

# Crime against Children: A Typical Problem in the Society of West Bengal, India

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Submitted: 25-01-2021

Revised: 05-02-2021

Accepted: 08-02-2021

**ABSTRACT:** Children are our future. They are the backbone of any society. But it is a tragedy of that they are heavily targeted to various kinds of criminal activities in our society. Bengali society is very much famous for its cultural richness among the world. But it is very essential thing to find out the reasons of crime against child in our state to save our next generation. At present, especially urban areas of our state are mostly highlighted for this problem.

Children, who by definition require the guardianship and care of adults, are among the most vulnerable and innocent victims of crimes. Crimes against children include physical and emotional abuse; neglect; and exploitation, such as through child pornography or sex trafficking of minors. Description of the broad crime against any type of child cruelty, including child endangerment and neglect, plus links to state and national child abuse laws and information clearinghouses. In-depth explanation of what constitutes child abandonment in most states, consequences for physically or emotionally abandoning a child, safe-haven laws, mandatory reporting laws, and other matters related to child abandonment. Description of laws prohibiting the production, possession, distribution or sale of pornographic material involving a minor child, including links to state and federal laws related to child sexual exploitation. Basic overview of statutory rape, which does not require the victim to have been forced into having sex with an adult, only that the victim was below the age of consent. Rate Crimes against children tend to be local crimes with the vast majority taking place within the home or family circle. There are, however, a number of areas where there is an international angle like crimes against children are facilitated by the internet, sex tourism which include with child trafficking, organized crime and murder.

**Index Terms:** Crime, Criminal Activities, Child Trafficking

## I. INTRODUCTION:

Children are our future. They are the backbone of any society in the world. But it is unfortunate that they are heavily targeted of various kinds of criminal activities in our society. Bengali society is very famous for its cultural richness among the world. But it is very essential thing to find out the reasons of crime against child in our state to save our next generation. Especially urban area of our state mostly highlighted for this problem in recent time.

## II. OBJECTIVES:

1. To find out the types of crime happened against children.
2. Identify the main places for juvenile crime in West Bengal with special focus on Kolkata.
3. To know the reason behind this type of crimes.
4. Know the policies of govt. and police, role of INTERPOL to reduce these types of crimes.

## III. PHYSIOGRAPHIC & DEMOGRAPHIC SCENARIO OF WEST BENGAL:

West Bengal is on the eastern bottleneck of India, stretching from the Himalayas in the north to the Bay of Bengal in the south which is lies between 85 degree 50 minutes and 89 degree 50 minutes east longitude, and 21 degree 25 minutes and 27 degrees 13 minutes north latitude. The state has a total area of 88,752 square kilometres (34,267 sq mi). With Bangladesh, this lies on eastern border, the ethno-linguistic region of Bengal. To its northeast lie the states Assam and Sikkim and the country Bhutan, and to its southwest, the state of Orissa. To the west it borders the state of Jharkhand and Bihar, and to the northwest, Nepal. The capital of the state is Kolkata, the third-largest urban agglomeration and the seventh-largest city in India. According to the provisional results of the 2011 national census, West Bengal is the fourth most populous state in India with a population of 91,347,736 (7.55% of India's population). As of 2011, Hinduism is the largest religion, with

adherents representing 70.54% of the total population, while Muslims comprise 27.01% of the total population, being second largest community group. Sikhism, Christianity, Buddhism, and other religions make up the remainder. The state contributes 7.8% of India's population. The literacy rate is 77.08%.

