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## **INTERSECTION OF JUVENILE JUSTICE AND POCSO ACT: LEGAL COMPLEXITIES IN CASES INVOLVING CHILD- ON-CHILD SEXUAL OFFENCE**

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What steps should we take to prevent sexual abuse of our children? Roughly one in five children has experienced serious sexual abuse, including rape. The society is frequently looking to the law and the criminal justice system for solutions. To improve conviction rates, lessen trauma, and assist children and young people in recovering from sexual abuse, the Protection of Children from Sexual Offences (POCSO) Act, 2012, was enacted to strengthen an already comprehensive framework of laws and procedures. Thus, the Indian legal system offers a strong and comprehensive framework for defending the welfare and rights of children.

The number of crimes against children has significantly increased despite the existence of a robust legal framework. According to NCRB and Regional Studies, documented child abuse cases in India increased by 8.7% to 162,000 incidents in 2022. With more robust legislation and efficient legal systems, we presume that potential offenders are discouraged by the certainty of conviction and severe penalties; additionally, quick justice, kid-friendly procedures, and access to support services will motivate more victims to report sexual abuse.

The significance of child protection is further reinforced by India's constitutional protections. The state's obligation to protect children against exploitation, abuse, and moral or material abandonment is emphasised in Articles 15(3), 21, 21A, 24, and 39(e) and (f). Furthermore, domestic laws and regulations like POCSO have been greatly impacted by the rights outlined in the United Nations Convention on the Rights of the Child (UNCRC), which India joined in 1992 (UNICEF, 2020).

India's legal system must strike a balance between protecting vulnerable children and rehabilitating young offenders at the complicated and extremely disturbing nexus of juvenile justice and child sexual abuse. Every second, a child in India has been sexually abused according to extensive studies, and the nation has seen startling data indicating that child sexual

abuse has reached pandemic proportions.

The Juvenile Justice (Care and Protection of Children) Act of 2015 and the Protection of Children from Sexual Offences (POCSO) Act of 2012 are the two main pieces of law that govern the legal environment in which this issue takes place. These regulations reflect India's dedication to safeguarding children while tackling the particular difficulties that arise when minors commit major crimes. The confluence of various frameworks produces intricate legal situations that push the limits of justice, rehabilitation, and child protection. This is especially noticeable when a child protected by juvenile law commits sexual offences against another child protected by POCSO rules.

### **The POCSO Act: A Comprehensive Definition and Scope of the Legal Framework for Child Protection**

India's most extensive legal framework created especially to combat sexual offences against minors is the Protection of Minors from Sexual Offences (POCSO) Act, 2012. The Act establishes a standard and unambiguous age criterion for protection by defining a "child" as anyone under the age of eighteen. Sexual assault, sexual harassment, and child pornography are only a few of the forms of sexual abuse that are recognised by this gender-neutral law, which offers thorough categories to guarantee that all possible offences are covered. The Act distinguishes between several types of sexual offences, such as aggravated forms of abuse and penetrative sexual assault, with correspondingly harsh punishments intended to reflect the seriousness of these crimes against minors.

The POCSO Act's classification of crimes and associated penalties creates a strong foundation for dealing with sexual offences. Aggravated penetrative sexual assault carries a minimum sentence of ten years to life in prison, whereas penetrative sexual assault carries a minimum term of seven years to life in jail. Aggravated sexual assault by individuals in positions of authority is penalised by five to seven years in jail, whereas sexual assault without penetration is punishable by three to five years. Youngsters who are sexually harassed face a three-year prison sentence, while those who use youngsters for pornographic purposes face a five-year sentence that increases to seven years for repeat offenders. The legislature's understanding of the different levels of harm perpetrated on child victims is reflected in this graduated system of punishment.

## **Child-Friendly Procedures and Special Protections**

To reduce secondary victimisation during the legal process, the POCSO Act includes several child-friendly measures. These precautions include ensuring that no child is held in police stations at night and recording statements at the child's home or preferred location, ideally by a female police officer at least as high as a sub-inspector. The Act compels police officers to record children's comments exactly as they are said, with the help of interpreters or special educators when needed, and prohibits them from wearing uniforms while doing so. For girl children, medical examinations must be performed in front of parents or other trusted adults, and female doctors are required.

