

# **Review Paper** Examining The Legal Provisions In India Relating To Child Trafficking And The Way Ahead : A Review

# Dr. Souvik Chatterji<sup>1\*</sup>; Aditi Roy<sup>2</sup> and Samrat Samaddar<sup>3</sup>

<sup>1-</sup>Professor and Head of the Department, Law, JIS University, Calcutta, India. <sup>2-</sup>LL.M in Criminal Laws, JIS University, Calcutta, India. <sup>3</sup>-BBA LL.B(H) student at JIS University, Calcutta, India

| ARTICLE DETAILS                                  | ABSTRACT  |
|--|---|
| <i>Corresponding Author:</i><br>Souvik Chatterji | The child trafficking is a universal fact and has no limits. It infringes child rights. It violates the children actual and rational unity. It is fundamental rights that are based on effectiveness that   |
| <i>Key words:</i><br>Legal, Child, Trafficking   | covered phenomenon that is very hard to recognize <sup>*</sup> . Children who are below the age of 18 years have bear to different fault. In India, aims to conflict the trafficking relating to physical distress through law-making, administrative, judiciary and collective work. For lucrative existence the parents sent their children to another place for jobs. The paper looks into the law and procedure in India relating to child trafficking. |

#### 1. Introduction:

The trafficking breaks the minor rights and sent them into risk, hazardous work and exploited. According to the final era, in India the publication relating to the child trafficking or child exploitation has been rises. Mostly, the successful offenders trafficked with firearms and drug trafficking has been take-up by systemic wrong-doer.<sup>+</sup> In India the laws are in place. But still there is heavy challenge of stopping the menace. The trafficking of children is broadly identified by an award a danger relating to universal shares.<sup>‡</sup>According to the information relating with the approximate report that 1.2 million children are trafficked every year in world.§

#### Anti-Trafficking Laws in India -

There are various anti - trafficking laws in India which are as followers:-

# i) Constitution of India -

According to the Constitution of India deals with identity that are prohibiting trafficking, exploitation and punishment.

Article details: Received: 16- May-2024; Sent for Review on: 19- May-2024; Draft sent to Author for corrections: 30- May-2024; Accepted on: 19-June- 2024 Online Available from 19-June- 2024

DOI : 10.13140/RG.2.2.18531.57123

† Dr. Khan, Child Trafficking (Mrs.) Integar http://imi.ac.in/upload/publication/Child Trafficking in India.pdf.Last\_visited on 11.02.23

In

Α

India:

Concern.

<sup>\*</sup>Author can be contacted at: Professor and Head of the Department, Law, JIS University, Calcutta, India.

Paper ID: IJSSAH: 2024-31/© 2024 CRDEEP Journals. All Rights Reserved.

<sup>\*</sup> Protocol to Prevent Suppress and Punish, Suppress and Punish Trafficking in Persons, Especially Women and Children. Last visited on 11.02,23. § UNICEF. End Child *Trafficking*, <u>http://www.unicef.org.uk/campaigns/campaign\_detail.asp?campaign=21</u>. Lastvisited on 11.02.23.

**Article 23(1) of Indian Constitution** deals with the trafficking of individual person and forced labour which forbid some part of violation in this allocation relating to the penalty for wrong doer.

**Article 24 of the Constitution of India** states that the children who are below the age of 16 years are protected from industrial, hazardous work and mines.

#### ii) Indian Penal code, 1860 -

The Indian Penal Code, 1860 deals with the role which has limit in relation to the service of children exploitation. It includes kidnapping, abduction, trafficking, bonded labour and forced labour etc.

**Section 366A of the IPC, 1860** states that the traffickers are instigate the minor girl to have sexual intercourse with other person are punished with imprisonment of ten years and fine.\*\*

**Section366B of the IPC, 1860** states that buying or selling a girl who are below the age of 21 years and have forced her to make sexual intercourse with another person is punishable with imprisonment that have extend to ten years and fine.

**Section 372 of the Indian Penal Code, 1860** states that sale a child who are below the age of eighteen years for sexual exploitation is punished with imprisonment for ten years and fine.

