

The Hindu Important News Articles & Editorial For UPSC CSE

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Edition : International Table of Contents

Page 01 Syllabus : GS II : Governance / Prelims Exam	Centre seeks access to phone source codes
Page 06 Syllabus : GS III : Science & Technology / Prelims Exam	Countdown to launch of PSLV-C62 mission begins
Page 07 Syllabus : GS III : Environment & Ecology / Prelims Exam	Conservation practices in the Global South undermine rights: researchers
Page 10 Syllabus : GS II : Governance / Prelims Exam	Should the age of consent be lowered?
Page 11 Syllabus : GS III : Indian Economy / Prelims Exam	India's maritime policy: how it has evolved and what lies ahead
Page 08 : Editorial Analysis	Faster is not fairer in POCSO case clearance numbers



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INDIA'S NATIONAL NEWSPAPER SINCE 1878

Daily News Analysis

Syllabus : GS II : Governance

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Young love : POCSO Act must not allow parental pushback against adolescents

Page 01 : GS II : Governance / Prelims Exam

The Union government is considering a new set of Telecom Security Assurance Requirements (TSAR) that would impose stringent cybersecurity obligations on smartphone manufacturers operating in India. These include access to device source codes, mandatory vulnerability analysis in Indian labs, periodic malware scanning, and advance intimation of major software updates. The proposal has triggered strong resistance from global technology firms such as Apple and Samsung, citing concerns over privacy, intellectual property, and feasibility.

Centre seeks access to phone source codes

Tech firms object to the proposed 'vulnerability analysis' standards proposed by the Union govt.

The Centre revoked an order mandating a cyber safety app, Sanchar Saathi, on phones last month

Apple declined Chinese attempts to access code; and U.S. law enforcement also tried and failed

Reuters
NEW DELHI

The Centre is considering legally imposing a set of requirements for smartphone makers in Indian markets as part of a raft of "security measures", prompting behind-the-scenes opposition from tech giants such as Apple and Samsung. Among the most sensitive requirements for "vulnerability analysis" in the new Indian Telecom Security Assurance Requirements, drafted in 2023, is access to source code – the underlying programming instructions that make phones work and closely guarded by the manufacturers.

This will be analysed and possibly tested at designated Indian labs, the documents show. Apple had declined China's request for its source code between 2014 and 2016, and U.S. law enforcement has also tried and failed to get it.

The proposals require automatic and periodic malware scanning on phones and storing of records of a phone's activities in the device for at least one year.

IT Ministry and tech executives are due to meet on Tuesday for more discussions, sources said.

"Any legitimate concerns of the industry will be addressed with an open mind," IT Secretary S. Krishnan said, adding it

Surveillance tools

The Indian Telecom Security Assurance Requirements propose 83 security standards including source code disclosure for smartphone manufacturers in Indian markets

	Background permission restriction: Apps cannot access cameras, microphones or location services in the background when phones are inactive
	One-year log retention: Devices must store security audit logs for 12 months
	Periodic malware scanning: Phones must automatically scan and identify potentially harmful applications
	Informing govt. of major updates: Phone makers must notify a govt. body before releasing any major updates or security patches

Gray area: Tech companies say the proposal lacks any global precedent.

was "premature to read more into it".

Tech companies have countered that the package of 83 security standards, which will include a re-

quirement to alert the government to major software updates, lacks any global precedent and risks revealing proprietary details, according to four pe-

ople familiar with the discussions and a Reuters review of confidential government and industry documents.

Indian government requirements have irked technology firms before. Last month the Centre revoked an order mandating a state-run cyber safety app, Sanchar Saathi, on phones amid concerns over surveillance.

The new proposal is part of Prime Minister Narendra Modi's efforts to boost security of user data as online fraud and data breaches increase in the world's second-largest smartphone market, with nearly 750 million phones.

Manufacturers will also have to make software changes under the require-

ments to allow pre-installed apps to be uninstalled and to block apps from using cameras and microphones in the background to "avoid malicious usage".

Device makers will have to inform the National Centre for Communication Security about major software updates and security patches before releasing them to users, and the centre will have the right to test them.

Tech companies Apple, Samsung, Google, and Xiaomi, and the Manufacturers' Association for Information Technology (MAIT) did not respond to requests for comment.

However, MAIT had asked the Ministry last week to drop the proposal,

a source with direct knowledge said.

"This [source code review and analysis] is not possible... due to secrecy and privacy," MAIT had said in a confidential document drafted in response to the government proposal, and seen by Reuters. "Major countries in the EU, North America, Australia, and Africa do not mandate these requirements." MAIT's document says regular malware scanning significantly drains a phone's battery and seeking government approval for software updates is "impractical" as they need to be issued promptly.

"There is not enough room on device to store 1-year log events," MAIT said in the document.

Background and Context

The standards were drafted in 2023 as part of India's broader push to strengthen cybersecurity and user data protection, especially amid rising online fraud and data breaches.

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India is the world's second-largest smartphone market, with nearly 750 million devices, amplifying the national security and consumer protection stakes.

The move follows earlier friction, including the now-revoked mandate to install the government's cyber safety app Sanchar Saathi, which raised surveillance concerns.

Key Provisions of the Proposal

Source Code Access and Testing

Manufacturers would be required to provide access to proprietary source codes for "vulnerability analysis" in designated Indian labs.

Mandatory Malware Scanning and Data Retention

Automatic and periodic malware scans, with activity logs stored on devices for at least one year.

Regulatory Oversight of Software Updates

Prior intimation to the National Centre for Communication Security about major updates and security patches, with the right to test them before release.

Enhanced User Controls

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Allowing users to uninstall pre-installed apps and block background access to cameras and microphones to prevent misuse.

Government's Rationale

National Security: Preventing exploitation of smartphones by malicious actors, spyware, or hostile state agencies.

Consumer Protection: Reducing cyber fraud, data theft, and unauthorized surveillance.

Regulatory Sovereignty: Ensuring that devices sold in India comply with domestic security standards rather than relying solely on foreign assurances.

Industry Concerns

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Daily News Analysis

Intellectual Property Risks: Source code is a core trade secret; its disclosure could compromise innovation and competitiveness.

Privacy and Surveillance Fears: On-device logging and scanning may infringe user privacy.

Operational Impracticality:

Delays in security patches due to prior approvals could increase vulnerability windows.

Regular malware scanning may drain battery life.

Storing one-year logs may be technically unfeasible due to storage constraints.

Lack of Global Precedent: Industry bodies note that similar mandates are absent in the EU, North America, and Australia.

Comparative Perspective

China previously sought access to Apple's source code (2014–16) but was refused.

United States law enforcement has also failed to compel such access, reflecting global reluctance to compromise encryption and proprietary software.

Most democracies prefer risk-based audits, certification frameworks, and post-market surveillance rather than direct source code access.

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Implications for India

Economic: Potential chilling effect on investment and innovation in India's electronics manufacturing ecosystem.

Strategic: Tension between digital sovereignty and integration into global technology supply chains.

Governance: Raises questions about proportionality, due process, and safeguards against misuse of regulatory powers.

Way Forward

Adopt least-intrusive security models such as third-party audits, sandbox testing, and bug bounty programs.

