
CHAPTER I

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1.1 The State of Rajasthan and its Demographic Structure

Rajasthan is a geographically situated state in the northwestern region of the Indian subcontinent. With regards to its geographical expanse, this state holds the distinction of being the largest. Furthermore, it boasts a significant cultural legacy. Based on the available information up until September 2021, this report provides an

overview of the demographic composition of Rajasthan. The population of Rajasthan, as recorded in the 2011 census, was approximately 68.5 million, positioning it as the seventh most populous state in India. It is important to acknowledge that population statistics may have undergone changes subsequent to the mentioned time period. Consequently, it is recommended to consult the most up-to-date data in order to obtain the most precise and reliable information. The gender ratio in Rajasthan holds significant importance as a demographic indicator. According to the 2011 census data, the state exhibited a sex ratio of 928 females per 1000 males. The aforementioned ratio signifies a diminished presence of females in relation to males, notwithstanding the implementation of initiatives aimed at rectifying this gender disparity. The official language spoken in the state of Rajasthan is Hindi. Nevertheless, it is worth noting that Rajasthani, which is a variant of the Hindi language, is extensively utilised throughout the region. Moreover, diverse regional dialects and languages are also utilised by distinct communities.

The state of Rajasthan exhibits a rich and varied religious landscape. Hinduism, being the predominant religious belief system in the region, is adhered to by a significant majority of the population within the state. Islam is the second most prominent religious faith globally, with a substantial following of adherents who identify as Muslims. In addition to Sikhism, Jainism, and Christianity, there are several other religious traditions that have relatively smaller yet significant adherent populations. Rajasthan exhibits a notable representation of diverse caste groups and tribes within its population. The region is renowned for its historical manifestation of social stratification, whereby the caste system has exerted a lasting influence on societal dynamics over an extended period of time. The Scheduled Castes (SCs) and Scheduled Tribes (STs)¹ have been recognised as marginalised communities, and specific measures have been implemented to enhance their socio-economic standing. The state of Rajasthan has witnessed a progressive rise in urbanisation over the course of time. The state encompasses a number of prominent urban centres, such as Jaipur, which serves as the capital, as well as Jodhpur, Udaipur, and Kota. These urban centres have experienced substantial increases in population as a result of economic

¹ As per Article 366 (25) of Constitution of India the Scheduled Tribes is defined as: Such tribes or tribal communities or part of or groups within such tribes or tribal communities as are deemed under Article 342 to the Scheduled Tribes for the purposes of this [Indian] Constitution.

advancements and the influx of individuals from rural regions. According to the 2011 census data, the state of Rajasthan exhibited a literacy rate of approximately 67.06%. The government has implemented initiatives aimed at enhancing the quality of education, with a particular focus on rural regions, in order to elevate the overall levels of literacy.

1.2 Further dimensions of the demographic composition of Rajasthan:

1.2.1 Rural Demographics: The state of Rajasthan is characterised by a primarily rural population. The rural regions of the state exhibit a distinct set of characteristics, primarily centred on agricultural pursuits, wherein farming serves as the predominant occupation for a substantial proportion of the populace. The rural economy exhibits a significant reliance on agricultural practises, animal husbandry, and associated endeavours. Rajasthan accommodates numerous indigenous tribal communities within its borders. The aforementioned tribes, namely the Bhils, Meenas, Garasias, and Sahariyas, possess unique cultural customs, linguistic variations, and customary livelihoods. Various initiatives have been undertaken to safeguard and enhance the distinctive cultural legacy of the community, as well as to ameliorate their socio-economic circumstances. Migration² is a phenomenon observed in the state of Rajasthan, encompassing both internal and external movements of people. Internal migration refers to the phenomenon of individuals relocating from rural regions to urban areas within a particular state, driven by the pursuit of improved employment prospects, educational facilities, and infrastructure. External migration encompasses the phenomenon of individuals originating from Rajasthan relocating to other states or countries in pursuit of employment opportunities, with a particular focus on sectors such as construction, hospitality, and healthcare. Access to healthcare facilities and infrastructure poses a significant challenge in specific regions of Rajasthan, particularly in geographically isolated rural areas. Nevertheless, the government has implemented various initiatives aimed at enhancing healthcare services, such as the establishment of primary health centres, mobile healthcare units, and programme specifically designed to address maternal and child health.

² The movement of a person or people from one country, locality, place of residence, etc., to settle in another.

1.2.2 Education: Despite ongoing efforts to enhance literacy rates in Rajasthan, there remain certain regions that necessitate further attention. The state government has implemented measures aimed at improving educational infrastructure, fostering the education of girls, and mitigating the disparity in literacy rates between genders. The state's urban areas are home to a multitude of schools and colleges, including those of high repute.

The employment landscape in Rajasthan is characterised by a diverse range of sectors, including agriculture, tourism, handicrafts, and mining, which play a significant role in generating employment opportunities. Nevertheless, the persistent issues of underemployment and unemployment continue to be a cause for concern, specifically with regards to the younger population. The state government has implemented several skill development programme and employment schemes in order to tackle these challenges. Rajasthan has witnessed notable improvements in various social indicators, including the infant mortality rate, maternal mortality rate, and child malnutrition, over the course of time. Nevertheless, there remains a need for further efforts to guarantee enhanced healthcare, nutrition, and holistic welfare for all sectors of society, with a particular emphasis on underserved rural and marginalised populations. Rajasthan, akin to numerous other states within India, confronts economic disparities across its various regions. While certain urban regions have experienced substantial economic expansion and infrastructure advancement, rural areas, particularly those situated in remote and arid locales, frequently encounter obstacles such as restricted resource accessibility, diminished income levels, and a dearth of employment prospects. Child marriage is a prevalent social concern that continues to persist in certain regions of Rajasthan.

Despite the implementation of legal measures aimed at prohibiting child marriage, this practise persists as a prevalent phenomenon within specific communities and rural regions. Various initiatives have been undertaken to enhance public consciousness, enforce legislative measures, and offer assistance in order to mitigate the prevalence of child marriages and foster educational opportunities for young girls.

