

Kritika (2026). *Determining Procedural Priority When Posh Inquiries and Pocso Prosecutions Arise from the Same Allegation*. *International Journal of Multidisciplinary Research & Reviews*, 5(1), 80-96.



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**DETERMINING PROCEDURAL PRIORITY WHEN POSH
INQUIRIES AND POCSO PROSECUTIONS ARISE FROM THE
SAME ALLEGATION**

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Victim protection.

Abstract

It is common practice in India to enforce both the Protection of Children from Sexual Offences Act, 2012, and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013 when accusations of sexual harassment involving minors are made in a workplace, especially an educational institution. To protect children under the age of 18, the POCSO Act establishes a criminal framework with mandatory reporting, child-friendly procedures, and stringent penalties; the POSH Act creates an internal inquiry mechanism focused on workplace discipline and victim redress through Internal Committees. There is no legislative provision that gives preference to one law over the other, even when there are overlaps in situations like these (e.g., when a minor student accuses an employee of misbehavior). Because they are separate processes with different goals—administrative remedies under POSH and criminal prosecution under POCSO—the courts have consistently held that the two processes run concurrently but separately. Courts have repeatedly ruled that results in one forum do not necessarily bind or remain binding in the other, due to varying standards of evidence (beyond a reasonable doubt vs. preponderance of probability), and Section 28 of the POSH Act makes it clear that it is not disparaging vis-à-vis other laws. This article outlines recommended practices for institutions to follow to provide victim protection, procedural fairness, and compliance without conflict, by analyzing the legal differences, overlaps, and practical consequences of concurrent proceedings. It finds that victim-centric



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goals are best served by advancing both processes simultaneously, but that coordinated evidence processing and child-sensitive techniques are necessary to reduce the likelihood of conflicts.
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1. INTRODUCTION

The safeguarding of marginalized communities, particularly children and women, has been at the centre of India's evolving legal landscape. As incidents of sexual assault, exploitation, and harassment have grown in frequency and severity over the years, the need for robust legal frameworks has been more widely acknowledged in India. "The 2012 Protection of Children from Sexual Offences Act (POCSO) and the 2013 Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (POSH) are two important legislative efforts that have substantially contributed to safeguarding these vulnerable populations." These laws were developed as a result of public outcry, legal action, and an increasing understanding of the systemic inequities that victims of sexual assaults and workplace harassment experienced. The road from social neglect to legislative transformation was marked by several events that underscored the urgency of having structured legal systems. There is a dearth of law that addresses the horrific reality of child sexual abuse, which occurs on a regular basis and may occur in any number of settings, including households, companies, and organizations. Preceding the passage of POCSO, the Indian Penal Code (IPC), now known as the Bharatiya Nyaya Sanhita (BNS), dealt with cases of child sexual abuse using broad provisions. These provisions did not account for child-specific factors, such as age-appropriate procedures, victim support systems, or sensitive trial processes. Young people were vulnerable due to a lack of comprehensive legal safeguards; survivors may experience re-trauma while going through the judicial system. To address these shortcomings, the Indian Parliament enacted the POCSO Act in 2012 to provide a structured legal framework that focuses on children and aims to prevent, punish, and remedy sexual assaults against them.

The evolution of patriarchal social life, long-standing cultural traditions, and the country's legal system all contributed to the historical development of gender-based violence in India. Discrimination and violence against women have been either tolerated or overlooked in early legislative attempts and traditional practices in Indian culture, which is characterized by gender hierarchy. Initiated in 1860 under British colonial rule, the Indian Penal Code (IPC) laid the groundwork for criminal law. However, the sexual crime provisions of the code were initially too limited in scope and application, not providing enough protection for women or addressing the complexities of gender-based violence. Cases like the Mathura custodial rape case (Tukaram v. State of Maharashtra, 1979) brutally exposed the shortcomings of these legal instruments. "The Supreme Court acquitted the guilty policemen because there wasn't sufficient evidence of resistance, which sparked public outcry and led to major changes in the law, including the Criminal Law (Amendment) Act, 1983". This act read into the concept of custodial rape and changed the burden of proof of consent under certain conditions. In the decades that followed,



