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A Comparative Study on Legal Demography of Missing Children in India

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ABSTRACT: Children constitute a nation's true asset. Children under the age of 18 years form a considerable percentage of India's population, which imparts a huge responsibility for the nation. Every day in electronic media as well as in print media, we can see at least one news story that a boy or a girl is missing from his/her parents. There is no greater vacuum, no greater void than the helplessness felt by parents whose children have gone missing. This research paper examines the status and trends of missing children in India using secondary data published by the National Crime Records Bureau (NCRB) for the period 2020–2024. This study shows that there are a total of 643243 children missing during the period of time. The data of the missing children of the current and past years show that 232,647 (36.2%) children are still missing and are untraced, and gender-wise analysis reveals that 74.21% of the total missing children during the study period were girls, 25.78% were boys and 0.01% were transgender children. The traced children are 410596. The study analyses year-wise trends in missing, traced and untraced children and further examines gender-wise, state-wise, regional and Union Territory-wise variations in missing children. It also includes crimes against children recorded under sections 363, 363A, 364, 364A, 365, 366, 366A, 367, 368, and 369 of the IPC in the states of Madhya Pradesh and West Bengal, which recorded the highest cases under said sections. This study helps us in understanding the magnitude of missing cases across India. This will serve as a great resource for policymakers and law enforcement alike.

KEYWORDS: Missing Children, Child Protection, Traced Children, Untraced Children, Law. Child Safety.

INTRODUCTION

A country's future relies upon the proper development of its children, which necessitates a supportive environment and sufficient opportunities. Children are the nation's greatest human resource, and their well-being, health, education, safety, happiness, and access to opportunities are a barometer of the socioeconomic progress of the nation (Thangavel V. 2024). Every day in electric media as well as in print media, we can see at least one news story that a boy or a girl is missing from his/her parents (Raval, 2015). There is no greater vacuum, no greater void than the helplessness felt by parents whose children have gone missing. A missing child in the Indian legal system is generally not considered a heinous crime, with little attention being paid until sometime has elapsed for recovering the child. The case of missing children in Nithari in 2006, when BBA was involved in organizing initiatives to bring the matter into the public limelight. The case demonstrated the worst forms of abuse and exploitation of children, with more than 30 children having gone missing and been brutally murdered (Missing Children of India—A Pioneer Study by Bachpan Bachao Andolan). According to the NCRB (National Crime Records Bureau) report, there has been a consistent rise in cases of missing children in India between 2020 and 2024. More than 100,000 children have been reported missing annually; notably, recently released data indicates that the highest number of cases was recorded in 2024, with approximately 140,000 children going missing. Over these five years, the total number of missing children has increased by approximately 36%, reflecting a steadily rising trend. Although state administrations have succeeded in locating many missing children, the issue regarding the gap in these figures remains unresolved.

Who is a Child?

The term 'Child' has been explained in Indian legislations for numerous purposes whether it be for denoting personal relationships, for indicating the individual capacity, or for providing special protection. The legal perception of child therefore depends upon the purpose for which it is being applied. However, for a general understanding, any individual who is below the age of eighteen years is considered as a child until and unless, the local law being applied upon that individual prescribes his/her majority to be attained earlier.(Sharma,2020)

Definitions of "Missing"

"A missing child is a child, whose whereabouts are not known to the parents, legal guardian or any other person or institution legally entrusted with the custody of the child, whatever may be the circumstances or causes of disappearance, and shall be considered missing and in need of care and protection until located or his safety and well-being established."(ICMEC)

REVIEW OF LITERATURE

Repeatedly missing children impose a considerable burden on law enforcement, social services, and healthcare systems. Existing research largely centres on those missing from residential care, neglecting others. Many children go missing due to factors within the home, such as restricted freedom or a desire for connection. This study underscores the policy gap concerning repeat missing children who are not in institutional care (Bennett et al. 2024).