Ensure strong legal safeguards for privacy, transparency, and data minimization.

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Align domestic standards with global best practices to avoid

regulatory isolation.

Institutionalize structured consultations with industry and civil society to balance security with innovation.

Conclusion

The proposed telecom security standards reflect India's legitimate concerns over cybersecurity and user protection in a rapidly digitizing economy. However, mandating access to smartphone source codes and intrusive compliance requirements risks undermining privacy, intellectual property, and ease of doing business. A calibrated approach—anchored in global norms, technological feasibility, and robust oversight—will be essential to reconcile national security imperatives with innovation, trust, and democratic values.

UPSC Prelims Exam Practice Question

Ques: The primary objective of the proposed telecom security norms is to address:

- (a) Revenue loss of telecom operators
- (b) Rising online fraud and data breaches
- (c) Monopoly practices of global tech firms
- (d) Import dependence in electronics manufacturing

Ans : a)

UPSC Mains Exam Practice Question

Ques: Examine the implications of government-mandated access to proprietary source codes on privacy, federal governance, and ease of doing business in India. **(250 Words)**

Page 06 : GS III : Science & Technology / Prelims Exam

The successful countdown and launch readiness of the PSLV-C62/EOS-N1 mission by Indian Space Research Organisation marks another significant milestone in India's space programme. Scheduled as the 105th launch from Sriharikota, the mission underscores India's growing competence in earth observation, strategic space assets, and commercial satellite launches, while also highlighting the increasing participation of private start-ups and academic institutions in the space ecosystem.

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Daily News Analysis

Countdown to launch of PSLV-C62 mission begins

The vehicle, carrying an earth observation satellite and 15 'co-passengers' developed by Indian and overseas customers, is set to lift off at 10.17 a.m today; it is the 105th launch from Sriharikota

The Hindu Bureau
BENGALURU

The 22.5-hour countdown to the launch of the Polar Satellite Launch Vehicle (PSLV), carrying an earth observation satellite and 15 co-passenger satellites, commenced at the Satish Dhawan Space Centre in Sriharikota on Sunday.

The Indian Space Research Organisation (ISRO) is scheduled to launch the PSLV-C62/EOS-N1 Mission at 10.17 a.m. on Monday from the first launch pad of the Satish Dhawan Space Centre. This will be the 105th launch from Sriharikota. It will also be the 64th flight of the Polar Satellite Launch Vehicle and the fifth mission of the PSLV-DL variant.

The 15 co-passenger satellites have been developed by start-ups and academic institutions from India and abroad. The EOS-N1 satellite is said to have been built for strategic purposes.

"It is a commercial mission of NewSpace India Limited (NSIL). EOS-N1 and 14 co-passenger satellites



The ISRO said that after the injection of EOS-N1 and 14 satellites, the PS4 stage will be re-started to de-boost and enter a re-entry trajectory, followed by KID Capsule separation. @isro/X

will be injected into a Sun Synchronous Orbit and KID Capsule into a re-entry trajectory," the ISRO said.

It added that after the injection of EOS-N1 and 14 satellites, the PS4 stage will be re-started to de-boost and enter a re-entry trajectory, followed by KID Capsule separation. "Both PS4 stage and KID Capsule will re-enter into Earth's Atmosphere and impact will

be in the South Pacific Ocean," the ISRO said.

The 15 co-passengers are: Theos-2 earth observation satellite built jointly by Thailand and the U.K.; CGUSAT by Dhruva Space (India); DSUSAT by Dhruva Space; MOI-1 by Dhruva Space and Takeme2Space (India); LACHIT by Dhruva Space and Don Bosco University (India); Thymolt-3 by Dhruva Space;

Munal by Nepal university Antharkshya Pratishthan (Nepal) and MEA, GoI; KID Capsule by Orbital Paradigm (Spain) and RIDEI (France); Edusat by AlltoSpace (Brazil); Uaisat by AlltoSpace; Galaxy Explorer by AlltoSpace; Orbital Temple by AlltoSpace; Aldebaran-1 by AlltoSpace; Sanskarsat by Laxman Gyanpith (India); and AyulSat by OrbitAid (India).



Key Features of the Mission
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Launch Vehicle and Variant:

64th flight of Polar Satellite Launch Vehicle

5th mission of the PSLV-DL (Dual-strap-on) variant, reflecting technological maturity and reliability.

Payload Composition:

EOS-N1: A strategically significant earth observation satellite, enhancing India's surveillance and geospatial intelligence capabilities.

15 Co-passenger Satellites: Developed by Indian and foreign start-ups, universities, and institutions, demonstrating India's role as a global small-satellite launch hub.

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Daily News Analysis

Orbit and Mission Profile:

Injection into Sun Synchronous Orbit (SSO), crucial for consistent earth imaging and remote sensing applications.

PS4 Stage Re-start and De-boost: Controlled re-entry of the PS4 stage and KID Capsule into the South Pacific Ocean reflects ISRO's increasing focus on space sustainability and mitigation of orbital debris.

Institutional and Commercial Significance

The mission is commercially executed through NewSpace India Limited, reinforcing India's strategy of separating operational, regulatory, and commercial roles in the space sector.

Participation of start-ups like Dhruva Space and international collaborators illustrates the success of space sector reforms (2020 onwards), which opened the domain to private players and foreign partnerships.

Strategic and Developmental Implications

National Security

EOS-N1 strengthens India's strategic earth observation capacity, aiding border management, maritime domain awareness, and disaster response.

Commercial Space Leadership

Multi-satellite rideshare missions enhance India's competitiveness against global launch providers by offering cost-effective and reliable access to space.

Innovation and Capacity Building

Involvement of universities and start-ups promotes indigenous innovation, skill development, and Atmanirbhar Bharat in high-technology sectors.

Responsible Space Operations

PS4 de-orbiting and capsule re-entry align with emerging norms of responsible and sustainable use of outer space.

Conclusion

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Daily News Analysis

The PSLV-C62/EOS-N1 mission reflects the evolving character of India's space programme—from a primarily state-led scientific endeavour to a strategic-commercial-innovation driven ecosystem. By combining national security objectives, commercial launches, private sector participation, and sustainability measures, India is positioning itself as a reliable, responsible, and competitive space power. For UPSC aspirants, this mission is a clear illustration of how space technology intersects with security, economy, diplomacy, and governance in contemporary India.

UPSC Prelims Exam Practice Question

Ques : The primary purpose of placing Earth Observation Satellites in a Sun Synchronous Orbit (SSO) is to:

- (a) Enable geostationary communication services
- (b) Maintain constant local solar time for imaging
- (c) Reduce launch costs significantly
- (d) Increase satellite lifespan

Ans: b)

UPSC Mians Exam Practice Question

Ques : How do India's space launches contribute to its soft power and science diplomacy? Illustrate with recent examples.

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Page 07 : GS III : Environment & Ecology / Prelims Exam

A recent article published in **Nature** has reignited the debate on the ethical foundations of conservation practices in the Global South. Drawing on historical and contemporary evidence, the researchers—many from India—argue that conservation models continue to marginalise indigenous peoples and local communities (IPLCs) by prioritising wildlife protection over human rights and livelihoods. The study highlights how colonial-era ideas of “pristine wilderness” still shape modern conservation, often undermining social justice and democratic governance.

