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LEGAL PROTECTION AND REHABILITATION OF CHILD TRAFFICKING VICTIMS UNDER THE JUVENILE JUSTICE SYSTEM

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ABSTRACT

Child trafficking is a serious violation of children's rights and human dignity, exposing children to exploitation such as forced labour, sexual abuse, domestic servitude, and illegal activities. Despite constitutional safeguards and various legal provisions, child trafficking remains a major challenge in India due to poverty, illiteracy, migration, and weak implementation of laws.

This study examines the legal protection and rehabilitation of child trafficking victims under the Juvenile Justice (Care and Protection of Children) Act, 2015. It analyses the role of key institutions such as the Child Welfare Committee (CWC), Juvenile Justice Board (JJB), District Child Protection Unit (DCPU), and Child Care Institutions (CCIs) in ensuring the rescue, care, protection, rehabilitation, and social reintegration of trafficked children. The study also discusses the constitutional provisions, relevant legislations, and international conventions that safeguard the rights of child victims.

The research adopts a doctrinal methodology based on statutes, judicial decisions, books, journal articles, and government reports. It identifies gaps in the implementation of rehabilitation measures, including inadequate infrastructure, lack of trained personnel, poor coordination among agencies, and the risk of re-trafficking.

The study concludes that while the Juvenile Justice Act, 2015 provides a comprehensive legal framework for the protection and rehabilitation of child trafficking victims, effective implementation, stronger institutional coordination, and a child-centred approach are essential to ensure justice, restore dignity, and promote the long-term rehabilitation and reintegration of trafficked children.

INTRODUCTION:

Child trafficking is one of the most serious forms of human rights violations, affecting the safety, dignity, and overall development of children.¹ Children are trafficked for various purposes, including forced labour, commercial sexual exploitation, domestic servitude, forced begging, illegal adoption, and other forms of exploitation. Such practices deprive children of their fundamental rights guaranteed under the Constitution of India and international human rights instruments. Poverty, illiteracy, unemployment, family breakdown, migration, and organized criminal networks are among the major factors contributing to child trafficking.

To address this issue, India has enacted several laws, including the Juvenile Justice (Care and Protection of Children) Act, 2015, which provides a comprehensive framework for the care, protection, rehabilitation, and social reintegration of trafficked children. The Act recognizes trafficked children as “children in need of care and protection” and establishes institutions such as the Child Welfare Committee (CWC), Juvenile Justice Board (JJB), and Child Care Institutions (CCIs)² .To ensure their welfare. In addition, constitutional provisions and laws such as the Protection of Children from Sexual Offences Act, 2012, and the Bharatiya Nyaya Sanhita, 2023 strengthen the legal framework against child trafficking.

This study examines the legal protection and rehabilitation mechanisms available to child trafficking victims under the Juvenile Justice System and evaluates their effectiveness in ensuring justice, recovery, and successful social reintegration.

EVOLUTION OF THE JUVENILE JUSTICE ACT IN INDIA:

The Juvenile Justice system in India has evolved significantly to ensure the care, protection, rehabilitation, and development of children. During the pre-independence period, separate laws such as the Apprentices Act, 1850 and the Reformatory Schools Act, 1897³ focused mainly on the treatment and reform of juvenile offenders. After Independence, the need for a uniform child protection law led to the enactment of the Juvenile Justice Act, 1986, which was India’s first comprehensive legislation dealing with juveniles in conflict with the law and children in need of care and protection.

¹ Convention on the Rights of the Child, November 20, 1989.

² Juvenile justice (care and protection of children) Act, 2015,

³ Apprentices Act, 1850; Reformatory Schools Act, 1897.

Following India's ratification of the United Nations Convention on the Rights of the Child (UNCRC) ⁴in 1992, the Juvenile Justice (Care and Protection of Children) Act, 2000 replaced the 1986 Act. It introduced a child-friendly approach and emphasized rehabilitation, social reintegration, and the protection of children's rights. The Act was further amended in 2006 and 2011 to strengthen adoption procedures and child protection mechanisms.

