The district with the highest rate of conviction of 46.03% is Karbi Anglong. Dibrugarh is the next to follow with 27.7% conviction rate.

# Convictions and Acquittals

- Highest rate of acquittal is Dima Hasao (100%) followed by Udalguri (87.91%) and Hailakandi (86.05%). However, important to note here that Dima Hasao is the district with lowest number of disposed cases (2 cases).
- The highest rate of conviction is Karbi Anglong (46.03%), followed by Dibrugarh (27.70%) and Kamrup (23.28%).
- The lowest rate of conviction is Dima Hasao (0%) as it only has 2 disposed cases and both has ended in acquittal. Goalpara also has 0% of conviction out of 21 disposed cases out of a total of 101 cases registered in the district over the period of seven and a half years considered for the study.
- There are cases from Udalguri, Baksa districts of Assam where the first conviction is recorded in 2019.
- In Assam, in 18.92% of cases ,acquittals took more than two years for disposal from the date of registration in the CIS, which is lower when compared to Delhi (42.09%), but higher in comparison to Haryana (3.52%).

### Assam - District-wise Rate of Conviction (2012 to 23.04.2020)

District	2012	2013	2014	2015	2016	2017	2018	2019	2020 (Up to 23.04.2020)	Total (14.11.2012 to 23.04.2020)
Dima Hasao	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Goalpara	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Baksa	0.00	0.00	0.00	0.00	0.00	0.00	0.00	3.57	0.00	2.27
Darrang	0.00	0.00	0.00	0.00	0.00	0.00	33.33	2.94	11.11	5.36
Udalguri	0.00	0.00	0.00	0.00	0.00	0.00	0.00	7.55	10.00	5.49
Karimganj	0.00	0.00	0.00	0.00	0.00	0.00	11.11	10.00	0.00	5.88
Morigaon	0.00	0.00	0.00	12.50	0.00	4.76	16.67	9.09	0.00	7.21
Nalbari	0.00	0.00	0.00	0.00	50.00	0.00	5.56	8.00	9.09	7.89
Lakhimpur	0.00	0.00	0.00	0.00	66.67	50.00	10.00	0.00	5.56	9.33
Barpeta	0.00	0.00	0.00	14.29	0.00	4.35	3.57	14.86	0.00	9.70
Golaghat	0.00	0.00	0.00	0.00	27.27	18.18	7.41	6.58	7.14	9.76
Nagaon	0.00	0.00	0.00	0.00	12.50	0.00	20.00	20.59	0.00	9.91



### Assam - District-wise Rate of Conviction (2012 to 23.04.2020)

District	2012	2013	2014	2015	2016	2017	2018	2019	2020 (Up to 23.04.2020)	Total (14.11.2012 to 23.04.2020)
Sivasagar	0.00	0.00	0.00	0.00	5.56	5.56	10.78	19.05	0.00	10.79
Hailakandi	0.00	0.00	0.00	0.00	0.00	0.00	17.65	10.00	0.00	11.63
Tinsukia	0.00	0.00	0.00	33.33	0.00	0.00	0.00	16.67	0.00	12.00
Bongaigaon	0.00	0.00	0.00	0.00	0.00	20.00	16.67	0.00	0.00	12.20
Sonitpur	0.00	0.00	0.00	11.11	19.05	11.63	17.02	13.40	5.56	13.58
Dhubri	0.00	0.00	0.00	0.00	33.33	14.29	13.64	18.18	3.33	14.45
Kamrup Metro	0.00	0.00	0.00	50.00	0.00	0.00	23.53	27.27	25.00	17.65
Chirang	0.00	0.00	0.00	0.00	0.00	0.00	21.05	14.29	16.67	18.06
Dhemaji	0.00	0.00	0.00	0.00	33.33	23.53	19.35	16.67	0.00	19.32
Jorhat	0.00	0.00	0.00	0.00	50.00	33.33	17.86	14.71	28.57	19.75
Cachar	0.00	0.00	50.00	66.67	35.29	24.14	20.00	8.00	4.76	20.87
Kokrajhar	0.00	0.00	0.00	0.00	0.00	0.00	20.00	23.68	30.77	21.74
Kamrup	0.00	0.00	0.00	0.00	0.00	16.67	15.79	29.82	30.00	23.28
Dibrugarh	0.00	0.00	0.00	9.09	10.81	35.90	40.74	50.00	0.00	27.70
Karbi Anglong	0.00	0.00	0.00	0.00	0.00	0.00	75.00	34.15	0.00	46.03

