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Missing Children: A Two Way Approach

Pooja Jaswani*, Kratika Singh Chauhan, Tanya Tyagi

zhdc@poojajawani.com

Zakir Husain Delhi College, University of Delhi, New Delhi, Delhi-110002

ABSTRACT

Our project on missing children was deliberated upon the media reports on the increase of the number of missing children in year 2013-2014. A thorough investigation was conducted in classifying the various trends in the increase of the registered number of missing cases in Delhi. Research study was divided into two major aspects i.e., interaction with the afflicted family (traced and untraced cases) and interaction with police authorities. In order to venture into the reasons we interacted with the families to find the actual causes, we came across two major findings at that level, (a) plight of children, where we interacted with the traced children about their missing and the after consequences they face from both external and internal factors. (b) plight of families, the second major finding was the interaction with the afflicted families of both traced and untraced children where we tried getting all the relevant reasons that the families thought would have led for their child gone missing. Field survey technique, semi structured interviews, review of various standing orders, Supreme Court judgments and NGO interventions were employed in the data collection. A callous attitude of families in registering cases was seen. In our project we followed a two way approach to determine the actual reasons for increasing cases of missing children. A rising trend of elopement and runaway among the traced children is concluded on the basis of the evidence collected from the field study.

Keywords: Missing children, tracing, police, Juvenile Justice Act, untraced children.

LIST OF ABBREVIATION

NCPCR	National Commission For Protection Of Child Rights
JJ Act	Juvenile Justice Act
SC	Supreme Court
Vs	Versus
JJB	Juvenile Justice Board
PS	Police Station
POCSO, Act	Protection Of Children From Sexual Offences Act, 2013
IO	Investigating Officer
FIR	First Information Report
ZIPNET	Zonal Integrated Police Network

INTRODUCTION

Background

There is no greater void and no greater vacuum than the helplessness felt by the parents whose children have gone missing. A missing child in the Indian legal system is not considered a heinous crime with little attention being paid until sometime has elapsed on recovering the child. The genesis of this research study arose from the article dated 27th April 2014, Sunday times of India, New Delhi, according to the crime analysis conducted by the crime record office of Delhi Police it was evident that the number of missing children is increasing day by day. The special police unit for women and children has drawn up a list of top 20 police stations which has registered maximum number of missing children cases in Delhi last year, as many as 2,363.

All the data has been complied based on the raw facts and information provided by the police stations and family of the traced and untraced families of the missing children respectively.

Rationale of the study

A thorough investigation was conducted in classifying the various trends in the increase of the registered number of missing cases in Delhi during the year 2013-2014. A deep analysis was done to endeavor into the reasons for this tremendous increase. An account of the two way sufferings of the families of the missing children as well as the working system at the police stations along with the police atrocities and implementation of law was seen with immense scrutiny.

METHODOLOGY

To address each of the guiding principle question/ a set of questions the study team of three interns resorted to three different data collection methods:

- Field survey technique through structured as well as semi structured interviews
- Review of various standing orders , supreme court judgments, acts , and NGO interventions
- Focus group and interactive discussions

The data was collected primarily from 4 police stations of Delhi (Khayala , Dabri ,Ranholla Nebsarai) and 50 families of the missing children including both traced and untraced children.

1.4 Overview

The Nature and Scope of the Issue

On an average, over 40, 000 children in India are reported missing every year, of which approximately 11,000 remain untraced. Where do they go?¹ . A dipstick survey of studies on

¹ Haq: Report on Child Rights, New Delhi 2005

diverse child rights issues, such as child labor or trafficking, and news reports yield some figures for missing children. The consensus seems to be that these existing figures are questionable and cannot be treated as accurate indicators of reality.

A compilation of some of the diverse statistics related to missing children is both overwhelming as well as dissatisfying. The figures quoted from various sources are primarily indicative of the fact that there are large gaps in available information giving us a fragmented picture.

It is difficult to interpret statistics effectively, without uniform parameters, or compiling All-India data. Currently, figures don't tally when state-wise statistics are added up against the All-India approximate. In fact, as per the NHRC report, going by reported statistics, the total number of missing children possibly adds up to more than 50,000 a year on an average. This is based on only those cases that are reported and recorded.

Who are these missing children?

The socio-economic spectrum of missing children in India has great range and diversity. Children who leave home or disappear may therefore be categorized as missing, for any one or a combination of reasons which include:

- To earn a living
- To escape abuse
- To elope
- To escape perceived threat or stress such as may be caused due to exams or domestic violence
- Some are sold to labor contractors or for sex traffickers
- Some are kidnapped for ransom

Missing children is, thus a major and growing problem which gets much less than needed attention from the Centre and State government bodies. However, this problem has been taken up and is being addressed by various Not-for-profit non-governmental agencies. Unfortunately, these agencies have different approaches to the issue of Missing children. Some of them have created database using non-standard data entry format. Since the data are stored in non-standard format, they do not talk to each other. This also leads to one great difficulty – namely that when a child is found it is extremely difficult to search the missing children records and match the child with existing records. One NGO reported that although the child was who was reported missing by parents had been found by the same agency, the linking of this information actually took more than a year and restoration of the child to parents got unnecessarily delayed.

Age Group & Sex-wise Victims of Kidnapping & Abduction (Total) (Sec.363 to 369, 371 to 373 IPC) During 2013

Sl. No.	State/UT	Total No. Of Cases Reported	Sex-Wise / Age Group-Wise								
			Upto 10 Years		10 - 15 Years		15 - 18 Years		18 - 30 Years		
			M	F	M	F	M	F	M	F	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	
STATES:											
1	ANDHRA PRADESH	2119	34	37	20	235	31	657	246	502	
2	ARUNACHAL PRADESH	142	0	4	10	13	4	32	22	40	
3	ASSAM	4801	0	0	0	33	0	47	220	2979	
4	BIHAR	5570	12	5	69	210	448	2032	618	1715	
5	CHHATTISGARH	2235	54	41	158	320	125	936	26	396	
6	GOA	108	6	6	13	21	13	34	10	3	
7	GUJARAT	2666	24	21	79	267	146	895	385	698	
8	HARYANA	2772	34	34	68	223	80	472	373	1051	
9	HIMACHAL PRADESH	352	9	3	32	75	26	134	9	68	
10	JAMMU & KASHMIR	983	1	2	2	8	0	22	15	762	
11	JHARKHAND	1271	2	0	15	18	45	259	204	599	
12	KARNATAKA	1836	34	28	36	182	74	781	149	390	
13	KERALA	252	6	4	5	22	5	133	25	36	
14	MADHYA PRADESH	3354	55	48	112	521	135	1391	147	847	
15	MAHARASHTRA	2640	148	142	227	366	48	942	180	591	
16	MANIPUR	181	12	2	13	41	5	40	29	42	
17	MEGHALAYA	139	0	3	2	7	9	14	24	21	
18	MIZORAM	7	0	2	0	0	1	0	9	1	
19	NAGALAND	40	0	1	1	3	1	0	22	4	
20	ODISHA	2370	0	7	20	82	34	266	212	1391	
21	PUNJAB	1274	18	7	29	116	36	490	100	421	
22	RAJASTHAN	4986	36	29	69	328	62	902	425	2041	
23	SIKKIM	16	0	0	0	0	0	14	0	2	
24	TAMIL NADU	1779	20	17	7	78	12	395	122	880	
25	TRIPURA	144	1	4	1	29	6	76	12	21	
26	UTTAR PRADESH	11183	99	115	144	1118	166	4367	728	3794	
27	UTTARAKHAND	1032	27	12	25	30	23	65	191	410	
28	WEST BENGAL	4573	39	31	52	539	138	1831	349	1212	
	TOTAL (STATES)	58825	671	605	1209	4885	1673	17227	4852	20917	
UNION TERRITORIES:											
29	A & N ISLANDS	14	3	2	1	1	1	5	0	1	
30	CHANDIGARH	261	7	13	34	49	22	60	17	52	
31	D & N HAVELI	13	1	0	1	5	0	4	0	0	
33	DELHI	6294	459	344	1351	1084	920	2045	109	284	
34	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	
35	PUDUCHERRY	41	2	0	6	3	6	17	0	5	
	TOTAL (UTs)	6636	472	360	1398	1144	949	2133	128	343	
	TOTAL (ALL-INDIA)	65461	1143	965	2607	6029	2622	19360	4980	21260	

Figure 1 - Table 1.1(source: National Crime Records Bureau< <http://ncrb.nic.in/>>)

Legal scenario

Law enforcement scenario

Across the country hundreds of women and children disappear daily and a large number of them continue to remain missing. The law enforcement agencies in the absence of any technical and monitoring mechanism remain clueless about the whereabouts of the missing persons. Only a halfhearted approach happens where they transmit the case details to their district and State offices. After sometime a hue and cry notice is published and after some time the case becomes part of the State and the National Crime Records Bureau Data and Statistics.

In cases of missing children there is also a huge number of cases which never gets reported as many parents and relatives fear to go to the Police Stations for reporting the case as traffickers by fraud and deception obtain the consent of the parents or relatives. Such cases are never reported as the relatives or parents fear that they may be prosecuted.

Procedure for registering an FIR (In states other than Delhi)

1. Normally, investigation of a crime commences with the registration of an FIR (First Information report) by the police. FIR pre-supposes a cognizable offence. When it comes to a criminal offence like trafficking, etc., FIR is registered under the relevant sections of the substantive or special law and thereupon, investigation is carried out by the police. However, when it comes to the issue of a 'missing person' being reported to the police station, an entry is made in the General Station Diary (GD). No FIR is registered, except in certain states where a 'zero FIR' is registered. Zero FIR means that no crime number is assigned, because it is not considered a crime. The follow-up for the zero FIR and the GD entry is the same.
2. The SHO (Station House Officer) forwards information to the Superintendent of Police/Deputy Commissioner of Police, who, in turn, forwards it to the office of the Chief of Police. Sometimes, the police stations and their supervisory officers also send messages to their counterparts. At the field level, the local police officials publicize the particulars of the missing persons in the media by putting out the available identification details and photographs. More often than not, the initial efforts to locate the missing person die down shortly. Sustained efforts to locate the person are extremely rare. State police agencies have their own independent and different sets of procedures for tracing the missing persons. In Mumbai city, the information is relayed through a 'Police Notice'. This notice contains information about several other items such as 'vehicles stolen', 'vehicles recovered' and 'unclaimed dead bodies'. It is obvious that the information about 'missing persons' gets lost in the bargain and remains almost confined to the level of 'information' only.
3. Even in places where 'Hue and Cry Notices' are sent for locating the missing persons, there is not much difference in the efforts to locate the person. The message that reaches the Police Headquarters in the state is normally lodged with the Missing Persons Bureau (MPB), which is more often a wing of the CID of the State Police. They, in turn, forward

the message to the Missing Persons Wing in the National Crime Records Bureau (NCRB) at New Delhi. The message also gets relayed to the police chiefs of other states through police wireless. NCRB, at best, forwards this message to the chiefs of police in other states.

