

Unlawful sexual Practices of children in India due to lack of non-sensitive approach of Government

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Illegal sexual behavior is detrimental to the community, family, and child. It is sexual behavior that is expressed verbally or physically without consent. Sexual harassment can cause embarrassment to any sexually motivated behavior that the victim finds inappropriate. A youngster can be sexually abused by both males and women. Rape of a female is more commonly discussed than that of a guy due to the more powerful position that men hold in society.

The United States Supreme Court declared that these kinds of actions violated each person's civil rights. Child sexual abuse, according to HENERY KEMPE, is "the involvement of an adolescent and dependent, developmentally immature children in sexual activities." They do not completely understand that doing so would mean going against the social taboo of family roles or that they are unable to offer informed permission. While many jurists have characterized child sexual abuse, the term itself is not entirely clear. In various countries these sexual offences are categorized according to the seriousness of the offence and have been put under a common head of " sexual offence ". For example, in Michigan State Criminal Sexual Conduct Act, 1974, such child abuses as a ladder of offences and when it is established, is defined as " criminal sexual assault ".

INTRODUCTION

The Act classified various kinds of sexual assaults according to their degree of coercion and provided different punishment for all acts according to its seriousness. But in INDIA these offences are sometimes considered as rape, it comes into the purview of Section 375 of I.P.C of 1860 or some other time as outraging the modesty under Section 354 of I.P.C. or in general conception of molestation, sexual exploitation or sexual abuse etc.

' UNLAWFUL SEXUAL PRACTICE ' is a broad term which includes all these categories of sexual offence but child sexual abuse is now here defined in criminal law. More ever National Commission for Women (NCW) has recommended, in its report i.e., Rape, A legal study 2001 regarding the replacement of Section 375 of 1.P.C., with a new broad term regarding " Sexual offence " which includes all these kind of offence into one head. There is a need of precise cautious worded definition of child sexual abuse including its different kind of abuse. Therefore, the conceptual controversy relating to the child sexual abuse need to be solved.

If you have learned current contemporary facts and figure regarding others nature of sexual abuses namely; trafficking, molestation illegal housemaid child labour, keeping in view you would be feel shameful of government (Executive) jobs. As per our nation India today survey at least one lakh child in each year mostly girl's child for child labour worker slaves beggared due to lack of conscience awareness of state and central Government and quality child centralized based education, poverty, unemployment, which affect physical, and social development. Simultaneously, adoptions are also played a bad role for illegal child trafficking of the same.

BAD IMPACT ON SOCIAL STRUCTURE OF INDIAN SOCIETY

If you have seen newspapers, electronic and social media you will get authentic data of CSA and as well as remedial approach of Government. In our national society, there is a vulnerable segment of youngsters who are impoverished, deprived, and lack education. constituted in March 2007 as the Commission for Protection of Child Rights. However, there is still more to be done because a youngster has tragically passed away. We failed to provide for her in a timely manner, and she passed away at the age of two. She represents a lot of things. Let's close all gaps in our protection systems for vulnerable women and those who have been sexually abused as children. Mostly child community are victims and feels culprit of the same, but government has not taken any positive action because of which whole system is paralyzed. Our present society has no as such authentic, accountable forum / agency thereto put on before these kinds of complaint are dealt only in the traditional way, firstly you have to contacted to police station and lodge a written criminal complaint against person and thereafter all is vain.

SOCIAL CONDITION OF CHILD IN INDIA

Essentially a conscious and comprehensive system has to be planned and established, keeping in mind the forum for eradication of child sexual abuse from ground level such as Child Protection Committee on village, urban, state / central level and appoint psychiatrist and make a separate cell in police station. At the time of child born in anywhere in our country government should provide all facilities and protection at all levels till the stage of adolescence just like in Sweden or other western country where child is not only child, they are a country's assets. NATIONAL DHAROHAR where they have taken a strict action against whichever person violate rule of law and makes some hindrance in our child society for the universal growth of the child. Recently in Andhra Pradesh NRI couple have been prosecuted and punished for 18 and 15 months jail for misbehaving with children.

IMPORTANT RECENT ACT FOR CHILD SOCIAL JUSTICE

Our government has passed statute and got consent from the President of India on 14.11.2012 regarding Protection of Children from Sexual Offence Act, 2012 for the protection of child sexual offences harassment / abuses, unlawful sexual offence / practice but execution part of this act is very traditional / unsystematic and doubtful.

Currently, multiple sections of the Indian Penal Code address sexual offenses; however, these sections do not cover all forms of sexual offenses against minors, and more crucially, they do not make a distinction between adult and minor victims. All children under the age of 18 are protected from sexual assault, sexual harassment, unlawful child practice, and pornography by the Protection of Children from Sexual Offence Act, 2012, which defines a child as any person under the age of 18.

For the first time, these offenses have a precise legal definition. The Act stipulates severe penalties, from light to heavy imprisonment for different lengths of time. Additionally, it specifies a fine that the court will determine.

When a member of the security forces, a police officer, a public servant, or someone else who is in opposition to the trust or authority of a child commits an offense, it is considered to be more serious.

INDIAN CONSTITUTION AND SOCIAL JUSTICE

Indian Constitution of India has played always a vital role for protection of our vulnerable child whether male child or female child or citizen. As Article 14 has laid down " Every citizen have equal rights " Citizen means nobody can discriminate to someone on the base of sex, cast, creed, race, culture that would be abridgement of our fundamental rights. Now day's filthy trends or fashion and some human society groups have created problems for illegal activities. Six girl's children out of ten are molested every day in our so-called sensitive society. That Article 21 of our constitution of India had also provided " A life with dignity " which also play a kindness role of our vitiated society, which is spreading evils for vested interest in our society.

CRITICISM OF INDIAN LAW

That our Indian law have played check and balance role in our society but our execution part and course of action are very lengthy and insensitive and lack of transparency that has created big problem in our society. Immoral character is a big problem in our society, which is paying more effect time in our Indian society.

CONCLUSION

That criminals create numbers of social and economical problems in our society like that illegal child trafficking, beggary mostly girl child labour etc. Victim have suffered mental agony, which propagates by ill mind set person in our society. The State should adopt reparative scheme, reachable law, good governance and rehabilitation programme progressive policy centre for avoiding those crimes which are growing in our society. That would be good for our national and international perspective of the same. Our legislature as well as judiciary can play a good role for eradicating those kinds of social evils or crimes from our society.

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