

Age of Consent Under the POCSO Act: Legal Challenges and Contemporary

Concerns

Anagh Pandey¹ & Dr. Gargi Bhadoria²

¹Student at School of Law, Amity Law School, Amity University, Uttar Pradesh, India.

²Professor at School of Law, Amity Law School, Amity University, Uttar Pradesh, India.

anaghpandey@gmail.com

ARTICLE INFO

Article history:

Received 28 Apr 2026
Accepted 02 May 2026
Available online 07 May 2026

Keywords:

POCSO Act; age of consent; sexual offences; children; adolescent relationships; overcriminalization; personal laws; constitutional law; child protection.

Indexed in:



INDEX COPERNICUS
INTERNATIONAL



and in [major libraries](#)

ABSTRACT

The Protection of Children against Sexual Offences Act, 2012 establishes the age of consent to sexual intercourse as eighteen years in the entire country a significant departure joined with other structures, which differentiated between marital and non-marital relations. Even if such legislative interventions show the genuine desire of making children safe from sexual exploitation, their pan-India applicability raises serious legal questions that need critical examination. This paper examines the age of consent framework in a critical manner under six chapters discussing its constitutional roots, constitutional architecture, judicial reactions and operational consequences in different factual situations. An analysis shows that there is a contradiction between the protective aims and new realities, such as consensual adolescent relations, clash of personal law and over-criminalization. There has been inconsistency in the courts' application with some showing the agency of the adolescent and others the letter of the law. The paper will analyze the constitutional issues including the question of proportionality after the landmark judgement of the constitution in relation to privacy, the question of implementing the rules with a backlog of cases and evidential question. Furthermore, it will also look at comparative international approaches to providing alternative solutions. Although the protective rationale ought to be firmly confirmed, focused amendments should be made to the text to acknowledge contextual specificities so as not to unintentionally criminalise consensual adolescent relations, whilst ensuring adequate protection against the real signs of exploitation.

© 2026 International Journal of Advanced Research in Science and Technology (IJARST).

All rights reserved.

CHAPTER 1: INTRODUCTION

The introduction of a legally prescribed age of consent is perhaps the most far-reaching policy choice available to child protection law, setting a border beyond which children are not protected and sexual independence is legally recognised. The Protection of Children from Sexual Offences Act, 2012 later redefined this in India, setting eighteen as the equal age at which any sexual activity would be a criminal offence, regardless of the circumstances regarding sex or relationship.¹

Before the POCSO Act was enacted, sexual consent under the law in the country was riddled with contradictions. The IPC of 1860 took sixteen years as generally one's age of consent to non-marital sexual intercourse and at the same time permitted consummation of marriage on girls of age fifteen and above with the exception to Section 375 dealing with rape in marriage, which still defines Indian law on child sexuality.² The clash between the criminal statutes and the personal law systems permitting early marriages led to judicial confusion, which the POCSO Act sought to clarify with uniform standards.

¹ Protection of Children from Sexual Offences Act, No. 32 of 2012, § 2(d), India Code (2012).

² Indian Penal Code, 1860, § 375, Exception 2, India Code (1860).

The POCSO Act was conceptualized on the premise that the existing legal provisions were not enough for the comprehensive protection of all child sexual offences. That is to say, penetrative and non-penetrative rape, sexual harassment and child pornography. Apart from that, it also helps in providing adequate procedural protection to child sexual abuse victims before the court.³

The proposal to standardize the age of consent to the age of eighteen is a big step in protecting children. Despite this, there have been several legal disputes concerning its usage in various contexts of fact, the validity of which raises delicate legal problems that have been variously debated by scholars in their quest to clarify legality of the situation and its neutrality as to an underlying harm.⁴ The contrast between restrictive laws and reality in the world of teenagers has given rise to somewhat dramatic situations, especially those involving relationships between teens of nearly equal age, both of whom consider themselves willing participants in love affairs and even sexual affairs.⁵

