




HUMAN TRAFFICKING



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LAWS

- Constitution of India, 1950
- Immoral Traffic (Prevention) Act, 1956.
- Bonded Labour System (Abolition Act, 1976).
- The SC and ST (Prevention of Atrocities) Act 1989.
- The Transplantation of Human Organ Act, 1994.
- POCSO Act, 2012.
- Prohibition of Child Marriage Act, 2006.
- Juvenile Justice (Care and Protection of Children) Act, 2015.
- Child Labour (Prohibition Registration) Act, 2016.
- Bharatiya Nyaya Sanhita (BNS), 2023.



CONSTITUTION OF INDIA



CONSTITUTION OF INDIA, 1950

- Art 23: Prohibition of traffic in human beings and forced labours.
 - >Prohibits trafficking in human beings.
 - >Prohibits beggar.
 - >Prohibits forced labour in any form.

IMMORAL TRAFFIC (PREVENTION) ACT, 1956

The Act was initially passed as the Suppression of Immoral Traffic in Women and Girls Act (SITA) in 1956 by following the United Nations International Convention for Suppression of Traffic in Persons and of the Exploitation of others (Signed in New York) May 9th, 1950. It was later named the Immoral Traffic (Prevention) Act, 1956.

The SITA Act was amended to the current law. The laws were intended as a means of limiting and eventually abolishing prostitution in India by gradually criminalizing various aspects of sex works.

The ITPA Amendment Bill, 2006, was introduced on 22 May 2006 in the Lok Sabha. The bill deletes provisions that penalised prostitutes for soliciting clients. It penalizes any person visiting a brothel for the purpose of sexual exploitation of trafficked victims. The bill punishes trafficking for the purpose of prostitution. However, due to strong opposition and lack of consensus, it was never passed and lapsed with the dissolution of the 14th Lok Sabha in 2009

Section 3

Punishment for keeping a brothel or allowing premises to be used as a brothel

Section 4

Punishment for living on the earnings of prostitution

Section 5

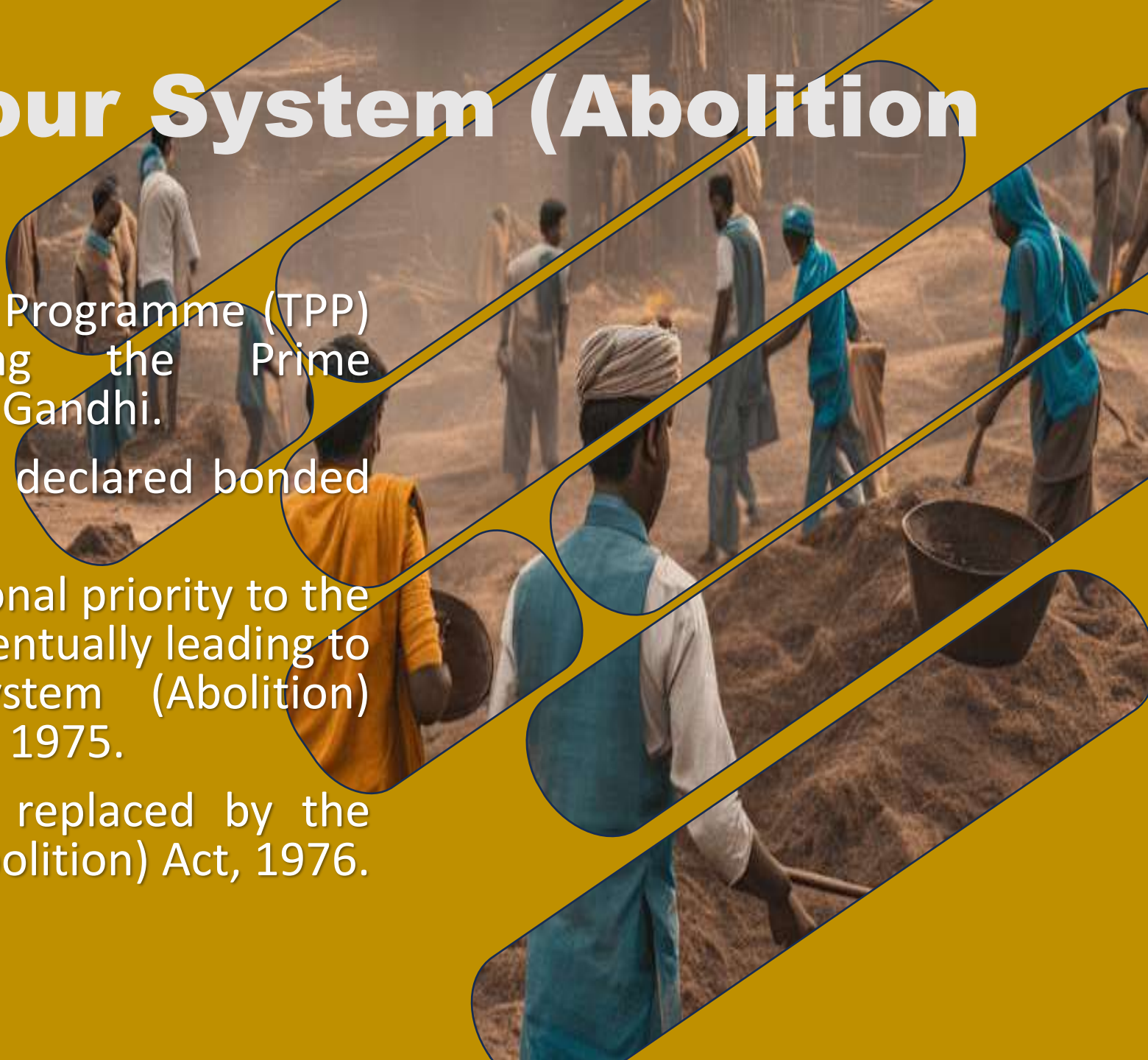
Procuring, inducing, or taking a person for the sake of prostitution.