The Juvenile Justice (Care and Protection of Children) Act, 2015⁵, currently in force, was enacted to address emerging challenges and to strengthen child protection. It established institutions such as the Child Welfare Committee and Juvenile Justice Board and emphasized rehabilitation, family-based care, adoption, foster care, and the best interests of the child. Today, the Act serves as the cornerstone of India's child protection and juvenile justice system.

HISTORICAL DEVELOPMENT OF CHILD PROTECTION:

The concept of child protection has evolved from a welfare-based approach to a rights-based approach. In ancient and medieval times, children were largely considered the responsibility of their families, and there were few legal safeguards against abuse, exploitation, or neglect. During the colonial period in India, laws such as the Apprentices Act, 1850 and the Reformatory Schools Act, 1897 introduced measures for the care and reform of juvenile offenders. After Independence, the Constitution of India recognized the need to protect children through Articles 15(3), 21, 23, 24, and the Directive Principles of State Policy. Internationally, the adoption of the United Nations Convention on the Rights of the Child (UNCRC), 1989⁶ marked a significant shift by recognizing children as rights holders. In India, the Juvenile Justice (Care and Protection of Children) Act, 2015 strengthened the legal framework by ensuring the care, protection, rehabilitation, and social reintegration of vulnerable children, including victims of trafficking.

ROLE OF THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015 IN THE PROTECTION AND REHABILITATION OF CHILD TRAFFICKING VICTIMS:

The Juvenile Justice (Care and Protection of Children) Act, 2015 is the principal legislation governing the protection and rehabilitation of child trafficking victims in India. The Act adopts

⁴ Convention on the Rights of the Child, Nov. 20, 1989.

⁵ Juvenile Justice (Care and Protection of Children) Act, 2015

⁶ Convention on the Rights of the Child, Nov. 20, 1989.

a child-centred and rights-based approach by recognizing trafficked children as “children in need of care and protection” under Section 2(14)⁷. Instead of treating trafficked children as offenders, the Act focuses on their rescue, care, rehabilitation, and social reintegration.

The Act establishes various institutional mechanisms such as the Child Welfare Committee (CWC)⁸, Juvenile Justice Board (JJB), District Child Protection Unit (DCPU), Special Juvenile Police Unit (SJPU), and Child Care Institutions (CCIs) to ensure the protection of child victims. After rescue, every trafficked child must be produced before the Child Welfare Committee, which prepares an Individual Care Plan and decides the most appropriate rehabilitation measures based on the child’s best interests.

The Act provides comprehensive rehabilitation measures, including safe shelter, medical treatment, psychological counselling, legal aid, education, vocational training, family restoration, foster care, sponsorship, adoption, and aftercare programmes. These measures aim to restore the physical, emotional, educational, and social well-being of child trafficking victims and prevent their re-trafficking.

The Juvenile Justice Act also promotes coordination among police authorities, child protection agencies, legal services authorities, and non-governmental organizations to ensure effective implementation of rehabilitation programmes. By emphasizing the principles of the best interests of the child, dignity, non-discrimination, and rehabilitation, the Act provides a comprehensive legal framework for protecting child trafficking victims and facilitating their successful reintegration into society. Thus, the Juvenile Justice Act, 2015 serves as the cornerstone of India’s child protection system and plays a crucial role in securing justice and a better future for trafficked children.

CAUSES AND CONSEQUENCES OF CHILD TRAFFICKING:

Child trafficking is a complex social and criminal issue caused by a combination of economic, social, and institutional factors. Poverty is one of the primary causes, as financially vulnerable families are often deceived by traffickers with false promises of employment, education, or a better life for their children. Illiteracy, unemployment, family breakdown, migration, natural

⁷ juvenile Justice (Care and Protection of Children) Act, 2015, section 2(14).

⁸ Id section 27.

disasters, gender discrimination, and lack of awareness further increase children's vulnerability to trafficking. Weak law enforcement, corruption, and the demand for cheap labour, commercial sexual exploitation, forced begging, illegal adoption, and child marriage also contribute significantly to the growth of child trafficking.