1.2.3 Art and Culture: Rajasthan is widely recognised for its opulent cultural legacy, encompassing a diverse range of folk music, captivating dance forms, and

exquisite traditional arts and crafts. Numerous communities have diligently safeguarded their distinct cultural practises, encompassing the art of puppetry, the melodic expressions of folk songs, and the customary attire specific to the region of Rajasthan. The aforementioned cultural elements play a significant role in shaping the identity of the state as well as bolstering its tourism industry.

1.2.4 Tourism: Rajasthan emerges as a renowned tourist hotspot, garnering the attention of both local and global visitors. The historical forts, palaces, temples, and lively festivals of the state attract tourists from various parts of the globe. Notable events include the Pushkar Fair and Desert Festival. Tourism plays a substantial role in bolstering the state's economy and serves as a vital source of employment opportunities. Water scarcity is a prevalent issue in Rajasthan due to its arid and semi-arid climate, which significantly limits the availability of water resources in the region. The state encounters difficulties pertaining to the accessibility of water, particularly in rural regions. Efforts have been undertaken to tackle the issue through the implementation of water conservation and management initiatives, including the adoption of rainwater harvesting techniques and the establishment of watershed development programme.

1.2.5 Political Representation: The state of Rajasthan operates under a multi-party system, wherein multiple political parties are actively engaged in the political landscape of the region. The state assembly consists of elected representatives who play a pivotal role in the governance and decision-making processes. Various initiatives have been undertaken to enhance the political representation and participation of marginalised groups, such as women and Scheduled Castes/Tribes.

1.3 Children

Children are widely regarded as the future pillars of a nation. Various organizations have established distinct definitions for the age classification of a child. Various organizations have adopted different age thresholds to define the term "child." Some organizations have set the age limit at 13 years, while others have extended it to 16 years. Additionally, certain organizations have chosen to define a child as an individual up to 18 years of age. As per the United Nations convention, an individual is considered a child if they are below the age of 18, unless the applicable laws acknowledge an earlier age of majority (Vikaspedia). The convention in question

has been officially endorsed by the government of India, as stipulated in Section 1(d) of the Protection of Children from Sexual Offences (POCSO) Act of 2012, and Section 2(12) of the Juvenile Justice Act of 2020. As per these legal provisions, a child is defined as an individual who is below the age of 18.

1.3.1 Child Sexual abuse Definition and Government policy to stop Sexual abuse in children

The National Human Rights Commission (NHRC) of India has taken cognizance of a media report indicating a 250 to 300 percent increase in the circulation of Child Sexual Abuse Material (CSAM) on social media in India. Allegedly, these materials are primarily of foreign origin, with Indian investigative agencies yet to find any Indian-made CSAM.

The NHRC has noted that if the media report is accurate, it constitutes a serious violation of human rights, particularly those related to life, liberty, and dignity, as well as the protection of children from sexual exploitation on social media platforms. Consequently, the NHRC has issued notices to the Commissioner of Police, Delhi, the Director Generals of Police of all States/UTs, the Director of the National Crime Records Bureau (NCRB), and the Secretary of the Union Ministry of Electronics and Information Technology. These entities have been requested to submit a detailed report within six weeks on the measures taken to prevent the spread of CSAM on social media.

According to the media report dated May 15, 2023, around 450,207 cases of CSAM dissemination were reported in 2023. The Delhi Police has taken action in 3,039 of these cases, with 447,168 cases still under investigation. In some instances, photographs taken by family members of young children have been classified as CSAM by an American NGO. In previous years, 204,056 cases were reported in 2022, 163,633 in 2021, and 17,390 in 2020.

The NHRC is deeply concerned about the impact of online CSAM on human rights, particularly the potential for severe psychological harm to children, which can hinder their growth and development. The Commission has actively engaged in organizing dialogues and seminars to address this issue. A notable event was the national seminar on CSAM held on March 2-3, 2023, at Vigyan Bhawan, New Delhi, which featured addresses by the Union Minister of Law & Justice and the

Union Minister of State for Electronics & IT, Skill Development & Entrepreneurship. Previously, on July 21, 2020, the NHRC held an online National Conference on CSAM, incorporating insights from international organizations, government ministries, law enforcement agencies, national and state commissions, civil society groups, domain experts, and parents' associations. The NHRC has also issued advisories, such as the 'Human Rights Advisory for the Protection of the Rights of Children in the Context of COVID-19' on September 29, 2020, and June 2, 2021, recommending the use of the cybercrime reporting portal and PRAGYATA Guidelines for Digital Education to enhance online child safety.

In a 'Discussion on Child Sexual Abuse Material (CSAM)' held on November 4, 2022, various experts discussed the nature, extent, and manifestations of CSAM. These initiatives highlight the Commission's commitment to addressing the proliferation of CSAM and its impact on children's rights.

India has several laws aimed at protecting children from abuse, including the Protection of Children from Sexual Offences (POCSO) Act, 2012, which provides a robust legal framework for the protection of children against offenses of sexual assault, sexual harassment, and pornography. Under POCSO, special courts are established for the trial of offenses and procedures are child-friendly to avoid re-victimization during the judicial process.

The Indian Penal Code (IPC) also includes provisions that address child abuse, such as Section 375 (rape), Section 354 (outraging the modesty of a woman), and Section 377 (unnatural offenses), which can be invoked in cases of child sexual abuse.

1.3.2 Special Reference to Southern Rajasthan

In Southern Rajasthan, as in other parts of India, implementing these laws effectively is critical to protecting children from abuse. Challenges include ensuring that law enforcement agencies are adequately trained and equipped to handle cases of child abuse sensitively and that victims receive proper psychological support and rehabilitation.

Efforts to combat child abuse in Southern Rajasthan and across India must continue to focus on raising awareness, strengthening legal frameworks, and enhancing the capacities of institutions responsible for child protection. Collaborative

efforts between government bodies, non-governmental organizations, and the community are essential to create a safer environment for children and to uphold their rights to protection, care, and dignity.

Sexual abuse represents a distinct form of child abuse, involving a wide range of interactions between a minor and an adult or older child. Often, these interactions include physical contact, though there can be exceptions. Acts such as exposing one's genitals to minors or coercing them into sexual activities are considered sexual abuse. Similarly, using a minor to produce or distribute explicit material falls under this category.