Explanation I–When a female under the age of eighteen years is sold, let for hire, otherwise disposed of to a prostitute or to any person who keeps or manages a brothel, the person disposing, contrary is proved, be presumed to have disposed of her with the intent that she shall be used for the purpose of prostitution.

Explanation II – For the purposes of this section 'illicit intercourse' means sexual intercourse between persons not united by marriage or by any union or tie which, though not amounting to a marriage, is recognized by the personal law or custom of the community to which they belong or where they belong to different communities of both such communities, as constituting between them a quasi-marital relation.<sup>††</sup>

**Section 373of the IPC, 1860** deals with buy or hires of child who is under the age of eighteen years which shall be punished with imprisonment for a term of ten years and shall be liable for fine.

**iii)Immoral Traffic (Prevention)Act, (ITPA), 1956 -**This act deals with the abolition of traffic relating to women for the prostitution relating to the organized crime are specified<sup>‡‡</sup>:

*a*) This act deals with the offence relating to minors for the purpose of sexual exploitation are relating to penalty.

b) It has imposed children for the purpose relating to sexual abuse.

c) All offence under this act is cognizable.§§

**iv)** Juvenile Justice (Care and Protection of Children) Act, 2000 – The subjection relating to the trafficking of child under JJ Act, 2000 involves the banning of physical torture of children; beggaring on road; that provides a child in drug smuggling and forced the child to work in hazardous place.\*\*\*

a. **Section 23 of the JJ Act, 2000** that deals with the juvenile or minor have been physical torture, reveal, neglected have been caused and child is suffering from mental or physical torture should be punished for imprisonment may extend to six months or with fine or with both.

**b.** Section 24 of the JJ Act, 2000 deals with the implementation of child for begging is punishable for a term of three years imprisonment and fine . Under sub –section. (2) of Section 24 of this Act deals with verified impose that the child to exercise the wrongdoer is punishable with one year imprisonment and fine.

<sup>\*\*</sup> Section 366 of the Indian Penal Code, 1860 states that Kidnapping, abduction or Inducing woman to compel hermarriage, "Criminal Manual" (Criminal Major Acts) by Justice Khastgir.

<sup>&</sup>lt;sup>++</sup> Section 366 of the Indian Penal Code, 1860 states that Kidnapping, abduction or Inducing woman to compel hermarriage, "Criminal Manual" (Criminal Major Acts) by Justice Khastgir

<sup>#</sup> CHID TRAFFICKING IN INDIA : A CONCERN, is published by DR. (MRS.) Intezar Khan, Department of Social Worker, Jamia Millia Islamia, New Delhi, https://www.jmi.ac.in/upload/publication. Last visit on - 05.05.23

<sup>&</sup>lt;sup>§§</sup> <sup>76</sup>LAWS AGAINST HUMAN TRAFFICKING IN INDIA, published by RISHABH GANDHI And Advocates, https://<u>www.rgaa.co.</u>in/laws-againsthuman-trafficking-in-india/. Last date on visit 06.05.23.

<sup>\*\*\*</sup> Juvenile Justice (Care and Protection of Children) Act (2000), Sections 23, 24, 25 and 26.

c. **Section 25 of the JJ Act, 2000** deals with the punishment based on the drug smuggling by the children or alcoholism in common place or illness may be cause are punished with three years imprisonment and fine.

d. Section 26 of the JJ Act, 2000 states that the ill treatment relating to the children are worker in a insecure place for money or obtain money for his maintain his life are punished with three years and fine .

e. Section 29 of the JJ Act, 2000has been creating a Child Welfare Committees (CWC) and shelter home in every states.