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lawmakers made strides toward their goals, with landmark bills like the Protection of Women from Domestic Abuse Act of 2005 and the Dowry Prohibition Act of 1961 seeking to make dowry-related offenses illegal and provide victims of domestic abuse with civil remedies. The pervasive nature of gender-based violence, however, highlights structural problems with implementation and societal resistance, calling for continuous improvement of the law. A turning point came in 2012 with the gang rape in Nirbhaya; it sparked widespread outrage and led to the establishment of the Justice Verma Committee. In 2013, the Criminal Law (Amendment) Act was passed based on the committee's recommendations. It criminalized voyeurism, acid assaults, stalking, and acid attacks, expanded the definition of sexual assault, and imposed heavy sentences on offenders. At the same time, in 2013, the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act was passed, which further guaranteed women's rights on the job. In addition to these legislative victories, important court decisions regarding sexual harassment have defined the legal framework, emphasized the need to protect women's dignity, and established safe workplace practices, such as *Vishaka v. State of Rajasthan* (1997) and *Apparel Export Promotion Council v. A.K. Chopra* (1999). Low reporting, social stigma, and entrenched gender prejudices continue to undermine the effectiveness of such legal interventions. The pursuit of genuine gender justice requires an all-encompassing strategy that combines law enforcement, judicial intervention, and transformative social change.

Significant turning points in India's legislative road towards building safer environments for women and children have been marked by the POCSO and the POSH Act. These laws provide solid legal groundwork, but they are nonetheless difficult to put into practice, which limits their usefulness. The discouragement of victims from seeking justice is a common occurrence due to factors such as lack of knowledge, procedural delays, and cultural shame.

A. Definition of sexual offences under Indian law

Sexual offenses in India include a wide range of crimes that violate people's autonomy, consent, and physical integrity; these crimes disproportionately affect women and children, but they may affect other vulnerable populations. The Bharatiya Nyaya Sanhita (BNS), an effort to integrate and modernize criminal law in India, and the Protection of Children from Sexual Offences (POCSO) Act are the primary legal instruments that deal with these crimes. Important definitions include:

• Rape (IPC Section 375; BNS Section 63):

Rape occurs when a man has sexual relations with a woman without her consent, or when he inserts his penis, or any other object into her vagina, mouth, urethra, or anus, or when he manipulates her body in such a way that she is compelled to do so, or when he uses coercion, fear, or deceit to get her to consent, or when she is too young, too sick, or too drunk to understand what is happening.

• Sexual Assault (IPC Section 354; POCSO Section 7):

Any unwanted physical touch or approaches made with the intention of sexually exploiting someone, such as groping or molestation, are considered sexual assault. A sexual assault occurs



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when an adult touches a child's or another person's private parts with the purpose to cause sexual harm, regardless of whether penetration occurs or not, according to the POCSO Act.

• **Gang Rape (IPC Section 376D; BNS Section 70):**

The crime of gang rape occurs when many perpetrators rape a victim in order to achieve a shared goal. Everyone participating is considered to have committed the rape crime, and groups are punished more severely.

• **Sexual Harassment (IPC Section 354A; POCSO Section 11):**

Harassment of a sexual character may take many forms, including unwanted sexual approaches, demands for sexual favors, and various forms of physical or verbal abuse. Sexual harassment of minors, even in non-contact forms such as pornographic display or sexually oriented comments, is explicitly criminalized under the POCSO Act.

• **Sexual Intercourse by Deception (BNS Section 69):**

The BNS makes it a crime to engage in sexual relations with someone after they have lied to you about being married, employed, or promoted, regardless of whether the sexual relations themselves do not constitute rape.

