

Human Trafficking in India: Policy Gaps and Grassroots Solutions for Change

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Abstract: *According to social media, reports and news channels, widespread human trafficking is one of the major issues in today's time. The target group are mainly young girls and women who disappear more than men. One of the reasons for the increase in human trafficking in India is poverty. In addition to trafficking or smuggling for prostitution, ladies and girls also are sold and offered into forced marriages, in girls' deficit areas. Many social activists and NGOs are actively involved in numerous activities in addition to government implementation, in particular for the training and higher education of people at the community level and for the protection of the endangered class of society. The recent legislative amendment to the Indian Penal Code (IPC) to define the term 'human trafficking' also shows a lack of seriousness on the part of the government. It is argued that the recent amendment is not sufficient to combat trafficking and a comprehensive legal reform is required to synergize different legislations and institutional support mechanisms. The paper begins with the definition of human trafficking navigating through the causes of trafficking, legal system, case studies and preventive measures emphasizing particularly on Immoral Traffic Prevention Act (ITPA) and IPC 370.*

Keywords: Human trafficking, prostitution, NGOs, legal, ITPA, IPC 370

Introduction

One of the greatest forms of abuse and exploitation that people have ever experienced or witnessed in the twenty-first century is human trafficking. Trafficking is one of the world's most heinous crimes. The rise in global migration and labor mobility limitations has led to a notable rise in irregular migration, including human trafficking. The issue of human trafficking for the purpose of sexual exploitation is becoming more widespread worldwide. Since trafficking is the fastest-growing criminal organization in the world, it has been diagnosed as a massive organization. This section highlights the concepts of bonded work, baby labor, and sex trafficking that were employed in Indian and international jails at an undefined point in the report's future. Under section 370 of the Indian Penal Code, trafficking of persons for “physical exploitation or any form of sexual exploitation, slavery or practices just like slavery, servitude and the forced removal of organs” is prohibited.

What is Human Trafficking?

Human trafficking is a crime and a human right violation. It involves the recruitment, movement and exploitation of someone for earning. Men, girls and children are trafficked in India for numerous causes. Females are trafficked within the countries for the motives of professional sexual exploitation and forced marriage particularly within the areas where female sex ratio is significantly low. Men are traded for the purpose of work and can be sexually exploited by criminal means to serve gigolos, news experts, escorts. Children under the age of 14 who were forced to work in factories begged as domestic workers and were used as armed soldiers by some terrorist and rebel groups. United Nations' Palermo Protocol defines Human Trafficking as,

“Trafficking in persons can be defined as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another

*person, for the purpose of exploitation. Exploitation should include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.*¹

On the given ground in the Trafficking in Persons Protocol, it is seen that trafficking in persons has three constituent elements: -

- The law (what is done): Recruitment, promotion, transfer, placement or reception of people
- The means (how to do it): threatening or using force, coercion, kidnapping, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to anyone who has control over the victim.
- The purpose (why it is done): Exploitation, including the exploitation of the prostitution of others, sexual exploitation, forced labor, slavery or similar practices, and organ harvesting.

The processes by which human trafficking begins are initially the transport of victims from the main area. This human trafficking process has several stages and stakeholders. The first phase begins with the place of origin, commonly known as the header, where the victim is enlisted or fraudulent and then transported to the place of demand with the help of local human traffickers or professionals. The origin of human trafficking can vary depending on the scope and network of the traffickers. For example, the source may be a small town or village for domestic human trafficking, while it may be a country for international human trafficking. After the initial phase, the next phase is the "transition phase" in which the victim must stay for a limited period of time or for a few days, weeks or months. Transit can also become a starting point for your next transportation. The last phase is the "objective phase", in which the victim of human trafficking is finally handed over to the owner and then asked to provide services to the clients and thus become that victim of this modern-day slavery. The entire system of this transportation process has a series of actors involved in this heinous crime of human trafficking. It is the third largest crime in the world after drug and arms trafficking. This has made this industry one of the most organized crime industries in the world. Furthermore, the activities and participation of thousands of criminals

¹ Protocol to prevent, Suppress and Punish Trafficking in Persons. (n.d.-o). <https://www.ohchr.org/en/professionalinterest/pages/protocoltraffickinginpersons.aspx>

working as organized crime professionals have fuelled various other social discourses and have also become fuel for other criminal activities. It includes human trafficking in relation to prostitution, in relation to migration, as a human rights problem, as a labor problem, as a criminal problem and child trafficking.

