

CHILD SEXUAL ABUSE IN INDIA

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ABSTRACT

Child abuse is a very sensitive issue nowadays .Child being the most vulnerable section of the society being abused. Child abuse is the mistreatment with the child. The abuse is of different kind it can be either physical abuse, emotional abuse, neglect and the worst foam of abuse is the sexual abuse. It is done to the child by the most trusted person which is being done for the sexual intent. In our country India there are around 53% of the Indian child are subject to the child abuse which is leaving deterrence effect on the society at large.

Keywords: Children, Sexual abuse.

INTRODUCTION

India is the one of the populous country in the world where 42% of the population is of children. In the constitution of the India the protection is given under article 34 to prevent the child from unlawful sexual activity. Even having that law regarding the issue in the fundamental law of the land still the issue is prevailing in every society. Child abuse is that abuse which is done by the adult to the child who is in the trustful relationship. Most of the cases happen in the premises of home, schools, or in the neighbor next door. This a severe trauma on the mind of the child and do not able to recover from it early.[1]

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Child sexual abuse being considered as a taboo, also one of the most common crime that is happening at every corner of the country. Most of the people of India feels that it is not the problem of our country but it is the western problem. In India the relationship of the families are given of so much of importance, working class people use to left their child with their uncle and aunty to take care of them but they are being abused. The child sexual abuse mostly happen inside the four boundaries of home. The report showed that 53.22% of children's are sexually abused.[2]

“Among them 52.94% were boys and 47.06% girls 21.90% of child respondents faced severe forms of sexual abuse, 5.69% had been sexually assaulted and 50.76% reported other forms of

sexual abuse”. There are laws are made for the children but there are not sufficient enough to protect them from the hands of the abuse. Children became habitual to the sexual abuse which affect them severely.

LACUNA IN LAW

By seeing the percentage rate it is clearly evident from the above that there are laws for the protection of the children from abuse but there is no proper implementation of it. There are laws which are made for the woman are extended to the children’s and the major lacuna in the legal framework is that they are concentrated only to the grave sexual offence if the abuse do not lay in that ambit it won’t be treated as a serious issue. There are no laws for the repeated offender. In the Indian legal system the child has been defined differently.[3]

“The Convention on the Rights of the Child, Article 1 defines “the child” as “every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier”.

“The IPC defines the child as being 12 years of age, whereas the Indian Traffic Prevention Act, 1956 defines a ‘minor’ as a person who has completed the age of 16 years but not 18 years”.

The Protection of Children against Sexual Offences Bill, 2011 (PCSOB 2011) popped up as an attempt to a significant change against sexual abuse but still it also did not stand still for long.

CONCLUSION

Child being the considered as a second face of god in India still the abuse against them is increasing day by day. So it can be concluded that the government is taking initiatives to end this but there are still lacuna in the implementation of the law. There should be more strict laws to tackle the abuse done to the children.

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