2. LITERATURE REVIEW

The Indian Constitution prioritizes women's rights and establishes a framework to guarantee the equality, dignity, and safety of all citizens. These provisions of the Constitution are also supported by the POSH Act. The primary goal of the POSH Act is enshrined in Article 14, which addresses the right to equality. Achieving gender equality in the workplace is a top priority for the Act, which is why it prohibits all forms of harassment and guarantees equal opportunity for women. Religion, ethnicity, caste, sex, and place of birth are all protected categories under Article 15. Therefore, the POSH Act explicitly supports the ban on gender-based discrimination by preventing sexual harassment. Every person has the freedom to choose their occupation without fear of harassment or exploitation, and a secure workplace ensures that a woman can do just that (Article 19). The POSH Act upholds Article 21 by acknowledging that sexual harassment is an egregious affront to women's right to bodily integrity and security, making its eradication of paramount importance.

Thus, it is clear that constitutional requirements provide the basis for gender equity and workplace safety standards. To achieve gender equity, we must eliminate structural barriers that prevent women from enjoying equal rights and opportunities. Workplace safety is an extension of basic rights that ensures women can engage in the workforce without jeopardizing their autonomy, dignity, or physical safety. In order to eradicate sexual harassment and promote gender equality in professional settings, it is crucial that the POSH Act incorporates these concepts into practical legislation.

Justice Vishaka and Others v. State of Rajasthan laid the groundwork for what is now known as the POSH Act. A rural development worker in Rajasthan was raped, setting a shocking precedent for



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all women to live with dignity and work in a safe atmosphere, regardless of their occupation or location. The resulting Vishaka Guidelines were influenced by:

The nineteenth general recommendation of the convention against discrimination against women is as follows: The POSH Act now includes provisions addressing gender-specific violence, unwanted sexually-determined behavior, and women's equality in the workplace, all of which India has embraced as part of its adherence to the Convention.

India adopted Convention 111 on June 3, 1960, as part of the International Labour Convention against Discrimination, which also includes Convention 190. As a result, India must take action to remove discrimination against women in the workplace.

Apparel Export Promotion Council v. A.K. Chopra and Medha Kotwal Lele & Ors. v. UOI followed the Vishaka case's lead in establishing a stronger legal foundation for workplace harassment. In these instances, the Court made it clear that it intends to enforce compliance with the Guidelines. This case is significant because it laid the groundwork for the POSH Act, 2013, in India, which is a landmark in the fight for gender equality. To guarantee the preservation of women's basic rights to equality, dignity, and a harassment-free environment, it transformed the judiciary's vision into a statute. If you want to know how to apply the POSH Act, you need to read the case.

Historic recognition under the POSH Act was made in Puttuswamy v. UOI , which expanded the right to life under Article 21 to encompass dignity and privacy as vital components of a person's existence. The POSH Act's internal complaints committee and the local complaints committee, in particular, are mechanisms for resolving complaints, and they have a responsibility to protect the privacy and confidentiality of complainants. It is common for women to experience stigma or even reprisal if they report sexual assault or harassment. The importance of protecting individuals' privacy during investigations was highlighted in the Puttuswamy case. An individual's inherent dignity is a component of their basic human rights, according to the Supreme Court. The POSH Act seeks to protect women from harassment in the workplace by making it illegal to treat women with disrespect and in a way that goes against the basic right to privacy guaranteed by the Constitution. Additionally, the ruling broadened the definition of basic rights to include safeguards against intrusions into one's privacy and independence. We all know that sexual harassment is an attack on women's independence and freedom to choose how they work. The court's decision highlights the POSH Act's goal of protecting women's right to an environment free from harassment, sexual harassment, or other forms of discrimination in the workplace. The Puttuswamy case's most important takeaway was that the state must do more to safeguard and enforce basic rights, particularly for vulnerable populations. It stresses the state's responsibility to ensure the POSH Act is effectively implemented. To safeguard female employees, especially in vulnerable industries, it is necessary to monitor compliance, penalize employers for noncompliance, and strengthen enforcement.