Most perpetrators³ of sexual abuse are familiar with their victims. They may be family members, neighbours, or caregivers. Approximately 33% of abusers are biologically or legally related to the child. The majority of these perpetrators are male.

If you suspect a child has been abused, it is crucial to report it. Nations worldwide face significant challenges in fostering an environment conducive to the holistic development of children. These challenges include providing adequate nutrition, healthcare, education, secure housing, and a safe environment. In addition, nations must also address various forms of child abuse, such as child trafficking, child labor, and child prostitution. Child abuse and neglect (CAN) and child sexual abuse (CSA) are prevalent issues that pose serious challenges globally. The acronym CSA is often associated with child abuse. It is essential to differentiate between the broader issue of child abuse and the specific subset of child sexual abuse.

India has enacted several laws to protect children from abuse. The Protection of Children from Sexual Offences (POCSO) Act, 2012, provides a comprehensive legal framework for the protection of children against sexual assault, harassment, and pornography. Under POCSO, special courts are set up to ensure child-friendly procedures and to prevent re-victimization during the judicial process.

The Indian Penal Code (IPC) also includes provisions addressing child abuse, such as Section 375 (rape), Section 354 (outraging the modesty of a woman), and Section 377 (unnatural offenses), which can be applied in cases of child sexual

³ A perpetrator is a person who has committed a wrongdoing, crime, or violent act, either intentionally or through negligence.

abuse. In Southern Rajasthan, as in other parts of India, effective implementation of these laws is critical for protecting children from abuse. Challenges include ensuring that law enforcement agencies are well-trained and equipped to handle child abuse cases sensitively and that victims receive appropriate psychological support and rehabilitation.

Efforts to combat child abuse in Southern Rajasthan and across India should continue to focus on raising awareness, strengthening legal frameworks, and enhancing the capacities of institutions responsible for child protection. Collaborative efforts among government bodies, non-governmental organizations⁴, and the community are essential to create a safer environment for children and to uphold their rights to protection, care, and dignity.

Child abuse includes various forms such as physical, emotional (verbal), sexual, and neglect. Child sexual abuse specifically involves a child in sexual activities, regardless of their consent, and often occurs without the child's understanding of the acts. Child sexual abuse (CSA) encompasses a range of behaviors, including sexual intercourse, attempts at intercourse, oral-genital contact, genital fondling either directly or through clothing, exhibitionism, exposing children to adult sexual activity or pornography, and exploiting children for prostitution or pornography. This maltreatment can cause severe harm to the child and, in extreme cases, may result in death.

The World Health Organization (WHO) offers a detailed definition of CSA, stating that it includes various types of mistreatment towards children, such as physical and/or emotional abuse, sexual abuse, neglect, negligent treatment, and commercial or other forms of exploitation. These forms of mistreatment can cause actual or potential harm to the child's health and survival. The concepts of development and dignity are often discussed within the framework of relationships characterized by responsibility, trust, or power dynamics.

In Southern Rajasthan, as in other parts of India, the effective implementation of these laws is crucial for protecting children from abuse. Challenges include ensuring that law enforcement agencies are adequately trained and equipped

⁴ **nongovernmental organization** (NGO), voluntary group of individuals or organizations, usually not affiliated with any government, that is formed to provide services or to advocate a public policy.

to handle child abuse cases sensitively and that victims receive appropriate psychological support and rehabilitation. Efforts to combat child abuse in Southern Rajasthan and across India should continue to focus on raising awareness, strengthening legal frameworks, and enhancing the capacities of institutions responsible for child protection. Collaborative efforts among government bodies, non-governmental organizations, and the community are essential to create a safer environment for children and uphold their rights to protection, care, and dignity.

1.4 Child sexual abuse, as defined by the United Nations, encompasses instances where a child engages in contact or interaction with an older or more knowledgeable individual, such as a stranger, sibling, and person in a position of authority, parent, or caretaker. In these situations, the child is exploited and used as a means of satisfying the sexual desires of the older individual. According to UNICEF (2013), the aforementioned contacts or interactions are perpetrated upon the child through the utilization of force, deception, incentives, intimidation, or coercion.

The aforementioned definitions elucidate CSA as an act that specifically targets aspects of sexuality or sexual organs, encompassing various forms such as sexual gestures, verbal expressions, visual depictions, and physical behaviors. Sexual abuse refers to any form of sexual behavior perpetrated by an adult or older individual upon a child, with the intention of fulfilling the perpetrator's sexual gratification.

Child sexual abuse poses a direct threat to the principles outlined in Article 19 and Article 34 of the United Nations Convention on the Rights of the Child (UNCRC). Article 19 pertains to the child's entitlement to protection from all forms of abuse, while Article 34 specifically addresses the child's right to protection from sexual abuse. The convention in question was signed by India in 1992.

The Protection of Children from Sexual Offences (POCSO) Act, implemented by the Indian government in 2012, delineates the diverse manifestations of sexual abuse experienced by children, encompassing both physical and non-physical forms of sexual assault.

1.4.1 Physical contact encompasses abusive behaviors involving direct physical interaction between the perpetrator and the child. Such behaviors may involve acts of penetrative sexual intercourse, fondling of the child's genitals, or coercing the child to touch the perpetrator's genitals. Additionally, physical contact can involve the

intentional touching of any part of the child's body with a sexual motive, as well as pressuring or convincing the child to engage in various sexual activities, such as hugging or kissing.

1.4.2 Non-physical contact refers to engaging in behaviors such as exposing a child to pornographic videos or images, subjecting them to verbal abuse, making inappropriate gestures towards them, participating in sexualized games, engaging in stalking behaviors, or engaging in online communication with the child with sexual intentions, using platforms such as the internet or social media.

1.4.3 Severe kinds of sexual abuse include:

- a) Assault, including rape and sodomy;
- b) Touching or fondling a kid;
- c) Exhibitionism- forcing a child to expose his or her private body parts; and
- d) Photographing a child in a naked state.

1.4.4 Other types of sexual abuse include:

- a) Forcible kissing;
- b) Sexual approaches made to a kid while traveling;
- c) Sexual advances made to a child during marital scenarios;
- d) Exhibitionism- displaying in front of a child; and
- e) Exposing a child to pornographic materials.