The Causes of Human Trafficking

Several factors are responsible for the trafficking of men, women and children in India. The reasons are many, but the main cause of human trafficking is poverty. However, despite 67 years of independence, the benefits of economic development have not filtered down to the marginalized sectors of society. Millions of people in India still live below the poverty line.²The problem of poverty and hunger makes children and women fall into the trap of human trafficking. The desire for a better life can easily seduce unhappy women and children who are trafficked without their knowledge. Other factors that many people want to venture into are the desire for better living conditions and the lack of job opportunities in their place of origin. These factors tend to pressure victims that “push” them to move and make them more vulnerable to control by traffickers.³ In most cases, due to poverty, parents encourage children to move from their place of origin to a place where they can have a better life and more opportunities. This actually makes children easy prey for human traffickers. In a few cases, socio-cultural and religious factors have an impact on child trafficking where religious idols have made use of their position to traffic girls for prostitution. Frequently, trafficking is accomplished through the deception of girls and their families. One of the most important push factors which results in human trafficking is Globalization. According to the International Organization for Migration report, 90 percent of the victims of human trafficking as sex slaves experienced domestic violence before being trafficked. The declining sex ratio and increasing demand for women in women-hungry areas are also considered to contribute to the bridal trade in India. For some workers, it has meant leaving their abusive homes and living in the parts of the world they only dreamed of. The perpetrators took advantage of this and the operators

² Poverty line is a level of personal or family income below which one is classified as poor according to governmental standards- Merriam Webster Dictionary

³ Push Factors: poor socio-economic conditions of a large number of families, poverty coupled with frequent, almost annual natural disasters like floods leading to virtual destitution of some people, etc

began to give guarantees of better compensation and a more comfortable life, increasing the demand for marriage proposals for girls in different regions. The other set of factors responsible are the pull factors.⁴ Child marriage is one of the easiest pull factors for traffickers to send girls from one place to another. In a traditional village community, single women are stigmatized. The failure to arrange a daughter's marriage is a source of shame and embarrassment for parents. After marriage, the girls are sold and resold until it reaches its final destination. Other forms of human trafficking in addition to child marriage are fictitious marriage, false recruitment, kidnapping and kidnapping of children, transporting children with parental consent, adoption of children, exploitation of poor working-class families. and better living conditions in cities.

Legislative Framework on Human Trafficking

a) Constitution Of India

The Constitution of India under Article 23 (1) prohibits trafficking in human beings and forced labor. This right is enforceable against State and private citizens. The Constitution of India puts the responsibility on the State to protect its vulnerable groups, prevent and punish their exploitation and take steps to protect their exploitation and take steps to promote their welfare.

b) Section 366 IPC

In case of trafficking under the guise of marriage there is a misuse of the vulnerability of the victim and their circumstances which does not seem to be included in this section. Sec 366 starts with the word kidnapping and abduction, the section is sufficient where bride trafficking takes place through kidnapping and abduction but as many of these cases start with girls and with parent consent which lately land up to undesired consequences. So this section is severely lacking in this area. Secondly this section covers only the traffickers and not the husband. In practice, documented studies reveal that women are often lured with the prospect of

⁴ Pull factors: lucrative employment propositions in big cities, easy money, promise of better pay and a comfortable life by the trafficking touts and agents, demand of young girls for marriage in other regions, etc

job / employment in the cities. Therefore, the extant provision in the IPC falls short of the menace of selling women for purposes of marriage.

c) Section 370 IPC

Buying or disposing of any person as a slave. —Whoever imports, exports, removes, buys, sells or disposes of any person as a slave, or accepts, receives or detains against his will any person as a slave, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.⁵

The definition includes illegal acts and means adopted for the purpose of exploitation. The different form of exploitations are as follows: -

- Physical Exploitation
- Sexual Exploitation
- Slavery or Practice similar to slavery
- Practice similar to servitude
- Removal of Organ

d) The Suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA)

This Act was enacted under Article 35 of the Constitution with the object of inhibiting and abolishing trafficking in women and girls. It was also in pursuance of the UN's Trafficking Convention, which India signed on 9 May 1950. The Act aimed to rescue exploited women and girls, to prevent the deterioration of public morals and stamp out the evil of prostitution that was rampant in various parts of the country.⁶

e) Immoral Traffic Prevention Act, 1956

⁵ Section 370 in the Indian Penal Code. (n.d.-p). <https://indiankanoon.org/doc/1153041/>