Section 6

Detaining a person in premises where prostitution is carried on

Bonded Labour System (Abolition Act, 1976)

- In 1975, the Twenty Point Programme (TPP) was introduced during the Prime Ministership of Mrs. Indira Gandhi.
- Out of 20 points, Point '5' declared bonded labour as illegal.
- This programme gave national priority to the issue of bonded labour, eventually leading to the Bonded Labour System (Abolition) ordinance on 25th October, 1975.
- The ordinance was later replaced by the Bonded Labour System (Abolition) Act, 1976.



Continues...

- Bonded Labour System (Abolition) Amendment Act, 1985, under Section 2 of this Act brought contract and migrant labourers within the purview of this Act.

Sections	Provisions	Punishment	Classification
16	Punishment of enforcement of bonded labour.	Imprisonment for a term which may extend up to 3 years and fine up to Rs. 2000.	Cognizable and bailable.
17	Punishment of advancement of bonded debt.	Imprisonment for a term which may extend up to 3 years and fine up to Rs. 2000.	Cognizable and bailable.
18	Punishment for extracting bonded labour under the bonded labour system.	Imprisonment for a term up to 3 years and fine of up to Rs. 2000.	Cognizable and bailable.
19	Punishment for omissions or failure to restore possession of property to bonded labourers.	Imprisonment for a term of up to 1 year and fine of up to Rs. 1000.	Cognizable and bailable.

THE SC AND ST (PREVENTION OF ATROCITIES) ACT 1989.

Sections	Provision	Punishment
3 (h)	Makes a member of a Schedule Caste or a Scheduled Tribe to do beggar or other forms of forced or bonded labour other than any compulsory service for public purposes imposed by the government.	Imprisonment for a term which shall not be less than six months but which may extend to 5 years and with fine.
3(w)(i)	Intentionally touches a woman belonging to a Scheduled Caste or a Scheduled Tribe, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe, when such act of touching is of sexual nature and is without the recipient's consent.	Imprisonment for a term which shall not be less than six months but which may extend to 5 years and with fine.
3(w)(ii)	Users words, acts or gestures of a sexual nature towards a woman belonging to a Scheduled Caste or a Scheduled Tribes, knowing that she belongs to a Scheduled Caste or a Scheduled Tribe.	Imprisonment for a term which shall not be less than six months but which may extend to 5 years and with fine.
3(2)(v)	Commits any offences under the Indian Penal Code punishable with imprisonment for a term of ten years or more against a person or a property (knowing that such person is a member of a Scheduled Caste or such property belongs to such member).	Imprisonment for life and with fine.

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Amendment Act, 2015

- Expanded the list of offences/ atrocities.
- Provided for Special Courts and Exclusive Special Courts for speedy trial.
- Ensured rehabilitation and relief for victims.

Amendment Act, 2018

- Brought after the Supreme Court's 2018 Judgement in "Subash Kashinath Mahajan V. State of Maharashtra (2018) 6 SCC 454", which has introduced safeguards like prior sanctions before arrest.
- Parliament passed the 2018 amendment to nullify that judgment and restore the original intent of the Act.
- The changes were no need for prior approval before arrest of a public servant and no anticipatory bill for accused.



THE TRANSPLANTATION OF HUMAN ORGAN ACT, 1994

- The primary aim was to regulate the removal, storage, and transplantation of human organs and tissues for therapeutic purposes and while also preventing commercial dealings in organs.

