



Crime Against Children: An Analysis Of POCSO Cases In The State Of Madhya Pradesh

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Abstract

The Protection of Children from Sexual Offences (POCSO) Act, 2012 enacted by Government of India provides safeguards for children against sexual abuse. The Act was amended in 2019 to introduce more stringent punishment including death penalty for committing sexual crimes against children, with a view to deter the perpetrators & prevent such crimes against children. Prior to the enactment of the POCSO Act, these cases used to be tried under Indian Penal Code 1860 which did not have any specific child-friendly provisions. To bring a comprehensive legal framework to protect children below 18 years from offences of sexual abuse, the POCSO Act was enacted. Severe penalties were prescribed for the offenders and mechanisms to be followed for the investigations and prosecution of such cases were indicated. While POCSO Act has been effective since more than ten years, statistics show that child sexual abuse cases continue to increase, and most perpetrators are either known to the victim or are a trusted person. Hence, this present article focused on POCSO case data from Madhya Pradesh based on the Crime in India report from 2015 and 2022. In terms of child sexual offenses, Madhya Pradesh has consistently ranked among the top five states, making it an appropriate target for such assessment. These high incidence rates make it important to assess whether the POCSO Act has been useful in preventing these offenses as well as delivering justice for child victims. Further, this article will demonstrate the effectiveness of the POCSO Act on delivering justice to its victims through analyzing eight years of NCRB data and intends to uncover whether or not the POCSO act fulfilled its mission in Madhya Pradesh.

Keywords: POCSO, Children, Offender, Sexual abuse, Victim.

Introduction

The former South African President Nelson Mandela once famously said, *'There can be no keener revelation of a society's soul than the way in which it treats its children'*. The crime in any form and any number against the most vulnerable sections of the society, the Children, reflects the sad state of well-being of not only the children but also the society as a whole.

As mentioned by Mandela hence it is a major responsibility for guardians, the state and the country to protect children from all forms of cruelty and provide best facilities as well as a safe environment for their growth and development. This means taking care of children ultimately leads to a successful and flourishing society. To this end, nations globally have established legislations aimed at protecting the rights of children in order to guard them against any acts that may affect their lives and jeopardize their future.

In India, there were several major laws that were put in place to protect children's rights. One of the earliest attempts to address children's welfare was the Madras Children Act of 1920, which focused on protective measures for underprivileged and misbehaving minors. This was followed by the Bengal Children Act of 1922 that had similar aims. The United Nations Convention on the Rights of the Child (UNCRC), which was passed in 1989, represents the longest international instrument focused on children's welfare, especially in terms of their right to education, health care and freedom from any form of exploitation or abuse. In India, the Juvenile Justice (Care and Protection of Children) Act, 2000, provided a framework for the care and protection of children, addressing both juvenile delinquency and the welfare of neglected children. After one decade the special act which is mainly meant for child was brought i.e., The Protection of Children from Sexual Offences Act (POCSO) in 2012 and this law provides more legal protections against sexual abuse of children. It is also the only document in India that talks about the issues of child exploitation. Prior to POCSO, such crimes were dealt with under The Indian Penal Code that had no special provisions for children's and severe punishment for offenders, an easy way to file complaints and record keeping for information received from children as well as trials – POCSO does not permit silence or shame on abused children's. The Law Ministry reported that out of the 2.99 lakh POCSO cases in 410 exclusive courts across India, approximately 1.6 lakh have been resolved. Uttar Pradesh leads with 90,822 cases, followed by Madhya Pradesh. Some states, including Chandigarh and Arunachal Pradesh, lack exclusive POCSO courts, resulting in zero cases handled. According to the data provided by Minister of State for Law and Justice Arjun Ram Meghwal, Uttar Pradesh leads with 90,822 cases registered across its 74 exclusive POCSO courts, of which 34,998 have been disposed off. Madhya Pradesh follows with 57 courts handling 29,419 cases and resolving 22,456. Bihar, with 46 courts, has managed 30,203 cases and disposed of 11,798. Rajasthan, with 30 courts, has recorded 14,938 cases and resolved 10,138, while Gujarat, operating 24 courts, has seen 14,524 cases and disposed of 9,793. Other states, such as Andhra Pradesh, Assam, and Tamil Nadu, have also made notable contributions. Andhra Pradesh has 16 courts with 11,774 cases registered and 4,899 disposed of. Assam, with 17 courts, registered 11,756 cases and disposed of 5,893. Tamil Nadu 14 courts have handled 11,679 cases, resolving 7,225. Chandigarh,

