

## Combating Crimes Against Children: Indian Perspective And Trends

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### Abstract

Children are some of the most vulnerable members of our society and can be victims of various forms of violence. Sexual abuse and exploitations, Trafficking, forced labour and abduction these are just some of the dangers faced by the children around the world today. The children are the supreme assets of a nation; hence in national policy child's care should be the most prominent place. Specific care needs to be taken that children grow up to become agile citizens but unfortunately in spite of there being a number of resolutions and laws both at national and global level, the position of children is far from satisfactory.

In India seeing the increasing trend of sexual crimes specially against the children (Evidently in cases such as (Muzaffarpur shelter case 2018, Nirbhaya rape case 2012, Kathua rape case 2018 and more recently Hyderabad gang rape case 2019). In this backdrop the present paper is based on to study about rise of crimes against children in India and Rajasthan and also suggests preventive measures to combat and reduce crimes against children.

**Keywords:** Child crimes, POCSO

### Introduction:

Crime is inevitable in any society and we cannot think of a society which is a crime free. Crimes take heinous form when it is committed against children because children fall prey to victim of crime due to their immaturity, innocence and dependence. Crimes against children are rising day-by-day in India and also in Rajasthan. Government has been taking several measures to control crimes against children but the cases of crimes against children have shown consistent rise in the past years. Crimes against children in India have increased by more than 500% over the last 10 years. The total numbers of crimes against children reported in 2018 were 141764, while 129032 crimes were recorded in 2017.

In Rajasthan the total numbers of crimes against children reported in 2018 were 5019, while 5099 crimes were reported in 2017. Further, enactment of Legislations and establishment of infrastructure for its enforcement is not sufficient to achieve the desired Goal to protect children against crimes.

Object of the paper is to study about Rise of crimes against children in India and Rajasthan and also suggest preventive measures to combat and reduce crimes against children.

Present paper is based on secondary information collected from the official Records of various Ministries of Government of India and from the official portal of Rajasthan Police department.

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## **Classification of crimes against children: -**

There is no separate classification of crimes against children. In General, the offences committed against children or the crimes in which children are the victims are considered as crime against children. The crimes against children can be categorized as follows.

### **1. Child abuse:**

Child abuse is one of the biggest social stigmas in society and a major human right issue and public health concern it can be manifested in both physical and emotional forms in recent times. Child sexual abuse is a Proliferating problem sexual behavior includes both touching and non-teaching behavior.

Sexual abuse doesn't need to involve penetration, force, pain, or may be touching and if an adult engages in any sexual behavior with a toddler to satisfy the adult's interest or sexual needs, it's sexual assault.

Child sexual abuse material also known as child pornography is form of child sexual exploitation it refers to any content which depicts sexually uncensored activities involving a child. Child pornography may use a variety of media like visual depiction includes video, photographs and computer – Generated images. These photos and videos are most often collected with the purpose of being shared widely for others to watch and in doing so victimizing the child many times.<sup>1</sup>

Crimes against children have risen steeply in the time period of 2008 to 2018. According to reports released by National crime records bureau 32608 cases reported in 2017<sup>2</sup> while 39,827 cases were reported in 2018<sup>3</sup>.

Under the protection of children from sexual offence Act (POCSO). As many as 109 children were sexually abused every day in India only one- third cases of child sexual abuse are identified and fewer than that are reported by the individuals.

### **2. Child Pornography: -**

Child pornography connected to publishing and transmitting of any obscene material of children in electronic form in the past child pornography has tremendously increased due to application of internet and video's available on the porn site child pornography is considered as one of the most heinous crimes which occurs and is also giving way to crimes such as sex tourism, sexual abuse of the child etc.

Child pornography is considered a crime in India. I.T. Act. 2000 and IPC 1860 provides protection to children from child pornography. The punishment prescribed for a first-time offence of publishing, creating, exchanging, downloading, or browsing any electronic depiction of children attracts five years in Jail and fine of Rs. 10 Lakhs<sup>4</sup>.

### 3. Child Trafficking: -

Trafficking in human beings especially of children has become a matter of serious concern at National and International level. It is a Global Phenomenon and is not limited to any geographical region and fundamental freedoms of children. It infringes upon the child's physical and mental integrity which are central to the experience of human dignity and possess a significant threat to the child's life. Child trafficking is inherently a dynamic, hidden phenomenon that is difficult to identify<sup>5</sup>.

### 4. Child Labour :

Child labour has been a major concern in the world because it affects the children both mentally and physically and it also destroys the future of children. "Child" as defined by the child labour (prohibition and regulation) Act, 1986 is a person who has not completed the age of 14 years. Child labour is the practices of having children engage in economic activity, on a part- or full-time basis. Every child is considered as a gift of God. It must be nurtured with care and affection within the family and society. But unfortunately, due to the socio-economic problems children were forced to work in Industries, in order to combat child labour first we should focus on socio-economic issue of the society. It is in the hands of Administrative. It should bring effective measures to eliminate child labour<sup>6</sup>.