Conservation practices in the Global South undermine rights: researchers

In an article in *Nature*, a group of researchers, including many from India, has argued for greater rights, agency, and education among communities, as the late conservationist Madhav Gadgil put it, “Talk of many things, not just air and water and the bird that sings, but of men and money and economic reforms.”

Divya Gandhi

Exactly 20 years ago, forest rangers in Chitwan National Park in Nepal nabbed a farmer, Shikhar Chaudhary, who they believed helped his son bury, in his own backyard, a stolen rhino horn. The rangers interrogated him and waterboarded him in prison. Days later, Chaudhary died. No horn was found. But the large and wealthy global conservation organisation World Wildlife Fund (WWF) curiously campaigned for the charges filed against the rangers to be dropped, and won. The story came to light in an investigation by *BuzzFeed News* in 2019.

But two decades after this murder, the colonial legacy in the world of conservation, of privileging individual wildlife over human well-being, endures in the Global South. One article in the latest edition of *Nature* suggests the marginalisation and “othering” — the treatment of people as “different”, or creating an “us” versus “them” narrative — continues to affect indigenous people when conservation projects are concerned.

The discourse on racism in conservation was renewed by the Black Lives Matter protests of 2020. The authors of the paper, many of whom are Indian scientists, instead propose a framework for more “inclusive” conservation that supports the human rights of black, indigenous and people of colour (BIPOC) communities, and nature, by countering exclusion.

A great othering

The history of conservation has always been steeped in marginalisation, injustice and racism, said the paper. “Othering” in conservation has primarily occurred against BIPOC communities, and is exacerbated in the global south, where governance systems and the rule of law and protection of both individual and collective rights are often weaker.

The main players in this form of discrimination are the wealthy elite, multi-national corporations, and the inheritance of the colonial penchant for a “pristine” wilderness devoid of people. Colonial rulers routinely forced indigenous peoples and communities out of protected areas. However, the paper said, although conservation “has evolved substantially to be more inclusive”, the racist European colonial past has created a roadmap for continued marginalisation.

The scientists elaborate that the modern conservation movement began during the European colonial era in the



The colonial legacy in the world of conservation, of privileging individual wildlife over human well-being, endures in the Global South. In: [nature.com](https://www.nature.com/articles/d41586-021-00000-0)

1800s, when indigenous people were portrayed as “uncivilised” and racially inferior. They rationalised the latter’s extermination and the appropriation of their territories, especially in India and in African colonies. Today, “conservation” campaigns and initiatives, particularly through campaigns aimed at the Western public, often value wild animals over BIPOC people, the paper added.

Games in India

In India, the British colonial administration created public works projects such as perennial irrigation and railways. But they also instituted mechanisms to displace local communities (for forestry, plantations, development and conservation) and created game reserves where the elite could hunt wildlife for sport.

The authors use the recent example of the tiger Avni, killed in 2018, to illustrate urban-rural divisions in conservation. There was intense public outrage. “Notably, little mention was made of the number, names or ages of the children left parentless following Avni’s killing of at least 13 rural villagers,” the authors added. Mumbai’s animal lovers demanded “justice” for the tigress and her cubs, chanting “Avni’s kids, nation’s kids”.

“Along with that, when these animals, elephants, wild pigs, crocodiles, have left forest areas or sanctuaries to raid crops or

“offences” were “trespassing forest land” in which they had lived for generations, collecting honey and cultivating ginger in the forest.

Gadgil’s paradigm shift The new work argues for greater rights, agency, and education among communities. As the late peoples’ conservationist and scholar Madhav Gadgil put it in his autobiography, “Talk of many things, not just air and water and the bird that sings, but of men and money and economic reforms.”

There have been many movements to make conservation more people-centric in India. Ashish Kothari’s Kulparkash, Madhav Gadgil’s work on *People’s Biodiversity Registers*, and Keystone’s work in the Nilgiris are some examples.

Most of the progress has been at the level of “ideas”, another co-author, Tarsh Thakur, trustee of The Shola Trust, told *The Hindu*. “The concept of coexistence has become mainstream, even in India. Forest departments everywhere now use the language of coexistence, and there’s a broad recognition that the old fortress conservation model is no longer viable.”

But the prevailing notion of “a pristine wilderness without human occupation” casts local people “as enemies, rather than custodians of nature.”

Indigenous peoples and local communities (IPLCs), on the contrary, can be “very effective stewards of nature.” “Dehumanisation” is not limited to extreme events but is a “common everyday occurrence,” present in many societies even today, the paper continued.

In Nagahole, there are ongoing protests by the Jenu Kurubas. The Van Gujjars in the Himalayas continue to be dispossessed of their livelihoods and ways of life, Dr. Thakur said. “Almost everywhere you look, there are stories of dispossession.”

The Nilgiris is a particularly stark example, he added: “Barely 200 years ago, this landscape was completely managed by indigenous communities who today have almost no voice at all. They are marginalised on virtually every count.”

The historical legacy of conservation “cannot be easily undone,” said the paper. Instead it proposes a four-step framework to address the disparity, engaging and supporting human rights, advocating for and making space for the agency of IPLCs, challenging the accepted norms of how we engage with people from BIPOC communities, and seeking out new educational opportunities for and from BIPOC communities.

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THE GIST

The death by torture of a Nepalese farmer, Shikhar Chaudhary, at the hands of forest guards created no ripples in the usual elite circles. Instead, WWF campaigned for charges to be dropped.

“Othering” has primarily been against BIPOC communities. The main players are the wealthy elite, multi-national corporations, and the inheritance of the colonial penchant for a pristine wilderness devoid of people. Today conservation often values wild animals over people.

When the tiger Avni was killed in 2018, there was intense public outrage. Little mention was made of Avni’s killing of 13 villagers. Animal lovers chanted “Avni’s kids, nation’s kids”.

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Core Arguments of the Study

Colonial Legacy in Conservation

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Modern conservation emerged during European colonialism, when indigenous communities were portrayed as “uncivilised” and excluded from forests and protected areas.

This legacy persists in the Global South, where governance and legal protections are often weaker, enabling coercive practices in the name of conservation.

‘Othering’ and Human Rights Violations

Conservation has historically “othered” Black, Indigenous, and People of Colour (BIPOC) communities, creating an “us vs them” narrative.

The example from Nepal’s Chitwan National Park, involving custodial violence and the role of **World Wildlife Fund**, illustrates how global conservation organisations have at times shielded abuses rather than communities.

Indian Context: Elite-Driven Conservation

In India, conservation remains dominated by urban, elite, and often upper-caste perspectives, influenced by Western notions of wildlife protection.

Cases such as displacement around **Narajholi National Park** and the **Ayaztigris** episode reveal sharp urban–rural divides and inadequate attention to human costs of wildlife conservation.

Human–Wildlife Conflict and Livelihood Loss
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Crop raids, loss of life, and limited compensation mechanisms have deepened resentment among forest-dependent communities.

Traditional and sustainable resource use by IPLCs is frequently criminalised despite legal safeguards like the Forest Rights Act, 2006.

Alternative Vision: People-Centric Conservation

The paper echoes the ideas of the late conservationist **Madhav Gadgil**, who emphasised integrating ecology with social justice, livelihoods, and democratic participation.

