

IMPACT OF POCSO ACT 2012 ON THE INDIAN SOCIETY: A DETAILED LEGAL STUDY

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Abstract

The Protection of Children from Sexual Offences (POCSO) Act, 2012, was introduced as a much-needed response to the rising number regarding sexual offences against children in India. It strikes a significant role in the country's legal journey towards safeguarding children's rights by establishing a dedicated legal framework and judicial machinery to address such crimes effectively. Despite the proactive steps taken by Union Ministry of Law & Justice, including the enactment of stringent laws, a societal taboo still lingers around child sexual abuse, making it a deeply underreported and sensitive issue.

This study aims to bridge gap between law and its practice through a comprehensive legal and statistical analysis of the POCSO Act's implementation and its broader implications on Indian society. It delves into the historical evolution of the Act, examines its interaction with related legislations as the Indian Penal Code and Juvenile Justice Act and evaluates its strengths and limitations through the lens of expert opinions and real-world outcomes.

The paper further investigates the Act's impact both positive and negative on society, identifies critical legislative gaps, and proposes constructive recommendations for more consistent and effective enforcement. Additionally, it highlights key areas of concern and controversy within the Act's provisions, aiming to contribute meaningfully to future discourse, policy reform and academic inquiry in the area of child-protection laws.

Keywords: POCSO Act, Child Rights, Child Protection, Child Sexual Assault, Juvenile Justice Act, Indian Penal Code, Legislations

OBJECTIVES

This research aims to critically examine the scope, effectiveness and societal impact of Protection of Children from Sexual Offences (POCSO) Act, 2012. The purpose of the research paper is to share the researcher's thoughts on a range of research questions including, inter alia,

1. To examine the overall impact of POCSO Act on the Indian society, particularly in terms of child safety, legal awareness and public perception.

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2. To evaluate whether the Act has successfully fulfilled its intended objectives, such as ensuring a child-friendly legal process and delivering timely justice.
3. To assess how appropriately the Act is being implemented on the ground by law enforcement, judiciary and support systems.
4. To analyze the effectiveness of the Central Government's implementation strategies and policies aimed at enforcing the Act.
5. To investigate concerns around the misuse of the POCSO Act, particularly whether it is being misapplied in some cases as a tool for harassment rather than protection.

HYPOTHESIS

The researcher has formulated the following hypothesis, which is further tested in research paper:

1. The POCSO Act, 2012 is a bona fide legislative effort focused at protecting the children from sexual offences and fulfilling India's obligations under international child rights frameworks.
2. The insurgence of reported child sexual abuse cases in India reflects both increased public awareness and improved reporting mechanisms, as well as a genuine surge in such offences highlighting the need for more robust and consistent implementation of the POCSO Act.

RESEARCH METHODOLOGY

This study is primarily based on *doctrinal research methodology*, which involves an in-depth examination of the statutes, texts, judicial decisions and the scholarly commentary. The researcher has extensively relied on both *primary and secondary sources* to support the analysis. These include relevant statutes, case law, legal commentaries, published theses, peer-reviewed articles, research reports and verified online content such as academic blogs and government publications. Special emphasis has been placed on *statistical data published by the National Crime Records Bureau (NCRB)* and other credible sources to assess the real-world application of the POCSO Act. All sources referred to have been duly acknowledged through proper citations in accordance with academic standards.

INTRODUCTION

“Childhood should be carefree, playing in the sun; not living a nightmare in the darkness of the soul.”

This poignant reflection captures the painful contrast between the ideal of a joyful childhood and the grim reality faced by many children in India today. Despite children constituting **39% of India's population** (Census of India, 2011), a significant number are still exposed to physical, emotional and sexual abuse often by those meant to protect them. Among these, *Child Sexual Abuse (CSA)* remains the most traumatic and under-reported crimes.

India sadly leads the world in reported cases of child sexual abuse, accounting for **11.1% of global CSA cases** (Marothiya, Saini, & Vig, 2019). According to NCRB (2022), crimes against children rose from **149,404 in 2021 to 162,449 in 2022**, representing an **8.7% increase** and a crime rate increase from **approximately 33.6 to 36.6 per 100,000 children**. Alarming, **around 40%** of these cases were filed under the *Protection of Children from Sexual Offences (POCSO) Act, 2012* (Hindustan Times, 2023). Furthermore, **cybercrimes involving children surged by 32%**, with **1,823 such cases reported in 2022 alone** (Times of India, 2024).

Recent district-level data reinforces this trend. In Kochi, for instance, **484 POCSO cases were registered in 2023, 437 in 2024 and 185 cases were already reported by May 2025**, reflecting both increased reporting and possibly a genuine rise in such offences (IACA Journal, 2025).

These figures are not just numbers, they represent real children whose right to a safe, happy and secure childhood has been shattered. CSA leaves lasting scars, often resulting in deep psychological trauma, emotional instability and social alienation. Children, who rely entirely on adults for protection, are frequently left voiceless due to social stigma, poverty, cultural taboos and systemic delays in justice.

The Protection of Children from Sexual Offences (POCSO) Act, 2012, was a landmark legal response directed at addressing this grim reality. Whilst the Act has certainly provided a much-needed legal framework, this research seeks to examine whether its implementation has been consistent and impactful across the country.

“Child sexual abuse isn’t merely a violation of a child’s body, it’s a *violation of their dignity, trust and basic human rights*. This study intends to offer a legal, statistical and societal examination of the POCSO Act’s role in responding to this crisis and to recommend meaningful reforms where gaps persist”.

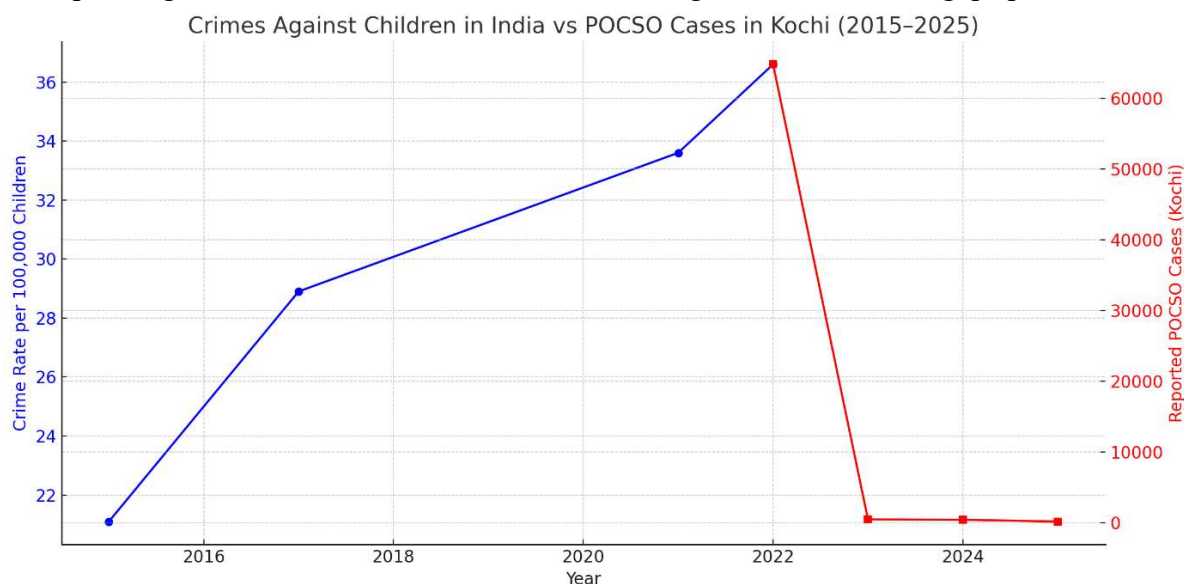


FIGURE 1: National crime rate against children with the number of reported POCSO cases in Kochi from 2015 to 2025

Note: Here is a visual representation comparing the national crime rate against children with the number of reported POCSO cases in Kochi from 2015 to 2025. The chart highlights the overall upward trend in reported child abuse cases nationally, alongside fluctuations at the district level.

