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APPENDICES

ANNEXURE 1

Questionnaire

**TITLE OF THE THESIS: LEGAL AWARENESS STUDY ON LEGAL RIGHTS OF HIV/AIDS
VICTIMS IN NORTH GUJARAT
Questionnaire: Victims or Family Members**

Q1. What is the Gender of Victim?

- A.) Male B.) Female

Q2. Age of Victim

- A. Less than 10 Yrs B.) 10-15 Yrs C.) 15-20 yrs D.) 20-25 Yrs E.) More than 25 Yrs

Q3. District of victim

- A.) Dahod B.) Panchmahal C.) Mahisagar Q4. Religion of

victim

- A.) Hindu B.) Muslim C.) Christian D.) Sikh E.) Others Q5. Economic

status of the parents or guardian of victims

- A.) Farmer B.) Day labour C.) Unemployed D.) Others Q6. Studying in school

or not

- A.) Illiterate B) Primary C) Secondary D) School dropout.

Q7. Place from where victim was taken away.

- A.) Known place B) Unknown place Q8.

Who has taken you away from your home.

- A.) Unknown B) Known C) villagers/ Neighbors D) agency.

Q9. Why you were taken away, the reasons.

- A.) For domestic help, B) For marriage C) For Study D) for job E) Others Q10.

What Type of work you have to carry out?

- A.) Domestic help B) Prostitution C) Working in factory D) Other

Q11. How much were your working Hours?

- A.) 6 hours B) 12 hours C) 14 hours D) others

Q12. Whether remuneration was paid or not?

- A.) Fully paid B) Not paid C) Partly paid

Q13. Were you aware of the fact that you had been trafficked

- A.) Yes B) No C) Can't say

Q14. What type of problem do you face at the work place?

- A.) Physical abuse B) Torture C) Monetary Problem D) other

Q15. How did You come to Home from there?

- A.) Personally B) With help of police C) With the help of others

Q16. What you want to do at present.

- A.) Study B) Stay at home C) Work D) Other

Q17. Are Victims or their parents aware about specific laws regarding human trafficking

- A.) Yes B) No C) Can't say

Q18. Are there specific laws regarding human trafficking?

- A.) Yes B) No

Questionnaire: NGO Workers

Q1. What do you think about Child trafficking?

- A.) Social evil B) Not yet a serious issue C) Serious Issue D) Don't Know

Q2. Do you consider it is a socio-economic problem in the state.

- A.) Yes B) No. C) Not Known

Q3. Is the problem related to law and order?

- A.) Yes B) No C) Not Known

Q4. What may be the basic reasons of the child trafficking?

- A.) Poverty B) Illiteracy C) Under development D) Other

Q5. What class of people becomes the victims of the child trafficking?

- A.) Poor people B) Uneducated C) Backward Class D) others

Q6. Which type of the persons are trafficker or involved in trafficking.

- A.) Gang B) Relative C) Villagers D) others

Q7. Do you think there exist a complete nexus of Govt. officials, police, politician and the traffickers?

- A.) Yes B) No C) Not Known

Q8. Do you know that in India on every 8 minute a child goes missing?

- A.) Yes B) No C) Not Known

Q9. Do you think there any connection between the missing children and the child trafficking?

- A.) Yes B) No C) Not Known

Q10. Are there any proper Laws that deals with missing of children?

- A.) Yes B) No C) Not Known

Q11. Whether the guardians come forward to file an FIR against the traffickers?

- A.) Yes B) No C) Not Known Q12. XIV. What are

problems faced by police during investigation?

- A.) Lack of evidence B) Difficulties in tracing out the victim and traffickers C) others

Q13. XVI. What are the basic reasons for lower rate of prosecution and conviction in child trafficking?

- A.) Improper investigation B) Insufficient Evidence C) Court is not serious D) other

Q14. XV. -Do you think parents or guardian may be involved in child trafficking,

- A.) Yes B) No C) Not Known Q15. What is your

suggestion to control the threat of trafficking?

- A.) Proper Education B) Increase Awareness C) Strict Law needed. D) other

Q16. Q The Role of society in preventing child trafficking

- A.) Promotion and protection of human rights D.) Discussion Forum

- B.) Awareness Campaign E.) Teaching & Research

- C.) Community Outreach F.) Legislative & Political Interventions Q17. How would

you rate the following reasons of child trafficking?

