

**CHILD TRAFFICKING IN INDIA: A CRITICAL STUDY OF RELEVANT
PREVENTIVE LAWS WITH SPECIAL REFERENCE TO DAHOD,
PANCHMAHAL AND MAHISAGAR DISTRICT**

A Thesis

**Submitted for the Award of the Ph. D. degree of
PACIFIC ACADEMY OF HIGHER EDUCATION AND RESEARCH
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Year - 2024

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It gives me immense pleasure in certifying that the thesis entitled “**Child Trafficking in India: A Critical Study of Relevant Preventive Laws with Special Reference to Dahod, Panchmahal and Mahisagar District**” submitted by **Tanvi Sanjaykumar Patel** is based on research work conducted under my guidance. She has completed the following requirements as per PhD regulations of the University:

1. Course work as per the university rules.
2. Residential requirements of the university.
3. Regularly submitted half yearly progress report.
4. Published two research papers in a referred research journal.

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DECLARATION

I, Ms. Tanvi Sanjaykumar Patel, D/o of Patel Sanjaykumar Govindbhai, resident of Jyoti Society, Dahod-389151 (Gujarat), hereby declare that, the research work incorporated in the present thesis titled as **Child Trafficking in India: A Critical Study of Relevant Preventive Laws with Special Reference to Dahod, Panchmahal and Mahisagar District** is my own original. work and is completely authentic. This work has not been submitted in any other university for the award of any diploma or degree. I have accurately acknowledged the material collected from the primary as well as secondary sources as per required. I solely bear the responsibility for the originality of the entire content.

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PREFACE

Human trafficking has emerged as a lucrative form of organized crime globally, involving the buying and selling of individuals for various exploitative purposes such as sexual exploitation, forced labor, and organ trade. Shankar Sen highlights the role of globalization in facilitating the movement of people across borders, enabling international organized crime to thrive. Major traffickers include Chinese, Asian, Central American, and Russian gangs, with South East Asia and South Asia being significant source regions. India, in particular, is a source, destination, and transit country for trafficking, with internal trafficking accounting for ninety percent of cases. However, interstate trafficking within India is increasing due to factors like mobility, urbanization, and growth in industries employing forced labor. Job placement agencies often deceive individuals into trafficking situations under the guise of employment opportunities. Children from various regions, including West Bengal, Bihar, and Assam, are trafficked for labor or sexual exploitation, both domestically and internationally. Rescue operations frequently uncover cases of exploitation in factories, mines, and even overseas locations. Overall, human trafficking remains a pervasive issue, affecting vulnerable populations across different regions and industries.

Human trafficking, a pervasive and lucrative form of organized crime, has cast a shadow over communities worldwide. In recent decades, it has evolved into one of the most profitable illicit activities, fueled by the buying and selling of individuals for various exploitative purposes. This complex web of exploitation encompasses sexual exploitation, forced labor, domestic servitude, and even the trade of human organs. Shankar Sen, an authority on the subject, underscores the role of globalization in facilitating the movement of people across borders, both legally and illegally, creating fertile ground for criminal enterprises to thrive. As the global economy becomes increasingly interconnected, the free flow of people and services has inadvertently provided opportunities for organized crime syndicates to expand their operations, perpetuating the cycle of exploitation and abuse.

International trafficking networks operate with a high degree of sophistication, utilizing complex and intricate systems involving procurers, document forgers, corrupt officials, and various other accomplices. These networks span across continents, with major traffickers hailing from regions such as China, Asia, Central America, and Russia. The International Organization for Migration (IOM) sheds light on the prevalence of Russian organized crime groups, which exert control over prostitution industries in European countries like Poland and Germany. Notorious criminal syndicates, such as Mogilevich, have established a stronghold in trafficking women and children for forced prostitution, operating through a network of nightclubs across cities like Prague, Riga, and Kiev.

While trafficking occurs on a global scale, certain regions bear the brunt of this heinous crime more than others. South East Asia and South Asia emerge as significant source regions, with countries like Cambodia, the Philippines, and India serving as hotspots for traffickers. India, in particular, has long been regarded as a source, destination, and transit country for victims of human trafficking. Shockingly, internal trafficking within India accounts for a staggering ninety percent of cases, highlighting the severity of the issue within the nation's borders. The most vulnerable individuals, often from marginalized socio-economic backgrounds, find themselves trapped in a vicious cycle of exploitation and abuse.

Despite concerted efforts to combat trafficking, the situation continues to escalate, fueled by factors such as increased mobility, rapid urbanization, and the proliferation of industries that rely on forced labor. Job placement agencies, ostensibly offering employment opportunities, frequently serve as fronts for trafficking operations, deceiving unsuspecting individuals into exploitative situations. Furthermore, the rise of interstate trafficking within India underscores the evolving nature of the problem, with traffickers exploiting vulnerabilities arising from demographic shifts and economic disparities.

Reports of trafficking incidents and rescue operations regularly make headlines, shedding light on the grim reality faced by victims. Children, in particular,

are vulnerable to exploitation, with cases emerging from various parts of the country, including West Bengal, Bihar, Jharkhand, Assam, and Delhi. The plight of children from neighboring countries like Nepal, who are subjected to hazardous conditions in rat-hole coal mines in states like Meghalaya, serves as a stark reminder of the human cost of trafficking. Similarly, girls from states like Assam and Tamil Nadu are often trafficked across state lines or even abroad, falling prey to the insidious machinations of traffickers.

The exploitation of children and women extends beyond domestic borders, with international trafficking networks preying on vulnerable individuals for profit. Girls trafficked from India may find themselves ensnared in the illicit trade in Goa's spas and parlors, where they are forced into degrading and exploitative situations. The widespread nature of trafficking underscores the urgent need for comprehensive measures to address the root causes and combat the criminal networks perpetrating these atrocities.

In conclusion, human trafficking represents a grave violation of human rights and dignity, with far-reaching implications for individuals, communities, and societies at large. Despite efforts to combat this scourge, the complex nature of trafficking requires a multifaceted approach encompassing prevention, protection, and prosecution. By raising awareness, strengthening legal frameworks, and fostering international cooperation, we can work towards eradicating human trafficking and creating a world where exploitation and abuse have no place.

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CHAPTER - 1

INTRODUCTION

1.1 Introduction

Human trafficking has, over the last few decades, become one of the most lucrative forms of organised crimes across the globe. The buying and selling of persons for the purpose of sexual exploitation, forced labour, domestic work and organ trade has become common. According to Shankar Sen, who has written extensively on the subject¹: “The globalization of world economy has increased the movement of people across borders, legally or illegally, from poorer to wealthier countries. International organized crime has taken advantage of free flow of people and services to further extend its own reach and operations. International trafficking trade is highly organized, involving sophisticated international networks of procurers, document forgers, escorts, corrupt officials etc. Chinese Asian, Central American and Russian gangs are among the major traffickers of people. International Organization of Migration (IOM) reports that Russian organized crime groups control European prostitution industries such as those in Poland and Germany. One major Russian criminal syndicate Mogilevich owns night clubs in Prague, Riga and Kiev and is engaged in trafficking in women and children for forced prostitution in these clubs. But largest numbers of victims are trafficked from South East Asia and South Asia. Cambodia, Philippines and India have become popular destinations for sex tourists including p(a)edophiles from western countries and Australia. Japan is considered to be one of the largest markets for Asian women trafficked for sex. Japanese organized crime syndicate Yakuza is involved in a big way in trafficking in women.”

India for long has been considered the source, destination and transit country for women and children for forced labour and sex-trafficking. Ninety per cent of trafficking

¹ Sen, Shri.Shankar. “Trafficking in Women and Children.” Journal of the National Human Rights Commission, India 13 (2014): 51-74. <http://nhrc.nic.in/>. National Human Rights Commission, 10 Dec. 2014. 54.Web. 4 Apr. 2016.

in India is internal, and those from India's most disadvantaged social and economic strata, are most vulnerable².

However, as can be seen from this report³, trafficking between states in the country is rising due to increased mobility, rapid urbanisation, and a growth in a number of industries that use forced labour such as construction, textiles, cable and biscuit factories. An increasing number of job placement agencies lure adults and children for sex trafficking or forced labour, including domestic servitude, under false promises of employment. Also, women and children are now trafficked to about 18 countries of the world for a wide range of purposes.

Reports of raids in factories and workshops and rescue of children from different cities of the country appear with unfailing regularity. Children from disparate geographical regions: West Bengal, Bihar, Jharkhand, Assam, Delhi, Bangalore and Kerala have fallen victims. Children from Nepal, for instance, have been rescued from rat-hole coal mines in Meghalaya⁴; girls from Assam have been found to be married to men in Haryana as there are not enough girls in the state; and children from Tamil Nadu have been kidnapped and sent to Europe.⁵ Girls often find themselves in Goa's spas and parlours where they are forced to cater to needs that exceed massage and health treatments.

1.2 Rational of the Study

The researcher works in the field of **Child Trafficking in India: A Critical Study of Relevant Preventive Laws with Special Reference to Dahod, Panchmahal and Mahisagar District**. Researcher has interacted with NGOs, Police station, advocates who might know many matters regarding trafficking of the children, victims, rescued trafficked child laborer, police officers, and rescued client and law enforcement agencies for different district on issues of child trafficking. The assumption here is that

² Trafficking in Person Report. Rep. U.S. Department of State, 2013. 195.

³ HAQ: Centre for Child Rights (2016). For Campaign Against Child Trafficking (CACT). New Delhi, www.haqcrc.org

⁴ Staff Reporter. "Horrendous Truth of Coal Mines of Jaintia Hills." Meghalaya Times. N.p.

⁵ Rahman, Shaikh Azizur. "Indian Children Stolen for Adoption." The National. Abu Dhabi Media.

the level of awareness in child trafficking is an important indicator that will affect the child trafficking. For future awareness in the society and formulation and implementation of strict laws will be necessary to prevent and control crimes related to child trafficking.

Human trafficking is not a recent occurrence. Historically, it has been linked to slavery which involved the sale and purchase of human beings as chattel, treating them as commodities that could be bought and sold. Regarded as his private property, the owner retained all rights over the slaves. After drug trafficking and the arms trade, child trafficking ranks third among all organized crimes worldwide. Millions of people worldwide, including women and children, fall victim to child trafficking, a type of contemporary slavery. This research suggests lack of awareness about child trafficking, lack of proper laws and ineffective implementation of laws.

1.3 Scope of the Study

The study's overarching goal is to understand child trafficking in Middle Gujarat, with a focus on the research areas of Dahod, Panchmahal, and Mahisagar. The purpose of the study is to raise awareness of child trafficking. In order to save innocent children, it has also concentrated on the idea of human rights (new laws), preventive measures to get rid of social evil, and strengthening the social structure to report against such cases. The study tries to bring out the level of awareness in child trafficking because it can create a ripple effect and is an important indicator that will affect the stop of child trafficking. For future, awareness in the society and formulation and implementation of strict laws will be necessary to prevent and control crimes related to child trafficking. The quantitative data is collected from NGO workers, Parents, Advocates, Victims (respondents) of three districts (Dahod, Panchmahal, Mahisagar) of the Gujarat state and qualitative data is compiled through observations and personal interaction.

The research tried to examine the infrastructural support system which can prove instrumental in the prevention and control of child trafficking related issues and socio cultural problems. The study contributes to our understanding of human

trafficking as an organized crime and examines potential legislative solutions. This study aims to provide a comprehensive understanding of the causes and effects of child trafficking as well as an analysis of public awareness regarding laws that prevent child trafficking and related issues.