⁶ The suppression of immoral traffic in women and Girls Act ... (n.d.-s). [https://www.wcwonline.org/pdf/lawcompilation/India_SUPPRESSION OF IMMORAL TRAFFIC IN WOMEN AND GIRLS AC.pdf](https://www.wcwonline.org/pdf/lawcompilation/India_SUPPRESSION%20OF%20IMMORAL%20TRAFFIC%20IN%20WOMEN%20AND%20GIRLS%20AC.pdf)

In 1986 SITA was drastically amended and renamed the Immoral Traffic (Prevention) Act, 1956. It is a special legislation that deals exclusively with trafficking. Offences under the Act are:

- Keeping a brothel or allowing a premises to be used as a brothel (S.3) living on the earnings of prostitution (S.4)
- Procuring, inducing or taking persons for the sale of prostitution (S.5) *detaining a person in a premises where prostitution is carried on (S.6)
- Seducing or soliciting for the purpose of prostitution (S.7)
- Seduction of a person in custody (S.9)

It also introduced several initiatives including setting-up of Protective Homes to provide protection and services to victims and educational and vocational training to at-risk groups. The Act also provides for the appointment of special Police Officers assisted by women police to investigate trafficking offenses and for setting up of Special Courts.

f) Section 373 IPC

Buying minor for purposes of prostitution, etc.—Whoever buys, hires or otherwise obtains possession of any 1 (person under the age of eighteen years with intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose, of knowing it to be likely that such person will at any age be) employed or used for any purpose, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.⁷

⁷ Any prostitute or any person keeping or managing a brothel, who buys, hires or otherwise obtains possession of a female under the age of eighteen years shall, until the contrary is proved, be presumed to have obtained possession of such female with the intent that she shall be used for the purpose of prostitution.

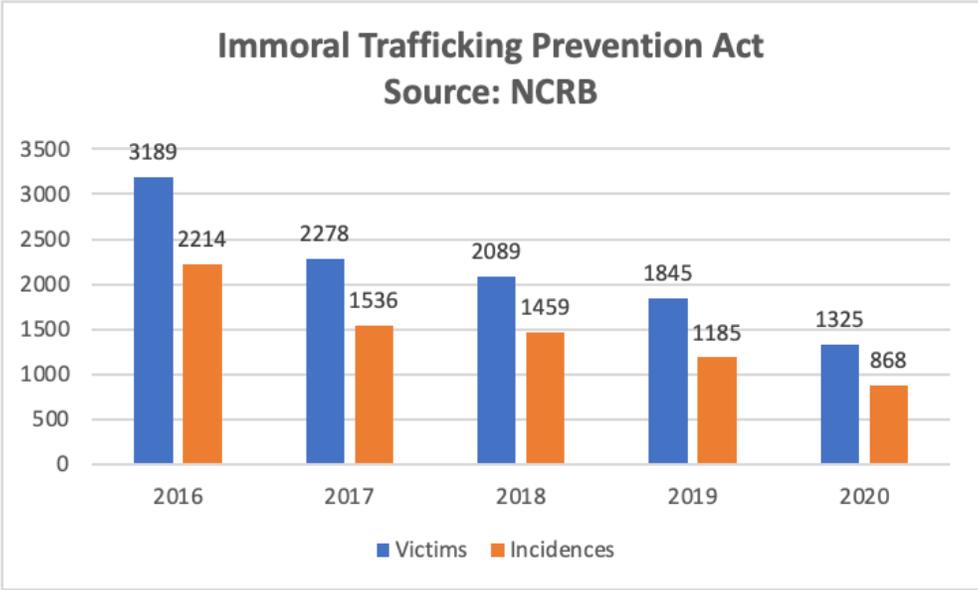
A comparative analysis between the 2 major acts is given below:

