


# AARAMBH DOWNLOADABLES

## QUICK GLANCE AT SOME OFFENCES AND PUNISHMENTS UNDER POCSO

Nature of Offence	Section	Punishment
<p><b>PENETRATION TO ANY EXTENT</b>            INTO vagina, mouth, urethra or anus of the child or making the child to do so with him or any other person</p> <p>(a) Penetration of penis            (b) insertion of any object or part of the body            (c) manipulation of any part of the body of the child so as to cause penetration            (d) applies his/her mouth to the penis or the above mentioned body parts of the child</p>	<p><b>Section 3</b>            Penetrative Sexual Assault</p>	<p><b>Section 4</b>            Imprisonment for a term not less than 7 years but can extend for life, and fine</p>
<p><b>WITH A SEXUAL INTENT TOUCHES</b></p> <ul style="list-style-type: none"> <li>• Vagina, penis, anus or breast of the child</li> <li>• Or makes the child touch the vagina, penis, anus or breast of himself/herself or or any other person</li> </ul> <p>Does any other act with sexual intent which involves physical contact without penetration</p>	<p><b>Section 7</b>            Sexual Assault</p>	<p><b>Section 8</b>            Imprisonment for a term not less than 3 years, which may extend to 5 years and fine</p>
<p><b>IF THE OFFENCE IS COMMITTED BY:</b></p> <ul style="list-style-type: none"> <li>• Police, military personnel, security forces, public servants</li> <li>• Management or staff of: Jail, remand home, protection home, observation home, other place of custody or care and protection for children</li> <li>• Ownership or management or staff of any institution providing services to the child</li> <li>• Relative of the child through blood, adoption, marriage, guardianship, foster care or having domestic relationship with the parent of the child, or living in the same or shared household of the child</li> <li>• Any other person in the position of trust or authority of the child, in an institution, home or anywhere else</li> </ul> <p>Whoever Commits sexual assault (penetrative and/or non penetrative):</p> <ul style="list-style-type: none"> <li>• More than once, repeatedly,</li> <li>• In a gang</li> <li>• By use of deadly weapons, fire, heated and corrosive substances</li> <li>• Takes advantage of the mental or physical disability of a child</li> <li>• On a child below the age of 12 years</li> </ul>	<p><b>Section 5</b>            Aggravated Penetrative Sexual Assault</p> <p><b>Section 9</b>            Aggravated Sexual Assault</p>	<p><b>Section 6</b>            Rigorous imprisonment for a term not less than 10 years but can extend for life, and fine</p> <p><b>Section 10</b>            Imprisonment for not less than 5 years, that may extend to 7 years, and fine</p> 

<ul style="list-style-type: none"> <li>• In the course of communal or sectarian violence</li> <li>• Knowing that the child is pregnant or makes the child pregnant</li> <li>• And attempts to murder the child</li> <li>• And makes the child to strip and parade naked in public</li> <li>• In spite of being previously convicted of an offence under POCSO or any other law that punishes sexual offence</li> </ul> <p>Whoever commits an offence which:</p> <ul style="list-style-type: none"> <li>• Makes the child physically or mentally ill</li> <li>• Inflicts the child with HIV or other life threatening disease</li> </ul>		
<p><b>SEXUALLY HARRASSES THE CHILD BY</b></p> <ul style="list-style-type: none"> <li>• Uttering any word, making a sound, gesture or exhibiting any object or part of the body to the child</li> <li>• Making the child exhibit his/her body part so as it is seen by such person or any other person</li> <li>• Showing any objects in any form of pornographic media</li> <li>• Repeatedly and constantly following, watching or contacting the child directly or through electronic, digital or other means</li> <li>• Threatening to use in any form or media any part of the body of the child or involvement of the child in sexual act</li> <li>• Enticing the child for pornographic purposes</li> </ul>	<p><b>Section 11</b> Sexual Harrasment</p>	<p><b>Section 12</b> Imprisonment upto three years, and fine</p>
<p><b>USES THE CHILD FOR PORNOGRAPHY</b></p> <ul style="list-style-type: none"> <li>• In any form of media (including programmes or ads by TV channels, internet, or any other electronic form or printed form, whether or not such programme or ad is intended for personal use or for distribution, or for the purpose of sexual gratification, which include – <ul style="list-style-type: none"> <li>a) representation of sexual organs of a child</li> <li>b) usage of a child engaged in a real or stimulated sexual acts (with or without penetration)</li> <li>c) the indecent and obscene representation of a child</li> </ul> </li> </ul> <p>Offence include preparation, production, offering, transmitting, publishing, facilitating and distribution of pornographic material</p>	<p><b>Section 13</b> Use of child for pornographic purposes</p>	<p><b>Section 14</b> Imprisonment upto 5 years, and fine</p> <p>For repeated offenders imprisonment upto 7 years, and fine</p> <p>If the offenders commit acts mentioned in Section 5,7,9 by directly participating in pornographic acts then punishment ranges from 6 years to life imprisonment &amp;fine</p>

<p><b>IF ANY PERSON STORES, FOR COMMERCIAL PURPOSES PORNOGRAPHIC MATERIAL IN ANY FORM THAT INVOLVES CHILDREN</b></p>		<p><b>Section 15</b> Imprisonment upto 3 years &amp; fine</p>
<p><b>IF ANY PERSON ABETS (ASSISTS OR ENCOURAGES) AN OFFENCES</b></p> <ul style="list-style-type: none"> <li>• By instigating any person to do that offence</li> <li>• By engaging with one or more people in any conspiracy of doing that offence, including an act of illegal omission in pursuance of the conspiracy</li> <li>• Intentionally aids by any act of illegal omission the doing of that offence</li> </ul>	<p><b>Section 16</b> Abetment of an offence</p>	<p><b>Section 17</b> Any person who abets an offence under the act shall be punished for the punishment provided for that offence</p>
<p><b>IF ANY PERSON ATTEMPTS TO COMMIT AN OFFENCE PUNISHABLE UNDER THIS ACT AND IN THAT ATTEMPT DOES ANY ACT TOWARDS COMMISSION OF THE OFFENCE</b></p>		<p><b>Section 18</b> That person will be punished with imprisonment of any description provided for that offence for a term upto half imprisonment for life</p>