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**WHY CHILD ARE VICTIMISED TO SEXUAL OFFENCES WITH
SPECIAL REFERENCES TO PREVENTION OF CHILDREN FROM
SEXUAL OFFENCES (POCSO ACT)**

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ABSTRACT

The nature, incidence, and impact of child sexual abuse as well as the Indian legislation and case law concerning child sexual abuse are demonstrated in social science. This article presents an overview of social impact and an overview of Indian statutes and legislation on sexual abuse of children.

INTRODUCTION

In India, even after two decades of adoption of the 1989 UN Convention on the Rights of the Child (UNCRC), child's sexual abuse law was primarily obsolete. The general criminal law of the Indian Penal Code 1860 (IPC) was punishable for child sexual abuse. A significant inadequacy of reports of cases and legislation in India has been due to the sensitivity of the problem of child sexual abuse and the hesitation of victims to report events.

The computer revolution in India was announced in the late 1990s. Child pornography is evident from India in the early 2000s. The American media have reported widely that several Indian professionals have been involved via internet methods in disgraceful situations involving sexual assault of youngsters. In India, statistics on the topic of child sexual abuse were flagrantly absent. There occurs a lack of required community-help & inadequate criminal processes which prevents the offender in the earliest phase, because the Indian criminal law machinery alone is not proactive. After the enactment of the Commissions for Protection of Child Rights Act, 2005, a

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National Commission for Protection of Child Rights was established in 2007. Various governments then set up their State Commissions for Protection of Child Rights.

The concept of sexual abuse has been prevalent under the garb of child prostitution and child marriage. The latter has been a custom and thus a frequent type of sexual abuse. A strong apprehension of misuse of girl child and fear of Indian families has appreciated various forms of cultural and social tradition. There is a so-called "conspiracy of silence" over sexual abuse of children. The result is that there are no reports of different forms of sexual assault.

DEFINITION-CHILD SEXUAL ABUSE

Many international organizations have produced distinct definitions of sexual abuse in children. Although they are comparable, there are also some light distinctions and certain key definitions are instructive.

The WHO's Report for the Child Abuse Prevention Consultation (1999) defines child's sexual abuse and states that they (child) are not able to give their informed consent or infringe society's laws and social taboos. Such act occurs between a child & an adult or between a child & another child who may attain the position of responsibility, confidence or power and behavior of wrongdoer is meant to satisfy or meet the wants of the other person. It involves an incitement or pressure to engage a child in some illegitimate action which may involve the exploitation of a child by prostitution or other illicit sexual activities, and the exploitation of children in pornography and materials.²

The Council of Europe defines Sexual Abuse:

Sexual activities which involve a child who has not attained the legal age of a child under national law (not involving consensus between minors).

Sexual activity committed towards a child using coercion, force or threats or abuse of the recognized confidentiality, author-competence, or threat of violence.³

Sexual abuse was described as inappropriate sexual activity with a child in the 2007 MWCD report. They include the creation of a child's genitals, making the child caress adults' genitals, sexual assault, exhibitionism, and pornography (intercourse, incest, rape, sodomy).

² World Health Organization. (1999). Report of the Consultation on Child Abuse Prevention. Geneva, 29–31 March. Document WHO/HSC/PVI/99.1 at p. 62.

³ Art. 18, Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

These actions should be perpetrated by an individual who attains the responsible to look after a kid or is linked to the child, to be deemed child abuse (e.g., a childcare officer, parent, neighbour, family member of the larger family, peer, older child, friend, stranger, or daycare provider).⁴

In the MWCD 2007 report, Sexual Abuse was classified into two forms:

- Severe form of sexual abuse includes: -
 - assault, including rape and sodomy.
 - touching or fondling a child.
 - exhibitionism: forcing a child to exhibit his/her private body parts; and
 - photographing a child in nude.
- Other includes:
 - forcible kissing.
 - sexual advances towards a child during travel.
 - sexual advances towards a child during marriage situations.
 - exhibitionism: exhibiting before a child; and
 - exposing a child to pornographic materials.

Indian Statistics on Child Victims of Sexual Offences

The National Bureau of Crime Records (NCRB) is the State Agency that maintains crime incidence statistics. In the absence of any government agency which records statistics on child sexual abuse and in the absence of any other reporting agency other than police stations, still the official POCSO reporting machinery in India, NCRB reports traditionally have been used to find out the incidence of the crimes reported.

