

The POCSO Act, 2012

Section 13 - Whoever, uses a child in any form of media

including programme or advertisement pornographic telecast by television channels or internet or any other electronic form or printed form, purposes whether or not such programme or advertisement is intended for personal use or for distribution), for the purposes of sexual gratification, which includes (a) representation sexual organs of a child; (A) usage of a child engaged in real or simulated sexual acts (with or without penetration). (c) the indecent or obscene representation of a child shall be guilty of the offence of using a child for pornographic purposes. Explanation For the purposes of this section, the expression use a child shall include involving a child through any medium like print, electronic, computer or any other technology for preparation, offering, publishing, sale and distribution of the pornographic material, 14, (1) Whoever, uses a child or children for pornographic purposes shall be punished with imprisonment of either description which may extend to five years and shall also be liable to fine and in the event of second or subsequent offence for term which may extend to seven years and also be liable to fine, purposes, (2) If the person using the child for pornographic purposes commits an offence referred to in section 3, by directly participating in pornographic acts, he shall be punished with imprisonment of either description for a term which shall not be less than ten years but which may extend to imprisonment for life, and shall also be liable to fine. (3) If the person using the child for pornographic purposes commits an offence referred to in section 5, by directly participating in pornographic acts, he shall be punished with rigorous imprisonment for life and shall also be liable to fine. (4) If the person using the child for pornographic purposes commits an offence referred to in section 7, by directly participating in pornographic acts, he shall be punished with imprisonment of either description for a term which shall not be less than six years but which may extend to eight years, and shall also be liable to fine. (5) If the person using the child for pornographic purposes commits an offence referred to in section 9, by taking part in the production of such material he shall be punished with imprisonment of either description for a term which shall not be less than eight years but which may extend to ten years, and shall also be liable to fine.