Manipur, Uttarakhand, Arunachal Pradesh and the Union Territory of Andaman and Nicobar Islands do not have exclusive POCSO courts, resulting in zero cases handled in these areas. (Devdiscourse.com, 2024)

Recently in the month of September 2024, in Bhopal, Madhya Pradesh has witnessed a series of child sexual abuse cases that have emerged within four days, where child sexually abused by school chemistry teacher, bus driver, IT teacher. According to the reports, all these incidents happened in places where normally children are left by their parents for the purpose of safety, education and moral inclusivity. The allegations raise a red flag in trust over the abuse of power and responsibility of the entities taking care of children placed in their custody, (Anurag Dwary, 2024). This alarming rise can be attributed to a lack of guidance and awareness among children, who are often so innocent and unaware that they do not fully understand the implications of what they are experiencing. Based on this background, this article will concentrate on this high rate of incidence makes it crucial for assessing how effective the POCSO Act has been in preventing such offenses and providing justice for victims. Further, this article will demonstrate the effectiveness of the POCSO Act on delivering justice to child victims. Through analyzing eight years of NCRB data, this article intends to uncover whether or not the POCSO act fulfilled its mission in Madhya Pradesh.

Background of the POCSO Act

Prior to 2012, there was no specific legislation in India for handling cases of child sexual abuse; instead, the offences were investigated under Sections 376, 377, and 354 of The Indian Penal Code, 1860, which dealt with rape, acts meant to insult a woman's modesty, and other offences. Of which if the child is male, only Section 377 would be applicable. Nothing at all covered activities other than penetration that could be classified as sexual assault against a child.

In the year 2007 the National Commission for Protection of Child Rights (NCPCR) was set up under the Commission of Protection of Child Rights (CPCR) Act 2005 for the sole purpose of protection of children. Its establishment has mandated the laws, policies, and procedures which are enshrined in the Constitution of India and the UN Convention on the Rights of Child. Subsequently, due to the surge in activism for child protection in media and other public discourses, the Govt. of India felt the need to pass a law specifically safeguarding the interest of children, called “The Protection of Children from Sexual Offense, 2012”. (Muskan & Sehgal, 2020).

In order to address this issue, India passed the Protection of Children from Sexual Offenses (POCSO) Act in 2012. The POCSO Act was established to provide an efficient legal framework. It states that a person committing any form of sexual offenses against minors will be punished severely. This is because it requires immediate reporting, investigation and trial in such cases so as to serve justice to the child victims. Preventing childhood sexual abuse requires awareness and education. It is always important to remember that the POCSO Act plays a major role in both legal protection and bringing those who offend against the law into accountability. Recognition of abuse signals in adults is critical; they should hence respond accordingly

whereas the young ones need to learn about limits and also what might be termed as incorrect actions on their part. Such as, giving victims a chance not only to heal but also recover ought to be taken as one of our basic responsibilities; which means making sure there are safe environments as well as establishment support systems-including such activities like counseling or psychotherapy. Communities that have vigilance and are educated can work together in order to decrease the rates of sexual abuse and form safe environments for their children.

Methodology

This present article aims to analyze the data pertaining to POCSO that has been extracted from National Crime Records Bureau, Crime in India report from 2015 to 2022, specially cases reported in Madhya Pradesh. The crime rates followed the implementation of the POCSO Act, which was enacted on June 19, 2012, and came into effect on November 14, 2012. Data under the POCSO Act has been published since 2014, although initial reports did not distinguish between girl and boy victims. Since 2017, however, the data has separately identified the number of girls and boys, who were victims of sexual crimes, Thereby offering an opportunity for a more refined evaluation of how these crimes affect male and female children diversely.

This research paper looks into the various dimensions of POCSO cases within Madhya Pradesh between the years 2015 to 2022. The analysis covers total POCSO cases, cases under certain sections of the Act (sections 4 and 6, and sections 8 and 10), information about how offenders relate with child victims, cases involving murder related crimes associated with POCSO offenses, police disposal cases, and court disposal cases. The researchers to find the POCSO cases were obtained from the National Crime Records Bureau's report on Crime in India dealt with from 2015-2022 period as well as to shows an overall review of trends and patterns governing POCSO Cases in Madhya Pradesh.