**Rate of Conviction by Type of Offence in Category I - Assam  
(2012 to 23.04.2020)**

<b>Type of Offence</b>	<b>No. of Cases Disposed</b>	<b>No. of Cases that ended in Conviction</b>	<b>Rate of Conviction</b>	<b>Percentage Share of Type of Offence in Total Convictions under Category I</b>
PSA	1400	161	11.50	44.48
SA	574	107	18.64	29.56
APSA	369	61	16.53	16.85
SH	132	22	16.67	6.08
ASA	44	10	22.73	2.76
PSA + CP	2	1	50.00	0.28
PSA + Storage of CP	2	0	0.00	0.00
SA + CP	2	0	0.00	0.00
<b>Total Category I Offences</b>	<b>2525</b>	<b>362</b>	<b>14.00</b>	<b>100.00</b>

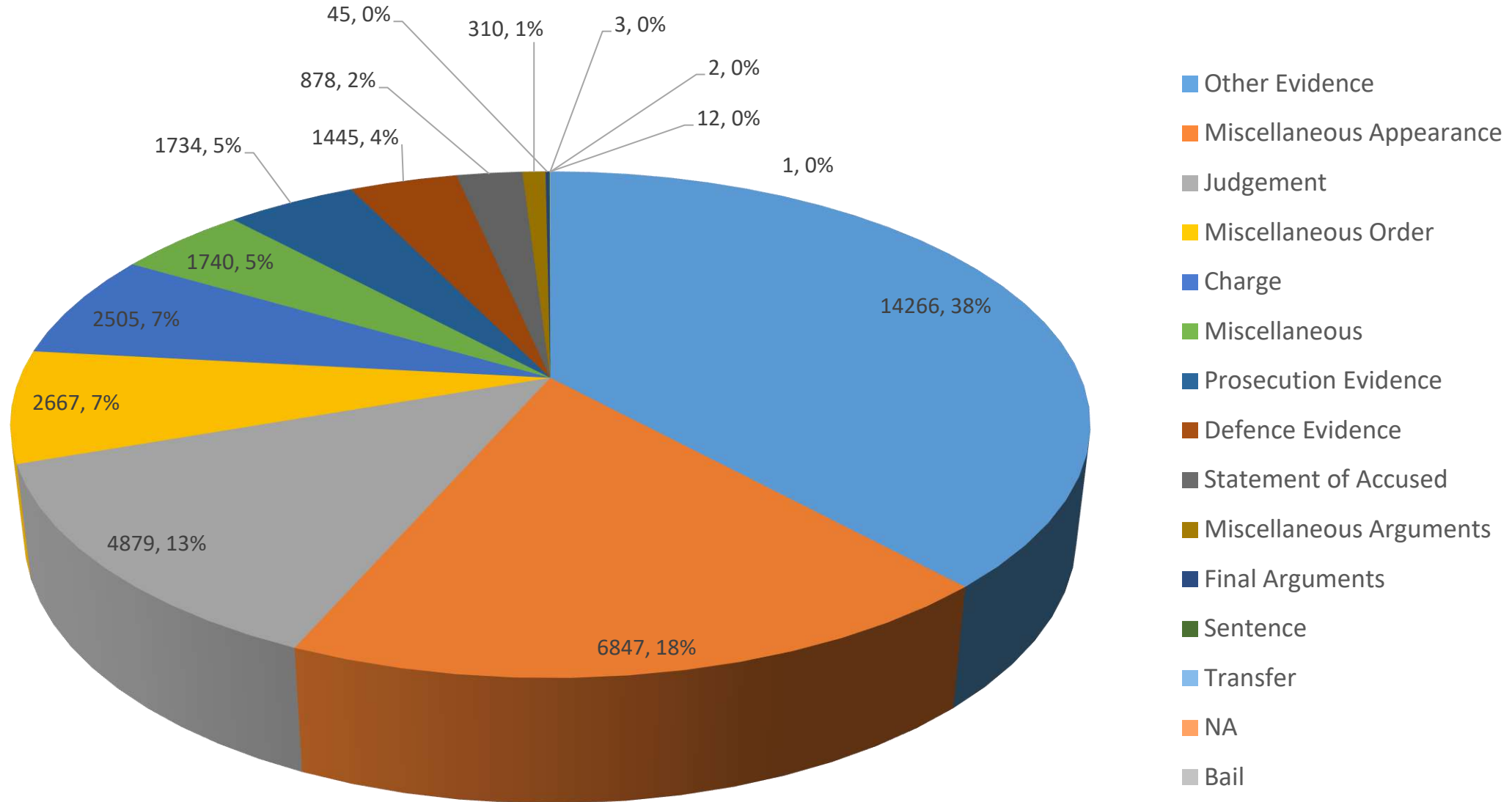
**Rate of Conviction by Type of Offence in Category II - Assam  
(2012 to 23.04.2020)**