Thus, the JJ Act restrain its request in the every states governments to forms a district Child Welfare Committees and Juvenile Justice Boards, nor the state governments required to establish and maintain children's homes and shelter homes. Juvenile Justice Act states that the state government may establish those bodies. the rehabilitation mechanisms set up under the Act could benefit from better coordination among concerned bodies at the implementation stage.<sup>†††</sup>

**The Protection of Children from Sexual Offences (POCSO) Act** – The POCSO Act, 2012 is deals with the protection of children in relating to sexual abuse. It deals with the children who are below the age of eighteen years of age. It includes the sexual abuse, pornography and child trafficking. It is punishable with rigorous imprisonment for life and fine.<sup>###</sup>

**vi)** The Protection of Child Marriage Act, 2006– This Act has been recognized by any person have not attained the age of eighteenth years. It has been penalized for solemnization of child marriage.

# Vii) The other laws relating to child trafficking- It include that:

- I. Bonded Labour Sytem (Abolition) Act,
- II. Indian Penal Code, 1860;

III. Child Labour (Prohibition and Regulation) Act, 1986;

- IV. Juvenile Justice (Care and Protection of Child) Act, 2000; and
- V. Goa Children Act, 2022.§§§

## International Legal Instruments -

The International Legal Instruments that deals with child trafficking are as followers :-

(i) The practice are crushing that deals with the trafficking relating to the individuals that are ill treatment relating to the sex workers indistinct (i.e., trafficking convention).\*\*\*\*

(ii) The multinational group are critiques by exploitation relating to the Trafficking Convention has been ratification relating to the General Assembly of the United Nation, 1949.<sup>††††</sup>

(iii) his convention are related with the social and penalized the offenders (i.e., traffickers) and secured the individual persons rights against exploitation. It deals with the condition relating to the gathering as to make the provision relating to the victims.<sup>####</sup>

(iv) This Convention was deal with the lawful exists, relating to the children exploitation are permissible. Here, the main protocol is the protocol is to prevent, suppress and punish trafficking in children, especially children. It aims to prevent and combat trafficking of children to the victims.

(v)According to United Nations on Drugs and Crime (UNODC) is manage to apply rules which provides a raise, rules ,policy, aid relating to capital;

<sup>&</sup>lt;sup>+++</sup> Child Trafficking by Harpeet Kaur, UILS, Chandigrah, published in 14<sup>th</sup> February, 2015, https://www.lawctopus.com / academic/ child trafficking. Last date of visit - 22.04.23.

<sup>\*\*\*</sup> The Protection of Children from Sexual Offences Act, 2012, https:// wcd. nic. in/ childact/ childprotection 31072012. Pdf. Last date of visit – 06.05.23.

<sup>888</sup> Laws against Human Trafficking- into INDIA , https:// www. rgaa.co./ laws-against-human trafficking. Last date ofvisit - 06.05.23.

<sup>\*\*\*\*</sup> Approved by General Assembly resolution 317 (IV) of 2 December 1949 and Entry into force: 25 July 1951, inaccordance with article 24. Last date of visit -06.05.23.

<sup>&</sup>lt;sup>++++</sup> Trafficking in Women and Children, *UNIFEM GENDER FACT SHEET No.*2, http://www4.worldbank.org/afr/ssatp/resources/html/gender rg/Source%20%20documents/Issue%20and%20Strategy%20Papers/trafficking/ISTRFK2%20UNIFEMtrafficking%20f act%20sheet.pdf. Last date of visit - 06.05.23.

<sup>\*\*\*\*</sup>Convention for the Suppression of the Traffic in Persons, Article 19.

(vi) This Protocol has been committed by the condition relating to the suppression, children exploitation relating to the protection and stimulate association between the condition in relation to meeting the ends.<sup>§§§§</sup>

(vii) Thus, the trafficking of children deals with the minor children who are deals with the causes of ill-treatment, workers application or organs removes from body.\*\*\*\*

(viii) Article 5 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized Crime, states that the state party deals with the criminal smuggling that made an attempt for exploitation, has been abetted, arranged and managed smuggling.

(ix) **Article 10** of this Convention deals with the legal imposition deals with the recognition relating to the possibility of exploitation and criminal organization, procedure that deals with the child trafficking.

(x)**Articles 11 and 12** of this Convention states that approval has been intensify with the evaluation that are relating to the research of journey report, embark conveyance relating to investigation for decreased cheating.