Sections	Provisions	Punishments
18	Punishment for the removal of a human organ without authority	18(1)- imprisonment which may extend to 5 years & fine which may extend to 10000rs.
		18(2)- if a registered medical practitioner, he should be reported to state medical council also removal of his name from the register for 2 years for 1 offence and permanently for subsequent offence.
19		Imprisonment which may extend to 7 years & fine which may extend to 20000rs.

Protection of Children from Sexual Offences(POCSO) Act, 2012

Sections	Provisions	Punishment
4	Punishment for penetrative sexual assault	Imprisonment of either description for a term which shall not be less than 10 years but which may extend to imprisonment for life and shall also be liable to fine.
6	Punishment for aggravated penetrative sexual assault	Rigorous imprisonment for a term which shall not be less than 20 years but which may extend to imprisonment for life and shall also be liable to fine.
8	Punishment for sexual assault	Imprisonment for either description for a term which shall not be less than 3 years but which may extend to 5 years and shall also be liable to fine.
10	Punishment for aggravated sexual assault	Imprisonment for either description for a term which shall not be less than 5 years but which may extend to 7 years, and shall also be liable to fine.
12	Punishment for sexual harassment	Imprisonment of with either description for a term which may extend to 3 years and shall also be liable to fine.

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Sections	Provisions	Punishment
14	Punishment for using child for pornographic purpose.	Imprisonment of either description which may extend to 7years and shall also be liable to fine.
15	Punishment for storage of pornographic material involving child.	Imprisonment of either description which may extend to 7 years or with fine or with both.
17	Punishment for abetment.	If act committed in consequence of the abetment, shall be punished with punishment provided for that offence.
18	Punishment for attempt to commit an offence.	Imprisonment of any description provided for the offence, for a term which may extend to one-half of the imprisonment for life, or as the case may be, one half of the longest term of imprisonment provided for that offence or with fine or with both.

PROHIBITION OF CHILD MARRIAGE ACT, 2006

- It was felt that Child Marriage Restraint Act, 1929 did not achieve the desired result.
- Despite punishment provided for Child Marriage and despite making the punishment more stringent, the menace of child marriage could not be completely eradicated.
- There were demands from various quarters for making an effective law for this purpose.



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Sections	Provision	Punishment
9	Punishment for male adult (above 18 years) marrying a child.	Rigorous imprisonment which may extend to 2 years or with fine which may extend to 1 lakh rupees or with both.
10	Punishment for solemnizing a child marriage (performs, conducts or directs or abets any child marriage).	Rigorous imprisonment which may extend to 2 years and shall be liable to fine which may extend up to 1 lakh rupees.
11	Punishment for promoting or permitting solemnizing of child marriages.	Rigorous imprisonment which may extend to 2 years and shall be liable to fine which may extend up to 1 lakh rupees.
12	If a child is enticed out of the keeping of a lawful guardian, is made to go from one place to another by force or deceitful means, or if a minor is sold for marriage, or after marriage is sold trafficked for marriage or immoral purposes.	Such marriage shall be null and void.



JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015

- The main objective of this act was to minimize the contact of minors with the criminal justice system.
- Primary focus of the act is towards rehabilitation and reformation of minor offenders and keeping them away from punitive form.

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Sections	Provision	Punishment
76	Employment of child for begging.	Imprisonment for a term which may extend to 5 years and fine of Rs. 1 lakh if amputates or maims a child rigorous imprisonment for a term not less than 7 years which may extend to 10 years and fine of Rs. 5 lakhs.
78	Using a child for vending peddling, carrying, supplying or smuggling any intoxicating liquor, narcotic drug or psychotropic substances.	Rigorous imprisonment for a term which may extend to 7 years and a fine up to Rs. 1 lakh.
79	Exploitation of a child employee- child labour or bonded labour.	Rigorous imprisonment for a term which may extend to 5 years and a fine up to Rs. 1 lakh.
80	Punitive measures for adoption without following prescribed procedures.	Imprisonment for a term which may extend up to 3 years and finr of Rs. 1 Lakh or both.

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Sections	Provision	Punishment
81	Sale and procurement of children for any purpose.	Rigorous imprisonment for a term which may extend to 5 years and a fine of Rs. 1 Lakh.
	If this offence committed by a person in charge of the child.	Rigorous imprisonment for a term which is not less than 3 years and may extend up to 7 years.
83	Use of child militant group or other adults.	Rigorous imprisonment for a term which may extend to 7 years and shall also be liable to fine of Rs. 5 lakh.
84	Kidnapping and abduction of child.	As per IPC 359- 369. (Now 137 (1), 137(1)(a), 137(1)(b), 137(2), 138, 139, 140(1), 140(3), 140(3), 140 (4), 141, 87,142,97 of BNS).