An Analysis of POCSO cases in Madhya Pradesh

Total POCSO Cases in India v/s Madhya Pradesh

Year	India Total cases	M.P Total cases	Percentage (%)
2015	14913	1687	11.31
2016	36022	4717	13.09
2017	32608	1569	4.81
2018	39827	2445	6.13
2019	47335	6123	12.93
2020	47221	5648	11.96
2021	53874	6070	11.26
2022	63414	5996	9.45

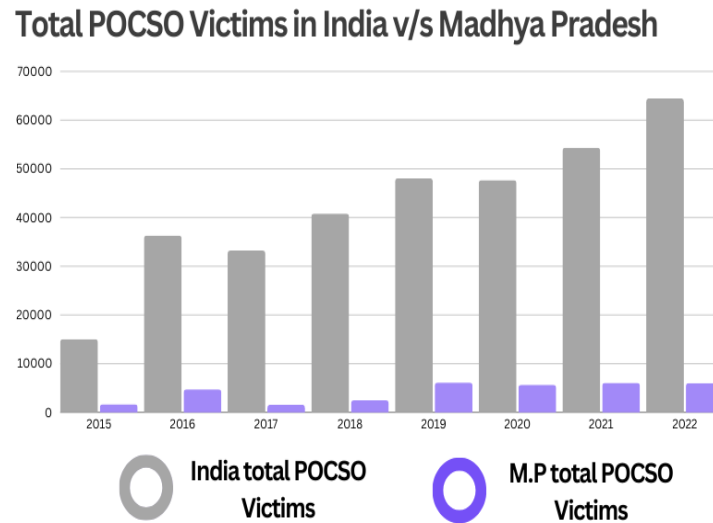
The table provides a clear view of the trends in the POCSO (Protection of Children from Sexual Offences) cases in India and Madhya Pradesh from 2015 to 2022. According to statistics obtained during this period, related to the cases of the Protection of Children from Sexual Offences (POCSO) are on the rise in India. In this regard, 14,913 violations were reported in 2015 as the lowest figure ever recorded whereas by 2022 it is 63,414 cases reported; it increased by an additional 48,501 incidents i.e., (63,414–14,913). This represents a significant increase of about 325 percent over an eight-year timeline whose duration can be said to be extensive enough bearing in mind its magnitude. This steep incline may be attributed to various aspects such as heightened cognizance about the POCSO Act among people, improved mechanisms for making reports of the child sexual offences.

In the aspect of the Madhya Pradesh, the statistics illustrate significant modifications, though on a lesser scale than the national figures. During 2017, for instance, it had its lowest ever POCSO cases of 1,569 incidents. On the contrary, 2019 recorded an increase of 4,554 cases or 290 percent with its highest ever number of POCSO recorded at 6,123 cases. Although M.P. has not recorded as many incidents compared to India, it still has a considerable share in this statistic. The percentage of POCSO cases in M.P diversified from 2017 wherein it constituted 4.81% to 13.09% in 2016 out of the total number of such incidents documented across the country. This means that even though M.Ps' proportions may not represent most cases, they are pivotal to true figures across the state when considering all statistics together.

Such statistics illustrate that there is still an increasing demand for focused and concentrated interventions in Madhya Pradesh and throughout India aimed at addressing the growing issue of sexual crimes against children. The fluctuating proportion of M.P. share in the national figures implies that certain things might influence how cases are registered; hence it is imperative to have localized strategies as well as a more general national framework for tackling such issues.

India v/s Madhya Pradesh victims of POCSO cases

Year	India POCSO victims	M.P POCSO victims	Percentage (%)
2015	15039	1687	11.21
2016	36321	4732	13.02
2017	33210	1571	4.73
2018	40810	2450	6.00
2019	48043	6138	12.77
2020	47659	5670	11.89
2021	54359	6085	11.19
2022	64469	6012	9.32



The above table implicit that the patterns of POCSO (Protection of Children from Sexual Offenses) victims in India and Madhya Pradesh (M.P.) from 2015-2022. Overall, there was a remarkable upsurge in POCSO victims reported in these years for India. 15,039 being the lowest recorded figure in 2015 while 64,469 represent the highest by 2022. This sharp increase in numbers represented 49,430 cases i.e., 329 percent of growth rate within eight years. Such rapid increments may happen because people are now more aware than before about the POCSO Act because better mechanisms for reporting and enforcement have been put into place or probably just more child sexual offenses take place than earlier perceived. It clearly shows that there is need to concern over the safety of children throughout this period indicated by consistent upward trends or alternatively increased reporting incidences due to better legislation and public sensitization against such crimes.

