

Protection of Children from Sexual Offences 2012: -A Comprehensive Analysis its Various Aspect and Understanding

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“Children are likes buds in garden and should be carefully and lovingly nurtured, as they are the future of the nation and the citizen of tomorrow”

-Pandit Jawaharlal Neharu



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ABSTRACT

Protection of children from Sexual Offences (POCSO) Act, 2012 is important for the protecting for child abuse, harassment, pornography and involving from the minor from the age of eighteenth and there are lots of incidents are happened with children that's why this Act come into the force and implementation. It makes sure legal reform in this modern world along with provide safeguard so her this legislation makes comfort for children by their own right which is write in the Indian Constitution, these constitutional rights are specially made for the children who is in bellow age of eighteenth.

This article create its detailed analysis as I am Post Graduate Law student of NEW LAW COLLEGE, BHARTI VIDYAPEETH, PUNE and make sure with the following important key aspects as we understand how it will be introduce this act for the betterment for children and along with real meaning and understanding core concept and make sure what is purpose and objective and why its important and along with the process of implication and to controlling and monitoring for the evolution for this crimes and after that how we faced challenges and tackle; the issues while we experience how the real impact along execution and changes in the provisions as per requirement as situation and make sure amendment and update the act and finally get conclude this article for academic purpose.

This article examines the real issues related with the children and also this act will be child centric purpose so the accused who is committed a crime is getting hardest hard punishment as well as make a justice to the children who is in the part of society and make society better for growth of India country.

Despite the advancement of this Protection of children from Sexual Offences (POCSO) Act, 2012 there are lots of problems faced with this challenges makes act amendable and also we analysis the biggest issue that judicial delay in this act along with complicated procedures so here by the one factors that is Fast Track Merger in this act so it will be priorities set for this act and make peoples trustable in this Act.

1) Key Word

POCSO Act, child sexual abuse, penetrative sexual assault, special courts, child-friendly procedure, amendments 2019, Fast Track Courts, judicial challenges,

1) INTRODUCTION

¹Children abuses and getting unprovable treatment form some kind of a people as we say it will be the Sexual abuse or intentionally bad touch their private part so this will be increased day by day so here we know according to National Crime Records Bureau (NCRB) data we analysis for how the number of children get abuse or affected by the kind of mentality some kind of the person so basically specific provisions in the act state about the punishment and legal enforcement this provisions are specially ensure the legal remedy for children likely Indian Penal Code 1860 (IPC) Section 375, {Previously} Bhartiya Nyaya Sanhita 2023 Section 63 {New} which inadequately addressed child-specific offenses.

²This Protection of children from Sexual Offences (POCSO) Act, 2012 passed in the 22nd may 2012 and enforced this act in the month of November and same year by officially for providing legal remedy to the children for the getting justice.

This act provided a legal remedy and also right to custody of the children, and it comprehensive provisions like assault, punishment, preparation of pornographic content, and also make most important aspect that is gender neutrality application it will be same before the law and create the most children centric act.

From the establishment of this act, it will be positively impact on the society for the important amendment as well as in the year 2019 it will be massive changes in this act as per highly requirement of this act and also it included rigorous punishment along with increases amount of fine in some cases we see there are also provided capital punishments for the committed of crime this is highly impact on the people who is the criminal mindset so they are not committed crime. Till the year 2026 we see it will be massive case registered under the Fast Track Special Courts (FTSCs) the total number of cases is in the filed 774 and another e-POCSO Court register having 398 cases so this special court are takes early initiates as per requirements' and this is highly impact on Indian Judiciary that that its first time the court will be the finalised this cases and get conclusion the prescribed cases total 3,61,055 cases is windup till the 2025 along with to the guarantee to victims to get justice and right accused get punished by this act.

This article aims to make development and implementation specially in modern days so there are lota of incident are happening and lots of crime will be happening right now in digital era we see the rapidly increase of child pornography so we have strongest provisions for speeding viral videos and speeding pornographic content.

As well as we make a public awareness and make educate to every child whether is in urban and rural so this will be reduced to the crime with related with children and create good environment surrounding to children.

Finally, the This Protection of children from Sexual Offences (POCSO) Act, 2012 makes the revolutionary change for our future generation of the Indian country so it will be dealing with crime which related with the children and make children better and as well as make them safe in the country.

2) MEANING

³Protection of children from Sexual Offences (POCSO) Act 2012 makes Paradigm Shift for the upcoming years for the also makes trustworthiness in justice and make it clear for child safeguard the age of bellow eighteenth. This act makes first and foremost important factor of gender neutrality according to the this not defines it is boy or the girl it states the word "child" the word state a lot for to the importance for the act makes provisions.