CHILD LABOUR (PROHIBITION REGULATION) ACT, 2016.

- This act came into existence mainly to strengthen India's legal framework against child labour.
- As there were lots of gaps in earlier law i.e., Child Labour (Prohibition and Regulation) Act, 1986.
- Trafficking brings children in exploitation and the Child Labour Prohibition Regulation Act criminalizes the use of those trafficked children in work.

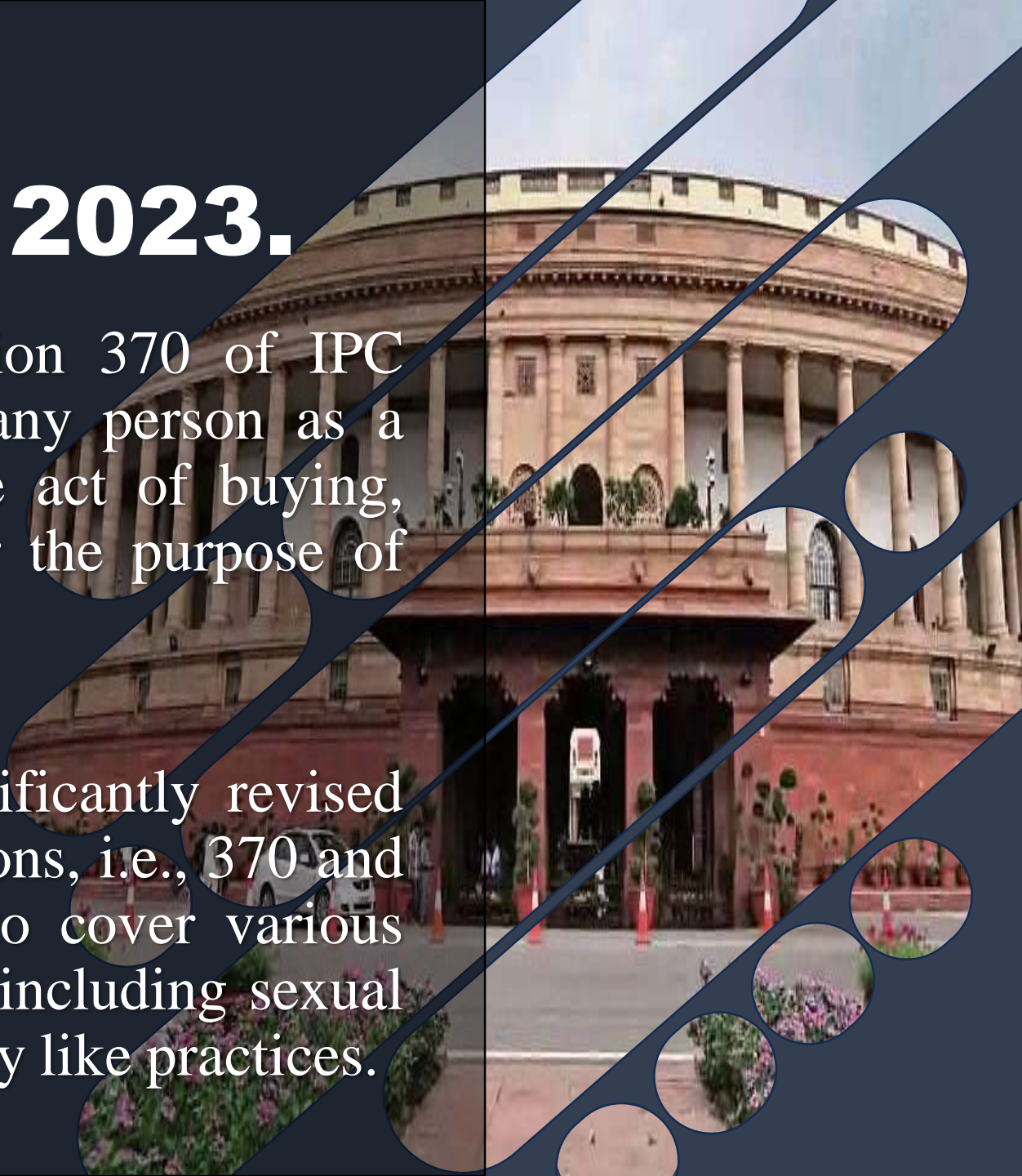


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Sections	Provisions	Punishment
14(1)	For employment of child in any occupation or process, in violation of Section 3 of the Act and corresponding rules.	Imprisonment for a term which shall not be less than 6 months but which may extend to 2 years or with fine which shall not be less than 20000 rupees but which may extend to 50000 rupees, or with both this is a cognizable offence.
14(1A)	For employment of adolescent in any hazardous occupation or process listed in the Schedule.	Imprisonment for a term which shall not be less than 6 months but which may extend to 2 years or with fine which shall not be less than 20000 rupees but which may extend to 50000 rupees, or with both. This is a cognizable offence.
14(2)	A repeat offence of the above stated sections.	Imprisonment for a term which shall not be less than 1 year but which may extend to 3 years.
14(B) & (2A)	Parents who commit a repeat offence.	Fine which extend to 10000 rupees.
14(3)	Violation of any other section of the Act including conditions for adolescents to work.	Imprisonment for a month or with fine of 10000 rupees or with both.