### **Statutory Overview**

#### **Protection of Children from Sexual Offences Act, 2012 (POCSO Act)**

The Protection of Children from Sexual Offences (POCSO) Act 2012 is a strong legislative framework intended to strengthen safeguards for children's safety and well-being. It offers a vital defence for children while addressing the upsetting reality of sexual abuse, harassment, and exploitation. The Act emphasises the broad protection it provides by defining a "child" as any person under the age of eighteen in Section 2(d).

Penetrative sexual assault (Section 3), aggravated penetrative sexual assault (Section 5), sexual assault (Section 7), sexual harassment (Section 11), and the abhorrent use of a child for pornographic purposes (Section 13) are just a few of the many sexual offences covered by this comprehensive legislation. Each of these clauses shows a dedication to children's safety and eliminates any doubt about how abhorrent such offences are.

The POCSO Act's mandatory reporting requirement, which is outlined in Section 19 and requires people to report suspected child abuse, is one of its most noteworthy features. This is combined with efforts to guarantee child-friendly judicial procedures, such as the creation of special courts intended to speed up proceedings and lessen the stress young victims endure by preventing repeated examinations.

Crucially, the POCSO Act represents the legislature's unwavering position against the evil of child sexual abuse by being built as a gender-neutral framework with stringent minimum penalties. Nevertheless, the Act does not always handle the intricacies of teenage relationships

with ease. Its strict rules occasionally fail to take into account the subtleties of consenting sexual relations between adolescents, creating complex legal issues when both parties are minors. This disparity emphasises the continuous difficulty of striking a balance between legislative protections and the realities of young people's interactions in a social environment that is changing quickly.

### **India's Juvenile Justice System: Development and Present Structure**

After extensive public discussion and legal reform efforts, the 2000 Act was replaced by the Juvenile Justice (Care and Protection of Children) Act, 2015. The Delhi gang-rape case, in which one of the perpetrators was a seventeen-year-old, was one of the high-profile incidents that led to the creation of this Act. These cases highlighted the need for legislative reform to handle major crimes committed by juveniles. It focuses on the general well-being, rehabilitation, and proper legal decision-making of children who are placed in precarious circumstances, whether as offenders or victims. The necessity of empathetic care and assistance in navigating the complexity of juvenile justice is highlighted by this statute.

The 2015 Act clearly distinguishes between "children in conflict with law" and "children in need of care and protection" and defines a "child" as an individual who has not reached the age of eighteen. This classification is a major step forward in the provision of focused interventions based on the unique needs and circumstances of several child categories within the legal system.

A contentious but important clause in the Act permits minors between the ages of sixteen and eighteen to be tried as adults for serious crimes, subject to evaluation by juvenile justice boards. According to current rules, heinous offences are those that have a maximum sentence of seven years or more, serious offences bring a maximum sentence of three to seven years in prison, and petty offences receive a maximum sentence of three years in jail. A judicial magistrate and two social workers, at least one of whom is a woman, make up the Juvenile Justice Board, a specialist judicial body created to handle cases in a setting that is more kid-friendly than traditional criminal courts. Before deciding whether to try juveniles between the ages of sixteen and eighteen in the adult criminal justice system, this Board has the power to evaluate their circumstances and mental competence.

## **Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act)**

A thorough legislative framework for the care, protection, treatment, development, and rehabilitation of children is provided by the Juvenile Justice (Care and Protection of Children) Act, 2015. This includes minors who are in legal trouble as well as those who require care and protection for a variety of reasons. Any person who has not yet reached the age of eighteen is considered a "child" under Section 2(12) of the Act.

A significant improvement is Section 15, which was added in the Act in 2015. For children between the ages of 16 and 18 who are suspected of committing terrible crimes, this section requires a preliminary assessment. According to Section 2(33) of the Act, a heinous offence is defined as one that entails a minimum punishment of seven years or more, as specified by any applicable law. This important clause permits juvenile offenders to be tried as adults, but only under the Children's Court's close supervision. The outcome of a thorough evaluation, which includes a psychological assessment, a social assessment, and a review of the child's criminal past, determines whether to treat a juvenile as an adult. This evaluation establishes whether the youngster is capable of committing the alleged crime and comprehending the repercussions of their conduct.

Reformation and rehabilitation are the guiding principles of the Juvenile Justice (Care and Protection of Children) Act, 2015. Even in cases where a youngster is involved in a serious or horrible act, this fundamental principle is unwavering. The Act prioritises the child's general growth and well-being over punitive measures in order to create a friendly atmosphere that promotes the child's reintegration into society.