More constitutional aspects complicate these problems further. The Supreme Court's ruling in Justice K.S. Puttaswamy v. Union of India is epoch-making in that it has come to recognize a fundamental right to privacy guaranteeing individual autonomy in respect of issues of sexual consent. The question of the use or non-use of this constitutional guarantee to adolescents in the POCSO model is on that awaits an answer.⁶

Source: The Rape Trial Law of Victimization of the Rape Survivor | Article | Laws of India. The proportionality test raised in Puttaswamy is whether making all sex between adolescents a crime, when the legal theory is imported into truly consensual peer relationships involving no exploitation or abuse, is constitutionally valid as the main mischief sought to be addressed by the proposition of law.⁷

The research systematic inquiry on age of consent as per POCSO Act, including analysis of the underpinning law, implementation, judiciary response and reform possibilities, among others, in 6-chaptered monograph. The paper uses a doctrinal approach to study adds on with interaction with empirical research cross-cultural insights and a law reform agenda. The study subject whether this common law age of consent, despite its legitimate protective goal, is associated with collateral effects requiring special statutory corrective. The hypothesis is that the protective justification of the age of consent system is best characterized as heavily affirmative, nevertheless, the lack of options to generate a line between consensual and exploitative relationships between adolescents is the root of overcriminalization issues that offset the overall effectiveness and the perceived validity of the law.

CHAPTER 2: LITERATURE REVIEW

The Protection of Children from Sexual Offences Act of 2012 (POCSO Act) seems to be evaluated actively in academic circle for its age of consent provisions. A lot of academic research has emerged, in which one could look at its framing legally, sociology, psychology, and a comparative point of view. The present chapter will highlight the major thematic contributions of contemporary literature and the analytical gaps that the present research will address.

With the enactment of the POCSO Act, there was widespread appreciation for its gender-neutral structure and the expansive definition of sexual offences. The earlier legislation only recognised a limited number of offences while the understanding of victims was largely gender-specific. The recognition of male as well as female children as being the victims of sexual abuse reflects on the evolving interpretation of the different forms in which child sexual exploitation takes place.⁸

Lately, there has also been increasing academic interest in matters of adolescent agency and consensual relations among teenagers (20 words) Academics from law and developmental psychology have questioned blanket criminalisation under POCSO Act especially when it comes to two adolescents of a similar age group having a consensual relationship. This anxiety is often looked at through the lens of developmental neuroscience, which argues that adolescents have developing cognitive capacities and are not fully rational decision-makers, particularly in intimate contexts.

³ Model Guidelines under Section 39 of the POCSO Act 1 (2013), as set out by the Ministry of Women and Child Development, Government of India.

⁴ United Nations Convention on the Rights of the Child, art. 34, Nov. 20, 1989, 1577 U.N.T.S. 3.

⁵ Mrinal Satish, *Discretion, Discrimination and the Rule of Law: Reforming Rape Sentencing in India* 234 (Cambridge Univ.). Press 2017).

⁶ Law Commission of India, *Review of Rape Laws*, Report No. 172, at 45 (2000).

⁷ Justice K.S. Puttaswamy v. Union of India, (2017) 10 S.C.C. 1 (India).

⁸ Pratiksha Baxi, *Public Secrets of Law: Rape Trials in India* 189 (Oxford University Press 2014).

Another increasingly discussed issue in academia is the contradiction between the POCSO Act and personal laws that allow of early marriage. In spite of the fact that some personal laws permit marriage below eighteen years of age, all sexual activity with anyone below the age of eighteen is a criminal act under the provisions of the POCSO Act that creates a clash of laws.⁹ This inconsistency is demonstrated quite clearly by the exception of marital rape. In the case of *Independent Thought v.s Union of India*, the Supreme Court addressed the concern by declaring the unconstitutionality of the exception which allowed sexual intercourse with wives aged between fifteen and eighteen years resulting in greater uniformity in the age of consent framework.¹⁰

Within feminist legal scholarship, these debates have garnered differing perspectives. The tension reveals a deeper, theoretical divide between those prioritising protection and those claiming respect for autonomy when it comes to children. A certain type of feminism asserts that young people should be shielded from choices that are not in their best long-term interests. A contrasting strand asserts that young people's evolving capacities should be recognised and that they have rights akin to those of children.