CRIMINAL LAW (Amendment) Act, 2023.

- Before the 2013 Amendment, Section 370 of IPC dealt with buying or disposing of any person as a slave. It essentially criminalized the act of buying, selling, or trafficking in persons for the purpose of slavery
- However, the 2013 amendment significantly revised this section and introduced new sections, i.e., 370 and 370A, which broadened the scope to cover various forms of trafficking for exploitation, including sexual exploitation, forced labour, and slavery like practices.



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- After the incident of the Nirbhaya Case (2017) 6 SCC 1, the government instituted the committee headed by Justice J. S. Verma to look into the needed amendments in the criminal laws to make them more stringent and coincide with the needs of society.
- The basic purpose of this committee was to recommend amendments in criminal law to provide speedy trials in cases, especially crimes against women.





BHARATIYA NYAYA SANHITA, 2023

- It came into effect on July 1, 2024, replacing the IPC, where trafficking is now explicitly classified as ‘organized crime’ under the BNS, 2023.
- The organized crimes have been defined under Section 111 of the Bharatiya Nyaya Sanhita, 2023.
- The Bharatiya Nyaya Sanhita has implemented rigorous punishments, as well as the new section, i.e., Section 95, which deals with ‘Hiring, employing or engaging a child to commit an offence’.

Indian Penal Code, 1860

- Section 370 (1)- Whoever, for the purpose of exploitation, (a) recruits, (b) transports, (c) harbours, (d) transfers, or (e) receives, a person or persons, by—
 - First.— using threats, or
 - Secondly.— using force, or any other form of coercion, or
 - Thirdly.— by abduction, or
 - Fourthly.— by practising fraud, or deception, or
 - Fifthly.— by abuse of power, or
 - Sixthly.— by inducement, including the giving or receiving of payments or benefits, in order to achieve the consent of any person having control over the person recruited, transported, harboured, transferred or received, commits the offence of trafficking.

Indian Penal Code, 1860

Sections	Provisions	Punishments
370(2)	Punishment for offence of trafficking.	Rigorous imprisonment of 7 years, extendable to 10 years and liable to fine.
370(3)	Punishment for the offence of trafficking of more than one person.	Rigorous imprisonment of 10 years which may extended to life and also shall be liable to fine.
370(4)	Punishment for the offence involving trafficking of a minor.	Rigorous imprisonment of 10 years which may extended to life and shall also be liable to fine.
370(5)	Punishment for the offence involving trafficking of more than one minor.	Rigorous imprisonment of 14 years which may extended to life imprisonment and shall also be liable to fine.
370(6)	Punishment for a person convicted of the offence of trafficking of a minor on more than one occasion.	Imprisonment for life, which shall mean imprisonment for the remainder of the person's natural life and shall also be liable to fine.
370(7)	Punishment for public servant or a police officer involved in trafficking of any person.	Imprisonment for life, which shall mean imprisonment for the remainder of the person's natural life and shall also be liable to fine.

Indian Penal Code, 1860

Sections	Provisions	Punishments
370 A(1)	Punishment for a person who engages a trafficked minor for sexual exploitation.	Rigorous imprisonment for 5 years, which may extend up to 7 years and shall be liable to fine.
370 A(2)	Punishment for a person who engages a trafficked person for sexual exploitation.	Rigorous imprisonment for 3 years, which may be extended up to 5 years, and also shall be liable to a fine.
370 A	Punishment for exploitation of trafficked person.	Rigorous imprisonment for term not less than 5 years but may extended to 7 years and shall also be liable to fine.
371	Punishment habitual dealing in slaves.	Imprisonment for life or imprisonment for 10 years and liable to fine.
372	Punishment for selling minor for purpose of prostitution etc.	Rigorous imprisonment of 10 years and shall be liable to fine.
373	Punishment for buying minor for purpose of prostitution.	Rigorous imprisonment of 10 years and shall be liable to fine.
374	Punishment for unlawful compulsory labour.	Imprisonment for 1year or fine or with both.