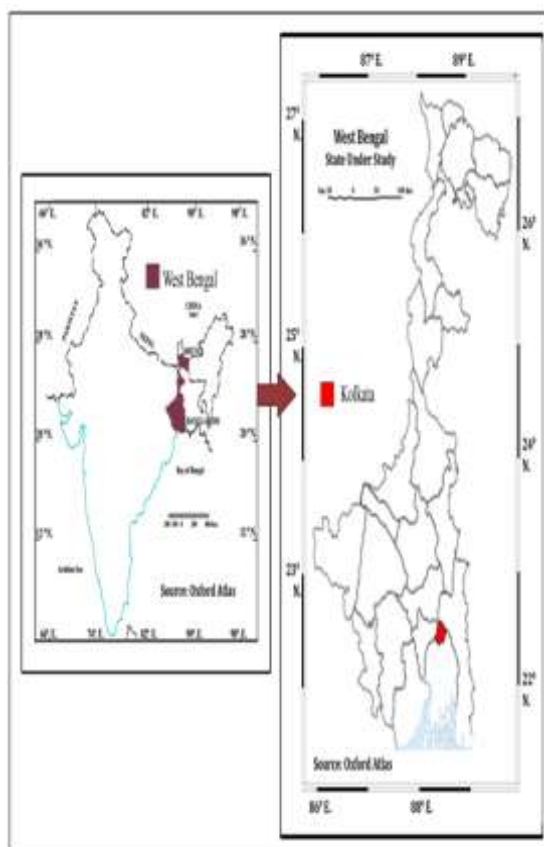


Fig.1: Location Map

#### IV. VARIETY OF CRIME AGAINST CHILDREN:

Children, who by definition require the guardianship and care of adults, are among the most vulnerable and innocent victims of crimes. Crimes against children include physical and emotional abuse; neglect; and exploitation, such as through child pornography or sex trafficking of minors. Child related crimes often are perpetrated by parents, relatives, care takers, and others who are charged with their care and guidance. School officials, physicians, police officers, and other such authority figures are required to report any signs of abuse or exploitation against a child.

##### 4.1. Child Abuse:

Description of the broad crime against any type of child cruelty, including child endangerment and

neglect, plus links to state and national child abuse laws and information clearinghouses.

##### 4.2. Child Abandonment:

In-depth explanation of what constitutes child abandonment in most states, consequences for physically or emotionally abandoning a child, safe-haven laws, mandatory reporting laws, and other matters related to child abandonment.

##### 4.3. Child Pornography:

Description of laws prohibiting the production, possession, distribution or sale of pornographic material involving a minor child, including links to state and federal laws related to child sexual exploitation.

##### 4.4. Statutory Rape:

Basic overview of statutory rape, which does not require the victim to have been forced into having sex with an adult, only that the victim was below the age of consent.

#### V. CRIME AGAINST CHILDREN IN INDIA:

In context of India Crime against children is a very serious issue.

##### 5.1. Incidence of crime against children:

A total of 89,423 cases of crimes against children were reported in the country during 2014 as compared to 58,224 cases during 2013, showing an increase of 53.6%. Madhya Pradesh accounted for 16.9% of total crimes committed against children reported in the country. The next in order was Uttar Pradesh (16.6%), Delhi (10.5%) and Maharashtra (9.1%).

##### 5.2. Crime rate:

The crime rate i.e. incidence of crimes committed against children per one lakh population of children (up to 18 years of age) was observed as 20.1 at all India level during 2014. The crime rate was highest in Delhi (166.9) followed by Goa (63.5), Chandigarh (52.0), Madhya Pradesh (50.2) and Sikkim (45.8) as compared to the national average of 20.1.

##### 5.3. Crime head-wise analysis:

The State/UT-wise and crime head wise incidents of crimes are presented in Pradesh (14 cases) and Maharashtra (12 cases). Total numbers of victims were 121 in 121 cases. Crime rate was negligible at all India Level under this head with Karnataka, Punjab, Rajasthan, Telangana and UT of Delhi with 0.1 crime rate each.

**TableNo.1: Crime against children in the country and % variation in 2014 over 2013**

S l o t	Crime Head	Year			% of Variation in 2014 over 2013
		2012	2013	2014	
1	Murder	1597	1657	1817	9.7
2	Attempt to commit murder	-	-	840	-
3	Infanticide	81	82	121	
4	Rape	8541	363	766	11.3
5	Assault on women (girls children) With intent to outrage their modesty	-	-	11335	-
6	Insult to the modesty of women (girls children)	-	-	444	-
7	Kidnapping & Abduction	18226	28167	37854	34.4
8	Foeticide	210	221	107	-51.6
9	Abetment of Suicide	144	215	56	-74
10	Exposure & abandonment	821	930	983	5.7
11	Procuration of minor girls	809	1224	2020	65
12	Importation of girls from foreign Country (below 18 years)	-	-	2	-
13	Buying of girls for prostitution	15	6	14#	133.3
14	Selling of girls for prostitution		100	82#	-18
15	Prohibition	16	22	28	-

5	of Child Marriage Act	9	2	0	
16	Transplantation of Human Organs Act	-	-	1	-
17	Child Labour (Prohibition and Regulation) Act	-	-	-	-
18	Immoral Trafficking (P) Act	-	-	86	-
19	Juveniles Justice (C&P of Children) Act	-	-	1315	-
20	Protection of Children from Sexual Offences Act	-	-	8904	-
21	Un-natural offences	-	-	765	-
22	Other crimes	7411	13037	8484	-34.9
23	<b>Total</b>	<b>382</b>	<b>584</b>	<b>893</b>	<b>53.6</b>

‘\*’ included for the first time in 2014; ‘#’ data collected under minor in place of girls only

### VI. CRIME AGAINST CHILDREN IN CONTEXT OF WEST BENGAL:

The West Bengal government as well as some NGOs have started taking steps to combat the upward trend in crimes against children in the state. The latest National Crime Record Bureau (NCRB) said that West Bengal had registered 7004 crimes against children in 2016, the 5<sup>th</sup> highest number in the country. Uttar Pradesh is on the top of the list with 15 per cent followed by Maharashtra (14pc), Madhya Pradesh (13pc), Delhi (8pc) and West Bengal (6pc).