Studies have shown problems in implementing the POCSO Act. (13 words) Concerns related to the accumulation of pending cases in Special Courts, immense difficulty of securing conviction without relying on the testimony of the child and the inconsistent application of procedural safeguards have extensively been documented. As reported, the inadequacy of support services for child victims is undermining the legal framework.

The National Commission's findings are related to the child rights issue in India which has been supported by legal and judicial provisions. Even though the law requires speedy trials, many cases still remain pending for extended periods of time which robs the provision of its essence.

Due to these limitations, it must be questioned to what extent the objectives of the POCSO Act are being realised in practice.

The comparative legal scholarship sheds light on how other jurisdictions tackle similar concerns through close-in-age exemptions, graduated age of consent models, and the exercise of prosecutorial discretion. Carefully calibrated reforms that address existing gaps without compromising the original objective of protecting the child may benefit the Indian framework.¹¹

In general, the literature suggests that while the Act embodies a progressive statutory design, the operational effectiveness of the Act is unlikely to be most piloted by institutional inefficiencies and conceptual tensions. This research work takes the studies mentioned above forward by providing a comprehensive thematic analysis and suggesting context-specific reforms based on constitutional principles and global best practices.¹²

CHAPTER 3: LEGAL FRAMEWORK AND CONSTITUTIONAL DIMENSIONS

Referencing several constitutional guarantees that regulate the scope and application of age of consent provisions in the POCSO Act, the Act lays down a comprehensive architectural approach to definability to the Act. The legal structure and its constitutional dimensions are highlighted in this chapter.

As per the Act, a child would mean a person who has not completed eighteen years of age and this one uniform definition is applied all across the Act whether it is a sexual crime or not, the gender, marriage or a specified relation. Penetrative sexual assault under Section 3 is sexual intercourse and other forms of penetrative contact. The first part of Section 5 of the Protection of Children from Sexual Offences Act 2012 deals with aggravated penetrative sexual assault.¹³ It specifically applies to cases where the offence is committed by someone in a position of trust, like a teacher or a police officer. It also deals with severe cases wherein the consent of children is obtained to create pornographic scenes under the section 13.

What is especially remarkable is its consent provision.

As per Section 3 concerning the definition of penetrative sexual assault, if a person is under eighteen, that person can never consent legally, under any Section 2(d) defining child, and therefore any sexual act will always be presumed to have

⁹ Asha Bajpai, *Child Rights in India: Law, Policy and Practice* 312 (3rd ed., Oxford University Press 2017).

¹⁰ Lawrence Steinberg, *Age of Opportunity: Lessons from the New Science of Adolescence* 87 (Houghton Mifflin Harcourt 2014).

¹¹ Flavia Agnes, *Marriage, Divorce and Matrimonial Litigation* 156 (Oxford University Press 2011).

¹² National Commission for Protection of Child Rights, *POCSO Act Implementation: A Status Report* 28 (2019).

¹³ Protection of Children from Sexual Offences Act, § 2(d), No. 32 of 2012 (India).

criminal liability, regardless of the objective innocence of the agent. The Act establishes a presumption of guilt under Section 29. According to this section, once the prosecution proves the commission of a sexual offence, the court shall presume the accused to have committed the offence unless the accused can prove otherwise.

The statute's section 19 and section 28 are the mandatory reporting with the addition of an exception which includes a statement that although, a provision of the legislation may be inconsistent with any other law, the legislation allocated a statutory priority.

Most courts have upheld as constitutionally sound the eighteen-year age of consent citing as valid state interest the concern and protecting children against sexual exploitation. The Constitution, through Articles 15(3) and 39(f), sanctions protective legislation in the interest of children which incorporates the age-based legislative treatment that would be considered equal treatment as per Article 14. Moreover, it defines the right to life as well as dignified as personal and autonomy as individual.