The consequences of child trafficking are severe and long-lasting. Trafficked children are often subjected to physical violence, sexual abuse, forced labour, psychological trauma, malnutrition, and deprivation of education. Many suffer from depression, anxiety, post-traumatic stress disorder (PTSD), and social isolation, which adversely affect their physical and mental development. Trafficking also violates the fundamental rights of children, including their rights to life, liberty, dignity, education, and protection from exploitation. In many cases, rescued children face social stigma and the risk of re-trafficking due to inadequate rehabilitation and family support. Therefore, addressing the root causes of child trafficking and ensuring effective legal protection, rehabilitation, and social reintegration are essential for safeguarding the rights and future of every child.

NATIONAL LEGAL FRAMEWORK FOR THE PROTECTION AND REHABILITATION OF CHILD TRAFFICKING VICTIMS UNDER THE JUVENILE JUSTICE SYSTEM:

India has developed a comprehensive national legal framework to combat child trafficking and ensure the protection, care, rehabilitation, and reintegration of child victims. The legal framework is based on the Constitution of India, the Juvenile Justice (Care and Protection of Children) Act, 2015, and various special legislations that collectively safeguard children from exploitation and promote their welfare. The primary objective of these laws is not only to punish traffickers but also to restore the dignity, rights, and overall development of trafficked children.

The Constitution of India forms the foundation of child protection. Articles 14 and 15(3)⁹ guarantee equality before the law and permit the State to make special provisions for children. Article 21 protects the right to life and personal liberty, which includes the right to live with dignity. Article 21A guarantees free and compulsory education for children between six and fourteen years of age. Article 23 expressly prohibits trafficking in human beings and forced

⁹ INDIA CONST. arts. 14 & 15(3).

labour, while Article 24 prohibits the employment of children in hazardous occupations. These constitutional provisions impose a duty on the State to protect children from exploitation and ensure their development.

The Juvenile Justice (Care and Protection of Children) Act, 2015 is the principal legislation governing the protection and rehabilitation of child trafficking victims. It recognizes trafficked children as “children in need of care and protection” and establishes institutions such as the Child Welfare Committee (CWC), Juvenile Justice Board (JJB), District Child Protection Unit (DCPU), and Child Care Institutions (CCIs). The Act provides for rescue, shelter, medical care, counselling, education, vocational training, family restoration, foster care, adoption, and social reintegration.

Other important legislations include the Bharatiya Nyaya Sanhita, 2023, which criminalizes trafficking in persons, the Protection of Children from Sexual Offences Act, 2012¹⁰, which safeguards children from sexual exploitation, and the Immoral Traffic (Prevention) Act, 1956¹¹, which addresses trafficking for commercial sexual exploitation. The Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 also protects children from labour exploitation.

Thus, India’s national legal framework adopts a child-centred and rights-based approach by combining preventive measures, criminal sanctions, and rehabilitation mechanisms. Effective implementation of these laws is essential to ensure justice, protection, and long-term rehabilitation for child trafficking victims under the Juvenile Justice System.

CONSTITUTIONAL FRAMEWORK:

The Constitution of India provides the foundation for the protection of children from trafficking and exploitation.

1.1 Article 14 – Right to Equality

Article 14 guarantees equality before the law and equal protection of the laws. Every trafficked child is entitled to equal legal protection irrespective of caste, religion, gender, or socio-

¹⁰ Protection of Children from Sexual Offences Act, 2012.

¹¹ Immoral Traffic (Prevention) Act, 1956.

economic status.

1.2 Article 15(3)

Article 15(3) empowers the State to make special provisions for women and children. This constitutional provision justifies child protection laws such as the Juvenile Justice Act, 2015 and the POCSO Act, 2012.

1.3 Article 21

Article 21 guarantees the right to life and personal liberty. The Supreme Court has interpreted this provision to include the right to live with dignity, health, education, shelter, privacy, and protection from exploitation. Child trafficking directly violates these constitutional rights.

1.4 Article 21A

Article 21A guarantees free and compulsory education for children between six and fourteen years of age. Trafficking interrupts education and therefore infringes this constitutional guarantee.