Nearly 20 crimes are committed against children every day in the state. West Bengal shows upward trend in crimes related to kidnapping, child trafficking and sexual offences against children, and these consist of over 90 per cent of crimes against children in the state. The state accounted for 7004 recorded crimes against children of which 4178 crimes were registered under kidnapping and human trafficking from neighbouring countries. Besides, 2132 crimes were booked under POSCO

Act, which included rape and sexual assault, as per NCRB data.

West Bengal tops the list in human trafficking of minors for prostitution, which stood at 53.3 percent (highest in the country) registering a 17 per cent growth from 2012 to 2016. In trafficking of minor girls, the state records 27 per cent, second highest in the country registering a growth of 47.7 per cent from 2012 to 2016. In kidnapping and abduction together, the state records 6.6 percent, fifth highest in the country. West Bengal also records six per cent crimes under POSCO, fourth highest in the country.

(Source: The Indian EXPRESS)

### VII. CRIME AGAINST CHILDREN IN CONTEXT OF KOLKATA:

In Kolkata most underage victims of crime in this city are those who have been sexually exploited. This was revealed in the recently released National Crime Records Bureau data for the year 2016. Among the 382 crimes (317 of them attracted IPC sections) recorded against children in Kolkata in the same year, 126 attracted the stringent Protection of Children from Sexual Offences (POCSO) Act. Forty seven of these were rape charges- the same that has been

Slapped in the two cases of physical assault in schools in the city recently (sections 4 and 6 of POSCO Act). Another 40 were victims of crimes that include sexual harassment and child pornography. Eleven cases involved selling of minors for prostitution and another 51 involved procreation of minor girls.

Police had charge sheeted 100 people and arrested 452 persons in 2016 for committing various crimes against children in Kolkata. Despite the high number of sexual offences, the city emerged much safer than the other Metros- ending up as the sixth safest among the 19 big cities surveyed. Delhi (1374) and Mumbai (979) have finished as first and second respectively on the list as far as crime against children is concerned. Among the other crimes committed against children aged below 18 years, five cases involved abetment to suicide. Four cases pertained to child labour.

On the flip side, the police could secure only two convictions in the same year. The National Crime Records Bureau data shows a total of 245 pending cases from last year. In total, the city police were investigating 562 cases. Sixty one cases were closed based on insufficient evidence, while 156 cases were disposed off. But, 406 cases are still pending investigation. The city has a moderate charge sheet rate at 60.9% and the

pendency rate stands at 72.2. Compared to 381 such crimes that attracted IPC sections in 2015 in the city, 2016 recorded 317 such incidents. That is a mere 1.7% of total crimes recorded across all major cities of the country. Delhi's share is 38.7%. Crimes against kids in India have increased by almost 300% in six years since 2009.

### VIII. VARIOUS ACTS TO PREVENT CRIME AGAINST CHILDREN:

Generally, the offences committed against children or the crimes in which children are the victims are considered as crime against children. Indian Penal Code and various protective and preventive special and local laws specifically mention the offences wherein children are victims. The age of child varies as per the definition given in the concerned Acts and sections but age of child has been defined to be below 18 years as per The Juvenile Justice (Care and Protection of Children) Act, 2000. The list of offences under the two broadly categorised offences under the IPC and the Special and Local Acts is as follows

(1) Crime against children under Indian penal Code:

- (1) Murder (Section 302 IPC)
- (2) Attempt to commit murder (Section 307 IPC)
- (3) Infanticide (Section 315 IPC)
- (4) Rape (Section 376 IPC)
- (5) Unnatural offence (Section 377 IPC)
- (6) Assault on women (girl child) with intent to outrage her modesty (Section 354 IPC)
- 6.1. Sexual harassment (under section 354A IPC)
- 6.2. Assault or use of criminal force women (girl children) with intent to disrobes (under section 354B IPC)
- 6.3. Voyeurism (under section 354c IPC)
- 6.4. Stalking (under section 354D IPC)
- (7) Insult to modesty of women (girl children) under section 509 IPC
- (8) Kidnapping & Abduction (Section 363, 364, 364A, 366 IPC) along with break of such cases committed with various purpose.
- (9) Foeticide (Section 315 and 316 IPC).
- (10) Abetment of suicide of child (Section 305 IPC)
- (11) Exposure and abandonment (section 317 IPC)
- (12) Procreation of minor girls (section 366-A IPC)
- (13) Importation of girls from foreign country (section 366-B IPC) (under 18 years of age)
- (14) Buying of minors for prostitution (section 373 IPC)
- (15) Selling of minors for prostitution (section 372 IPC)

