

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

LOK SABHA
UNSTARRED QUESTION NO.1605
TO BE ANSWERED ON 10.02.2023

SURVEY ABOUT SEX WORKERS

1605. SHRI ASADUDDIN OWAISI :

Will the Minister of WOMEN AND CHILD DEVELOPMENT be pleased to state:

- (a) whether 30 percent out of more than 40 lakh sex workers at present in the country are children;
- (b) if so, whether his Ministry has recently conducted any survey about sex workers in the country and the presence of children in the trade;
- (c) if so, the details thereof;
- (d) the schemes launched by the Government for welfare, rescue and rehabilitation of sex workers especially of children;
- (e) whether there is no coordination between police, State Governments and State law and order agencies in regard to rescue and trafficking of children especially from tribal areas; and
- (f) if so, the corrective steps taken or being taken by the Government in this regard?

ANSWER

MINISTER OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SMRITI ZUBIN IRANI)

(a) to (f) : The Ministry of Women and Child Development is administering the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act, 2015) which is the primary legislation for ensuring safety, security, dignity and well-being of children. The Act provides for protection of children in need of care and protection and those in conflict with law by catering to their basic needs through care, protection, development, treatment and social re-integration. It defines standards of care and protection to secure the best interest of child. The children in need of care and protection includes trafficked children among others.

Under the JJ Act, 2015 (Sections 27-30), the Child Welfare Committees (CWCs) have been empowered to take decisions with regard to the children in need of care and protection, keeping their best interest in mind. For every district, one or more CWC are formed to exercise the powers and discharge the duties conferred on such Committees in relation to Child in Need of Care and Protection (CNCP). The committee consists of a Chairperson and four other members as the State Government may think fit to appoint, of whom at-least one is a woman and another, an expert on the matters concerning children. A CNCP may be produced before CWC, or it may take suo-motu cognizance of cases and reach out to children in need of care and protection, who are not produced before the committee. The CWC ensures care, safety, appropriate rehabilitation or restoration of CNCP based on the child's care plan and passes necessary directions to parents/ guardians/ children's homes/ fit facility in this regard.

The CWC functions as a bench of the magistrate and possesses powers conferred by the Code of Criminal Procedure Code on a Metropolitan Magistrate. A child in need of care and protection is to be produced before the CWC within 24 hours. The Act provides for mandatory reporting of a child found separated from his/her guardian. Non-reporting has been treated as a punishable offence. They are also mandated to monitor the function of the Child Care Institutions (CCIs).

At the national and state level, the JJ Act authorizes the National/State Commissions for Protection of Child Rights to monitor the implementation of the Act (Section 109). Further, as per section 106 of JJ Act, 2015, the primary responsibility and execution of the JJ Act, 2015 lies with the States/UTs.

Section 107 of the Juvenile Justice (Care and Protection of Children) Act, 2015 provides for creation of a Special Juvenile Police Unit (SJPU) by State Governments/UT Administrations for every district and city to coordinate all functions of Police related to children.

The Ministry is implementing a centrally sponsored scheme namely “Mission Vatsalya” (erstwhile Child Protection Services (CPS) Scheme) through the State and UT Governments on predefined cost sharing pattern for delivering services for children in difficult circumstances. The Child Care Institutions (CCIs) established under the Mission Vatsalya Scheme support *inter-alia* age-appropriate education, access to vocational training, recreation, health care, counselling etc.

The Central Government has been supplementing the efforts of the State Governments/ UT Administrations by undertaking various initiatives and measures with regard to law and order. It has provided financial assistance under ‘Nirbhaya Fund’ to all States/ UTs during the financial years 2019-20 and 2020-21 for strengthening the existing Anti Human Trafficking Units (AHTUs) and for establishing new AHTUs covering all districts of the States/ UTs. In addition, the Central Government also provides financial assistance to States and UTs for holding “Judicial Colloquiums” and “State level conferences” on periodic basis for sensitizing judicial and police officials and to make available to them updated information on latest provisions of law relating to human trafficking. The Ministry of Women and Child Development under the umbrella scheme for safety, security and empowerment of women named ‘Mission Shakti’ is implementing the component of ‘Shakti Sadan”, under which erstwhile schemes of ‘Ujjawala’ and ‘Swadhar Greh’ have been merged. The component of ‘Shakti Sadan” has provisions for prevention of trafficking and rescue, rehabilitation, reintegration and repatriation of victims of trafficking for commercial sexual exploitation across the country. State Governments are responsible for identifying districts that need immediate attention to address the issue of trafficking. The objectives of the scheme *inter alia* include (i) providing rehabilitation services, both immediate and long-term, to the victims by providing basic amenities/ needs such as shelter, food, clothing, medical treatment including counseling, legal aid and guidance and vocational training, and (ii) facilitating reintegration of the victims into the family and society at large.

Further, as per information received from National Commission for Women, the Commission has organised a Consultation on ‘Conditions conducive to sex workers to live with dignity’ on 05.08.2022 with stakeholder to understand the issues faced by sex workers and take recommendations to attempt mainstream the rights of sex workers. Report regarding sex workers including children in the country is not available in the Ministry.