Indian Penal Code, 1860

Sections	Provisions	Punishments
363A	Punishment for Kidnapping or maiming a minor for purpose of begging.	Maiming-Imprisonment for life and shall be liable to fine. Kidnapping- imprisonment 10 years and fine.
366A	Punishment for procuration of minor girl.	imprisonment for 10 years, and also shall be liable to a fine.
366B	Punishment for importation of girl from foreign country.	imprisonment for 10 years and shall also be liable to fine.
366	Punishment for kidnapping abducting or inducing women to compel her marriage etc..	Imprisonment for 10 years and liable to fine.
367	Punishment for kidnapping or abducting in order to subject the person to grievous hurt, slavery etc.	imprisonment for 10 years and shall be liable to fine.

Bharatiya Nyaya Sanhita, 2023

Sections	Provisions	Punishments
143(2)	Punishment for offence of trafficking.	Rigorous imprisonment of 7 years, extendable to 10 years and liable to fine.
143(3)	Punishment for the offence of trafficking of more than one person.	Rigorous imprisonment of 10 years which may extended to life and also shall be liable to fine.
143(4)	Punishment for the offence involving trafficking of a minor.	Rigorous imprisonment of 10 years which may extended to life and shall also be liable to fine.
143(5)	Punishment for the offence involving trafficking of more than one minor.	Rigorous imprisonment of 14 years which may extended to life imprisonment and shall also be liable to fine.
143(6)	Punishment for a person convicted of the offence of trafficking of a minor on more than one occasion.	Imprisonment for life, which shall mean imprisonment for the remainder of the person’s natural life and shall also be liable to fine.
143(7)	Punishment for public servant or a police officer involved in trafficking of any person.	Imprisonment for life, which shall mean imprisonment for the remainder of the person’s natural life and shall also be liable to fine.

Bharatiya Nyaya Sanhita, 2023

Sections	Provisions	Punishments
144(1)	Punishment for a person who engages a trafficked minor for sexual exploitation.	Rigorous imprisonment for 5 years, which may extend up to 10 years and shall be liable to fine.
144(2)	Punishment for a person who engages a trafficked person for sexual exploitation.	Rigorous imprisonment for 3 years, which may be extended up to 10 years, and also shall be liable to a fine.
144	Punishment for exploitation of trafficked person.	Rigorous imprisonment for term not less than 5 years but may extended to 10 years and shall also be liable to fine.
145	Punishment habitual dealing in slaves.	Imprisonment for life or imprisonment which may not be exceeding 10 years and liable to fine.
98	Punishment for selling child for purpose of prostitution etc.	Imprisonment of either description for a term which may extend to 10 years and shall also be liable to fine.
99	Punishment for buying child for purpose of prostitution.	Imprisonment of either description for a term which shall not be less than 7 years but which may extend to 14 years and shall also be liable to fine.
146	Punishment for unlawful compulsory labour.	Imprisonment of either description for a term which may extend to 1 year or with fine or with both.

Bharatiya Nyaya Sanhita, 2023

Sections	Provisions	Punishments
139	Punishment for Kidnapping or maiming a child for purpose of begging.	Maiming-Imprisonment which shall not be less than 20 years but which may extend to life which shall mean imprisonment for remainder of the person natural life and shall be liable to fine. Kidnapping- rigorous imprisonment 10 years but may extend to imprisonment for life and shall also be liable to fine.
96	Punishment for procuration of child.	imprisonment for 10 years, and also shall be liable to a fine.
141	Punishment for importation of girl or boy from foreign country.	imprisonment for 10 years and shall also be liable to fine.
87	Punishment for kidnapping abducting or inducing women to compel her marriage etc..	Imprisonment for 10 years and liable to fine.
140(4)	Punishment for kidnapping or abducting in order to subject the person to grievous hurt, slavery or unnatural lust of any person	imprisonment for 10 years and shall be liable to fine.
95	Hiring employing or engaging a child to commit an offence.	Imprisonment of either description which shall not be less than 3 years but may extend 10 years and with fine and if the offence be committed, shall also be punished with the punishment provided for that offence as if the offence has been committed by such person himself.



BILLS

- Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018:

The 2018 bill was tabled in the Lok Sabha and passed in July 2018. However, the bill never made it to the Rajya Sabha following public disapproval. It was criticised for being too criminal-centric and not victim-centric enough.



BILLS

- Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2021:

It was reintroduced with a broader scope, which covers all citizens and extends to trafficking with cross-border implications.

It recognizes transgender people as victims, enabling more inclusive coverage.

However, the bill remained pending and was not enacted.

CASE LAWS:

- Vishal Jeet V. UOI AIR 1990 SC 1412:

The Petitioner filed a PIL under Article 32 he sought directions to curb child prostitution, devdasi system and trafficking of young girls into brothels and red light areas.

The petitioner argued on behalf of thousands of children particularly from poor families who were being forced into prostitution, due to poverty and illiteracy and lack of enforcement laws.