### 5. Child feticide:

Female feticide is the gory practice of sex-selective abortion, which renders the girl child a victim of the highest degree of Gender rooted prejudice. It is one of the most horrendous practices of male autonomy found in patriarchal societies like India. The ever-declining sex ratio of the age group of 0-6 years of the country, since the 1990's it testimony to the prevalence of sex selection in the country. Whereby people ensure the Probabilities of the offspring not being of the female sex by making use of the plethora of medical technologies available in the market or resorting to murder of the infant girl child<sup>7</sup>.

### 6. Child Marriages:

Child marriage means a marriage to which either of the contracting parties whose marriage is or about to be solemnized is a "Child" child marriage, defined as formal marriage or informal union before age 18 is a reality for both boys and girls however girls are disproportionately the most affected. Globally nearly one in three girls are married before the age of 18 and one in seven is married before the age of 15, An estimated 10 million child marriages occur every year<sup>8</sup>. Child marriages in India are dealt by the child marriage Restraint Act, 1929 and various personal laws in 1929 the pressure created by social reforms had forced the British Government to pass laws

relating to child marriages the provision of this act is not being implemented its needs to be more stringent.

### PREPONDERANCE OF CRIMES AGAINST CHILDREN:

Crimes against children are rising day-by-day in India and also in Rajasthan. Government has been taking several measures to control crimes against children but the cases of crimes against children have shown consistent rise in the past years. Crimes against children in India have increased by more than 500% over the last 10years. The total numbers of crimes against children reported in 2018 were 141764, while 129032 crimes were recorded in 2017.

**Table No.1**  
**Crimes against children in India and Rajasthan from 2008 to 2018**

| Years | No. of Crimes in India | % Variation | No. of Cases Registered in Rajasthan | % variation |
|-------|------------------------|-------------|--------------------------------------|-------------|
| 2008  | 22500                  | -           | 1223                                 | -           |
| 2009  | 24201                  | 7.6         | 1407                                 | 15.04       |
| 2010  | 26694                  | 10.3        | 1318                                 | -6.75       |
| 2011  | 33098                  | 23.99       | 1491                                 | 13.12       |
| 2012  | 38172                  | 15.3        | 1807                                 | 21.19       |
| 2013  | 58224                  | 52.5        | 2883                                 | 59.54       |
| 2014  | 89423                  | 53.6        | 3880                                 | 34.58       |
| 2015  | 94172                  | 5.3         | 3689                                 | -5.17       |
| 2016  | 106958                 | 13.6        | 4034                                 | 9.35        |
| 2017  | 129032                 | 20.63       | 5099                                 | 26.40       |
| 2018  | 141764                 | 9.863       | 5150                                 | 1.00        |

Source: NCRB (2018), Rajasthan Police (2017)

In percentage terms major crimes heads under crime against children during 2018 were kidnapping and abduction (44.2%) and cases under the Protection of children from sexual offences act, 2012 (34.7%).

**Table No. 2**  
**Total number of crimes registered in Rajasthan from 2008 to 2018**

### Nature of Crime

| Year | Prohibition of child marriage | Foeticide | Abetment to commit suicide | Murder | Rape | Kidnapping and Abducting | Procurement of minor Girls | Others | Total |
|------|-------------------------------|-----------|----------------------------|--------|------|--------------------------|----------------------------|--------|-------|
| 2008 | 3                             | 10        | 0                          | 93     | 420  | 504                      | 0                          | 193    | 1223  |
| 2009 | 0                             | 12        | 0                          | 95     | 371  | 761                      | 1                          | 168    | 1407  |
| 2010 | 2                             | 18        | 2                          | 75     | 369  | 706                      | 14                         | 132    | 1318  |
| 2011 | 5                             | 13        | 0                          | 75     | 394  | 785                      | 19                         | 200    | 1491  |
| 2012 | 10                            | 37        | 6                          | 52     | 572  | 847                      | 20                         | 263    | 1807  |
| 2013 | 1                             | 34        | 1                          | 64     | 892  | 1426                     | 54                         | 411    | 2883  |
| 2014 | 5                             | 24        | 1                          | 73     | 825  | 1814                     | 61                         | 1077   | 3880  |
| 2015 | 6                             | 13        | 1                          | 59     | 728  | 1690                     | 38                         | 1157   | 3689  |
| 2016 | 12                            | 21        | 1                          | 39     | 858  | 1831                     | 60                         | 1212   | 4034  |
| 2017 | 6                             | 14        | 3                          | 31     | 621  | 1854                     | 197                        | 2373   | 5099  |
| 2018 | 11                            | 12        | 4                          | 36     | 1030 | 2173                     | 24                         | 1860   | 5150  |

Source: Rajasthan Police 2017.