In the Puttaswamy case, the concept of proportionality was elaborated. In this Puttaswamy case, the goal of the state is to protect children and therefore it will easily pass the first two tests of proportionality. However, a third test of proportionality will enter the fray when the law seeks to cover a truly consensual relationship. It will be a peer-to-peer relationship that would not entail the form of exploitation that is really the mischief at the core of the assessment. The Supreme Court has recognized an implied constitutional principle, to wit, that the best interests of children are not served by the enforcement of overwhelming criminalization that involves minors being dragged into criminal proceedings that are severely harmful and grossly disproportionate to any level of protection generated. Courts dealing with POCSO cases that involve relationships between adolescents have invoked the best interests of the child principle.¹⁴

The constitutional status of child marriage presents unique complexities. In the significant case of *Independent Thought v. Union of India* (2006), the court ruled that child marriages are voidable, not void. Moreover, the personal laws of some societies recognised marriages between the ages of fifteen and eighteen, giving a greater coherence to the joining of age of consent, but at the same time, a continued lawlessness between practice and constitution.

CHAPTER 4: JUDICIAL RESPONSES AND INTERPRETIVE CHALLENGES

The judicial response to legalist challenges created by the age of consent clauses in the POCSO Act suggests that there are significant strains between the protective legislative intentions and awkward factual situations faced by courts. This portion inspects different areas of the judicial interest for these challenges.

The most contentious legal dilemma is about the post puberty hours, consensual sexual relations between teens. In numerous instances across Indian courts, it has been observed that parties to a case, almost without exception boys, are under or nearly eighteen years old and that the relationship behaviour in the case is consensual and romantic in nature as characterised by both parties, rather than predatory sexual abuse by an adult offender. Nonetheless, courts are compelled to apply the same provisions of criminal law in such cases without regard to the nature of the relationships involved.¹⁵ This categorical system places teenage boys on the verge of serious criminal charges for behaviour to which both parties describe as mutual and voluntary.

Several High Courts have attempted to provide jurisprudential responses through creative interpretation, in fact. In matters of adolescent relationships, Madras High Court has called for a re-examination by the legislature on the age of consent. It pointed out the impact of a fundamental curve with enforcing the age of consent at eighteen years old. This has led to more juvenile couples who have eloped and married being criminally prosecuted and at least punished, even in cases where there is no exploitation and no coercion to marry. Judiciary's perception is reflecting positively on the consensual adolescent sex. Parliament's protection, being fine-tuned is affirmation of the fact. Impacting the legal regime which of a juvenile offender is good.¹⁶

Since the POCSO interface with elopement cases controversy has erupted. In most POCSO cases, it is the families and relatives opposed to the relationship on caste, religion, or community affiliation that are the ones to file POCSO cases, thereby making the act which protects children against sexual exploitation into one that criminalizes the consensual relationship as described by adolescent girls. The violation and severe issues regarding whether POCSO prosecutions can be child protection goals occur in the largest social family context of family domination over young women's intimate choice. It is made complicated further by religious and community dimensions, while sometimes being subjected to

¹⁴ Prohibition of Child Marriage Act, No. 6 of 2007, § 3, India Code (2007).

¹⁵ Asha Bajpai, *Child Rights in India: Law, Policy and Practice*, supra note 9, at 318.

¹⁶ *S. Manivannan v. State*, 2021 SCC OnLine Mad 2162 (India).

monitoring under POCSO with community campaigns. It does not necessarily concern child welfare interests and has a variable course of justice in interfaith relationships.

Laws related to minimum sentencing have created a lot of legal worry. The Act imposes minimum mandatory sentences for various offences that a court must apply once a conviction occurs. This restricts judicial discretion in order to ensure that the outcome is proportionate to the actual harm suffered. This is especially so in cases where a conviction for an offence is due to technical failure to meet the age of consent agreement. This is distinct from real sexual exploitation.