Act	ITPA	IPC 370
DEFINITION	<p>The Immoral Traffic (Prevention) Act, 1956 [the ITPA] acts related to prostitution becomes an offence when there is commercial exploitation of a person.</p>	<p>Buying or disposing of any person as a slave. —Whoever imports, exports, removes, buys, sells or disposes of any person as a slave, or accepts, receives or detains against his will any person as a slave.</p>
PUNISHMENT	<p>Punishment for keeping or allowing premises to be used as a brothel is one to three years rigorous imprisonment and a fine of up to Rs 2,000. Subsequent convictions are punishable with two to five years imprisonment and a fine of up to Rs 2,000.</p> <p>Procuring or inducing a person for prostitution would be punishable on conviction with rigorous imprisonment for three to seven years and a fine of up to Rs 2,000. If the offence is committed against a person's will, the penalty would be imprisonment for 7-14 years.</p> <p>The offence of procuring or inducing a child for the sake of prostitution is punishable by rigorous imprisonment for seven years to life. In case of a minor, it would be rigorous imprisonment for 7 to 14 years.</p>	<p>Punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.</p>

BAIL OR NON-BAILABLE	Bailable	Non- bailable
PURPOSE	Prostitution in brothels specifically.	Sexual exploitation

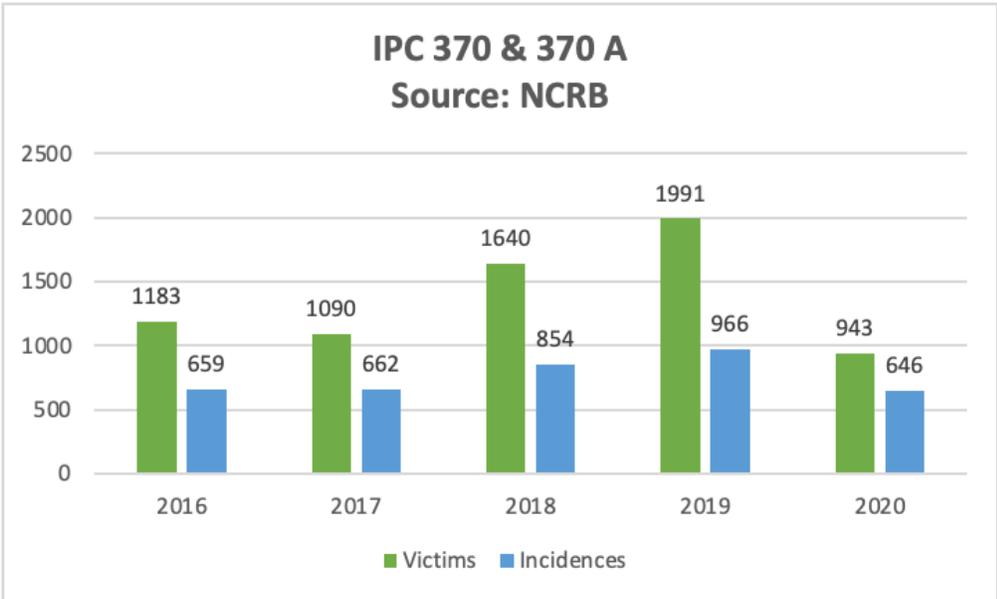
Data Analysis from 2016-2020

Incidents reported vs Persons rescued (Victims) under ITPA



The above graph demonstrates the number of cases reported and number of persons rescued from sexual exploitation. Interestingly, the number of victims rescued are more than the number of cases reported. The above figure also indicates the continuous decline in the cases and the rescued persons. This constant decline in the number of cases under the ITPA is most likely due to a new legislation on the anvil. An impetus to anti-trafficking interventions is visible in the aftermath of India signing the Palermo Protocol, including proposals to amend the ITPA in 2006, establishment of anti-trafficking units in most states, a special chapter on trafficking in the NCRB reports from 2007, and tabling of the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 (that lapsed in 2019).⁸