4. The 'Search Wing' in the Crime Records Section of NCRB coordinates and transmits information to other places. It is expected only to be a 'documentation center' or at best, a 'Transfer desk'. As of today, NCRB does not investigate or monitor or facilitate recovery of the missing persons as a proactive organization. Therefore, nothing more is done in the NCRB to follow-up on the missing persons till they are traced. The police stations do not give any feedback to the NCRB when the missing person is rescued or returned and, therefore, the NCRB, despite being the national repository of 'crime data', is unaware of the current status of those reported missing.

Guidelines for search of missing children lay down by Supreme Court

In case of HORI LAL Vs. Commissioner of police & Ors Respondents, the court in its order laid down following guidelines for effective search of the kidnapped minor girls, which are to be followed by the Investigation officer in all the states.²

Juvenile justice act 2000.

- a) The Act known as 'The Reformatory Act' deals with two categories of children, namely children in need of care and protection and children in conflict with the law.
- b) The competent authority to deal with children in need of care and protection is the Child Welfare Committee which constitutes a Chairperson and four other members, one of whom at least should be a woman. Chapter IV of this Module would focus in detail about Children in need of care and protection and the functioning of the CWC in rehabilitation and disposition of cases
- c) Juvenile Justice Board (JJB) is the competent authority to deal with children in conflict with law which comprises of three members. The Chairperson of the Board should be a First Class Judicial Magistrate and two honorary social workers out of whom at least one should be a woman. Special provisions for children in conflict with law and the responsibilities of the Board are discussed in detail in Chapter III of this Module.

The Act provides for the establishment of various kinds of Institutions such as:

- a) Children's Home for the reception of child in need of care and protection.
- b) Special Homes for the reception of child in conflict with law
- c) Observation Homes which are meant for the temporary reception of children during the pendency of any inquiry.
- d) After-care Organizations which are meant for the purpose of taking care of children after they have been discharged from Children's Home or Special Homes.

² 58(1995)DLT673

A few sections in the Act (Sec 23 – 26) are focused on the offences committed by anyone against a child such as assault, causing mental or physical suffering and employment of a child which are considered as non bailable offences.

Fundamental principles (for missing juveniles)³

After the Convention on the Rights of the Child adopted by the General Assembly of the United Nations on the 20th November, 1989 (ratified by India on 11th December 1992), United Nations Standard Minimum Rules for the Administration of Juvenile Justice, 1985 (the Beijing Rules), and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990) set the minimum standard to be adhered to in the administration of juvenile justice in respect of juveniles in conflict with law. The fundamental principles analyzed and listed under the amendment act of 2007 for JJ Act, are as follows:

Principle of Best Interest

The principle of best interest of the juvenile or juvenile in conflict with law or child shall mean for instance that the traditional objectives of criminal justice, retribution and repression, must give way to rehabilitative and restorative objectives of juvenile justice.

Principle of family responsibility

The primary responsibility of bringing up children, providing care, support and protection shall be with the biological parents. However, in exceptional situations, this responsibility may be bestowed on willing adoptive or foster parents.

Principle of Safety (no harm, no abuse, no neglect, no exploitation and no maltreatment)

At all stages, from the initial contact till such time he remains in contact with the care and protection system, and thereafter, the juvenile or child or juvenile in conflict with law shall not be subjected to any harm, abuse, neglect, maltreatment, corporal punishment or solitary or otherwise any confinement in jails.

The Plight of Children

I. Socio demographic trend

The major groups studied were child respondents in the age group of 5-17 years, comprising four separate age groups 0-8 years, 8-12 years and 12-16 years and 16-18 years. Children are the most vulnerable to crime and especially their emotional and physical abuse. There are many facets to the panorama of 'missing children'. In the course of our study we observed that children either runaway with their own consent with no specific motives or else choose to escape from their home because of facing severe forms of child abuse.

This chapter discusses the profile of key respondents, i.e., the missing children and adolescents who have reported their experiences regarding their itinerary or causes of

³ Rules under the Juvenile Justice (Care and Protection of Children) Act 2000 (56 of 2000) (as amended by the Amendment Act 33 of 2006) to be administered by the States.

missing, they also reported various kinds of pressures and prompting they faced by either their family or peer groups in their surroundings.

The following are the case-wise information details of the child respondents and the brief facts are given below.

Trends in missing children

Many of us go by the view that kidnapping is at stake, when we first listen to the phrase ‘missing

Kidnapping	Runaway	Elopement	Sexual abuse	Trafficking
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children’, though actually if we penetrate deep within this matter we could discover a bone of contention. Many children were seen as the problem lies within our own homes and the world around from which we are gaining experiences. According to our study and interaction with the children we observe the following issues coming up. The issues are a case wise interaction and are recorded after careful deliberation with the children in the course of research study.

Major findings:

- Children, especially in the age group between 12-17 years were seen as most vulnerable in going missing.
- The traced percentage of both male and female children was varied among different police stations.
- In the west Delhi region more cases of missing girls were reported than in the south Delhi region of areas such as Neb Sarai jurisdiction. Therefore difference in the traced percentage of missing children is observed.
- The figures show that girls outnumbered boys in the category of *untraced missing children*.
- Except a handful of children, most reported of running away with consent; with either no motive or to flee away with their beau.
- Elopement and sexual abuse were seen dominant among adolescent girls and boys being a prey to substance abuse largely.

Patterns in missing children

Throughout our project on missing children, we came across some major expediting factors that have led to the increased cases of missing children. We observed the following patterns in missing children, and based on our observation we recorded the following data:

5	14	20	2	0
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II. Conglomerate areas

In our field work survey our target groups were traced children and families of the untraced children. According to our study and interaction with the children we observe the following issues coming up. The issues are a case wise interaction and are recorded after careful deliberation with the children in the course of research study.

Children reported of the following reasons for their escape:

Figure 2 - Patterns in missing children (figures are as per the sample study of 50 families)

1. Child abuse
2. Substance abuse
3. Poor socio-economic condition
4. Peer-pressure

Child abuse

The term 'Child Abuse' may have different connotations in different cultural milieu and socio-economic situations. A universal definition of child abuse in the Indian context does not exist and has yet to be defined.

It has very clearly emerged that across different kind of abuse it is young children in the age group of 8-17 year group who are most at risk of abuse and exploitation.

Physical & Emotional abuse

Physical abuse is the inflicting of physical injury upon a child. This may include burning, hitting, punching, shaking, kicking, beating or otherwise harming a child. The parent or caretaker may not have intended to hurt the child. It may, however, be the result of over-discipline or physical punishment that is inappropriate to the child's age.

Emotional abuse includes acts or the failures to act by parents or caretakers that have caused or could cause, serious behavioral, cognitive, emotional, or mental trauma. This can include parents/caretakers using extreme and/or bizarre forms of punishment, such as confinement in a closet or dark room or being tied to a chair for long periods of time or threatening or terrorizing a child. Less severe acts, but no less damaging, are belittling or rejecting treatment, using derogatory terms to describe the child, habitual tendency to blame the child or make him/her a scapegoat.

Major Findings

We came across certain forms of abuse that these children were going through within their family and which can be one or the other reason for their escape or running away.

- According to our observation, two out of every three children were physically abused.⁴
- Many girls, around 70% cases so observed, reported of extensive verbal and physical abuse by their parents and other family members.⁵
- It was generally seen that males did not report of any abuse which had left a very strong impression on their mind and became a reason for their escape.
- Every second child reported facing emotional abuse.
- In 83% of cases parents were the abusers.
- In our sample data girls faced more abuse than boys.

Sexual abuse

- According to our sample data study around we came across around 10 children out of 40 who faced one or more form of sexual abuse.
- Most of the girls who faced abuse especially incest, choose to escape, once recovered do not report the same to the concerned I.O because of hesitation and fear, that their parents might get divorced, they are hesitant in producing a record in front of the I.O (who is always male, as confessed by the girls).

Substance abuse

- In 70% of cases of substance abuse were recorded in one or other way.
- Many were seen taking drugs and not returning back to their families (males comprising the most in this area).
- Most of the girls fled away with drug addicts.
- In some cases children were seen influenced by their adult friends to take drugs and they were found generally involved in wrong company.
- This trend was seen generally in cases involving elopement and runaway kids.

Poor socio-economic condition

It was seen throughout the research project that generally children reflected an escapism nature, where they wanted to stay away from home, they reflected a negative psyche towards their family and environment, after keen observation and interaction it was observed that such personality was a result of escapism nature in the children because of their existing family

⁴ Annexure-1(case study-1)

⁵ Annexure-I (case study-2)

conditions which make them reluctant to live inside the house and they get attracted by outside world.

Sometimes the reason for this dejected personality is child neglect, which creates a feeling of isolation and they seek for love and attention from outside world. It was also observed that generally this occurs in low income families since both the parents are working and child does not get proper attention and hence leading to dejected personality.

According to the various deliberation with families and our own keen observation we observed that poor socio economic condition are in a way responsible for affecting a child development and hence determining his/her nature.

Child neglect

- Both the parents are working due to poor socio-economic conditions, which results in child neglect since these children are unable to receive proper attention which affects their rearing and reflects on their personality.
- The size of the family is somewhere responsible for the neglect of child. Such that if the victim has more than three siblings he/she stands at the edge of facing neglect.
- There is a trend that generally parents are working and so child feels independent and can take their own decision (which was seen as a major cause for elopement and runaway kids).

