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# Supreme Court Mandates FIR in Every Missing Child Case: Anti-Trafficking Directives

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# Supreme Court Mandates FIR in Every Missing Child Case: Anti-Trafficking Directives

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## WHY IN NEWS:

A Supreme Court bench of **Justices Ahsanuddin Amanullah and R. Mahadevan** on **May 22, 2026** issued pan-India directions mandating **immediate FIR registration in every missing child case**, proceeding on the **presumption of kidnapping or abduction**. The order arose in a case from Tamil Nadu involving a child missing since 2011. The Court directed integration of databases and full functionalisation of Anti-Human Trafficking Units (AHTUs). **Next hearing: August 2026.**

## CONSTITUTIONAL AND STATUTORY FRAMEWORK

### Constitutional Provisions

ARTICLE	PROVISION
<b>Article 21</b>	Right to Life and Personal Liberty — includes child’s right to safety, dignity, and protection
<b>Article 39(e)</b>	Protect children and youth from abuse and exploitation
<b>Article 39(f)</b>	Provide opportunities for children to develop in a healthy manner; protect against moral and material abandonment
<b>Article 39A</b>	Free legal aid — relevant for child victims
<b>Article 45</b>	Early childhood care and education for children below six years
<b>Article 51A(k)</b>	Fundamental duty of parents to provide opportunities for education

## Key Statutes

STATUTE	PURPOSE
<b>Bharatiya Nyaya Sanhita (BNS), 2023</b>	Sections 137-144 cover kidnapping/abduction (replacing IPC Sections 359-374)
<b>Juvenile Justice (Care and Protection of Children) Act, 2015</b>	Comprehensive child welfare framework; CWCs and JJBs
<b>Protection of Children from Sexual Offences (POCSO) Act, 2012</b>	Sexual offences against children
<b>Immoral Traffic (Prevention) Act, 1956 (ITPA)</b>	Anti-trafficking law (sexual exploitation focus)
<b>Child Labour (Prohibition and Regulation) Act, 1986</b>	Prohibits child labour in hazardous occupations

### BACHPAN BACHAO ANDOLAN V UNION OF INDIA (2013)

This is the **landmark precedent** the Supreme Court built upon:

- Filed by the NGO of Nobel Peace Prize laureate **Kailash Satyarthi**
- The Court mandated that **every missing child case must trigger an FIR** on the presumption of trafficking/abduction
- Required follow-up by **Anti-Human Trafficking Units (AHTUs)** and integration with the **TrackChild** portal
- Directed standardised SOPs for police across India

The May 22, 2026 order reinforces and expands these directions in light of continuing implementation gaps.

### COURT'S MAY 22, 2026 DIRECTIVES

- 1 **Immediate FIR registration** in every missing child case — proceeding on the **presumption of kidnapping or abduction**
- 2 **MHA-led database integration:** TrackChild, Khoya-Paya, ZIPNET, CCTNS, and Child Welfare Committee records
- 3 **Full functionalisation of all AHTUs** within **4 weeks** — currently ~788 across India
- 4 **Police training** on Standard Operating Procedures (SOPs) for missing-child cases
- 5 Periodic reporting to the Court on compliance

## INSTITUTIONAL ARCHITECTURE

BODY	ROLE
<b>Ministry of Women and Child Development (MoWCD)</b>	Apex nodal ministry for child welfare; Mission Vatsalya
<b>Ministry of Home Affairs (MHA)</b>	Police, AHTUs, anti-trafficking enforcement
<b>National Commission for Protection of Child Rights (NCPCR)</b>	Statutory body under CPCRA Act 2005 (operational 2007)
<b>National Crime Records Bureau (NCRB)</b>	Crime data, including missing children
<b>Central Adoption Resource Authority (CARA)</b>	Nodal body for adoption
<b>State Commissions for Protection of Child Rights (SCPCRs)</b>	State-level mirror of NCPCR
<b>Child Welfare Committees (CWCs)</b>	District-level quasi-judicial body under JJ Act
<b>District Child Protection Units (DCPUs)</b>	Field implementation under Mission Vatsalya