In contrast to the national figures, Madhya Pradesh has witnessed considerable fluctuations in the number of POCSO victims even if at a smaller scale. For instance, the state had its least number of victims in 2017 when it recorded only 1,571 cases as opposed to 6,138 cases that were recorded in 2019 which was the highest. This is an addition of 4,567 cases translating to a rise of 291%. Even though M.P. absolute numbers are lower than the national figures, they contribute significantly to overall national totals because in 2017 POCSO victims from M.P. constituted as low as 4.73% while in 2016 constituting about 13.02%. Its shows that national statistics on POCSO victims remains significant and keeps changing every year depending on different factors.

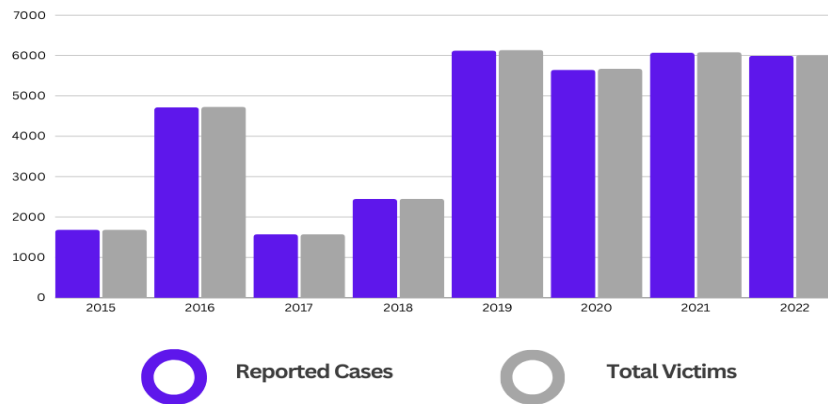
The highlighted data shows key issues promising urgent actions to be undertaken. The enhancement of the POCSO victim's in India enrichment which needs comprehensive methods that include strengthening laws, awareness-raising among the public, enhancing law enforcement effectiveness as well as improved victim's aid systems. The growth in reported incidents indicates improved awareness and reporting but also points to a possible rise in the rates at which such offenses take place, hence calling for better preventative measures. For Madhya Pradesh state, fluctuation of both number of victims and percentages over time signify that there are local determinants like law enforcement efficiency, personal attitudes within society as well as availability of assistance services that affect these trends significantly. Therefore, strategies that focus on the specific needs of M.P will be vital together with national plans. On the other hand, increase number of cases under POCSO act together with various other factors at state level reminds us about the necessity to put into action child sexual violence by combining both national policies with local approaches. Continuous monitoring, improved reporting mechanisms, and targeted interventions are critical to reversing this alarming trend and ensuring the safety and well-being of children across India.

Madhya Pradesh POCSO act total cases from 2015 to 2022

Year	Reported cases	Victims
2015	1687	1687
2016	4717	4732
2017	1569	1571
2018	2445	2450
2019	6123	6138
2020	5648	5670
2021	6070	6085
2022	5996	6012

Source: crime in India

Madhya pradesh POCSO act total cases from 2015 to 2022.



In Madhya Pradesh from 2015 to 2022 the Protection of Children from Sexual Offences (POCSO) Act has reported significant fluctuations in the cases of child sexual abuse. In 2015, the number of cases reported was 1687. The number then rose dramatically the following year with 4717 minors being abused. However, in 2017, the figures went down to 1569 before pushing upwards again in 2018 to reach 2445 counts of abuse. The highest 6123 number of cases record during the in the year 2019 alone in the state. The figures slightly dropped the following year 2020 when 5648 children became victims compared to 6061 registered assaults in the last year of these tragedies. It is line with recently an expert investigation of the decisions of the POCSO court in Bhopal in the last one year has revealed that 85 percent of these cases are false. In the POCSO court from January 2024 to January 31, 2025, a total of 169 cases have been decided. Of these, only 24 were punished. In 145 cases, the accused were acquitted. In many cases, the victims retracted the allegations and in many put the police in the dock. In 35 cases, the victim married the accused. While in 32 cases, there were 37 such cases in which the report was filed due to a dispute between the victim or her family and the accused (Ali Akhtar, 2025).