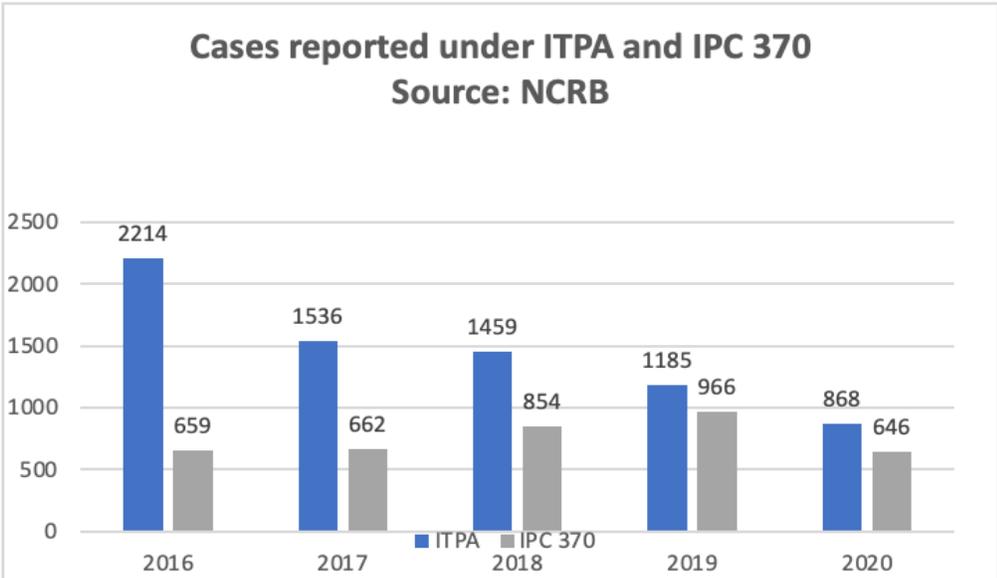
Incidents reported vs persons rescued (Victims) under IPC 37



⁸ The data for the graphical representation has been taken from the NCRB statistical report from 2016-2020.

The perusal of the above figure reveals that there is constant increase in the cases reported under IPC 370 from 2016 to 2019 and the number of persons rescued are also going up. However, in the year 2020, there is a sudden decline in the number of cases reported and a significant decline in the number of victims rescued as compared to 2019 presumably due to COVID -19 pandemic and national lockdown.

Cases reported under ITPA vs IPC 370



The above figure shows that the number of cases reported under ITPA are much more in the year 2016 but gradually the cases are decreasing under ITPA. Interestingly, the cases reported under IPC 370 are steadily increasing indicating acceptance and awareness about article 370. Though, IPC 370 is much broader which accommodate exhaustive measures to counter the hazard of human trafficking including trafficking of kids for misuse in any frame including physical abuse or any type of sexual abuse, bondage, subjugation, or the constrained expulsion of organs while ITPA is to inhibit or to abolish commercialized vice, namely the traffic in women and girls for the purpose of prostitution, as an organised means of living.

Loopholes in the legal system

India signed the Palermo Protocol in 2002 and ratified it in 2011, but a comprehensive anti-trafficking law has not yet been enacted.⁹ The current law specifically dealing with human trafficking is the Immoral Traffic (Prevention) Act of 1986 (ITPA 1986), which covers only one aspect: prostitution or commercial sexual exploitation. However, despite the large number of laws, the problem remains unresolved. One of the reasons for the difficulty is the fact that the law is under different control of the ministry and the state or central government. This leads to a lack of clarity about the capabilities of the territory. However, the law itself is irregular about victims' rights, weak disciplinary action against perpetrators, and inadequate enforcement mechanisms. Therefore, the conviction rate is low.

India ratified the Palermo Protocol in 2011, but it was stated in national law in 2013, through the formation of the Criminal Law (Amendment) Act, which resulted in changes in several sections of the IPC, especially 370 and 370A. The amended sections have brought a quite comprehensive definition of trafficking into the Indian legislation, but despite these changes the framework for trafficking falls short of meeting the Protocol requirements on at least three counts.

- First, it excludes forced labor from its definition, so it does not recognize and punish all forms of trafficking. Given that workers are responsible for most of India's trafficking problems, this is a huge loophole.
- Second, there are not enough safeguards to prevent trafficking. The existing is for commercial sexual exploitation, not trafficking for any other purpose.
- Third, it does not provide an effective system for the safety, recovery and compensation of trafficking victims.

ITPA has not changed without reference to IPC changes. As a result, the two major legal documents on trafficking are still somewhat different. The scope of ITPA is limited to commercial

⁹ Even though the Constitution specifies prohibition of trafficking in Article 23, which states: "Traffic in human beings and 'beggars' and other similar forms of forced labor are prohibited and any contravention of this prohibition shall be an offense punishable in accordance with law".

sexual exploitation or prostitution and penalizes those who promote and encourage commercial sexual exploitation, including those who live on the income of clients and prostitutes. In fact, even commercial sexual exploitation is not clearly defined by law.