A research paper, titled from Geospatial Hotspot Analysis and Endemicity Trends of Missing and Unrecovered Children in India presents a cross-sectional analysis of missing and unrecovered children for the past five years (2017-2021), the study shows that for boys, Uttar Pradesh, Rajasthan, and Madhya Pradesh remained consistent hotspots (high risk of missing cases) across all five years of study, whereas Karnataka became a hotspot for 2020 and 2021. (Tejas et 2023)

This article highlights that traffickers target the North East Indian women and sell them like cattle. Most of the valuable girls were lured with the promise of a job by a traffic agent. It is a fact so blaise open that there is a fixed price for each category: 1 lakh for marriage, 1.5 lakhs for prostitution and 5000 to 6000 for bonded labour. (Baruah, 2012)

OBJECTIVES

1. To analyse the situation of missing children in India during the period of 2020-24.
2. To know about the ratio between girls and boys of missing children
3. To compare kidnapping and abduction of missing children in Madhya Pradesh and West Bengal.

METHODOLOGY

Extensive research was carried out to understand the current situation of missing children in India. The secondary data are from the National Crime Record Bureau yearly reports. The research is based on the reports titled "Crime in India" (2020-2024) published by the National Crime Records Bureau, which also include the district-wise data published under "Crime Against Children". The missing children's data have been classified under three major headings—missing, traced and untraced. The collected data were analysed for percentage analysis, year-wise comparison, gender-wise, state-wise, regional and Union Territory-wise analyses. It also includes crimes against children recorded under sections 363, 363A, 364, 364A, 365, 366, 366A, 367, 368, and 369 of the IPC in the states of Madhya Pradesh and West Bengal, which recorded the highest cases under said sections.

Indian Constitution & Child

The Constitution of India inculcate various provisions to safeguard children within the Fundamental Rights (Part III) and Directive Principles of State Policy (Part IV). Some important articles of Constitution which guarantee protection are:

Article 14: This article ensures equality before law to every individual including children coupled with equal legal protection without any sort of arbitrariness & discrimination.

Article 21: This article ensures right to life and personal liberty to children.

Article 21A: Every child between six to fourteen years is entitled to free and compulsory education under this article.

Article 23: This article prohibits human trafficking.

Article 24: This Article prohibits children under the age of 14 from working in factories, mines, or any other dangerous jobs.

Article 47: This article guarantees adequate nourishment, a suitable quality of life, and enhanced public health.

criminal law and child

The Indian Penal Code of 1860 also intends to specifically protect the rights of children through its provisions and punish offenders for a crime related to children. And the new law on kidnapping and abduction under (Bharatiya Nyaya Sanhita, 2023) BNS Sections 137 to 141. Some of these sections are:

Section 83: This section provides that nothing is an offense that is done by a child above seven years of age and under twelve who has not attained sufficient maturity of understanding to judge of the nature and consequences of his conduct on that occasion.

Section 305: This section punishes abetment of suicide of any individual who is under 18 years of age.

Section 360: This section emphasizes that sending someone out of India without consent constitutes abduction. (BNS sec.137(1)(a))

Section 361: This section prescribes penalties for kidnapping a child under the age of 16 if male and under 18 if female. (BNS sec.137(1)(b))