1.4 Review of work already done on the Subject

The majority of the articles that are currently available on trafficking are studies, conferences, and workshops that have been held by non-governmental organizations (NGOs) both domestically and internationally. There are comparatively fewer studies conducted at the national and regional levels than there is at the state level. The rise in the number of ongoing research studies on trafficking in India can be attributed to the increasing importance of trafficking on the international agenda in recent times. The current review, while not comprehensive, examines a range of viewpoints, arguments, and conclusions regarding the trafficking of women and children.

It is necessary to research the local communities' involvement. It is necessary to investigate the extent to which a lack of awareness makes victims of human trafficking susceptible to their schemes. There is only a hint at organized crime's involvement—sufficient information is not available. Furthermore, not enough is known about human traffickers' networks and organizations. The roles that different actors play in trafficking networks are not well understood. Not much research has been done on the traits of traffickers, such as their socioeconomic backgrounds.

No any significant studies have been found which based on primary and qualitative data that focuses on trafficking in Gujarat state.

1.5 Research gaps identified in the present field of investigation

The review of literature on trafficking identifies the previous contribution of the researchers and manages to establish its occurrence and the consequences. They lacked a thorough analysis of the issue and had an inadequate focus. For tangible results, the issue must be rationalized in all of its aspects, and the responses of the different parties involved must be examined. Given the above literature review on the social evil of child

trafficking, this study focuses on child trafficking in the middle Gujarati districts of Dahod, Panchmahal, and Mahisagar.

Lack of research studies based on primary data of child victims or their family members is one of the main gaps. The prior research was primarily qualitative and was unable to emphasize the need for increased awareness of the problem and the laws that can be implemented to prevent child trafficking. No systematic effort has been made to collect data in a way that allows for a quantitative analysis of the true social perspective.

1.6 Research Questions of the study

The research questions for this study are the following:

1. What is the nature of issues related to child trafficking?
2. What are the human rights and state-mediated child trafficking awareness programs?
3. What are the perspectives of the society regarding the child trafficking?
4. Who can create awareness about child trafficking cases?
5. What can be done to prevent child trafficking?

1.7 Objectives of the Study

1. To critically assess the awareness about preventive laws against child trafficking in selected area of Gujarat.
2. To examine the role of society to prevent child trafficking.
3. To study preventive measures against child trafficking.
4. To study the perception regarding the child trafficking.
5. To identify critical measures to prevent this practice of child trafficking.
6. To examine the causes and remedies of child trafficking in Panchmahal, Dahod and Mahisagar districts of Gujarat.)

1.8 Hypothesis

H₀₁: There is no significant impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region.

H_{A1}: There is a significant impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region.

H₀₂: There is no significant impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region.

H_{A2}: There is a significant impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region.

H₀₃: There is no significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region.

H_{A3}: There is a significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region.

H₀₄: There is no significant relationship between involvement of trafficker and proper process for preventing child trafficking

H_{A4}: There is a significant relationship between involvement of trafficker and proper process for preventing child trafficking

H₀₅: There is no significant relationship between gender and perception of respondents regarding reason of child trafficking.

H_{A5}: There is a significant relationship between gender and perception of respondents regarding reason of child trafficking

1.9 Research Methodology

Qualitative and quantitative information has used in the present study. Workers of NGOs working in selected three districts of Middle Gujarat has selected as respondents for the collection of information pertaining to the study objectives. To make the study more accurate information has obtained from people working in the

field, such as advocates, parents of victims, relatives of victims. The researcher has uses semi structured interview scheduled for primary data collection. Primary and secondary data has collected from child welfare organizations and some NGOs for present study. The researcher has also used case study method for data collection from victims. Thus, for data collection survey and case study method has used.

1.10 Detailed Research Plan

Sampling Plan

The sampling plan constitutes of the method of selecting sample units for the study in the sample from the target population. This study includes the non- probability sampling plan to select sample units from the population. The sampling technique used to select the sample is purposive sampling where the data was collected from all those who were purposefully selected from selected districts.

The next stage of sampling was carried to select the sample to act as respondents for the further research and the respondents were segregated on the basis of different districts. The later stage of sampling includes survey of the selected sample through survey questionnaire. The tool of data collection is used to collect primary data from the selected respondents and secondary data is collected through published works.

Research Process

Finding a research problem and doing a literature review to gain context are the first steps in the research process. Based on the research problem, the researcher formulates objectives, hypotheses, and research questions.

Research Design

The plan for achieving goals and providing answers to research questions is the research design. It ensures that the study is organized and methodical by outlining the techniques and protocols for gathering, processing, and analyzing data.

A research design functions as a framework or strategy for conducting a study. It describes the procedures that must be followed in order to collect the data needed to address or solve the research problem.

The researcher has utilized a descriptive research design to examine both qualitative and quantitative data using suitable statistical methods.

A research technique called descriptive research is used to identify the features of a population or specific phenomenon. This kind of design seeks to characterize or record the traits, actions, viewpoints, attitudes, and perceptions of a population or group under study.

This design is based on primary data that the researcher gathered using a well constructed, well-organized, and thorough questionnaire that was created after taking into account the theoretical literature and the results of earlier research. Furthermore, in-person interviews and conversations have also been carried out.

The primary data collection tool consists of various statements that demonstrate their connection to the research objective. The questionnaires were distributed for data collection to the sampled respondents to study the current research topic. The data selected through the primary survey was tabulated as per the requirement of the research objectives. The bivariate and multivariate representation of tables and graphs to analyses the data is represented in the next chapter. The data was evaluated by the application of various descriptive methods and hypothesis formulated were tested by applying statistical tools and techniques. the inferences were drawn for the sampled respondents and the results were inductive to suggest solution to the problems of the population under study.

Predicting future results or attempting to establish cause-and-effect relationships between variables are not goals of descriptive research design. Rather, it concentrates on offering a thorough and precise depiction of the data gathered, which can be helpful for formulating theories, examining patterns, and finding trends in the data.

Population

The population of the research study includes all the victims or their family members residing in the selected districts of Gujarat and all the NGO workers working in this area

Sample Size

The sample size constitutes of 150 NGO Workers and 225 Victims or his family staying there in selected districts of Panchmahal, Dahod and Mahisagar. From each district 75 sample units were selected for the study.

Period of Study

The research spans a duration of three years, specifically from

Research Method

The method of research is quantitative as-well-as qualitative and the primary data is collected through survey questionnaire from victims or their family members and NGO workers. The response rate of questionnaire filling is 90%, 10% of the respondents did not completely responded to the questionnaire.

Development of Tools of the Research

Two self-structured questionnaire are used to collect primary data from two different types of respondents. The reliability and validity of the two set of tool is tested:

Reliability and Validity Test

The Cronbach's alpha test is used to assess the final questionnaire's validity and reliability. Various theories of reliability state that a value above 0.6 is appropriate and a value below 0.5 suggests that reliability may not be appropriate.

Value of Cronbach alpha

Questionnaire 1 for victims or family members **0.826**

Questionnaire 2 for NGO workers **0.701**

Thus, the final questionnaire was used for gathering primary information that has been enclosed as Appendix

Pilot Study

A feasibility study, commonly referred to as a pilot study, is a small-scale preliminary investigation carried out in advance of the primary research to assess the viability or enhance the research design.

A pilot study can aid in identifying any unknowns (i.e., unexpected occurrences), misunderstandings in participant information, or issues with task design.

A well-designed research study with an appropriate experimental design and precise execution is essential to achieving superior results. It can be very beneficial to evaluate its viability prior to starting the main study, also known as the full study or large-scale main trial.

The pilot study, which is usually a smaller-scale investigation that helps with the planning and improvement of the main study, is the first stage of the entire research protocol. To enhance the reach tool and design, a small sample size was used for a pilot study.

Selection of Districts from Middle Gujarat

For primary data collection, researcher has selected three districts of the Gujarat state. These districts are: (1) Dahod (2) Panchmahal and (3) Mahisagar.

(1) Dahod⁶

Situated on the banks of the Dudhimati River, Dahod city serves as the administrative hub for the district of Gujarat state. Given its location at the intersection of the states of Rajasthan and Madhya Pradesh, the name Dahod translates to "two boundaries." Gujarat's Dahod, the headquarters city, is a meticulously planned metropolis. In the era of the Indian independence movement, during the Sepoy Mutiny of 1857, renowned freedom fighter Tantia Tope arrived in Dahod and engaged in

⁶ https://en.wikipedia.org/wiki/Dahod_district

combat with a lone soldier tasked with defending the fort against Tantia Tope. That being said, Tantia Tope's efforts proved fruitless, and the British soon took Dahod. The Gujarat state map showed the Dahod district as a distinct district as of October 2, 1997. The district is located at 22 degrees 83'N latitude. 313 M altitude, 74 degree 25, and E longitude. As of 2019, the percentage of land covered by forests in the world was 14.55 percent.

The district is organized administratively into eight talukas: Garbada, Limkheda, Fatehpura, Dharampur, Sanjeli, Jhalod, Devgad (Baria), and Dahod. The district has seven Assembly constituencies and one Lok Sabha seat. In addition, the district has 692 villages and 6 towns. Gujarati is the district's official language.

The district has 21,27,086 residents, of which 10,68,651 are men and 10,58,435 are women, according to the 2011 census. There are 990 females in the district for every 1000 males. The district's population grew by 29.98 percent between 2001 and 2011, with 30.31 percent of the population being female and 29.66 percent of the population being male. The district has a population density of 584 people per square kilometer. There were 62,712 live births in the district in 2018—29,803 female births and 32,909 male births. 9,404 people died in the district that year, 3,229 of them were women and 6,175 of them were men. Hinduism makes up 96.15 percent of the district's population, according to the 2011 census. The district's primary languages, according to the 2011 census, are Gujarati and Bhili, also known as Bhilodi, with 96.29 percent and 2.14 percent, respectively.

The Dahod district's economy is centered on agriculture. The district's main agricultural products include wheat, maize, rice, pulses, grams, etc. The district's farmers' adoption of new agricultural technologies contributes to a rise in the output of a variety of agricultural products. Its economy benefits greatly from the large amount of money that these agricultural products generate annually. Although there are some industries related to rubber, plastic, minerals, food products, engineering, ready-made clothing, agro processing, etc., the district is not very industrialized. Dahod is one of the 250 most backward districts in the nation, according to the Ministry of Panchayati Raj's

2006 declaration, and it is currently receiving funding from the Backward Regions Grant Fund Program (BRGF).

There are many reputable educational institutions residing in the district. It offers a stage for postsecondary education. St. Stephen's Higher Secondary School is among its accredited educational establishments. Government Polytechnic, Government Engineering College, Little Flowers School, Jamali English School, Burhani English Medium School, M.Y. High School, Sunrise Public School, and so on. According to the 2011 census, the district has a 58.82 percent literacy rate, with 70.01 percent of the population being male and 47.65 percent being female.

The district boasts a number of tourist destinations that draw visitors from across the nation and beyond. Lord Shiva is the subject of the Devzari Mahadev temple, which is situated outside of the Dahod district. Traveling pilgrims come to this temple to make their supplications. The magnificent stone idols of Lord Shiva and Lord Hanuman can be found at the Dhudhar Dev Shiva temple, which is located in the district's Chakaliya town. The Mangadh hill is located in the district's Gadhada village, which is regarded by the tribal people of Gujarat, Madhya Pradesh, and Rajasthan as a dangerous place. The district's Ratanpur bear sanctuary is situated in Dhanpur. The sanctuary is home to a wide range of plants and animals. The districts Kedarnath Temple, Panchkrishna Temple, Bavka Temple, Jhalod Tower, and Jalaimata Temple are among other noteworthy locations. Ramsagar Lake, the Hanuman Temple, etc.