For example, **Article 9** of this convention deals with obligatory suppression estimated the individual agency relating to advice and construction relating to civil and commercial inducement.

(xi) In 2000, the UN General Assembly has been ratifying with two optional protocols relating to corroboration in Convention. $^{\dagger\dagger\dagger\dagger\dagger}$ 

(xii) This Conventional Protocol deals with the suppliers has been defined for Child trafficking, sexual exploitation relating to children.

(xiii) The UNICEF, provides administration and communication relating to the sphere which are relating to appliance in relating to the Optional Protocols.

(xiv) The rules which are hinder the trafficking in Children for sexual exploitation.

(xv) SAARC ratify the regional convention relating to the Child Trafficking, January 2002. #####

(xvi) The programme relating to SDF was sanctioned. It has been anticipated in 2013. SSSSS

## Criminal Law Amendments Act, 2013 -

The Criminal Law Amendment Act, 2013 has been identify that trafficking is a crime under **Section 370 of the Indian Penal Code, 1860**. On May 2011, the Hon'ble Supreme Court defines in these judgments that trafficking in public interest litigation (PIL) field by *Bachpan Bachao Andolan in 2011*. The bill is a process that leads to trafficking and also makes the employment of a trafficked children and sexual exploitation a specific offence under **Section 370A of IPC, 1860**.

"Section. 370A. Exploitation of a trafficked person. – (1) Whoever, knowingly or having reason to believe that a minor has been trafficked, engages such minor for sexual exploitation in any manner, shall be punished with rigorous imprisonment for a term which shall not be less than five years, but which may extend to seven years, and shall also be liable to fine."\*\*\*\*\*

Here, Section 370 of the IPC, 1860 dealt with only trafficking any person as a slave. The new section will take in its purview trading and trash any person relating to trade as well. As the explanation further clarifies "exploitation" would also include prostitution. This is in addition to the ITP Act, 1956.

The new amendment section throws away that persons are also involved in various types of trafficking is taken from criminal justice system. It is including that a person is had his/her consent, to obtained through force, coercion, fraud, under abuse of power and the same will amount to trafficking. These situations covers under the girls who happen been major and readily to conduct the traffickers who exploit children in various ways. It has also been specifically in the provision that consent of the

\*\*\*\*\* The Convention defines trafficking as "the moving, selling or buying of women and children for prostitution within and outside a country for monetary or other considerations with or without the consent of the person subjected to trafficking." Last date of visit – 07.05.23.

ssss The Protocol obligates ratifying states to introduce national trafficking legislation. Last date of visit - 06.05.23

<sup>\*\*\*\*\*</sup> Wikinedia. Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children. http://en.wikipedia.org/wiki/Protocol\_to\_Prevent,\_Suppress\_and\_Punish\_Trafficking\_in\_Persons,\_especially\_Women\_ and\_Children. Last date of visit -06.05.23.

<sup>&</sup>lt;sup>+++++</sup> Optional Protocols, adopted in 2000, are: (i) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; and (ii) Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict. Last visited on – 13.02.23.

<sup>\*\*\*\*\*</sup> Sevction.370A of the Indian Penal Code, 1860 " CRIMINAL MANUAL" (Criminal Manual Acts) by JusticeKhastgir.

victim is immaterial for the determination of the offence.<sup>++++++</sup>However, there different forms are relating to penalty for each with minimum sentence for trafficking minor persons. In addition, that the section also provides the punishment for the criminal as well as punishment relating to traffics more than one person at the same time. By providing that trafficking in minor persons are conviction will attract imprisonment for life, the law has been substantially changed.<sup>++++++</sup>This act involved that a public servant including a police officer for life imprisonment for the natural life.<sup>\$</sup>

**Section 370A of the IPC, 1860** related the law by criminalizing employment of a trafficked (major/minor) person. A person has reason to believe that the minor/major person has been trafficked will make criminally liable. Here, a higher prison term is prescribed where a minor person is involved and the fact that irrespective of the person employed, simply employing a trafficked person is an offence. This provision is to ensure that the people verify the placement agencies of the persons employed. This also aide that the huge demand for labour are victims of migration.\*\*\*\*\*\*

#### The Indo -Bangladesh of Child Trafficking -

According to the article "The Indo-Bangladesh of Child or Human Trafficking" by Sreeparna Banerjee is that India and Bangladesh required a cross borders mechanism, to the conflict relating to trafficking. She stated that trafficking is a compound and widespread event that has afraid 40 million people relating to the South and South East Asian region. Certainly, the children has interpreted that 71 percent of the population are in forced labour, sexual brutality and forced matrimony.