1.5 Article 23

Article 23 expressly prohibits trafficking in human beings, begar, and other forms of forced labour. It forms the constitutional basis for anti-trafficking legislation in India.

1.6 Article 24

Article 24 prohibits the employment of children below fourteen years in factories, mines, and other hazardous occupations. This provision protects children from labour exploitation resulting from trafficking.

1.7 Directive Principles of State Policy

The Directive Principles further strengthen child protection:

- * Article 39(e): Protects children from abuse and exploitation.
- * Article 39(f): Ensures healthy development of children in conditions of freedom and dignity.
- * Article 45: Provides for early childhood care and education.
- * Article 47: Directs the State to improve public health and nutrition.

INTERNATIONAL LEGAL FRAMEWORK FOR THE PROTECTION AND REHABILITATION OF CHILD TRAFFICKING VICTIMS UNDER THE JUVENILE JUSTICE SYSTEM:

The international legal framework provides the foundation for the protection and rehabilitation of child trafficking victims and has significantly influenced the development of child protection laws in India, including the Juvenile Justice (Care and Protection of Children) Act, 2015. International conventions recognize that trafficked children are victims of human rights violations and require protection, rehabilitation, and social reintegration rather than punishment.

The United Nations Convention on the Rights of the Child (UNCRC)¹², 1989 is the primary international instrument safeguarding children's rights. It obligates States to protect children from all forms of exploitation, abuse, trafficking, and neglect. Articles 19, 34, 35, and 39 specifically require governments to prevent child trafficking and provide recovery, rehabilitation, and reintegration services for child victims. The principles of the UNCRC, particularly the best interests of the child and non-discrimination, are reflected in the Juvenile Justice Act, 2015.

Another important instrument is the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (Palermo Protocol)¹³, 2000, which defines child trafficking and requires States to adopt measures for prevention, prosecution of traffickers, and protection of victims. The Protocol emphasizes that the consent of a child is legally irrelevant in trafficking cases and encourages States to provide physical, psychological, and social rehabilitation.

The International Labour Organization (ILO) Convention No. 182¹⁴ on the Worst Forms of Child Labour, 1999 requires States to eliminate child trafficking, forced labour, slavery, and commercial sexual exploitation of children. Similarly, the ILO Convention No. 138 promotes the abolition of child labour by prescribing the minimum age for employment and protecting children from economic exploitation.

¹² Convention on the Rights of the Child, Nov. 20, 1989.

¹³ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, 2000.

¹⁴ ILO Convention No. 182 (1999).

These international instruments have influenced India's child protection laws and policies by promoting a child-centred and rights-based approach. They emphasize that child trafficking victims should receive rescue, medical care, counselling, education, legal assistance, rehabilitation, and social reintegration. Thus, the international legal framework strengthens the Juvenile Justice System by ensuring that the protection and rehabilitation of trafficked children remain the primary objectives of law and policy.

CHILD WELFARE COMMITTEE (CWC) UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015

The Child Welfare Committee (CWC) is a statutory body established under Section 27¹⁵ of the Juvenile Justice (Care and Protection of Children) Act, 2015. It is the competent authority responsible for dealing with children who are in need of care and protection, including child trafficking victims. Since trafficked children are recognized as "children in need of care and protection" under the Act, the CWC plays a central role in ensuring their rescue, care, rehabilitation, and reintegration into society. The Committee follows a child-friendly and rights-based approach, with the primary objective of safeguarding the best interests of the child. Each Child Welfare Committee consists of a chairperson and four members appointed by the State Government, including at least one woman and one member with expertise in child welfare. The Committee has the powers of a Metropolitan Magistrate or Judicial Magistrate of the First Class in matters relating to children in need of care and protection. However, its proceedings are welfare-oriented rather than punitive, ensuring that every decision promotes the safety, dignity, and well-being of the child.

When a trafficked child is rescued by the police, Special Juvenile Police Unit, Anti-Human Trafficking Unit, or any authorized agency, the child must be produced before the Child Welfare Committee within twenty-four hours. The Committee immediately assesses the child's physical and mental condition and arranges for medical care, counselling, temporary shelter, food, clothing, and legal assistance. It also conducts an inquiry into the child's background, family circumstances, and rehabilitation needs with the assistance of social workers and child protection officials.