REASONS	AGREE	NEUTRAL	DISAGREE
Lack of Education			
Ignorance of Parents			
Drop out from schools			
No proper information about child trafficking			
No preventive laws are responsible for child trafficking.			
The role of media is insufficient in highlighting the issue of child Trafficking			

ANNEXURE 2

Publications Details

List of Published Papers

S. No	Author	Journal	Title	Vol.	ISSN/ ISBN no.	Year
1	1. Tanvi Sanjaykumar Patel 2. Dr. Manoj Joshi	Research Matrix	Children Constitutional Provisions and Laws	Volume 4 Issue 6	ISSN: 2321-7073	Jan. 2022
2	1. Tanvi Sanjaykumar Patel 2. Dr. Manoj Joshi	Atmaj Academic Research Journal	The Physical or Emotional or Sexual Mistreatment of Children	Volume 18 Issue 5	ISSN: 2348-9456	Dec. 2022
3	3. Tanvi Sanjaykumar Patel 4. Dr. Manoj Joshi	Research Matrix	Immoral Trafficking in Women and Children Act	Volume 4 Issue 10	ISSN No. 2321-7073	May 2023

ANNEXURE 3

Plagiarism Report

Child Trafficking in India: A Critical Study of Relevant Preventive Laws with Special Reference to Dahod, Panchmahal and Mahisagar District

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6% SIMILARITY INDEX	5% INTERNET SOURCES	3% PUBLICATIONS	3% STUDENT PAPERS
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8	"The Palgrave International Handbook of Human Trafficking", Springer Science and	<1%

ANNEXURE 4

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This is to certify that **Ms. Patel Tanvi Sanjaykumar**
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This is to certify that Prof./Dr./Ms./Mr. **PATEL TANVI SANJAYKUMAR**
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The physical or emotional or sexual mistreatment of children

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Dr. Kalpesh Rakholia
Chief Editor Research Matrix



ANNEXURE 5

Published Papers

The Physical or Emotional or Sexual Mistreatment of Children

Tanvi Sanjaykumar Patel
Ph.D Research Scholar,
Pacific University, Udaypur (Rajasthan)

Dr. Manoj Joshi
Pacific university, Udaipur (Rajasthan)

Abstract

The present focused on what is child abuse, its types, how children can be protected from it and what are the laws against it. Child abuse has many mental and physical health consequences, such as post-traumatic stress, anxiety, depression and sexually transmitted infections (STIs) including HIV. It is wrong to kill any person's rights or rights or to get something in return by physically, mentally or otherwise exploiting them. In present times the problem of child abuse has taken an acute form. Child abuse is increasing day by day not only in India but also abroad.

Key Words: Physical, Emotional, Children, Mental, Abuse

Introduction

Child abuse has many mental and physical health consequences, such as post-traumatic stress, anxiety, depression and sexually transmitted infections (STIs) including HIV. It is wrong to kill any person's rights or rights or to get something in return by physically, mentally or otherwise exploiting them. In present times the problem of child abuse has taken an acute form. Child abuse is increasing day by day not only in India but also abroad. It is said that the reason behind every problem prevailing in the society is lack of education. But the level of education has increased in the present time as compared to the earlier times. But at the same time, the rate of child abuse is also increasing rapidly. It is a very serious disease for every society, in the grip of which the question of happiness and safety of many innocent people is involved. The present article sheds light on what is child abuse, its types, how children can be protected from it and what are the laws against it.

Meaning

When children are mentally or physically or sexually mistreatment, it is called child mistreatment. Under this, children under the age of 18 years are included. Whenever children are scared, they should be hurt or grievous hurt, such incidents come under the purview of child mistreatment.

Effect

- ✓ Children who suffer from this mistreatment are either very scared or become very angry and irritable.
- ✓ Some children become very shy, feel uncomfortable talking to someone, speak less.
- ✓ Many times children become very excited, they are also seen treating the people of the house in a strange way.
- ✓ Children become victims of depression. They start behaving like a mental patient. They also sleep or eat too much. Such children can also easily engage in criminal activities such as stealing, beating or consuming drugs etc.
- ✓ Children may be a crime behind all the reasons that make the child different from other children.

Therefore, everyone needs to work in this direction, so that the weather does not become a victim of such a heinous crime.