This is also talk about how Indian are make to implementation and also contacted with to the United Nations Convention on the Rights of the Child (UNCRC) article 34 state how it will be important which is protected from the harassed to the children and how accused get punishment it Crystle clear understanding how to child safeguard are primary aspect of

¹ "Fast Track Special Courts (FTSCs) | Department of Jus ce | India," Doj.gov.in, 2025available at: (last visited March 23, 2026).

² Sneha Mahawar, "Protect on of Children from Sexual Offences Act (POCSO), 2012" iPleaders, 2024available at: (last visited March 23, 2026).

³ Advocates and, "Understanding the POCSO Act for Child Protec on in India" Understanding the POCSO Act for Child Protec on in India (Dua's & Dua's Advocates and Consultants, 2025) available at: (last visited March 23, 2026).

the United Nations conventions on the rights of the child. This Protection of children from Sexual Offences (POCSO) Act 2012 initiate to how this act served to best interest to children and make safe and secure.

Confidentially is paramount factor where the details of every child will be private and not disclosed out of the source it makes integrity as well as the create and also this confidentiality ensure to the family details, and good for future of the child so the child will be live in good manner.

3) CONCEPT EXPLAINING PROTECTION OF CHILDREN FROM SEXUAL OFFENCES 2012 (POCSO 2012)

POCSO act for specialized for child it provides three phase approach which is prepare for its safety, well-being, priorities, this approach is enhanced prevention, prosecution, and protection for good to child and also child centric.

Above three phase is most important factor for a child to feel good in their surrounded so first is prevention is first most important factors of this act so if anything happened with related with child it should be mandatory register complaint so police or juvenile are taking important step for to some important points like custody of child, medical treatment of child or taking care of child.

Second is prosecution, the prosecution makes safe from legal barricading make it child friendly procedure and also it will be also taking a help for Fast Track Special Courts (FTSCs) for massive speed and right direction of legal remedy to the child and also make a wellbeing for them.

Under the Protection of Children from Sexual Offences 2012 (POCSO 2012) it will be make specialized court and make it special class for prosecution of cases and hearing and the time of hearing it will be "CONSENT" will be important factor in there that every bellow of the age 18 minor consent will play important role for the hearing of the case and in special cases there are parent consent will be approval by the court.

⁴There are another important factor of Protection of Children from Sexual Offences 2012 (POCSO 2012) that is Juveniles Justice (ACT) this context makes to strongest system for children feel good and also makes rehabilitation, counselling and felicitate to the recovery every advocate should be take care of the most important part that is that is child are in such condition will be best support as the can possible

4) OBJECTIVE AND IMPORTANCE

The most important objective should be their it must file a complaint to register in police station with help of local juvenile body so it will be primary factors it should be register within 24 hours so fulfilment of every necessary requirement and firstly children will be getting medical treatment as well as medical check as well as done with precaution, preservation will be done by every authority.

By creation of culture for victim for the come forward without fear and any kind of guiltiness and any kind of stigma it shows more confident to children this emphasize the supported to children centric process and it create independency as well as freedom of speech and also part of the Article 21 fundamental rights of Indian constitution. ⁵Article 39A that is Equal justice and free legal aid it shows the main objects of this act set aside the hurdles and obstacles for the wellbeing children. In the year 2025 there are lots of massive transformation and in fast track special court have vision for disposing lots of cases in large number this burden create pressure in the judiciary so then make is specialized courts and its makes disposal of cases earlier by other courts and also take a initiative on every case which is important to disposal

That's why the strict punishment will be imposed to accused and also to the it makes transformation in word and also create positive vision for the good society and society change and then country changes wisely.

⁴ "Supreme Court's landmark POCSO judgement - Supreme Court Observer," Supreme Court Observer, 2024 available at: (last visited March 23, 2026).

⁵ "Article 39A in Constitution of India," *Indiakanon.org*, 2026 available at: <https://indiakanon.org/doc/169871995/> (last visited March 23, 2026).

5) IMPLEMENTATION AND MONITORING

In respect implication and monitoring there are various important bodies which deals with legal remedy and also make sure compliance for it like fast-track special court, Child Welfare Committees (CWC), and Special Juvenile Police Units (SJPU) and local police they are efficient for compliance for the justice to Children.

⁶ Fast Track Special Courts (FTSCs) including POCSO courts Fastly and efficiently makes trails; and disposal of cases related of rape and POCSO cases. As per available of information till the 31 January 2025 there are 754 fast track special courts including and also 404 exclusive POCSO courts are worked and total 30 states and Union Territory have disposed more then 3,06,000 cases

this impact shows how the implementation and mandatory monitoring will be work and also says crystal clear and creates transparency and also trustworthiness and even the make child friendly procedure.

There are National Legal Service Authority (NLSA) this authority makes effective to deploy special person along with the good training and also which is good for the children and also to their family's so along with these special legal persons should be the good and wellbeing for them.