(2) Crime against children under Special and Local Laws

- (1) Prohibition of Child Marriage Act, 2006
- (2) Transplantation of Human Organs Act 1994 (for persons below 18 years of age)
- (3) Child labour (Prohibition & Regulation) Act, 1986
- (4) Immoral Traffic (Prevention) Act, 1956
- (5) Juvenile Justice (Care & Protection of Children) Act, 2000
- (6) Protection of Children from Sexual Offences Act, 2012.

Collected for the first time in 2014.

Crime in India-2014

### IX. ROLE OF INTERPOL TO PREVENT CRIME AGAINST CHILDREN:

**9.1. Internet Crimes:** Crimes against children are facilitated by the Internet, the increased use of which in recent years has led to huge rise in offending. Not only can offenders distribute and access child abuse material more easily, but they can also come into direct contact with children- via chat rooms and social networking sites.

**9.2. Travelling Sex Offenders:** Also known as “sex tourism”, this type of crime involves the abuse of children in developing countries by people who travel there. The relative wealth of the offender coupled with lack of understanding or effective legislation means that the abuse of children is easier in these countries. This type of crime is linked to child trafficking, organized crime and murder.

**9.3. Statutory Rape:** Basics overview of statutory rape, which does not require the victim to have been forced into having sex with an adult, only that the victim was below the age of consent.

Crimes against children tend to be local crimes with the vast majority taking place within the home or family circle. There are, however, a number of areas where there is an international angle.

**9.4. Victim identification:** We work to identify the victims of child sexual abuse depicted in photographs and films. This involves a combination of traditional investigative methods and image analysis. Crucial to this work is the International Child Sexual Exploitation image database which uses sophisticated image comparison software to make connections between victims and places.

**9.5. Yellow Notices:** At the request of a member country, INTERPOL can issue a yellow notice to help locate missing persons, especially minors. These notices are circulated on an international basis and recorded in INTERPOL’s database of missing and abducted children.

**9.6. Green Notices:** at the request of a National Central Bureau or an international entity,

INTERPOL can issue a Green Notice to warn about a person’s criminal activities, where

The person is considered to be a possible threat to public safety.

A national law enforcement agency has assessed the threat

The conclusion is based on one or more previous convictions or on other reasonable grounds.

**9.7. Blue Notices:** At the request of a National Central Bureau or an international entity, INTERPOL can issue a Blue Notice to locate, identify or obtain information on a possible criminal history or any other information relevant to investigation.

INTERPOL also provide training and promote best practice to police of member countries. The crimes against children team have deployed officers to the Regional Bureaus of Buenos Aires (Argentina) and Lobang (Thailand) as well as IGCI in Singapore in June 2017 to prevent the problem in Afro Asian countries.

### X. VARIOUS PROJECTS OF CENTRAL GOVERNMENT TO PREVENT CRIME AGAINST CHILDREN:

**10.1. SukanyaSamridhiYojana:** To save the every girl child of India Prime minister NarendraModi started SukanyaSamridhi account parikalpana as a part of BetiBachaoBetiPoraopracharaviyan. It is a small investment project which may be encourage to the parents about the education & future of girl child.

**10.2. BetiBachaoBetiPora:** Prime Minister launch this project on 22<sup>nd</sup> January, 2015 in the Panipath of Hariyana for controlling the degradation the number of female child in society. Women empowerment is the main motto of this project which is organise by the joint venture of Women & Child development, Health & Family Welfare department and Human resource Development ministry of central government.

**10.3. Mid-day Meal Scheme:** In 15<sup>th</sup> August of 1995 Government of India announce this scheme which started in 1997. Parliaments of India pass the mid-day Meal bill in 28<sup>th</sup> November of 2001 and schools distributed launch to students from 2004. To ensure the proper diet of students, encourage the children about school and assurance the presence of students in school are the main target of this scheme.