All other offences harming minors in accordance with Sec. 354, 377 and 509 of the IPC were clubbed with other crimes between 2001 and 2013, barring rape of children. Specific data on the incidence of child sexual abuse in India cannot therefore be obtained by 2013 in the NCRB reports. The 2014 NCRB report provides precise statistics on the condition of crimes in India including the disposition of cases and people apprehended by police and courts for various offences. All other offences harming minors in accordance with Sec. 354, 377 and 509 of the IPC were clubbed with other crimes between 2001 and 2013, barring rape of children. Specific data on the incidence of child sexual abuse in India cannot therefore be obtained by 2013 in the

⁴ <http://www.childlineindia.org.in/pdf/MWCD-Child-Abuse-Report.pdf>

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NCRB reports. The 2014 NCRB report provides precise statistics on the condition of crimes in India including the disposition of cases and people apprehended by police and courts for various offences.

- Data of offences committed under sec. 375 and 376 of IPC:

In 2014, rape rates of girls per lakh of the population were 3.1%. Kerala had an 8.1%, Goa rate at 11%. In Mizoram it was 24.5%, the highest incidence rate.⁵ In 2015, the girls' rape rate was 2.4%. The rates for Kerala and Goa were 7.7% and 9.6% respectively. At 19.1%, the Andaman and Nicobar Islands had the highest rate, followed by Delhi with 16.6%.⁶

- Data of offences committed under sec. 354 of IPC:

Sec. 354 of the IPC includes crimes concerning assaults against women (girl children) in order to abuse their modesty (sexual harassment, assault or criminal force against girls, voyeurism and stalking), among other things. In 2014, the incidence rate in the lakh population was 2.5%. The rate was 2.1% for Kerala and 7.7% for Goa. Delhi with highest incident reported at 19.1%, followed by Mizoram 8.6%, Madhya Pradesh 8.1% and Tripura 7.4%. In 2015, the rate was 1.9%, with a 2.6% for Kerala and a 5.4% for Goa. Delhi has the highest incidence at 15.6%, followed by the Andaman & Nicobar Islands with 8.8%.

- Data of offences committed under sec. 377 of IPC:

In 2014 the total incidence of unnatural offences against children was 0.2%.

Kerala has a 1.1% rate. Mizoram recorded a 1.1% rate. With 1.2%, Haryana had the highest rate. The incidence rate for 2015 was 0.1%, while Kerala was 0.4% and Goa 0.1%. Haryana likewise recorded an incidence rate of 0.4%, with 3% in Punjab.

- Offences under POCSO:

For 2014 specific detailed data on the offences under five headings was available: sect. 6 (punishment for aggravated, penetrative assault), sec. 8 (punishment for a sexual assault), sec. 10 (punishment for aggravated sexual assault), sec. 14 (punishment of pornographically use) and sec. 15 (punishment for storing child pornography), The crime rate was 2.0% per lakh of population. In Kerala, the rate was 4.7%. At Goa the rate was

⁵ Chapter 6, Crime in India, National Crime Records Bureau, 2014.

⁶ Chapter 6, Crime in India, National Crime Records Bureau, 2015.

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0.8%. The highest percentages were 11.3%, and 11.4% respectively, for Mizoram and Sikkim. In 2015, the rate was 3.3% with Kerala 5.5%. Mizoram has the most incidence rate at 30.7%, followed by Sikkim at 26.6%.

The 2014 and 2015 NCRB reports show that clear statistics are being collected on crimes of child sexual abuse that help collect authentic data on the incidence of child sexual abuse. However, there are no defined methods for data collecting to assess prevalence trends. This confirms the connection with disclosure/non-divulgence, social taboos, inhibitions of the family as well as other obstacles – but it also relates to justice concerns.

Why are Children Victimized of Sexual Offences?

Indian tradition has always been patriarchal and dominant, and the child is always protected and nurtured by it. In addition, they employ force to discipline children and they believe that it is good for the growth of children.⁷

Only individual elements that are not accountable for child sexual abuse but also other factors collectively responsible for that repulsive crime. And it may be categorized as follows

Exploitation:

Children's exploitation in commercial or domestic labor involves child labor. Sometimes this exploitation leads to sexual harassment. Because the child's laborer and his family are in his hands. This exploitation is not only harassment or child labor but impacts on a child's physical, mental health, education, moral and social development.⁸

- **Poverty:**

Poverty is a grave cause of sexual abuse of children. Most sexual abuse instances come from disadvantaged homes. Where the trend is to sell the child to meet its everyday necessities. Parents often feel they are allowed to intoxicate the child because they brought a child into the world. It's not that every child's sexual abuse exclusively comes from poor households, including middle class and rich ones. Poor and poor children are victims of adult abusers who claim to help but benefit from them.