(2) Panchmahal⁷

The state of Gujarat's Panchmahal district has its headquarters situated in the city of Godhra. The district's history is connected to the history of the Champaner city. The district was established in the domain of Solanki dynasty king Vanraj in the year 647 (7th century). Alauddin Khilji lost power to the Chauhans when they overthrew the Muslim emperors later in the 13th century. The Chauhans held power there until 1484, when the city was subjugated by Sultan Muhammad Begda. Godhra served as the

⁷ https://en.wikipedia.org/wiki/Panchmahal_district

district center during the Mughal era, which lasted from 1575 to 1727. Panchmahals was once more taken from the Mughal Empire in the eighteenth century by the Maratha general Sindhia. As time went on, the Sindhia dynasty evolved into the Maharajas of the Gwalior State, and after 1818, they were compelled to acknowledge British rule. The Panchmahals were given to British India by the Sindhias in 1861, and at that time they became a distinct district within the Gujarat Division of Bombay Province.

The district is located at 107 meters above sea level, 22°08'22" latitude, and 73°07'57" longitude. 2019 saw a total forest area of 13.57 percent of the total geographical area. With a total land area of 5231 square kilometers, the district is the 14th largest in the state and the 204th largest in India. The Dahod district surrounds it on the east and northeast. districts of Sabarkantha in the northwest, Kheda district in the west, and Vadodara district in the south. The district's summertime temperatures are still very high. Its monsoon season is when the majority of its rainfall falls. In the district, there was 788.3 mm of actual rainfall in 2018–19. The district is organized administratively into 11 talukas, one of which is Divda Colony. Khanpur (Bakor), Ghoghamba, Godhra, Halol, Jambughoda, Kalol, Lunawada, Morwa, Santrampur, and Shehara. The district has seven Assembly constituencies and one Lok Sabha seat. In addition, the district has 1210 villages and nine towns. Gujarati is the district's official language.

The district has 23,90,776 residents, of which 12,26,961 are men and 11,63,815 are women, according to the 2011 census. There are 949 females in the district for every 1000 males. The district's population grew at a rate of 18.05 percent between 2001 and 2011, with 17.42 percent of the population being male and 18.72 percent being female. The district has a population density of 457 people per square kilometer. There were 38,677 live births in the district in 2017—20,287 male births and 18,390 female births. 10,796 people died in the district in that same year, 6,787 of them were men and 4,009 were women. Hinduism makes up 92.90 percent of the district's population, according to the 2011 census. Gujarati is the primary language in the district, speaking 96.52 percent of the total, according to the 2011 census.

The district's economy is entirely focused on agriculture and dairy farming. The district's main agricultural products include rice, maize, beans, onions, cabbage, mangoes, bananas, and so forth. The district's farmers are using new agricultural technologies, which contributes to a rise in the output of different agricultural products. Additionally, its black aids in the large-scale production of wheat, maize, and pulses. The district has abundant mineral resources as well. The district's primary mineral resources are granite, marble, and quartz. Although there aren't many small-scale industries in the district, the existence of food processing facilities, machine tool manufacturing, wooden product manufacturing, and food products serves as a vital pillar of the local economy. Panchmahal is one of the 250 most backward districts in the nation, according to the Ministry of Panchayati Raj, and is presently receiving funding from the Backward Regions Grant Fund Program (BRGF).

There are numerous well-known educational institutions located in the district. It offers a stage for postsecondary education. Government Engineering College, S.P. Patel Arts College, Government Polytechnic Godhra, Adivasi Arts and Commerce College, M.M. Gandhi Arts and Commerce College, Nutan B. Pharmacy College, Degree Pharmacy College, GHB Pharmacy College, and Shri Muktajivan Swamibapa Kelvani Mandal Sanchalit Arts College are a few of its accredited educational institutions. According to the 2011 census, the district has a literacy rate of 70.99 percent, with 82.51 percent of men and 58.89 percent of women.

Due to its many points of interest, the district draws many visitors from across the nation and the globe. With four Vaishnava temples at Godhra, Jain temples, Ramji Mandir, Gokulnathji temple, Swaminarayan temple, Ankleshwar Mahadev temple, Bahora Masjid, Marisdeshwar Mahadev temple, Jhakurkhan Ara Masjid, Old Methodist Church, etc., the district is an ideal destination for pilgrims. Visiting these district-wide holy sites, pilgrims travel great distances to offer their prayers. The district also has a few locations with breathtaking scenery and a wealth of natural beauty. Kanelav Talav is a beautiful pond that receives a lot of visitors; the area around the pond is typically used as a picnic area. Another lovely pond, Ram Sagar Talav, is located next to a statue

of Swami Vivekanand. For those who love animals, the district's Jambughoda Wildlife Sanctuary is the ideal location.

(3) Mahisagar⁸

Many people in India worship the Mahi River, which flows from east to west, because it is dotted with numerous temples and other hallowed sites. Because of its size, it is known as Mahisagar. This sacred river serves as the inspiration for the name of Gujarat's 28th newly created district, Mahisagar district. Panchmahal and Kheda have been divided into the district of Mahisagar. Although it was established as a district on January 26, 2013, Lunawada, the district capital of Mahisagar, took full control of it on August 15, 2013. The well-known location in Lunawada with historical significance is Kaleshwari. Vasad's ideal conditions make it a great place to have a picnic and a starting point for "Charotar." It was formerly known as Vasudhanagari. The Mahidam dam, located in Rajasthan close to Banswara, is constructed on the Mahi River, which supplies drinking water to all of Gujarat. It provides cover for numerous aligators, or crocodiles. Tirupati oil industries, Balaji food industries, and groundnut oil industries are the main employers of Vadodara, Sabarkantha district, and Panchmahal's peasants, and they are located in Lunawada, Mahisagar district.

Researcher has collected data through interview scheduled. Respondents (NGOs Worker) has selected interview techniques. Interview is a technique by which the researcher meets the persons to be studied personally face to face by asking questions and tries to obtain information relevant to the research objective. In this process, the researcher asks the other person questions, the other person answers them. The researcher answers when the other person asks counter-questions. In this way, when there is an exchange of ideas or a conversation between the two parties in accordance with the research topic in the interview, both have an impact. Hence an interview is an interaction between the researcher and the respondent. Data collected through semi structured/emphases interview schedules from workers of NGO. Researcher has used

⁸ https://en.wikipedia.org/wiki/Mahisagar_district

semi structured interview schedules for NGOs workers, victims, advocates, Judges, Police, parents of victims and relatives of the victims.

1.11 Chapterization

Chapter-1: Introduction

In this chapter discussed about present research, research problem, rationale of the study, nature and the scope of the study, objective of the study, research methodology and sampling.

Chapter: 2 Review of Literature

The present chapter present review of the available literature pertaining to the study topic. It has based on a review of research done at the international, national and state levels.

Chapter-3: Human Rights and Child Trafficking

People not aware about child trafficking. In this chapter, Human Rights, Laws for children and awareness of the people about child trafficking has discussed.

Chapter-4: Nature of Child Trafficking and Role and Functions of NGOs in Child Trafficking

The present chapter based on the classification of primary data analysis. The nature causes and consequences of child trafficking in Madhya Gujarat discussed in depth. Additionally, researcher has discussed role of the laws in the prevention, control and legal awareness about child trafficking in district. This chapter **based on primary data analysis**. In this chapter discussed about role and functions of NGOs in child trafficking.

Chapter-5: Research Methodology

This chapter covers a number of topics, including the study's location, significance, scope, research gap, limitations, and sampling.

Chapter-6: Data Analysis and Interpretation

This chapter incorporates the analysis of data along with tabular and graphical representation of the response of respondents. The chapter is divided into different sections to better understand the data tables. All the analytical and statistical interpretations are represented as per the need of the research.

Chapter-7: Findings Conclusion and Suggestions

In this chapter gives a summary of the whole PhD thesis and presents the emerging recommendations.

1.12 Importance of the Study

The present research sheds light on the problem of child-trafficking. It is expected that the presented study will be useful to social workers, government officials, non-governmental organizations, academicians, researchers etc. working in the field of child-trafficking. Also, the present study will also help the government regarding what new laws or policies need to be formulated to prevent child-trafficking. It is also expected that the present study will create awareness in the society about child-trafficking.

1.13 Limitations of the study

Child laborers are employed in large numbers in various employment sectors available in Gujarat. It is undeniable that these children are economically, socially, physically and mentally exploited. Studying child-trafficking in different sectors of Gujarat is very laborious and time-consuming. The researcher resides in Panchmahal district. The field of research has been limited to complete the present study in time. For which the researcher has presented the study and findings based on the information obtained through the field work, laws, court rulings, government schemes and field work related to child-trafficking, focusing on Dahod, Panchmahal and Mahisagar districts of Gujarat.

REFERENCES

1. Dave J K (2012). Samajik Sanshodhan Paddhatio ((Gujarati). Anada Prakashan, Ahmedabad.
2. D’Cunha, Jean. 1998. Prostitution and sex trafficking: A review of contemporary feminist perspectives and strategies, in Violence against women by Shirin Kudchedkar and Sabiha Al-Issa. New Delhi: Pencraft International.
3. HAQ: Centre for Child Rights (2016). For Campaign Against Child Trafficking (CACT). New Delhi, www.haqcrc.org
4. <https://www.indiastatdistricts.com/gujarat/dahod-district>
5. <https://www.indiastatdistricts.com/gujarat/panchmahals-district>
6. <https://mahisagar.nic.in/about-district/>

CHAPTER - 2

REVIEW OF LITERATURE

2.1 Introduction

The various literature on trafficking that is currently available consists primarily of books, articles, reports from local government organizations, study reports from non-governmental organizations, and proceedings from regional and global conferences and workshops. It is very important to review the available literature to determine the objectives and research methodology of the present study and the field of research. These studies have already helped in understanding the phenomenon of child trafficking. Such an understanding is necessary to determine the objectives, methodology, and research problem of the present study.

Through the literature review conducted in the present research, an attempt has been made to understand the problem of child trafficking by combining different approaches and then to suggest ways and means to solve it. The present study involves a critical study of preventive laws related to child trafficking in India: with special reference to Dahod, Panchmahal and Mahisagar districts.