One of the major responsibilities of the CWC is to prepare an appropriate rehabilitation plan

¹⁵ Juvenile Justice (Care and Protection of Children) Act, 2015 section 27

for the child. Depending on the circumstances, the Committee may restore the child to the family after proper verification, place the child in a Child Care Institution, arrange foster care, sponsorship, or adoption where legally permissible. It also ensures access to education, vocational training, psychological counselling, healthcare, and other welfare services necessary for the child's recovery and development.

The Child Welfare Committee coordinates with various agencies such as the District Child Protection Unit (DCPU), Special Juvenile Police Unit (SJPU), Child Care Institutions (CCIs), legal services authorities, and non-governmental organizations to provide comprehensive care and rehabilitation. It also monitors the progress of the child after rehabilitation to ensure successful reintegration and to prevent re-trafficking.

Despite its important role, the CWC faces challenges such as inadequate infrastructure, shortage of trained personnel, delays in inquiries, and limited rehabilitation resources. Strengthening the capacity of the Committee through regular training, better coordination among child protection agencies, and improved rehabilitation facilities is essential for protecting the rights and welfare of child trafficking victims.

REHABILITATION MEASURES UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2015

The Juvenile Justice (Care and Protection of Children) Act, 2015 places great emphasis on the rehabilitation section 53¹⁶ and social reintegration of children who are in need of care and protection, including child trafficking victims. The Act adopts a child-centred approach by recognizing that trafficked children require not only rescue but also long-term care, support, and rehabilitation to recover from physical, emotional, and psychological trauma.

The Act provides both institutional and non-institutional rehabilitation measures. Institutional care is provided through Child Care Institutions (CCIs), where children receive safe shelter, food, healthcare, education, counselling, and protection. Non-institutional rehabilitation includes family restoration, foster care, sponsorship, adoption, and aftercare programmes. These measures help children grow in a family environment and reduce the risk of re-trafficking.

¹⁶ Juvenile Justice (Care and Protection of Children) Act, 2015, section 53

The Child Welfare Committee (CWC) plays a key role in planning and supervising rehabilitation. It prepares an Individual Care Plan and decides the most suitable rehabilitation measure based on the child's needs and best interests. The Committee also coordinates with District Child Protection Units, Child Care Institutions, police authorities, and non-governmental organizations to ensure proper care and rehabilitation.

The Act further emphasizes access to education, vocational training, medical treatment, psychological counselling, legal aid, and victim compensation. These services help trafficked children regain confidence, continue their education, develop skills, and successfully reintegrate into society.

PSYCHOLOGICAL AND EDUCATIONAL REHABILITATION OF CHILD TRAFFICKING VICTIMS UNDER THE JUVENILE JUSTICE SYSTEM

Psychological and educational rehabilitation are essential components of the rehabilitation process under the Juvenile Justice (Care and Protection of Children) Act, 2015. Child trafficking victims often experience severe physical abuse, emotional trauma, fear, anxiety, depression, and post-traumatic stress disorder (PTSD). Therefore, the Act emphasizes the need for trauma-informed care through counselling, mental health services, and emotional support. The Child Welfare Committee (CWC), Child Care Institutions (CCIs), psychologists, counsellors, and social workers work together to help children overcome trauma, rebuild self-confidence, and restore their emotional well-being. Regular counselling and psychological support enable children to recover from the effects of exploitation and prepare for successful reintegration into society.

Educational rehabilitation is equally important in restoring the lives of trafficked children. Many victims are deprived of education due to forced labour, sexual exploitation, or other forms of trafficking. The Juvenile Justice Act promotes access to formal education, bridge courses, vocational training¹⁷, and skill development programmes to help children continue their studies and develop self-reliance. Education not only improves knowledge and employment opportunities but also empowers children to lead independent and dignified lives. Vocational training further equips older children with practical skills for sustainable livelihoods. Thus, psychological and educational rehabilitation together play a crucial role in

¹⁷ Juvenile Justice (Care and Protection of Children) Act, 2015, section 53.

ensuring the recovery, protection, and long-term social reintegration of child trafficking victims under the Juvenile Justice System.