### **Principles of Restorative Justice**

The Juvenile Justice Act prioritises rehabilitation over punishment and is based on the core ideas of restorative justice. The Act identifies twelve fundamental principles that all parties involved, including state governments, child welfare committees, law enforcement, special courts, and non-governmental organisations, must adhere to. The right to life and survival, protection from physical and psychological abuse, treatment with dignity and compassion, protection from discrimination, and the implementation of special preventive measures acknowledging that children who have experienced abuse are more likely to experience it again are all included in these principles. Additionally, the framework protects children's rights to

obtain effective assistance, including financial, legal, counselling, and health services; to be informed about legal proceedings; to be heard and express their opinions; and to maintain privacy and safety throughout the legal process. Crucially, the Act acknowledges that justice goes beyond punishment to include healing and restoration by compensating child victims for their relief and rehabilitation.

### **Statistical Overview and Current State of Child Sexual Abuse in India**

India has a startlingly high rate of child sexual assault, and new data shows extremely unsettling patterns that require immediate response. The most concerning trend is the 96% increase in reports of sexual assault against minors between 2016 and 2022, which may indicate an increase in abuse instances as well.

### **Hidden Dimensions and Underreporting**

Since child sexual abuse in India is still drastically underreported, the documented figures only show the visible part of a much broader epidemic. These results show that the true prevalence of child sexual abuse in the nation is greatly understated by official crime statistics.

What specialists refer to as "the conspiracy of silence" is the result of many societal variables that contribute to the underreporting phenomenon. According to research, up to 95% of children who experience sexual violence are assaulted by people they know, including family members. As a result, children are less likely to report abuse because of feelings of shame, fear, or ignorance. Systemic barriers to reporting and addressing child abuse are created by this pattern of abuse by trusted people, poverty, lack of education, social stigma around sexual assault, and a lack of knowledge about child abuse, especially in rural regions.

### **Conflicts and Intersections Among Legal Frameworks: When victims and offenders are minors**

Traditional ideas of justice and child protection are challenged by the intricate legal situations created by the confluence of the Juvenile Justice Act and the POCSO Act. When a child covered by the Juvenile Justice Act commits sexual offences against another child covered by the POCSO Act, these conflicts are particularly noticeable. The juvenile justice system's rehabilitation-focused strategy, which prioritises reformation above punishment, and POCSO's victim-centred approach, which requires justice and protection for sexually abused

children, are two key concepts that the legal system must balance in these situations. This conflict is a reflection of larger conceptual distinctions between how society views juvenile offenders and juvenile victims, especially when both groups overlap in certain situations.

In real-world situations where the same action prompts both protective and punishing legal responses, the intricacy of these crossings becomes clear. Juvenile Justice Boards have the authority to make decisions pertaining to children in confrontation with the law, and the Juvenile Justice Act protects minors accused of offences under the POCSO Act with provisions based on restorative justice principles. The Act divides offences into three categories: petty, serious, and heinous. Children above the age of sixteen who are accused of heinous offences are subject to specific processes. But the POCSO Act also calls for strong protection and justice for child victims, which creates situations in which the legal system must reconcile conflicting rights and interests within a single case framework.

### **Case Study Analysis: Balancing Conflicting Rights**

The practical difficulties resulting from the junction of multiple legal frameworks are exemplified by the seminal case of *BPB v. State of Odisha*<sup>1</sup>. In this instance, a fourteen-year-old male was convicted of penetrative sexual assault on a four-year-old girl, a felony that would typically result in harsh punishment under Section 6 of the POCSO Act. The Juvenile Justice Act, however, was applicable because the offender was a youngster. As a result, the penalty was two years in a juvenile home, which is much less than the maximum three years permitted under the JJ Act for even the most egregious crimes. The criminal then petitioned the High Court for a sentence reduction, underscoring the conflict between the needs of justice for child victims and the rehabilitation objectives for juvenile offenders.

This case serves as an example of the larger difficulties India's legal system faces when dealing with crimes in which minors are both victims and offenders at the same time. The conflict can be seen in several ways, such as the juvenile offender's right to reformation under the JJ Act versus the victim's right to justice under the POCSO Act, the emphasis on rehabilitation versus the necessity of deterrence, and striking a balance between protecting juvenile offenders from severe punishment and guaranteeing sufficient consequences for serious crimes. These instances compel judges to consider basic issues like the nature of justice, the goals of

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<sup>1</sup> (2024 Live Law (Ori) 74)

punishment, and the proper course of action when minors commit major crimes against other children.