The Supreme Court has traversed a few aspects of these challenges. The court has taken note of the fact that in such adolescent relations, the totality of circumstances should be taken into consideration by courts, which consist of the nature of the relationships as well as the reality of factum of exploitation or consensual interaction. However, the court has also affirmed that the statutory age of consent itself is a strict legislative policy decision, which courts have no power to alter under an interpretation and thus restricting the ability of courts to resolve the issues which arise by considering the pleas advocated therein in an ad hoc manner. This conduct reflects a proper judicial restraint on the policy of legislation. But it also admits that the interpretation of the legislation in some situations creates effects that go against the protective purpose of the legislation itself.

CHAPTER 5: IMPLEMENTATION CHALLENGES AND COMPARATIVE PERSPECTIVES

The age of consent prescribed by the POCSO Act, apart from problems of judicial interpretation, also has serious problems of implementation undermining its protective aspect. This chapter explores these operational matters taking into account the relevant international perspectives that give a clue to possible reforms.

The legislation's protective value is significantly undermined by the implementation issues related to case backlogs and resource shortages. Despite the fact that it is necessary for cases now pending before the POCSO cases to be tried at special schedules, yet, there are several special courts which still have massive backlogs with cases taking several years to be cleared. Moreover, adding serious consideration to this, is the fact that lengthy pre-trial detention or conditions of bail on accused persons are not always justified. The gap between legislative intention of quick trial and the reality of dragging proceedings relating to rate of disposal signifies the institutional deficit of resource which can never be overcome by mere legislative will to do so without directly investing in judicial capacity.¹⁷

The absence of a specialized service for child victims is another important implementation issue. While the Act does provide for child witnesses to receive support through a support person during the course of proceedings, the type and access to such support varies significantly between jurisdictions. In the absence of psychological support and legal assistance, child victims are compelled to endure lengthy legal processes. This lack of support adversely affects the victim's ability to participate effectively in the legal process and hampers their recovery from the abuse.

Inputs by the learned members of the Academy asked whether the directive requiring the use of simple language and avoidance of legal jargon in reporting child testimony is being followed. Moreover, several provisions in the Code dealing with child testimony cause the recitation of statements without cross-examination in some situations. This may amount to a violation of the right of the accused to a fair trial. Furthermore, POCSO cases also face evidentiary challenges. The courts struggle with the need to ensure that child witnesses are not subjected to trauma in court versus the basic right of an accused person to be able to defend him or herself against evidence being lead in a courtroom.

The examinations of other jurisdictions treatment of issues around the age of consent may offer insights into reform. A number of jurisdictions have adopted close-in-age exemptions that decriminalize or lessen punishment against sexual conduct in youths that are of similar age. These types of provisions are already present in the child sexual offence laws of the UK and some other European countries. Such provisions generally allow sexual intercourse between someone under the age of consent but not younger than someone aged at least two or five years younger (but no more) where the age gap does not exceed a fixed limit between two and five years. This is a strategy that keeps are criminally responsible where the adult exploits the child but will acknowledge that the relationship between peers among adolescent and youths of a similar age will be different.¹⁸

Australia proposes a graduated age of consent. Various versions of consent imply application of various rules about various types of sexual activity. Older the age of consent to more intimate and close types of conduct. This gradually progressive move recognizes developmental realities in relation to teenage sexual activity, and facilitates stronger protection of

¹⁷ Protection of Children from Sexual Offences Act, § 4, No. 32 of 2012 (India).

¹⁸ National Commission for Protection of Child Rights, *supra* note 12, at 56.

potentially harmful behaviour. Many European jurisdictions have adopted a similar methodology, thus indicating an acknowledgment that over the adolescent years sexual development is more in a continuum than a sharp line.

Another mechanism to deal with contextual subtleties lies in prosecutorial discretion regimes in various common law jurisdictions. According to the guidelines laid down for the prosecutors, the cases against the adolescents in respect of consensual relations, who are very close to each other in age, should not for the most part be prosecuted in the event as the evidence support the fact of the mutuality and non-exploitation. While the prosecutor's discretion cannot replace specific legislative indications, it is a practical measure to ensure that the prosecutorial resources are dedicated to cases in which genuine exploitation may take place but not consensual peer relationships.