Recognizing the Different Types of Child Mistreatment

Emotional Mistreatment

Emotional abuse is harder than physical abuse. Signs of bloody battles, such as bruises, cuts, or stains, may not be seen by other people the way they are after a physical confrontation, but make no mistakes wounds are present. They leave their mark on a person's heart and soul, which erases a person's ability to distinguish between love and power. People who endure the emotional battery may feel like they are going crazy. They may try to find out if their perceptions are really 'out there' because their elites will believe them. This article will help you find out if you or a loved one is tolerating emotional abuse and help you take constructive action to change the situation.

The World Health Organization (WHO) suggests that globally 1 billion children aged 2-17 years have experienced physical, emotional violence or neglect in the past year. According to Interpol data, India registered over 2.4 million cases of online child abuse from 2017 to 2020, of which nearly 80% were of girls below the age of 14. Given the staggering numbers, it is important that we as adults play our part in understanding, recognizing and preventing child mistreatment. Emotional abuse is a non-physical form of abuse that may include psychological or verbal abuse. This type of mistreatment makes a child feel unwanted, worthless and without love.

Mental Mistreatment

Given certain circumstances, every child is a victim of abuse. And most often if a child is a victim of one abuse, he or she is also likely to be susceptible to other types of abuse. So do not ignore some signs.

- Ill health
- Unexplained changes in behavior and mood
- Symptoms of anxiety and stress
- Being overly aggressive
- Staying apart and staying away from others

Physical Mistreatment

Intentional or unintentional harm to a child, which can cause them long-term physical injury or mental health problems, can also be classified as physical abuse. Some acts of physical abuse include.

- Hitting, kicking, burning or beating the child to cause harm.
- Shaking the baby loudly
- Child suffocation or drowning
- toxicity
- Tying a child
- Not giving food, medicines or sleep

Sexual Mistreatment

Child sexual abuse, also known as molestation of a child, is a form of child abuse in which an adult or older person uses a child for sexual stimulation. Forms of child sexual abuse include engaging sexual activities with a child, (whether by asking or pressuring, or by other means) indecent performance, using a child to groom children (genitals, female nipples, etc.), child sexual abuse, or the creation of child pornography.

When the sexual arousal of a young man and a young woman increases, such incidents emerge in the society, which completely shame humanity. In the society we live in, such sexual incidents happen to small boys but they are less than that of younger girls. If we talk about the horrific figures of child sexual abuse in India, every three hours a child under the age of 16 is raped and every 13 hour a child under the age of 10 is raped.

Children are Exploited in this Society in Different Ways, Causing them to Face Harassment

Physical abuse

In this case, physical contact is made with the child by the upper hand, which involves touching and forcing the child's private parts.

Mental abuse

Abuse of children does not require physical contact with them, but also involves mentally exploiting the child by showing him obscene videos and photos by the offender, talking obscenely and playing pornographic online video games.

Exploitation by a close relative and a known person

However, this case becomes most serious because here sexual relations with children are made by a close relative (siblings, close friends) whoever they can be and do not suspect the perpetrator, nor can the young children say anything about the sexual abuse done by them because they are their own.

Commercial exploitation

Child sexual abuse turns into a business when a child is trafficked and treated as a sexual object, where an adult person sexually abuses a child in exchange for his remuneration, who further joins child prostitution.

Conclusion

Child is mistreatment not the gift of an uneducated society but a gift of an educated modern society. Crushing flowers and harassment is a crime. Healthy society is of healthy children, child mistreatment is making children mentally ill, it is our duty to stop this heinous crime for the future. The better the childhood, the brighter the future will be, so crimes like child mistreatment weaken the foundation of children. A better society is made up of better children, so it is the duty of the elderly to give them a healthy childhood. Apart from child abuse, there are many other crimes, which are related to children and they all have a negative impact on the lives of children. Such crimes include child labor, child marriage, etc. which weaken the foundation of children and spoil their future. With all this, it is very important for the society to fight so that the society can develop.

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CHILDREN: CONSTITUTIONAL PROVISIONS AND LAWS

TANVI SANJAYKUMAR PATEL

PH.D RESEARCH SCHOLAR, PACIFIC UNIVERSITY, UDAIPUR (RAJASTHAN)

ABSTRACT

The importance of children, adolescents and youth has increased in the modern age. But in India, fifty percent or more families do not pay enough attention to the development of children and adolescents or is ignored. That is the observation of experts. Many families neglect to take advantage of the opportunities provided by the state law, education and child development programs for the development of children in cases such as sending children to work at school age, dropping out of school in the middle of schooling, low health of children, neglect of girl child birth and upbringing. The present article focused on the constitutional provisions for children and various laws.