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3. COMPARATIVE ANALYSIS AND IMPACT

India has two important statutes that aim to prevent sexual harassment and abuse: the POCSO Act, 2012 and the POSH Act, 2013. Both statutes aim to protect vulnerable populations and ensure fair treatment, but they differ significantly in their reach, purpose, and implementation methods. Understanding their similarities, differences, and social impact is crucial for assessing how well they have made the world a safer and more equitable place.

A. Overview of POSH and POCSO Act

The Prevention of Sexual Harassment of Occupational Sexual Victims Act (POSH Act) of 2013 Stopping, prohibiting, and remedying workplace sexual harassment of women is the goal of the POSH Act. Employees, trainees, and interns from both the organized and unorganized sectors are included in the coverage. Forms district-level local complaint committees (LCCs) and company-level internal committees (ICs) to deal with complaints.

The POCSO Act of 2012, which protects children from sexual offenses

The purpose of the POCSO Act is to protect children from sexually explicit content, harassment, and violence. Application to all individuals under the age of eighteen, irrespective of gender, ensures comprehensive protection for children. The Act protects all youths from sexual assaults, including transgender youths, and establishes special tribunals for expedited trials. It also provides a child-friendly process for gathering evidence, reporting, and conducting investigations.

B. Impact of the POSH and POCSO Act

Cultural and Social Effects

The POSH Act has empowered women to report harassment without fear of retaliation or embarrassment, and it has increased awareness of gender sensitivity in the workplace. Businesses are stepping up their efforts to teach employees and establish complaint boards. The POCSO Act has greatly aided in the protection of vulnerable individuals, as stated in. Through its child-centered approach, the Act has increased understanding of children's protection rights among parents, corporations, and law enforcement.

The Role of the Law and the Judiciary

Businesses now have an institutional responsibility under the POSH Act, which requires them to enforce compliance or face penalties. Contrarily, implementation issues persist in informal industries and small-scale enterprises.

• Act of POCSO:

A comprehensive legislative framework for handling cases of child sexual abuse was established under the Act. Victims may now expect expedited justice thanks to the creation of special courts, which have expedited case hearings.

• Problems with Implementation

Many smaller enterprises and informal workplaces are unaware of, or do not adhere to, POSH, in contrast to larger organizations that have adopted compliance measures. Rules effectively. People may be hesitant to report harassment if they are worried about the impact on their careers.



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The POCSO Act addresses the issue of child sexual abuse and how it is not well documented, despite robust legal provisions, due to social shame, family pressure, and fear of reprisals. Even now, the legal process is slowed by obstacles to swift justice.

• Education and Knowledge

Staff members are educated on their rights and responsibilities under the POSH Act via several company-sponsored training sessions. However, there is still a lack of knowledge in the rural and informal areas. To promote age-appropriate learning about physical safety, trustworthy individuals, and safe boundaries, the POCSO Act has been gradually adopted in schools and other institutions. Additional measures are required to maximize the impact of these Acts, despite the fact that they have strengthened legal frameworks meant to safeguard women and children:

- 1.It is essential to implement focused awareness campaigns to ensure that marginalized communities, informal laborers, and rural regions understand and exercise their rights.
- 2.Encouraging consistent training for employees, businesses, and students may bridge knowledge gaps and foster a safer environment.
- 3.POSH and POCSO policies should be closely monitored by educational institutions and employers at all times.
- 4.Enhanced counselling services, hotlines, and support groups make it easier for victims to come out and report harassment or abuse without fear of retaliation.
- 5.Streamlined Judicial Procedures: POCSO Act Special Courts should be prepared to address issues more efficiently to reduce delays.

The POSH Act and the POCSO Act are crucial pieces of legislation that deal with sexual harassment and abuse in several sectors that are connected. In contrast to the POCSO Act, which seeks to safeguard children from abuse and exploitation, the POSH Act prohibits harassment of women in the workplace and ensures their professional safety. Despite their differences, the overarching goals of both Acts are the same: to promote respect, ensure fairness, and give victims agency. To make these rules more effective, we must first increase public awareness of their existence, fortify enforcement mechanisms, and promote a culture of zero tolerance for abuse and harassment. Doing so would bring India one step closer to creating safer environments for women and children, while also demonstrating the country's commitment to social justice and human rights.