<b>Type of Offence</b>	<b>No. of Cases Disposed</b>	<b>No. of Cases that ended in Conviction</b>	<b>Rate of Conviction</b>	<b>Percentage Share of Type of Offence in Total Convictions under Category II</b>
Attempt to PSA	8	3	37.50	50.00
Attempt to SA	8	2	25.00	33.33
Abetment of CP	8	1	12.50	16.67
Abetment of APSA	3	0	0.00	0.00
Abetment of SA	3	0	0.00	0.00
Abetment of SH	1	0	0.00	0.00
Attempt to SH	1	0	0.00	0.00
<b>Total Category II Offences</b>	<b>32</b>	<b>6</b>	<b>18.75</b>	<b>100.00</b>

# Offence-wise Rate of Conviction

- In Assam, penetrative sexual assault (offences under section 4 of the POCSO Act) has the highest share in Category I convictions. This is also because the state has more cases of penetrative sexual assault - both registered and disposed cases. However, the rate of conviction for penetrative sexual assault is the lowest when compared to other Category I offences where conviction has taken place.
- In Category II, attempt to commit penetrative sexual assault makes up for 50% of all convictions and has the highest rate of conviction among other offences in this category.
- Of the 4 disposed cases in Category III, none have been disposed. Three of these are cases of false reporting and one of disclosure of identity.
- Rate of conviction for 149 disposed cases in the State where the offence is not known comes to 10.74%.

## No. and Percentage of Hearings by Purpose of Hearing Assam (2012 to 23 April, 2020)



## Number of Cases Disposed in Single Hearing and Type of Disposal

Type of Disposal	Assam
Convicted	2
Acquitted	14
Transferred	75
Discharged	5
Untraced	0
Abated	0
Quashed	0
PO Consigned	0
Other Disposal	89
<b>Total</b>	<b>185</b>

# No. of Hearings

- On the basis of available data, on an average 16 hearings in a disposed case.
- The stage of “Other Evidence” has the largest share of 38% in total hearings followed by “Miscellaneous Appearance” (15%), and “Judgement” (13%).
- 185 cases are disposed in a single hearing in Assam, which is the minimum number of hearings held in disposed cases.
- Leaving aside the 89 cases falling under the category of “other disposal”, 75 are cases disposed in a single hearing as “transferred”.

# Case Age and Time Taken for Disposal

- The average age for **disposed cases** from Assam is **1.2 years** and for **pending cases** it is **1.4 years**.
- The **oldest disposed** case is **2119 days** or **5.8 years**.
- The **oldest pending** case is **2430 days** or **6.7 years**.
- **Pending cases with an age of two years or less** are **77.24% in Assam**, 94.20% in Haryana and 55.71% in Delhi.
- Of all **pending cases in the** respective States/UT, **22.76% cases in Assam** are found pending for **more than two years** (as on 23 April, 2020). Delhi has the largest percentage of cases pending for more than 2 years - 44.29% and in Haryana it is 5.80%
- Of the three States/UT, Haryana fares better on the **rate of disposal** as well as the **time taken for disposal, followed by Assam** and Delhi.