- **Stress:**

Stress also a major cause of sexual abuse of children. In present days, one side is accountable for the peaceful action of an individual. On the other hand, there are other

⁷ <https://nhrc.nic.in/sites/default/files/ChildrenRights.pdf>

⁸ <https://apps.who.int/iris/handle/10665/65900>

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elements that make your life difficult. Unemployment, illness, bad living conditions, family elongation, low income, lack of facilities, complex inferiority, etc.

- **Lack of Education:**

The foundation to a child's future is education. Failure to do this leads to huge difficulties for them. Uneducated children are more vulnerable than school protection services and are more exposed to abuse.

- **Health Condition:**

In comparing with others, childhood sexual abuse is more likely to be reported to children living with a poor mental condition, learning disability and physical disability.

- **Homelessness:**

Children without homes are much more susceptible to sexual abuse. Some are extremely young and suffer sexual abuse. They have become a victim. Homeless children are high in domestic violence, sexual abuse, and other types of interpersonal brutality.

- **Unemployment:**

Unemployment is also a major source of sexual abuse of children. Even divorce, alcohol addiction, poverty and many more can cause. An individual may lead to any sort of abuse to cope with the stress of unemployment, and one is sexual abuse. Heterogeneous effects reveal that the impact of unemployment on young children is higher. And if one unit of unemployment increases, then every form of abuse ultimately increases.⁹

- **Acquaintance:**

Children believe in the person they know, and cannot oppose their behavior, even if they find it uncomfortable.¹⁰

- **Parent's Age:**

Parents' age counts a lot in their child's management. If the parents are too young to care for their children, their children are at high danger. They don't take good care of their children's needs. Because they don't know how specific circumstances can react. It is therefore also a cause of sexual abuse.

- **Mental Health Problem:**

⁹ http://conference.iza.org/conference_files/Gender_2017/de_cao_e6099.pdf

¹⁰ <https://epgp.inflibnet.ac.in/Home/ViewSubject?catid=32>

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A person who has depression or psychiatric illness is significantly more likely to abuse others. His desires are unfettered, and his children are sexually molested in such a mental condition.

- **Lack of Self Confidence:**

Persons with insufficient self-confidence are more likely to abuse others since they often look worthless. Many studies show that a person was lured to evil very early because of the human tendency.

EFFECTS OF SEXUAL ABUSE ON CHILD VICTIMS

The effect of child sexual abuse on the victim is distinct. Children who suffer from such atrocities may suffer the adverse effects which may differ according to one's type, severity and scope differ. The Short-term impacts include despair, suicide, sexual promiscuity, the cycle of trauma & academic underperformance. Adult sexual abuse in children may involve long-term depression, low self-esteem, hostility, anxiety, obsessions and coercion, sexual dysfunction, self-mutilation, suicide trends, dissociations, issues with drug misuse, relations, and multiple psychiatric conditions. Child sex abuse is commonly reported among children with a history of child sex abuse to externalize issues such as sexual behavior problems, hyperactivity, aggression, attention deficit and hyperactivity disorder, increased hyperactivity and abuse, and a high prevalence of behavioral disorder in sexually abused children. Internalizing disorders include depression and anxiety, such as phobia, anxiety, separation, and obsessive-compulsive-disorders

Analysis of Protection of Children from Sexual Offences(POSCO) 2012,Act

The Ministry of Women and the Development of Minors supported the passage of the POCSO (2012) Act to effectively address the heinous crimes of sexual abuse and sexual exploitation of children through less unclear and more strict legal requirements. The Act protects children against crimes of sexual assault, sexual harassment and pornography and lays forth special courts for the prosecution of these crimes and related situations.

The Act was revised in 2019 to provide for increased penalties for certain crimes to deter criminals and guarantee a child's protection, safety, and dignified childhood.

Salient Features of the Act:

- The Act is gender-neutral and deals with children's best interests and welfare in every step of the way to ensure the children's healthy physical, emotional, intellectual, and social development.