The South Asia nations like India and Bangladesh are the source, transit and distant countries for trafficking in persons.<sup>‡‡‡‡‡‡</sup>Among the vulnerable people are stateless Rohingya survive in the camp areas of Bangladesh without anyhope for a return to Myanmar. This is the current political trouble and endless human crisis.

#### "Thousands of people mostly belonging to the underprivileged socio-economic fabric of the society are enticed to Indian capitals and towns annually by traffickers who promise decent jobs but sell them into modern-day slavery".

Due to the lack of basic rights of citizens, legitimate and income expectations for the humanitarian aid received by the donors. The condition in the camp area is inadequate that includes WASH facilities, food insecurity, improper healthcare and livelihood opportunities for better opportunities. These incidents bring as vulnerable and problems to the stateless people.

# The Trafficking Supply Chain

# Transparent Borders-

Both the national borders are shared five largest international borders in the world, nearly 4,096.7 km long. About 60 percent of the borders is a rivers, fishponds, farming lands, villages, and houses a segment that reclines in the country and the other part of the property or house is related to Bangladesh. According to the borders are not a consequence relating to immoral

titit Garima Tiwari, Children as Victims of Trafficking in India, http://acontrarioicl.com/2013/05/27/children-as-victims-of-trafficking-in-india/. Last date of visit – 16.02.23.

<sup>\*\*\*\*\*\*</sup> The Times of India, India is Transit Hub for Human Trafficking, 22 June 2006; cited at Rebecca Everly, Preventing and Combating the Trafficking of Girls in India Using Legal Empowerment Strategies, A Rights Awareness and Legal Assistance Program in Four Districts of West Bengal, June 2010 – March 2011, http://www.idlo.int/Publications/FinalReportGirlsProject.pdf. Last date of visit – 17.02.23.

<sup>&</sup>lt;sup>555555</sup> Trafficking in Persons Report 2010 – India; cited at Rebecca Everly, Preventing and Combating the Trafficking of Girls in India Using Legal Empowerment Strategies, A Rights Awareness and Legal Assistance Program in Four Districts of West Bengal, June 2010 – March 2011,http://www.idlo.int/Publications/FinalReportGirlsProject.pdf. Last date of visit – 17.02.23.

<sup>\*\*\*\*\*\*\*</sup> ECPAT International, Stop Trafficking of Children & People, Sex Young http://ecpat.net/EI/Publications/Trafficking/Factsheet\_India.pdf. Last date of visit - 17.02.23. Indo-Bangladesh Child of Human Trafficking Sreeparna Baneriee or bv https://www.orfonline.org/people.export/sreeparna-banerjee. Last date of visit - 18.03.2023. \*\*\*\*\*\* "The Indo-Bangladesh Child Human Trafficking Banerjee of Sreeparna or bv https://www.orfonline.org/people.export/sreeparna-banerjee.Last date of visit on 18.03.2023. §§§§§§§§ "The Trafficking Indo-Bangladesh Child Human by Sreeparna of or Banerjeehttps://www.orfonline.org/people.export/sreeparna-banerjee.Last date of visit - 18.03.2023.

paths and land. It is easier for unlawful people to grab that portion of distend. According to this research, the trafficking deals with the India and Bangladesh border between Benapole, the Jessore district of Bangladesh. Thus, a significant spike is Thanurbairi Chandurila, Kaiba Sultanpur, Chodarpur, Chapainaababaguj, Hill Akhwara, Chuadanga and Poladanga are the other part of trafficking in India<sup>\*\*\*\*\*\*\*\*</sup>. According to the study, this part of extra police protection is required in these areas.