India is host to a population of 430 million children, accounting for approximately one-fifth of the global population of children under the age of 18, according to the 2011 census data. From the moment of their birth, individuals encounter formidable obstacles. Malnutrition, illiteracy, trafficking, forced labor, drug abuse, sexual abuse, pornography, and other related issues are prevalent among children in India. The Indian constitution encompasses laws pertaining to various aspects of child development, including but not limited to survival, health and nutrition, education, and protection.

The Constitution of India incorporates a range of provisions aimed at safeguarding child rights in the country. However, it is worth noting that many of these laws and articles do not exclusively concentrate on child rights, but rather encompass the broader aspects of women's care and protection. Article 15 of the constitution is dedicated to the provision of necessary and special laws and policies

that aim to protect the rights of children and women.

The articles in question enshrine fundamental rights such as the right to equality, protection of life and personal liberty, and the right against exploitation.

Article 14: of the Indian Constitution guarantees that the State cannot deprive any individual of equality before the law or the equal protection of the laws within the territorial boundaries of India.

Article 15: of the constitution prohibits the State from engaging in discriminatory practices against any citizen based on factors such as religion, race, caste, sex, place of birth, or any combination thereof.

According to Article 15(3), the State is not prohibited from implementing specific measures for the benefit of women and children.

Article 23: of the legislation prohibits the trafficking of human beings and the use of forced labor, including beggars and similar forms of coerced labor. Any violation of this provision is considered a criminal offense that is subject to legal punishment.

Article 24: stipulates that children below the age of fourteen are not permitted to work in factories, mines, or engage in any other hazardous employment. Article 39: outlines the state's policy objectives, which include safeguarding the health and well-being of workers, both men and women, as well as protecting children from exploitation and ensuring they are not compelled to engage in occupations that are unsuitable for their age or physical capabilities. Additionally, the policy aims to provide children with opportunities and resources for healthy development, while safeguarding their freedom, dignity, and protection against exploitation and neglect (Garg, 2020).

The Indian Penal Code contains various provisions designed to protect the welfare of children in India. These include laws addressing foeticide, infanticide, incitement to suicide, exposure and abandonment, kidnapping and abduction, kidnapping for ransom, begging, camel racing, forced marriage, slavery, trafficking of girls for prostitution, rape, and unnatural sexual acts, among others.

India has established multiple laws to safeguard children from abuse. The Protection of Children from Sexual Offences (POCSO) Act, 2012, provides a comprehensive legal framework to protect children from sexual assault, harassment, and pornography. POCSO mandates the establishment of special courts to ensure

child-friendly procedures and prevent re-traumatization during judicial proceedings. The Indian Penal Code (IPC) includes sections specifically addressing child abuse, such as Section 375 (rape), Section 354 (outraging the modesty of a woman), and Section 377 (unnatural offenses), which are applicable in cases of child sexual abuse.

Efforts to combat child abuse in Southern Rajasthan and across India should focus on raising awareness, strengthening legal frameworks, and enhancing the capabilities of institutions responsible for child protection. Collaborative efforts between government agencies, non-governmental organizations, and the community are essential to create a safer environment for children and to uphold their rights to protection, care, and dignity.

There are several provisions within the Indian penal code aimed at safeguarding the well-being of children in India. These include laws addressing foeticide, infanticide, abetment of suicide, exposure and abandonment, kidnapping and abduction, kidnapping for ransom, begging, camel racing, forced marriage, slavery, trafficking of girls for prostitution, rape, and unnatural sex, among others. In addition to the aforementioned laws, the Indian government has implemented specialized schemes and programs aimed at ensuring the safety and optimal development of children. The following schemes are:

1. *The Government of India offers financial support* to State Governments and Union Territory Administrations to establish and sustain homes catering to children requiring care and protection, as well as juveniles involved in legal conflicts.
2. *The Integrated Program for Street Children* entails the provision of comprehensive support to non-governmental organizations (NGOs) in order to establish and operate drop-in shelters for street children. These shelters operate round the clock and offer a range of services including sustenance, clothing, accommodation, non-formal education, recreational activities, counseling, guidance, and referral services. The program primarily targets children who lack permanent residences and familial connections. The program also offers opportunities for school enrollment, vocational training, and occupational placement, the provision of preventive health services, and the reduction of drug and substance abuse, as well as the incidence of

HIV/AIDS, among other things.

3. ***The Child line Service***, operating under the telephone helpline number 1098, operates continuously throughout the day and night in 74 urban and semi-urban locations across the country. Its primary objective is to offer medical assistance, shelter, counseling, repatriation, and rehabilitation to children who require care and protection. Additionally, the service plays a crucial role in rescuing children who are victims of abuse.
4. ***The Shishu Greha Scheme*** is a program that provides care and protection for infants and children up to the age of six who have been orphaned, abandoned, or are in a destitute situation. Its primary objective is to facilitate the rehabilitation of these vulnerable individuals.

The Scheme for Working Children aims to offer care and safeguarding measures for children engaged in various forms of labor, such as domestic work, employment at roadside dhabas, mechanic shops, and similar establishments. The program offers bridge education and vocational training to these children, in addition to providing them with medical assistance, nourishment, recreational activities, and sports equipment.

5. ***The Rajiv Gandhi National Creche Scheme*** offers day-care services to children between the ages of 0 and 6 whose mothers are employed. The Pilot Project aimed at addressing the issue of trafficking of women and children focuses on providing comprehensive care and protection to individuals who have been trafficked and subjected to sexual abuse. The proposed plan entails the implementation of rescue operations, provision of temporary shelter for victims, repatriation to their respective hometowns, and access to legal services.
6. ***The National Child Labour Project*** is a government initiative that provides financial support to Project Societies operating at the district level. The objective of this scheme is to facilitate the establishment of Special Schools/Rehabilitation Centres dedicated to the education and rehabilitation of child laborers. The Indian Ministry of Women and Child Development has implemented various measures to tackle the matter of child protection. These measures include the establishment of a National Commission for the

Protection of Child Rights, amendments to the Juvenile Justice (Care and Protection of Children) Act 2000 and the Child Marriage Restraint Act 1929, the introduction of the Integrated Child Protection Scheme (ICPS), and the proposed amendments to the Immoral Traffic (Prevention) Act (ITPA) and the draft Offences against Children (Prevention) Bill.