- The fundamental flaw in ITPA is that there is no particular definition of trafficking, even though the title of the law specifically mentions the word trafficking. In fact, even commercial sexual exploitation is not clearly defined by law.¹⁰
- Sexual exploitation in private premises, other than a brothel, is not covered by the Act. In fact, with the emergence of newer technologies and the changing global scenario, commercial sexual activity has emerged in diverse forms and can take place in residences, hotels, clubs, or involve mobile locations.
- Treating the victim as a perpetrator, as reflected in the placement in the House of Reform, is a contradiction in terms, as the victim cannot be the perpetrator at the same time. This contradiction reflects the confusing attitude towards prostitution inherent in the law. Although prostitution itself is not banned in India (only when using public spaces), all women involved in prostitution are routinely treated as criminals under the ITPA.
- The existing practice of hiring girls for prostitution under the guise of religion, as in the case of Devadasi, is outside the law. Explicit references to socio-religious practices that are not punished by law will put a good end to this form of sexual exploitation.
- Lack of a witness protection programme or the option of in-camera proceedings prevents many victims, especially children from testifying.

Section 370 before the Indian Criminal Code of 1860 was replaced by the 2013 Criminal Code (Amendment). This change introduces certain new terms to increase the level of criminalization. This change was the result of a report submitted by the Justice Verma Committee, which focused primarily on the sexual exploitation of trafficking victims.¹¹ The insertion of Section 370A of the Indian Criminal Code of 1860 is a restricted provision to prevent the exploitation of trafficking in other sectors of forced labor. Existing legislation is primarily aimed at commercial sexual

¹⁰ Prostitution” means the sexual exploitation or abuse of persons for commercial purposes..”

¹¹ On December 23, 2012 a three member Committee headed by Justice J.S. Verma, former Chief Justice of the Supreme Court, was constituted to recommend amendments to the Criminal Law so as to provide for quicker trial and enhanced punishment for criminals accused of committing sexual assault against women.

exploitation and does not cover trafficking for other purposes. In addition, the legal framework is inadequate to provide an effective system for the safety, recovery and compensation of trafficking victims.

Case Studies

1. Case Study 1

In a case it was seen that the wrong accused was charge-sheeted and even though the victim supported the prosecution case on points of proving prostitution and her trafficking, she failed to receive any monetary compensation. This woman had deposed that she was forced into prostitution at the said brothel. The Bangladeshi woman also categorically stated how she was trafficked from Bangladesh and exploited in a brothel in Mumbai. Two women were arrested during this rescue and later charge-sheeted. The trial was also conducted against them. The rescued woman made allegations against another woman. And the charge-sheeted women were two other women and not the manager, nor were the trafficker traced. In fact, the police arrested another woman who was prostituted in the same premises and not the woman who bought her from the trafficker and lived on her earnings. In the end, the place was sealed under section 18 but because of acquittal the woman received no compensation. The police have somewhere failed to understand and internalize the purpose behind passing of the law, i.e., ITPA Act. The acts of the police clearly point to a moralistic implementation of the law with an intention to clean the area of the vice of prostitution with little consideration to rehabilitation of the women being rescued and sometimes falsely accused.

2. Case Study 2

My name is Heena (name changed). I belong to a traditional Muslim family and was born in Muzaffarnagar, Uttar Pradesh. I am 29 years old. I was one of those ill-fated girl children, who were unwanted, while the family was desperate for a boy. I never attended school and never had any friends. When I was 13 years old my family married me to a man who brutally raped me. I started living life as a duty which every girl is forced to perform. After one year of marriage, my