Effect on education

- Most of the children were forced to leave their schools and force to manage the household (especially girls) and work to increase the family income.
- Two out of every three children were seen to drop their school after 10th or 9th due to less resources available and increased family size.

Attraction towards the outer world

- Due to the prevailing conditions at home children got drifted and attracted towards outside world and sought alternatives for escaping.
- It was generally observed in elopement cases that girls sought to have pleasure in boys and saw it as an alternative source of distraction and entertainment as observed in age group of (14- 17 years)
- Many girls stole money from their own parents and spent that or gave it to their beaus / partners.
- The runaway kids prefer doing odd jobs like cleaning, dusting at small shops, houses etc. but not to return back to their home.

Peer pressure

Peer group is the major factor to develop once personality, generally an individual reflects his/her peers. It was the major finding of the project that peer groups were a major factor in developing child personality. In many cases (especially in runaway cases) it was observed that these children were influenced by their peer group.

Influence and a feeling to be a part of the group usually drives a child to do certain things that might affect the individual adversely while interacting with traced children we came across these small contributing reasons that many a times children have fled because of peer pressure. The key observations are listed below:

- Many of the children reported of not a planned or schemed runaway the decisions are spontaneous for the children of the age group of (8-12 years)
- In few cases where children were involved in a bad company were reported of having a lot of verbal abuse and beaten up by the parents because of indulging in wrong habits', which results in escaping and running away from home.
- Due to peer pressure and a desire to see new places many children were seen running away with their friends to explore new places and when money is over they use to return back to their home themselves.

Observation in elopement cases

Cases were observed in the light of interaction

- It was observed in elopement cases that Girls preferred staying at Nirmal Chaya and after gaining majority directly going back with their beau, and never returning back to families.⁶
- Despite of girls being aware that the families (that her's and her beau's) have a lot of clashes among them.
- It was observed in elopement cases that girls usually elope generally because of fear of child marriage whereas they themselves after eloping with their partner prefer child marriage.
- All the children who were restored back to the families though due to constant pressure by the family nevertheless of the parents later are threatened by the girl herself of fleeing away with her own partner.

Miscellaneous issues

- 10% of children preferred suicide, but not returning back to their families.

⁶ Annexure-I (case study-2)

- Some children did not want to come back to their family because of fear from parents and society.
- Many students have lost interest in studies as well.
- Few had problems adjusting with their step mothers/ fathers and preferred escape.
- Few girls favored their fraud voter IDs made by their beau's side and still favoring them⁷.there are cases where girls aged 16 years consciously favored her beau in getting an illegal/ fraud voter ID made so that they could have a court marriage

Families

I. Socio-demographic Trend

Another section of our project involved interaction with the family. Since family plays a major role in the emotional and physical well-being of a child, generally an individual reflects his/her family. Family environment plays a pivotal role in the development of thought process of a child.

We divided our research into two major parts i.e., traced and untraced and so we interacted with traced family more to get a deep insight into all the procedure at all stages and to know more about their redresses and grievances against the police or other authorities, level of assistance received, and other atrocities faced by them.

This chapter discusses the profile of key respondents, i.e., the families of traced and untraced children who have reported their experiences regarding the level of assistance received at all levels, their efforts in tracing the child, and the behavior of police authorities towards them and various other atrocities.

The following are the case-wise information details of the families of missing children and the brief facts are given below.

II. Conglomerate issues

According to our study and interaction with the family we observe the following issues coming up. The issues are a case wise interaction and are recorded after careful deliberation with the families in the course of research study.

Demeanor of families in elopement cases

Forceful marriages

In major cases the current trend has been observed that Parents fix child marriage of their daughters against her will⁸ and this drives a girl to take major steps like eloping or running away in spite of knowing the fact that Child marriage is against law. On the contrary in few cases it

⁷ Annexure-I (case study 1)

⁸ Frequently observed in the age group of 14-17.hence making it the most crucial issue to be deliberated upon.

was observed that Parents are against the marriage of their daughters whom they choose as their partner.

Many families wanted to cancel cases (especially in cases of elopement) once the girl is restored. Though there is a room for suspicion of child marriage & sexual exploitation. At times they also prefer outside settlement.

False complaints

It was a general observation especially in elopement cases where Families purposely file cases with over exaggerated facts⁹ and false complaints¹⁰ against the other family or girls partner with whom they suspect to have fled away. Especially in elopement cases, family wants the suspected person (victim's beau) to be behind bars despite the consent of her daughter in running away.

Societal pressure

Especially in the cases involving elopement, if the missing girl contacts the family again, the family does not want to report the information to the concerned juvenile officer if that is in regard of her not returning back home again. They are unaware that tracing the number from which she had called can help the police to locate her position. The afflicted families have a constant fear of society, so much so that they don't go for getting the missing reports printed in the newspaper or provide photo of their missing daughter in the "hue and cry" flyers.

Parents have a very stereotypical mindset about inter- caste marriages as evident from the cases of elopement. Where parents either preferred to get their daughters married once restored to the family as a distraction from the man they eloped with.

Communal riots

It is especially observed in elopement cases that there is a lot of tension between the two parties (of the girl & beau) especially in elopement cases. Whilst the clashes between the two parties i.e. of the girl eloped and that of the accused, the members of the accused family trespass their property, abuse the ladies in the house and vice versa. It was also observed that there is no interference of the police often under such matters and they rarely issue an F.I.R copy for the same.

Hardships faced by families

Families face a lot of hardships in tracing their children as the police do not investigate properly considering all the facts and places of the prime suspect where the child can be traced.

⁹ Annexure-1(case study-2)

¹⁰ Annexure-1(case study-1)

Self-efforts by parents

It was seen in many cases that when families don't receive adequate assistance from police they start with their self-efforts to trace the child, Families apply a lot of external pressure including threatening calls to the concerned I.O¹¹

Parents invest in a lot of money and other resources, since Police is often seen as repellent in cases involving missing children henceforth police recommends parents to trace their child¹² involving there maximum efforts.

Atrocities faced from the side of police

There are cases where police humiliates the family and misbehaves with the female members of the family. It was also a major concern for the families that the police entered wrong DOB making the minor age (if 17years) to major age (i.e., 18 years).there were difficulties in immediate registration of FIR (which required all the formalities to be registered). Families also reported of minimal interrogation with the boy's family and relatives, despite of having enough evidence against them. Despite of providing recent call details by the victim's family the poor and cumbersome tracking number system fails to provide immediate results.

Deterring factors

(i) Level of unawareness

Another strata of our ordeal is that there is very low awareness among the families especially among the lower socio-economic families, these families are not educated and also don't know their rights and duties as well as they are ignorant of law.

Key observations were as follows:

1 Police & other statutory bodies

The major concern is that Low socio-economic classes register the maximum number of F.I.Rs since they are not aware of other institutions where they can report. Unawareness about various government institutions, schemes and laws framed for people belonging to lower economic group. We observed throughout our research in the field work as well as the material from various other journals shows that 1:100 knows where to file a writ. No knowledge about DLSA, NLSA, and NCPCR. Families are unaware of missing person helpline (MPS, crime branch).

2 Lack of identity proofs

Many parents don't possess photographs of their children and other identity proofs.that are necessary to generate hue and cry notice. But Parents don't authorize the police to publish their child's photograph all over the town (societal barrier especially cases involving girls)

¹¹ In case of pooja@vicky d/o of vishambhar choudhary , the father exerted political pressure on the police authorities and bribed the officials too.

¹² Annexure-1: case study -3

3 Superstition

Few of the families are convinced by the Superstition involved¹³, families contact a lot of tantric and pundits for tracing their children and they are convinced by their predictions and are heavily looted by them, since they lack assistance from police.

(ii) Family size

It was generally observed in families having more number of kids that there was a delay in registration of report. A family belonging to lower socio economic background raising 6 kids and more often neglects the child and therefore the F.I.R is not lodged on the day of missing itself.

(iii) Callous Attitude towards education

It was observed in many cases that Parents drop their Children's education and prefer them to either get married or help in household chores. This affects a child development and mostly it was observed that girls are victim of this.