Time Taken for Disposal		No. of Disposed cases	%
≤ 365 days	≤ 1 yr.	1428	52.77
366 - 730 days	1 yr. - 2 yrs.	787	29.08
731 - 1095 days	2 yrs. - 3 yrs.	321	11.86
1096 - 1460 days	3 yrs. - 4 yrs.	121	4.47
1461 - 1825 days	4 yrs. - 5 yrs.	42	1.55
≥ 1826 days	> 5 yrs.	7	0.26
<b>Total</b>		<b>2706</b>	<b>100%</b>

### Nature of Disposal and Time Taken for Disposal (in percent)

Assam

(2012 to 23 April, 2020)

Nature of Disposal	≤ 1 yr.	1 - 2 yrs.	2 - 3 yrs.	3 - 4 yrs.	4 - 5 yrs.	> 5 yrs.	> 2 yrs.
	≤ 365 days	366 - 730 days	731 - 1095 days	1096 - 1460 days	1461 - 1825 days	≥ 1826 days	≥ 731 days
Abated	43.48	26.09	30.43	0.00	0.00	0.00	30.43
Acquitted	49.75	31.33	12.53	4.45	1.63	0.31	18.92
Convicted	32.81	39.06	17.97	8.07	1.82	0.26	28.13
Discharged	82.14	14.29	0.00	3.57	0.00	0.00	3.57
Transferred	73.55	18.12	5.80	1.81	0.72	0.00	8.33
Quashed	NA	NA	NA	NA	NA	NA	NA
Untraced	NA	NA	NA	NA	NA	NA	NA
PO Consigned	NA	NA	NA	NA	NA	NA	NA
Other Disposal	68.17	19.30	7.27	3.26	1.75	0.25	12.53
<b>Total</b>	<b>52.77</b>	<b>29.08</b>	<b>11.86</b>	<b>4.47</b>	<b>1.55</b>	<b>0.26</b>	<b>18.14</b>

\*NA - Not Applicable as there is no such disposal

# Time taken in Cases that ended in Conviction and Acquittal

## Among cases that ended in acquittal –

- The share of acquittals in all disposed cases is the lowest in Delhi (1302 out of 2346) **compared to Assam (1596 out of 2706)** and Haryana (1933 out of 3045).
- However, acquittals that took more than two years for disposal from the date of registration in the CIS are the highest in Delhi (42.09%) **compared to Assam (18.92%)** and Haryana (3.52%).

## Among cases that ended in conviction–

- A look at data on convictions alone shows that a significant 39.06% of cases that ended in conviction in Assam have taken one - two years for disposal.
- Another 32.81 % have taken less than or equal to one year.
- 28.13% have taken more than two years.

The background is a blurred 3D bar chart with several bars of varying heights. The bars are light gray and set against a white background. The numbers on the bars are: 39.4 (on a dark bar on the left), 9.5 (on a bar in the foreground), 11.6 (on a bar in the foreground), 1.4 (on a bar in the background), and 37.9 (on a bar in the foreground).

# Overcoming Challenges and Way Forward

# Addressing Pendency

Creation of new courts is often offered as a solution for pendency but the question is

**How do we plan for more courts, where and how many?**

- **Scheme on Fast Track Special Courts (FTSCS)** – Launched by the Department of Justice in 2019 for Expeditious Disposal of Cases of Rape Cases under the POCSO Act
- The scheme envisages creation of 1023 FTSCs in 30 States and UTs (389 exclusively to handle POCSO Act cases and 634 to deal with either rape cases or both rape and POCSO Act cases, depending on the pendency and requirement)
- The goal envisaged under the scheme for disposal of cases by each court is “41-42 cases in each quarter and at least 165 cases in a year.”
- The scheme supports funds for 27 courts in Assam (15 Exclusive Courts for cases of POCSO Act & 12 for cases of rape/and or POCSO Act).

# Towards Data informed Planning & Intervention

- Number of districts in each State are divided into 5 quintiles or segments for each of the three variables - court caseload, pendency percentage and rate of disposal. They are colour coded.

<b>Colour Code</b>	<b>Quintile</b>	<b>Court Caseload, Pendency percentage and Rate of Disposal</b>	<b>Status</b>
	1st Quintile	Lowest	Good
	2nd Quintile	Low	Better
	3rd Quintile	Between low and high	Satisfactory
	4th Quintile	High	Bad
	5th Quintile	Highest	Worst

**Court Caseload, Pendency and Disposal  
District Report Card  
Assam**

<b>Districts</b>	<b>Total Caseload (2019)</b>	<b>Pendency Percentage at the end of 2019</b>	<b>Rate of Disposal at the end of 2019</b>
Dima Hasao	14	86%	14%
Bongaigaon	43	81%	19%
Dibrugarh	45	56%	44%
Karimganj	52	81%	19%
Chirang	60	53%	47%
Dhemaji	68	56%	44%
Hailakandi	78	74%	26%
Goalpara	90	83%	17%
Lakhimpur	90	68%	32%
Udalguri	112	53%	47%
Jorhat	116	71%	29%
Nalbari	135	81%	19%
Kokrajhar	142	73%	27%
Darrang	146	77%	23%
Karbi Anglong	146	72%	28%