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Daily News Analysis

Indian initiatives such as People's Biodiversity Registers and community-led conservation efforts demonstrate viable alternatives to fortress conservation.

Proposed Framework by Researchers

The study suggests a four-pronged approach:

Embedding Human Rights in conservation policy and practice.

Enhancing Agency of IPLCs, recognising them as custodians rather than threats.

Challenging Dominant Norms and power structures in global conservation discourse.

Promoting Inclusive Education, enabling learning both for and from indigenous communities.

Conclusion

The Nature article underscores that conservation divorced from social justice is neither ethical nor sustainable. In the Global South—and particularly in India—effective conservation must move beyond colonial-era, exclusionary models towards inclusive, rights-based, and community-led approaches. Recognising indigenous peoples as partners in conservation, rather than obstacles, is essential not only for protecting biodiversity but also for upholding constitutional values, human dignity, and long-term ecological resilience.

UPSC Prelims Exam Practice Question

Ques: The term “fortress conservation”, often used in environmental discourse, refers to:

- (a) Conservation through military-led forest protection
- (b) Complete exclusion of humans from wildlife-protected areas
- (c) Urban-led wildlife protection models
- (d) Conservation financed by global NGOs

Ans : b)

UPSC Mains Exam Practice Question

Ques: What is meant by “fortress conservation”? Why is this model increasingly seen as unsustainable in countries like India? Suggest alternatives. (150 words)

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Page 10 : GS II : Governance / Prelims Exam

The debate on whether India should lower the age of consent has resurfaced following recent judicial observations by the Supreme Court of India on the misuse of the Protection of Children from Sexual Offences Act, 2012 (POCSO) in cases involving consensual adolescent relationships. With a sharp rise in POCSO cases where minors aged 16–18 are involved in romantic relationships, the issue highlights a fundamental tension between adolescent autonomy and the State's duty to protect children from sexual exploitation.

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Daily News Analysis

Should the age of consent be lowered?

While some argue that the current law criminalises consensual relationships among adolescents, others warn that lowering the age could undermine protections against child exploitation. This debate comes amid rising POCSO cases, highlighting a growing conflict between adolescent autonomy and the need to safeguard vulnerable minors.

LETTER & SPIRIT

Kartikay Singh

In January 10, the Supreme Court (SC), in its judgment in the *State of Uttar Pradesh versus Anuradh & Anr.*, acknowledged the growing issue of the Protection of Children from Sexual Offences Act (POCSO), 2012 in consensual, romantic adolescent relationships, where one party is a minor. It urged the Union government to initiate corrective measures to exempt genuine adolescent relationships from the special child protection law's rigorous application. This has revived the debate on the 'age of consent'.

The legal framework

The age of consent refers to the legally defined age at which an individual can consent to sexual activity. In India, it is currently 18 years, as established by the gender-neutral POCSO Act. A case above this age is classified as a 'child', making their consent to sexual acts legally irrelevant. Consequently, sexual acts with minors are treated as 'statutory rape', based on the legal presumption that children lack the capacity to give valid consent. Section 19 of the POCSO Act mandates that any person who suspects or has knowledge of an offence under the Act, whether likely to occur or already committed, must report it to the local police or the Special Juvenile Police Unit.

The 18-year threshold was firmly cemented in the broader criminal law framework by the Criminal Law (Amendment) Act, 2013. This Act notably amended, among others, Section 375 of the Indian Penal Code (IPC), which defines 'rape' and, until 2012, had set the 'age of consent' at 16 years. The amendments, aimed at strengthening laws related to sexual offences against women, aligned IPC's Section 375 with the 18-year age stipulated in POCSO, thereby ensuring comprehensive protection against child sexual abuse. The Bharatiya Nyaya Sanhita (BNS), 2023, retained this position. Section 63 defines rape to include sexual acts with or without consent of the woman is under 18.

Historically, India's age of consent has evolved significantly – from 10 years under the 1860 IPC to 12 (Age of Consent Act, 1890), then 14, and subsequently 16 until POCSO raised it to 18 in 2012. Importantly, the age of consent is distinct from the 'minimum age of marriage', which under the Prohibition of Child Marriage Act, 2006, is 18 for females and 21 for males.

Arguments in favour

In recent years, the debate over the age of consent has intensified, particularly due to a surge in POCSO cases involving adolescents aged 16-18, where the girl often testifies to 'consensual sex'.

Advocates for lowering the age of consent argue that the current law fails to recognise adolescent sexuality, infringing on the autonomy of 16-18-year-olds capable of giving mature consent. Underlining the POCSO Act's intent, they emphasise that it was designed to prevent child sexual abuse, not to criminalise consensual romantic relationships among older adolescents.

Reflecting the ground realities of 'adolescent sexual behaviour', the NFHS-4 (2015-16) shows that 1% of girls had their first sexual experience before age 15, and 39% before 18. An Enfold study analysing 7,064 POCSO judgments (2016-2020) across Assam, Maharashtra, and West



ISTOCKPHOTO

Bengal found that 24.3% of them involved romantic relationships, with 82% of victims in such cases refusing to testify against the accused. Another Enfold Project 39A study of 264 cases under Section 6 aggravated penetrative sexual assault (PSA) of POCSO in the same States found that 25.4% of them involved consensual relationships. Therefore, many advocate for a more nuanced legal approach, one that respects the consent of those over 16 while ensuring safeguards against coercion, exploitation, or abuse of authority. They call for shifting the conversation towards informed, open dialogue around sex education, relationships, and consent, rather than blanket criminalisation, which often leads to misuse. In many Western democracies, the consent age is 16, with safeguards against coercion and abuse. Countries like the U.K., Canada, and several EU nations recognise 'close in age' exemptions or the 'Romeo-Juliet clause', ensuring that teenagers in consensual relationships with slightly older peers are not criminalised.

The challenge

However, there are genuine concerns on reducing the age of consent. Many believe that such a move would risk weakening the deterrent framework, enabling trafficking and other forms of child abuse under the guise of consent. The current 'bright line rule' – which treats all individuals under 18 as incapable of consenting to sexual activity – reflects a clear legislative intent to create an unambiguous zone of protection for minors under the POCSO Act and BNS. This rule avoids subjective judgments by replacing them with an objective, consistent standard. Individuals against reducing the age of consent acknowledge that courts may exercise 'guided judicial discretion' in isolated cases involving consensual adolescent relationships, but they caution against codifying such exceptions in law.

More worryingly, child exploitation often occurs by individuals in positions of trust, such as family members, neighbours, teachers, and caregivers; a

2007 study by the Ministry of Women and Child Development found that over 50% of abusers were known to the child. In such cases, children often lack the emotional independence or capacity to resist or report abuse, making any claim of consent meaningless. Diluting the law would legitimise coercion, suppress disclosures, and contradict the constitutional and statutory commitment to protecting children's best interests. Lowering the age would also risk encouraging younger children to engage in sexual activity prematurely, without the emotional maturity to comprehend its ramifications.