Year	Reported Cases of Crimes Against Children	Annual Change	%	Crime Rate per 100,000 Children
2021	149,404	—		~33.6
2022	162,449	+8.7%		~36.6

TABLE 1: Reported Crimes Against Children in India (2021-2022) - NCRB Crime in India Report 2022.”

- NCRB data reports that crimes against children increased by 8.7%, from 149,404 cases in 2021 to 162,449 cases in 2022.
- The crime rate measured per 100,000 child population rose from around 33.6 to 36.6 during the same period.
- Approximately 39.7% of these offences were registered under POCSO Act, 2012, while 45.7% related to kidnapping and abduction

Interpretation and Significance

- The year-on-year rise in both absolute cases and crime rate per child population suggests a troubling escalation in threats to children’s safety.
- Nearly 40% of these cases fall under POCSO Act, highlighting sexual offences as substantial component of child-related crimes.
- While increased reporting (due to greater awareness or legal outreach) may contribute to rising numbers, these figures strongly indicate genuine and deepening vulnerabilities among children.

To address the pressing issue of sexual abuse and exploitation of children in India, the Ministry of Women and Child Development enacted the *Protection of Children from Sexual Offences (POCSO) Act, 2012* (Ministry of Women and Child Development [MWCD], 2012). This landmark statute was introduced to provide a comprehensive and child-sensitive legal structure specifically aimed at safeguarding children from various forms of sexual offences. Significantly, the Act is ‘gender-neutral,’ extending protection to all the children under 18 years of age, regardless of the gender.

The POCSO Act criminalizes a range of offences, including “*penetrative sexual assault, aggravated penetrative sexual assault, sexual assault, aggravated sexual assault, sexual harassment, and the use of children for pornographic purposes*” (The Protection of Children from Sexual Offences Act, 2012, S. 3-14). Each category is clearly defined and corresponding punishments are proportionately stringent to ensure accountability and deterrence.

A noteworthy attribute of the Act is its insistence on a child-friendly justice process. It mandates that the ‘interests and well-being’ of the child be prioritized at each and every stage of the investigation and trial. This includes sensitive mechanisms for reporting, recording evidence and conducting medical examinations, all tailored to minimize trauma and re-victimization (MWCD, 2012).

Furthermore, the Act includes provisions for the punishment of individuals involved in the trafficking of children for sexual purposes, treating such acts as abetment (S.16-17). It also directs that all cases under the Act be tried in designated Special Courts to assure speedy disposal of justice (The Protection of Children from Sexual Offences Act, 2012, S. 28).

Through its comprehensive structure and victim-centered approach, the POCSO Act seeks not only to punish offenders but also to affirm the dignity, rights and safety of every child in India.

HISTORICAL BACKGROUND

Before the enactment of the ‘*Protection of Children from Sexual Offences (POCSO) Act, 2012*’, the child sexual abuse in India was addressed through a patchwork of general criminal laws, often lacking the precision

and sensitivity required to protect children effectively. Crimes against children ranging from physical and emotional abuse to trafficking, child pornography and sexual exploitation were handled under various statutes including the “*Indian Penal Code, 1860, Juvenile Justice (Care and Protection of Children) Act, 2000, Prohibition of Child Marriage Act, 2006, Child Labour (Prohibition and Regulation) Act, 1986 and the Immoral Traffic (Prevention) Act, 1956*” (Kumar, 2021; Ministry of Law and Justice, 2023).

Under the pre-POCSO legal framework, child sexual abuse was neither explicitly defined nor comprehensively punished. Section 376 of the IPC addressed rape, while Sections 354 and 509 dealt with modesty-related offences, but these were largely framed with an adult, female victim in mind. Specific provisions such as Section 366A (procurement of a minor girl), Section 366B (importation of girls), Sections 372 and 373 (buying/selling of minors for prostitution) and Section 354D (stalking) were applicable but scattered and often insufficient (Chandrashekhar, 2022).

Moreover, India’s Constitution has always emphasized child protection. Provisions such as **Article 15(3)** empower the State to make special laws for children, **Article 21** guarantees the right to life and dignity and **Articles 23, 24, 39(e-f), 45** and **47** reinforce the State’s duty to safeguard children against exploitation and neglect (Constitution of India, 1950). The *Commissions for Protection of Child Rights Act, 2005* further institutionalized this responsibility by establishing the **National Commission for Protection of Child Rights (NCPCR)** and corresponding state commissions (NCPCR, 2023).

However, until POCSO was introduced, Indian law lacked a *child-specific, gender-neutral and comprehensive* legal framework to address sexual offences against minors. The older statutes suffered from multiple shortcomings: vague definitions (e.g., of ‘modesty’), limited scope (focusing largely on peno-vaginal rape), prioritization of female victims over male or transgender victims and procedural loopholes that enabled perpetrators to evade justice (Sen, 2023).

The enactment of *Bharatiya Nyaya Sanhita (BNS), 2023*, which supplants the Indian Penal Code, now includes more nuanced and gender-neutral definitions for sexual offences. For example, **BNS Section 64 addresses penetrative sexual assault** without restricting it to traditional definitions of rape, thereby aligning with the standards laid out under the POCSO Act (Ministry of Law and Justice, 2023). This reflects a crucial evolution in India’s legal approach, aiming to better protect children through harmonized and updated statutes.

Year	Rate of Crime Against Children (All India)	Number of Victims of Child Sexual Abuse (All India)
2006	1.7	11,237

2007	1.8	11,381
2008	2.0	12,344
2009	2.1	12,679
2010	2.3	13,624
2011	2.7	15,407

Table 2: Rising Trend of Crimes Against Children in India (2006–2011) – pre-POCSO Era Source: National Crime Records Bureau (NCRB), Statistical Reports (2006–2011)

Note: The above figures are derived from specific categories of sexual offences against children, including *rape, procurement of minor girls, buying and selling of girls for prostitution and related crimes.*

Interpretation:

The above table highlights a clear upward trend in both the rate of crimes against children as well as the absolute number of survivors of sexual abuse in the years preceding the enactment of POCSO Act. Between 2006-2011, the rate of crimes increased by nearly **59% (from 1.7 to 2.7)**, while the number of reported victims rose **by over 37%**, underlining the glaring inadequacy of the pre-POCSO legal mechanisms.