**Court Caseload, Pendency and Disposal  
District Report Card  
Assam**

<b>Districts</b>	<b>Total Caseload (2019)</b>	<b>Pendency Percentage at the end of 2019</b>	<b>Rate of Disposal at the end of 2019</b>
Tinsukia	154	81%	19%
Cachar	156	84%	16%
Baksa	167	83%	17%
Dhubri	190	65%	35%
Kamrup	209	73%	27%
Kamrup Metro	215	95%	5%
Sivasagar	219	71%	29%
Golaghat	237	68%	32%
Morigaon	250	91%	9%
Sonitpur	263	63%	37%
Nagaon	285	88%	12%
Barpeta	353	58%	42%

# Districts Requiring Attention

- Bongaigaon and Karimganj in the 1st quintile, having high pendency and low disposal despite lower caseloads.
- Goalpara in the 2nd quintile, also with substantially high pendency despite a lower court caseload.
- Nalbari in the 3rd quintile, as pendency is in on the higher side.
- Cachar and Kamrup Metro in the 4th quintile with very high pendency and low disposal, particularly Kamrup Metro with a disposal rate as low as 5%.
- **Note: For type of disposal in the districts, refer to slide 11 & 12.**



# More from District Report Card – Assam

- The All-India rate of disposal for cases under the POCSO Act has increased between 2014 and 2019, ranging from 5% in 2014 to 11% in 2019.
- Though Assam witnessed an increase in disposal rate from 9% in 2014 to 20% in 2015, it again saw a decline from to 16% in 2016.
- No case in Assam is disposed as quashed, untraced or PO consigned.

## **Districts identified with maximum and minimum contribution to the total number of cases**

- Of the top 6 districts with the highest court caseload in Assam, Nagaon and Morigaon require utmost attention since their performance is poor on all parameters studied - the caseload is high (266 & 257 Cases respectively) and so is pendency due to poor disposal.
- Dima Hasao needs attention as reasons for high pendency and low disposal require a thorough assessment, given that the district has the lowest court caseload in the entire State.
- Districts that seem to be doing better than others on all three counts, viz. court caseload, pendency and disposal are Dibrugarh, Chirang, Dhemaji, Lakhimpur and Udalguri.

# Way Forward

## **Non-negotiables for e-Courts portal and judgements**

- Standardised and uniform practice in uploading data on the e-Courts portal
- Drop-down menus to reduce scope for error in data input
- Standardised framework for capturing essential case related information through judgments and orders

## **Harmonising the goals of privacy and confidentiality of victims with the goals of judicial data transparency and accountability**

- A study by law students of Macquarie University, Sydney titled, *“Balancing Children’s Confidentiality and Judicial Accountability: A Cross-Country Comparison of Best Practices Regarding Children’s Privacy in the Criminal Justice System”* shows:
  - Use of Initials or Pseudonyms
  - Redacting names from the records
  - Clear guidance on access to court records - for litigants and for purposes of research are found in some countries to ensure judicial data transparency and accountability

# Other Key Recommendations for Improving Data Management and Access

- Minimizing scope for data inconsistencies through effective data entry practices and interlinkages between the police and court data with the use of technology.
- NCRB must provide state and district level data with respect to police and court disposal of all crimes against children with clear indicators for disposal of cases without trial and disposal through trial.
- Training and Capacity Building of Judges and Court Staff.
- Currently, there is no scope in the e-Courts portal to capture child-friendliness of Special Courts in the justice delivery process. Since the law makes specific provisions in this regard, indicators that can measure child friendly court practices can fill the gap between theory and practice and identify areas for further improvement in law, policy and action.
- It will be equally important to have data on assignment of support persons in a case and availability of legal aid or legal representation to the child.

Full report is available at:

<https://www.haqcrc.org/wp-content/uploads/2021/11/unpacking-judicial-data-to-track-implementation-of-the-pocso-act-in-assam-delhi-and-haryana-full-report.pdf>

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