2.2 Review of Literature on Trafficking

Trafficking in Women and Children by P.M. Nair, Sankar Sen.⁹ outlines the research findings of the Action Research on Trafficking in Women and Children in India (ARTWAC) project, which involved the Institute of Social Science (ISS), National Human Rights Commission, and UNIFEM. The first section of this book analyzes the data produced by Action Research on Trafficking in Women and Children in India from a human rights perspective and makes specific recommendations for improved judicial interventions, law enforcement, and community involvement in anti-

⁹ P.M. Nayer, Sankar Sen (2005). Trafficking in Women and Children in India, Orient Longman, Pvt Ltd, Hyderabad, India.

trafficking strategies. A wealth of case studies in the second section paint a vivid picture of how traffickers treat the rights of their victims with little to no consideration.¹⁰

In his book *Sex Trafficking: Inside the Business and Modern Slavery*, former investment banker Siddharth Kara tries to explain human trafficking from a business/economic point of view.¹¹ The author claims that when he came dangerously close to being attacked by a group of pimps in Mumbai, he put himself at great personal risk. In order to meet the women and children who are held in the "dungeon of human disgrace" in Asia, Europe, and the US, the author enters seedy underworlds and markets for forced labor. He draws attention to pervasive and alarming trends, as well as the significant participation of law enforcement organizations and personnel in human trafficking and slavery.¹² The author has also considered various cultural elements, such as slavery, forced agricultural labor, begging, and organ harvesting, which contribute to trafficking (with reference to Thai women).¹³

Tom Obokata in *Human Trafficking: An Analysis from a Human Rights vantage point*¹⁴ attempts to provide a broad picture of the global human trafficking system. According to the author, estimates of the number of individuals trafficked annually range from 600,000 to 800,000, with women and children making up the majority. The United Nations Convention against Transnational Organized Crime, 2000, and the United Nations Protocol to Prevent, Suppress, and Punish Persons Trafficking, Particularly Women and Children, are just two of the UN documents that the author has taken into consideration when writing this book¹⁵ The author then outlines important responsibilities under international human rights law, such as the duty to forbid trafficking, punish it, protect victims, and address its causes and effects.¹⁶

¹⁰ *Ibid.*

¹¹ Siddharth Kara (2009). *Sex Trafficking: Inside the Business of Modern Slavery*, Colombia Univ. Press.

¹² *Ibid.*

¹³ *Ibid.*

¹⁴ Tom Obokata (2006). *Trafficking of Human Beings: From a Human Rights Perspective*, Martinus Nijhoff Publishers.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

Author Anna M. Troubnikoff in *Trafficking in Women and Children*,¹⁷ writes about the severity of the issue of human trafficking, particularly that involving women and children. According to the author, one of the areas of international criminal activity that is expanding the fastest is the trafficking of people for forced labor and prostitution. According to the author, women and children make up the vast majority of those who are trafficked; it is estimated that between 700,000 and 4 million people are trafficked every year. The author goes on to say that, after the sale of drugs and weapons, human trafficking is now thought to be the third-largest source of revenue for organized crime. The threat of human trafficking, according to the author, is present throughout the world. The author also looks at what the various nations have done to consider potential anti-trafficking strategies.¹⁸

Likewise *Human Trafficking: With Special Reference to Delhi* by Apama Srivastava¹⁹ is the joint women's program's most recent attempt to address the problem of human trafficking. With funding from USAID and UNIFEM's regional South Asia Anti Trafficking Programme, this study was launched. Because of the author's attention to the Devadasi issue, the Karnataka government was able to draft and pass the Karnataka (Devadasi Prohibition of Dedication) Act, 1981. The author has taken into account, within its purview, not only the plight of women engaged in prostitution but also a number of other reasons why trafficking in women and children occurs, such as beggaring and forced labor.²⁰

The author makes an effort to estimate the scope of the issue of human trafficking and mentions both intra- and inter-national trafficking. In chapter five, the author emphasizes the rights of those who have been trafficked. The author makes some

¹⁷ Anna M. Troubnikoff (2003). *Trafficking in Women and Children: Current Issues and Development*, Nova Publishers.

¹⁸ *Ibid.*

¹⁹ Apama Srivastava (2009). *Human Trafficking: With special reference to Delhi*, NHRC, New Delhi.

²⁰ *Ibid.*

suggestions in the final chapter to stop the problem of human trafficking at three different stages, namely prevention, recovery/rescue, and rehabilitation of the victims.²¹

Obi N.I. Ebbe and Dilip K. Das²² The scope, prevalence, diversity, and complexity of human trading have all changed as a result of human trafficking's emergence as a global disease, according to *Global Trafficking in Women and Children*. The writers compare this widespread illness to the movement of people used as commodities during the colonial slave trade.²³ But this book isn't just a reflection; it's also much more than that. Despite the fact that a mirror may give us a glimpse of something we may have missed or forgotten, the image it produces may be rather one-dimensional and flat.

S.K. Gosh²⁴ wrote two volumes for *The World of Prostitutes*. The first two chapters of volume I of the book are devoted to the topic of prostitution in both ancient and modern times. The author has considered a number of nations while highlighting the historical perspective of prostitution. The author sheds light on a variety of prostitution-related topics in the third chapter, including sex tourism, the effects of industrialization on prostitution, escort services, child prostitution, media and prostitution, call girls, international adoption, etc.²⁵

The fourth chapter of the book by author S.K. Gosh analyzes a number of international treaties that address the negative aspects of prostitution, such as the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (1979), the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prosecution of Others, and the International Convention for the Suppression of the White Slave Traffic.²⁶

²¹ *Ibid.*

²² Obi N.I. Ebbe, Dilip K. Das (2008). *Global Trafficking in Women and Children*, CRC Press.

²³ *Ibid.*

²⁴ S.K.Gosh (1996). *The World of Prostitutes*, A. P.H. Publishing Corporation, New Delhi.

²⁵ *Ibid.*

²⁶ *Ibid.*

Analyzing the Dimensions: Trafficking and HIV/AIDS in South Asia by Roma Debabrata²⁷ is a STOP (NGO) New Delhi based publication. In this book, the author emphasized the connections between trafficking and HIV/AIDS exploitation in South Asia, particularly in Nepal, Bangladesh, and India. The author also sheds some light on the government's and civil society's roles in the recovery, return, treatment, and reintegration of human trafficking victims. The author offers some suggestions in the final and concluding chapter to address the issue of human trafficking.²⁸

Gunjan Kinnu in From Bondage to Freedom: An Analysis of International Legal Regime on Human Trafficking²⁹ covers the full spectrum of the international human trafficking problem, including its dimensions and scope, an analysis of the relevant conventions and protocols, and the necessary human rights framework. The author emphasizes that dealing with human trafficking should take into account that it is a matter of human rights.³⁰

The 1949 Convention for the Suppression of the Traffic in Persons and the Exploitation of Prostitution of Others was harshly criticized by the author because it appeared to be more of an anti-prostitution tool than an anti-trafficking one. According to the author, the Convention calls for the abolition of human trafficking without providing a definition and equates it with prostitution and the movement of people into prostitution. The 1949 Convention thus denies protection to a sizable group of trafficking persons and becomes restricted in its scope and reach because it ignores the wide range of end purposes for which trafficking occurs, according to the author.³¹

K.P. Yadav in Trafficking: An Emerging Social Problem³² examines the issue of child trafficking for the purpose of commercial sexual exploitation and outlines the

²⁷ Roma Debabrata (2002). *Analyzing the Dimensions: Trafficking and HIV/AIDS in South Asia*, STOP, New Delhi.

²⁸ *Ibid.*

²⁹ Gunjan Kinnu (2006). *From Bondage to Freedom: An analysis of International Legal Regime on Human*

Trafficking, NHRC Publication, New Delhi.

³⁰ *Ibid.*

³¹ *Ibid.*

³² K.P. Yadav (2006). *Trafficking: An Emerging Social Problem*, Adhyayan Publishers and Distributors.

environment in which such exploitation occurs. The author also provides a brief overview of the various rescue and rehabilitation initiatives undertaken by both the public and private sectors. Additionally, the author has reviewed a number of national, international, and national laws pertaining to trafficking and commercial sexual exploitation.³³

The author has also noted that over the past few years, the Indian government, NGOs, media, and the international community have become increasingly aware of and concerned about the growing prevalence of child trafficking in India for the purpose of commercial sexual exploitation.³⁴

The author aims to advance the state of knowledge regarding human trafficking in the concluding chapter. The author also wants to show the areas that need more research as well as the potential for applying methods in various settings.³⁵

Melissa Farley in *Prostitution, Trafficking and Traumatic Stress*³⁶ offers an examination of prostitution and human trafficking as forms of organized interpersonal violence for the reader.

The violence that permeates all forms of prostitution, including escort, brothel trafficking, strip clubs, pornography, and street prostitution, is extensively documented by the author. According to the author, verbal sexual harassment is a constant problem for prostitutes, and many of them have a long history of trauma, including childhood sexual abuse, emotional neglect, racism, economic discrimination, rape, and other forms of physical and sexual violence. This book has a global reach due to the cutting-edge contributions it includes from criminal experts in the field of traumatic stress, from lawyers and advocates who work with trafficked women, children, and adolescents, as well as both female and male prostitutes. Numerous chapters have been devoted by the author to discussing the difficulty of treating the psychological side effects of prostitution and human trafficking. Other chapters in this book discuss the survivors'

³³ *Ibid.*

³⁴ *Ibid.*

³⁵ *Ibid.*

³⁶ Melissa Farley (2003). *Prostitution, Trafficking and Traumatic Stress*, Routledge.

need for social support, drug abuse treatment, peer support, and services that are culturally appropriate.³⁷

Louise Shelley in *Human Trafficking: A Global Perspective*³⁸ examines global human trafficking in all its forms, exposing the business practices and character of the traffickers. Since the author has used historical and comparative perspectives, it is clear that there are various business models for human trafficking and that there are significant regional variations in the prevalence of this crime. The author draws the conclusion that the world's economic and demographic disparities, the escalation of conflicts, and potential global climate change will all contribute to an increase in human trafficking in the twenty-first century. He goes on to say that in order to slow its growth, coordinated efforts from the government, civil society, business sector, international organizations, and the media are required.³⁹

Alex A. Aronowitz in *Human Trafficking, Human Misery: The Global Trade in Human Beings*⁴⁰ says that the scourge of human trafficking affects almost every nation in the world, whether it be as a source, transit, destination, or a combination of these. According to the author, trafficking patterns differ across nations and regions and are constantly changing. While exploitation in the domestic and food service industries, as well as in agriculture, construction, fishing, and manufacturing, has received little attention from governments in the past due to its sole focus on sexual exploitation. Here, the author examines the nefarious world of human trafficking from a global perspective, revealing the kind and scope of the harm brought on by this heinous criminal activity.⁴¹

The author considers the criminals and criminal organizations that traffic in and take advantage of their victims using a victim-oriented perspective. She also focuses on the various victim groups and types of markets or trafficking, many of which have been

³⁷ *Ibid.*

³⁸ Louise Shelley (2010). *Human Trafficking: A Global Perspective*, Cambridge University Press.

³⁹ *Ibid.*

⁴⁰ Alex A. Aronowitz (2009). *Human Trafficking, Human Misery: The Global Trade in Human Beings*, Greenwood Publishing Group.

⁴¹ *Ibid.*

disregarded because sex trafficking has received so much attention. The author also examines less well-known instances of trafficking in organs, child soldiers, mail order brides, adoption, and internet-related trafficking. The author provides real-life context throughout the book by describing a number of cases she was involved with or learned about while traveling, drawing on her field experience in different parts of the world. The author's insightful analysis has revealed the true nature of human trafficking and shows the scope of its harm.⁴²

Kathryn Cullen - DuPont in *Human Trafficking*⁴³ provides a comprehensive examination of the multifaceted issue of human trafficking, which is another name for the modern-day slave trade. The author gives a great overview of human trafficking from both the global and American perspectives in the first chapter of the book. Additionally, the author does a fantastic job of fusing personal accounts of human trafficking victims with research. These individual accounts support the data and documents in the book. Anyone conducting research using this book will quickly discover that human trafficking encompasses more than just forcing women and children into prostitution; it also involves forced marriages, sweatshop labor, child military service, involuntary domestic servitude, and involuntary organ harvesting, to name a few.⁴⁴

The second section of the book contains documents on human trafficking from the United States and other nations. These contain quotes from international agreements, UN resolutions, news stories, and the US Trafficking in Persons Report. A sizeable section on how to research human trafficking is also included, with resources like maps, charts, annotated bibliographies, and a directory of organizations fighting the practice.