KEYWORDS : CHILDREN; CONSTITUTIONAL; PROVISIONS; LAWS

INTRODUCTION

At the 1989 United Nations General Assembly, "Children are the future of the world." it was said. The child does not have to play the role of earning money or bread in his childhood. This role belongs to adult men. Every child has to play a role in getting an education in childhood and participating in creative activities that develop the dormant powers within them. This role of the child is related to the continuity of society and the development of civility. Emphasis is placed on the development of latent powers in children for the future prosperity of the society. The overall balanced physical, mental, intellectual and educational development of the child is considered essential. Balanced and holistic development of children is the first step of human resource development. Every child is an invaluable human resource of society. Therefore, every society is expected to provide the necessary and conducive environment and opportunities for the development of dormant powers in children.

WHAT IS A CHILD?

According to Article 24 of the Constitution of India, any person below the age of 14 is considered a child.

The 1986 Child Labor Control Act defines a child as a person who has not reached the age of 14.

In the census, a person up to the age of 14 is placed in the category of children.

According to the Compulsory Perimeter Education Act, a boy or a girl is not less than six years old and not more than fourteen years of this child.

DOCUMENTING CHILDREN'S RIGHTS

The Convention on the Rights of the Child was drafted at the 1989 United Nations Convention on the Rights of the Child. India has ratified this document. The Department of Women and

Child Development, Government of India has set up a mechanism for the implementation of children's rights. The Children's Rights document recommends 37 basic rights for children. All these rights are mainly divided into four sections.

1. The right to life
2. The right to protection
3. The right to development
4. The right to participate

These rights are the social norms and values of child rearing in today's world. It is imperative to create a social environment in which children can enjoy these rights, as many children are deprived of these rights.

CONSTITUTIONAL PROVISIONS IN FAVOR OF CHILDREN

The Constitution of India has the following provisions in favor of children.

1. Article 21A of the Constitution may provide for free and compulsory education for all children between the ages of 6 to 14.
2. Article 45 of the Constitution provides for care and education for children under the age of six to early childhood.
3. From Article 51.6 (d) of the Constitution, it is the basic duty of a parent or guardian, as a citizen, to provide educational opportunities to their child or foster child between the ages of 6 and 14 years.
4. Article 23 of the Constitution prohibits human trafficking and forced labor.
5. Article 24 of the Constitution prohibits the employment of a child below the age of fourteen years in a factory or mine or in any other hazardous work.
6. In accordance with Article 39 (f) of the Constitution, the State shall adopt a policy of non-abuse of the tender age of children.
7. In accordance with Article 39 of the Constitution, the State shall pursue a policy of providing opportunities and facilities to children to grow up in a healthy and independent and dignified state and to protect children and adolescents from exploitation and their moral and economic neglect.

Various provisions on children have been enacted to embody these constitutional provisions in favor of children.

LAWS ON CHILDREN

Various laws relating to the development and welfare of children have been enacted and implemented.

1. The Right of Children to Free and Compulsory Education Act, 2009:

Article 21A has been added to the Constitution since the 86th Constitutional Amendment Act, 2002. According to this section, the state will provide free and compulsory education to all children between the ages of 6 to 14 as prescribed by state law. This constitutional

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amendment gives children between the ages of 6 to 14 the basic right to free and compulsory education. To give due process of law to this fundamental right, the Parliament passed the Right of Children to Free and Compulsory Education Act, 2009 on 4 August 2009 and it was published in the Gazette of India on 29 August 2009.

The RTE Act gives every child the right to receive a primary education in a formal school. This law came into force on April 1, 2010. The law entitles children in the age group of 6 to 14 years to receive free and compulsory education. This law has special significance in 'Sarva Shiksha Abhiyan'. To make this law fruitful, it is planned to set up schools near residential areas and provide educational facilities and teachers in them. The implementation of this law pays special attention to the children of weak and deprived groups such as Scheduled Castes, Scheduled Tribes, Other Backward Classes and Minority Communities.

According to the United Nations Convention on the Rights of the Child, a child has the right to self-development. These rights include the right to education, sports, care, social security, leisure, recreation, participation in cultural activities, etc. Participation in sports, recreation, cultural activities is a part of education. Primary education means education for children in the age group of 6-14 years. Getting free primary education remains important for vulnerable and disadvantaged groups.