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- To achieve a healthy physical, emotional, intellectual, and social development in the kid, a child is defined as anyone below the age of eighteen. The Act takes the best interests and well-being of a child into consideration at each stage.
- It defines a range of forms of sexual abuse, including penetrating and penetrating assaulting, sexual harassment, and pornography and, under certain circumstances, considers a sexual aggression to be "aggravated" as, for example, a mental abuse of the abused child, a person in a position of trust or authority about the child, such as a family member, a law enforcement agency,
- Persons trafficking in children for sexual ends are likewise penalized by the abatement provisions of the Act. The Law provides for severe penalties graded by the seriousness of the crime, with a maximum duration of life and punishment.
- "Child pornography" is defined as any visual representation of a child's sexually explicit behavior, including photographs, images generated by video, digital and computers which cannot be distinguished from the current child and images which have been created, adapted, and altered and which appear to represent a child.
- Punishment for the offences:
 - Penetrative sexual assault on a child (Sec. 3) - No less than 10 years that can extend to life imprisonment and fine (Sec. 4). Any individual committing a penetrating sexual offence on a person under the age of sixteen is punished by imprisonment for a length of imprisonment of no less than twenty years, which is life imprisonment for the balance of that person's natural life and is also liable for fine.
 - Aggravated Penetrative sexual assault (sec. 5) – No less than 20 years in prison which may extend to imprisonment for life, and fine (Sec. 6)
 - Sexual assault (sec. 7) — not less than three years, which may extend five years, and fine — that is, sexual contact without penetration (Sec. 8)
 - A person in power aggravated sexual assault (sec. 9)—not less than five years, which may extend to seven years and all right (Sec. 10)
 - Child Sexual Harassment (Sec.11) — Three years and fine (Sec. 12)

- Pornographic use of a child (Sec. 14) — not less than five years, fine, and in the event of subsequent conviction, seven years, and fine sec. 14 (1)
- Sexual assault (sec. 7) — not less than three years, which may extend five years, and fine — that is, sexual contact without penetration (Sec. 8)
- A person in power aggravated sexual assault (sec. 9)—not less than five years, which may extend to seven years and all right (Sec. 10)
- Child Sexual Harassment (Sec.11) — Three years and fine (Sec. 12)
- Pornographic use of a child (Sec. 14) — not less than five years, fine, and in the event of subsequent conviction, seven years, and fine sec. 14(1)
- Pornographic use of children that leads to pervasive sexual assault: not less than 10 years (in case of child below 16 years, not less than 20 years)
- Child use for pornographic reasons leading to aggravated penetration of sexual assault: not less than 20 years of age and well
- Use of the child for pornography that leads to sexual assault: up to a period of up to three years
- Child use for pornography leading to aggravated sexual assault t: not less than five years, up to seven years
- Any person that, in any form involving a child, stores or owns pornographically materials but failed to delete or destroy or report the same, as may be prescribed, to a designated authority with the intention to share or transmit child pornography — fine of not less than Rs 5,000; fine of not less than Rs 10,000 in the case of second subsequent offence.
- Anybody who, except for the purposes of reporting as prescribed, or for use as evidence in court, stores or holds pornographic material for transmission or propagation, display, or dissemination, in any form whatsoever, shall be punished by imprisonment for the purposes set out in the following description: Up to three years in prison, or fine, or both.
- Where a person maintains or holds pornographically material in any form involving a kid for business purposes, the first conviction shall be punished: Not less than three years in prison for a period of five years; or fine or both. Or

with both. Second or subsequent convictions: not under five years, up to seven years, and fine.

ROLE OF JUDICIARY

- *In Ghanshyam Misra v. The State*¹¹: The Orissa Court of Appeals imposed the sentence imposed upon Ghanshyam Misra, a schoolteacher who raped a 10-year-old girl in the school premises, in 1956 stating the crime done by an offender attaining the position of faith or authority on a child. Accused (39) used his influential position upon the girl of 10 years (student) by taking her into the school room to accomplish the cruel incident which may ruin the girl's future life. The court held the sentence to seven years, but also ordered the accused to pay the compensation to the father and child.
- *In Gurcharan Singh v. State of Haryana*¹²: The accused 'caught a girl under 16 years old forcefully in their fields in front of the community where he rapes her. The Court concluded that she was under 16 years old when she simply lacked signs of violence against the victim.
- *In Tuka Ram and Anr. v. State of Maharashtra*¹³: The Mathura rape case was an incidence of custodial rape on 26 March 1972, in which two police officers in Chandrapur district of Maharashtra raped Mathura (tribal girl) who was a child at the time. The release of the accused by the Supreme Court led to public demonstrations and outrages which created way to the amendments of the Indian rape law by the Criminal Law (Second Amendment) Act 1983.
- *In Gorakh Daji Ghadge v. The State of Maharashtra*¹⁴: The High Court of Bombay held that seminal emissions were not sufficient to establish rape. The father was accused of rape for his 13-year-old daughter at home. The victim was the daughter of the perpetrator and was punished severely. It was stated that "*Crimes in which women are victims need to be heavily addressed and then, in extreme cases like this, where only a dissuasive sentence can meet the ends of justice, is the father of the victims.*" the accused, who is the father of the girl, thought it suitable to deflower his own child from tender years to satisfy their lusts."