This surge underscored a growing national concern, making it evident that the existing provisions under the Indian Penal Code and other fragmented legislations were neither sufficient nor specific to tackle the multifaceted nature of child sexual abuse. Consequently, this period laid the base for legislative reform, culminating in the introduction of the POCSO Act in 2012, which sought to deliver a comprehensive, child-centric and gender-neutral legal framework.

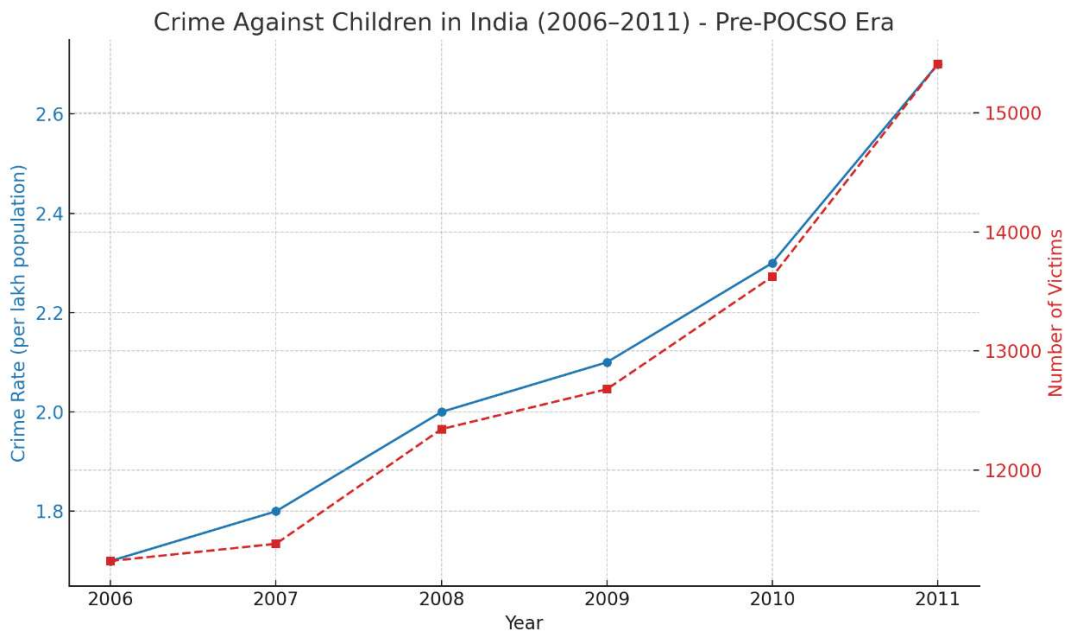


Figure 2: Crime Against Children in India (2006-2011) – pre-POCSO Era

Here is a visual chart showing the ‘Crime Rate Against Children and the Number of Victims of Child Sexual Abuse’ in India from 2006 to 2011, just before the implementation of the POCSO Act in 2012.

- Blue Line (Left Axis): Crime rate per lakh children.
- Red Dashed Line (Right Axis): Number of victims recorded each year.

This dual-axis graph helps highlight the steady rise in both crime rate and reported cases, justifying the urgent need for a specific legal framework like the POCSO Act

“According to the National Study on Child Abuse: India 2007, conducted by the *Ministry of Women and Child Development* with support from UNICEF, Save the Children and Prayas, **over 53% of surveyed children reported** experiencing some form of sexual abuse. Alarming, only **about 3% of these incidents were actually reported to the police**” (Ministry of Women and Child Development, 2007; Kacker et al., 2007; *Breaking the Silence*, 2013).

Despite the prevalence of abuse, the report highlights a widespread misconception: many believe child sexual abuse is a Western problem, rather than a reality in India (*Breaking the Silence*, 2013; Ministry of Women and Child Development, 2007). This denial, coupled with lack of awareness, weak community structures, poorly executed interventions and systemic corruption, has allowed the issue to remain largely hidden.

The POCSO Act of 2012 was enacted as a result of the consistent increase in child protection crimes during that time period, which highlights the pressing need for targeted and efficient legislation.

INTERNATIONAL PRESSURE

The global momentum to safeguard children’s rights gained formal structure when world leaders adopted the ‘**United Nations Convention on the Rights of the Child**’ (UNCRC) in 1989. The first legally-enforceable international agreement to fully recognize ‘children’s civil, political, economic, social and cultural rights’ was this historic treaty, which has been recognized by nearly all nations worldwide. Its impact has been profound, reshaping legal and policy landscapes across nations and improving the lives of millions of children (UNICEF, 2007).

Under Article 19 of the UNCRC, State Parties are obligated to take:

“All appropriate legislative, administrative, social and educational measures to protect children from physical or mental violence, injury, abuse, neglect, maltreatment or exploitation, including sexual abuse.”

This protection must extend to children in any setting, whether in the care of parents, guardians or other responsible individuals. Moreover, the article mandates the development of [prevention, reporting, referral, investigation and treatment mechanisms for such instances (United Nations, 1989, Article 19).

Further strengthening the protective framework, **Article 34** of the UNCRC urges nations to protect children from *all forms of sexual exploitation and sexual abuse*, and to take active steps to prevent:

the *coercion or inducement* of children into any unlawful sexual activity;

their *exploitative use in prostitution* or related activities; and

their involvement in *pornographic materials and performances* (United Nations, 1989, Article 34).

India, by ratifying the UNCRC in 1992, accepted these responsibilities on the international stage. The growing *international pressure and moral obligation* stemming from the UNCRC and subsequent global discourse played a pivotal role in pushing India toward establishing a dedicated legal framework, eventually culminating in the enactment of POCSO Act in 2012.

JUDICIAL DEVELOPMENTS

Long before the POCSO Act went into effect, the Indian judiciary significantly contributed to the recognition and defense of the rights of victims of child sexual abuse. One of the most pivotal moments in this trajectory came with the landmark case of *Sakshi v. Union of India (2004)*. In this case, the Hon'ble Supreme Court emphasized the **urgent need for special legislation** specifically designed for the protection of children from sexual abuse. The bench, comprising *Justice G.P. Mathur* and the *then Chief Justice of India, Justice Rajendra Babu*, observed:

“The cases of rape and child abuse are increasing at an alarming rate and an appropriate legislation in this regard is, therefore, urgently required.”

This observation reflected a larger judicial consciousness about the vulnerability of children and the inadequacy of existing legal frameworks to address their unique needs (*Sakshi v. Union of India, 2004*).

The Court's guidance in *Sakshi* built upon earlier jurisprudence from the *State of Punjab v. Gurmeet Singh & Ors. (1996)*, where the Court underscored *right to privacy, dignity and protection* for the victims of sexual abuse. The Court asserted that preserving the identity of survivors and ensuring *in-camera trials* was essential to *prevent secondary victimization* and uphold their constitutional rights (*State of Punjab v. Gurmeet Singh, 1996*).

This recognition of victims' fundamental rights including the '*right to life with dignity, right to privacy, and right to personal liberty*' was further expanded in subsequent decisions. For instance, in *Independent Thought v. Union of India (2017)*, the Court ruled that, exception 2 to Section 375 of the IPC, which allowed marital intercourse with a girl below the age of 18 years, was unconstitutional, thereby extending protections under the POCSO framework to married girls (*Independent Thought v. Union of India, 2017*).