Author Silvia Scarpa in *Trafficking in Human Beings: Modern Slavery*⁴⁵ observes that The international community has concentrated on human trafficking,

⁴² *Ibid.*

⁴³ Kathryn Cullen – DuPont (2009). *Human Trafficking*, Info-base Publishing.

⁴⁴ *Ibid.*

⁴⁵ Silvia Scarpa (2008). *Trafficking in Human Beings: Modern Slavery*, Oxford University Press.

which is undoubtedly one of the most concerning trends of the twenty-first century. Part I of the article looks at human trafficking in light of the most recent definition provided by the UN Trafficking Protocol and various other international legal instruments, such as treaties and soft law. The most typical forms of exploitation associated with trafficking are also examined, along with its causes and effects.

The Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, and other significant international conventions against slavery and the slave trade are reviewed by the author in Part II of the book. The United Nations High Commissioner for Human Rights' Recommended Principles and Guidelines on Human Rights and Human Trafficking are among the most significant policy documents establishing the fundamental requirements for the protection of trafficked victims. The author also analyzes the extension of the jus cogens Principle of international law, which forbids slavery, to make the case that human trafficking should be properly included in it.⁴⁶

In the third and final section of the book, the author examines the Council of Europe and the European Union's efforts to combat human trafficking, arguing that the protection of victims of trafficking has been overlooked in favor of the prosecution of traffickers.⁴⁷

The author ends by urging readers to adopt a more nuanced perspective on the issue and stressing the urgent need for more research on particular problems pertaining to the growth of trafficking and the exploitation of its victims.⁴⁸

Andrea Di Nicola in *Prostitution and Human Trafficking: Focus on Clients*⁴⁹ examines that several studies have focused on the trafficking of women for prostitution. In the first book, the author argues that prostitution and human trafficking emphasize demand as a crucial element in the equation. The author used a dual strategy: first, a virtual ethnography was created with a focus on the analysis of specialized forums on

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

⁴⁹ Andrea Di Nicola (2009). *Prostitution and Human Trafficking: Focus on Clients*, Springer.

the internet and used an anonymous internet questionnaire as an interview method. On the other hand, fieldwork enabled national research teams to gather data and interviews from potential customers of trafficked prostitutes, prostitutes themselves, involved police officers, and local authorities.⁵⁰

While conducting research for this book, the author aims to provide creative solutions for the following questions. Who is the victim of prostitution that is trafficked? What drives the demand for prostitution that is trafficked as opposed to other types? What types of prostitution are the subjects of the most effective policies? The author has investigated and characterized the underworld of prostitution-related human trafficking. By doing this, the author has disproved some widespread myths about customers and encouraged the development of fair policies for controlling prostitution, safeguarding the victims, and thus combating its unwelcome trafficking components.⁵¹

In the final section of the book, the author made recommendations for groups and decision-makers engaged in battling organized crime in general and human trafficking in particular.⁵²

Author Kevin Bales in *Ending Slavery: How We Free Today's Slaves*⁵³, gives instructions for eradicating the scourge of slavery, which still affects about 27 million slaves worldwide. The author presents a six-point action plan that includes safeguarding, arming, and cloning "The liberators," passing and enforcing effective anti-slavery legislation, and—possibly most crucially—assisting freed slaves in their healing. She also describes the lives of its victims around the world and the conditions that led to them. In addition, the author takes into account more pragmatic issues like raising money, raising public awareness, and persuading governments to pay attention.⁵⁴

⁵⁰ *Ibid.*

⁵¹ *Ibid.*

⁵² *Ibid.*

⁵³ Kevin Bales (2008). *Ending Slavery: How we Free Today's Slaves*, University of California Press.

⁵⁴ *Ibid.*

A lecturer in Sociology in the University of Leicester, Julia O'Connell Davidson in *Prostitution, Power and Freedom*⁵⁵ brings new information to add to the ongoing discussion about prostitution among academics, activists, and others. The accessible, succinct study by sociologist Julia O'Connell Davidson is based on extensive research from experts around the globe. In order to refute simplistic explanations of the prostitution phenomenon, the study applies a variety of theoretical analyses, demonstrating that prostitution is a complex relationship where economics, power dynamics, gender, age, class, and "choice" intersect.⁵⁶

The author's research in nine nations is impressive; it includes interviews with male and female sex tourists, adult and juvenile prostitutes, procurers, and clients. Through her research, O'Connell Davidson argues that prostitution is complex and not just a result of male oppression and violence or insatiable sexual needs, nor is it just a straightforward economic transaction. The book explains the economic and political injustices that underlie prostitution in a sophisticated manner, but it also demonstrates that while prostitution inevitably entails some freedoms for the clients, the degree of freedom felt by particular prostitutes varies greatly. People who study gender and women's studies, sexuality and culture, the sociology of work and organizations, and social policy will find this book to be very interesting and accessible. The general public will also value new perspectives on this long-standing social phenomenon.⁵⁷

Trafficking and Human Rights: European and Asia-Pacific Perspectives written by Leslie Holmes⁵⁸ says The fastest-growing form of trafficking is generally acknowledged to be human trafficking. As this significant book makes clear, it has gained significant momentum since the early 1990s, not only as a result of its growth but also as the implications for security and human rights have become more apparent.

⁵⁵ Julia O'Connell Davidson (2013). *Prostitution, Power and Freedom*, John Wiley and Sons.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ Leslie Holmes (2010). *Trafficking and Human rights: European and Asia-Pacific Perspectives*, Edward Elgar Publishing.

The problem of human trafficking, particularly the exploitation of women and children, has been addressed in a review of numerous articles written by renowned academics and jurists.⁵⁹

Dr. Sangita Bhalla in her article on Global Fight against Human Trafficking: With Special Reference to India⁶⁰ highlights the issue of human trafficking globally with particular emphasis on India. In the introduction to her article, the author claims that human trafficking is a persistent issue facing humanity that is both deadly in its effects and global in scope. According to the author, the majority of young people who are trafficked do so for purposes such as prostitution, domestic servitude, and other grave violations of their human rights.

The author highlights a number of factors that contribute to the rise in human trafficking, including migration, the refugee crisis, organized crime, social inequality, technological advancements, HIV/AIDS, and armed conflicts. It has also been mentioned that human trafficking dates back to the late 18th century.⁶¹

The author of the article examines the various international Conventions and Protocols for the prevention of human trafficking, including the Slavery Convention of 1926, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination Against Women of 1979, and the International Convention for the Suppression of the White Slave of 1920.⁶²

The Immoral Trafficking (Prevention) Act of 1956, various SAARC conventions, and various articles of the Indian Constitution, including Articles 14, 19, 21, and 24, are all taken into consideration by the author when discussing the national initiative. In the article's conclusion, the author offers some advice and a suggestion to combat the threat of human trafficking.⁶³

⁵⁹ *Ibid.*

⁶⁰ Dr. Sangita Bhalla (2007). "Global Fight against Human Trafficking: With Special Reference to India", Panjab University Law Review.

⁶¹ *Ibid.*

⁶² *Ibid.*

⁶³ *Ibid.*

In their article, Kamaljeet Singh and Harish Verma *Trafficking of Women and Children in India: A Human Rights Perspective*⁶⁴ have highlighted the issue of human trafficking from a human rights perspective. According to the authors, trafficking involves serious violations of human rights, but surprisingly, the issue of trafficking for commercial sexual exploitation is still not seen from a human rights perspective. According to the authors, trafficking is a deliberate or accidental economic activity that involves the movement and displacement of people, especially women and children, who are then used for both sexual and non-sexual purposes. In order to stop the growing organized crime of human trafficking, authors have also looked at the significance of the UN Convention UN Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Particularly Women and Children 2000 and the Global Partnership Against Transnational Organized Crime 2000.⁶⁵

The authors also emphasize that not everyone is susceptible to human trafficking; women and children are the worst victims because of their social and economic illiteracy. Additionally, the authors carefully examine various annual reports released by the National Crime Records Bureau in New Delhi. Regarding the push and pull factors influencing the rise in human trafficking, authors looked at a number of factors, including the widespread misconception held by sex buyers that having sex with a virgin will cure them of HIV/AIDS and other sexually transmitted diseases. On the opposing side, authors claimed that the rise in human trafficking was a result of low status of women and children, particularly in India, unemployment, extreme poverty, and natural disasters.⁶⁶

Articles 14, 15(3), 19, 23, 24, 39(e), 39(f), 42, and 46 of the Indian Constitution; Sections 366A, 366B, 367, and 373 of the Indian Penal Code, 1860; and various

⁶⁴ Kamaljeet Singh, Harish Verma (2007). "Trafficking of Women and Children in India: A Human Rights

Perspective", Panjab University Law Review.

⁶⁵ *Ibid.*

⁶⁶ *Ibid.*

provisions of the Immoral Traffic (Prevention) Act, 1956 were also examined by the authors as national laws to protect human rights and combat trafficking.

The authors note in their concluding remarks that although human rights violations against women and children are a problem with trafficking, this issue has not received enough attention. As a result, the most important requirement is to give the issue adequate attention, not just from the perspective of the welfare of the trafficking victims but also from the perspective of human rights.⁶⁷

Professor Gur Iqbal Singh Sandhu wrote an article titled Human Trafficking as Transnational Organized Crime: Problem and Perspective⁶⁸ says that After trafficking in illegal weapons and drugs, human trafficking is the largest illegal market. According to the author, Europe and Asia are the main destinations for victims of human trafficking when considering the global pattern. The author emphasizes that there are 127 countries of origin, 98 transit countries, and 137 destination countries for trafficking globally, according to the United Nations Office on Drugs and Crime (UNODC).

The SAARC Convention on Prevention and Combating Trafficking in Women and Children Prostitution, 1997, and the United States Trafficking Victims Protection Act, 2006 (TVPA), are two international and national legal instruments that the author has examined in an effort to end the menace of trafficking.⁶⁹

The distinction between human trafficking, human smuggling, and voluntary sex workers and trafficking victims is the most crucial point that the author has made. The author, like the authors before him, emphasizes various push and pull factors that have increased human trafficking.⁷⁰

The author states in the conclusion that in order to put an end to the illegal trade in human beings, there is a need for strict legislation, enforcement agencies with teeth, and international cooperation.

⁶⁷ *Ibid.*

⁶⁸ Prof. Gur Iqbal Singh Sandhu (2009). "Human Trafficking as Transnational Organized Crime: Problem and Perspective", Panjab University Law Review.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

Article by Sreyashi Dastidar namely Never Too Young to be Sold⁷¹ starts with the phrase that the concept of human trafficking is particularly challenging due to how complex and fluid the crime is. Only 7% of Indian police officers are known to have any training in dealing with cases of human trafficking, according to the article's author. Not only in India but also in Bangladesh and Nepal was the issue of trafficking in women and children highlighted by the author. The author of the article claims that anti-trafficking units have been established within the police forces of several Indian States, including Andhra Pradesh, West Bengal, and Goa.⁷²

The author says in her article's conclusion that NGOs should be urged to save and rehabilitate human trafficking victims.

In article by Ruchira Gupta in To Let / For Sale⁷³ writes about the problem of human trafficking both nationally and internationally. The author defines slavery in its pre-19th century form at the beginning of her article before explaining how it evolved into the form of sex slavery.