Over the years number of "Kidnapping and abduction" cases show a increase from 2008 to 2018 as of now there is no particulars Indian enactment tending to issue identified with the abduction of the child from and into India. On 22 June, 2016, the ministry of woman and child development (MWCD) transferred on its site a proposition to institute a draft of the civil aspects of International child abduction Bill, 2016. The proposed bill considers the expulsion to or to the maintenance of a child in India to be wrongful in the event that it is in rupture of privileges of Authority ascribed to a man, on organization, or some other body, either together or alone at a place where the child was routinely occupant instantly before the evacuation or maintenance<sup>9</sup>.

#### POCSO (Protection of Children from Sexual Offenses):

As per National crime records Bureau, a total of 36022, 32608 and 39827 cases were registered under protection of children from sexual offences (POCSO) Act, 2012, related with other section offences during 2016, 2017 and 2018 respectively. The details are given below: -

**Table No. 3**

**The statistics of case registered in Indian and Rajasthan from 2012 to 2018 under POSCO Act.**

| Year | No. of case Registered in India | No. of cases registered in Rajasthan |
|------|---------------------------------|--------------------------------------|
| 2012 | NA                              | NA                                   |
| 2013 | NA                              | NA                                   |
| 2014 | 34449                           | 191                                  |
| 2015 | 34505                           | 222                                  |
| 2016 | 36022                           | 621                                  |
| 2017 | 32608                           | 559                                  |
| 2018 | 39827                           | 488                                  |

Source: NCRB (2018), Rajasthan Police (2017)

As per National crime Records Bureau, total of 621, 559 and 488 cases were registered under protection of children from sexual offences (POCSO) Act, 2012 during 2016, 2017 and 2018 respectively.

#### **Preventive measures to combat crimes against children:**

Child is considered as an important national asset of a nation as the future of any nation depends on how it's children nature and develops in the Present times protection of children from all kinds of exploitation and abuses has become the main objective of our society. There have been many instances of child exploitation in the form of sexual molestation, child marriage, underfeeding, verbal, abuse, child battering, child prostitution, child pornography and child labour which indirectly highlights our society's own failure to protect our future generation. Child protection is regarded as one of the main responsibilities of the Government as well as the society<sup>10</sup>.

1. **Policy measures of the Government regarding Children:** -The Government of India has made a number of policies, law and special local laws regarding the physical, mental and social development of the children of the country.

**The following are some of the important policies and law of the Government regarding children: -**

1. Immoral Trafficking Act, 1956
2. National policy for children 1974
3. National policy on education 1986
4. Juvenile justice (case and protection) Act, 2000
5. Protection of children from sexual offences Act. 2012 (POSCO)

2. **Parental Awareness:** The lots of cases of sexual abuse and crimes against child start within the family, parents have to start noticing even the single complaint from their child so that it will not transform into something more serious, in future parents have to notice every sign given by their child.
3. **Norms and Values:** Strengthen norms and values that support non-violent, respectful, nurturing positive and Gender equitable relationships for all children and adolescents.
4. **Students Counseling Classes:** Schools have to start introducing the student counseling classes in which they have to teach the students difference between Good and bad also some children are not able to tell something within in their family they will disclose it in school sometimes.
5. **Implementation and enforcement of laws:** In spite of having plethora of laws at international and national level for protection of children against crimes, crimes against children are rising day by day in India and Rajasthan. Establishment of infrastructure for their enforcement is necessary to achieve the desired Goal to protect children against crime.

#### **Conclusion:**

Children constitute the nation's valuable human resources. The future wellbeing of the nation depends on how its children grow and develop. So, it is the duty of the society to look after every child with a view to assuring full developments of its personality. Children are seldom naïve in their communications. Their coded messages are often in a code that requires deciphering. Children are the future custodians and torch bearers of the society they are the messengers of our knowledge, cultural heritage, ideologies and philosophies unfortunately millions of children are deprived of their childhood and right to education and thereby they are subjected to exploitation and abuse.

#### **Suggestions:**

##### **(1) At Society:**

1. Sexual education for children
2. Create support centers for victims
3. Ensure children's safety
4. Educate children, about Sexual violence
5. Limit T.V. Channels

##### **(2) At work Place, in the streets and in institutions:**

1. Educate employers to listen to children
2. Ensures children's safety to work

3. Encourage and support the development of child led organizations.

**(3) At School:**

1. Parents have to company younger children to school.
2. Ensures children's security in school.
3. Incorporate courses to promote self-defense mechanism
4. Offer alternative puncture measures.

**(4) At Home:**

1. Prioritize dialogue with children
2. Train them on education without violence
3. Offer alternative disciplining methods.
4. Sensitize parents about the consequences of violence against children
5. Alleviate poverty and increase family benefits for children.

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