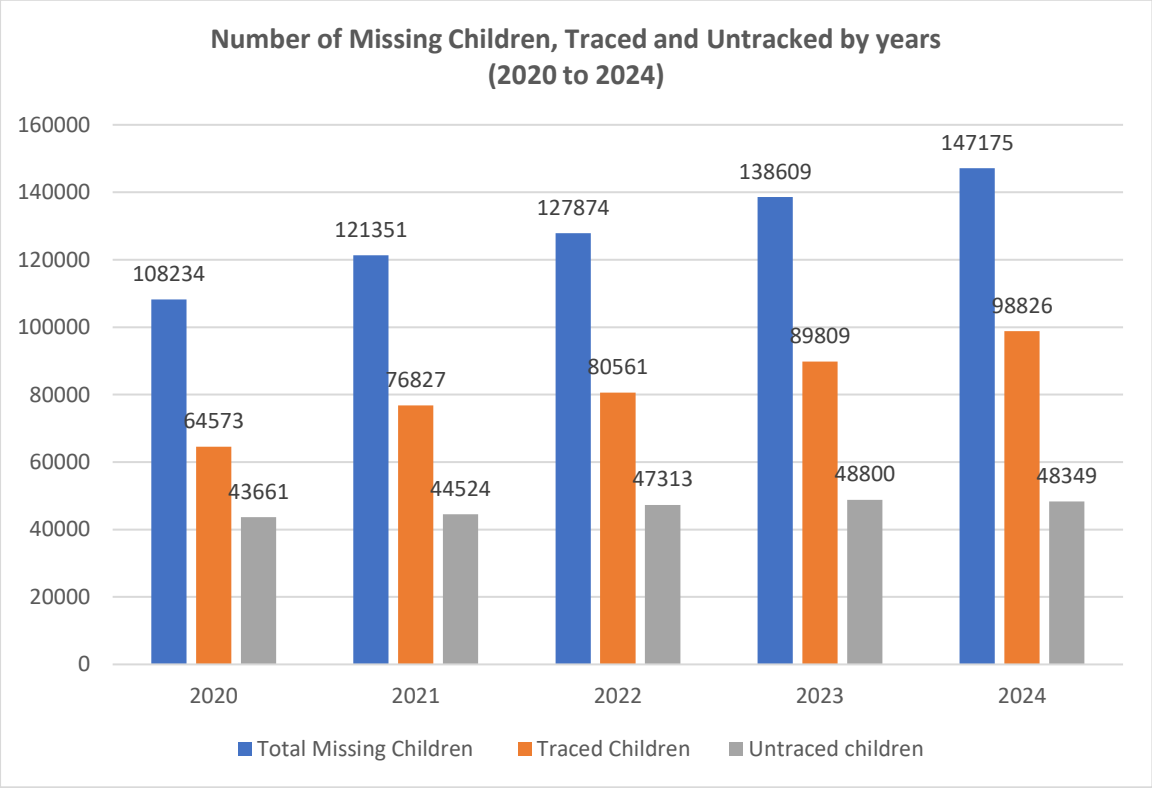
Section 363A: This section provides for kidnapping or maiming a minor for begging. (BNS sec. 139)

Section 364: This section provides for kidnapping or abduction with the object to murder (BNS Section 140(1)).

Section 364A: this section provides that kidnapping and abduction of a person for ransom (BNS Section 140(2))

Section 365: This section provided that kidnapping and abduction of a person with the intention of secretly and wrongfully confining him are punished. Imprisonment may extend to seven years and a fine. (BNS Section 140(3))
Section 366: This section provides that Kidnapping or abduction of a woman with the intention of forcing her and compelling her to marry
Section 366A : This section is related to procuring by inducing any girl below 18 years of age for illicit intercourse
Section 366B: This section Importing a girl below 21 years of age from a foreign country to India with the intention of compelling her to illicit intercourse (BNS Section 141)
Section 367: This section Kidnapping or abducting someone with the intention of subjecting that person to grievous hurt or to subject that person to slavery (BNS Section 140(4))
Section 368 : This section is Wrongfully concealing or keeping a person in confinement after kidnapping or abduction of that person (BNS Section 142)
Section 369: this section covers the Kidnapping and abduction of a child under the age of ten in order to steal the property of that child

Rules and Legislation Produced by the Indian Government
The Juvenile Justice (Care and Protection of Children) Act of 2000
This law sets guidelines for juveniles who come into conflict with it and require special care and protection. It guarantees that these children receive child-friendly treatment, care, and protection, while ensuring their cases are handled with a focus on rehabilitation and their best interests.
Probation of Offenders Act of 1958
This act, which complies with the Juvenile Justice Act of 2000, aims to ensure that no one under the age of 21 is imprisoned until all other options have been exhausted.
Bonded Labour System (Abolition) Act of 1976
This legislation focuses on abolishing bonded labour practices and protecting vulnerable and economically weaker sections of society, particularly their children, from exploitation.
Missing children in India during 2020-24 an analysis
Missing, Traced & Untraced children in the last five years



Source: *Crime in India (2020–2024).*

Figure 1 shows that the yearly trend in the number of missing, traced, and untraced children in India during the period 2020–2024, based on data published by the National Crime Records Bureau (NCRB). The findings reveal a continuous increase in the number of missing children, rising from 108,234 in 2020 to 147,175 in 2024, representing an overall increase of approximately 36.0% over

the five-year period. During the same period, the number of traced children also increased steadily from 64,573 to 98,826, indicating improvements in tracing mechanisms and law enforcement efforts. However, the number of untraced children remained persistently high, increasing from 43,661 in 2020 to 48,349 in 2024, with the highest figure (48,800) recorded in 2023.