The author mentions nations like Australia and the Netherlands where prostitution is legal but where the prevalence of human trafficking has increased nonetheless. The author claims that after prostitution was made legal in Victoria, Australia, and Amsterdam, the number of illegal brothels there increased by 300%, and the sex workers in these brothels were victims of international human trafficking.⁷⁴

After reviewing a number of legal documents, the author comes to the conclusion that not all nations experience human trafficking to the same extent. The degree of gender inequality and the association of dominance with masculinity both influence the intensity.⁷⁵

⁷¹ Sreyashi Dastidar (2007). "Never Too Young to be Sold", Telegraph.

⁷² *Ibid.*

⁷³ Ruchira Gupta, "To Let / For Sale"? ApneAap Worldwide, (2011), Retrieved from <http://www.oudookindia.com/article/To-Let-For-Sale/263361>

⁷⁴ *Ibid.*

⁷⁵ *Ibid.*

An article by Sibnath Deb Aggression in Sexually Abused Trafficked Girls and Efficacy of Intervention⁷⁶. The basis for this article was the author's empirical study in the state of West Bengal. The author calls attention to the severity and prevalence of aggression in girls who have been sexually abused, trafficked, and then used for further sexual exploitation.

Article by Writer S. Huda Sex Trafficking in South Asia⁷⁷ says that People have moved within each nation and across borders in South Asia as a result of economic, social, and political injustices. According to the author, globalization has facilitated the free movement of capital, experts, technology, and sex tourists. Among other things, illiteracy, dependency, violence, social stigma, cultural stereotypes, gender inequality, and endemic poverty put women and children in helpless, unavoidable situations that have fueled the growth of the region's colossal sex trafficking problem. The author looks at how the alarming growth of sex trafficking has accelerated the spread of HIV in South Asia, posing a particularly grave threat to community health, efforts to fight poverty, and other vital areas of human development.

The author emphasizes the significance of the SAARC (South Asian Association for Regional Cooperation) Convention on Trafficking in Women and Children, claiming that it has been a significant advancement. The majority of the nations in the region lack either anti-trafficking laws or ways to protect the victims. In his article's conclusion, the author urges the nations in the area to work together to treat trafficking victims as "victims" of human rights violations in all anti-trafficking initiatives and strategies.⁷⁸

Number of significant judgements from the Supreme Court of India and High Courts that deal with human trafficking and related issues.

⁷⁶ Journal of Interpersonal Violence, (2011), For details see:
<http://jiv.sagepub.com/content/26/4/745.abstract>

⁷⁷ International Journal of Gynaecology and Obstetrics, (2006), for details see
<http://www.ncbi.nlm.nih.gov/pubmed/16846602>

⁷⁸ *Ibid.*

The case of *Gaurav Jain v. Union of India*⁷⁹ In this case, Mr. Gaurav Jain, a public-spirited Supreme Court of India attorney, filed a Public Interest Litigation (PIL) in accordance with Article 32 of the Indian Constitution to improve the situation of prostitutes/fallen women and their offspring. Additionally, he requested the creation of separate educational institutions for the children of the murdered women. After hearing from all the State Governments and Union Territories, who were then represented by their respective standing councils, the Hon'ble Supreme Court made the following observation: "Segregating children of prostitutes by locating separate schools and providing separate hostels would not be in the interest of children and the general society." In this case, the court ruled that they should be kept apart from their mothers and given the opportunity to socialize with other people and integrate into society.

Instead of deciding the writ petition by issuing a set of instructions, the court established a committee made up of V.C. Mahajan, R.K. Jain, and M.N. Sheroff. The committee was given a deadline by the court to submit a report with recommendations for the best course of action. The report was then submitted as a result. The court reconvened to hear both sides after the report was submitted. It established some guidelines and further instructed a high committee to be formed to make an in-depth study of these issues and to develop any suitable schemes that are appropriate and consistent with the guidelines, keeping in mind legislative inertia and the government's consequent failure to protect the rights and interests of the victims. The court further noted that in order to give prostitutes a means of support and socioeconomic empowerment, prostitute rehabilitation should be accomplished through a variety of welfare measures.⁸⁰

In case of *Vishaljeet v. Union of India*⁸¹, a writ petition through a Public Interest Litigation (PIL) was filed in order to obtain guidance for (i) an investigation into police officials under whose authority the menace of forced prostitution, the devadasi system,

⁷⁹ AIR 1990 SC 292.

⁸⁰ *Ibid.*

⁸¹ AIR 1990 SC 1412.

and the jogin tradition were flourishing, and (ii) for the rehabilitation of the victims of this ailment. In deciding the writ petition, the court found that prostitution is not only a social problem but also a socioeconomic one, and that the appropriate course of action should therefore be more preventive than punitive.

The court further noted that despite the strict and reformatory legal provisions found in the Indian Penal Code, 1860, Immoral Traffic (Prevention) Act, and Juvenile Justice Act, 1986, it cannot be said that the desired outcome has been achieved.⁸²

The court ruled that only if law enforcement officials take swift and severe legal action against all of the wrongdoers, including pimps, brokers, and brothel owners, would this deadly disease be suppressed and eradicated.⁸³

In the present case, the court also ordered the Central Bureau of Investigation (CBI) to: (1) establish an inquiry against the officers under whose purview the red light district, as well as the devadasi and jogin traditions, were flourishing and to take necessary action against such incompetent law enforcement officials; (2) transport all those who were living in the red light district and those who were involved in the flesh trade to protective homes in the respective states; and (3) prosecute all of those who violated the law.⁸⁴

In *Lakshmi Kant Pandey v. Union of India*⁸⁵, In a letter in the public interest, a petitioner and Supreme Court of India advocate complained to the court about the wrongdoings committed by nonprofit organizations and adoption agencies that place Indian children with foreign families. The petitioner claimed that these kids are subjected to the grueling journey and eventually turn into beggars or prostitutes due to a lack of proper care from their alleged foster parents.

The letter was handled as a writ petition because it was part of a public interest lawsuit. After outlining the rules and guidelines to follow when placing a child for

⁸² *Ibid.*

⁸³ *Ibid.*

⁸⁴ *Ibid.*

⁸⁵ AIR 1984 SC 469.

adoption with foreign parents, the court decided the writ petition and held that every child has the right to love and be loved as well as to grow up in a loving and caring environment. The court further stated that biological parents are the most supportive environment for a child's healthy development. If this is not possible for any reason, the child should be placed for adoption within the country. If that is also not possible, the child should be placed for adoption with foreign parents, but only after a thorough investigation by the Central Adoption Resource Authority (CARA) and other relevant agencies. Children's welfare and healthy development should be given top priority.⁸⁶

The Supreme Court in *Bandhua Mukti Morcha v. Union of India*⁸⁷ has elucidated on after taking note of serious violations of fundamental and human rights of the same, the Bonded Labour System (Abolition) Act, 1976, directed the Governments to award compensation to bonded labor under its provisions.

The court further declared that the rehabilitation of the released bonded laborers is the other issue raised by the application of the Bonded Labor System (Abolition) Act, 1976. This is a very important question because, if the identified and freed bonded laborers are not given rehabilitation, their situation will deteriorate even more than it did during their time as serfs, they will be subjected to further exploitation, and they will relapse into serfdom. As a result, the court ordered that rehabilitation programs be given top priority.⁸⁸

146th Report of the Law Commission of India,⁸⁹ in which Section 373-A of the Indian Penal Code of 1860 was proposed. The report begins with a general analysis of the social injustice of the recent sale of women and children in India. The report draws attention to this social ill, which is largely restricted to our society's underclasses. All people therefore require special legal protection since they are particularly susceptible to exploitation, especially women and children.

⁸⁶ *Ibid.*

⁸⁷ 1984 (3) SCC 161.

⁸⁸ *Ibid.*

⁸⁹ 146th Law Commission Report (1993)

The importance of the topic in the context of social justice for the underprivileged has also been taken into account by the law commission. According to the report, even though the Indian Penal Code has some provisions intended to address the sale of minors or other forms of transfer of their property, those provisions are only applicable in situations where the transaction is carried out for one of the purposes listed in those sections. These provisions, however, are insufficient to protect the interests of women and children when such a purpose does not exist or is not established during the trial. After carefully deliberating the issue, the Law Commission of India forwarded its 146th Report on the "Sale of Women and Children" with a recommendation to amend section 373-A of the Indian Penal Code to address the social ill.⁹⁰

A comprehensive report on the fight against human trafficking is provided by the National Human Rights Commission in the Plan of Action to Prevent and End Trafficking in Women and Children in India (2001). The report emphasizes the problem of trafficking in light of human rights. The Asia Pacific Forum of National Human Rights Institutions' recommendations and suggestions from a meeting held in Manila in September 1999 are taken into consideration by the NHRC Plan of Action. A national workshop to review the application of laws and policies related to trafficking: toward an effective rescue and post rescue strategy—are included in the focal point of the plan of action. Action research on trafficking in women and children in India is also included.⁹¹

The action plan also analyzes a number of international and domestic legal documents, such as the Convention on the Elimination of All Forms of Discrimination Against Women, the Convention on the Rights of the Child, the UN Convention Against Transnational Organized Crimes, and the Protocol to Prevent, Suppress, and Punish Person Trafficking, Especially of Women and Children.⁹²

The plan of action also suggests that a new national law be introduced or that an existing law be amended to conform to international standards. This law must be

⁹⁰ *Ibid.*

⁹¹ For details see: <http://www.nhrc.nic.in/..JPLANOFACITION.doc>

⁹² *Ibid.*

comprehensive enough to address all forms of trafficking and include a provision for harsh penalties.⁹³

George et al. note that it is essential to consider globalization, migration, socio-cultural characteristics of each society, law and governance system, gender discrimination, etc., in order to gain an understanding of the various structural causes related to trafficking. All these factors affect child trafficking, especially the status of women and girls in society. Not only inheritance and other rights but various questions related to education and occupation make them victims.

According to Gangoli, feminist answers to prostitution in India have largely consisted of silence, portraying it as hurtful or violent, or as a potential avenue for freedom. These perspectives are constrained, and they inadvertently contribute to the general patriarchal perception of prostitution.⁹⁴ She draws attention to the problematic stances taken by some non-governmental organisations working with women in prostitution because they infantilize and deny them any agency, creating a category of undifferentiated and permanent victims and an artificial distinction between the West (which is sexually permissive and even immoral) and the East/India where women would submit to 'immorality' only under grave threat.⁹⁵

As a result of the crime's secrecy, statistics on it is unreliable, and victims are reluctant to talk about their experiences out of fear for both state officials and traffickers, according to Lobasz.⁹⁶ It is also emphasised how important it is to distinguish between various groups of people, including those who have been trafficked, smuggled, and refugees, among others. She applauds the fact that most research on human trafficking is action-oriented, which causes the theory/policy barrier to dissolve.

⁹³ *Ibid.*

⁹⁴ Geetanjali Gangoli, "Silence, Hurt and Choice: Attitudes to Prostitution in India and the West" (Asia Research Centre Working Paper No.6, 2002) at 3.

⁹⁵ *Id.*, at 13.

⁹⁶ Jennifer K. Lobasz, "Beyond Border Security: Feminist Approaches to Human Trafficking" 18 *Security Studies*, 319–344 (2009).