#### 10.4. Child line Service of Indian Railway:

The largest number of homeless children, pavement dwellers, street and working children, child substance abusers and child beggars left on their own and in need of care and support reside in

urban areas. These children suffer extreme deprivation compounded by lack of shelter and access to basic services for survival. Many of them travel from small towns and rural areas to urban areas, alone or with families, in search of livelihood, or hope for a better life, or in anger, or on impulse. A large number of children who run away from their home use railways as a mode to travel. There are also children who are trafficked and transported through railways. Finally a number of children get separated from their guardians during the course of their journey through railway. Such children are vulnerable to the harsh reality of street life and are often victims of various forms of abuse; physical, sexual, emotional as well as economic exploitation. They often end up living on their own in streets, market places and especially at railway stations. All these places are transit points for trafficking and need focussed programmes and attention for rescue and rehabilitation.

The Ministry of Women and Child Development and Ministry of Railways have jointly taken an initiative to ensure the care and protection, security and well-being of run-away, unaccompanied and trafficked children who come in contact with the railways.

In order to address issues, a Standard Operating Procedure was formulated in March, 2015 and a Memorandum of Understanding signed between Ministry of Railways and Ministry of Women and Child Development on 19.05.2015. Towards implementation of the above SOP, one of the operative instructions was to set up Child Help desk. These were to be manned by CHILDLINE and their partners, for receiving, rehabilitating and restoring children. This initiative is currently operating at 20 railway stations including Howrah, Sealdah, NewJalpaigudi of West Bengal. Since its inception, till date CHILDLINE teams have provided assistance to 4443 children in these railway stations. In Howrah childline engage with Don BoscoAshalayam in 01.07.15, In Sealdah& New Jalpaigudi it engage with CINI Urban Unit from 15.06.15 and 22.06.15 respectively.

#### **XI. VARIOUS PROJECTS OF STATE GOVERNMENT TO PREVENT CRIME AGAINST CHILDREN:**

**11.1. Sikhyasre:** According to this project through the backward class department and tribal development department State government provide scholarship to students belongs from SCs & STs from class five to eight for the purpose of education.

**11.2. Kanyashre:** By this project unmarried girls from eight to twelve classes get 750 rupees yearly and 25 thousand rupee for one time from State government via Child & Women development and Social welfare department.

**11.3. Rupashre:** State Government provide 25 thousand rupee once for each poor girl's marriage who exceed eighteen years old through Women development department by this project.

**11.4. Sobola:** Child & Women development and Social welfare department working for the women by provide better health, vocational training, job opportunities to increase their capabilities in society through this project. To provide education for the girl children who are not part of the school education system is the main target of this project.

**11.5. MuktiAlo:** Re establishment of the ladies, girls and children of prostitutes and specially those who are the victims of human trafficking via Child & Women development and Social welfare department is the main goal of this project.

**11.6. Swabolombo:** Special: via this project Child & Women development and Social welfare department provide education, training and opportunities of job to professional prostitutes and their daughter to able them for adaptation with different kind of job.

#### **XII. ROLE OF NGOS TO PREVENT CRIME AGAINST CHILD:**

To rescue and resettle child in some cases is very important in society. Child Rights and You (CRY), Give Foundation, GOONJ, HELP AGE India, Samman Foundation are some of the popular NGOs about child related problem in India.

**12.1. CRY:** Child Rights and You founded in 1979 by RippanKapoor on the focus of children's Rights in Mumbai. In West Bengal Kolkata have a branch of CRY & it partners with grassroots level NGOs to uplift thousands of underprivileged Indian children denied of basic rights by working across levels- from direct action, advocacy, mobilising public opinion to policy change.

**12.2. Goonj:** This Delhi based NGO was founded in 1999 by Anshu Gupta to under takes child relief, humanitarian aid and community development in parts of 22 states across India.

**12.3. Project Nanhi Kali:** It is an Indian NGO that supports education for underprivileged girls in India which is founded by Anand Mahindra in 1996. Students who are selected for Nanhi Kali for the hidden costs of their education, including pencils, notebooks, schoolbags, uniforms, clothes and shoes.

### XIII. CONCLUSION:

Actually Crime against children is a serious problem all over the world. Urban areas of West Bengal including Kolkata highly affected by this problem. Ironically male child also victims of crimes in city. Many girls from rural areas of Murshidabad, South 24 Parganas and Maldah bought here as a prostitute, child labour and other dangerous job. Red light area like Sonagachi, Kalighat and various hotels in city is a core centre of this crime. So, regular operations by police force is necessary against this problem. Joint venture of administration, police, Interpol, NGOs & common public is necessary for tackle this problem. Tight laws are also necessary to remove the crime against children from society. Awareness programme in people is very effective to prevent it. After all only an aware society save their child from crime.

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**International Journal of Advances in  
Engineering and Management**

**ISSN: 2395-5252**



# IJAEM

**Volume: 03**

**Issue: 01**

**DOI: 10.35629/5252**

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