1.5 Deceptive Practices and types of Child Sexual Abuse

It is a well-established fact that individuals who engage in child molestation often possess physical appearances and behavioral patterns that are indistinguishable from the general population. There exist individuals who have engaged in or are likely to engage in the sexual abuse of children within the contexts of religious institutions, educational establishments, and youth sports organizations.

Perpetrators of abuse can manifest in various forms, including individuals who reside in close proximity to the victim, individuals who share personal connections such as friendship, and individuals who are part of the victim's familial network. Individuals who engage in the sexual abuse of minors can be encountered within various settings, including families, educational institutions, religious establishments, recreational facilities, youth sports organizations, and any other environment where children congregate.

It is noteworthy that perpetrators of abuse frequently encompass individuals who are children themselves. Approximately 90% of children who experience sexual abuse possess knowledge of their perpetrator. According to available data, it has been found that a mere 10% of children who experience sexual abuse are victimized by individuals who are not known to them. According to available data, it has been found that around 30% of instances of child sexual abuse involve perpetrators who are members of the victim's own family. According to empirical evidence, there exists a positive correlation between the age of the victim and the likelihood of the abuser being a member of the victim's family. Among individuals who engage in child molestation, it has been found that 50% of the perpetrators are related to the victim and fall within the age range of six years or younger. Approximately 23% of child abuse cases involving individuals between the ages of 12 and 17 were attributed to family members. Approximately 60% of children who experience sexual abuse are victimized by individuals whom their families trust. According to research, there is no

evidence to suggest that homosexual individuals are more prone to engaging in child sexual abuse compared to their heterosexual counterparts. It is a factual observation that individuals who engage in sexual abuse of children do not universally exhibit pedophilic tendencies.

Child sexual abuse is carried out by a broad spectrum of individuals who possess varying motivations. Identifying universally shared characteristics among individuals who engage in child molestation is an inherently challenging task. Situational offenders exhibit a tendency to engage in criminal behavior during periods of heightened stress and typically initiate their offending behavior at a later stage compared to pedophilic offenders⁵.

Additionally, situational offenders tend to have a lower number of victims, often targeting individuals within their own familial circles, and generally display a preference for adult partners. Pedophilic offenders frequently initiate their offending behavior during their formative years and typically exhibit a high incidence of victimization, often extending beyond their immediate family members. According to available data, it has been observed that approximately 70% of individuals who engage in child sex offenses have victimized between one and nine children.

Additionally, approximately 20% of these offenders have been found to have victimized a larger number of children, ranging from 10 to 40 victims. According to available data, it has been observed that a significant proportion, approximately 40%, of children who experience sexual abuse are victimized by individuals who are older or possess greater authority or power. According to empirical evidence, there exists a positive correlation between the age of child victims and the likelihood of the perpetrator being a juvenile. Juvenile individuals constitute the perpetrators in approximately 43% of assault cases involving children under the age of six. Among the aforementioned offenders, a total of 14% fall within the age bracket of under 12 years. According to research findings, it has been observed that juveniles who engage in sexual offenses against fellow children exhibit a higher tendency to commit these offenses in groups and within school settings. Furthermore, these juvenile offenders are more likely to have male victims and victims of a younger age compared to adult sex offenders. The incidence of youth being brought to the attention of law

⁵ Pedophilic sexual offenders are **usually family, friends, or relatives of their victims.**

enforcement for sex offenses experiences a significant rise at the age of 12 and remains relatively stable after reaching the age of 14. During the early stages of adolescence, there is a notable increase in the occurrence of youth offenses targeted at younger children. According to the available data, a minority of juvenile offenders, specifically one out of eight, fall below the age of 12. Women make up only 7% of the population of juvenile offenders who engage in sexual offenses. According to empirical evidence, it is a verifiable fact that the majority of adolescent individuals who engage in sexual offenses do not possess the characteristics of sexual predators, nor do they exhibit a propensity to continue such behavior into adulthood.

The majority of adolescent offenders does not satisfy the criteria for pedophilia and do not persist in displaying sexually predatory behaviors. According to research findings, it has been observed that adolescent sex offenders exhibit a higher level of responsiveness to treatment interventions as compared to adult sex offenders. There is a lack of evidence suggesting a tendency for individuals to persist in engaging in criminal behavior into their adult years, particularly when they receive suitable interventions.

1.6 Objective of Research Work

The primary aim of the research titled “**Sexual Abuse of Children in India: A Study of Child Protection Laws with Special Reference to Southern Rajasthan**” can be articulated as follows:

1. The primary objective of this study is to evaluate the frequency and characteristics of child sexual abuse in Southern Rajasthan, India. The study seeks to collect empirical data regarding the scope and various forms of sexual abuse encountered by children residing in the area. This objective entails the implementation of surveys, interviews, or a comprehensive examination of pre-existing literature to gain a comprehensive understanding of the extent and gravity of the issue at hand.
2. The purpose of this study is to analyze the current child protection laws and policies in India. The objective of this study is to examine the existing legal framework and policies that have been implemented to safeguard children against instances of sexual abuse. The task at hand entails the examination of legislative measures, guidelines, and protocols at both national and regional

levels pertaining to the protection of children. The objective is to evaluate the extent to which these measures effectively address instances of sexual abuse. In order to ascertain deficiencies and obstacles in the execution of child. **Protection legislation:** The objective of this study is to ascertain the obstacles, deficiencies, and difficulties encountered during the execution of child protection legislation in Southern Rajasthan. This encompasses the examination of various factors that impede the successful safeguarding of children from sexual abuse, including but not limited to insufficient awareness, inadequate allocation of resources, institutional deficiencies, and societal attitudes.