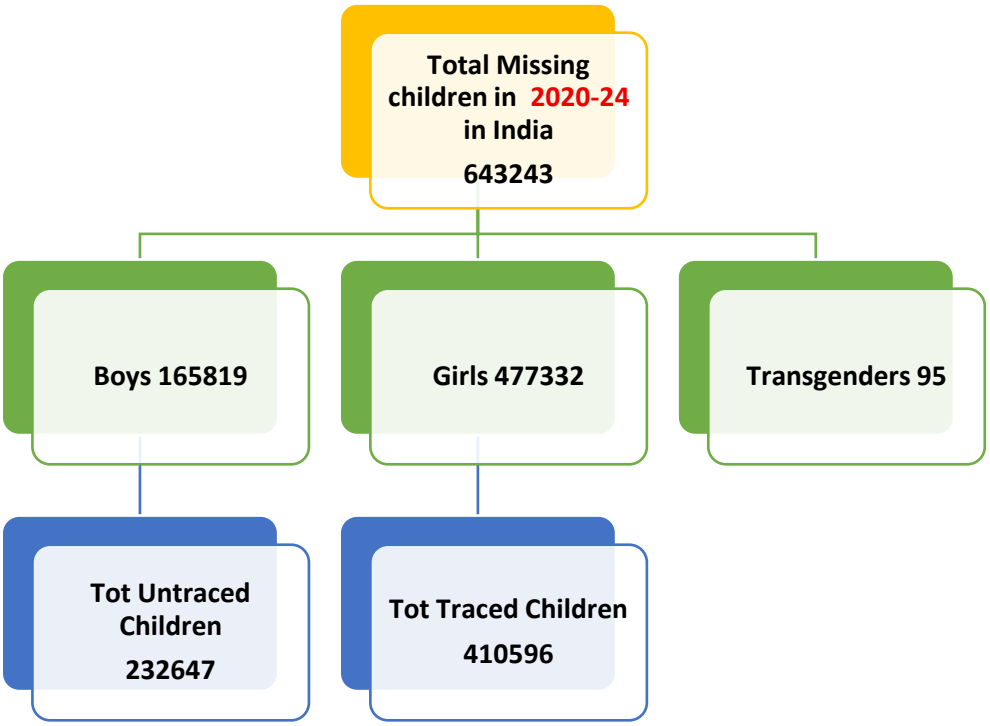
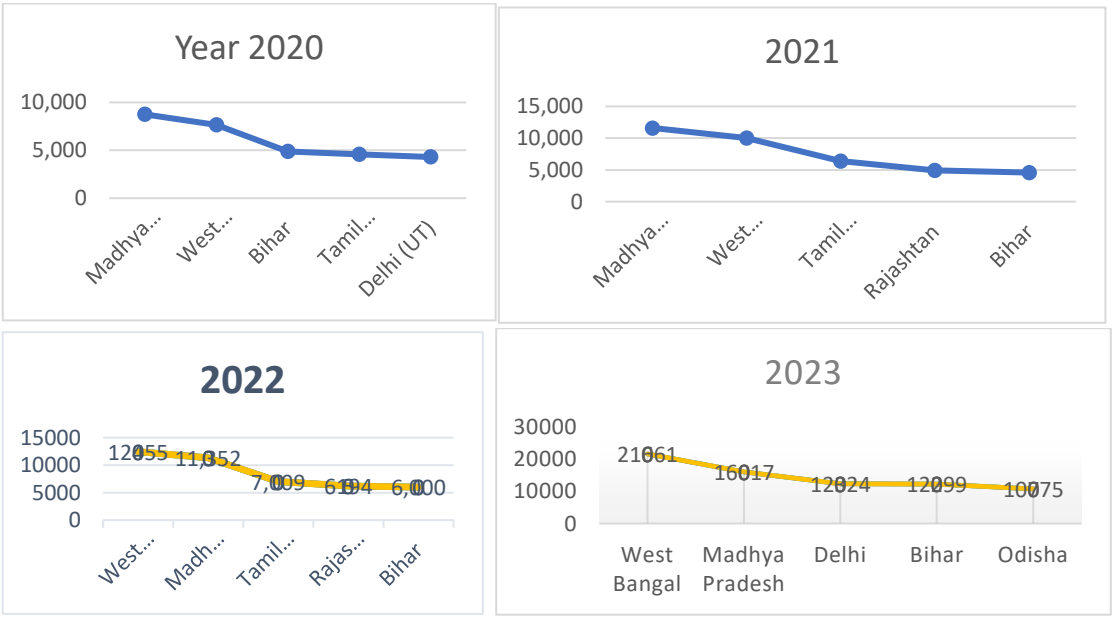
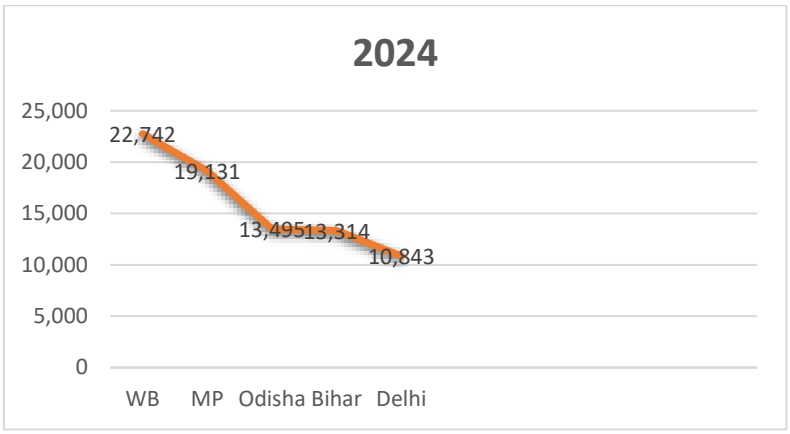