CHAPTER 6: CONCLUSION

The Protection of Children against Sexual Offences Act, 2012 has established an age of consent system to protect children from sexual exploitation and abuse. The introduction of a standard eighteen-year age limit, wide-ranging definitions of offences, gender-neutral identification of victims, and good procedural safeguards, we believe, gives us a regime that is quite superior to the patchwork one that was previously under the IPC and other laws. According to the specific constitutional sanction of the protective law in favour of the children and the state compelling interest in the prevention of child sexual abuse, this framework is constitutional. The independent thought judgment reinforced the rationale of the framework by removing the anomalous exception of marital rape which in fact sanctioned sexual assault against child brides and created a larger lure of coherence in the age of consent rule.

Despite the above, this study demonstrates that the Act's homogeneous approach raises significant legal questions as well as present concerns that cannot merely be brushed aside as implementation-related difficulties. Rather, they need to be substantively dealt with using the conceptual design of the legislation.

The absence of close-in-age provisions has created a situation in which consensual peer relations among young people are placed on the same level as predatory sexual abuse by adults. According to the writer, this would produce the same outcomes without achieving any of the justice or child welfare objectives. Mandatory minimum sentencing stops the courts to provide proportionate results when the situation of the facts present in the case indicates contact of agreements and not exploitation. The complicated barrier between personal law systems creates legal confusion on whether marriages achieved in terms of a seemingly legalized union of a same-sex below the POCSO, age of consent should be recognized. The legislation is weak as a child welfare instrument. This weakness makes it vulnerable to instrumentalization on prosecutions based on family motivation, particularly caste, religious or communal motivations, rather than based on genuine child protection requirements.

Judicial responses to such dilemmas have, at times, been smart and innovative with respect to particular cases. Nevertheless, they proved completely insufficient to bring to light legislative gaps in the major structures. Judges have been conscious of collisions between protective ends and proportional outcomes but they have rightly realised that basic reform is within legislative rather than judicial competence. According to international perspectives, India's problems are not unique; countries across the world have attempted implementation of various solutions that can be categorized as the close-in-age exceptions, graduated consent age and prosecute selectively structures, which merit consideration.

The evaluation leads to some specific reform proposals. Parliament may need to enact close-in-age measures. Sexual conduct between individuals who are both under the age of consent (their "lower age") will not be subjected to criminal responsibility, provided the age gap does not exceed some set limit (such as three years). And provided the relationship is provably consensual and not exploitative. The regulations ought to stipulate the extreme age gaps permissible, but should also dictate that the permission has to be genuine rather than being induced by coercive activity, undue influence or power differential. Lawyers of Rep members stated that an exception that will not leave any loophole through which an adult exploits this must be formulated. Rather, the request amid additional exceptions that peer relationships among adolescents must not be considered as a crime.

The provisions of mandatory minimum sentencing should be repealed so that the jurisdictional power on cases where the factual circumstances reveal that there is consensual relationships between adolescents recedes. Mandatory minimums may still be required for serious cases of child sexual abuse committed by adults or those in positions of trust. However, their blanket applicability to all cases irrespective of context gives rise to outcomes which are disproportional and which do not align with constitutional principles of proportionality, nor the very protective character of the legislation itself. Judges should be empowered to impose penalties that reflect actual culpability and not be subject to rigid minimums that operate in factually opposite circumstances.

Clear legislative guidance must be provided on the interaction of the POCSO Act and personal laws on the issue of marriage. The ranking of the provisions should be clearly articulated to prevent jurisdictional problems and at the same time, child protection aims must not be jeopardized by references to individual law practices which are contrary to the prescribed child rights principles. The law should make clear that POCSO will protect all people, who are married or otherwise. This is something the Supreme Court was clear about in *Independent Thought*, and it deals with any remaining ambiguities.