In *Imran Shamim Khan v. State of Maharashtra*<sup>2</sup>, A child was sexually molested, and a medical examination verified this. Her mother advised her to disregard it, nevertheless. Before the magistrate, the kid victim's and her grandmother's comments were recorded. In this case, the Bombay High Court made a crucial observation: "Even if a minor in a sexual assault case turns hostile under the POCSO Act, the onus is on the accused to establish the innocence." It is simple to conclude that the prosecution was unable to establish the accused's guilt. However, in a situation like this, the legal system must ensure that the victim receives justice as well.

Additionally, the presumption under Section 29 is rebuttable because Section 30 gives the accused the chance to establish their innocence. The accused in *S. Suresh v. State of Tamil Nadu* (2017) MANU/TN/1940/2017 was found guilty under Section 6 of the POCSO Act and failed to refute the Section 29 presumption. As a result, the Court noted that the rebuttable presumption also establishes the accused's guilt. These cases demonstrate that the judiciary is placing greater emphasis on defending victims' rights.

### **Jameel v. State of Uttar Pradesh <sup>3</sup>(2016)**

POCSO and the JJ Act came into direct contact. The Juvenile Justice Board had to decide whether the 17-year-old had the mental maturity to stand trial as an adult, even though the rape accusations against him were filed under POCSO. Section 15 of the JJ Act, 2015, which allows the Board to conduct an initial examination in cases involving juveniles (16–18 years old) accused of serious crimes, was clarified by the judiciary as a result.

### **Kathua Rape Case (State of J&K v. Sanji Ram & Ors,<sup>4</sup>)**

In this case, an 8-year-old girl was raped and killed in a well-known case. One of the defendants stated that they were minors. Before determining whether the POCSO and JJ Acts applied, the court had to ascertain the accused's age. The intricacy resulted from the fact that, despite the extraordinary savagery of the offence, the accused would be tried under the JJ Act if it were

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<sup>2</sup> (2019) MANU/MH/0231/2019

<sup>3</sup> 2010 AIR SCW 217

<sup>4</sup> CRWP No. 8945 of 2020

established that he was a minor.

## **Areas of Confluence**

### **a. POCSO Child Offender: Dual Application of Laws**

When a child, defined as someone under the age of eighteen, commits a sexual offence against another child, there is a legal overlap. Under the Protection of Children from Sexual Offences (POCSO) Act, which is intended to protect children's rights and impose severe penalties for sexual offences, the conduct is considered a cognizable and punishable offence in such cases. A "cognizable offence" is one for which a police officer can arrest without a warrant, whereas a "punishable offence" is one for which a penalty may be applied.

However, the minor accused cannot be tried as an adult by default because of their age. The Juvenile Justice (JJ) Act, which lays forth certain guidelines for handling circumstances involving juvenile offenders, must instead be applied to these cases.

The POCSO Act, which emphasises a victim-centred approach, stipulates that any claims of sexual offences against children result in the immediate registration of a First Information Report (FIR) and that all instances involving such offences against minors be prosecuted.

On the other hand, to prioritise rehabilitation over punishment, the JJ Act mandates that a child in dispute with the law be brought before the Juvenile Justice Board rather than being tried in the traditional criminal court system.

A legal conundrum results from the combination of the JJ Act, which forbids punitive treatment of juvenile offenders, and the POCSO Act, which establishes obligatory minimum sanctions to prevent sexual offences and protect child victims. The JJ Act promotes the rehabilitation and reintegration of juvenile offenders. In the end, the judiciary must navigate a difficult terrain of child welfare, justice, and legal accountability while balancing the necessity to protect the victimised child with the imperative to address the reformatory needs of the offending child. This legal paradox complicates the judiciary's job.

### **b. Criminalising Consensual Acts Between Adolescents:**

When both children participate in consensual sexual behaviour, especially in the setting of

teenage relationships, this is one of the most controversial overlaps within adolescent legal frameworks. The Protection of Children from Sexual Offences (POCSO) Act, a statute intended to safeguard vulnerable adolescents, expressly rejects the validity of a minor's consent. Therefore, regardless of the situation, even consensual behaviours between two teenagers, including kissing or sexual contact, may be considered crimes. Due to this legal position, teenage males are frequently criminalised for having consensual intercourse, even in situations where there is obviously no compulsion, manipulation, or predatory intent.