Parliament has consistently rejected proposals to lower the age of consent. The Justice Verma Committee had recommended keeping it at 16 under IPC Section 375, but Parliament chose to raise it to 18 in 2013, aligning with the POCSO framework. The 240th Report of the Parliamentary Standing Committee on Human Resource Development (2001) rejected recognising minor consent in the POCSO bill, stating that willingness or maturity was legally irrelevant. Similarly, the 167th Report of the Parliamentary Standing Committee on Home Affairs (2012) supported raising the age to 18 and opposed any 'close in age' exemption. Most recently, the Law Commission's 283rd Report (2023) on the age of consent warned that reducing the age of consent would render POCSO a 'paper law', undermining efforts to combat child marriage, prostitution, and trafficking.

Legal opinions

Time and again, courts have faced the tough task of upholding the letter of the law while recognising that its application, in some cases, can inflict real harm on those it seeks to protect. In *State versus Hitesh* (2025), the Delhi High Court (HC) held that "societal and legal views on adolescent love should emphasise the rights of young individuals to engage in romantic relationships that are free from exploitation and abuse... The law should evolve to acknowledge and respect these relationships, as long as they are consensual and free from coercion."

Similarly, the Bombay HC in *Asish Ranjani Anant versus State of Maharashtra* (2020) held that sexual autonomy includes both the 'right to engage' in consensual activity and the 'right to protect' from sexual aggression, and that recognising both is key to respecting human sexual dignity. In *State of Maharashtra versus Anil* (2020), the Madh. HC, in *State of Delhi, the Delhi HC*, asserted that "consent is legally immaterial" under POCSO if the victim is under 18. Most notably, on August 20, 2024, the Supreme Court overturned a controversial Calcutta HC ruling that acquitted a man in a POCSO case involving a 14-year-old girl, reaffirming that POCSO does not recognise 'consensual sex' with minors. Yet, later invoking Article 142 (extraordinary jurisdiction), the top court declined to impose a sentence on the conviction, noting the girl did not view the incident as a crime and had suffered more from the legal process than the act itself, but it also stated that the judgment should not be treated as precedent.

More recently, on August 19, 2025, in a hearing of a case at the SC, Justice B.V. Nagarathna observed that romantic relationships between persons on the verge of majority age should be seen differently. "Look at the trauma the girl undergoes if the lover is a boy and he is sent to jail, because her parents would file a POCSO case to cover the elopement", Justice Nagarathna observed.

The road ahead

While reducing the age of consent is within the jurisdiction of Parliament, the SC must step in to clarify the growing interpretational divide between the statutory framework and HC rulings, ensuring consistency for investigating agencies and lower courts alike. Moreover, laws alone cannot address the layered and complex realities of adolescent life. For real impact, we need a holistic approach with access to comprehensive sex education, respect for young people's autonomy, accessible sexual and reproductive health services, gender-sensitive and responsive law enforcement, and, above all, a social ecosystem that supports adolescents, especially girls, when they find themselves at odds with their families.

Data from studies like Enfold paint a concerning picture – there are too many cases, which stem from consensual romance, that are often weaponised by disapproving parents, which drag courts and erodes trust in the system without addressing root issues like poor sex education or societal stigma. The real challenge involves not merely analysing whether the age of consent should remain 18 or fall back to 16, but how the law can be recalibrated to distinguish genuine adolescent relationships from exploitative ones. A wholesale reduction risks diluting child protection, yet the current blanket rule unjustly criminalises young people navigating consensual intimacy.

Instead of a blanket reduction that opens doors to predators disguised as consent, we need a pragmatic tweak: introduce 'close in age' exemptions for 16-18-year-olds, say within a 3-4 year gap, coupled with mandatory judicial reviews to stave off any foul play, while ramping up school programs on healthy relationships, consent, and emotional resilience. This way, we honour adolescent autonomy without gutting protections, and build a framework where kids learn to navigate love safely, reducing misuse of the law and fostering a more empathetic society.

Kartikay Singh is a lawyer based in New Delhi.

THE GIST

▼ In recent years, the debate over the age of consent has intensified, particularly due to a surge in POCSO cases involving adolescents aged 16-18, where the girl often testifies to 'consensual sex'.

▼ An Enfold study analysing 7,064 POCSO judgments (2016-2020) across Assam, Maharashtra, and West Bengal found that 24.3% of them involved romantic relationships, with 82% of victims in such cases refusing to testify against the accused.

▼ However, there are genuine concerns on reducing the age of consent. Many believe that such a move would risk weakening the deterrent framework, enabling trafficking and other forms of child abuse under the guise of consent.



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Legal and Constitutional Context

India's age of consent is 18 years, making any sexual activity involving minors legally non-consensual.

This position was reinforced by the Criminal Law (Amendment) Act, 2013 and retained under the Bharatiya Nyaya Sanhita, 2023, aligning criminal law with POCSO's child-protection framework.

The rationale is based on the doctrine of statutory rape, presuming that minors lack the legal capacity to consent, thereby creating a "bright-line rule" for enforcement.

Arguments in Favour of Lowering the Age of Consent

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Criminalisation of Consensual Adolescent Relationships

Empirical studies show a significant proportion of POCSO cases arise from consensual romantic relationships between adolescents aged 16–18.

Such cases often result in the incarceration of young men and secondary victimisation of adolescent girls through prolonged legal processes.

Recognition of Adolescent Autonomy

Advocates argue that adolescents above 16 possess sufficient cognitive maturity to make informed choices about relationships.

The current law ignores social realities and adolescent sexual behaviour, as reflected in NFHS data.

Comparative International Practice

Several democracies (e.g., the UK, Canada, EU states) set the age of consent at 16, with 'close-in-age' or 'Romeo–Juliet' exemptions to prevent misuse.

Judicial Concerns

High Courts have increasingly emphasised sexual autonomy and the need to distinguish exploitative acts from consensual adolescent intimacy, reflecting evolving constitutional morality.

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Arguments Against Lowering the Age of Consent

Risk of Diluting Child Protection

Lowering the age could weaken safeguards against trafficking, grooming, and sexual abuse, particularly by persons in positions of authority or trust.

Structural Vulnerability of Children

Studies indicate that a majority of child abuse cases involve known persons, where apparent "consent" may be the result of coercion or manipulation.

Legislative Intent and Parliamentary Wisdom

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Parliament has consistently rejected proposals to lower the age of consent, prioritising child protection over subjective assessments of maturity.

The Law Commission (283rd Report, 2023) cautioned that dilution could render POCSO ineffective.

Clarity and Enforceability

The bright-line rule ensures legal certainty and prevents arbitrary or inconsistent interpretations by law enforcement agencies.

Judicial Balancing Act

Courts have attempted to reconcile statutory rigidity with social realities by exercising judicial discretion in sentencing and interpretation, sometimes invoking Article 142 to do “complete justice”. However, this has also led to inconsistency and uncertainty, underlining the need for legislative clarity rather than ad hoc judicial solutions.

Way Forward

Instead of a blanket reduction, experts suggest introducing narrowly tailored ‘close-in-age’ exemptions for consensual relationships between adolescents aged 16–18, subject to strict judicial scrutiny.

Strengthening comprehensive sex education, adolescent-friendly health services, and gender-sensitive policing is critical to address root causes.

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Clear guidelines for police and prosecutors can reduce misuse while preserving the core protective intent of POCSO.