#### "In the current reports, it has been mentioned that apart from selling girls for sex business or forced labour are also being coerced into the IVF business."

#### Legal Mechanism-

This crime, has several Anti-Trafficking Laws in both nations which are as followers :-

i) In India, Article 23 (1) of the Constitution of India, IPC, 1860 Sec. 366- 373, the Immoral Trafficking (Prevention) Act, 1956 and other laws relating to children,

ii) In Bangladesh, the Prevention and Suppression of Human Trafficking Act, 2012, the Repression of Women and Children Act, 2000(amended in 2003), and **Article 372 and 373** of its penal codes prohibit and punish child trafficking.<sup>††††††††</sup>

# "The Draft Trafficking in Person (Prevention, Care and Rehabilitation) bill is to provide preventive measures on trafficking."

In 2015, the MoU was signed between New Delhi and Dhaka that a comprehensive approach for collaboration in all forms of human trafficking, especially trafficking of children and women. It is to safeguard the provision in forms of inspection, trafficking and organized crime are included the victims.

## Challenges -

a) The lowest rate relating to the sentence and prosecutions relating to the investigation also balance the series and area relating to the smuggling within nations,

b) The executive are also involved in managing and suppressing the trafficking,

c) The determination that deals with the administration which has been terminated in rely to the consideration and proclamation.

d) Lack of witness protection,

e) It is recognized that the sufferer and witness have been rewarded in relation to their travel expenses have been protected.

f) In 1951, **Refugee Convention or 1967 Protocol** requires that the states is to ensure the basic human rights, dignity and legal mechanisms within the areas to help the people, give justice and provide punishment,

g) Rohingya as permitted by law is to demonstrate that trafficking, and the judges has ignored through these attempts,

h) The trafficking and criminal have active rights under the office-bearer relating to the defective in relation to implementation.

i) The meeting is Joint Task Force on India and Bangladesh have a need to upgrade and expand the facts, rules, are attached,

j) The programmed is required for the shiny purposes and digital recording,

k) The digitization relating to the employees and trafficking cycle is essential,

1) Victim care is supreme with respect and provide an effective response, and

m)Finally, SOP(Standard operating between India and Bangladesh addressed the issue that will effects the result.

# Data Relating to Child Trafficking-

Although the data has extent of child trafficking in West Bengal. It origin, objective and transfer the child.<sup>########</sup> In 2006, report that 378 of 593 districts which are forced relating to trafficking<sup>§§§§§§§§§</sup> In India, the approximate deals with 90% of the

<sup>\*\*\*\*\*\*\*</sup> 

<sup>\*\*\*\*\*\*\*\*</sup> United State Department of State, trafficking in persons, Report 2010- India(2010); Cited at Rebecca, Everly, Preventing and combating the Trafficking of Girls in India Using Legal Empowerment Strategies, A Rights Awareness and Legal Assistance Program in four district of West Bengal, June 2010- March 2011; https:// www.idlo.int/Publications/ Final Report Girls Project. pdf Last date of visit – 17.02.23.

sssssss The Time of India, India id transit Hub for Human Trafficking; 22June 2006, cited at Rebecca, Everly Preventing and combating the Trafficking of Girls in india using legal Empowerment Strategies, A Rights Awareness and Legal Assistance Program in four district of West Bengal, June 2010 – March 2011, https://www.idlo. Int/Publication/Final Report Girls Project. Pdf. Last date of visit – 17.02.23.

trafficking and forced labour are also involved. The Child trafficking are also involved relating to the child marriage and sexual exploitation etc. No such law that deals with the control to the banishment of exploitation of the victim from one place to another place and organizations have to assist girls in reaching their homes by communicate with partner organizations in these states.<sup>\*\*\*\*\*\*\*\*</sup> Here, the crossing border that deals with Bangladesh and West Bengal for various organizations. The systematic structure assist individual to the cross-border territory. Various passports was found and many other countries (Bangladesh) girls came to West Bengal with brothels between the India – Bangladesh boarder band,

#### International Instruments Signed By Government of India -

The Indian Government has added the Trafficking Agreement on 12<sup>th</sup> December, 2002. It has taken a vast tread in child trafficking. It is approved by the Convention on the Rights of the Child (CRC) under the Government of India. It is confirm with two optical protocols relating to child -

- The Involvement of Children in Armed Conflicts; and
- Sale of Children, Child Prostitution and Child Pornography.