On the other side, Kotiswaran says that the United States' foreign policy and indirectly the naming and shaming tactics of its anti-trafficking statute are primarily responsible for the global panic that has been created surrounding sex work and trafficking. As a result, trafficking and trafficking for sex work are frequently confused. She bemoans the underinclusive (for disregarding trafficking for other purposes) and overinclusive (for targeting women in sex work) implementation of anti-trafficking laws by several governments. Kotiswaran also draws attention to the stark divide that currently exists between labour and migration studies and legal scholarship on human trafficking.⁹⁷

Ratna Kapur further emphasises that failure to identify and effectively handle female migration is caused by the common conflating of trafficking with migration and sex work. Legal responses to female migration are frequently enmeshed in a paradigm of protection that demands the state's paternalistic rescue and rehabilitation and fails to recognise their status as independent economic actors.

The article by Annette Lansink, "Human Rights Focus on Trafficked Women: An International Law and Feminist Perspective," reexamines the prevalent discourse on trafficking.⁹⁸ The author discusses the complex subject of sex work's consent dilemma while situating it within the larger context of human trafficking. In her attempt to extrapolate a definition of the crime, the author outlines the limitations in a criminal-justice framework that typically supports our common understanding of trafficking. But she situates this hot-button matter within the converging fields of migration, employment, gender, and a vocabulary of human rights and contemporary legal debate. The article offers a few crucial qualifications that serve as a background for the current research project. Lansink emphasizes that trafficking results from a "gendered division

⁹⁷ Prabha Kotiswaran, "Beyond Sexual Humanitarianism: A Postcolonial Approach to Anti-Trafficking Law", 4 UC Irvine Law Review 353 – 406 (2014).

⁹⁸ Annette Lansink, "Human Rights Focus on Trafficked Women: An International Law and Feminist Perspective" 70 (1, 2) *Agenda: Empowering Women for Gender Equity*, 45-56 (Gender Based Violence Trilogy: Trafficking, 2006).

of labor," resulting in "gender-based violence" and "gender-specific harm."⁹⁹ As advocated by the South African Law Reform Commission in 2006, she strictly avoids lumping prostitution and trafficking into one, cohesive, monolithic category. Spillover may happen between these two flexible categories, but as the article points out, this homogenization may have a negative impact on the most efficient ways to address the problem of trafficking. This method may cause other factors that affect the entire issue of migration and trafficking, such as the easy availability of cheap labor, social and ideological factors, and a lack of human rights, among others, to become invisible. Additionally, it causes the focus to become narrowed to just sexual exploitation, whereas a more sophisticated understanding would also consider the larger problem of economic exploitation. As a result, the author claims that if work is done voluntarily, the emphasis should be more on the "conditions of work" than on the "nature of work."¹⁰⁰ According to Lansink, eliminating abuse and exploitation within the work itself should be the main focus. The strategy should aim to reorganize power relations in relation to working conditions. The author places a higher value on the notion of agency that women exercise in their right to voluntary sex work in her critique of the "rescue and rehabilitation strategy."¹⁰¹ According to Lansink, we are stronger when we respect women's lived experiences, give them the freedom to choose voluntary consensual sex work, and pay attention to their protests against coercion-based prostitution. Alacrity is needed to ensure a better working environment that is free from exploitation, while also advancing human rights and enhancing accessibility for underprivileged groups like women and children. The three fundamental components "action, means, and purpose" that make up the definition of trafficking are also highlighted by Lansink in her article as she traces out the most recent and comprehensive definition of it.¹⁰²

The general presumption of objectivity surrounding the legal system is reexamined in Jayanth K. Krishnan's article, "The Rights of the New Untouchables: A

⁹⁹ Id., at 48.

¹⁰⁰ Id., at 53.

¹⁰¹ Id., at 51.

¹⁰² Id., at 49.

Constitutional Analysis of HIV Jurisprudence in India.¹⁰³ The author highlights the obstacles in the Indian legal system that prevent the smooth operation of the public interest litigation, a tool that is otherwise very effective, especially when serving the interests of the underprivileged groups in society. The article indirectly but effectively highlights how such biases could have subsequent legal implications and influence the constitutional rights of other marginally outcast groups, like that of the sex workers, by focusing on a literature review of court judgments handed down in relation to the HIV-affected patients.

Jo Doezema's "Who Gets to Choose? The complex discussion surrounding the question of consent, sex labor, and the overall problem of trafficking is well served by the book *Coercion, Consent and the UN Trafficking Protocol*.¹⁰⁴ In Doezema's paper, the question of consent is framed within a different paradigm and from the perspective of a sex worker. The author conducts a historical investigation into the ambiguity surrounding the concept of consent itself by tracing the contentious issue back to the 20th century campaigns against white slavery. The Palermo Protocol provides the framework for analysis and highlighting the shortcomings of the current conception of consent. Doezema's position challenges the prevalent discourse on prostitution and trafficking, which emphasizes preserving women's "sexual passivity" as well as their inherent moral purity and "essential" virtuous nature. However, if these naturally "good" women are captured by patriarchal male oppressors, the state must "reform and discipline" the prostitute in order to control her behavior.¹⁰⁵ Doezema supports a rights-based approach in which the importance of sex workers' agency and right to choice is prioritized over a vocabulary of victimization and repression. This includes their working conditions, the repressive effects of anti-trafficking measures on them, and other factors.

¹⁰³ J.K. Krishnan, "The Right of the New Untouchables: A Constitutional Analysis of HIV jurisprudence in India" 25(3) *Human Rights Quarterly* 791-819 (August, 2003).

¹⁰⁴ J. Doezema, "Who gets to choose? Coercion, consent and the UN Trafficking Protocol" 10(1) *Gender and Development* 20-27 (Trafficking and Slavery Edition, March 2002).

¹⁰⁵ *Id.*, at 23.

A basic understanding of the existing legal frameworks in relation to anti-trafficking measures is provided in the article "International Law and Human Trafficking" by Lindsey King.¹⁰⁶ King believes that the UNCTOC and its two protocols are effective in addressing the problem of trafficking. It highlights the Palermo Protocol's exceptional ability to punish traffickers and provide protection for victims of trafficking while outlining its unique features. While obliquely addressing the subject of consent, the Protocol takes a pro-victim stance. The author supports increasing awareness among and sensitizing the enforcement agencies while keeping in mind the transnational nature of trafficking. The author contends that such actions can guarantee adherence to international legal regulations regarding trafficking while taking into account regional particularities in addressing this pervasive issue.

In an effort to address a significant flaw in the current mechanisms, Anne Gallagher has taken up a few of the strongest human rights norms and developed them to be applied to trafficking. This attempts to address the assumption that slavery and trafficking are similar problems.¹⁰⁷ The following standards are included: prohibition of forced labor, prohibition of debt bondage, and prohibition of slavery and the slave trade. She suggests bolstering the current legal system to make it more effective at pursuing traffickers and safeguarding victims. Gallagher has charted the development of international law against slavery, showing how it has come to be recognized as an international crime under both human rights and humanitarian law, and is now forbidden by a number of international agreements. The anti-slavery laws currently in place may not be sufficient to address the phenomenon of trafficking in its contemporary manifestations, according to Gallagher.

¹⁰⁶ Lindsey King, "International Law and Human Trafficking" Human Rights and Human Trafficking Digest (University of Denver) available at: <http://www.du.edu/korbel/hrhw/researchdigest/trafficking/InternationalLaw.pdf> (last visited on June 07, 2014).

¹⁰⁷ Anne Gallagher, "Using International Human Rights Law to Better Protect Victims of Human Trafficking: The Prohibition on Slavery, Servitude, Forced Labor and Debt Bondage" in L.N. Saadat , M.P. Scarf (eds.), *The Theory and Practice of International Criminal Law: Essays in Honour of M. Cherif Bassiouni* 397-430 (Martinus Nijhoff, Leiden, 2008).

The majority of the publicly available literature on human trafficking is based on newspaper articles, conference and workshop minutes, research study findings, and other publicly available materials. National and international NGOs and governmental organizations typically organize these conferences and workshops.

The Task Force on Trafficking of Women and Girls was established by the American Psychological Association in 2011, and according to their report, human trafficking involves more than just violations of legal, social, and human rights. Various recommendations were made for improving education and research in the area of human trafficking, as well as for altering public policy, establishing advocacy groups, building capacity, and taking preventative measures to combat the problem. The psychologists have used a scientific approach to gain insight into this social issue. Because the picture we get is hazy and lacks clarity about the true problem if the dynamics of trafficking are not well understood. It has been suggested in the section on policy recommendations that those who have been victims and then emerged as survivors should be provided with behavioral health services and counseling services in order to help them raise money for more extensive research in this area. Promote and raise awareness of human trafficking among those working in the fields of education, health, law, and child welfare, and educate them on its many facets, components, and effects. The primary inclusion dealt with the examination of mental health as a component of research on human trafficking. Therefore, proper use of resources and services is crucial. Policies shouldn't lack credibility and should be supported by facts. It's crucial to include appropriate programs for young women's safety as victims and survivors in the juvenile justice system. It is advised that the curricula in schools include enough information to enable teachers and students to recognize people who may be targets of trafficking and to be aware of the repercussions. In order to address this issue, these should also contain the proper information on how to empower and fortify them to recognize coercive and non-coercive relationships. These resources ought to be sufficient to meet the need to persuade young people to reject deceptive promises, on the basis of which they are frequently drawn into the web of trafficking.

To avoid confusion with various migration patterns, there should be more clarity regarding misconceptions about the concept of human trafficking as a whole and regarding the identification of those who are trafficked.

According to Hameeda (2010), the dynamics of trafficking in India are extremely complex. More intervention was required in order to better support government, donor, and NGO efforts to prevent trafficking. This qualitative study revealed that The Asia Foundation in India successfully implemented these recommendations to combat human trafficking. The Indian legal system was thoroughly examined in detail. It is clear that India's legal system is seriously flawed. The deep-seated, widespread corruption, the strained and snail-paced judiciary system, and the nearly nonexistent safety services are the causes of the legal system's flaws. The main problem with the legal system is that the laws that are designed to stop trafficking and make those responsible for it criminals (traffickers, agents, perpetrators, buyers, and profiteers) are not implemented properly or at all. Due to these flaws in the legal system, when the laws are put into practice, the penalties are not severe enough to deter trafficking.

Skeldon (2000) investigated the idea that trafficking is a crucial industry and demonstrated how it differs from human smuggling in the context of Asia. Human smuggling and human trafficking are distinct because there is frequently considerable conflation between these two phenomena. The lack of clarity in the definition of these regions' borders and the intense conflict surrounding them are the main causes of this confusion. Due to these misunderstandings, numerous refugees, immigrants, and other similar groups are crossing borders. In Asia, labor trafficking is a common occurrence. And it is most prevalent in areas that have already undergone industrialization or are in the process of doing so. To protect the exploited and victimized laborers, these regions and nations must all enact the necessary laws and regulations. The perpetrators should then be held accountable through the legal system. When the definitions of both human trafficking and human smuggling are examined, the legal distinctions and moral stances are hazy and unclear. It examines various risk factors for both those who are trafficked

and those who could become victims if adequate security isn't given to them. The direction of trafficking is determined by the routes that traffickers take, as well as by lax border controls. Without a thorough understanding of trafficking and the factors involved, it will be impossible to put an end to it. The academic institutions that work in the field of research are also given some recommendations on how to improve and use the right methods and tools to demonstrate their research. It is also necessary for such academic institutions to broaden their areas of research. The routes of trafficking, the size and demographics of the organizations or bodies involved in trafficking, examining the risk factors involved and the estimated number of people affected by this, the amount of cash coming in and going out, as well as the pattern, are all important topics to look into when studying human trafficking. Finally, the effectiveness of the various laws in the country should also be examined. Effective security strategies should also be used to fill in the gaps in the creation and application of these laws.

