

## Child Trafficking in India

*Mains: GS-I Society | GS-II - Polity & Governance*

### Why in News?

Child trafficking is a grave issue in India, in *K.P. Kiran Kumar v. State*, the Supreme Court issued strict guidelines to curb such crimes, declaring that trafficking violates children's fundamental right to life under the Constitution.

### What is child trafficking?

- **Definition** - "It is defined as the recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation" ***under the Palermo Protocol*** (UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children), 2000.

India signed the Palermo Protocol in 2002 and ratified it in May 2011.

- **Section 143 of the Bhartiya Nyaya Sanhita (BNS), 2023** - Anyone who recruits, transports, harbours, transfers, or receives a person for exploitation—using threats, force, coercion, abduction, fraud, deception, abuse of power, or inducement (including payments or benefits) commits the offence of trafficking.
- **Scope of 'Exploitation'** - Physical and sexual exploitation, slavery or servitude and forced removal of organs.

### What about the Supreme Court's view in *K. P. Kiran Kumar versus State*?

- **Background** - In 2010, a minor girl was rescued from a rented house in Peenya, Bangalore, during a police raid organized with the help of NGO workers.
- **K. P. Kiran Kumar versus State, 2025** - The SC upheld the conviction of the accused for child trafficking and sexual exploitation under the Immoral Traffic (Prevention) Act (ITPA).
- **SC's Observations**
  - **Credibility of minor victims** - The Courts must handle minor victims' testimony with sensitivity, considering their vulnerabilities.
  - **Organized crime networks** - The court noted that trafficking operates in complex, layered structures, making precise narration difficult.
  - **Constitutional values** - The Court stressed that trafficking and exploitation violates children's dignity, bodily integrity, and constitutional protection.
  - **Evidence handling** - Delayed protest or lack of precision in testimony does not reduce credibility due to trauma.

## What is the present status of child trafficking in India?

- **National Crime Records Bureau** - In 2022, around 3,098 children below 18 years were rescued, while between April 2024 and March 2025, over 53,000 children were rescued across India from child labour, trafficking, and kidnapping.
- **Regional trend** - Data from 2018–2022 shows a consistent pattern of children being trafficked for prostitution, labor, and begging, with **West Bengal, Assam, and Bihar** among the states reporting higher numbers.
- **Low conviction rate** - The conviction rate for such offences between 2018 and 2022 was **only 4.8%**.
- **POCSO Courts** - India registered 80,320 new POCSO cases in 2025, disposed of 87,754 cases, achieving a 109% disposal rate — the first time more cases were resolved than filed.

## What are the constitutional and legal provision against child trafficking?

- **Articles 23 and 24** - It gives protection from human trafficking, begging, forced labour and employment in hazardous industries.
- **Article 39 (e) & (f)** - Safeguards against exploitation, moral and material abandonment; ensures healthy development of children.
- **Sections 98 & 99 (BNS, 2023)** - It specifically address the selling and buying of minors.
- **Immoral Traffic (Prevention) Act, 1956** - It focuses on prevention of trafficking for sexual exploitation.
- **Juvenile Justice Act, 2015** - It provides care, protection, and rehabilitation for victims of child trafficking.
- **Criminal Law Amendment Act, 2013** - It intends to check such activities by providing a more comprehensive definition of trafficking by including sexual exploitation, slavery, servitude, forced labour, and organ removal.
- It will cover trafficking irrespective of consent.
- **POCSO Act, 2012** - The Act is gender-neutral and defines offences like sexual assault, harassment, and child pornography, prescribing strict punishments including life imprisonment and, in extreme cases, the death penalty.
- **Fast-track courts** - In order to provide rapid trials, about 400 fast track courts set up exclusively for implementing the POCSO Act, each targeting disposal of around 165 cases per year.

## What has been the judicial approach?

- **Vishal Jeet versus Union of India, 1990** - The Court held that trafficking and child prostitution are serious socio-economic problems, requiring a preventive and humane approach.
- **M. C. Mehta versus State of Tamil Nadu, 1996** - The Court issued guidelines with a view to prohibiting employment of children in hazardous industries.
- **Bachpan Bachao Andolan versus Union of India, 2011** - The SC issued directions to address widespread exploitation and trafficking of children.

## What are the government's measure to tackle child trafficking?

- **Anti-Human Trafficking Units (AHTUs)** - The specialized police units across districts to investigate trafficking cases.
- **National Child Protection Services (CPS)** - It provides shelter, education, and rehabilitation for rescued children.
- **UJJAWALA Scheme** - Focused on prevention, rescue, rehabilitation, reintegration, and repatriation of trafficked women and children.
- **Integrated Child Protection Scheme (ICPS)** - It strengthens institutional care, foster care, and adoption mechanisms.
- **Rescue & rehabilitation** - District Magistrates/Sub-Divisional Magistrates empowered to order rescues, provide interim medical aid, shelter, counselling, and evict trafficking dens.
- **Operation AAHT** (Against Human Trafficking) - 1,048 persons rescued in 2023; 257 traffickers apprehended.
- **Operation Nanhe Farishtey** - 3,973 girl children rescued in 2023.

## What are the vulnerabilities and emerging risks?

- **Socio-economic vulnerabilities** - The courts and authorities must consider the special risks faced by children from marginalized communities.
- **Failure of protection** - Society is still unable to protect children and adolescents from being criminals or being victims of crimes.
- **Push factors** - Factors such as poverty, unemployment, migration, disasters and breakdown of the family system push children into vulnerability which strengthens the trafficking chain.
- **Modern risks** - In recent years, the spread of social media and online platforms has contributed to such offences, especially in terms of recruitment in the name of jobs or opportunities for "modelling".

## What lies ahead?

- **Protection of rights** - The government must ensure that the social, economic and political rights of children are well protected with the help of institutions built for the purpose.
- **Strict action on traffickers** - It must come down heavily on traffickers and ensure that the conviction rate improves considerably so that a deterrence may be created.
- **Union-State coordination** - Moreover, a strong Union-State relationship is also required because law and order and police are State subjects.

## References

1. [The Hindu | How should India tackle child trafficking?](#)
2. [SC observer | K.P. Kirankumar v. State](#)



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