JUDICIAL INTERPRETATION

The judiciary has played a vital role in strengthening the protection and rehabilitation of child trafficking victims in India. Through progressive interpretation of the Constitution and child protection laws, the Supreme Court and various High Courts have emphasized that trafficked children are victims of exploitation and should be treated with dignity, compassion, and care rather than as offenders. Judicial decisions have significantly influenced the development of child protection policies and the implementation of the Juvenile Justice (Care and Protection of Children) Act, 2015.

The constitutional foundation for judicial intervention lies in Articles 21, 23, and 24 of the Constitution of India. Article 21 guarantees the right to life and personal liberty, which has been interpreted by the Supreme Court to include the right to live with dignity, health, education, and development. Article 23 prohibits trafficking in human beings and forced labour, while Article 24 prohibits the employment of children below the age of fourteen years in hazardous occupations. The judiciary has consistently held that these constitutional provisions impose a duty upon the State to protect children from exploitation and ensure their rehabilitation.

One of the landmark decisions is *Vishal Jeet v. Union of India* (1990), where the Supreme Court recognized child prostitution and trafficking as serious social problems. The Court directed the Central and State Governments to take immediate steps to rescue children from prostitution, establish rehabilitation homes, provide education and vocational training, and create advisory committees to monitor rehabilitation programmes. The judgment highlighted that rehabilitation is an essential component of justice for trafficked children and that merely punishing offenders is not sufficient.

Another significant judgment is *Gaurav Jain v. Union of India* (1997). In this case, the Supreme Court emphasized the rehabilitation and social integration of children of sex workers and children rescued from commercial sexual exploitation. The Court directed the Government to formulate welfare programmes that would provide education, healthcare, vocational training, and opportunities for dignified living. The judgment stressed that such children should not face

discrimination or social exclusion because of their circumstances.

In *Bachpan Bachao Andolan v. Union of India*¹⁸ (2011 and subsequent orders), the Supreme Court issued important directions regarding missing and trafficked children. The Court held that every missing child case should be treated as a potential trafficking case until the investigation establishes otherwise. It also directed the police to register First Information Reports (FIRs), strengthen investigation mechanisms, improve coordination among agencies, and ensure timely rescue and rehabilitation of children. These directions significantly strengthened the response of law enforcement agencies to child trafficking.

The judiciary has also consistently supported the objectives of the Juvenile Justice (Care and Protection of Children) Act, 2015 by emphasizing the principles of the best interests of the child, dignity, non-discrimination, and rehabilitation. Courts have repeatedly observed that trafficked children must be treated as children in need of care and protection rather than offenders. They have encouraged the effective functioning of Child Welfare Committees, Juvenile Justice Boards, Child Care Institutions, and District Child Protection Units to ensure proper rehabilitation and social reintegration.

Overall, judicial interpretation has played a crucial role in expanding the scope of child protection laws in India. The courts have ensured that the legal response to child trafficking extends beyond criminal prosecution to include rescue, medical care, counselling, education, compensation, rehabilitation, and long-term social reintegration. Through these landmark judgments, the judiciary has strengthened the rights of child trafficking victims and reinforced the responsibility of the State to provide a child-friendly justice system that safeguards the dignity, welfare, and future of every child.

CHALLENGES IN THE PROTECTION AND REHABILITATION OF CHILD TRAFFICKING VICTIMS UNDER THE JUVENILE JUSTICE SYSTEM

Despite the comprehensive legal framework provided under the Juvenile Justice (Care and Protection of Children) Act, 2015, several challenges continue to hinder the effective protection and rehabilitation of child trafficking victims in India. One of the major challenges is the

¹⁸ *Bachpan Bachao Andolan v. Union of India*, (2011) 5 SCC 1.

inadequate implementation of laws due to lack coordination¹⁹ among law enforcement agencies, Child Welfare Committees (CWCs), Juvenile Justice Boards (JJBs), District Child Protection Units (DCPUs), and Child Care Institutions (CCIs). Delays in rescue operations, investigation, and rehabilitation often affect the recovery of child victims.