Likewise, the ruling in *Shreemati Vishakha Devi v. State of Rajasthan (2020)* emphasized the **duty of trial courts** to strictly follow POCSO guidelines and ensure child-friendly procedures throughout legal proceedings. And perhaps most broadly, in *K.S. Puttaswamy v. Union of India (2017)*, the Supreme Court, explicitly acknowledged '**privacy as a fundamental right**', thereby reinforcing the legal imperative to uphold this right in all cases involving child sexual abuse.

These judicial pronouncements have laid the foundation for victim-centric jurisprudence and have directly informed the structure and spirit of the POCSO Act, ensuring that it reflects both constitutional values and international standards.

ENACTMENT OF THE BONA FIDE LEGISLATION

The *Protection of Children from Sexual Offences (POCSO) Act, 2012*, represents a 'watershed-moment' in India's legal landscape, reflecting both international *obligations* and *domestic judicial advocacy* for child protection. Prompted by India's ratification of the **United Nations Convention on the Rights of the Child (UNCRC)** in 1992, the Indian government took decisive steps to legislate safeguards aligning with the global standards enshrined in *Articles 19 and 34* of the Convention, which mandate protection from abuse, exploitation and sexual violence (UNCRC, 1989).

In this context, the '**POCSO Bill**' was drafted and passed by the Parliament in 2012 to offer comprehensive, gender-neutral protection to children under 18 years of age, from offences of '*sexual assault, sexual harassment and pornography*'. The Act was **assented to by the President on June 19, 2012** and it **came into effect on November 14, 2012**, symbolically observed as Children's Day in India, signifying the government's

commitment to making the nation safer for children (Ministry of Law and Justice, 2012).

What sets POCSO apart from prior fragmented laws is its provision for **child-friendly procedures, mandatory reporting** and the establishment of **Special Courts** to enable **speedy and sensitive trials** (Government of India, 2012). This was in line with judicial observations in cases like ‘*Sakshi v. Union of India*’ and ‘*State of Punjab v. Gurmeet Singh*’, which emphasized the need for specialized, victim-centric legal frameworks.

Moreover, the Act enshrines constitutional protections under Articles 19, 21, and 21A of the Constitution of India, which guarantee the ‘freedom of expression, the right to life and personal liberty and the right to education’ respectively. In doing so, the legislation not only responds to sexual violence but also promotes a broader commitment to children's dignity, privacy and development (Constitution of India, 1950).

Thus, POCSO reflects a *harmonization of India's domestic legal system with international child rights standards*, driven by a recognition that children's safety is a fundamental prerequisite to their well-being and the nation's future.

FUTURE AMENDMENTS

In a landmark move reflecting the judiciary's growing concern about the uprising incidence of sexual abuse of children in India, the Hon'ble Supreme Court, in *Suo Motu Writ Petition (Criminal) No. 1/2019*, took suo motu cognizance of the issue and called for immediate legislative reforms to address the surge in *child rape cases* (Supreme Court of India, 2019). Responding to this urgent judicial appeal, the ‘**Protection of Children from Sexual Offences (Amendment) Act, 2019**’ was enacted, marking a significant expansion of the original 2012 legislation.

The **2019 Amendment** introduced stringent measures to tackle emerging and aggravated forms of sexual violence against children. Among its most notable provisions was the explicit *criminalization of the use of digital media for disseminating child pornography*, acknowledging the growing role of online platforms in perpetrating abuse (Ministry of Law and Justice, 2019). The amendment also made it an offence to *forcibly administer hormones or chemical substances* to children, particularly in the context of sexual exploitation along with trafficking.

Another progressive feature of the amendment was its *victim-centric approach*, mandating **compensation for medical expenses and rehabilitation** thus, ensuring that survivors receive not just justice, but also the necessary support for physical and emotional recovery.

One of the most debated and impactful changes was the introduction of the death-penalty for “aggravated penetrative sexual assault” in cases involving minors. While this was lauded by some as a strong deterrent, it also sparked legal and ethical debates regarding its effectiveness and implications on reporting of such crimes (Bajpai, 2020).

Furthermore, recognizing the heightened vulnerability of children during *natural disasters, communal violence and sectarian conflict*, the amendment also broadened the scope of protection under the Act to include such contexts of heightened risk.

Despite these reforms, *crime rates have not shown a significant decline*, underscoring the persistent challenges in law enforcement, societal awareness and institutional accountability. Thus, while the amendment reflects *India's commitment to strengthening child protection laws*, there remains a need to evaluate the *real-world*

impact of these punitive provisions and to complement them with *preventive, rehabilitative and educational strategies* to bring about holistic change.

ANALYSIS AND INTERPRETATION

Act's Statistical Development

Abuse has widespread long-term effects and is never limited to a single instance; it persists throughout a person's life. The sufferer of child sexual misconduct endures abuse only out of the dread of society, making it a social danger that frequently goes unreported. When one of the known offenders is involved, the situation gets worse. As the Schedule below explains, the country has seen a startling rise in the number cases of child sexual abuse incidents in recent years.

Year	Crime Rate per 100,000 Children	Total Crimes Against Children	Victims of Child Sexual Abuse (approx.)
2013	N/A	N/A	~26,952 (NCRB)
2014	N/A	~89,423	~45,051 (NCRB)
2015	21.1	N/A	~46,027
2016	~24.0	N/A	N/A
2017	28.9	N/A	~129,032
2018	N/A	N/A	~141,764
2019	N/A	N/A	~148,185
2022	36.6	~162,449	N/A

Table 3: Rate of Crimes Against Children and Victims of the Child Sexual Abuse in India (2013-2022)

Sources: NCRB (via national media sources) for overall crimes and crime rate; Kailash Satyarthi Children's Foundation for victims' numbers (2013-2019); Data-full data summary (2014-2022) for national crime growth

*Note: "Only the statistics related to the following Offences have been considered for the calculation from 2013-2019: Rape, Procurement of Minor Girls, Assault against Women, Insult of Women, Insult of Women to outrage her modesty, Buying of girls for Prostitution, Selling of girls for Prostitution, Protection of Children from Sexual Offence Cases and other like Crimes."

** On the NCRB website, appropriate data doesn't seem available.

The rise in reported crimes against children and identified POCSO victims in India from 2013 to 2022.

