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**CHILD TRAFFICKING- A SOCIO-LEGAL TORMENT**- Shreyasi Nath<sup>1</sup>**ABSTRACT**

Child trafficking is trading children mostly for the purpose of bonded labour, forced labour, sexual slavery, commercial sexual exploitation or extraction of organs. Child trafficking is considered one of the fastest growing crimes of transnational criminal organizations. Child trafficking is a crime that includes the utter involvement of violation of the basic rights that are vested in children, especially children belong to six to fourteen years of age. The worst case scenario being, the child trafficking or commencement of such an act is not only limited to the country but it is also taking place among the countries. Amidst, the pandemic that we are in, trafficking of children is another pandemic, that the society or the people dwelling in the society seem to be unbothered about. Most of the trafficking cases are reported from the not so urban areas because people residing there are so busy with earning their own livelihood, that they no more stays in a position to take care of their children. As a result of the aforementioned scenario, it is very easy to lure such children who are not that well protected by their parents or any elder member of the family, for that matter. Child trafficking can also be stopped with proper governance and proper employment of the poverty ridden section of the society, so that, instead of running behind earning their livelihoods breathlessly, these people can give some time or protection to their children and forbid these innocent lives from getting affected by the demons roaming around them. The paper below discusses the depth of the horrendous situation and the remedies to protect these innocent lives in some way or the other, from the hands of these emotionless beasts roaming around, in disguise.

**ABOUT THE TOPIC**

Child trafficking is a cosmic problem residing in society and is increasing ceaselessly with each passing day. The National Crime Records Bureau states that a child disappears within

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every few minutes in India, which is a menacing problem that needs to be addressed efficiently. Children belonging to a poverty-ridden family are often very enthusiastic about getting an opportunity to work. The undue advantage of this hurtful situation is taken by many offenders who disguise themselves as the employer and make these children elope with them, which of course is an act committed against the due knowledge of the parents. The atrocious part of this entire problem is that in some cases, the involvement of the very own family members of these ill-fated children has been found. In the aforementioned scenario, a tie-up has been found between the family member of these children and the traffickers and in return, the traffickers end up giving these family members a heavy amount of money. Kidnapping is another notable method of child trafficking which is as dreadful as the previously mentioned ones. In our country, child trafficking can be witnessed through countless beggars, whose mouths are sealed, and hence it is very difficult to accumulate any evidence for this burning issue. Sexual Exploitation is another dreadful consequence experienced by these children who are trafficked across the globe. Daughters are more prone to such kinds of exploitation as many families till date consider daughters as an epitome of burden. It is heart wrecking to observe that sometimes the acquaintance or the relatives of these girls tempts them of good food and clothes and this way allure them towards working in an extremely informal and unprofessional area, which most of the time turns fatal to these not so mature, poor girls. In many cases, it has been observed that these poor children are made to work as child labours, day and night, which leads to the extreme depletion of the health of these growing children, and in some cases, even death has been witnessed as a consequence of malnutrition. Child trafficking is such an issue that is extremely difficult to track because it has spread its roots so deep that it is nearly unattainable to eliminate all these roots.

### **THE ROOTS ENABLING THE OCCURRENCE OF SUCH AN ISSUE**

We need to keep one thing in mind that before the eradication of this problem, the causes need to be observed and dealt with in sufficient detail. The causes of this problem have been mostly lack of basic literacy, lack of employment opportunities which of course is a bridge to poverty. If we look into the causes attentively, then it is easy to find that these are more of a social issue than a legal one. The main ingredient or element of this problem is nothing but certain factors of society that need to change. These factors that are above mentioned, have been a part of society for ages, and have been the source of destruction of societal harmony by creating problems like child trafficking and others. Lack of basic literacy affects society directly, as it keeps the dwellers of the society unaware of a lot of social and legal facts that

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they should be aware of, child trafficking being one of them. If the parents of these poor children will know the dreadfulness of such an issue residing in the society, then they will of course try their level best to keep their wards safe and sound as much as they can. Similarly, an increase in the employment opportunity will lead to a reduction in the feeling or sense of poverty among the children and as a result of which they will not think of desperately jumping into any opportunity coming their way, and they will always choose to complete their basic education because there will be a sense of financial security hence no burden.

### **SOME SALIENT PROVISIONS AGAINST TRAFFICKING**

The very fact is undeniable that the government has taken some measures keeping in mind this paramount problem. The presence of Article 23 makes the entire commission of Child Trafficking an explicit offence, which in itself is a huge pillar for the safety and sanity of society. This particular Article prohibits the performance of any kind of trafficking and forced employment of labours for begging and other inhuman practices, and this article claims consequential punishment of the offender. In other words, Article 23 prevents or forbids all types of exploitation concerning employment. The Immoral Traffic Prevention Act, 1986, also known as ITPA is an amended version of the Suppression of Immoral Traffic in Women and Girls Act, 1956. The ITPA has undergone further amendments in 2006 and 2018 respectively. These amendments of the particular act have led to the introduction of laws that are mostly friendlier to the victim. The best part of this act is that it also led to the establishment of a center aimed towards the rehabilitation of the victims of Trafficking. This rehabilitation center helps the victims in coming out of their tormenting phase and thus promises a better future for them in society. In addition to the aforementioned provisions, in 2013, the Indian Penal Code got amended to install new provisions aimed towards the protection of people against trafficking, which helps in keeping its pace with the UN Protocol and thus fabricates society to become a safer place to dwell in.

### **CONCLUSION**

Child Trafficking is an appalling social as well as a legal subject, which has built a bridge connecting society and the law. Numerous poor children are the victims of Child Trafficking which is extremely sad as well as heart wrecking. A sensitive and holistic approach is required for the development of society as well as the legal maxims. Awareness and education facilities are the keystones that can abolish the problem from society. To eradicate

this horrific issue, both law and society need to work hand in hand, because the morality and sanctity of the society when balanced with the legal provisions, can pave the way to success.



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