Fourth, we need to make a major investment in institutional infrastructure and support services. The proper recruitment of manpower in the special courts and preparation of judges dealing with children on matters of child development and trauma informed practices, presence of competent support persons to assist child witnesses, psychological services to victims of child abuse, must be facilitated to ensure that POCSO framework gets translated into practices not just the law books. The most fundamental phenomenon unlikely to realise the child protection provision in the Act is the gap between legislative aspiration and institutional incompetence.

Guidelines for prosecutors should be designed, thereby giving systematic rules how discretion may be exercised POCSO cases, especially in those cases in which teenager relationships were consensual. These standards should direct prosecutors to examine the nature of the relationship in question, the age difference between the parties, any apparent use of force or exploitation, wishes of the alleged victim and whether the prosecution serves a child protection interest prior to charging. This would help ensure that available prosecutorial resources will be focused on actual exploitation cases and will decrease the number of cases where child protection laws are being instrumentalized to achieve some other purposes unrelated to child welfare.

At last, comprehensive awareness programs must be conducted for adolescents, parents, teachers and law enforcement to highlight the scope of POCSO protections; the impact of sexual offences on children; and the distinction between protection laws and abuse of laws to control family or manage a community entity. The improved awareness will lead to avoiding a real case of child sexual abuse and use of legal mechanisms at the national level.

The need to protect children from sexual exploitation and abuse is undoubtedly valid and it must be the primary consideration in introducing any reforms. Creating a legal framework aimed at achieving those objectives on a broad basis, at the same time as making sure that protection measures will not unnecessarily condemn all actions and relationships with a sexual connotation between adolescents and deprive youths of their rights to self-development and to make their own choices that do not relate to any real child care. A long-term effort by lawmakers, the judiciary, civil society, child rights organizations, mental health professionals and the children themselves whose lives are affected by these laws, should achieve such a balance. As per my sources, the POCSO Act has laid down a good foundation through which it would be possible to build more situational, contextual and ultimately more workable statutes on child protection based on the recommended targeted reforms through the research.

BIBLIOGRAPHY

Statutes

Protection of Children from Sexual Offences Act, No. 32 of 2012, India Code (2012).

Indian Penal Code, 1860, India Code (1860).

Prohibition of Child Marriage Act, No. 6 of 2007, India Code (2007).

Constitution of India.

Cases

Gaurav Jain v. Union of India, (1997) 8 S.C.C. 114 (India).

Independent Thought v. Union of India, (2017) 10 S.C.C. 800 (India).

Justice K.S. Puttaswamy v. Union of India, (2017) 10 S.C.C. 1 (India).

Maneka Gandhi v. Union of India, (1978) 1 S.C.C. 248 (India).

S. Manivannan v. State, 2021 SCC OnLine Mad 2162 (India).

Books

Agnes, Flavia, Marriage, Divorce and Matrimonial Litigation (Oxford Univ. Press 2011).

Bajpai, Asha, Child Rights in India: Law, Policy and Practice (Oxford Univ. Press 3d ed. 2017).

Baxi, Pratiksha, Public Secrets of Law: Rape Trials in India (Oxford Univ. Press 2014).

Hamilton, Carolyn, Family, Law and Religion (Sweet & Maxwell 1995).

Menon, Nivedita, Seeing Like a Feminist (Zubaan 2012).

Narain, Vrinda, Gender and Community: Muslim Women's Rights in India (Univ. of Toronto Press 2001).

Satish, Mrinal, Discretion, Discrimination and the Rule of Law (Cambridge Univ. Press 2017).

Steinberg, Laurence, Age of Opportunity: Lessons from the New Science of Adolescence (Houghton Mifflin 2014).

Journal Articles

Kothari, Jayna, The POCSO Act: An Analysis of its Key Provisions, 48 Econ. & Pol. Wkly. 32 (2013).

Reports

Law Commission of India, Review of Rape Laws, Report No. 172 (2000).

Ministry of Women and Child Development, Government of India, Model Guidelines under Section 39 of the POCSO Act (2013).

National Commission for Protection of Child Rights, Implementation of the POCSO Act: A Status Report (2019).