⁷For this project government issued with 200 cr. For the year 2025-2026 for the substantial investment and safeguard for commitment of government for child welfare protection fund from this fund government will be make sure training to designated peoples who is appointed for this child welfare committees. Also create a framework for the betterment to child and also makes strong provision in the act of Protection of Children from Sexual Offences 2012 (POCSO 2012)

⁸Advancements are going on the top but challenges are remain in that time so according to challenges and obstacle there are lots of cases pending, the rates are not to low down, delays in justice in state of Uttar Pradesh, UP Government failed to resolved these issues so they make a digital platform for the register of crime and incident relating with child.

6) CHALLENGES AND ISSUES

The judicial system India faces various and serious kinds of challenges the firs and foremost challenge is delay in justice in the so there are more then 33% pending cases in the state of utter Pradesh this more then 33% Pending cases are pending by more then two years and requirement for this case disposal is mandatory so this is most important issue and challenges front of Indian judicial system.

Due to this pendency the conviction rate is highly increase so this impact makes investigation hurdles and obstacles so this highly conviction rates are major impact to the child victims for threat and may take a complaint back.

There are also the need of fully skill and practical approach in these cases so many a time we required to skilled and best prosecution as well we well make compliances for the child betterment.

Also, we have lack of police officer or police men for make sure compliance and also it will be making it immediate action which is necessary the main crux is in this provision is ensure a file complaint as well as take a acknowledge so the child victim is in safeguard.

7) IMPACT AND EXECUTION

⁹Till the year 2025 this will be best outcome come across in India there are case disposal rate will be increasing by 109% whole India so this is highly impacted on Indian judicial system. Because there are 24 states are who is crossed 100%

⁶ "754 Fast Track Courts, Including 404 POCSO Courts functional in 30 states, dispose over 3.06 Lakh cases by January 2025," *Pib.gov.in*, 2025 <https://www.pib.gov.in/PressReleasePage.aspx?PRID=2113660®=3&lang=2> (last visited March 24, 2026).

⁷ Ankit Agrawal, "Login - Joint Collabora on of NALSA and NCPCR - Balswaraj POCSO Tracking Portal Portal on Baalswaraj Portal :": *Ncpcr.gov.in*, 2022available at: (last visited March 23, 2026)

⁸ Khadija Khan, "'Golden lining to dark cloud': In 2025, disposal rate of POCSO cases was over 100% in 24 states" *ThePrint* (theprint, 2025)available at: (last visited March 23, 2026)

⁹ *Tribune News Service*, "A first — India disposed of more POCSO cases than registered - *The Tribune*" *The Tribune*, 2025available at: <https://www.tribuneindia.com/news/delhi/a-first-india-disposed-of-more-pocso-cases-than-registered/> (last visited March 24, 2026).

of case disposal ration so this will be reassuring for the public for trust in Indian judicial system. According to report of protection of pendency India country with awarded along with justice for child victims of sexual abuse we get find 80,320 POCSO cases till the year 2025 these cases registered in whole country along with union territory in-between 87,754 cases disposed. So according to this aspect we got 109% disposal rate and this study was conducted by the centre for legal action and behaviour change for the initiative of India children protection.

Till the 2023 in our India country there are total number of cases of 2,62,089 but now this fast-track special court and also it will be fresh number of cases as per report we will be found good Environment for the children and also no India is Ahd for the better for children well-being

This impact for not only for the statistics for the known of the reduce the number of disposal cases but also execution a punishment is stronger and rigours so every person who is thinking for the attempting crime it will be the so this directly impacted on criminals that's why this act will be makes strongest impact and execution so it will be beneficial child victims. So, reason behind the strongest punishments it will be make fear in those people who is having criminal mind.

8) AMENDMENTS AND UPDATES

By the year of 2019 it will be amendment came into force and make it more striker by the year 2020 so according to this new amendment may provisions add for the if person found in guilty in aggravated assault so this person gets capital punishment of death and also it will be this amendment make a zero tolerance in these aspects.

Moreover, this act will be stricter for the person who is committed crime get the prison 20 year against children crime so this will be most important factors of this act it will be aims to protect minors from the accused

9) CONCLUSION

To the concluded with this article I make this article as I am student of post-graduation of law student of law of new law college of Bharati Vidyapeeth, Pune we understand how this act will be introduced and the way we understand its definition in detailed as well as concept explaining so how will be Protection of Children from Sexual Offences 2012 (POCSO 2012ACT) came into force and also make it children safe secure and also it creates new paradigm shifts in law for the children great future so they can live gratefully in the society along with we see objective and importance, implication and monitoring, challenges and issues, the way of its implication as well as execution, and amendment and updates. For my article.

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