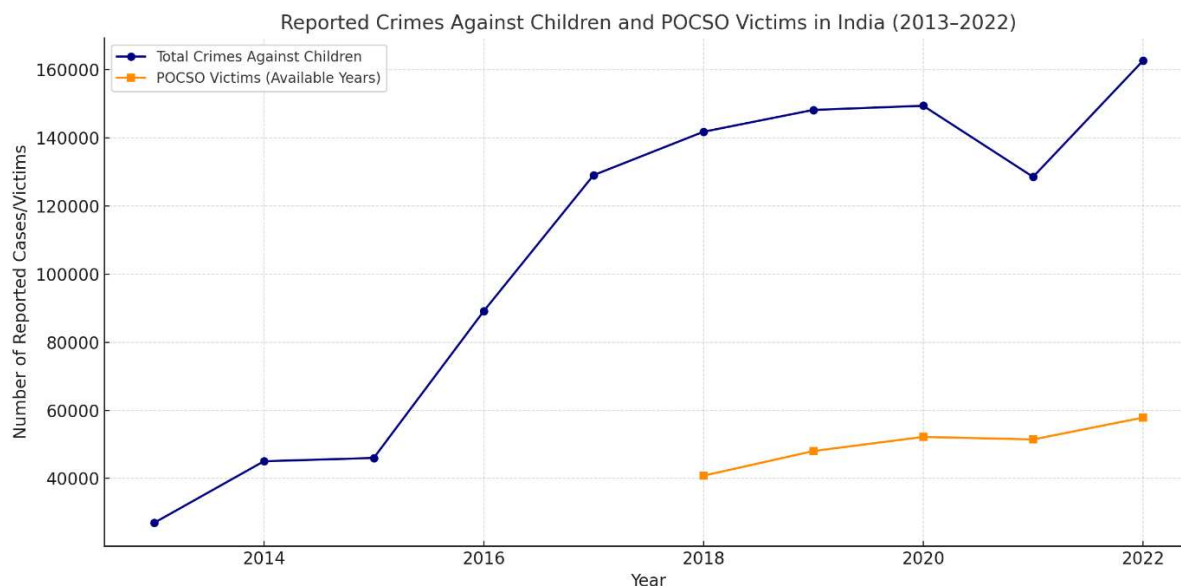


Figure 1.2: The rise in reported crimes against children and identified POCSO victims in India from 2013 to 2022.

The data on crimes against children in India from 2013 to 2022 presents a deeply concerning yet revealing picture of scope along with the reporting of child sexual abuse despite the legislative protections under the POCSO Act. In the immediate years, following the enactment of the POCSO Act in 2012, reported cases began to increase, suggesting both a heightened public awareness and improved mandatory reporting mechanisms. For instance, the number of victims of child sexual abuse rose from approximately 26,952 in 2013 to nearly 46,000 by 2015, almost doubling in just two years (Kailash Satyarthi Children’s Foundation, as cited in Maity & Chakraborty, 2023). This spike indicates a growing responsiveness of the system, likely due to the POCSO Act’s comprehensive definitions of offences and procedural safeguards.

By 2017, the number of victims had surged to over 129,000, and this upward trend persisted with around 141,764 cases in 2018 and 148,185 in 2019. These figures reflect not only the sustained reporting but also possibly a genuine rise in incidence of the child sexual abuse. Even more concerning is the data from 2022, which showed a total of 162,449 crimes against children and a national crime rate of 36.6 per 100,000 children, marking an 81% increase in total crimes against children compared to 2014 (Dataful/NCRB, 2023). These statistics underscore a sobering reality: despite the legal framework, child protection in India faces enduring systemic and societal challenges.

Moreover, the gendered nature of these offences is stark. As per the analysis of POCSO case charges from 2019, approximately 55% of the crimes involved aggravated sexual offences such as penetrative assault under Sections 4 and 6 of the Act, along with rape charges under Section 376 of Indian Penal Code. Shockingly, about 99% of the victims in these cases were girls, though male victimization also showed an increase from 183 cases in 2017 to 268 in 2019 (Maity & Chakraborty, 2023). This highlights the necessity to address CSA as a gender-sensitive issue, while also ensuring male victims are not overlooked.

Another critical concern lies in the methodology used by the ‘National Crime Records Bureau’ (NCRB). Due to the “Principal Offence Rule,” only the gravest offence in a case is registered, even if multiple crimes are committed simultaneously. As a result, many incidents of child abuse may not be reflected in the official data,

leading to underreporting and misrepresentation of the actual crime burden (Factly, 2023). Thus, while the visible numbers are alarming, the hidden or unreported figures may be even more substantial.

This analysis clearly suggests that while the POCSO Act has significantly improved legal provisions and encouraged reporting, the frequency of child sexual abuse has not decreased proportionately. It reveals the need for deeper social reform, improved institutional accountability, gender-inclusive protection, and rigorous implementation of both preventive and rehabilitative mechanisms. Without addressing the root causes such as patriarchal attitudes, lack of sex education and poor support systems. Legislative measures alone cannot curtail the growing menace of child sexual exploitation in India.

POSITIVE IMPACTS ON SOCIETY

The enactment of POCSO Act, 2012 has significantly expanded the scope of child-protection laws in India. One of its most commendable features is its inclusive definition of a “child,” which ensures protection for individuals of all genders, including boys and transgender children and not just girls. The Act adopts a gender-neutral approach by defining a child simply as any person below the age of 18, thereby extending its protections universally, regardless of gender identity or sexual orientation (Rajya Sabha Secretariat, 2013).

The core objective behind this legislation aligns with the principle of deterrence penalising sexual offences like harassment, assault and child pornography severely. However, it also places due emphasis on proportionality, considering the degree of offence while determining criminal liability (National Commission for Protection of Child Rights [NCPCR], 2020). The procedure for reporting ‘sexual offences against children’ is made clear under Section 19 of the Act. It allows for any individual to report a suspected offence to the ‘local police’ or the ‘Special Juvenile Police Unit’. Importantly, the language and style of the report must be child-friendly, ensuring that the child victim is not further traumatised during the process (Ministry of Women and Child Development [MWCD], 2013).

Section 21 strengthens this framework by penalising public servants, particularly police personnel, who fail to record such complaints, thereby promoting accountability. Moreover, Section 23 protects the system from misuse by criminalising malicious or false accusations, which can often harm reputations and hinder genuine cases.

Another transformative feature is the emphasis on *victim-friendly* prosecution. The Act mandates confidentiality of the child’s identity, safeguarding them from media exposure and ensuring their psychological well-being. Chapter VI requires that a female police officer of not less than sub-inspector rank records the child’s statement at their home, preferably during the day and without donning a uniform. This provision seeks to create a more comfortable environment for the child and prevent secondary victimisation (Kumar, 2019). The child must never be made to face the accused during the entire pre-trial or trial process. Statements are ideally recorded in the ‘presence of a parent’ or a ‘trusted guardian’ and if needed, a Magistrate can also step in to record the testimony under Section 164 of Criminal Procedure Code (Cr.P.C.), 1973.

Provisions are also made for children who are mentally ill or physically disabled. Section 26(4) encourages video-recorded testimonies to ensure transparency and prevent distortion. In accordance with Section 164A of the Cr.P.C., Section 27 requires that medical examinations of child victims be performed by a female physician (if the victim is a girl) and, wherever feasible, in front of the parents of the child.

The trial itself is designed to be sensitive to the child’s needs. The child is questioned only through the Court, which decides how to present ‘examination-in-chief, cross-examination or re-examination’ questions proffered

by the prosecution or defence. Interpreters or translators may assist the child during testimony, enhancing the accessibility of the process (Bajpai, 2017).

Perhaps the most defining feature of the POCSO Act is the creation of the Special Courts under Section 28. These courts are meant to conduct speedy trials and have exclusive jurisdiction over POCSO cases, although they may also handle related offences under the Indian Penal Code. Special Courts operate as courts of session and are expected to conclude trials within one year, significantly reducing the trauma of prolonged legal proceedings.