Section 4 & 6 POCSO act and Section 376 IPC cases in Madhya Pradesh

Year	Total cases	Girls victim	Boys victim
2015	680	680	-
2016	2479	2479	-
2017	966	950	16
2018	1051	1048	03
2019	3349	3349	0
2020	3262	3262	0
2021	3525	3522	3
2022	3658	3653	5

Source: crime in India

Under the Protection of Children from Sexual Offences (POCSO) Act, Sections 4 and 6 pertain to serious offenses:

- **Section 4:** Defines the punishment for penetrative sexual assault.
- **Section 6:** Defines the punishment for aggravated penetrative sexual assault.

In Madhya Pradesh, between 2015 and 2022 the total serious offenses were 18,970 victims under these provisions. The details include the following information:

- 18,698 victims were girls: The magnitude of this proportion indicates a very high danger and a wide spread of sexual crimes against females.
- 27 victims were boys: Despite their smaller number, it is important to note that also boys are at risk of being victims to such offenses.

Social stigma enforces boys' stereotypes maintaining that they should not exhibit any form of physical or emotional weakness that would imply vulnerability, hence making it difficult for them to report abuse incidents for fear of being seen as weak or unmanly despite the POCSO Act being in effect. Despite the enactment of the POCSO Act, sexual abuse cases against boys continue to be underreported mainly because of social stigma, cultural norms and psychological barriers. Male victims sometimes feel a deeper sense of disgrace and only dishonor is what is given to them as a reward leaving them afraid of being alienated socially or bringing dishonor to their families which in other cases may present as a stigma in their communities. Such

standards become very pronounced especially in cultures that find discussing sexual abuse as unacceptable making it harder to report any incidents at all. It is also hard to speak out for boys due to psychological blocks like guilty feelings, disorientation and self-blame. A lot of boys do not believe they will receive attention or they consider themselves failures after being sexually abused. This is compounded by messages from society which suggest that boys should always protect themselves thus creating fear among many male victims of sexual violence; hence most of these cases go unreported. Addressing these issues will need us to work together in order to change societal mindsets, raise awareness as well as create support structures which include all victims regardless of their gender and are sensitive enough to their demands.

Section 8 & 10 POCSO act and Section 354 IPC cases in Madhya Pradesh

Year	Total cases	Girls Victim	Boys Victim
2015	724	724	-
2016	2106	2106	-
2017	571	571	0
2018	1307	1306	2
2019	2669	2668	1
2020	2260	2277	0
2021	2381	2386	0
2022	2230	2233	0

The above document presents a statistical overview of cases registered under **Sections 8 and 10** of the Protection of Children from Sexual Offenses Act, as well as Section 354 of the Indian Penal Code (IPC), in Madhya Pradesh from 2015 to 2022. There is sexual assault mentioned in Section 8 of POCSO Act which can lead to imprisonment for three to five years with a fine while Section 10 deals with aggravated sexual assault entailing imprisonment for five to seven years as well as a fine. Outraging the modesty of a woman is covered under Section 354 but ‘modesty’ has not been explicitly defined within IPC. The corresponding table shows an increasing trend in registered cases from 724 in 2015 and 2106 in 2016, although they fluctuated over the years maintaining relatively high numbers until they peaked at 2,669 cases during the year 2019. In particular, there are a large number of female victims compared to their male counterparts whose cases are surprisingly rare. Since 2017 data with POCSO and IPC data given together thus showing overall figures for various years considered. These reported increased incidences reveal that sexual offenses against children are becoming

more visible and real problems within society which require strict mechanisms both legally and socially meant to safeguard children's lives.

Murder with rape/ POCSO in Madhya Pradesh.

Year	Cases pending trial from the previous year	Cases sent for trial during the year
2015	3,996	6,107
2016	46,665	17,473
2017	188	97
2018	271	117
2019	347	114
2020	433	104
2021	513	118
2022	597	111

Source: crime in India

The above table shows the total number of murder and rape/POCSO (Protection of Children from Sexual Offences) cases that were still pending trial from last year and how many new cases were being sent for trial each year from 2015 to 2022. In 2015, there were 3,996 cases pending trial while 6107 were new ones. There was a steep rise in 2016 where pending cases shot up to 46,665 whereas 17,473 were new ones. After then, we have observed a significant decrease in pending cases as they do not go beyond lower levels with 188 pending cases in 2017 previously increasing to 597 by the year 2022. Likewise, about new cases to sent for trials have dropped sharply after the year 2016 between 97 cases to 118 cases per year from 2017 to 2022.