husband died. My in-laws held me responsible for his death, calling me, —inauspicious for the family. I was pregnant and decided to go back to my parent 's home, but my parents just considered me another burden. I questioned my own existence but had another life inside me and I had to take care of it. I gave birth to a boy whom I named Asif, and it was the first time I was happy. Unfortunately, Asif developed a skin infection and when I asked my mother to take him to the doctor, she refused. I decided to leave my family. I went to the nearest railway station, not sure where I would go. A lady named Reena saw me crying and asked me what was wrong. I told her everything. Reena invited me to come and live with her and promised that she would get me a job. After a month, Reena tricked me and sold me into sex slavery. When I refused to do the work, I was locked in a room for 2 days without food or water. My son was then taken from me. I was told that if I ever wanted to see him again, I had to do this work. I cried in protest and was ruthlessly beaten. Eventually, I had no choice, but to give into my destiny. I began drinking, smoking and cutting my veins because I did not wish to be in my senses. While at the beginning I was forced to work from a hotel, eventually I was shifted to G.B. Road to a brothel where I was —left open to the world of sex trade. I gave up all hopes of getting out of this hell because even the policemen were frequent visitors. One day, during a rescue operation led by STOP India, along with the police, I was taken out of the brothels. I did not give a statement for a long time, because Reena, the woman who trafficked me, sent me a message that she would kill my son if I revealed her name. Eventually, with the encouragement of Roma, the mother of STOP India, I gave my statement. Roma also helped me locate my son, who had been bought by an older couple who did not have children. They refused to give me my son back and said they had taken very good care of him. I know that they have nurtured him and at the end of the day, all I want is a good future for my child, wherever he stays. I stayed at the STOP family home for a long time during which I gained valuable vocational training in a variety of fields such as painting, handicrafts, beauty culture, bakery etc. I am happily married now. My husband is very caring and supportive. I have a two-year-old daughter. STOP gave me a new life and also taught me to live life with dignity and face challenges courageously. I am now living my life on my own terms.

Review of Literature

The Supreme Court and the Supreme Court have issued important instructions to the government on the protection and rehabilitation of trafficking victims in several decisions that make up most of the literature available on this subject.

In *Vishal Jeet vs. Union of India and others* there was a PIL against forced prostitution of girls, devadasis and jogins, and for their rehabilitation. The Supreme Court held that in spite of stringent and rehabilitative provisions under the various acts, results were not as desired and, therefore, called for evaluation of the measures by the central and state governments to ensure their implementation. The court called for severe and speedy legal action against exploiters such as pimps, brokers and brothel owners. Several directives were issued by the court, which, inter alia, included setting up of a separate Zonal Advisory Committee, providing rehabilitative homes, etc.¹²

In *Prerana vs. State of Maharashtra and Others* the Mumbai High Court looked into the issue of violation of rights of trafficked children by various authorities who are supposed to implement the law. The court took serious objection to the judicial authority treating the trafficked minor girls as “confirmed prostitutes”. The High Court issued several directions for the proper implementation of the JJ Act and ITPA, keeping in view the human rights of the trafficked persons. The court order addressed several issues concerning child rights, viz. the role of advocates and NGOs in the JJ Act, child friendly procedures in dealing with rescued persons, etc., and has brought out clear guidelines for compliance by all concerned.¹³

In *Bachpan Bachao Andolan vs. Union of India and Others*, issued on 18 April, 2011, the Supreme Court recognized human trafficking as an organized crime and defined human trafficking as per the optional protocol to United Nations Convention on Transnational Organized Crime. The Apex Court banned the employment of children in circuses and directed the establishment of Anti Human - Trafficking Units in all districts. The court also issued guidelines on implementation of the institutional framework for the protection of children. As a result of this decision India ratified

¹² (1990, 3 SCC 318)

¹³ [writ petition No. 788 of 2002]

the “Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children” on 5 May, 2011.¹⁴

In *Gaurav Jain vs. Union of India*, the Supreme Court passed an order dated 9 July 1997, directing, inter alia, the constitution of a committee to make an in-depth study of the problem of prostitution, child prostitutes and children of prostitutes, and to evolve suitable schemes for their rescue and rehabilitation. Taking note of the fact that “children of prostitutes should not be permitted to live in the inferno and the undesirable surroundings of prostitute homes”, the apex court issued directions to ensure the protection of human rights of such persons.¹⁵

Preventive Measures

- **Border Measures**

Strict enforcement of cross-border trafficking, safe vigilance against trafficking routes, and appropriate social accountability are required.

- **Economic and social policies**

- Take steps to raise the level of social protection and create employment opportunities.
- Take appropriate measures to eradicate discrimination against women in employment to ensure equal pay for equal work and equal rights in employment opportunities based on gender equality.
- Develop programs that provide livelihood options, including basic education, literacy, communication, and other skills, and remove barriers to entrepreneurship.
- Promote gender-specific awareness and education of equal and respectful relationships between men and women to prevent violence against women.
- Make sure that policies are in place that allow women to have equal access to and control of their economic and financial resources.

¹⁴ [writ petition(C) 51 of 2006] [2011, 5 SSC 1]

¹⁵ (1997, 8 SCC 114)

- Awareness-raising measures

With the help of NGOs and police officers, there should be several awareness programs conducted through media that are popular among specific locations, villages, local schools, children in poor societies, and the general public. In this way, certain types of ads can warn victims.