Conclusion

The age of consent debate is not merely a legal question but a reflection of India’s struggle to balance child protection, constitutional morality, and adolescent autonomy. While lowering the age of consent risks exposing vulnerable minors to exploitation, the current blanket criminalisation unjustly penalises consensual adolescent relationships and undermines trust in the justice system. A calibrated, rights-sensitive reform, rather than an outright reduction, offers a more sustainable path—one that protects children without denying young people dignity, agency, and justice.

UPSC Prelims Exam Practice Question

Ques : Which of the following bodies has warned that lowering the age of consent could render POCSO a “paper law”?

- (a) Justice Verma Committee
- (b) National Human Rights Commission
- (c) Law Commission of India
- (d) National Commission for Protection of Child Rights

Ans: c)

UPSC Mains Exam Practice Question

Ques : The Supreme Court has acknowledged the misuse of the POCSO Act in consensual adolescent relationships. Critically examine the tension between adolescent autonomy and the State’s obligation to protect children. (150 words)

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Page 11 : GS III : Indian Economy / Prelims Exam

India's maritime policy has evolved from a historically trade-driven outlook to a comprehensive strategic, economic, and security-oriented framework, reflecting the country's geography, history, and rising global ambitions. As examined in The Routledge Handbook of Maritime India, edited by Alluri Subramanyam Raju and R. Srinivasan, India's engagement with the Indian Ocean Region (IOR) has become central to its national security, diplomacy, and development. The renewed emphasis on maritime power underscores India's transition from a continental mindset to a maritime-conscious power.



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ABSTRACT



Strong traditions: INSV Kaundinya, the Indian Navy's stitched sailing vessel, built using ancient Indian techniques, embarks on its maiden voyage to Muscat, Oman, on December 29, 2025. P11

India's maritime policy: how it has evolved and what lies ahead

India's maritime policy has undergone significant evolution, intricately linked to its historical and geographical context, as explored in 'The Routledge Handbook of Maritime India'. The handbook delves into India's rich maritime history and strategic relationships across the Indian Ocean

Rajiv Bhatia

he two most prominent geographic features of the Indian subcontinent, with India at its centre, are the Himalayas and the Indian Ocean. They not only defined India's geographic boundaries but also shaped its history, culture, and civilisation. While foreigners came to India through the land route in the north to establish empires – some great and some not so great – in the south of the Vindhyas, where the presence of the sea is constant, Indians sailed east and west for trade, cultural exchange, and the occasional conquest.

In this broad historical context, a question arises – what is the significance of the maritime domain for India, as viewed through the lenses of history, strategy, economics, and technology? A comprehensive and scholarly work, *The Routledge Handbook of Maritime India*, edited by Alluri Subrahmanyam Raju and R. Srinivasan, presents a multidimensional response to this fundamental question.

On maritime history

History has taught us the all-pervading significance of the maritime domain. The capabilities of Indian sailors to reach the far corners of the west and the east in ancient and medieval times is a source of pride and inspiration. As Jawaharlal Nehru observed, "History has shown that whatever power controls the Indian Ocean has, in the first instance, India's seaborne trade at her mercy, and, in the

second, India's very independence itself."

The first part of the handbook, comprising five essays by different scholars, traces the historical evolution of India's outward reach, focusing on the Cholas, the Marathas, Europeans and Indo-Arab maritime trade. Author N. Manoharan called the Cholas "The Nautical Tigers." The chapter on scholar-diplomat K. M. Panikkar critically analyses his ideas and establishes their continuing relevance to contemporary geopolitics. Varun Sahni, in his futuristic take, urges that the Indian Ocean needs to be viewed "less as a space – an ocean of transit – and more as a place – the home of a majority of the world's human population and settlements".

India's maritime strategy

Chapters in the book shed light on India's strategy and relations with multiple nations, including Australia, Japan, France, Pakistan, Bangladesh, Sri Lanka, the Maldives, Myanmar, Thailand, Indonesia, and China. India took the initiative to demarcate its maritime boundaries with all its neighbours and succeeded in every case, except Pakistan. The latter delayed a settlement based on "motivated assumptions." Huo Wenle's chapter on Sino-Indian maritime rivalry offers a deep dive into the thinking of Chinese and Indian scholars and recommends extensive discussions between the two governments to lay down the rules of engagement on the high seas. The aim should be to prevent "the clash of interests that are detrimental to both nations." Other chapters bring out

the reasons for the turnaround, in the mid-1980s, in India-Australia ties in the maritime domain; the essential similarities between India and Japan; and the rationale of the Indo-Pacific vision for India and France for maritime multilateralism.

In another cluster of four chapters, the book endeavours to analyse maritime institutions, connectivity, and governance of the following South Asian states – India, Bangladesh, Sri Lanka, and China. Zou Zhengxin presents a comparative analysis of the maritime security governance of India and China to bring out the risks of a "zero-sum game evolving owing to the U.S. influence." He recommends joint consultative mechanisms to advance maritime development. R. Srinivasan's chapter on Sri Lanka demonstrates how "pitfalls" such as corruption, clan politics, and a lack of enlightened leadership drive nations to join China's Belt and Road Initiative (BRI), thereby undermining sound maritime governance.

Power projection

As per the handbook, India has been doing quite well in shaping its maritime power projection. In the first decade of this century, the Indian Navy played a stellar role in curbing piracy in the Arabian Sea. This marked the Navy's transformation from an observer into a net security provider. Two other chapters provide a critical analysis of ongoing geopolitical rivalries: one argues for "a hedging system" that considers the U.S. strategy for the Indo-Pacific, while

another advocates for increasing India's maritime presence, thereby creating a "political and economic confluence" of like-minded regional powers.

Other essays have shed light on India's vision, strengths, and partnerships in the Indo-Pacific, a concept that has dominated strategic discourse over the past two decades. In recent years, its salience has been eroded somewhat by crises in other geographies (Ukraine, Gaza, Iran, Red Sea, and Venezuela) as well as by the new U.S. National Security Strategy (NSS) 2025, which takes a softer view of China as an economic competitor rather than as a geopolitical adversary. How India needs to refine its Indo-Pacific strategy in this context warrants a separate debate.

The final cluster of seven chapters addresses economic and technological developments in the maritime domain. A variety of topics, ranging from underwater domain awareness (UDA) and underwater systems to maritime security; the Blue Economy revolution and shift; climate resilience; and coastal security have been addressed in a highly thoughtful manner. With an abiding interest in all dimensions of the Blue Economy, the contributors have successfully packed the handbook with the latest research and analyses to benefit readers. Recommendations made in this volume merit close consideration by policymakers.

Rajiv Bhatia, Distinguished Fellow at the Gateway House, is a former Ambassador with extensive diplomatic experience in several Indian Ocean capitals.

Historical Foundations of India's Maritime Outlook

India's civilisational engagement with the seas dates back to ancient and medieval times, when Indian sailors and traders connected East Africa, West Asia, and Southeast Asia.

Maritime dynasties such as the Cholas and later the Marathas demonstrated early naval power and overseas influence.

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Strategic thinkers like K.M. Panikkar highlighted that control of the Indian Ocean is crucial for India's trade and sovereignty, a view echoed by Jawaharlal Nehru.