¹¹ AIR 1957 Ori 78, 1957 CriLJ 469.

¹² 1972 AIR 2661, 1973 SCR (1) 197.

¹³ 1979 AIR 185, 1979 SCR (1) 810.

¹⁴ AIR 1980 CriLJ 1380

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- *In Harpal Singh & Anr. v. State Of Himachal Pradesh*¹⁵: In the case of the 16-year-old rape, the Supreme Court forgave the delay in filing the FIR. The courts said it was normal for the members of the family to take some time to consider whether the problem had to be brought to court because the honor of the family was involved. The court further stressed that, because the child had been shown to be under 16, she had no consent in the field of sexual conduct. The Court further found that if a reasonable explanation could be provided, delay to disclose the matter does not damage the case.
- *In Bhargava Bhoginbhai Hirjibhai v. State of Gujarat*¹⁶: The defendant was a mediaeval father who locked his daughter's 2 pals, aged about ten, who came to meet her daughter in his house and raped her. The court convicted the accused of rape and breached modesty and illegal detention. While downgrading the charge from rape to rape, the High Court maintained the condemnation. On the grounds of slight differences in evidence not important, the Supreme Court maintained the judgement of the Court. The Court further noted that conviction is not needed in rape cases. This judgement was used in subsequent decisions to ensure conviction when no other eyewitnesses were used to support the victim's case.
- *In Sheela Bares & Others v. Union of India & Ors*¹⁷: The case of minors below the age of 16 who are wrongfully incarcerated in prison was adopted by the social workers MS Sheela Barse. The Court stated, as part of the judgement, that in Art. 21 of the Constitution a right to speedy trial is a fundamental right.
- *In Amrathlall v. State Of Madhya Pradesh*¹⁸: In this case, the High Court in Madhya Pradesh declared that an accused's conviction can only be based on the victim's evidence if its evidence is worthy of belief. The judgement further observed that it was not required for an accused to discharge semen into the vagina to prove an offence of rape. The rule of substantiation is not the rule of law, but a guideline of caution. The judgement further says the penalty for imprisonment should be severely punished if a violation of girls of a delicate age is confirmed.

¹⁵ AIR 1980 SC 361.

¹⁶ AIR 1983 SC 753, 1983 SCR (3) 280

¹⁷ JT 1986 136, 1986 SCALE (2)230.

¹⁸ 2006 CriLJ 888, I (2006) DMC 630

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In *State of Haryana v. Prem Chand and Ors*¹⁹: In the case of the rape the Court held that "the victim's nature or reputation is irrelevant or relevant to the adjudication of the culpability or punishment of the accused." The 'character' of the victim was further characterized as an irrelevant or extenuating circumstance.

In *State of Karnataka v. Manzana*²⁰: Rosaura Hospital declined to take a girl who was a 15-year-old victim medically as the police had not recommended her to her. By adopting the judgement, the Court has revealed its dissatisfaction of the behavior of such government hospitals, especially in remote areas where it is little or not, because of delays in carrying out medical examinations, of the loss of evidence. The judgement further held that the victim should be evaluated in favor of the victim when there is a doubt about the age assessment.

In *Sangeeta Punekar v. State of Maharashtra and Others*.²¹: Social workers' experiences during the management of the Prem Sagar case have led to a letter request to make sure that facilities that accommodate young children cannot operate without proper license. Rev. Alfred, director of the Prem Sagar institution, tried to rap several youngsters in the Prem Sagar case. It is established that he remained at the institution and molested the girls, even when the FIR was made against Rev. Alfred. The judgement confirms certain of the provisions of the Juvenile Justice Act which are vital for the protection of children living in institutions.

In *Sakshi v. Union of India*²²: In cases involving minors when the youngsters are abused by inserting things in the vagina or inserting the male organ into bodily areas such as the anus and the mouth, the Sakshi NGO has requested publicly to widen the definition of viol. The Supreme Court rejected the plea and rejected the litigation of the public interest. However, it produced significant guidance for child rape cases and sexual abuse. The Sakshi guidelines are known as:

- A screen or arrangement that does not view the body or face of the accused victim or testimonials.
- Questions submitted on behalf of the accused in cross-examination, if directly related to this incident, should be addressed in writing to the President of the Court who can put them in a clear and not embarrassing manner to the victim/testimony officer.