4. INTERPLAY BETWEEN POSH AND POCSO ACTS – A COMPARISON

Parameter	POSH Act	POCSO Act
Objective	In an effort to end sexual harassment of women in the workplace, the POSH Act	The purpose of the POCSO Act, 2012 is to make sure that minors are safe from things like



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	establishes a legal framework for organizations to follow when responding to allegations of sexual harassment.	pornography, sexual harassment, and assault. In order to safeguard children from these crimes, this legislation includes child-friendly processes for reporting, documenting evidence, investigating, and expediting trial of offenses via designated Special Courts.
Scope	<p>The purpose of the POSH Act is to protect employees from "sexual harassment" in the workplace, which includes the following behaviors:</p> <ul style="list-style-type: none"> • unwanted physical contact or advances • requests or demands for sexual favors • sexually suggestive comments • pornographic material • and any other unwanted verbal or nonverbal conduct of a sexual nature. 	<p>Offenses that are punishable under the POCSO Act include:</p> <ol style="list-style-type: none"> 1. Sexual harassment 2. sexual assault in a more severe form 3. harassment using sexual objects 4. Child exploitation for pornographic purposes
Applicability	To every business, no matter how big or little, that hires women or not. The Act may apply to any industry, regardless of its level of organization. So, everything that happens at work would be subject to the regulations laid forth under the POSH Act. Since the POSH Act defines "workplace" as any place an	Since this law considers every anyone under the age of 18, regardless of gender, a child, its reach is much wider than that of the Indian Penal Code. In all settings, the Act protects adolescents against sexual harassment thanks to its explicit



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	employee goes for work-related reasons, it covers a lot of ground.	wording and harsh criminal consequences.
Nature of inquiry	Civil, however, does not bar criminal action under IPC.	Criminal
Gender neutrality	<p>1. The POSH Act was passed with the express purpose of shielding 'women' from the pervasive and harmful practice of sexual harassment in the workplace. Thus, the Act itself limits its application to people of different genders. Nevertheless, organizations have the option to create POSH policies that are "gender neutral/inclusive."</p> <p>2. Either a man or a woman might be accused of sexual harassment under this Act.</p>	<p>1. The POCSO Act protects all minors, regardless of gender, until they reach the age of eighteen.</p> <p>2. Any crime may be prosecuted under this Act, regardless of gender.</p>
Procedure	There is a quasi-judicial body that oversees the inquiry and makes recommendations; it has the authority of a civil court. Any business with 10 or more employees is required under the POSH Act to form an Internal Committee to deal with sexual harassment claims. The power of a	Cases of child sexual abuse are handled in a very different way than the investigation system specified in the POSH Act. Sections 24, 26, and 33 of the POCSO Act provide an investigation and trial procedure that is child-



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	civil court has been delegated to an internal committee. ¹	friendly. In contrast, the POCSO Act mandates the notification of either the local police or the Special Juvenile Police Post of any incident that comes within its jurisdiction. In essence, this is a court process.
Burden of proof	The standard of proof in a civil complaint is a preponderance of probability, as opposed to a criminal case where proof beyond a reasonable doubt is necessary to sustain an accusation of sexual harassment. ²	The Special Court will assume that the individual in question has committed, aided, or tried to commit the offense until proven otherwise, according to Section 29 of the POCSO Act. It is also presumed ³ by the Special Court that the accused has a guilty mental condition under Section 30 of the POCSO Act. If the accused can establish that he did not experience any such mental state, it will serve as a defense to the charges against him.
Confidentiality	The POSH Act prohibits publication of the details of	The POCSO Act