Because it fails to sufficiently distinguish between exploitative abuse and harmless, non-coercive sexual experimentation among peers, this widespread criminalisation raises serious concerns and has come under growing scrutiny. Critics contend that by characterising consensual activities among young people as significant criminal offences, the law's indiscriminate application not only stigmatises healthy adolescent sexual development but also compromises the concepts of justice and fairness. This results in a complicated legal environment where young people must deal with the consequences of laws that don't take their connections into account.

#### **b. Juvenile Trials for Serious Crimes: Evaluation in accordance with the JJ Act**

Juveniles between the ages of 16 and 18 may be tried as adults under the Juvenile Justice (Care and Protection of Children) Act, sometimes known as the JJ Act, if they are charged with a serious crime. According to the Protection of Children from Sexual Offences (POCSO) Act, heinous offences include major crimes such as escalated types of assault and penetrative sexual assault. This is only possible, though, if a preliminary assessment is carried out in compliance with Section 15 of the JJ Act, which thoroughly assesses the juvenile's mental and physical capacity, comprehension of the potential consequences of their actions, and the particular circumstances surrounding the alleged offence.

The case is then transferred to the Children's Court under Section 18(3)<sup>5</sup> of the Act for additional legal proceedings if the Juvenile Justice Board finds that the juvenile has the necessary level of comprehension and maturity, indicating that they can be held accountable for their actions.

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<sup>5</sup> Juvenile Justice Care and Protection Act 2015

The Supreme Court's decision in *Shilpa Mittal v. State of NCT of Delhi*<sup>6</sup>, is a significant legal precedent in this regard. The Court clarified the concept of "heinous" acts under Section 2(33) of the JJ Act in this historic ruling, stating that only offences carrying a minimum sentence of seven years or more are eligible for this categorisation.

Therefore, even while there may be a longer maximum penalty (as in some POCSO charges), it does not always justify the juvenile being tried as an adult where the minimum punishment is less than seven years. This important decision ensures that not all serious crimes involving minors under POCSO are subject to adult trial standards, while also offering crucial interpretational clarity and protecting against the overuse of the "heinous offence" classification. The Supreme Court hopes to preserve the fairness and rehabilitation ideals at the heart of the juvenile justice system by setting these guidelines.

### **Challenges and Implementation Problems**

Effective child protection in India is still hampered by serious implementation issues, despite the extensive legal framework offered by the POCSO Act and Juvenile Justice Act. There are significant discrepancies between legislative aims and judicial outcomes, as seen by the pitifully low conviction rate of 34.9% for POCSO cases. Numerous structural problems, such as poor investigation techniques, insufficient evidence gathering, drawn-out judicial proceedings, and difficulties obtaining testimony from young witnesses, are reflected in this low conviction rate.

Effective child protection is hampered by social and institutional constraints that go beyond legal procedures. Due to societal stigma, fear of upsetting families, ignorance of legal rights, and a lack of faith in the judicial system, capacity to deliver significant justice, many cases remain unreported. When incidents are reported, victims frequently experience secondary victimisation due to poor child-friendly court facilities, insensitive law enforcement treatment, and a lack of appropriate recovery and rehabilitation support services. These implementation difficulties are exacerbated by the lack of qualified people, such as specialist police officers, counsellors, and court officials, qualified to handle cases of child sexual abuse.

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<sup>6</sup> (2020) 2 SCC 787

**a. Inflexibility of the POCSO Framework**

The Protection of Children from Sexual Offences (POCSO) Act is characterised by its rigid, non-discretionary punishments that may overlook the complexity of individual circumstances, particularly in cases involving consensual acts between minors. Its zero-tolerance policy aims to protect minors from exploitation and abuse; however, this approach can be excessively punitive in situations involving adolescent relationships that are founded on mutual consent.

**b. Balancing Both Children's Rights**

Courts deal with a difficult situation when both the accused and the victim are minors. On the one hand, it is imperative to protect the victim's welfare and offer the assistance they require, especially when coercion or manipulation is involved. However, as the accused is still in a formative stage of mental and emotional growth, it is equally important to take into account their rights and future. A rigorous judicial strategy that fairly considers all sides is necessary to ensure justice and safety for the victim while recognising that the criminal may be facing comparable developmental issues.