Figure 2 presents the overall status of missing children in India during the period 2020–2024 provided by the National Crime Records Bureau, showing that there are a total of 643243 children missing during the period of time. According to the gender-wise data, there are 165,819 boys, 477,332 girls and 95 transgender people among the missing children. The data of the missing children of the current and past years show that 232,647 (36.2%) children are still missing and are untraced. The traced children are 410596. The burning data among all figures is that girls are higher than the boys in number.

Top Five States Reporting the Highest Number of Missing Children in India (2020–2024)

Among the states where the data is more than ten thousand of the reporting periods is depicted in the following figure 2.





The data from northeastern states and union territories is also high as compared with previous years. The years 2020-24 have recorded the data of the above states, which are shown in figs 3 & 4.

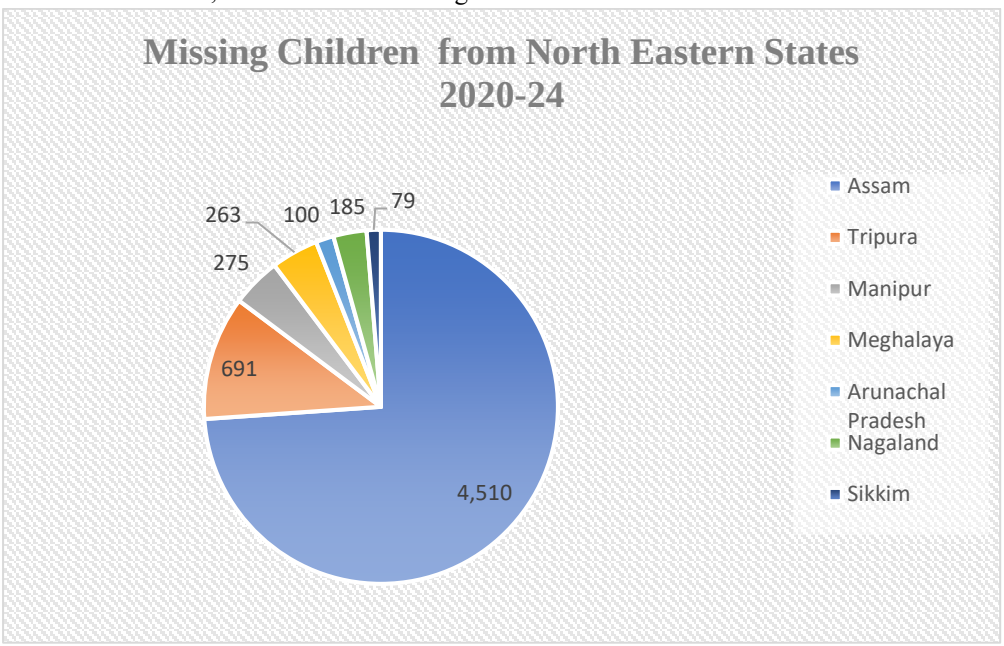


Figure 3 Missing Children from North Eastern states 2020-24

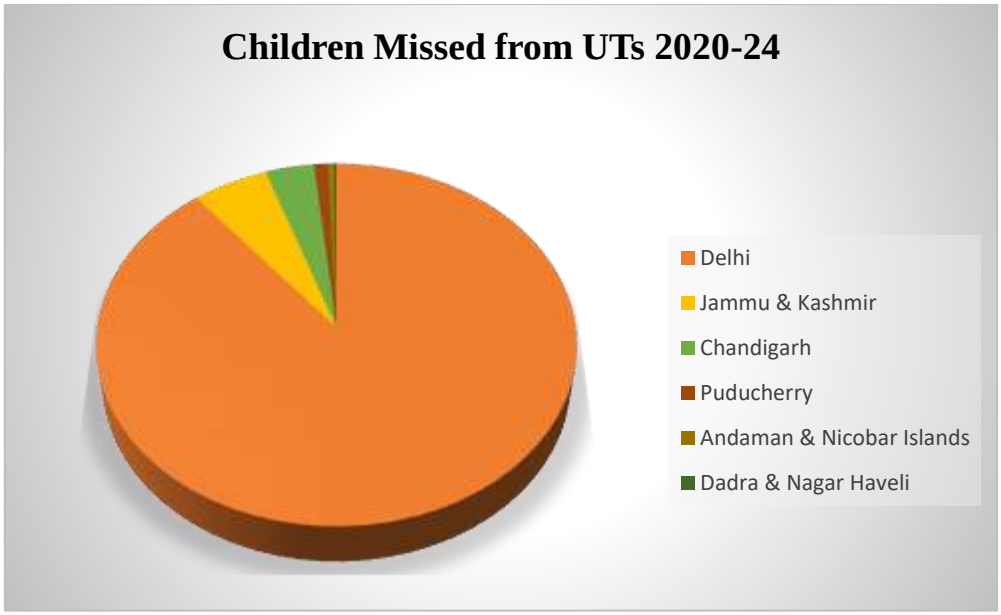


Figure 4 Missing children from Union Territories

A Comparative Study on Legal Demography of Missing Children in India

Missing of the children from state, According to the National Crime Records Bureau, the state shows that the majority of the states are not child-friendly states for the feeble and tender hearts. The socio-economic aspects as well as the other felt needs pushed the children away from the safety net. For a better understanding of the geographical distribution of missing children, the States have been classified according to the magnitude of reported cases. The analysis reveals that West Bengal (74,215) reported the highest number of missing children during 2020–2024, followed by Madhya Pradesh (66,846), Odisha (28,391), Bihar (23,944) and Tamil Nadu (18,000). These five States together accounted for a substantial proportion of the total missing children reported in India during the study period. In contrast, several smaller States and North-Eastern States reported comparatively fewer cases.