POLICE

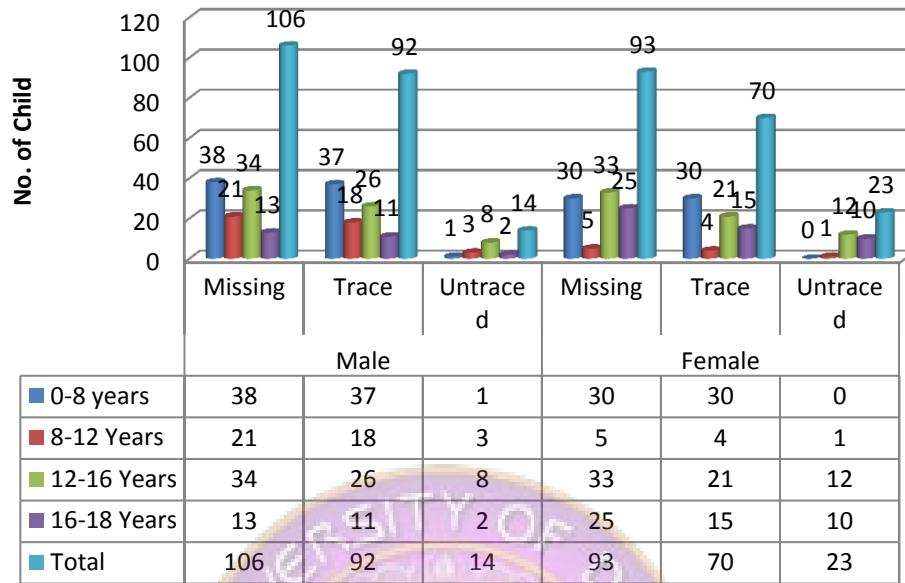
I. DEMOGRAPHIC TRENDS

PS Ranholla

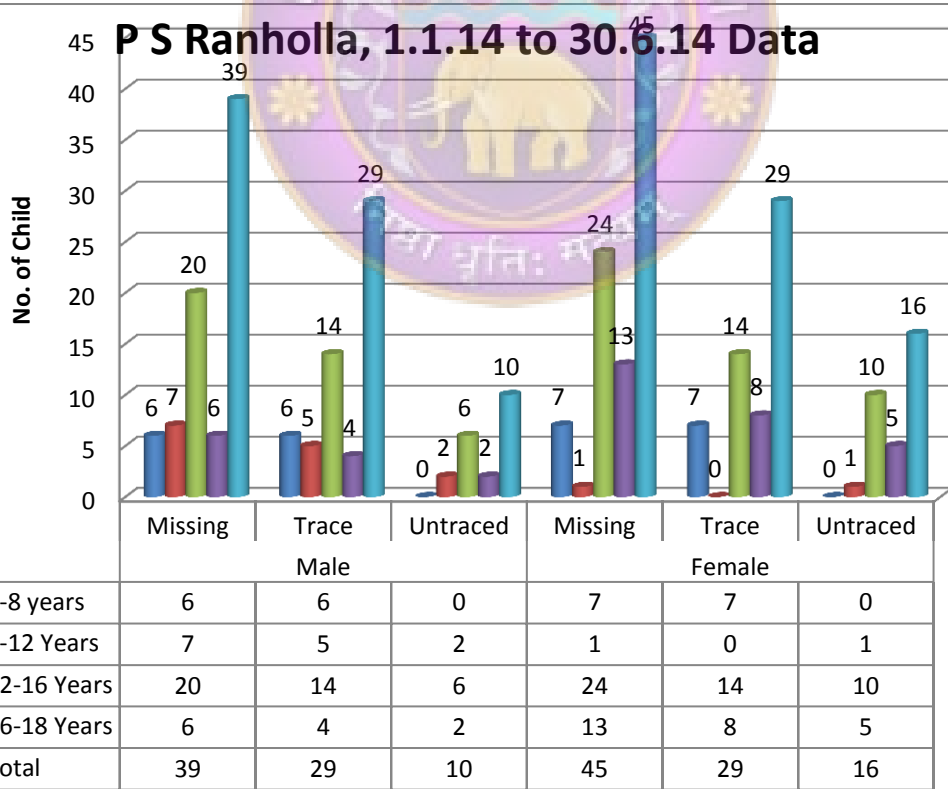
1. According to our field study and the records available at the police station, we observed figures and that being reported by special police unit for women and children is same for Ranholla i.e., 199 whereas it was also observed for the year 2014(from 1.01.2014 to 30.06.2014) that number of missing children being reported was 84.
2. Number of missing female child in the year 2013 was 106 and the number of missing male child was 93, whereas in the year 2014 the number of missing female child was 45 and the number of male child was 39.
3. The number of traced female child in the year 2013 was 70 and traced male child was 92, whereas in 2014(from 1.01.2014 to 30.06.2014) the number of traced female child was 29 and the number of traced male child was also 29.
4. The number of untraced female child in the year 2013 was 23 and the number of untraced male child was 14 whereas in 2014(from 1.01.2014 to 30.06.2014) the number of untraced female child was 16 and the number of traced male child was 10.
5. It was observed that in the year 2013 the maximum cases reported of males were in the age group (0-8) years whereas in the year 2014 the maximum trend for these cases were in the age group (12-16) years.
6. It was observed that in the year 2013 and 2014 the maximum cases reported of females were in the age group (12-16) years.

¹³ Anneure-I(case study-3)

P S Ranholla, 2013 Data



P S Ranholla, 1.1.14 to 30.6.14 Data





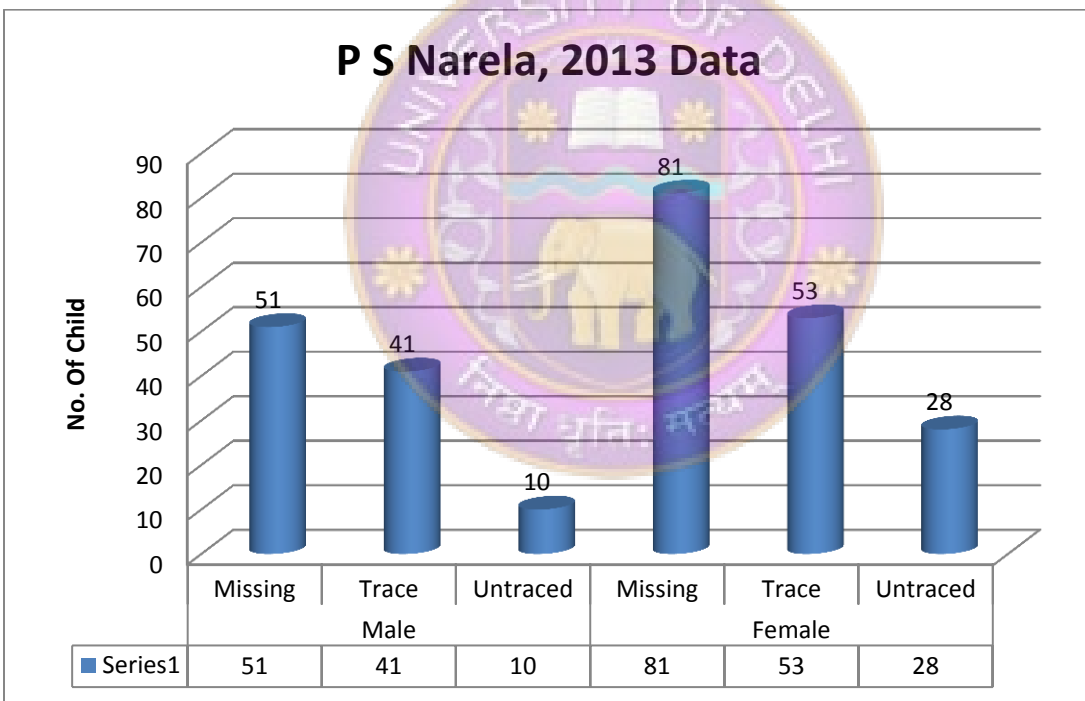
PS Narela

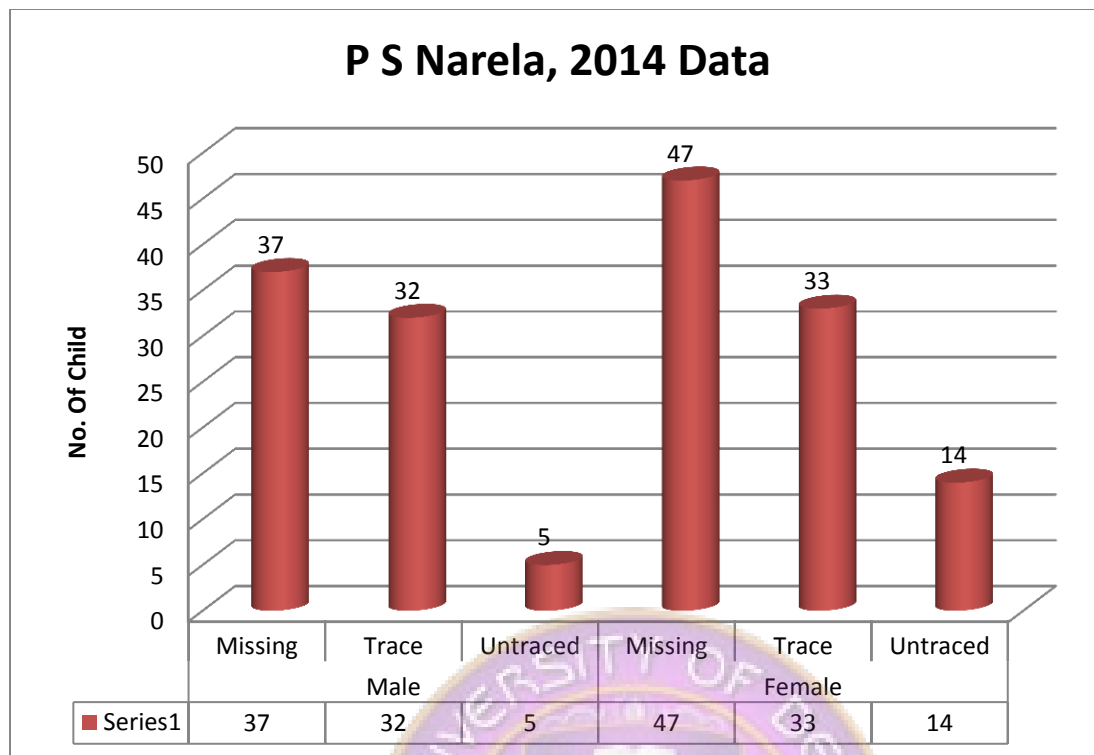
1. According to our field study and the records available at the police station, we observed that the number of missing children being reported for year 2013, by special police unit for women and children is 148 for Narela police station whereas the observed police records shows that the number of missing children is 132. it was also observed for the year 2014 (from 1.01.2014 to 30.06.2014) that number of missing children being reported was 84.

2. Number of missing female child in the year 2013 was 81 and the number of missing male child was 51, whereas in the year 2014 the number of missing female child was 47 and the number of male child was 37.

3. The number of traced female child in the year 2013 was 53 and traced male child was 41, whereas in 2014 (from 1.01.2014 to 30.06.2014) the number of traced female child was 33 and the number of traced male child was also 32.

4. The number of untraced female child in the year 2013 was 28 and the number of untraced male child was 10 whereas in 2014 (from 1.01.2014 to 30.06.2014) the number of untraced female child was 14 and the number of traced male child was 5.