One particularly controversial but impactful provision is the presumption of guilt under Section 29. In POCSO cases, the ‘burden of proof’ is reversed: the Court presumes the accused to be guilty unless they can prove otherwise. This reflects the legal maxim *ei incumbit probatio qui dicit, non qui negat* the burden lies on the one who asserts, not the one who denies (Singh, 2021). While this approach departs from traditional criminal jurisprudence, it underscores the seriousness of the crime and the need to prioritise the protection of minors.

The Act further ensures in-camera trials, preserving the dignity and privacy of the child victim. Oversight and implementation are monitored by the ‘**National Commission for Protection of Child Rights**’ (NCPCR) and respective **State Commissions**, under the umbrella of the Protection of Child Rights Act, 2005. Overall, the POCSO Act has not only laid down a legal roadmap to tackle child sexual abuse but has also fostered a systemic shift toward a more empathetic, survivor-centric justice process in India.

NEGATIVE IMPACT ON THE SOCIETY

While the Protection of Children from Sexual Offences (POCSO) Act, 2012, is a vital legal instrument for child safety, certain provisions have sparked deep concern over their implications on justice and fundamental rights. One of the most contentious elements is Section 29, which introduces a presumption of guilt. Unlike traditional criminal laws where the ‘burden of proof lies with the prosecution’, this provision shifts the **onus probandi** to the accused. In other words, a person charged under the Act is presumed guilty unless they can prove otherwise (POCSO Act, 2012, s.29).

Although such a reversal is intended to ensure swift justice in light of the growing number of the child sexual abuse cases, it runs counter to the cornerstone of the criminal jurisprudence, the **presumption of innocence until proven guilty**. This fundamental legal principal safeguards individuals from wrongful convictions, demanding that guilt be established *beyond reasonable doubt* through credible and corroborated evidence (Narayan, 2022). However, under the POCSO Act, even an accusation can initiate severe legal consequences before due process is fully observed.

This scenario is particularly alarming when malicious prosecutions occur. Innocent individuals may become entangled in false cases, facing social stigma, professional loss and mental distress. Such misuse turns the law into a *weapon of harassment*, rather than a shield for the vulnerable. The limited timeframe, just one year for the accused to prove their innocence further amplifies the psychological and procedural burden (Menon, 2021). A tragic illustration of this was seen in **Kerala**, where a ‘51-year-old music teacher’ named *Narendra Babu* was accused of sexual harassment under POCSO and allegedly *died by suicide*. In his note, he claimed he was framed by colleagues. This reflects a terrifying consequence of [false accusations] and the devastating ripple effects on mental health, reputation, and dignity (Kumar, 2023).

The **Kerala High Court**, while acquitting an accused in a similar POCSO case, strongly remarked:

“Child molestation is a disgrace to society, regardless of forensics or semantics; however, if the accusations

are untrue, it can be fatal for the accused, especially if they are parents, even if they are ultimately found not guilty” (Kerala HC, 2022).

Such cases underline the need for balanced laws, laws that protect the child without compromising the constitutional rights of the accused. Safeguards must be put in place to differentiate genuine cases from fabricated ones, possibly through stronger preliminary inquiry, mental health support for the accused and complainant and continuous judicial oversight. Without such mechanisms, the well-intended legislation may risk becoming an instrument of injustice and social alienation.

Year	Cases under Sections 4 & 6 + IPC 376	Cases under Sections 8 & 10 + IPC 354	Cases closed as FIR False	Cases closed as Mistake of fact/law or civil disputes	Cases true but Insufficient evidence/untraced/no clue
2017	24,144	16,331	556	243	612
2018	29,412	19,893	440	459	663
2019	35,297	23,148	728	448	1,147
2020†	—	—	—	—	—
2021†	—	—	—	—	—
2022†	—	—	—	—	—

Table 4: Disposal Patterns for POCSO Cases (Sections 4 & 6, and 8 & 10) – India, 2017–2022

Sources: Detailed national breakdowns for these categories are not available in published sources beyond 2019. However, according to Kailash Satyarthi Children’s Foundation and ICPF, by January 2022, over 226,728 POCSO trials were pending and annual constitution of Fast Track Special Courts (FTSCs) resulted in an estimated 37,934 POCSO cases disposed in that year constituting approximately 52% of cases in functioning courts

From 2017 to 2019, a sizeable portion of POCSO cases were marked as “**true but insufficient evidence/untraced**,” indicating ongoing challenges in crime detection, investigation and evidence gathering. The presence of cases dismissed as “**FIR false**” or “**mistake of fact or law**” likewise points to wrongful registrations and potential misuse of the law, risking innocent lives and undermining public trust. While official data beyond 2019 is limited, reports from government and child protection agencies confirm that **Fast-Track Special Courts (FTSCs)**, established from October 2019 onward, have collectively disposed of only about **52%** of pending POCSO and rape cases by end-2023, leaving over *214,000 cases unresolved* (India Child Protection, 2024; Times of India, 2024). Some states face stark backlogs, with projections suggesting *Delhi alone requires 27 years* to clear its pending caseload under current disposal rates (Times of India, 2023). This steep pendency exacerbates delays for victims and highlights persistent gaps in judicial infrastructure, police training and procedural enforcement starkly at odds with POCSO’s mandate for one-year trial timelines and priority for child rights (NCRB/ICPF, 2023).

SOCIETAL AND LEGAL IMPLICATIONS: A CRITICAL APPRAISAL

The real concern is not merely the “presumption of guilt,” but the lasting social stigma and irreparable damage to an individual’s reputation even if acquitted by a court of law. The mere accusation under the POCSO Act can result in *ostracization*, loss of livelihood and immense mental trauma. Therefore, it becomes essential to ensure that this powerful law is not misused as a “weapon of harassment”. While Section 22 of the Act does penalize false complaints, its deterrent effect remains questionable in practice. A more robust solution would be to protect the identity of the accused until a conviction is secured, thus safeguarding innocent individuals from premature public vilification (Kailash Satyarthi Children’s Foundation, 2021).

Another controversial aspect lies in how the law handles **consensual sexual activity between adolescents**. Individuals aged 16 to 18 are not recognised as having legal capacity to consent, and hence, even mutual relationships between two minors or between a minor and a young adult are criminalised. For instance, a consensual relationship between a 17-year-old girl and her 19-year-old boyfriend can lead to criminal charges under the Act against the boy, despite mutual agreement (Nair, 2018). This strict legal stance fails to consider evolving social dynamics and the maturity of older adolescents, inadvertently *criminalising teenage relationships*.

Moreover, while the POCSO Act is lauded for being ‘gender-neutral’ in its protection of children, it displays gender bias in its handling of perpetrators. The text of the law predominantly refers to the perpetrator using male pronouns like “he”, implying an assumption that only men can be sexual offenders. Women are effectively shielded from prosecution under the Act despite reports and studies showing that *female sexual abuse of children*, though less common, does exist (Bhalla, 2021). This omission not only *undermines the principles of gender neutrality* but also weakens the overall protective framework of the legislation.