Verdict: The SC recognised child prostitution and trafficking as a grave violation of Art 21 and held that poverty or social custom cannot justify exploitation of children. The SC directed both the Union and state govt to take stringent and effective measures to combat the problem.

CASE LAWS:

- Vishal Jeet V. UOI AIR 1990 SC 1412:

Guidelines:

- >constitute advisory committees at national and state level to deal with child prostitution.
- >rehabilitation measures, provide home and vocational training and education for rescued children.
- >strict enforcement of existing laws i.e., Immoral Traffic (prevention) Act (1956) and the IPC provisions on trafficking, kidnapping and sexual exploitation.
- >establish special police squad to check the brothels, red light areas and prevent child trafficking.
- >govt to set up rehabilitation homes .

CASE LAWS:

- Bachpan Bachao Andolan V. UOI [2011] 5 SCC 1:

Filed as a PIL by Kailash Satyarthi's organisation, highlighting a large no. of missing children and trafficked children across India. Police refusal to register FIR for missing children and lack of rescue operations, rehabilitation homes, and monitoring mechanisms.

The plea was that state inaction violates the constitutional and human rights of millions of children. (Art 21, 21A, 23, 24, 39(e) & (f), 45).

Failure of statutory duties by the State, such as improper enforcement of the Child Labour (Prohibition & Regulation) Act, 1986, failure in rescuing and rehabilitating under the Juvenile Justice Act, 2000, failure to address the rampant issue of bonded labour in workshop factories, circuses etc., inadequate enforcement against child trafficking under Immoral Traffic (Prevention) Act, 1956.

CASE LAWS:

- Bachpan Bachao Andolan V. UOI [2011] 5 SCC 1:

SC Guidelines:

- >every missing child must be registered as a case of trafficking or abduction until recovered.
- >police must not refuse to lodge FIR.
- >special juvenile police units (SJPU) units to set up in every district and strengthen Anti- Human trafficking units (AHTUs).
- >creation of centralised online portal (trap child) for monitoring and recovery of missing children.
- >Missing children to be produced before child welfare committee(CWC).
- >order for setting up child protection homes, rehabilitation schemes and tracking system.

CASE LAWS:

- Prajwala V. UOI [W.P. (c) No. 56/2004]:

Prajwala an NGO working on trafficking and sexual exploitation of women and children exposed serious lapses in India's response to human trafficking, sexual violence, videos and child pornography.

The NGO sent a letter to the SC enclosing two CDs showing sexual assault which the court treated as writ petition (criminal). The SC converted it into continuing mandamus because the issue required ongoing monitoring.

The issues raised was the failure of govt to tackle human trafficking and sexual exploitation, circulation of rape videos and child pornography through social media and messaging platform.

They highlighted the need of comprehensive anti trafficking law and comprehensive victim protection, rehabilitation and witness protection.

CASE LAWS:

- Prajwala V. UOI [W.P. (c) No. 56/2004]:

SC Guidelines/Directions:

- >on rape videos and child pornography, the apex court directed govt directed internet service provider (ISP) to block website carrying child sexual abuse material (CSAM).
- >mandated mechanism for reporting and removing such content.
- >on trafficking and rehabilitation, national level committee to draft the law for victim protection protocols and rehabilitation and reintegration scheme for survivors and recommended training of police and prosecutors in handling trafficking case sensitively.
- >on legal reforms, the court directed the govt to draft trafficking of person (prevention, protection and rehabilitation) Bill, 2018.
- >it linked POCSO Act, 2012, IT Act 2000 and immoral traffic prevention act, 1956 stressing coordinated enforcement.

CASE LAWS:

- Pinki V. State of Uttar Pradesh SLA (Cr1) No. 4658/2025:

A group of 13 accused person were granted bail by Allahabad High Court in cases related to inter state child trafficking including kidnapping and sale of minors and infants.

Most of the accused absconded post bail severely compromising the trial process. The accused were alleged to be members of well- organized gang operating across state involved in trafficking new borns and children for amount ranging from 5lakhs to 10 lakh rupees.

CASE LAWS:

- Pinki V. State of Uttar Pradesh SLA (CrI) No. 4658/2025:

Guidelines/Directions:

- >The court must exercise heightened scrutiny before granting bail in trafficking cases, it must not given casually and if granted it must carry strict conditions.
- In relation to hospital, if new born is trafficked from hospital, the hospital license shall be suspended. The hospital must bare a strict duty of care to ensure infants are safe at birth.
- on trial proceeding, special public prosecutors must be appointed in all child trafficking cases.
- The trial shall be conducted in time bound manner, ideally within six months.
- HC and state govt must actively monitor pending trafficking trials.
- The state must adopt BIRD (Bhartiya institute of research and development) Report, 2023 on child trafficking data and missing children.

