

Q → Reforming the POCSO Act, 2012 is necessary to account for the better protection of children. Do you agree with this view? Comment.
(200 words)

A →. POCSO Act, 2012 was implemented to enhance the freedom of a child against sexual abuse & a child's fundamental right against exploitation as mentioned in UN convention of Rights of child & Article -23 of the Indian constitution effective respectively.

Since it has been implemented it has been quite successful in

- increased reporting of such cases
- gender-neutral
- child-friendly environment & behavior by officials.

However, this law is plagued in

certain areas such as

- Historical cases or delayed reporting of such crimes. They are also difficult to investigate due to absence of guidelines as present in UK.
- Lack of evidence is also a deterrent. as it is believed that there would be less than 5% chance for gathering it.
- Other provisions such IPC secⁿ-354 only allows delayed reporting upto 3 years.
- Burden of proof is on accused
- Unclear definition of terms such as skin-to-skin contact due to which SC had to intervene to reverse the judgement passed by Bombay HC.

Suggestions:-

- Historical cases reporting must be allowed. & govt. must frame guidelines for it.
- Rights of the victim and accused should be balanced.

- Use of TEC channels to increase awareness which will lead to quick reporting of cases.

• So reforming the POCSO Act, 2012 will only lead to better protection of child from sexual abuses & thus ensuring it's development into a productive citizen