The interpretational shortcomings of the Act also raise concerns. A widely criticised judgment by Nagpur Bench of the Bombay High Court in ‘*Satish v. State of Maharashtra*’ brought this to the forefront. Justice Pushpa Ganediwala ruled that “**skin-to-skin**” contact is a prerequisite for an act to qualify as “sexual assault under *Section 7 of the POCSO Act*.” Since the accused had allegedly groped a child’s breast over her clothing, the act was not considered “sexual assault” under the court’s interpretation (*Satish v. State of Maharashtra*, 2021). This narrow reading of the law defeats its spirit and prompted nationwide concern regarding *judicial sensitivity* in cases involving children.

These examples reflect deeper structural gaps in the POCSO Act. While it serves as a crucial tool for child protection, its *rigid and flawed implementation*, lack of inclusive language and *over-criminalisation of adolescent behaviour* undermine its effectiveness and create new sets of victims those who are falsely implicated, unfairly judged or excluded from the protective net altogether.

IMPLEMENTATION OF THE ACT

In response to the growing recognition of child sexual abuse as an “emerging concern,” the ‘**National Policy for Children (2013)**’ and the ‘**National Plan of Action for Children (2016)**’ laid out an integrated framework urging Central and State Governments, Child Welfare Committees and national commissions to develop targeted interventions. The implementation of the POCSO Act has been reinforced through a range of policy tools, digital platforms, institutional mechanisms and outreach programmes.

To streamline the reporting process, the ‘**Ministry of Women and Child Development**’ launched the *POCSO E-Box* on **August 26, 2016**- an online platform that allows children or adults to report incidents of sexual abuse anonymously and conveniently. This initiative was pivotal in simplifying complaint registration and ensuring faster institutional responses (Ministry of Women and Child Development [MWCD], 2016).

In collaboration with **UNICEF**, the Ministry also aired a public awareness campaign on *Doordarshan* from **October 2 to 9, 2019**, to familiarize the broader population with the provisions of the POCSO Act and children’s rights (UNICEF & MWCD, 2019).

The ‘**Ministry of Human Resource Development**’ (**MHRD**) issued directives mandating the installation of *POCSO Boxes* in all schools, enabling students to discreetly report offences. Furthermore, MHRD supported the screening of *KOMAL*, an animated film designed to sensitize students to the issue of sexual abuse. The initiative also ensured that NCERT textbooks prominently displayed the *Childline Helpline Number (1098)* and *POCSO E-Box* information (MHRD, 2020).

To facilitate time-bound investigations of grave offences under the Sections 4 and 6 of the POCSO Act (read with Section 376 IPC), the ‘**Ministry of Home Affairs**’ created the ‘*Investigation Tracking System for Sexual Offences*’ portal. This digital tool ensures accountability among investigating agencies. Alongside this, the **Bureau of Police Research and Development (BPR&D)** has developed child-sensitive training modules to equip law enforcement officers with skills required for handling POCSO cases with empathy and professionalism (BPR&D, 2021).

The **POCSO Rules, 2020** introduced additional procedural safeguards and mandated awareness campaigns, training for stakeholders and victim support mechanisms. These rules particularly emphasized the need for community-level interventions and psychosocial support (MWCD, 2020).

One of the most significant structural reforms was the introduction of *Fast Track Special Courts (FTSCs)* by the *Department of Justice* under the *Nirbhaya Fund*. A total of **1023 courts** were proposed, of which **389** were to be exclusive POCSO courts in high caseload districts. The remaining **634 courts** were to be established based on evolving case volumes and administrative needs. These courts aim to reduce pendency and provide timely justice to victims of sexual offences (Department of Justice, 2021).

Taken together, these institutional and policy-level developments demonstrate a multi-layered commitment by the Indian State to implement the POCSO Act not merely as a statutory framework but as a dynamic and evolving system of child protection.

LOOPHOLES IN STRATEGIES OF IMPLEMENTATION

Despite the well-intentioned efforts and institutional mechanisms introduced to implement the POCSO Act, several critical loopholes continue to undermine its effectiveness at the ground level. One of the most glaring issues is the *pre-trial withdrawal of cases*, which remains a significant weak link in the chain of justice delivery. These withdrawals often occur due to a complex interplay of societal, economic and institutional pressures.

Firstly, a large proportion of perpetrators in child sexual abuse cases are known to the victim often trusted family members, relatives, neighbours or individuals in positions of authority. This close relationship fosters a climate of fear, guilt and honour-based pressure. To protect the family's reputation, the victims and their legal guardians frequently take back the initial assertions they made when filing a FIR. As evidenced by data from the '**National Crime Records Bureau**' (NCRB) and the '**Ministry of Women and Child Development**' (MWCD), this pattern is not a one-time anomaly but a recurring trend, with nearly half of the accused falling within the category of 'known persons.'

Secondly, victims from economically disadvantaged backgrounds often find it impossible to sustain the fight for justice due to financial and social vulnerability. The long, emotionally draining judicial process often without adequate legal aid or psychosocial support makes them susceptible to *intimidation or coercion*. Consequently, many victims either turn hostile during the trial or withdraw their complaints altogether.

Thirdly, the influence of socio-economic status plays a decisive role in the manipulation of investigative procedures. Accused individuals from affluent or politically connected backgrounds often exert undue pressure on the police machinery. This results in manipulation or distortion of official records and investigative findings, thereby *derailing the possibility of a fair trial*. Corruption and systemic bias continue to act as formidable barriers for justice-seeking children and their families from marginalized communities.

Fourthly, the legislative and policy framework mandates bodies such as the '**National Commission for Protection of Child Rights**' (NCPCR) and the '**State Commissions**' to regularly monitor, evaluate as well as report on the status of the Act's implementation (as per **Section 44 and Rule 6 of the POCSO Act**). However, in reality, there is a *glaring lack of transparency and accountability* in how these bodies function. Information about the tools, frameworks and metrics they employ to assess performance is largely inaccessible to the public. This opacity severely limits the ability to identify shortcomings, learn from past patterns and institute course corrections.

In light of these issues, it becomes clear that while India's legislative architecture on child protection is robust on paper, *the actual implementation continues to suffer from deep structural and operational shortcomings*. Bridging this gap requires not just institutional reform, but also a strong political and social will to prioritise the rights and safety of children.

Year	Cases Investigated (u/s 4 & 6 + IPC 376)	Cases Completed Investigation	Cases with Final Report but No Chargesheet	Cases with Chargesheet Submitted (% of investigations)
2017	44,924	29,817	1,700 (6%)	28,063 (94%)
2018	54,924	37,718	2,080 (6%)	35,568 (94%)
2019	65,184	45,760	2,984 (7%)	42,681 (93%)
2020-22	—	—	—	—

Table 5: Police Disposal of POCSO Cases (2017–2022)

Sources: Category-wise data for 2020–2022 (investigation vs. charge-sheet outcomes) is not published in the Crime in India reports. However, charging rates remained robust (~94%) whereas pendency continued to rise (ICPF & Leila Seth Fellowship data)

Interpretation Summary

The data from 2017 to 2019 paints a telling picture: India’s police machinery appears quite proactive in investigating child sexual abuse cases under POCSO. In over 93% of completed investigations, charge sheets were filed, this means that once a case was taken up, police usually followed through. It reflects a commendable level of procedural diligence and intent to hold perpetrators accountable.

However, beneath this efficiency lies a troubling disconnect. A small but persistent percentage of cases around 6% were closed without charges, often dismissed as false complaints or due to lack of evidence. In a country where victims already struggle to report abuse because of fear, stigma or family pressure, this small fraction still translates into thousands of children’s voices potentially going unheard.