CASE LAWS:

- Pinki V. State of Uttar Pradesh SLA (CrI) No. 4658/2025:

BIRD Report Recommendations:

- In this case the SC directed all the state govts to implement BIRD Report.
- The missing children to be treated as trafficking/abduction cases initially.
- Establish independent AHTUs (Anti Human trafficking Units) in every district.
- Mandatory use of material and forensic evidence, digital videography and witness protection measures.
- Victims to be treated with dignity, privacy and provided with interpreters.
- Child friendly courts and video conferencing for victim testimonies.
- Strong witness protection to be institutionalised.

CASE LAWS:

Pinki V. State of Uttar Pradesh SLA (Cr1) No. 4658/2025:

- Enforce relevant laws such as Juvenile Justice Act, Child Labour Act, Contract Labour (Regulation and Abolition) Act, Bonded Labour System (Abolition) Act, the Immoral Traffic prevention Act.
- Establish Child Welfare Committees (CWC) in every district with proper infrastructure and multidisciplinary composition.
- FIR information Report to be mandatory filed in all child labour cases.
- Promote community policing and involving NGOs in rescue and rehabilitation.
- Strict action against brothel keepers, traffickers, corrupt officials.
- Rehabilitation of sex workers and victims into dignified livelihoods.

NEWS REPORTS

- Three girls from Sikkim, who had initially claimed to be employed at a hotel in Rangpo, were found to have been victims of human trafficking in Siliguri.
- The rescue operation was led by Bindu Sharma, the director of the Global Human Rights Peace Foundation, an NGO based in Siliguri. On June 4, 2025 the organization formally handed over the rescued girls to the Sikkim Police in the presence of their families.
- Upon receiving the alert, the Global Human Rights Peace Foundation, in collaboration with SDPO Soreng, successfully established the girls' identities and confirmed that they were originally from Sikkim. A rescue team led by DIGP and Dy.SP of AHTU, along with police personnel, traveled to Siliguri and formally took custody of the girls with support from the local NGO Global Human Rights Peace Foundation. They were brought back to Gangtok the same day.
- The girls have been admitted to the "One Stop Centre" at Lumsey, Tadong, where they are receiving medical attention, psychological counseling, and shelter. The Child Welfare Committee (CWC) has been informed, and all legal formalities for reintegration are being followed.

(<https://thesikkimtoday.com/sikkim-news-today/three-sikkim-girls-rescued-from-human-trafficking-in-siliguri/>) *The Sikkim Today*

NEWS REPORTS

- In 2023, a person named Joy Narayan Mondol of Uttar Dinajpur, WB was intercepted at Melli Check-post in a vehicle SK 04 T 0742 en-route Siliguri along with a minor girl of Geyzing District. Since the girl was seemingly unwell, she was taken to Melli PHC for medical attention while the person was subjected to interrogation.
- During enquiry it was learnt that the minor girl was taken to Jorethang by the aforementioned person on the pretext of buying a phone without the knowledge and consent of her lawful guardian and from where she was being taken to Siliguri with a criminal intention but was intercepted by the staffs of Melli check post.
- Due to alertness on duty of Police staffs and cooperation from the driver of vehicle the minor was handed over back to her legal guardian.

<https://voiceofsikkim.com/sikkim-police-alertness-on-time-saves-minor-girl-before-getting-trafficked-trafficker-arrested/> *The voice of Sikkim.*

NEWS REPORTS

- In 2022, the Assam Police, with the help of their Sikkim counterparts, rescued 14 more trafficked children, including eight girls, from the Himalayan state, police said on Wednesday.
- The Assam Police, with the help of the Sikkim Police, had, two weeks ago, rescued 40 children, including 16 girls, and two adults trafficked earlier, from Sikkim and brought them back home.
- Police said that all the 55 children and women were trafficked to Sikkim on different occasions long back and illegally engaged in domestic and other work. “The kingpin of the human trafficking racket, Krishna Yogi was also arrested. The victims were lured with better-paying employment opportunities. There are reports that many other children and women from Assam were also trafficked to Sikkim.

(<https://www.sentinelassam.com/topheadlines/13-children-women-trafficked-from-assam-rescued-in-sikkim-550333>) *The Sentinel*.

NEWS REPORTS

- 16 Aug 2016: A joint team of Delhi and Sikkim police rescued a 16-year-old from a brothel in G.B. Road last week. A police official said that it was first of its kind case when a trafficked minor girl from Sikkim being recovered from the capital.
- <https://www.manipur.org/news/2016/08/17/human-trafficking-racket-sikkim-girl-rescued-from-brothel-in-delhi/> *The Manipur News*