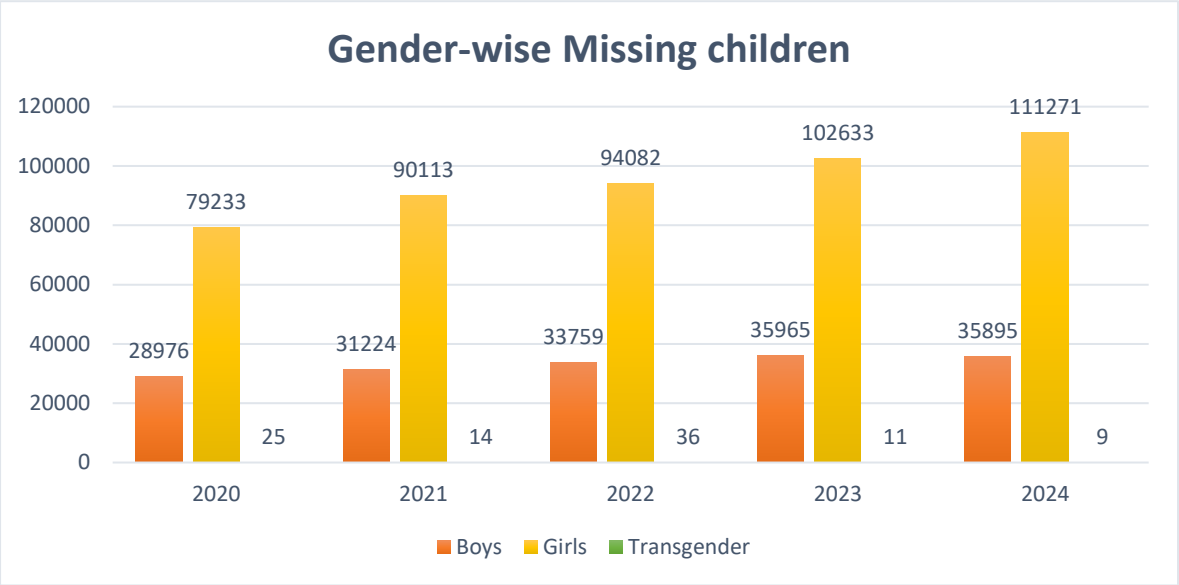


Figure 1 Gender wise data 2020-24

Figure 5 presents the gender-wise distribution of missing children in India during 2020–2024. The findings indicate that girls consistently constituted the majority of missing children throughout the study period. The number of missing girls increased steadily from 79,233 in 2020 to 111,271 in 2024, representing an increase of approximately 40.4% over the five-year period. In comparison, the number of missing boys increased from 28,976 in 2020 to 35,895 in 2024, showing only a modest increase of about 23.9%. The number of missing transgender children remained extremely low, varying from 25 cases in 2020 to 9 cases in 2024.

		and Abduction of Children (Sec. 363, 363A, 364, 364A, 365, 366, 366A, 367, 368 & 369 IPC) (Total) (Col.14+Col.17 to 23)	Kidnapping and Abduction			Kidnapping and Abduction for the Purpose of Begging (Sec.	Kidnapping and Abduction in order to Murder (Sec. 364 IPC)	Kidnapping for Ransom (Sec.364 A IPC)	Kidnapping and Abduction of Minor Girls to compel her for	Procuration of Minor Girls (Sec.366 A IPC)	Importation of Girls from Foreign Country (Sec.36-B IPC)	Other Kidnapping & Abduction
			Kidnapping and Abduction (Sec. 363 IPC) (Col.15+Col.16)	A) Missing Children Deemed as Kidnapped	B) Other Kidnapping & Abduction							
MADHYA PRADESH	2020	7058	6050	3686	2364	1	3	12	926	32	0	34
	2021	9137	7786	4954	2832	1	1	5	1262	64	0	18
	2022	10125	8624	5672	2952	0	3	0	1416	25	0	57
	2023	11521	9833	6444	3389	0	4	2	1622	33	0	27
	2024	11594	11516	7841	3675	5	0	6	0	0	0	67
	total	49435	43809	28597	15212	7	11	25	5226	154	0	203
WEST BENGAL	2020	7079	4441	1289	3152	0	3	3	647	30	0	1955
	2021	6394	4012	1461	2551	0	2	4	419	20	0	1937
	2022	5761	3951	1633	2318	1	2	4	371	26	0	1406
	2023	5742	3821	1490	2331	0	2	4	390	16	1	1508
	2024	5661	4291	1650	2641	0	1	21	1	1	0	1347
	total	30637	20516	7523	12993	1	10	36	1828	93	1	8153

The table shows cases under various sections of the Indian Penal Code (IPC Sec 363, 363A, 364, 364A, 365, 366, 366A, 367, 368, and 369) – the kidnapping and abduction of children in Madhya Pradesh and West Bengal over a five-year period from 2020 to '24. The total number of cases registered in Madhya Pradesh is 49,435 compared to 30,637 in West Bengal.