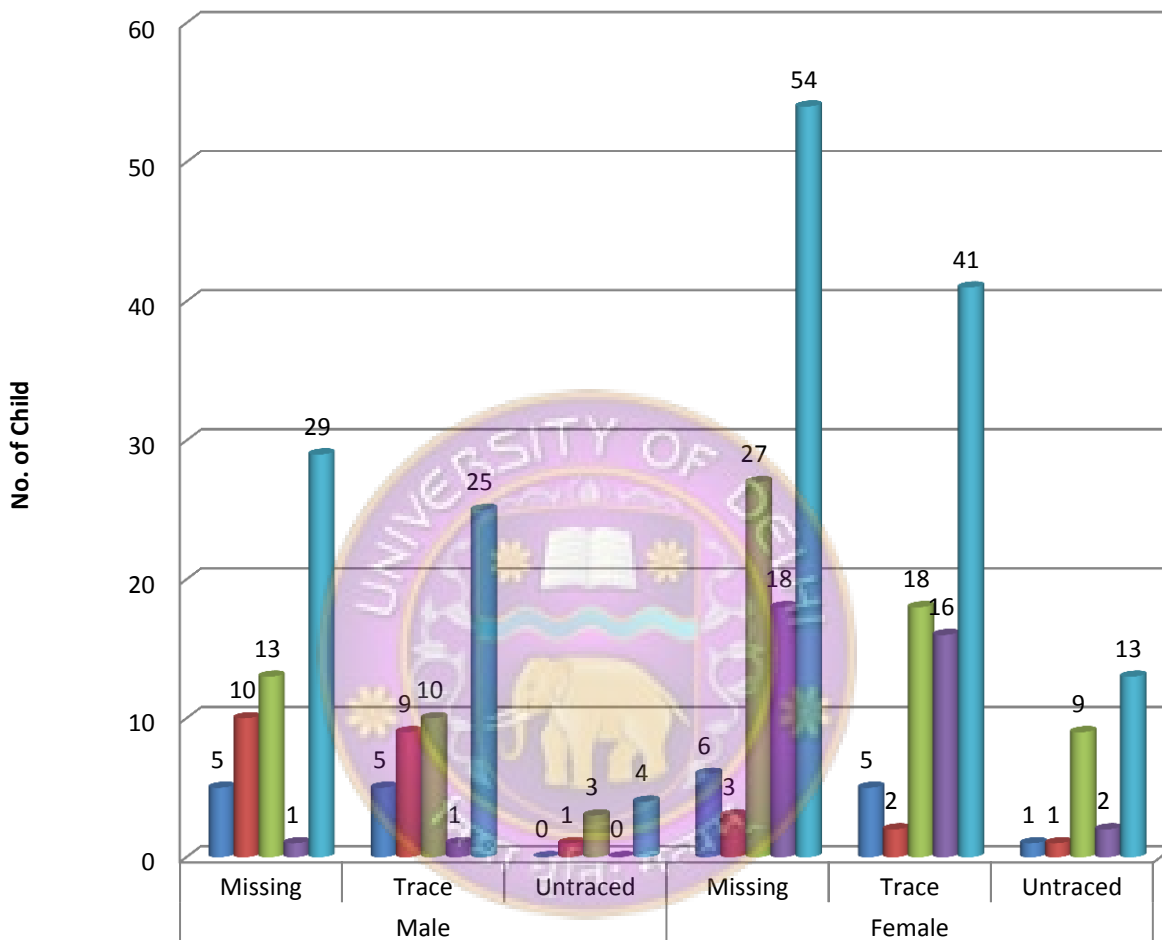




PS Dabri

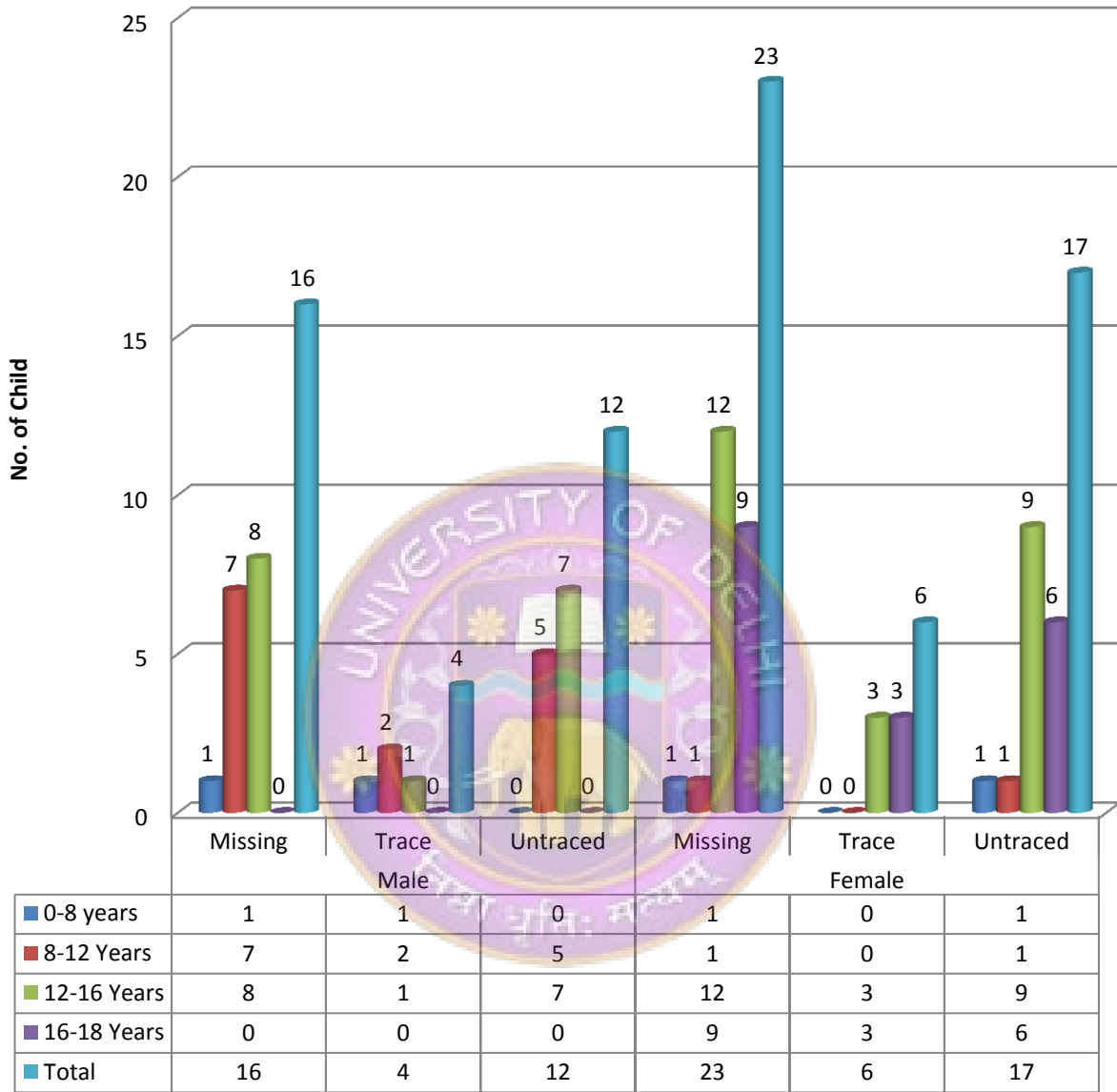
1. According to our field study and the records available at the police station, we observed that the number of missing children being reported for year 2013, by special police unit for women and children is 97 for Dabri police station whereas the observed police records shows that the number of missing children is 83 .it was also observed for the year 2014(from 1.01.2014 to 30.06.2014) that number of missing children being reported was 39.
2. Number of missing female children in the year 2013 was 54 and the number of missing male child was 29, whereas in the year 2014 the number of missing female child was 23 and the number of male child was 16.
3. The number of traced female children in the year 2013 were 41 and traced male children were 25, whereas in 2014(from 1.01.2014 to 30.06.2014) the number of traced female children were 6 and the number of traced male children were also 4.
4. The number of untraced female children in the year 2013 was 13 and the number of untraced male children was 4. Whereas in 2014(from 1.01.2014 to 30.06.2014) the number of untraced female children was 17 and the number of untraced male children were 12.
5. It was observed that in the year 2013 and 2014 the maximum cases reported of males were in the age group (12-16) years.
6. It was observed that in the year 2013 and 2014 the maximum cases reported of females were in the age group (12-16) years.

P S Dabri, 2013 Data



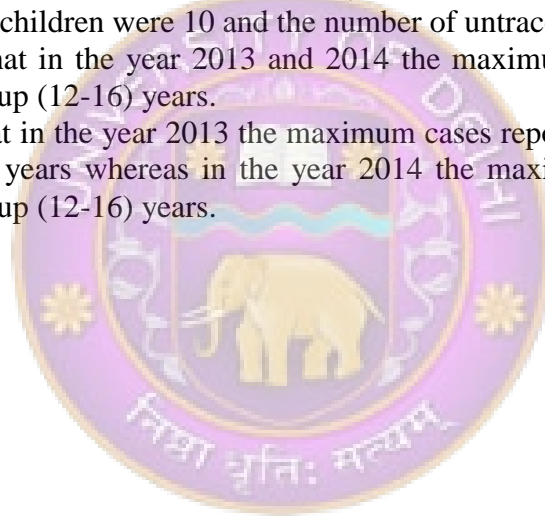
■ 0-8 years	5	5	0	6	5	1
■ 8-12 Years	10	9	1	3	2	1
■ 12-16 Years	13	10	3	27	18	9
■ 16-18 Years	1	1	0	18	16	2
■ Total	29	25	4	54	41	13