More alarmingly, the consistent police follow-up did not translate into justice in the courts. As the pandemic hit and judicial backlogs grew, a disturbing reality emerged: despite the police doing their part, the courts were unable to keep up. By 2020, over **94% of POCSO cases were still pending trial**, meaning that even after filing a case and undergoing investigation, most victims had not seen any resolution. This delay not only undermines the promise of justice but also re-traumatizes the children and families involved prolonging uncertainty, stress and social alienation.

This summary underlines a critical truth: while legislative intent and police action are key pillars of child

protection, the **justice system is only as strong as its weakest link**. Without timely trials and coordinated institutional support, laws like POCSO risk becoming symbolic gestures rather than instruments of real change. The data reveals a silent but pressing concern between **6% and 7%** of cases under *POCSO Act* were *closed at police level without ever reaching the courtroom*. In 2017-18, 6% of all pending investigations were resolved without filing a charge sheet, and by 2019, that number nudged upward to 7%. While this may appear numerically minor, it actually translates to *nearly 3,000 children whose cases were effectively shut down before a judge could even examine the facts*. Behind each percentage point lies a story, a silenced child, a distressed family, and a justice system that, somewhere along the line, let go of the pursuit.

On the brighter side, there's a discernible improvement in the pace of investigations. In **2017, 66.37% of cases** had investigations finished within the year; in **2019**, that number steadily **increased to 70.02%**. This upward trend indicates that '*training and capacity-building programs led by the Ministry of Home Affairs*' may be yielding results. Timely investigation is a crucial first step in delivering justice, especially for children who cannot afford years of delay. It ensures that evidence is fresh, trauma is not prolonged and faith in the system is preserved.

In a landscape where every delay can deepen the trauma, this slight acceleration offers a glimmer of hope but it must be matched with judicial responsiveness and long-term institutional commitment.

OBSERVATION

The POCSO Act, hailed as a landmark piece of child protection legislation in India, was introduced with the noble intent of shielding minors from sexual offences. It introduced progressive, child-sensitive provisions such as victim-friendly trial procedures, a simplified reporting mechanism and even the *presumption of guilt*, which shifts the '*burden of proof*' from the '*child victim to the accused*', an extraordinary departure from conventional criminal jurisprudence (The Protection of Children from Sexual Offences Act, 2012).

Yet, despite these ambitious safeguards, *implementation on the ground remains uneven*. While the Act encourages both children and their guardians to come forward and report abuse, *many victims still face hurdles in accessing justice* ranging from fear of social stigma to procedural delays and insensitive handling by law enforcement (Kumar, 2020).

Sections such as *Section 29*, which presumes the guilt of the accused, and *Section 2(d)*, which defines "child," need to be *re-evaluated in the context of real-life adolescent consensual relationships and gendered impact*. Without a comprehensive awareness drive and reforms that address the gaps between *law and lived experience*, the transformative potential of the POCSO Act may remain largely aspirational. Children deserve not just protection in law, but protection in practice and that calls for a much stronger, community-engaged and trauma-informed implementation framework.

CONCLUSION

After a comprehensive review of the provisions of the Protection of Children from Sexual Offences (POCSO) Act and an in-depth statistical analysis of its impact on Indian society, several important conclusions emerge. Firstly, not only does the POCSO Act protect children from being sexually abused, but it also satisfies India's international obligations to protect and uphold children's rights. This strongly supports the first hypothesis, affirming that the Act is both a necessary and legally sound instrument in India's child protection framework. Secondly, the empirical and qualitative data examined in the course of this research confirms the positive

societal impact of the Act. The second hypothesis is validated by the fact that the implementation of POCSO has enhanced the visibility of the child sexual abuse as been a serious issue and has spurred efforts across legal, social and institutional platforms to respond more effectively.

Thirdly, the findings presented in Table 2 clearly indicate a substantial increment in the reporting of child sexual abuse cases over the years. While this may appear as a rise in the overall crime rate against children, it also reflects an increasing willingness among victims and families to come forward, a development that speaks to the growing trust in the legal system. Consequently, the third hypothesis is also affirmed, highlighting how legal reform, when combined with public awareness and institutional support, can bring hidden crimes into the light and create pathways to justice for vulnerable populations.

RECOMMENDATIONS

To bridge the gap between legislation and its real-world impact, several actionable recommendations emerge from the analysis of the POCSO Act's implementation. First and foremost, there is a dire need to raise the public awareness about law and its provisions. In a country as diverse and populous as India, ignorance of the law cannot be used as a shield against accountability. Yet, a majority of the population especially in rural and marginalized communities remains unaware of what the POCSO Act entails. This 'lack of awareness' undermines the very essence of legal empowerment. While initiatives like "**Childline 1098**" have made commendable strides in child protection, a systemic effort involving schools, media, community outreach and vernacular-language campaigns must be introduced to educate both the children and their caregivers about their rights along with legal remedies. An informed citizen is not just a protector of law, but a stakeholder in justice.

Secondly, the Act demands a *uniform and effective implementation* policy across all the states and the union territories. Presently, inconsistencies in the functioning of child welfare committees, special courts, and police units hamper the timely and sensitive handling of cases. The central government must spearhead the development of a cohesive national action plan that addresses the root cause of the child sexual abuse ranging from poverty and illiteracy to easy access to 'sexually explicit online content' and socio-cultural stigmas. This can include developing a centralised database for sexual offenders, incentivizing the training of child psychologists and creating child-friendly spaces in police stations and courtrooms.

Another recommendation is to *enhance school-based psychoeducational programs*, making them mandatory in both public and private educational institutions. Age-appropriate modules on personal safety, consent, good and bad touch and digital risks should be part of the curriculum. Trained counsellors must be employed to foster a safe environment where children feel comfortable reporting concerns. These programs must also extend to training teachers, non-teaching staff and parents to recognize signs of abuse and take timely action. Further, *strengthening digital surveillance and reporting infrastructure* is crucial. In an era of growing cybercrimes against children, integrating Artificial Intelligence tools and data analytics into child protection mechanisms can help flag online grooming, track repeat offenders and reduce systemic delays. A national-level mobile app or chatbot for children backed by legal, medical and psychological assistance could make reporting more accessible and less intimidating.

Additionally, the judiciary must ensure *accountability and sensitivity* in handling POCSO cases. Fast Track Special Courts (FTSCs) need better funding, regular training, and infrastructure upgrades. Judges and public

prosecutors dealing with child sexual abuse cases should undergo continuous capacity-building in trauma-informed justice. Periodic performance audits should be introduced to check pendency and ensure timely disposal.

Lastly, the government should consider establishing *free legal aid cells and crisis intervention* centers dedicated to POCSO cases, particularly in districts with a high incidence of abuse. These centers should offer legal guidance, psychological counselling, temporary shelter and medical care under one roof, thus ensuring holistic support to survivors.

In conclusion, safeguarding children from sexual offences requires a multi-pronged, inter-sectoral approach involving the state, civil society and private sector. The law cannot succeed in isolation, it must walk hand-in-hand with awareness, institutional capacity, digital innovation and empathetic governance.

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