This data indicates that there was an unusual rise in 2016, which may have been due to a variety of factors such as changes in legal procedures, increased awareness leading to more reporting or reclassification of cases. After 2016, the court system seems to have adjusted its processes perhaps through reforms on procedures or better management of case work thereby resulting in a more even and manageable flow of cases. In fact the post-2016 pattern shows that they dealt with these matters in a systematic manner implying improved efficiency within the justice system. Thus, it becomes clear how alterations in policy translate into the operations of the courts and serve as a reminder that for any effective legal framework, it should always be modifying itself with time.

Offenders Relation to Child Victims of POCSO Act (Section 4 & 6)

Particulars of the cases	Protection of children from Sexual Offences Act							
	2015	2016	2017	2018	2019	2020	2021	2022
Total Cases under POCSO Act (Section 4&6)	680	4,882	964	1047	3337	3259	3515	3646
Cases in Which Offenders were known to Victims	628	4789	930	1030	3232	3189	3485	3618
Offenders Not Identified by Victims	52	93	34	17	105	70	30	28

The above table shows detailed data on criminal relationships and proximity to victims under sections 4 and 6 of the POCSO Act from 2015 to 2022. Data available on the Protection of Children from Sexual Offences (POCSO) Act has been available since 2014 and detailed statistics were available from 2015. In the year 2015, there were a total of 680 cases reported under Section 4 and section 6 of the POCSO Act. Notably, there was a huge increase in reported cases in 2016 with the total rising to 4,882 which represented an increase by 13.92% as compared to previous year. The total number of cases has since exhibited fluctuations, with a notable increase again observed in 2022. Analysis of these data reveals an important trend i.e., most offenders are people known to the victims, such as family members, relatives, neighbors, or acquaintances. This close relationship often allows offenders to exploit the trust and familiarity they have with the child, making it easier to commit the abuse without immediate suspicion. There are many reasons as to why known persons exploit the children. Firstly, the power and authority they hold over the child may be used to silence and manipulate the victim. Many children are conditioned to listen and obey their elders which can be exploited by the perpetrator to enforce compliance with their demands. Additionally, due to a close relationship between them, they get access and chance for continued abuse for extended periods without detection by others. Finally, fear of lack of evidence or being the cause of conflict within their families or communities holds back some victims from reporting such cases. However, it is very rare cases reported where an offender to be unknown to their victim. This illustrates that child sexual abuse has complicated and hidden traits which require greater vigilance and precautions in places where one feels safe. Children and guardians must be informed about what they can do or not do with respect to this subject matter, including possible dangers from people who are close to them, even friends or family members.

Conclusion

In the conclusion a detailed analysis conducted and outcome of the POCSO (Protection of Children from Sexual Offences) Act's effectiveness in Madhya Pradesh between 2015 and 2022 presented. Enacted in 2012, POCSO is a response to the growing problem of child sexual abuse in India which provides legal protection for children below 18 years against such offences. Nonetheless, it is evident from the statistics that Madhya Pradesh suffers from high rates of child sexual abuse with fluctuating case numbers over the years. For example, 2019 saw a peak number of cases for the state raising issues about the efficacy of the Act. An analysis reveals that most perpetrators are known people to some victims including relatives, neighbors or friends. This kind of close community often complicates reporting because of social stigma and psychological barriers, especially for males. Although there have been improvements in the handling of cases by courts since 2016, it appears that most potentially avoidable abuse, if still not prevented, may have been the result of POCSO failing to deal fairly with victims of POCSO cases. It is evident from the recently the Retired Honorable Judge Deepak Agrawal of the Madhya Pradesh High Court said that Turning away from statements and getting false reports written is a misuse of the law. In cases where the victim is turning away from statements or filing false reports due to some other dispute, the court should take strict action so that in future innocent people are not falsely implicated. In such cases, the accused has the right to complain after the verdict, (Ali Akhtar, 2025).

It is emphasized that although the POCSO Act has been an important step towards safeguarding children, it alone is inadequate. A lot more needs to be done in terms of raising awareness, changing the cultural attitudes which make it difficult for victims to report their cases, and providing support systems that are responsive to all victims' needs regardless of their gender. The Act can only become a more effective tool for combating child sexual abuse and bringing justice for its victims if these larger societal concerns are taken into account.

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