P S Dabri, 1.1.14 to 15.7.14 Data

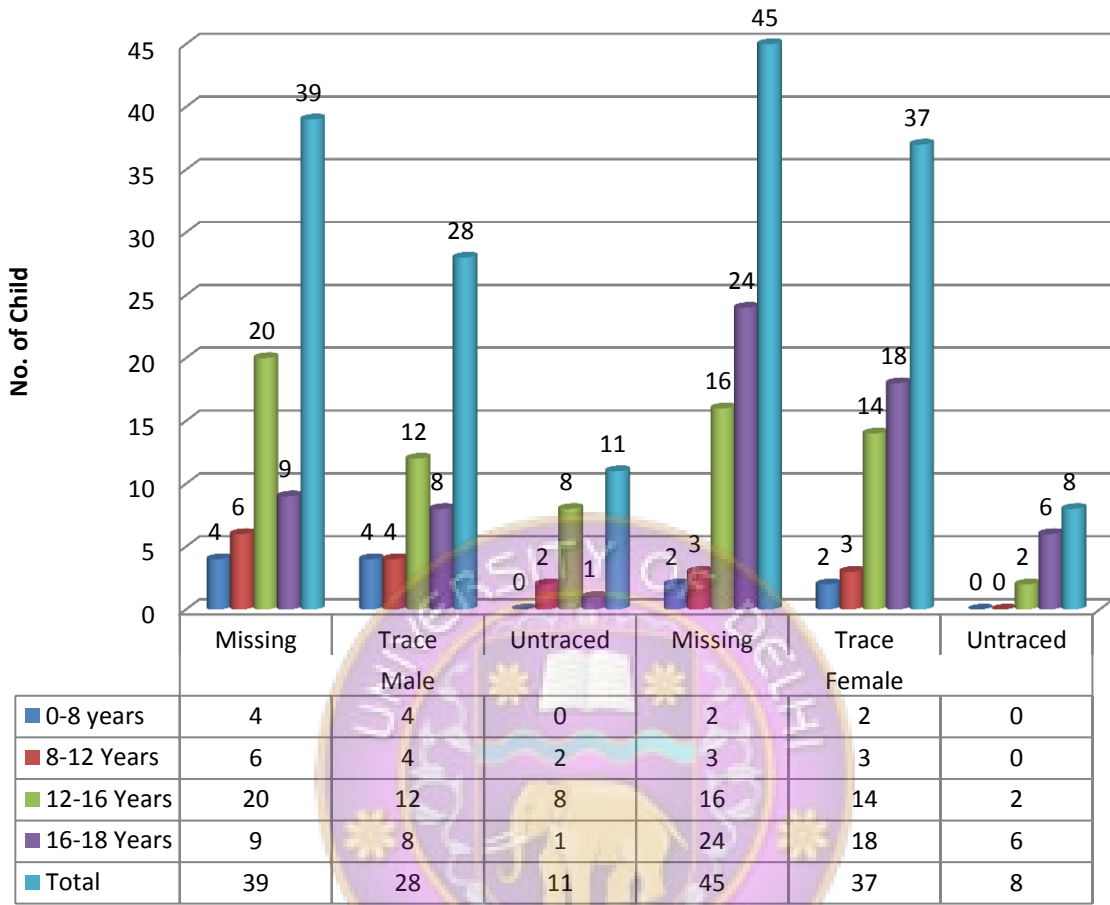


PS Khayala

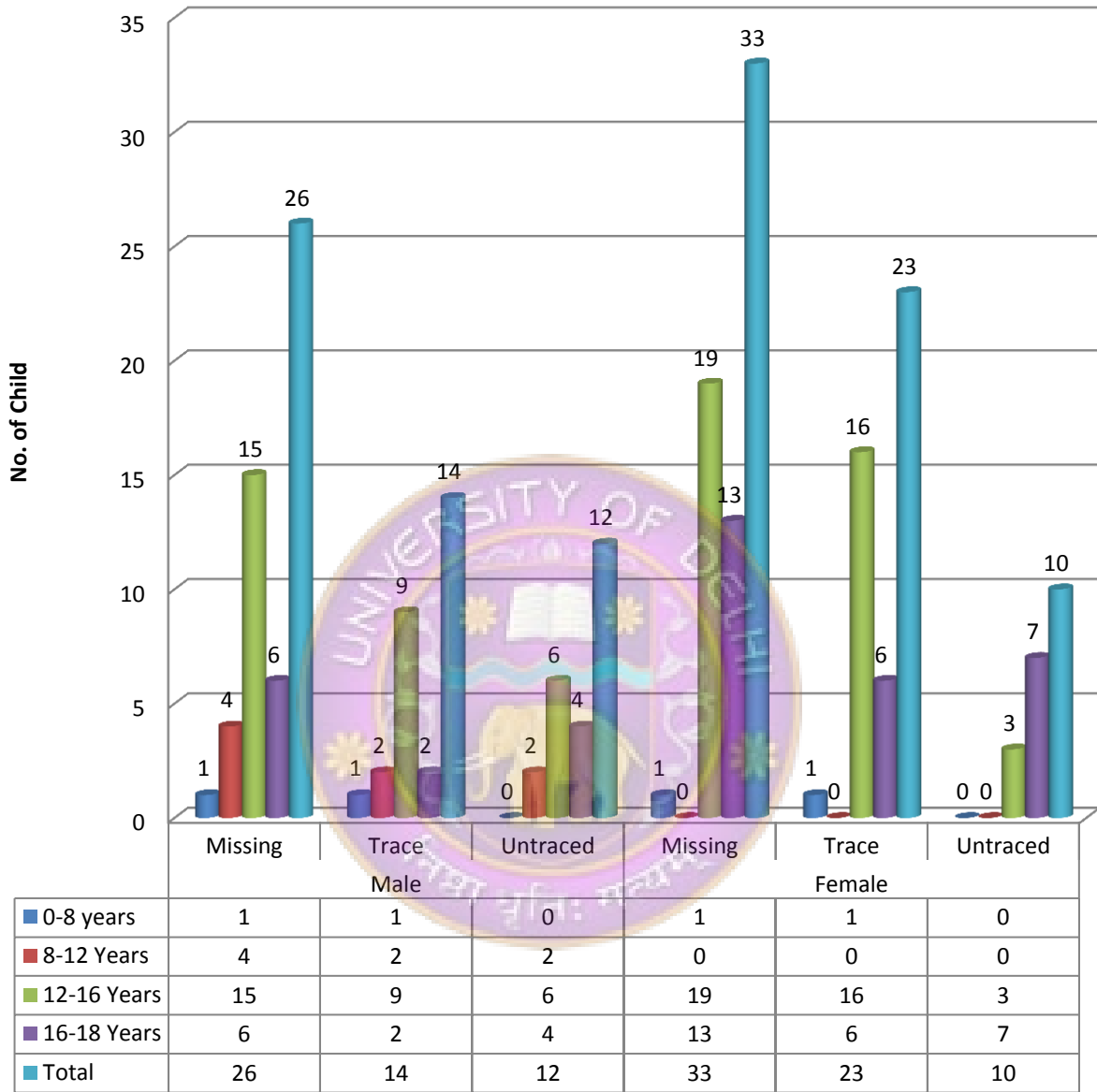
1. According to our field study and the records available at the police station, we observed that the number of missing children being reported for year 2013, by special police unit for women and children is 97 for Khayala police station whereas the observed police records shows that the number of missing children is 84 .it was also observed for the year 2014(from 1.01.2014 to 30.06.2014) that number of missing children being reported was 59.
2. Number of missing female children in the year 2013 were 45 and the number of missing male children were 39, whereas in the year 2014 the number of missing female children were 33 and the number of male children were 26.
3. The number of traced female children in the year 2013 was 37 and traced male children were 28, whereas in 2014(from 1.01.2014 to 30.06.2014) the number of traced female child was 23 and the number of traced male child was also 14.
4. The number of untraced female children in the year 2013 was 8 and the number of untraced male child was 11. Whereas in 2014(from 1.01.2014 to 30.06.2014) the number of untraced female children were 10 and the number of untraced male child was 12.
5. .It was observed that in the year 2013 and 2014 the maximum cases reported of males were in the age group (12-16) years.
6. It was observed that in the year 2013 the maximum cases reported of females were in the age group (16-18) years whereas in the year 2014 the maximum trend for these cases were in the age group (12-16) years.