The revival of traditional maritime heritage, symbolised by the voyage of INSV Kaundinya, reflects the continuity between India's past and present maritime consciousness.

Evolution of India's Maritime Strategy

From Coastal Defence to Blue-Water Capability

The Indian Navy has evolved into a blue-water navy, capable of sustained operations across the IOR.

Anti-piracy operations in the Arabian Sea during the early 2000s marked India's emergence as a net security provider.

Maritime Diplomacy and Regional Engagement

India has settled maritime boundaries with most neighbours, reinforcing rule-based maritime governance.

Strategic partnerships with Australia, Japan, France, and ASEAN states underline India's commitment to cooperative security in the Indo-Pacific.

Managing Strategic Competition

Addressing these challenges requires strategic initiatives like the Indo-Pacific Oceans Initiative (IPOI) to foster governance and

sovereignty challenges in South Asia.

India's approach balances deterrence with dialogue, advocating consultative mechanisms to avoid zero-sum maritime rivalry.

Indo-Pacific and Power Projection

India's endorsement of the Indo-Pacific framework reflects its interest in a free, open, and inclusive maritime order.

Naval exercises, port access agreements, and logistics-sharing arrangements enhance interoperability with like-minded powers.

However, shifting global priorities and evolving U.S. strategies necessitate periodic recalibration of India's Indo-Pacific vision.

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Economic and Technological Dimensions

Blue Economy: Focus on sustainable use of ocean resources for growth, livelihoods, and ecological balance.

Maritime Technology: Emphasis on underwater domain awareness (UDA), coastal surveillance, and advanced naval platforms.

Climate and Coastal Security: Rising sea levels, extreme weather events, and coastal vulnerabilities demand integrated maritime governance.

Challenges Ahead

Balancing strategic competition with cooperative security in the IOR.

Strengthening maritime governance among smaller Indian Ocean states to counter debt dependency and governance deficits.

Integrating economic, environmental, and security priorities into a cohesive maritime policy.

Conclusion

India's maritime policy has undergone a decisive transformation—from historical trade linkages to a comprehensive grand strategy encompassing security, diplomacy, economy, and technology. As India's global profile rises, the maritime domain will increasingly shape its strategic autonomy and international influence. The way forward lies in deepening regional partnerships, investing in maritime capabilities, and prioritising sustainable Blue Economy linkages across the Indian Ocean and Indo-Pacific. For India, the seas are no longer merely pathways of commerce but vital arenas of national power and global engagement.

UPSC Prelims Exam Practice Question

Ques : Which of the following best explains the concept of the 'Blue Economy'?

- A. Exclusive focus on marine biodiversity conservation
- B. Sustainable use of ocean resources for economic growth, livelihoods, and environmental health
- C. Militarisation of maritime zones
- D. Exploitation of seabed minerals only

Ans : b)

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Ques : India's maritime traditions predate colonial rule and played a vital role in shaping its civilisational outreach. Discuss with reference to ancient and medieval India.

Page : 08 : Editorial Analysis

Faster is not fairer in POCSO case clearance numbers

India crossed a much-publicised milestone in 2025 – fast track special courts cleared more child sexual offence cases than registered that year under the Protection of Children from Sexual Offences (POCSO) Act. They recorded a 109% disposal rate and closed 87,754 cases against the 80,320 registered.

Commentaries have hailed this as a turning point in the fight against child sexual abuse, by suggesting that courts have finally broken the backlog. However, new data and field reports point to a different tipping point where disposals rise but convictions fall and thousands of children remain stuck in long trials with little support.

The POCSO Act, passed in 2012, was designed as a special law because earlier provisions on rape and molestation under the Indian Penal Code and women's protection laws failed to recognise the particular nature of offences against children. POCSO promised child-friendly procedures, time-bound trials and a system that would see and hear children differently from adult survivors.

More courts but convictions fall short

India now runs 773 fast track special courts, 400



Rahul Verma

is a sociologist and independent researcher who writes on education, labour and social inequality in India

New data and field reports show that thousands of children and their families still face long trials with little support

of them designated for POCSO cases. Fast track special courts started in October 2019 with ₹1,952 crore from the Nirbhaya Fund after orders by the Supreme Court of India. And these courts cleared 3,50,685 cases by September 2025. These courts handle 9.51 cases a month compared to 3.26 in regular courts. Even so, convictions and child support still fall short.

Convictions have actually gone down from 35% back in 2019 to 29% across the country by 2023. If we take the baseline figure of 35% in 2019, a 90% disposal rate in 2023 would mean that conviction should have risen to 45%. But it is 29% instead, which is 16 points lower and 36% short of what should be expected. The bottom line is that clearing cases faster means weaker convictions, not better justice. Fast track courts average just 19%. In a number of States, there are more accused walking free than being put behind bars. Tens of thousands of cases drag on for years.

Children who testify in POCSO cases have particular needs that go beyond quick hearings and formal compliance with the law. They require trained support persons, sensitive police and lawyers, and child welfare committees that can secure compensation and care while the trial is ongoing, not years later. When these protections remain on paper, higher disposal rates coexist with fragile convictions, thin reparations and children who leave the system more harmed than healed.

But the trend reveals a darker truth (Table):

Faster trials have not meant fairer verdicts. Investigations remain hurried, charge sheets stay incomplete and forensic reports are delayed, especially in overcrowded courts across Uttar Pradesh and Maharashtra.

The enforcement gap also extends to support persons appointed under Section 39 of the POCSO Act, mandated by the Supreme Court in 2021 in all cases, and detailed in the National Commission for Protection of Child Rights 2024 guidelines. The support persons guide children through the long and complex justice-seeking process but as several States have still to empanel them, this results in cases collapsing pre-trial. Practical fixes exist. Right to Information (RTI)-based tracking of support persons, strict lab-report deadlines, case bundling for older files and quarterly conviction audits to focus attention

on weak States. In Madhya Pradesh, special courts that sped up forensics and testimony have secured convictions where similar cases elsewhere failed.

PLVs, the missing first line of defence

The Supreme Court, in December 2025, directed para-legal volunteers (PLV) to be appointed at every police station for POCSO cases. The status report highlights gaps. Andhra Pradesh, for instance, has PLVs in 42 of 919 stations, while Tamil Nadu has none across 1,577. Without PLVs, families walk into police stations alone, scared, pressured and ignored. In the Unnao rape case (Uttar Pradesh), several news reports pointed to the initial reluctance by the police to register the case, as it sat on her first information report (FIR) for a few weeks while threatening her family to drop it. In Lalitpur (Uttar Pradesh) in 2022, a 13-year-old gang-rape survivor was assaulted again at the police station and the FIR was registered only after the intervention of a non-governmental organisation. The presence of a PLV could have stopped the threats, ensured the filing of the FIR the same day and protection of the evidence and the family.

There have been occasions when courts have acquitted the accused when they offered to marry the survivors once they turned adult. The higher judiciary has let off convicts citing 'happy marriage' despite Section 6 convictions against the perpetrator. Such rulings push vulnerable girls into life-long ties with their abusers.

Courts can order interim compensation at any stage, particularly where schooling or health is at risk, but most prefer to wait for final verdicts. By then the harm done to a child's education and family income is often irreversible. Many survivors receive the first instalment years after a judgment, which has seen High Courts pulling up legal aid authorities repeatedly for delays. The Vidhi Centre notes that in such instances, these payments lose their purpose.