- Legislative Measures

Legal, appropriate criminal charges, corrupt officials, educational, social, cultural or other measures and, if necessary, bilateral to counter the demands of promoting the exploitation of all forms of people. Adopting or strengthening criminal law through interpersonal and multilateral cooperation, especially women and children, which leads to trafficking.

- National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children 1998.

It was formulated with the aim of mainstreaming and reintegrating victims of trafficking. The Central Advisory Committee (CAB) was constituted to advise on methods and tactics to address the problem.

- Encouraging business to not use child labour

An ecosystem for child trafficking gets silent approval when demand for child labour is commonly used in businesses like retail, hospitality, etc. NGOs have established a dialogue to sensitize trade organizations to end this social evil that will save them a few rupees. At the same time, locals have been made vigilant to report instances of child labour at businesses, so that it is actively discouraged.

- Scheme by the Government of India – Ujjwala Scheme

- ❖ To prevent trafficking of women and children for commercial sexual exploitation through social mobilization and involvement of local communities, awareness generation programmes, generate public discourse through workshops/seminars and such events and any other innovative activity.
- ❖ Facilitating the rescue of victims and placing them in safe custody.

- ❖ 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.
- ❖ To facilitate reintegration of the victims into the family and society at large.

- Anti- trafficking cell

The Home Office has set up a node cell to handle trafficking-related issues. Since the "police" is a national territory, the registration, investigation and prevention of trafficking is primarily the responsibility of the state government. However, the Government of India has taken various steps to combat the threat of trafficking. The Home Office occasionally publishes some advice to states and UTs that provide guidance on how to effectively address trafficking issues.

- Web Portal on Anti-Human Trafficking

A website (stophumantraffickingmha.nic.in) for combating human trafficking was launched in February 2014. It is an important IT tool for exchanging information among stakeholder groups, states / UTs, and civil society organizations to effectively implement measures to combat trafficking.

- Project on *“Strengthening the law enforcement response in India against trafficking in persons through training and capacity building”*

The government, through the Ministry of Home Affairs in collaboration with the United Nations Office on Drugs and Crime, has launched a two-year project to train trafficking law enforcement officers in four states: Maharashtra, Goa, West Bengal, and West Bengal. have started. Andhra Pradesh. A project steering committee was established to manage, control and monitor the project. Through a series of training programs, the project aims to raise awareness of law enforcement officers (police and prosecutors) on trafficking issues and further enhance their ability to better investigate crime and prosecute perpetrators.

- NALSA (Victims of Trafficking and Commercial Sexual Exploitation) Scheme, 2015.

The objective of the Scheme is to provide legal services to address the concerns of victims of trafficking including women of all age groups and at every stage: i.e. prevention, rescue and rehabilitation. Also, to provide economic and social pathways for these marginalized groups so that they are socially included and thus get all social protections available to an ordinary citizen and to ensure the protection of dignity of the victims and their fundamental right to life.

Conclusion and Suggestion

Human trafficking jeopardizes the dignity and security of trafficked individuals, and severely violates their human rights. Constitutions of India guarantee the equal rights of men and women, but they are often merely rhetoric when it comes to the question of practical implementation. In order to combat trafficking and thus to protect the human rights of the vulnerable people, strong political will of the government is vital in implementing their anti-trafficking mandates. The procedures, process, means, methods as well as the rate of involvement is increasing in this crime each day due to lack of resources, highest demand in the market, very few income options and impotent legal watch system. The issue of human trafficking is very sensitive in nature. The need of the hour is a comprehensive strategy to deal with it:

- The government should aim at rehabilitation and integration of the victims into society.
- The laws concerning human trafficking should be more stringent w.r.t to the punishment imposed.
- To create awareness amongst people about human trafficking by different sources like print and visual media and inform people about this heinous crime and mobilize them to stop it.
- Education is most important in pausing the flow of women, children and men into forced bondage. It is through education that we can elicit the most direct influence in the fight against human trafficking.

Further, there is a lack of knowledge and understanding on trafficking among the general public. The need of an hour is to sensitize the general public especially the poor people in the rural areas about trafficking. For this purpose, the government is required to collaborate with the NGOs

working in this field and also the people have to collectively work towards eradicating the evils of Human Trafficking.

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