¹⁹ AIR 1989 (538) SC, 1989 SCR Supl. (2) 496

²⁰ AIR 2000 (3) SCR 1007

²¹ AIR 2002 (2) BomCR 468

²² AIR 2004 Supp(2) SCR 723

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→ Sufficient breaks during and when required during the testimony should be offered to victims of child abuse or rape.

In *Anchorage Case*: In 2001, in Colaba, Mumbai, the case of institutional child sexual abuse was disclosed in which British nationals and former naval officials, Allan Waters and Duncan Grant, created an orphanage by name of Anchorage Home. In March 2006, Grant and Waters were sentenced by a Mumbai court for sodomy and sexual abuse to six years in prison. In 2008, the conviction at the Bombay High Court was contested²³. In 2011, however, the judgement was reinstated by the Supreme Court. Since then, Grant and Waters have been sentenced to return to United Kingdom where they were placed on the Register of Sex Offenders.

In *State of Karnataka vs Shivanna*²⁴ It was held by the Supreme Court that it is obligatory on the investigating officer to present the victim before the Metropolitan(judicial) magistrate within the 24 hours of rape to record the statement under section 164(5-A) (a) CrPC especially to a lady Magistrate.

In *Alakh Alok Srivastava vs Union of India*²⁵ -Supreme Courts stated some guidelines to be followed by the Special Courts while pursuing the case under the POCSO Act so that it may be completed within the period of one year. It enumerates that the presiding officers should be trained in the field of protection and welfare of children and irrelevant grounds should not be considered for the adjournments. The child friendly atmosphere should be created in the Special Court and the Chief Justice of High Court was asked to form up a three-member committee.

In *Hari Dev Acharya @ Pranavanad & Others Vs State*²⁶ it was held that since the POCSO Act, 2012 is silent upon the aspect of clubbing two separate incidents in a FIR Then the resort can be made to the section 219 Crpc, 1973 which mention about commission of three similar offences within a period of 12 months and when both the offences are covered under IPC & POCSO they constitute the same offence.

In *Balaji Sarjerao Kamble vs State of Maharashtra*²⁷ The victim was between 6-8 years at the time when offence was committed upon her. Thus, it seems feasible the appellant should be convicted under section 4, 8 of POCSO Act, 2012 and section 376 IPC.

²³ Retrieved From <https://www.hrw.org/.../02/07/breaking-silence/child-sexual-abuse-india> on 5.4.2022 at 4p.m

²⁴ (2014) 6 SCC (Cri) 423

²⁵ SCC 2018(2) cri 815

²⁶ 2021, SCC Online Del 4955

²⁷ 2017(5) Mh.L. J(Criminal)39

In *Nipun Saxena vs Union of India*²⁸The Supreme Court has stated guidelines regarding the victim's name, identity should not be disclosed to the public and if victim is mentally ill and FIR pertaining to the section 376 A to E and POCSO may not be made public. The identification of victim may only be made if special court allows the identity to be revealed. All the States and Union territories must establish one stop Center in every district within one year from the date of judgement or decree.

CONCLUSION

Child sexual abuse is not just a national problem but a globe one. The outcome of child sex abuse can lead to short and long-term implications that include social, emotional, cognitive, education, low self-esteem, and personal injury, or sometimes result in suicide. The abuser who exploits the children creates a detrimental impact on his life and wrecked his future. In most cases, family, school, community, street and working conditions are described. To reveal their experiences or to defend themselves, many victims are too young or too weak.

Even if this crime increases, every individual will have to move forward after so many legal requirements and child welfare groups. Adequate child protection policies and preventive measures are urgently needed to protect the kid against all forms of violence. These policies create a safe environment for a child to maintain and work for the child's development.

It has been clearly demonstrated the gravity of this issue and the substantial consequences for the lives of the victims. With this understanding, counsellors need to continue expanding their knowledge of sexual abuse in children. Much can be done to help child sexual abuse survivors to overcome its long-term effects by counselors and therapists. Further research is required to deal with optimal practice and survivor therapy. Obviously, childhood sexual abuse often has various effects throughout one's life as a trauma. The repercussions of childhood sex abuse last till adulthood and to give the best possible services, counsellors must be adequately trained.

²⁸Writ Petition (Civil) 565of 2012

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