## KEY DIGITAL PLATFORMS

PLATFORM	FUNCTION	YEAR/STATUS
<b>TrackChild</b>	National portal for missing/found children; integrated with police, CWCs, NGOs	Launched 2012
<b>Khoya-Paya</b>	Citizen-corner platform for public reporting (TrackChild ecosystem)	Launched 2015
<b>ZIPNET</b> (Zonal Integrated Police Network)	Police-only crime database, NCR region	Operational
<b>CCTNS</b> (Crime and Criminal Tracking Network and Systems)	Pan-India police database under MHA	Since 2009
<b>Integrated Child Protection Scheme (ICPS)</b>	Predecessor scheme	2009-10; now <b>Mission Vatsalya</b>

## SCALE OF THE PROBLEM

### NCRB Crime in India 2022 Highlights

- **~83,350 children** went missing in 2022
- **~67,000 traced**; over **16,000 cumulatively untraced**
- Trafficking cases are **chronically under-reported**
- Most vulnerable: **girls aged 12-18**, marginalised communities, tribal and rural districts
- **Source belt**: Bihar, West Bengal, Jharkhand, Odisha, Chhattisgarh
- **Destination belt**: Delhi, Mumbai, Goa, Punjab, Haryana

## PENDING LEGISLATION

The **Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill** has been **pending in Parliament since 2018** (revised version 2021). If passed, it would replace the **ITPA 1956** with a comprehensive framework covering:

- All forms of trafficking (not just sexual exploitation)
- Investigation by **NIA-equivalent specialised agency**
- Victim rehabilitation and compensation
- Inter-state coordination mechanisms

## MISSION VATSALYA

- **Launched 2022** — revamped and renamed from Integrated Child Protection Scheme (ICPS, 2009-10)
- **Centrally Sponsored Scheme** under MoWCD
- Components: institutional care (Child Care Institutions), **family-based care** (foster care, sponsorship), adoption, after-care
- Funded on **60:40 cost-sharing** (90:10 for NE/Himalayan states; 100% for UTs without legislature)

## INTERNATIONAL FRAMEWORK

INSTRUMENT	YEAR	INDIA'S STATUS
UN Convention on the Rights of the Child (UNCRC)	1989	Ratified 1992
UN Trafficking in Persons (TIP) / Palermo Protocol	2000	Ratified 2011
SAARC Convention on Preventing and Combating Trafficking in Women and Children for Prostitution	2002	India is a party

## WAY FORWARD

- ❶ **Pass the Trafficking Bill** urgently to replace ITPA 1956
- ❷ **Mandatory AHTU functionalisation** – staffing, training, budget
- ❸ **Border-state coordination** between source belt (Bihar-Bengal-Jharkhand) and destination belt (Delhi-Mumbai-Goa)
- ❹ **Training and accountability** for Station House Officers (SHOs) on FIR registration
- ❺ **Public awareness** through school-based prevention campaigns
- ❻ **Integration of all child-protection databases** under a single dashboard

## UPSC RELEVANCE

- **GS Paper 1 – Society:** Vulnerable sections, social issues affecting children, gender dimensions
- **GS Paper 2 – Polity & Governance:** Judicial activism, statutory bodies, government interventions, mechanisms for protection of vulnerable sections
- **GS Paper 2 – Social Justice:** Issues relating to development and management of social-sector services for women and children
- **GS Paper 4 – Ethics:** Compassion towards weaker sections; duty of state and citizens
- **Prelims:** BNS sections, NCPCR, TrackChild, Mission Vatsalya, UNCRC ratification, Palermo Protocol
- **Mains:** Discuss the role of judicial directives in plugging implementation gaps in child protection laws, with reference to the Bachpan Bachao Andolan case and the 2026 directions

**FACTS CORNER**

SC bench: Justices Ahsanuddin Amanullah and R. Mahadevan

Order date: May 22, 2026

Landmark precedent: Bachpan Bachao Andolan v Union of India (2013)

BNS 2023: Sections 137-144 cover kidnapping/abduction (replacing IPC 359-374)

JJ Act: 2015; POCSO Act: 2012; ITPA: 1956

NCPCR: Established under CPCPCR Act 2005; operational 2007

Missing-children portals: TrackChild, Khoya-Paya, ZIPNET, CCTNS

AHTUs in India: ~788

NCRB Crime in India 2022: ~83,350 missing children

Mission Vatsalya: Renamed from ICPS in 2022

UNCRC: 1989 — India ratified 1992

Palermo Protocol (UN TIP): 2000 — India ratified 2011

Trafficking of Persons Bill: Pending since 2018

Sources: [Supreme Court of India](#) , [MoWCD](#) , [NCRB](#)

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