Another significant challenge is the lack of adequate infrastructure and trained personnel. Many Child Care Institutions face shortages of qualified counsellors, psychologists, social workers, and medical professionals, limiting the quality of care provided to trafficked children. In addition, insufficient financial resources and overcrowded shelter homes reduce the effectiveness of rehabilitation programmes.

Trafficked children frequently experience severe physical and psychological trauma. However, access to specialised mental health services, education, vocational training, and legal aid remains inadequate in many parts of the country. Social stigma, discrimination, and family rejection further complicate the rehabilitation process and increase the risk of re-trafficking.

Poor awareness among vulnerable communities regarding child rights and anti-trafficking laws also contributes to the persistence of trafficking. Weak monitoring mechanisms, low conviction rates, and delays in judicial proceedings reduce the deterrent effect of the legal system. Cross-border and inter-State trafficking further complicate rescue, investigation, and rehabilitation efforts.

Addressing these challenges requires stronger implementation of the Juvenile Justice Act, improved inter-agency coordination, regular capacity-building programmes, increased financial support for child protection institutions, and community awareness initiatives. A child-centred and rights-based approach is essential to ensure the effective protection, rehabilitation, and successful social reintegration of child trafficking victims under the Juvenile Justice System.

¹⁹ National Crime Records Bureau, Crime in India 2023.

FINDINGS

The study finds that India has established a comprehensive legal framework²⁰ for protecting child trafficking victims through the Constitution, the Juvenile Justice (Care and Protection of Children) Act, 2015, the Protection of Children from Sexual Offences Act, 2012, and other related laws. The Juvenile Justice Act provides effective institutional mechanisms such as the Child Welfare Committee (CWC), Juvenile Justice Board (JJB), District Child Protection Unit (DCPU), and Child Care Institutions (CCIs) for the care, protection, rehabilitation, and reintegration of trafficked children. However, the implementation of these laws remains inadequate due to poor coordination among agencies, shortage of trained personnel, insufficient rehabilitation facilities, delays in rescue and restoration, and lack of awareness among vulnerable communities.

SUGGESTIONS

To strengthen the protection of child trafficking victims, the Government should improve the implementation of the Juvenile Justice Act by increasing financial support and strengthening Child Care Institutions. Regular training should be provided to police officers, Child Welfare Committees, and Juvenile Justice Boards on child-friendly procedures and victim rehabilitation. Greater coordination among government departments, NGOs, and law enforcement agencies is essential for effective rescue and rehabilitation. Public awareness programmes should be conducted to prevent child trafficking, and greater emphasis should be placed on education, psychological counselling, vocational training, victim compensation, and long-term monitoring to prevent re-trafficking and ensure successful social reintegration.

CONCLUSION

Child trafficking remains one of the most serious challenges to child rights and human dignity. It deprives children of their freedom, education, health, and opportunities for a safe and secure future. This study examined the legal framework governing the protection and rehabilitation of child trafficking victims under the Juvenile Justice (Care and Protection of Children) Act, 2015, along with other constitutional provisions and related legislations. The research found that the Juvenile Justice Act provides a comprehensive mechanism for the care, protection, rehabilitation, and social reintegration of trafficked children through institutions such as the

²⁰ Juvenile Justice (Care and Protection of Children) Act, 2015; Protection of Children from Sexual Offences Act, 2012.

Child Welfare Committee, Juvenile Justice Board, District Child Protection Unit, and Child Care Institutions.

Despite the existence of a strong legal framework, several challenges remain, including inadequate implementation, lack of coordination among agencies, shortage of trained personnel, and insufficient rehabilitation facilities. These issues often prevent trafficked children from receiving timely protection and long-term support.

Effective implementation of the Juvenile Justice Act, along with greater institutional coordination, public awareness, quality rehabilitation services, and continuous monitoring, is essential to safeguard the rights of child trafficking victims. A child-centred and rights-based approach will help restore the dignity, confidence, and future of trafficked children while contributing to a more just, humane, and child-friendly society.

