



Megh Chakra Operation

For Prelims: Megh Chakra, Child Pornography, Protection of Children against Sexual Offences Act 2012 (POCSO Act).

For Mains: Issues related to Child Sexual Abuse and the Preventive Measures/Initiatives.

Why in News?

The operation code-named **“Megh Chakra”** is being carried out following the inputs received from **Interpol’s Singapore special unit** based on the information received from the authorities in New Zealand.

- It is a **pan-India drive against the circulation and sharing of Child Sexual Abuse Material (CSAM)** conducted by the [Central Bureau of Investigation \(CBI\)](#).

What are the Key Highlights of the Megh Chakra Operation?

- Searches at 59 locations across 20 States and one Union Territory were conducted.
- It has been alleged that a **large number of Indian nationals were involved in the online circulation**, downloading and transmission of the CSAM using cloud-based storage.
- The operation is sought to **collate information from various law enforcement agencies in India**, engage with the relevant law enforcement agencies globally and coordinate closely through the Interpol channels on the issue.
- The probe had led to the **identification of over 50 groups with more than 5,000 offenders, including the nationals of about 100 countries.**
- A similar exercise code named **“Operation Carbon”** was conducted by CBI in November 2021.

What are the Issues Related to Child Sexual Abuse?

- **Multi-layered Problem:** Child sexual abuse is a **multi-layered problem which negatively impacts children’s physical safety**, mental health, well-being and behavioural aspects.
- **Amplification Due to Digital Technologies:** Mobile and digital technologies have further amplified child abuse and exploitation. New forms of child abuse like online bullying, harassment and [Child Pornography](#) have also emerged.
- **Ineffective Legislation:** Although Government of India has enacted the [Protection of Children against Sexual Offences Act 2012 \(POCSO Act\)](#), it has **failed to protect children from sexual abuse**. The reasons for this can be the following:
 - **Low Conviction Rate:** The rate of conviction under the **POCSO act is only about 32%** if one takes the average of the past 5 years and the percentage of cases pending is 90%.
 - **Judicial Delay:** The Kathua Rape case took 16 months for the main accused to be convicted whereas the POCSO Act clearly mentions that the entire trial and conviction process has to be done in one year.
 - **Unfriendly to Child:** Challenges related to age-determination of the child. Especially laws

that focus on biological age and not mental age.

What is Protection of Children from Sexual Offences Act, 2012?

- It was **enacted to protect the children from offences of sexual assault, sexual harassment and pornography** with due regard for safeguarding the interest and well-being of children.
- It **defines** a child as **any person below eighteen years of age** and regards the best interests and welfare of the child as a matter of paramount importance at every stage, to ensure the healthy physical, emotional, intellectual and social development of the child.
- It **defines different forms of sexual abuse**, including penetrative and non-penetrative assault, as well as sexual harassment and pornography.
- It deems a **sexual assault to be “aggravated” under certain circumstances**, such as when the abused child is mentally ill or when the abuse is committed by a person in a position of trust or authority like a family member, police officer, teacher, or doctor.
- It also **casts the police in the role of child protectors** during the investigative process.
- The Act stipulates that a **case of child sexual abuse must be disposed of within one year** from the date the offence is reported.
- It was **amended in August 2019** to provide **more stringent punishment**, including the death penalty, for sexual crimes against children.

What are the Related Constitutional Provisions?

- The Constitution guarantees to every **child the right to live with dignity (Article 21), the right to personal liberty (Article 21), the right to privacy (Article 21), the right to equality (Article 14) and/or the right against discrimination (Article 15), the right against exploitation (Article 23 & 24).**
 - **Right to free and compulsory elementary education** for all children in the 6-14-year age group **(Article 21 A).**
- **The Directive Principles of State Policy**, and in particular **Article 39(f)**, cast an **obligation on the State to ensure that children are given opportunities and facilities** to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

What are the Related Initiatives?

- [Child Abuse Prevention and Investigation Unit](#)
- [Beti Bachao, Beti Padhao](#)
- [Juvenile Justice Act/Care and Protection Act, 2000](#)
- [Child Marriage Prohibition Act \(2006\)](#)
- [Child Labour Prohibition and Regulation Act, 2016](#)

UPSC Civil Services Examination Previous Year Question (PYQ)

Q. Which of the following are envisaged by the Right against Exploitation in the Constitution of India? (2017)

1. Prohibition of traffic in human beings and forced labour
2. Abolition of untouchability
3. Protection of the interests of minorities
4. Prohibition of employment of children in factories and mines

Select the correct answer using the code given below:

- (a) 1, 2 and 4 only
- (b) 2, 3 and 4 only
- (c) 1 and 4 only
- (d) 1, 2, 3 and 4

Ans: (c)

Exp:

- Articles 23 and 24 under Part III (Fundamental Rights) of the Constitution deal with the Right against exploitation.
- Article 23 provides for the prohibition of traffic in human beings and forced labour. It states that traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law. **Hence, 1 is correct.**
- Article 24 provides for the prohibition of employment of children in factories, etc. It states that no child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any other hazardous employment. **Hence, 4 is correct.**
- **Therefore, option (c) is the correct answer.**

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