P S Khyala, 2013 Data



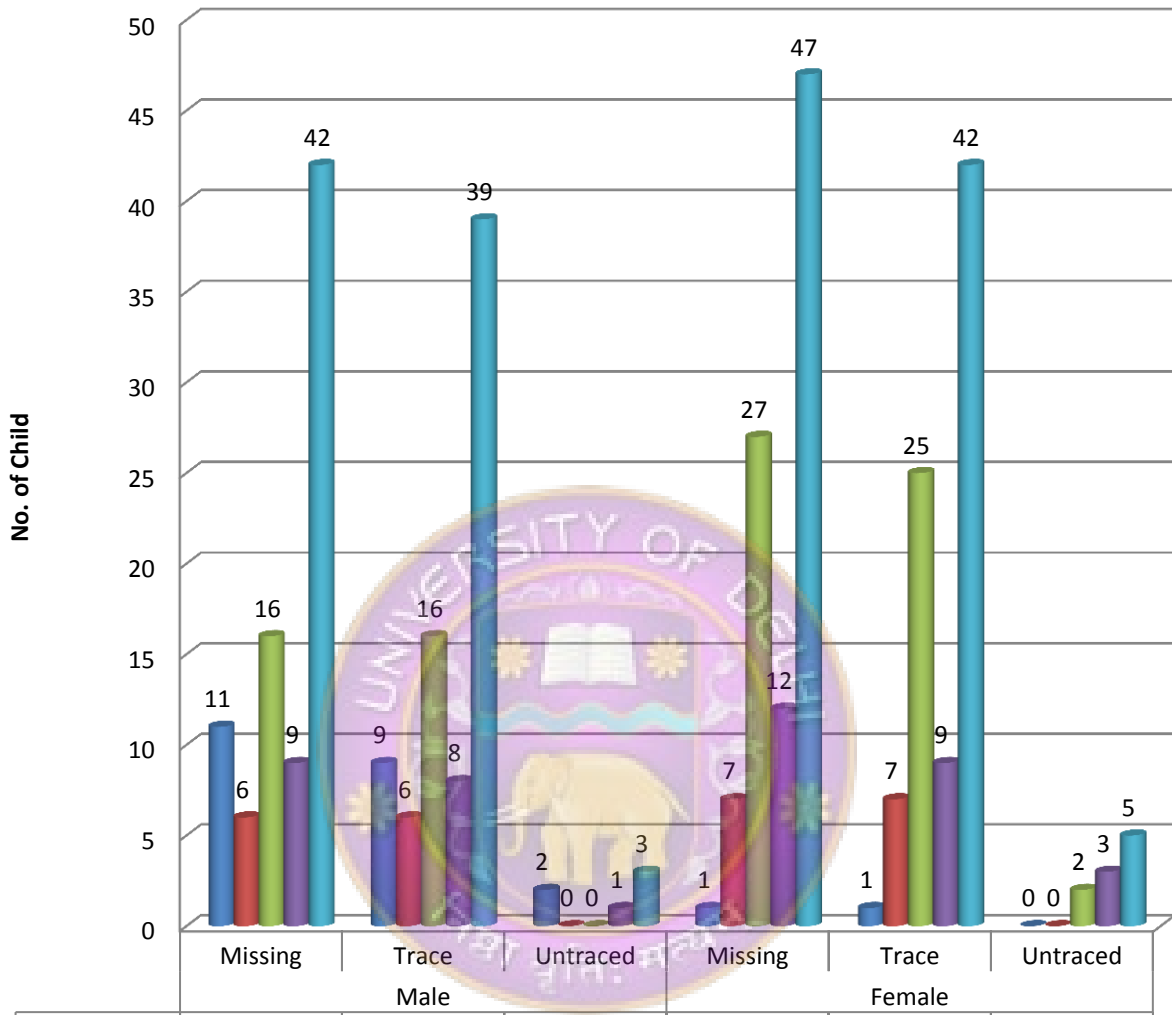
P S Khyala, 1.1.14 to 30.6.14 Data



PS Nebsarai

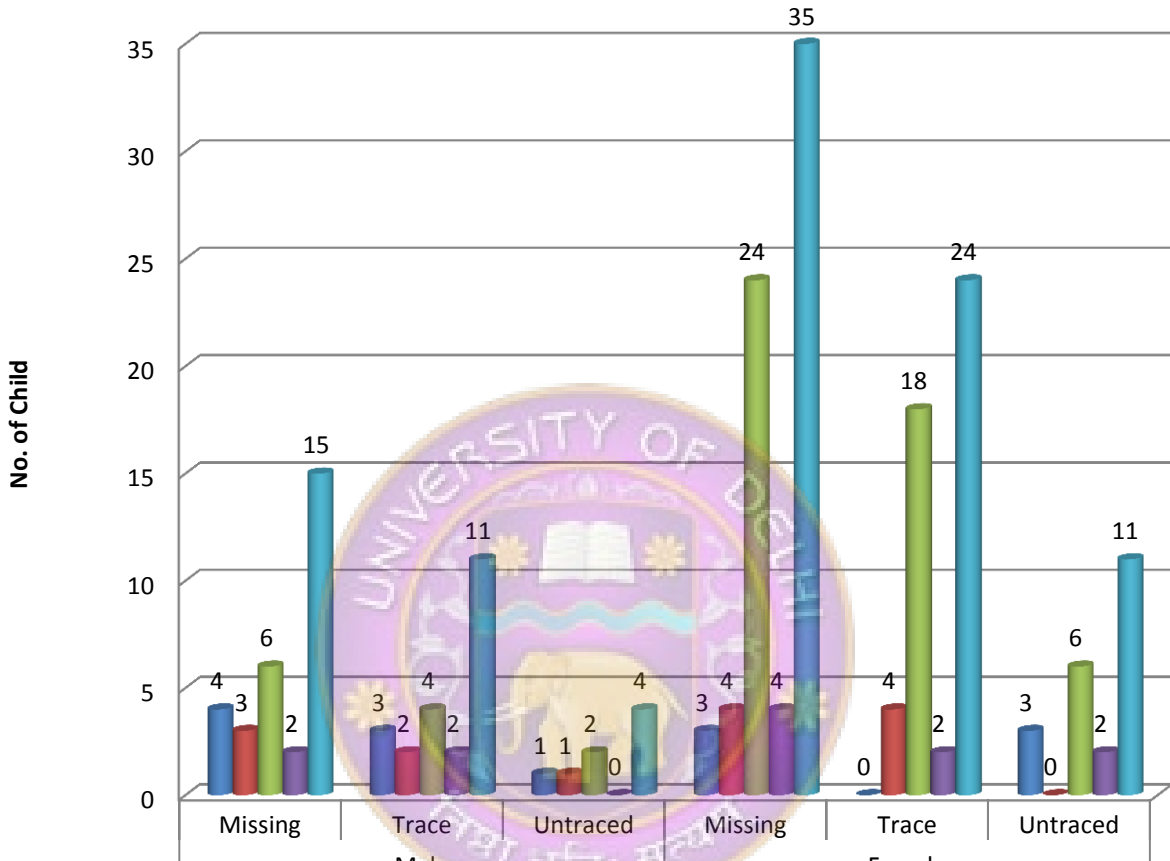
1. According to our field study and the records available at the police station, we observed that the number of missing children being reported for year 2013, by special police unit for women and children is 97 for Nebsarai police station whereas the observed police records shows that the number of missing children is 89 .it was also observed for the year 2014(from 1.01.2014 to 30.06.2014) that number of missing children being reported was 50.
2. Number of missing female children in the year 2013 were 47 and the number of missing male children were 42 , whereas in the year 2014 the number of missing female children were 35 and the number of male children were 15.
3. The number of traced female children in the year 2013 were 42 and traced male children were 39, whereas in 2014(from 1.01.2014 to 30.06.2014) the number of traced female children were 24 and the number of traced male children were also 11.
4. The number of untraced female children in the year 2013 were 5 and the number of untraced male children were 3, whereas in 2014(from 1.01.2014 to 30.06.2014) the number of untraced female children were 11 and the number of untraced male children were 4.
5. It was observed that in the year 2013 and 2014 the maximum cases reported of males were in the age group (12-16) years.
6. It was observed that in the year 2013 and 2014 the maximum cases reported of females were in the age group (12-16) years.

P S Neb Sarai, 2013 Data



■ 0-8 years	11	9	2	1	1	0
■ 8-12 Years	6	6	0	7	7	0
■ 12-16 Years	16	16	0	27	25	2
■ 16-18 Years	9	8	1	12	9	3
■ Total	42	39	3	47	42	5

P S Neb Sarai, 1.1.14 to 15.6.14 Data



0-8 years	4	3	1	3	0	3
8-12 Years	3	2	1	4	4	0
12-16 Years	6	4	2	24	18	6
16-18 Years	2	2	0	4	2	2
Total	15	11	4	35	24	11

CONGLOMERATE AREAS OF INTERVENTION

A prodigious increase in the number of missing reports of children has been observed in the national capital every day. Also, a large number of missing reports are lodged every day where as many go unregistered. It is of paramount importance to make sincere and productive efforts to trace the missing children as well to see the loop holes in the implementation of the revised standing order no.292/09 . Nevertheless few out of many times despite of putting in efforts with conviction and dedication, the duty bearers fail to trace the missing children and face a lot of turbulence from the families of the missing children .

According to our study and interaction with the police authorities we observe the following issues coming up. The issues are a case wise detailed study and are recorded after careful deliberation with the juvenile officers as well as the police authorities in the course of our research study.

Responsible authorities

The police authorities act both as an asset and a liability in the proceeding of tracing the missing children. The government policies both at state and district level contribute to the cumbersome and tedious implications of the standing order no.292/09 . Also, in the functioning of the duty bearers as they are not able efficiently execute the desired steps due to lack of resources and money. The families also leave no room in hindering the functioning of the duty bearers as they create a chaotic atmosphere for the juvenile officers at the police station and don't cooperate properly in providing evidence and true facts about the case.

STATE LEVEL

- i. The police authorities in the national capital of India faces a lot of turbulence in the allocation of the GDP funded to them by the government.
- ii. The police authorities have trouble in directing their efforts as they don't have enough resources and money; such that they find it difficult to travel to courts and other distant places after they run out of the strict expenditure allocated to them for petrol and other amenities.
- iii. The condition worsened even more for the duty bearers when they have to restore children back from other states to their native places. As they are not issued bills of certain mode of transport preferable at that very moment or due to some reason when they are unable to take a copy of the bill when the situation calls for it.
- iv. Due to improper allocation of GDP and other funds some police stations even run on rent for a sum of amount Rs. 80,000¹⁴
- v. As per the UN convention there should be one police official per 125 citizens in a particular jurisdiction (1:125) on the contrary there is 1:600 trend in the capital of India. It was seen that for a population of 5,00,000 and beyond in Dabri jurisdiction there was a total strength

¹⁴ Ranholla police station runs on rent as per the information provided by the A.C.P of the jurisdiction.

of only 120 or less police official , making it even more miserable for the police authorities to entertain the people in urgent need and help.

DISTRICT LEVEL

According to section-63 of JJ Act, 2000, there shall be a special juvenile police unit who frequently or exclusively deal with juveniles or are primarily engaged in the prevention of juvenile crime or handling of the juveniles or children under this Act to perform their functions more effectively. Every jurisdiction has two juvenile welfare officers who are responsible to take care of the complaints of the missing children.

The following concatenation of issues and events led to the improper and cumbersome task execution by them.

- Lower strength of police officials is a major milestone which also hinders the quality and efficiency in tracing the missing children.
- The duty bearers are therefore overburdened with other numerous cases other than that of the juveniles such as that of gang rape or serial killing which requires immediate man force and utmost priority thus leaving no room for the immediate rescue of the missing children with utmost conviction.
- Despite of witnessing hike in the missing girl child cases, there are hardly any women juvenile welfare officers. Neither they are present at the time of restoration of the child back to her family or in any proceedings of the case such as to accompany her to the court or jot down the brief facts of the case. Thus allowing a room to have incomplete information during the course of her investigation¹⁵
- There is an urgent need to have more strength of police officials as well as women juvenile welfare officers rather than just following a mere protocol to have a woman constable along with the investigating officer at the time of recovering the child as most of the case proceedings are done by the investigating officer himself.
- There should be more effective training of all the officials at regular intervals and more appointments of women juvenile welfare officers to exclusively deal with the cases involving girls affected by sexual offenses and elopement.

Problems in tracking system

- i. Police stations are not equipped with technologically advanced tracking systems which are required for tracing the location of a child this causes an imprudent delay to locate a missing child.

¹⁵ Handful of Girls involved in elopement cases or that of even POCSO reported of having no women official around but their parents and the investigating officer.