Primary education is basic education. The whole building of education and science is built on primary education. Giving primary education to a child means giving education from standard 1 to 7 or 8. If a child gets primary education, he / she will automatically be able to develop himself / herself and his / her family and contribute to the development of the country. Getting primary education instills in the child a desire for further education. Thus primary education remains basic and fundamental. Hence the implementation of RTE remains important. This law is especially important for the development and welfare of those who do not understand the importance of education and the weak and poor.

COMMISSION FOR THE PROTECTION OF CHILD RIGHTS ACT, 2005:

The law protects the various rights of children such as right to life, health, nutrition, care, right to protection, freedom from exploitation, freedom from inhumane treatment, protection in case of unforeseen circumstances, education, safety, recreation etc. A National Commission for the Protection of the Rights of the Child has been constituted under the provisions of this Act. The Commission is concerned with the proper implementation of children's rights and the effective implementation of laws and programs relating to children. The mission aims to protect and accelerate the protection of child rights in India.

INFANT MILK SUBSTITUTES, FEEDING BOTTLES AND INFANT FOOD ACT, 1992:

The law regulates the alternative production, supply and distribution of children's diet and nutrition.

JUVENILE JUSTICE ACT, 2000:

The law provides for the care and protection of juvenile offenders. The Juvenile Justice Act was enacted in 1886. The law was amended to enact the Juvenile Justice Care and Protection

of Children Act, 2000. This law is the primary law for adolescents who are in conflict with the law and for children in need of care and protection.

PROTECTION OF CHILDREN FROM SEXUAL OFFENSES ACT, 2012:

This law is a special law to prevent child abuse. A person under the age of 18 is considered a child under this law. The law provides equal protection for both male and female children. The law provides for harsher punishments, ranging from simple to severe, depending on the severity of the crime. The court can also impose fines. The law provides for the establishment of a special court in the interest of the child. Provision has also been made to take friendly action and expeditious action for the record of evidence and investigation of the crime.

CHILD LABOR (CONTROL AND REGULATION) ACT, 1986:

The Child Labor Control and Regulation Act was enacted in 1986 in accordance with the constitutional provision on children. The law frees child laborers from child labor and provides them with the opportunity to receive education and vocational training. The child does not have to play the financial role of earning a living in his childhood. This role belongs to adults. In the childhood years, every child has to play a role as a student to get an education and participate in creative activities that develop the latent powers within him. The parents and the society and the state have to provide favorable conditions for the child to play this role i.e. to get the opportunity to get education.

The phenomenon of child labor and child labor indicates the neglect of child rights and social deviation in modern society. In childhood, a person is forced to leave school and sports as well as cultural and creative activities and become a victim of insecurity, exploitation, inhumane treatment and harassment and engage in job-employment, which hinders the physical, mental and intellectual development of children. It is a condition that deprives children of their rights as they are forced to engage in labor that wears out at an early age.

Under the 1986 Child Labor Control and Regulation Act, a person who has not reached the age of 14 is considered a child. A person working below the age of 14 is considered a child laborer. That is to say, the activity of earning money through the employment of such a person is called child labor.

The purpose of this law is to prohibit the employment of children in certain risky occupations and activities and to regulate the working conditions of children in some jobs. The law prohibits the employment of children under the age of 14 in declared hazardous occupations and processes. The law regulates the employment of children in non-hazardous occupations and processes. 16 businesses and 65 processes have been declared dangerous. Employing children in such businesses and processes is prohibited.

Some of the prohibited occupations and processes include mat weaving, building and construction, brick kilns, manufacturing of hosiery items, working as a domestic servant, working in a tea shop, eating and drinking on the street, etc. The risky occupations and processes were added in 2008 based on the recommendations of the Technical Advisory Committee on Child Labor. It covers the business of throwing excessive heat and cold, as well as processes such as mechanized fishing, food processing, beverage industry, warehousing, pencil industry, stone grinding, stone quarrying, etc. In addition, circuses and elephant care

have been banned from employing children since 2010. There is a provision to punish and fine the owner who violates this law. Anyone can file a complaint in court against the owner for violating this law.

According to the provisions of this law, a system has been developed to rehabilitate children by releasing them from risky occupations. Children are fired and placed in special schools. In special schools they are provided facilities like education, vocational training, lunch, stipend, child care etc.