Marginalised families borrow money for travel and lawyers. And they often spend more on survival than what state relief provides. Daily wage families lose work for hearings and mothers leave jobs in order to attend court. Speed without support leaves children more broken than justice served.

Disposals up, convictions down

The trend of faster case disposals raises questions about investigative capacity, forensic delays and support systems for children

Year-wise disposal and conviction data (2019–25)

Year	Disposal rate / Case resolution	Conviction rate
2019	10.8% of total pending trials completed	34.9% (National average, NCRB*)
2020	5.0% (Sharp decline due to COVID-19 lockdowns and court closures)	39.6% (Temporary spike reported during pandemic year)
2021	71% (67,734 cases disposed of out of 95,238 registered)	32.2% (Resumption of declining trend)
2022	88% (97,616 cases disposed of out of 1,11,357 registered)	~30% (National trend; variations reported across studies)
2023	90% (1,06,919 cases disposed of out of 1,19,016 registered)	29% (National average, NCRB)
2024	87% (1,06,982 cases disposed of out of 1,22,500 registered)	19% (Fast track special courts; ~81% acquittals)
2025	109% (87,754 cases disposed of against 80,320 registered)	Conviction outcomes uneven; State-wise variation remains high

(Sources: National Judicial Data Grid via Lok Sabha Q.1018; *National Crime Records Bureau Crime in India 2019-2023)

GS Paper II : Governance

UPSC Mains Practice Question : Discuss the role of support persons and para-legal volunteers in strengthening access to justice for child survivors. Why has their implementation remained weak? (150 words)

Aim, Think & Achieve

Context :

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India crossed a symbolic milestone in 2025 when fast track special courts recorded a 100% disposal rate in cases under the Protection of Children from Sexual Offences Act, 2012 (POCSO)—disposing more cases than were registered in that year. While this achievement has been projected as a breakthrough in tackling child sexual abuse, emerging data reveal a troubling paradox: faster case disposal has not translated into fairer outcomes or stronger child protection. Declining conviction rates, weak support systems, and procedural lapses raise fundamental questions about the quality of justice being delivered.

Key Issues Highlighted

1. Speed without Justice

Fast track special courts dispose of nearly three times more cases per month than regular courts.

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However, conviction rates have fallen from 35% (2019) to 29% (2023), and even lower (around 19%) in fast track courts.

This indicates hurried investigations, incomplete charge sheets, delayed forensic reports, and weak prosecution.

2. Erosion of Child-Centric Safeguards

POCSO envisaged child-friendly procedures, time-bound trials, and psychosocial care.

In practice, children often face repeated testimony, lack of counselling, delayed compensation, and minimal rehabilitation support.

Mandatory support persons (Section 39, POCSO)—reinforced by Supreme Court of India directions—remain absent or poorly implemented in several States, causing cases to collapse even before trial.

3. Institutional Gaps at the First Point of Contact

The Supreme Court's 2025 directive to appoint para-legal volunteers (PLVs) at every police station remains poorly implemented.

Absence of PLVs leaves survivors and families vulnerable to intimidation, delayed FIRs, and evidence tampering, particularly in marginalised regions.

4. Compensation and Rehabilitation Delays

Although courts can grant interim compensation, most wait until final judgments—often years later.

By then, damage to education, health, and livelihoods becomes irreversible, undermining the restorative intent of victim compensation schemes.

Misuse of POCSO in Adolescent Relationships

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Young love

POCSO Act must not allow parental pushback against adolescents

In January 9, the Supreme Court formally acknowledged an issue that legal scholars, child rights experts, and young adults in consensual relationships have long voiced: the menace of the POCSO Act being weaponised by families to punish young persons, but especially young men in romantic relationships with young women. The intervention validates years of alarm over how a statute designed to shield against predatory violence has been subverted into enforcing parental authority and traditional social boundaries. The systemic vulnerability lies within the Act's inflexible architecture. Scholars have argued that by establishing a rigid age of consent at 18 years and applying strict liability, in which the minor person's consent is rendered legally irrelevant, POCSO casts an indiscriminate net on those it deems to be offenders. Together with its stringent provisions and mandatory minimum sentences, which are intended to deter heinous offenders, the Act is easily manipulated by disapproving families. In cases of elopement crossing caste or religious lines, parents often file charges of kidnapping and sexual assault; this triggers the Act if the woman is under 18. As a result, in the current framework, a consensual adolescent relationship is hard to distinguish from coercive abuse, allowing families to use the state's punitive machinery against partners they consider unsuitable.

The Law Commission of India documented this gap in a 2023 report, in the course of advising against lowering the general age of consent from 18, citing dangers such as trafficking and child marriage. It also highlighted that treating two teenagers being close together with the severity reserved for predatory abuse is developmentally counterproductive, and recommended introducing "guided judicial discretion" in sentencing in cases involving adolescents aged 16-18. Likewise, the Court has ordered that its January 9 judgment be shared with the Law Secretary to endeavour to "curb this menace". However, the crisis is made worse by the absence of interventions that are not punitive. When young adults find their personal autonomy at odds with their families' expectations, they are often left isolated; the problem begins here. There is a lack of confidential counselling services for adolescents navigating relationships and emerging sexuality. Resources to mediate with families struggling with these inter-generational transitions are also virtually non-existent outside of traditional, often conservative, community structures. Until the state invests in bolstering these social services, prioritising education and counselling over invoking a response led by the police, and tweaking the Act to admit this recourse, the legal system will leave young couples vulnerable to familial wrath and prosecutorial overreach.

Daily News Analysis

Courts have increasingly acknowledged that POCSO is being weaponised by families against consensual adolescent relationships, especially in cases of elopement across caste or religious lines.

The Act's strict liability framework and rigid age of consent make it difficult to distinguish exploitation from consensual intimacy among adolescents aged 16–18.

While Parliament has rejected lowering the age of consent, expert bodies have recommended guided judicial discretion and non-punitive interventions such as counselling and mediation.

Broader Implications for Governance and Justice

Rule of Law: High disposal rates without due process risk hollowing out faith in the justice system.

Child Rights: Justice that prioritises numerical efficiency over survivor welfare contradicts constitutional values of dignity and protection.

Federal Capacity: Uneven implementation across States exposes administrative and institutional weaknesses.

Way Forward

Aim, Think & Achieve

Shift focus from case disposal targets to conviction quality and survivor support.

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Enforce mandatory appointment and monitoring of support persons and PLVs.

Time-bound forensic reporting and investigation audits.

Introduce narrowly tailored judicial discretion for adolescent consensual cases, alongside counselling and social support services.

Strengthen interim compensation and rehabilitation mechanisms during trials.

Conclusion

The experience of POCSO fast track courts demonstrates that speed is not a substitute for justice. While clearing backlogs is necessary, justice for children requires robust investigations, sensitive procedures, institutional support,

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and meaningful rehabilitation. Without these, rapid disposals risk becoming a statistical illusion—masking weak convictions and leaving survivors more vulnerable than protected. A recalibration from numerical efficiency to child-centric justice delivery is essential if POCSO is to fulfil its original promise of safeguarding India's children.



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