- ii. Moreover, if police stations go by the conventional procedure to obtain the location of the child are long and cumbersome and causes further delay in taking some immediate action especially in missing cases of children.
- iii. The right to privacy policy at times serves as a constraint in the proceedings of tracing the child. Though there is room for doubt that it might be misused by the officials but there should be contingent efforts made by the higher authorities to improve this system and seek for alternatives as it becomes tedious for the JWOs' to track down the location in this technologically advancing atmosphere..
- iv. The easy availability of sim cards is another milestone which needs to be conquered. It is observed that at times despite of having unauthentic documents sim cards are issued to the masses easily in underdeveloped areas. Making it difficult for the police to get some accurate whereabouts of the missing children out of the virtual world.

Problems in identifying the migrant population

- i. Migrants was the major problem seen as a deterrent in the course of police investigation
- ii. Police faces a lot of problem in tracing the location, when either the accused or the witness shifts from the place where he dwells, therefore because of poor-management of the rent agreements and temporary residence the police faces a lot of problems in tracking down the children or in its further court proceedings.
- iii. The municipal corporation of Delhi (M.C.D) is no less to blame as alone as police can't wipe away the masses staying illegally at unauthorized areas. It is first the duty of the M.C.D officials to take into account such illegal accommodation and then also verifying the illegal supply and access of water and electricity as well.
- iv. At the time of election it is easier for the masses to secure a ration card and hence even apply for voter id thereafter, making the migrants a righteous citizen of that particular state.
- v. At rural districts, a lot of atrocities at the ground level were observed within the government bodies to an extent, such that even fake voters ID card of the missing girl who eloped with her beau was issued within a span of few weeks by the collective efforts of the accused boy with whom she eloped. Thus portraying the minor girl to be eligible for marriage¹⁶. Therefore the government bodies too are contributing to the delayed rescue and cumbersome investigation of the case.

GROUND LEVEL

- i. Police faces a lot of hardships while dealing with the families at the ground level. Police not only has to the mend the chaos created by the members of the family at the premises but also the constant pressure maintained by the family which creates an unpleasant environment for the police officers to carry on their work systematically.

¹⁶ Annexure-I(case study-1)

- ii. The families of the missing children make the investigation even more tedious for the police by their deceitful attempt to fast track their case, such as providing *over exaggerated facts* about the case¹⁷.
- iii. *False complaints* is one big constraint in the police investigation as it not only hinders the immediate rescue of the missing children but also misleads the case and the accused suffers despite of having no authentic evidence against him. Thus making it even more complex for the police to unfold the links figured out to trace the missing children.
- iv. External pressure was another deterrent that was seen in the course of police investigation. Parents usually to fast track their frequently apply pressure from higher authorities to do the same and even try bribing the officials too.
- v. Police authority's faces a lot of external pressure from different sources like lieutenant governor's office, NGOs etc. to fast track cases related juvenile. Thus creating a chaotic environment at the police premises by performing *dharnas*.
- vi. Some uneducated and below poverty line families have no photographs of their missing child neither any authentic age proof.
- vii. Most families due to social barriers don't allow the police to issue their missing daughter's photograph in the hue and cry notice. Though with little civic sense this could be avoided.
- viii. It was observed especially in elopement cases that whenever there is an inter caste/ inter-religion case reported, in the area such as Khayla & Dabri there are conditions of communal riots as well when the two parties clash. Thus a lot of police force then gathers to mend the situation first and later on focuses on the investigation. Thus families of the missing children act a major constraint in investigation and does hinders the functioning of the police.
- ix. A lot of time of the juvenile officers goes in fulfilling the formalities related to cancellation of the case and presenting the juvenile at the district courts, medical etc. And other constraints such as , the magistrate forwards the date of the case etc. absorbs a lot of time of the welfare officers where he could have devoted the same time in investigating the pending cases as well. Meanwhile some children even eloped again or ran away two days before their court date was issued. Thus contingent measures should be taken to lessen the burden of the police authorities.

CONCLUSION

A deep analysis was done to endeavor into the reasons of the increase in the number of missing children in the 5 jurisdictions of Delhi (Nebsarai, Ranholla, Khayala and Narela). There has been a decrement in the number of missing children from 2013 to 2014 except for Ranholla district. The major patterns observed in the missing of children were Elopement, runaway and kidnapping. Physical abuse, child neglect and lack of persistent care while raising three or more

¹⁷ Annexure-I(case study-1)

children at a time were recorded. Children in the age group between 10 to 15 years are the most vulnerable in getting involved in substance abuse. Peer pressure is a contributing factor in the domain of reasons that attracts the children to make ambiguous decisions. The research study was divided into two major aspects i.e., interaction with the afflicted family (traced and untraced cases) and interaction with police authorities. Families of the girl child going missing makes no persistent efforts in tracing the child and even lacks the concerned documents such as a birth certificate required at the time of registering the FIR. The lack of women police officers and the smaller strength of the police officials sums to the delay in tracing the missing children. Stringent efforts should be made by the government of India to spread awareness among the masses about steps need to be taken to trace the missing children. The afflicted families are unaware about ZIPNET, authorities such as NCPCR and the legal aid providing centers. No evidence was found in the course of our study supporting sex trafficking or illegal trade of human organ as a reason of missing children which accounts to hold a room for doubt. Further projects should be taken up by the government to investigate into this sensitive issue. Missing children helpline and various programs should be initiated by the government concerning a healthy family atmosphere for the children and improvement in the counseling services provided by the police authorities should be taken into account strictly.

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ANNEXURE

Annexure-I

CASE STUDY

Case study –I

In the case of Rakhi(D/o of Pappu, Khyala police station)

1. Case in brief: on 3/05/2014 at 6:30 pm , Rakhi, D/o of pappu eloped from her house saying that she is going to her aunt's place. when for a long time, she didn't return back, the family started searching for her and came to know that she never went to her aunt's place then they lodged an FIR at 10 pm. Family had a suspicion that she might have eloped with her boyfriend and so they lodged an FIR against him too. After continuous searching and efforts from the side of family the girl was finally traced at a flat in Gandhi nagar. according to her she married her partner by making fake voter IDs in that period and they were living in a domestic setting But on the request of the girl she was directly deported to "Nirmal Chhaya". The girl stayed
2. Observation of the intern team
 - I. It was observed that the girl eloped with her partner who was a major (in his late 20s) and was a drug addict.
 - II. In this case it was also observed that police did no investigation and there was just a minimal effort from the side of police authorities.
 - III. It was another major finding in the case that fake voter IDs were made, to make new identity of the girl so that she can become major in the eyes of law and her marriage with her partner is legal.
 - IV. girl faced a lot of verbal and emotional abuse in the family, she felt neglected and distrusted.

Case study-II

In the case of Rakhi (D/o of jetha ram, khyala police station)

1. Case in brief: At 9 pm in the evening the girl eloped from her house saying that she is going to washroom, but later when she didn't return back, the family found that she had eloped with her partner, whom they suspected to have convinced her to leave her house. The family lodged an FIR against the boy. After 12 days the duo were traced in sultanpuri. she was directly deported to "nirmal chhaya" and she is not willing to come back.
2. Observation of the intern team
 - I. It was observed in this case that the girl was uneducated and mainly remain indoors which has developed a feeling of escape in her and attraction towards the outer world. She came in contact with boy and eloped with him.
 - II. The major finding in the case is that the parents filled false complaints against the partner saying that the girl called them and she was being raped.
 - III. Another finding in the case was that girl is reluctant to live with her family

- IV. In this case it was also seen that the females members faced a lot of verbal misbehave from the police authorities.
- V. The family of girl accuses police and panchayat to have taken bribe from the boy's family in order to legalize their marriage.
- VI. Another observation was that the family is migrant from Gujarat.

Case study –III

In the case of Saurabh(dabiri police station)

- i) Case in brief: saurabh, a student of 8th class went for his tution classes at 8 in the morning but after coming back from his tution he lost his conscience and went somewhere. The boy was missing for 15 days. According to the family he was unduly influenced and misguided by his tution teacher. And so the parents lodged an FIR against the tuition teacher for influencing their child.the child came back on his own on 15th day but he was in a miserable condition and was brutally beaten.
- ii) Observation of the intern team:
 - I. a)it was observed in this case that the child was under the influence of his master to the level that he wanted to change his religion.
 - II. b)it was also observed that there were minimal effort from the side of police in tracing the child.
 - III. c)the child was in a very miserable condition when he came back, he was brutally beaten and had face a lot of physical abuse.

Case study-IV

In the case of ishika(D/o swaroop narela police station)

- i) case brief :ishika a six year old girl who lives with her parents in a two floor bunglow which is also occupied by her aunt and her husband who lives on the second floor .on 18/11/2013 when she was playing in her room was called by her neighbor at around 2:40 pm in afternoon to his room when her aunt who was coming down from the stairs saw this through the window that ishika was crying and that neighbor had blocked her voice by his hand then she started shouting and made him open the door.she asked ishika that what was he doing with her, she told everything that he was trying to touch her lower abdominal body and trying to insert something.the aunt at the same time registered the FIR against him by calling on 100 PCR number.
- ii) Observation of the intern team:
 - I. It was observed in the case that the girl was sexually abused.
 - II. The accused was her neighbor and generally it is observed that in such cases the accused are your close relatives.
 - III. There was a instant complaint against the accused and the case was registered under POCSO and so there was a immediate action against the person.

Case study-V

In the case of shazmeen (narela police station)

- i) case brief :Shazmeen, a four year old girl was found missing in the morning when she was sleeping with her mother and siblings in their juggi,her mother searched for her everywhere but she was not seen by anyone around. They lodged an FIR after 12 hours,after 2 hrs when the FIR was lodged someone told her that there is a girl laying in the middle of a civil disposal river at the backside of their juggi.when the parents ran to recognize if the girl lying there is their child they came to know that she was shazmeen. The girl was in a very misery her lower abdominal was damaged.
- ii) observation of the intern team:
- I. a)It was observed that the girl was affected very much after the incident.
 - II. b) And the accused was out on bail, no strict action was taken against him.
 - III. c)Also the victim did not receive any compensation from NLSA or DSLA as given under the provisions of POCSO.