The total number of cases recorded, kidnapping and abduction for the purpose of begging (Sec 363A) was recorded at 0.014% in Madhya Pradesh, whereas in west Bengal it was 0.003%; kidnapping in order to murder (Sec 364), the recorded 0.022% in Madhya Pradesh and 0.33% in west Bengal of registered cases in the state respectively. Cases of kidnapping for ransom (Sec 364A) were relatively higher in west Bengal compared to Madhya Pradesh.

i.e. 0.118%, 0.051% respectively. Kidnapping and abduction of minor girls to compel them for marriage (Sec. 366 IPC) was higher in Madhya Pradesh at 10.57%, while West Bengal recorded 5.967%; regarding the procurement of minor girls (Sec. 366A), both states showed similar percentages, with Madhya Pradesh at 0.312% and West Bengal at 0.304%. Cases related to the importing of girls from foreign countries (Sec. 366-B IPC) were effectively unregistered, with special cases recorded in West Bengal in the year 2023, i.e., 1. In the cases of other reasons for kidnapping, Madhya Pradesh recorded 0.578% cases, and West Bengal registered a higher no. of cases, i.e., 23.794%.

Under section 363, the total kidnapping and abduction cases have two major sub-categories: A) missing children deemed as kidnapped and B) other kidnappings & abductions. Out of the total 43809 cases registered under section 363 in Madhya Pradesh, 28597 cases (57.85% of the total categories) are under missing children, while 15212 cases (30.77%) are under other kidnapping and abduction categories. In West Bengal out of 20516 cases registered under section 363, only 24.5% of the total pertained to missing children, whereas 12993 cases (42.41%) were recorded under other kidnapping and abduction.

CONCLUSION

The challenge of missing children is a burning issue and a huge area of concern across stakeholders. The NCRB data for the period 2020–2024 highlight that missing children continue to remain a major child protection concern in India. During the five-year period, a total of 643,243 children were reported missing, increasing from 108,234 in 2020 to 147,175 in 2024, representing an overall increase of 36.0%. Although the number of traced children also increased steadily from 64,573 in 2020 to 98,826 in 2024, the number of untraced children remained persistently high, with 232,647 children remaining untraced during the study period. The findings further reveal considerable regional and state-level disparities, with West Bengal, Madhya Pradesh, Odisha, Bihar and Delhi accounting for a substantial proportion of missing children. Gender-wise analysis indicates that girls constituted the majority of missing children throughout the study period, accounting for 477,332 (74.2%) of the total missing children. crimes against children recorded under sections 363, 363A, 364, 364A, 365, 366, 366A, 367, 368, and 369 of the IPC in the states of Madhya Pradesh and West Bengal, which recorded the highest cases under said sections. The number of cases recorded, kidnapping and abduction for the purpose of begging (Sec 363A), was recorded at 0.014% in Madhya Pradesh, whereas in West Bengal it was 0.003%; kidnapping in order to murder (Sec 364) was recorded at 0.022% in Madhya Pradesh and 0.33% in West Bengal of registered cases in the state, respectively. Cases of kidnapping for ransom (Sec 364A) were relatively higher in West Bengal compared to Madhya Pradesh. Cases related to the importing of girls from foreign countries (Sec. 366-B IPC) were effectively unregistered, with special cases recorded in West Bengal in the year 2023, i.e., 1. In the cases of other reasons for kidnapping, Madhya Pradesh recorded 0.578% cases, and West Bengal registered a higher number. A uniform system needs to be applied throughout the country, including in border areas, to address this issue. The pain experienced by family members, especially parents, whether rich or poor, cannot be measured in mere words or articles.

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