

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](#)