3. In order to put forth suggestions for enhancing child protection laws and mechanisms: The primary objective of this study is to offer suggestions for enhancing the current child protection legislation and mechanisms in Southern Rajasthan, based on the findings and analysis conducted. The recommendations may encompass proposing modifications to existing legislation, bolstering the capabilities of law enforcement agencies and child protection services, advocating for awareness campaigns, and fortifying community involvement in child protection efforts.
4. The objective of this study is to analyze the reporting and response mechanisms implemented in cases of child sexual abuse within the Southern Rajasthan region. The objective of this study is to examine the reporting, documentation, and response procedures pertaining to cases of child sexual abuse within the specified region. This entails evaluating the roles and coordination among diverse stakeholders, including law enforcement agencies, child protection agencies, healthcare professionals, and legal systems.
5. In order to gain insight into the social and cultural determinants that contribute to the occurrence of child sexual abuse in Southern Rajasthan, it is imperative to conduct a comprehensive analysis. The objective of this study is to investigate the fundamental social, cultural, and economic determinants that contribute to the prevalence of child sexual abuse in the specified region. This may entail an examination of conventional beliefs, societal norms, and power structures that contribute to the perpetuation of such abuse and impede efforts

to prevent and prosecute it.

6. In order to evaluate the psychological and social ramifications experienced by survivors of child sexual abuse in the region of Southern Rajasthan, it is necessary to conduct a comprehensive analysis. The objective of this study is to examine the immediate and long-lasting effects of child sexual abuse on the physical, emotional, and social welfare of individuals who have experienced such trauma. This entails an analysis of the psychological distress, societal marginalisation, and interpersonal difficulties encountered by individuals who have experienced trauma, as well as their immediate relatives.
7. In order to enhance awareness and advocate for preventative measures pertaining to child sexual abuse in the region of Southern Rajasthan, The objective of this study is to create educational resources, campaigns, or interventions that enhance knowledge and understanding of child sexual abuse, its ramifications, and preventive strategies among diverse stakeholders, encompassing children, parents, educators, and community members in Southern Rajasthan.
8. In order to conduct a comparative analysis of child protection laws and practises, the focus will be on Southern Rajasthan in relation to other regions within India. The objective of this study is to conduct a comparative analysis of child protection laws, policies, and practises in Southern Rajasthan in relation to other regions or states within India. This comparative analysis has the potential to identify effective approaches, exemplary practises, or areas that may require improvement, which can be subsequently adopted or replicated in the context of Southern Rajasthan.

1.7 Significance of the Study

The examination of sexual abuse perpetrated against children in India, specifically in the region of Southern Rajasthan, and the analysis of child protection legislation pertaining to this issue, carries substantial significance for multiple reasons:

1. **Discussing a Pertinent Societal Concern:** Child sexual abuse is an acute social issue that engenders profound repercussions for both the affected individuals and the broader fabric of society. The significance of undertaking a

study on this subject resides in the endeavour to enhance awareness and comprehension regarding the scope, characteristics, and consequences of child sexual abuse in India, with a specific focus on the region of Southern Rajasthan. This illuminates a matter that necessitates immediate attention and efficacious interventions.

2. This study offers significant contributions to the understanding of the current child protection laws, policies, and mechanisms in Southern Rajasthan. Through the evaluation of their efficacy, identification of deficiencies, and formulation of suggestions, the research has the potential to exert influence on policy and legal modifications. The findings can be utilised by policymakers to enhance and enhance child protection legislation, thereby enhancing their ability to prevent, respond to, and address instances of child sexual abuse more effectively.
3. The study aims to analyse the reporting and response mechanisms pertaining to child sexual abuse in order to identify existing deficiencies and obstacles within the current systems, with the ultimate goal of improving child protection mechanisms. This information has the potential to provide valuable guidance for enhancing and fortifying child protection mechanisms. This may involve streamlining reporting procedures, fostering better coordination among various stakeholders, and enhancing support services for both victims and their families.
4. The study aims to provide a platform for survivors of child sexual abuse and their families to express their experiences, perspectives, and needs, thereby empowering them and increasing public awareness. The acknowledgment of this phenomenon has the potential to facilitate the empowerment of individuals who have experienced abuse, while simultaneously mitigating the negative societal perceptions and obstacles that often deter survivors from reporting such incidents. Furthermore, this study has the potential to enhance public awareness regarding the issue of child sexual abuse and underscore the significance of safeguarding children within various spheres, including the general public, professionals, and communities.
5. The findings of this study have the potential to guide the formulation and

execution of specific prevention and intervention strategies. By comprehending the social and cultural determinants that impact instances of child sexual abuse, alongside the obstacles encountered in legal proceedings, it becomes possible to develop efficacious prevention initiatives, awareness campaigns, and support services. These strategies have the potential to effectively mitigate instances of child sexual abuse and enhance the provision of support for survivors.

6. Enhancing the global knowledge repository: Investigating the phenomenon of child sexual abuse, particularly with a regional emphasis, serves to augment the collective understanding of this imperative matter at a global scale. This study has the potential to offer comparative analysis on the efficacy of child protection laws and mechanisms across various contexts. By examining the experiences and lessons from Southern Rajasthan, researchers, policymakers, and practitioners in other regions can gain valuable insights and knowledge

1.8 Hypothesis to be tested:

H0. POCSO ACT 2012 does not addresses the rampant sexual abuse cases against children in Southern Rajasthan.

H1. POCSO ACT 2012 addresses the rampant sexual abuse cases against children in Southern Rajasthan.

H0. Lack of Legal and educational awareness does not promote child sexual abuse cases.

H1. Lack of Legal and educational awareness promotes child sexual abuse cases.

H0. Lack of proper implementation of laws is not the cause of increasing child sexual abuse cases in India.

H1. Lack of proper implementation of laws is the cause of increasing child sexual abuse cases in India.

1.9 Research Questions

1. What is the incidence of sexual abuse among children in Southern Rajasthan, India, and what kinds of abuse do they experience?
2. In order to react to and prevent the sexual abuse of children, what child protection laws, policies, and other measures are in place in Southern

Rajasthan at this time?