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	<p>parties to the case of sexual harassment and prescribes penalty for violation of the said provision.⁴</p>	<p>ensures that the privacy of the child is safeguarded during any legal process that involves the kid.</p> <p>A media protocol limiting the revelation of the child's identify (name, address, picture, family, information, school, etc.) is also outlined in Section 23.</p>
<p>Penalties</p>	<p>Among the many possible recommendations made by the IC are the following: a written apology; a warning, reprimand, or censure; the respondent's termination; counseling sessions; community service; and the withholding of a promotion or salary increase or increment.</p>	<p>These are the penalties that may be imposed under POCSO:</p> <ol style="list-style-type: none"> 1. A fine and three to five years in jail for sexually assaulting a minor; 2. The minimum sentence for penetrative sexual assault is 10 years in jail, with the possibility of a life sentence and a fine;⁵ in 3. Aggravated sexual assault carries a sentence of at least 5 years and no more than 7 years in prison, in addition to a fine.⁶ 4. Rigid imprisonment for a length of at least

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		<p>20 years, which may extend to life imprisonment (the rest of that person's natural life), a fine, or the death penalty is the punishment for severe penetrative sexual assault.⁷</p> <p>5. The penalty for sexual harassment is a fine and/or jail for a period that may go up to three years.⁸</p>
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5. SUGGESTIONS AND RECOMMENDATION

The POCSO Act of 2012 and the POSH Act of 2013 have made great strides in protecting minors from sexual abuse and combating sexual harassment in the workplace. There are problems with implementation, awareness, and enforcement, even though these regulations provide a solid legal basis. By ensuring accessibility and effectiveness, these proposals aim to enhance the impact of these laws and guarantee justice for all.

A. Suggestions for Improving the POSH Act

Steps to Raise Knowledge and Enhance Education

Companies should routinely provide comprehensive training on POSH regulations to increase employees' knowledge at all levels of the business. Workers' education in the informal sector, where POSH compliance is still low, needs special focus.

Mandatory POSH Conformity

Audits: Regular checks to see how well staff is following POSH protocols. Better implementation may be ensured with the aid of policies. Departments of government should launch awareness campaigns and establish a mechanism to track whether corporations have operational internal committees (ICs).

Broadening POSH's Influence

The POSH Act, as it is now, its target demographic consists of working women. More widespread protection and alignment with evolving notions of gender equality would result from covering both sexes. Incorporating LGBTQ+ workers' rights into workplace policies should lead to more welcoming businesses.



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Improved IC performance

Strengthening the Internal Committee ensures unbiased investigations through the need for certification or specialized training for IC members. By providing them with psychological and legal assistance, we can lessen the fear of retaliation and occupational stigma experienced by complainants.

Stricter Sanctions for Failure to Comply

Organizations disregard POSH rules or fail to develop IC. Should, in the worst-case scenario, face hefty penalties or have their license suspended. Workplace safety regulations will be more strictly enforced if corporations take more ownership of their actions.

B. Suggestions for Improving the POCSO Act Improving Rural Area Awareness Campaigns

In spite of POCSO's extensive coverage, it disproportionately affects low-income communities, rural areas, and individuals who may not be aware of their rights as children. Child abuse prevention and reporting may be better understood via school-based seminars that bring together Anganwadi workers, teachers, caregivers, and the general public.

Victims' Support Systems Reinforced

Child victims may get emotional and psychological support via counseling clinics that have been set up in places like college campuses, police stations, and community centers. Ensure affected families receive prompt intervention and support by increasing funding for Child Welfare Committees (CWCs).

Courts that Process POCSO Cases Rapidly

Exceptional Courts Created by the POCSO Law we were supposed to expedite cases, yet there are still delays. The Fast-Track POCSO was established. Judgments may be expedited, and victims of child abuse can experience less pain throughout lengthy proceedings in courts with dedicated judges and competent staff.

Educating Judges and Police Officers

The courts, prosecutors, and police will be better able to handle POCSO cases if they are required to undergo sensitivity training. During the trial and inquiry processes, it is important to adopt child-friendly regulations to reduce intimidation and encourage victim engagement.

Being Cyber-Aware and Safe Online

In this case, the POCSO. With the proliferation of digital platforms comes the increased risk of online child exploitation; the system must evolve to deal with cyber threats, grooming tactics, and online-based crimes. Schools and other educational organizations should launch digital literacy programs to teach students appropriate internet use.