**c. Inconsistent Judicial Mechanisms**

The POCSO Act's implementation has exposed a notable discrepancy in the ways that various High Courts handle instances involving teenage consensual relationships. Some High Courts have adopted a more strict reading of the law, while others have used judicial discretion to reject charges in specific consenting circumstances, demonstrating an awareness of the subtleties of teenage relationships. Because comparable instances may be handled differently depending on the jurisdiction, this discrepancy might result in unfair outcomes in addition to creating uncertainty. The lack of consistent rules among courts is a problem, making juvenile offenders susceptible to severe punishments and possibly failing to sufficiently attend to the requirements of victims during the judicial process.

**d. Infrastructure and Resource Limitations**

In many parts of India, there are still insufficient resources and specialised infrastructure needed for the effective implementation of child protection laws. The POCSO Act's requirement for the creation of Special Courts has been inconsistent, with many districts lacking a judicial infrastructure specifically designed to handle cases involving child sexual

abuse. Similar to this, the Juvenile Justice Act's mandate for specialised institutions—such as juvenile homes, observation homes, and places of safety—faces severe resource limitations that have an impact on the standard of care and rehabilitative programs offered to kids who are in legal trouble. The efficacy of rehabilitation programs and support services for both victims and offenders is limited by the lack of qualified professionals, such as child psychologists, social workers, and specialised educators.

The bulk of India's youngsters live in rural areas, where infrastructure problems are especially severe. Additional obstacles to reporting and prosecuting child sexual abuse cases are caused by limited access to police stations, courts, hospitals with medical examination capabilities, and support services. The state's ability to offer complete support to child victims as required by the POCSO Act is compromised by the absence of suitable shelter houses, counselling centres, and rehabilitation institutions. In addition to impairing immediate case management, these financial limitations also jeopardise long-term prevention initiatives and community awareness campaigns that are crucial for establishing a safe environment for kids.

## **Conclusion**

One of the most complicated issues facing India's legal and social institutions is the relationship between juvenile justice and child sexual abuse. Although the Juvenile Justice Act and the POCSO Act are important legislative accomplishments in creating all-encompassing frameworks for juvenile rehabilitation and child protection, their application reveals ongoing discrepancies between the goals of the law and reality. With a kid facing sexual violence every second, the epidemic proportions of child sexual abuse necessitate immediate and ongoing intervention at all societal levels. Legislative frameworks alone are insufficient without accompanying improvements in implementation capacity, resource allocation, and social awareness, as evidenced by the low conviction rates, large case pendency, and ongoing underreporting of abuse.

## **Suggestions and Way Forward**

- a. **Legislative Reforms:** Add close-in-age exemptions to the Protection of Children from Sexual Offences (POCSO) Act. The age range that allows consensual sexual behaviour between adolescents, generally described as those who are within a certain number of years of one another, should be made clear by these revisions. By addressing the

special dynamics of youth relationships and shielding vulnerable minors from exploitative circumstances, this amendment seeks to lessen the criminalisation of teenagers in consensual relationships.

- b. **Judicial Guidelines:** The Supreme Court or Parliament should create and publish thorough standard operating procedures that specify how to differentiate between consenting peer sexual behaviour among teenagers and exploitative abuse. To provide judges and attorneys with a solid foundation for evaluating specific cases, these rules should include precise definitions of consent, age differences, and the context of relationships. This policy aims to advance equity in court cases involving minors.
- c. **Law Enforcement Training:** It is essential that law enforcement personnel, such as judges and police officers, receive specialised training on how to handle situations involving minors with tact and an emphasis on children's rights. Child psychology, the effects of trauma, and methods for interviewing young witnesses and victims in a way that puts their emotional health first should all be included in this course. The legal system will operate with the welfare of the child at its centre if a child-centric and rights-based strategy is established.
- d. **Rehabilitative Measures:** It is essential to give adolescents who are prosecuted under the POCSO Act access to thorough rehabilitative measures. To guarantee that even individuals tried under POCSO obtain assistance through counselling services, educational programs, and restorative justice initiatives, the Juvenile Justice (JJ) Act should be utilised. Recognising that rehabilitation—rather than punishment—is crucial to deterring future offences and promoting personal development, these policies seek to encourage young people's healthy development and reintegration into society.