3. How successful are the child protection laws and systems in Southern Rajasthan in resolving incidents of sexual abuse against children and giving victims access to justice?
4. What kinds of difficulties and roadblocks must be overcome in order to put child protection laws in Southern Rajasthan, particularly those that prohibit sexual abuse of children, into effect and enforce them?
5. In the region of Southern Rajasthan, what systems exist for the reporting and responding to occurrences of child sexual abuse, and how successful are these processes in ensuring that interventions are both timely and appropriate?
6. In the region of Southern Rajasthan, which social and cultural variables are responsible for the incidence of child sexual abuse as well as its continued prevalence?
7. In the judicial system of Southern Rajasthan, how are incidents of child sexual abuse investigated, prosecuted, and judged, and what problems are encountered during the process?
8. In Southern Rajasthan, survivors of child sexual abuse and the families of those survivors want to know more about the psychological and social effects of their experiences.
9. What responsibilities do child protection agencies, nongovernmental organisations, and other organisations play in the prevention and treatment of child sexual abuse in Southern Rajasthan, and how successful are they in doing so?
10. What kind of training and assistance do professionals in Southern Rajasthan who work in disciplines like as law enforcement, healthcare, education, and social work get, and how do they view and react to incidents of child sexual abuse?

1.10 Historical Perspective

Abuse of children in a sexual manner is a problem that has, sadly, been present throughout history. This problem is both upsetting and painful. There is evidence to imply that sexual abuse of children has been widespread throughout a variety of civilizations and time periods. This is despite the fact that it is difficult to offer a full

historical perspective on child sexual abuse owing to the scant material available and the cultural differences that exist. There is evidence that children were subjected to sexual exploitation and physical abuse in ancient civilizations, such as Ancient Greece and Rome. In ancient Greece, for instance, the practise of pederasty, in which adult males participated in sexual relationships with young boys, was considered normal and acceptable behaviour. Likewise, it was known to happen in ancient Rome that children, especially those who were held as slaves, were subjected to sexual abuse.

The susceptibility of youngsters to being sexually abused by adults lasted throughout the middle Ages. Children, particularly those from lower social groups, were especially vulnerable to exploitation by the affluent and powerful in feudal civilizations because of the power dynamics that existed within such communities. In addition, there were cases of sexual abuse that occurred inside religious institutions as a result of members of the clergy abusing the trust and power that was bestowed upon them.

The 19th and 20th centuries saw the beginning of the contemporary knowledge and identification of child sexual abuse as a societal issue. This process started in the 19th century. A greater awareness of the problem may be attributed to a number of factors, including the enactment of legislation protecting children, the founding of organisations dedicated to the welfare of children, and the advancement of psychiatric knowledge about the effects of child abuse on young people.

In the latter half of the 20th century, a number of high-profile court cases and controversies involving the sexual abuse of children brought the topic to the attention of the general public. These incidents, such as the uncovering of organised paedophile networks and the discoveries of widespread abuse inside the Catholic Church, led to an increase in scrutiny, legal action, and measures to prevent and address the sexual abuse of children. Before the late 1800s, the practise of sexually abusing children was simply not recognised. Despite the fact that it would be comforting to assume that child sexual abuse did not occur, the reality is that it occurred. It just did not have that label attached to it. There are allusions to sexual abuse of children throughout the Bible, and more complete records of abuse can be found in ancient Roman and Greek civilizations. In point of fact, sexual abuse of children has been recorded throughout history. According to the documents that have been found, child abuse, particularly

the sexual abuse of children, was common even in colonial America. The phrase “the history of childhood is a nightmare from which we have only begun to awaken,” was first written by De Mause and published in 1974 in the book “The History of Childhood,” which is considered to be a classic examination of childhoods in various historical periods. The farther one goes back in time, the more primitive the quality of child care was, as well as the more probable it was that Children are to be murdered, deserted, tortured, terrorised, and sexually assaulted”. (Mause Page.78)

Based on this remark, it seems that sexual assault has been around for a very long time and is not a new occurrence. Around the middle of the 1800s, the only people who acknowledged sexual abuse were the people who had been abused.

It’s possible that the Frenchman Ampoise Tardieu wrote the first significant study on the subject of sexual abuse of children. As a forensic medical specialist, he recorded 515 incidents of sexual offences in the year 1862, 420 of which were perpetrated on minors who were less than 15 years old. He mentioned more than 11,000 occurrences of completed or attempted rape over the course of 11 years, with children being 80 percent of the victims in these situations.

1.10 Historical Record of CSA in India

India is home to around 19% of the world’s total children, making up 42% (or more than one third) of the global total. Children make up almost half the entire population of India, and around half of these youngsters are in need of care and protection. In the year 1998, the Indian non-governmental organisation known as Recovery and Healing from Incest carried out the country’s first ever research project on CSA in India. Seventy-six percent of the people who took part in the study said that they had been mistreated while they were children or teenagers.

As part of its commitment to the United Nations Convention on the Rights of the Child, India made a commitment to safeguard its children from all types of sexual abuse and exploitation.

Not very long ago, the query would have been received with either a quiet silence that seemed perplexed or a tacit response that acknowledged that it although it exists, it is too small, too little, and too far away to be a priority. Today, however, the answer to the question is more likely to be the former.

However, in 2007, the findings of a nation-wide study on child abuse were

made public by the Ministry of Women and Child Development. This poll included 12,500 children from 13 different states, and it was conducted in 2007. More over half of respondents, 53%, reported having experienced one or more types of sexual abuse at some point in their lives. If one were to extend this information, it would suggest that one kid out of every two has been subjected to some kind of sexual abuse. More over twenty percent of people who were questioned revealed that they had been victims of serious types of sexual abuse. Boys made up 57% of the population that reported having experienced sexual abuse at some point in their lives.

The National Crime Records Bureau (NCRB) report titled Crime in India, 2014 found that the rate of crimes perpetrated against children was 20.1% for every one lakh population of children (up to 18 years of age). A total of 10,854 incidents of child rape were recorded in the nation in 2015, representing a decline of 26.8 percent during the course of the year 2015 when compared to the number of 13,766 cases that were reported in 2014.