CONCLUSION

Although the law is an important tool for social welfare and change, it has some limitations. This limitation has the opposite effect on the effectiveness of the law. The Government of India adopted a new policy for children in 2013. This new policy reaffirms the government's commitment to ensuring that all children in the country enjoy their rights. This policy considers childhood an inherent part of life. As well as acknowledging the importance of childhood.

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IMMORAL TRAFFICKING IN WOMEN AND CHILDREN ACT

TANVI SANJAYKUMAR PATEL

RESEARCH SCHOLAR, PACIFIC UNIVERSITY, UDAIPUR (RAJASTHAN)

DR. MANOJ JOSHI

RESEARCH GUIDE, PACIFIC UNIVERSITY, UDAIPUR (RAJASTHAN)

ABSTRACT

The article presented is about the unethical trafficking of women and children. Sales for unethical trade seem to have increased in recent times by kidnapping children and young women. In such circumstances it is very important to increase the effectiveness of the law and prevent such incidents.

KEYWORDS : *IMMORAL; TRAFFICKING; WOMEN; CHILDREN; ACT*

INTRODUCTION

In modern times the latent market for buying and selling sex has developed and that demand is driven by the principle of supply. Children and women are trafficked in the sex market. This trade is something special from the prostitution business. On the one hand there are businesses that secretly sell children and women and on the other hand there are people who buy it secretly. Money is exchanged between them in the form of sex and its value. This exchange is profitable in the form of covert trade. It involves sexual and economic exploitation of children and women. The clandestine trade of children and women is in fact a human trade and a blood trade. Which is known as prostitution and the women who do this business are known as prostitutes or sex workers. A woman who provides sexual satisfaction to the other party in exchange for money is known as a business sex worker in today's age. The woman who sells sex does not consider herself a prostitute, but a sex worker. There are incidents of abduction and rape of girls for prostitution. There have been cases of such girls being forcibly pushed into the prostitution business. An unethical business of raping and abducting young women has developed, providing such women with large sums of money to prostitution agents. The big cities have developed a clandestine system for the sale of child prostitutes. He kidnaps and seduces young children and turns them into prostitutes. In India, many children between the ages of 10 and 18 have fallen victim to prostitution. Millions of women work as sex workers. The business has developed a hidden network of sex workers and brokers. In it, brokers are luring young women under the pretext of job, marriage. The woman does not even realize that she is being sold. Juveniles are sold by kidnapping or stealing. Such babies lose the love and warmth of the family, are deprived of the right to education and marriage and a percentage of development and are exploited.

CONSTITUTIONAL PROVISION

The Constitution of India gives every citizen the right against exploitation.

Article 23 (1) of the Constitution prohibits human trafficking and its violation will be a punishable offense under the law.

The state will make every effort to protect children and adolescents from exploitation and their economic and moral neglect, as per Article 39 of the Constitution.

According to Article 51A (f) of the Constitution, it is the basic duty of every citizen to refrain from practices that insult the dignity of women.

Legislation was enacted to embody this provision of the Constitution. Which are as follows.

UNETHICAL TRADE DETENTION ACT, 1987

In 1956, a law was enacted prohibiting trafficking in women and girls. According to the law, any woman who rents out her body for unprotected sex is called a prostitute.

The purpose of this law was not to penalize individual prostitutes and the prostitution business, but to prevent the commercialization of this business. Only when a prostitute runs her business in and around public places was she legally punished. Thus the law became ineffective in preventing prostitution. Therefore, this law was amended and changed.

The amended law is the 1987 Unethical Trade Prevention Act. The law defines sexual exploitation or abuse of individuals for commercial purposes as prostitution. Under the law, prostitution is not an illegal activity, but the exploitation of women by prostitution for commercial purposes is a crime. The law provides for harsher punishments for prostitution-related offenses.

CONCLUSION

In 2006, a separate Ministry of Children and Women's Development came into existence. The main objective of this ministry is to bridge the gap in state action for children and women, to create gender harmony and to accelerate women-centered laws, policies and programs. The Ministry of Women and Child Development is responsible for advancing the rights and interests of children and women as well as promoting their survival, protection, development and participation as a whole. The Ministry aims to empower children and women to live a dignified life and contribute as partners in development in a violence-free and discriminatory environment, as well as to properly raise children with opportunities for growth and development in a safe and secure environment.

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