6. CONCLUSION

The Protection of Children from Sexual Offences (POCSO) Act, 2012 and the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal), generally known as the POSH



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Act, 2013, are two of the most important laws that India has passed to address sexual harassment and abuse. Children and women in particular have endured institutional oppression and exploitation for so long that these laws are a reflection of a larger historical movement to safeguard these populations. The development of these safeguards demonstrates India's increasing resolve to promote equity, dignity, and security for these disadvantaged groups.

For elevating workplace harassment and sexual abuse of minors to the level of public debate, the POCSO and the POSH Act have significantly altered the legal environment in India. The POCSO Act fills a crucial need in the law by creating a non-discriminatory, all-encompassing statute to safeguard minors against sexual abuse in all its manifestations. The authors set out to define sexual assault, sexual harassment, and pornographic exploitation in order to bring attention to the fact that all types of abuse, whether verbal, physical, or psychological, need recognition. Furthermore, the Act emphasized the importance of children's mental health and comfort throughout the legal process by modifying trial and investigative processes to incorporate child-friendly measures.

The POSH Act did the same for professional workplaces: it established an Internal Committee (IC), promoted accountability, and ensured victims could report incidents in a structured manner without fear of retaliation. Awareness efforts, training programs, and zero-tolerance policies against harassment have been motivated by the Act's focus on employer responsibility, which has increased awareness within firms.

With the implementation of both Acts, survivors now have easier access to justice via the creation of defined reporting and redressal mechanisms. Because of the POCSO Act's Provision for Special Courts, the judicial system is now better able to handle cases of child sexual abuse, as trials in these cases are guaranteed to be expedited, minimizing the delays that victims of this trauma may endure. To alleviate the pain endured by young survivors, these specialized courts use child-sensitive tactics, such as holding sessions in secret. Local Complaints Committees (LCCs) were established under the POSH Act to ensure that workers outside corporate settings have access to justice, thereby expanding redressal mechanisms to include unorganized sector enterprises. These statutes have ensured victims' confidentiality, established timelines for investigations, empowered committees to propose disciplinary punishment, and made communities safer by providing victims with organized support systems. Both the POCSO Act and the POSH Act relate to, but despite their brilliant strategies, they face substantial challenges that prevent them from reaching their maximum potential.

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9. PLAGIARISM POLICY

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- [15] [The Protection of Children from Sexual Offenses Act, 2012.](#)
- [16] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)
- [17] [Shivangi Prasad and Attreyi Mukherjee, Handbook on the law of Sexual Harassment at Workplace 179 \(2015\).](#)
- [18] [The Protection of Children from Sexual Offenses Act, 2012.](#)
- [19] [The Protection of Children from Sexual Offenses Act, 2012.](#)



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- [20] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)
- [21] [The Protection of Children from Sexual Offences Act, 2012](#)
- [22] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)
- [23] [The Protection of Children from Sexual Offences Act, 2012.](#)
- [24] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)
- [25] [The Protection of Children from Sexual Offences Act, 2012](#)
- [26] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)
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- [28] [The Protection of Children from Sexual Offences Act, 2012](#)
- [29] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)
- [30] [The Protection of Children from Sexual Offences Act, 2012.](#)
- [31] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)
- [32] [Section 11 \(3\) of the POSH Act](#)
- [33] [Medha Kotwal Lele & others v. union of India and others, \(2012\) 9 SCR 895](#)
- [34] [Section 16 of the POSH Act](#)
- [35] [Section 4 of the POSH Act](#)
- [36] [Section 10 of the POSH Act](#)
- [37] [The punishment for aggravated penetrative sexual assault was increased by way of amendment 2019 \(Section 6 of the POSH Act\)](#)
- [38] [Section 12 of the POSH Act](#)
- [39] [The Protection of Children from Sexual Offences Act, 2012.](#)
- [40] [The Sexual Harassment of Women at Workplace \(Prevention, Prohibition and Redressal\) Act, 2013](#)



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- [41] The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013
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