1.11 Status of Child Sexual Abuse in India

Abuse of children on a sexual basis is still a big problem in India. The following is a list of important information on the current state of child sexual abuse in this country:

- Abuse of children occurs often and may occur to children from any socioeconomic level. This problem is called the prevalence rate. Numerous investigations and polls have shown consistent evidence of high prevalence rates. On the other hand, it is essential to keep in mind that underreporting is a serious problem, which suggests that the true numbers might be far higher.
- Abuse of a sexual nature may occur to children of any age, from newborns to teenagers, and it does not matter what gender the victim is. Abuse may happen to anybody, whether they are male or female; nevertheless, it is often believed that females are at a larger danger than boys.
- **Perpetrators:** Sexual abuse of children may be committed by a wide variety of people, including family members, neighbours, friends, teachers, and religious leaders, as well as by complete strangers. According to the findings of several studies, a significant proportion of incidents involve individuals already known to the kid.
- Reporting Child Sexual Abuse Cases in India Remains a difficulty owing to

Fear, Stigma, and a lack of awareness of the problem reporting child sexual abuse cases in India remains a difficulty owing to reasons such as fear and stigma. The overarching objective of the judicial system, which includes the Protection of Children from Sexual Offences (POCSO) Act, is to provide victims both protection and access to justice. Despite this, there are still holes in the implementation, delays in the legal procedures, and a need for more stringent measures to safeguard the safety and well-being of children.

- Awareness and Support: In recent years, there has been a rise in the number of efforts to raise awareness of child sexual abuse. Helplines, nongovernmental organisations (NGOs), and support organisations are all working to give victims with counselling, rehabilitation, and legal assistance. When it comes to making the world a safer place for children, things like public awareness campaigns, educational programme, and community involvement are all quite important.

1.12 Chapterisation

Chapterisation of Research

The research work is divided into seven chapters.

The chapterisation is as follows:

Chapter 1: INTRODUCTION

This chapter consists of the basic outline of this research. This chapter sets the background of the research work and deals with the essential components of research such as title of the research work; scope of study; importance of study; objectives of the study; research hypothesis; research question; research gaps; review of literature and the tentative chapterisation

Chapter 2: CHILD SEXUAL ABUSE IN INDIA, ITS CAUSES AND EFFECTS

This chapter mainly focuses on the meaning of child sexual abuse in southern Rajasthan, also focuses on what are the causes of child sexual abuse and its increase even after the implementation of POSCO ACT 2012.

Chapter 3: LEGISLATIONS AND LAWS RELATED TO CHILD SEXUAL ABUSE

This chapter discusses the existing legislative framework on child sexual abuse in southern Rajasthan. The detailed analysis of the current legislative structure is

given trying to find the answer to the question that whether the current legislative framework is adequate to deal with the issue of child sexual abuse.

Chapter 4: ROLE OF FAMILY- FACTORS IN CHILD ABUSE: REFLECTING THE PERSONALITY OF CHILDREN

The chapter titled “Role of Family Factors in Child Abuse: Reflecting the Personality of Children” would provide a thorough examination of the intricate dynamics within families that contribute to child abuse and how these factors shape a child's personality. It would start with a model for understanding child abuse and family stresses, followed by detailed descriptions of various forms of child abuse and neglect, including physical, emotional, psychological, and educational aspects, as well as Non Organic Failure to Thrive (NOFTT). The chapter would explore the causes of child abuse, focusing on individual parent factors such as common personality characteristics, psychopathy, depression, psychosis, mental retardation, substance abuse, childrearing experiences, and social isolation. Family factors like parental collusion in maltreatment, scapegoating, the influence of stepparents, reorganized families, and the extended family would be examined. Additionally, the chapter would address environmental factors including chronic stressors, situational stressors, chronic illness, and poverty. It would also highlight important personality determinants such as early experiences, cultural influences, physical attributes, intelligence, emotions, success and failure, and the impact of school and family influences on personality development, culminating in an analysis of personality maladjustments. The conclusion would synthesize these insights, emphasizing the role of family factors in both child abuse and personality development.

Chapter 5: REVIEW OF LITERATURE

This chapter provides an overview of previous researches which are available in the same field and area of the study.

Chapter 6: FIELD STUDY AND METHODOLOGY

The chapter titled “Field Study and Methodology” would provide an in-depth overview of the research design and methods employed in a study focused on investigating child victims in Southern Rajasthan. It would start by identifying major cities involved in the research, outline the study's objectives, and state the hypotheses to be tested. The chapter would articulate the problem statement and identify sources

of information, addressing specific issues pertinent to the study. The methodology section would detail the use of questionnaires and interview schedules, describing their design, distribution, and advantages, particularly the ability to handle large sample sizes and gather in-depth information. It would discuss the research methods and tools, including the structure and purpose of interview schedules, and elaborate on data analysis techniques. The research design would encompass the universe of the study, selection of respondents, and data sources, including both primary and secondary data. The chapter would describe a pilot study and the tools and techniques for data collection, addressing any problems faced by the researcher. It would include a research outline, an interview guide, and a case study approach. The process of data tabulation, analysis, and field experiences would be covered, alongside the study's limitations. Finally, it would present a model of design for the research, list the data sources, map and list the study area, describe the tools and techniques of analysis, and conclude with a summary of the findings and methodology.

Chapter 7: ANALYSIS AND INTERPRETATION OF DATA

The chapter titled “Analysis and Interpretation of Data” would begin with an introduction that sets the stage for the importance and methodology of data analysis in the study. It would describe the tools used for data collection and analysis, highlighting the necessity and scope of questionnaires for both teachers and students. The chapter would detail the sources of data collection, followed by a thorough analysis of the collected data, including a specific questionnaire designed for the general public. It would provide an analysis of responses from police personnel, listing select police stations involved in the study. The chapter would then discuss the testing of the hypotheses formulated earlier in the research, and conclude with suggestions for future enhancements of the study. Throughout, it would incorporate various data points, questions, and interpretations, ensuring a comprehensive understanding of the findings.

Chapter 8: FINDING, CONCLUSION, AND SUGGESTIONS

The chapter titled “Finding, Conclusion, and Suggestions” would comprehensively present the outcomes and recommendations derived from the study. It would begin by reiterating the specific objectives of the research, followed by a detailed presentation of the main findings. The chapter would explore the

consequences of physical abuse on children, particularly in terms of health and education, and identify significant associations using Chi-Square tests. It would discuss the various types of sexual abuse experienced by victims and analyze the reporting of such abuse in the context of Indian law as of 2024. The limitations of the present study would be acknowledged, and a series of suggestions would be proposed to address the identified issues. A recap section would summarize the key points, followed by a point-wise listing of major findings. Additional suggestions, including those for the government based on informal interviews, would be provided. Finally, the chapter would outline the scope for future research, indicating areas where further investigation is needed to build on the current study's findings.

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