The Convention on prevention relating to the children has created in South Asia Association for Regional Cooperation (SAARC), 2002. Thus, the term "trafficking" has confirm by the Indian Government.

#### Data relating to Child Trafficking in West Bengal -

According the data analysis 60% of child are trafficking between 2010 to 2014. During the last decade 500 girls are trafficked from Bangladesh into West Bengal.

#### West Bengal -

According to National Central Bureau (NCB) report in 2016, that 3,113 cases stop or 34% of the entire cases in India. Though, 86% or 2,687 of the minor girl child.<sup>†††††††††</sup>

#### Andhra Pradesh -

According toNational Central Bureau (NCB) report26 % of the girls are entered into trade with the minor child 20% between the minor (below the age 18 years) and 16% of the child (below 15 years of age).\*\*\*\*\*\*\*\*\*\*

#### Basic features of trafficking-

The basic features relating to trafficking are as followers:-

i) An estimate of 79 million of missing girls in South Asia are trafficked due to sex ration are followed in the global biological norms;

ii) Millions of girls between the age of 5 to 15 years age into the commercial sex market.

iii) Among 40% to 60% of the girls are trafficking has been executed to opposed that the minor child are below the age of 16 years.

iv) Many children are missing from the Andhra Pradesh and sent to the prostitute zone across the border to the Middle – East Countries.

#### Goa -

According to Freddy Peats, the police begin the case under section 377 of the IPC, 1860 that deals with unnatural offence as well as section 291 and 293 of IPC, 1860 with the diffuse indecent picture, specially the minor, punishment that deals with death sentence to life imprisonment. Thus, a complete administration on child trafficking deals with child prostitution and other forms relating to child trafficking.

#### Conclusion

Child trafficking means selling and buying for exploitation. It is also crucial to provide rescued children with education, rehabilitation, and protection. It is the act of recruiting, transferring or transporting a minor for the purpose relating to exploitation. It includes child sexual exploitation, begging, child labor, child marriage etc. The rate that deals with social evil, policies and enactment must have diligent effects in enforcement relating to the offenders for executing such crimes. All levels

<sup>\*\*\*\*\*\*\*\*</sup> Ibid. Last date of visited on – 17.02.23.

<sup>\*\*\*\*\*\*\*\*\*</sup> Convention on the Rights o9f the child, Initial reports of state parties due in 2008, docstore. Ohchar.org/SelfServices/Files Handle.Ashs?. Last date of visit- 12.04.23.

of people i.e., legislative, judicial, executive and social are involve in this crime. Many laws have been enacted for the trafficking but there is no such specific act relating to child trafficking. However, the UN has dealt with Palermo Protocol, which includes trafficking and legal provisions. According to 2000, the Optional Protocol to the Convention relating to child rights, selling the child, child exploitation, etc. But in India trafficking is a crime and it is mentioned in the Indian Penal Code, 1860.

Now a day, child sex trafficking is widespread. Especially, the anti-prostitution and sex trafficking that maintain definition, arbitration, and prevention. Thus, the term "sex trafficking" deals with the various number of girls who are exploited for sexual purposes. Trafficking also plays an important role in organized crime. The other states that are deals with the sexual exploitation relating to the business i.e., Mumbai, Pune, Rajasthan, Goa etc.

For income, girls include poverty, gender equality, illiteracy, etc are involved in sex trafficking. There are many legal provisions adopted internationally that dealt with child trafficking. Child trafficking is exploited physically as well as emotionally. The efforts relating to the determined that child trafficking is made at international levels.