VanImpe (2000) talked about the findings of a trafficking study that was carried out between the Philippines and Belgium. It glosses over the requirement for a multifaceted strategy to develop strategies to combat this menace of trafficking in persons, particularly in women. Finding a comprehensive solution becomes challenging due to the multiplicity of causes that are at play. Simple solutions cannot stop the combined effect of these causes. Instead, it is more important to make changes to the judicial system so that the incidences can be kept to a minimum. These causes should be eliminated by exercising and putting into practice legal reforms that protect the rights of those who have been victimized, tighten up lax border controls, and identify the patterns of both illegal and legal movement. For these measures to be implemented more effectively, there must be agreement among the regions that act as sources, transit points, and destinations. At the application stage, these reforms and regulations should be coordinated.

According to Miko and Park's 2003 investigation, one of the main causes of trafficking is the general preference, favoritism, and differential treatment shown to boys and men in almost every society. We are aware that patriarchy is prevalent in this

area, which worsens the situation for women, who are harmed and exploited in every way possible. There are numerous factors that make human trafficking possible. Some of the causes include a lack of efficient legal systems, the brutality of legal authorities, and dysfunctional administrative structures in the states and regions where human trafficking is a problem. These equipment is rare in most nations. Another of them is India. Even when laws are passed, they are not always carried out properly. These are the main obstacles standing in the way of stopping human trafficking. In almost every community and society in the world, women are oppressed. Such male behavior toward women can be attributed to culture. They continue to be arrogant and to degrade women in the name of culture. In almost every country, there are significant differences in the indicators of human development. The life expectancy index, the poverty and inequality index, the economic indices, etc. show enormous differences between the second and third world countries. For women and girls, there are very few opportunities for education, viable means of subsistence, the right to inherit property, and access to facilities for good health. These elements drive women into a pit of uncertainty and make them vulnerable, which makes them targets for exploitation. Such women are at risk due to development-induced displacement, illegal migration, wars, and conflicts between states, regions, and subregions. This study provides an illustration showing how the fall of the communist regime in Eastern Europe led to an increase in illegal activity and the growth of the network of anti-social agents. Such circumstances increase these marginalized people's susceptibility. The transitional evolution of political, social, and economic institutions is thus seen to have a significant influence on the trends and occurrences of human trafficking. But these organizations also significantly contribute to lessening the effects.

Fowler and UNICEF (2004) used the example of Africa to illustrate the various categories into which a nation can be divided in terms of the methods used by traffickers to conduct their business. The patterns and classifications made also reflect their role in carrying out these transactions, which involved members of the community's marginalized group. The countries that supply (unwillingly) people to

meet the needs of human traffickers and their clients are referred to as the source countries. This is more obvious in the third world, where inequality is rampant, living conditions are poor, there are few opportunities for employment or for a living, and there are low levels of literacy and health. And the nations that receive the victims are referred to as the destination nations. The victim's likely transit country is also known as the destination country. Through these areas, the trafficking victims are moved. The demand for such people is created by the countries of destination, forcing an increase in the number of victims of human trafficking every year. It can also be used to describe the states and districts in a nation where human trafficking is rife.

In addition to its negative effects on health, sex trafficking, according to Huda (2006), violates more than just basic human rights. Their state of physical, sexual, and mental health reflects the results of the victims' cruel treatment. These individuals pay a price in the form of a variety of health risks, some of which may include drug obsession and increased dependence. Sexually transmitted diseases (STDs), unintended pregnancies that end in abortion in the majority of cases, health issues, and various types of physical and sexual abuse, including rape, are just a few of the factors that affect sexual health. When someone's mental health is negatively impacted, they are pushed to their breaking point and are more likely to experience mental instability and consider suicide.

Kilgman and Limoncelli (2005) provided examples of 19th-century human trafficking, particularly that of women in different nations. They concluded that academics, national authorities, media, and development professionals are all familiar with human trafficking. They are not unfamiliar with this idea. They talked about how trafficking patterns have changed over the past 100 years. However, the stability of their organizational roots and structural stability remained essentially the same as in earlier times. In the past, countries like China, Japan, and many European countries were used as sources. This document dates to the late 19th and early 20th centuries. With the start of industrialization, there was an international wave of change. Due to urbanization, frequent immigration and emigration between nations, as well as political upheaval, the

population had begun to multiply, contributing significantly to the rise in women's and girls' trafficking cases. In Europe, Argentina, and Brazil, women and young girls from France, Poland, and Italy were being forced into the flesh trade. Women from China and Japan were forced into prostitution in the eastern regions of Britain, Hong Kong, Singapore, Shanghai, and Malaysia. This was the situation following the beginning of socialism's decline. These trafficked women worked for men of various nationalities who were wage workers, service members, business owners, and even influential figures like politicians. Eventually, as it generated sizable profits, this assumed the form of a new business concept. When communism fell in Eastern Europe in 1989, new opportunities became available for those who became more actively involved in the flesh trade. It is clear that prostitution is a growing industry in the context of human trafficking.

The likely causes of the rising risk of HIV infection among those who have survived sex trafficking in India were critically examined by Gupta et al. in 2011. 61 case studies of those women and girls who were trafficked for sexual activity before being rescued and returned home were collected for in-depth analysis. These women and girls were utilizing an NGO in Mysore's services. To determine the main origins and causes of the dangerous HIV infection that made their lives miserable, a case study analysis was conducted. The women and girls who participated in this study as respondents were between the ages of 14 and 30. They were forced to submit to an HIV test. About 45.8% of the 48 women and girls who underwent the test were HIV positive. Because they were limited in their ability to act independently, they were more vulnerable. They were subject to strict boundaries and constraints, which appears to have increased the likelihood of this crime. Because of their vulnerability, frequent rapes, coercive acts, lack of access to protective measures and healthcare, and their inherent inability to object to such abuse because of their bonded status, HIV infection was common among them. These were the study's results in particular. In conclusion, it was discovered that these girls and women who had been trafficked were dependent on other people and thus vulnerable to HIV infection through these channels. Therefore, it

is implied that taking preventive measures is crucial if we want to reduce the prevalence of HIV infection among these women and girls who are trafficked.

ILO (2005) conducted research on the perceptions of people who are trafficked working in various fields. According to the study, those who are trafficked because of coercion, trickery, bondage, false hope, and fictitious marriages don't always end up as prostitutes. There are numerous additional forms of sexual servitude. They are assigned to difficult factory and industrial jobs. The majority of the beggars are children who are coerced into entering the streets. In the name of marriage, young girls and even women are sold off and made into domestic slaves. These topics are examined in relation to South Asia. According to recent estimates from the ILO study, 43% of all victims are sexually exploited, while 32% are victims of economic abuse and exploitation.

In order to build upon and broaden the foundation for future research on human trafficking in Vietnam, Dinh et al. (2014) issued an invitation for proposals that included creative and dynamic methodologies. It is a growing form of organized crime. It is also sometimes referred to as contemporary slavery. In order to locate trustworthy and pertinent statistical data, which is typically not available, attention has been given to the findings of the pilot study that was carried out in the rural areas (hamlets) of Vietnam. The pilot study was necessary to address this problem and find a solution. The results of this study showed that there was no evidence or trustworthy information to support why there were more cases of human trafficking in rural areas. It wasn't necessary for the majority of victims of human trafficking to reside in rural areas. This is due to the fact that people living in cities and close to borders also displayed the same tendency. Two areas with comparable socioeconomic backgrounds displayed dissimilar patterns. One spot appeared to be more exposed than the other. Finding the causes and responses to these questions was the purpose of this survey. In the end, the survey revealed that fewer cases of trafficking had occurred since 2006. Even though there was a steady decline, the issue persisted.

Panda (2013) expressed his opinion on the tribal population's mobility. The two districts in question are Sundargarh and Khordha in the state of Odisha. Migration

patterns vary in these two districts. Therefore, the investigation into gender-based mobility patterns and features was prioritized in order to better understand human trafficking. In places like New Delhi, it was discovered that tribal women from the Sundargarh district were primarily employed as domestic helpers. Additionally, people from the Khordha district were observed working as wage laborers at stone crushing facilities along the highway that runs between Mumbai and Chennai. Additionally, they traveled to Pipili and other nearby towns to work as wage laborers. The obvious distinction between these two districts indicates that Sundargarh lacks access to opportunities for a living while Khordha does. Due to this, tribal girls from Khordha district are not commonly trafficked while those from Sundargarh district are. The Khordha tribal women are aware of potential outcomes before leaving the house to go to work. When they travel to places like New Delhi, they are unaware of the obstacles in their way, but this is not the case in Sundargarh district. It can be observed that both men and women are active. When women are particularly mobile and doing so for exploitative tasks, this mobility is also a form of trafficking. The need for gender-specific workers is constantly increasing.

According to a 2012 study by Shetty, one of the main causes of the alarmingly rising number of trafficking cases in Odisha is displacement brought on by development. People from the tribal population are compelled to migrate when they are displaced because of the implementation of development projects. Some migrants become prey to traffickers who greatly profit from these circumstances. The growing problem of human trafficking becomes urgent as a result of the development projects and their numbers in Odisha. In this essay, the effects of displacement on tribal women and children are examined. If they are unfortunate enough to be trafficked, children who have been displaced enter the bonded labor force. In contrast, if women or girls are unfortunate enough to be trafficked, they are typically hired as domestic help. The situation isn't improving despite ongoing government planning that dates back more than 60 years. For the tribal communities, on the other hand, things are getting worse. It's because development is viewed as a form of economics. When policymakers create

policies, they do not consider the social, educational, health, or nutritional aspects. Even the schemes that are created don't support tribal interests.

Tumlin (2000) suggested that more effort should be concentrated on South and South-East Asian nations in order to reduce human trafficking. While addressing this issue, there is a need for suitable intervention programs as well as a shift in perspective. Gender-specific human trafficking was observed to be on the rise. More boys are being trafficked for labor-intensive jobs and are also being sexually abused. Therefore, when creating policies, inclusive measures should be taken. The proper application of the law and the rules is crucial. There needs to be a strategy where researchers go beyond conventional intervention plans. The emphasis must be on coming up with alternatives to keep both boys and girls rooted to their homeland and away from being seduced by false, deceptive promises made by traffickers. The case studies should serve as the foundation for extensive research in these South Asian and South-East Asian regions. This will aid researchers and decision-makers in developing practical solutions and ensuring that they are properly carried out. Plans for generating income need to be improved. The main goal of this overview was to make life better for those who have or have been victims of trafficking.

Bohl (2010) conducts a critical analysis of human trafficking in India and Nepal and sheds light on the institutional and structural factors that influence the prevalence of the crime in both nations. Failure of development strategies causes job losses and increases unemployment globally. People are then forced to look for employment opportunities wherever they can. The mobilization of resources is also thought to be flawed. Both nations have deep-seated patriarchal tendencies that have nourished cultural threads that discriminate against women in all spheres. They are most negatively impacted in this area. The long-term effects of relying on social networks to their advantage for finding work to support themselves and their families are detrimental. The fact that the trafficker is typically someone they know was a significant discovery. Sometimes parents unintentionally force their kids into the web of trafficking. Family members significantly contribute to the aggravation of this issue.

Many children in Nepal are suspected of having been trafficked by their parents when they were hired as performers at Indian circuses. An NGO called Maiti Nepal is actively developing programs to combat human trafficking. They also manage homes where rescued victims of trafficking can be resettled in a new order. Since labelled people are less accepted in their communities and societies, returning home is difficult.

Doezema (2002) examined the difficulties associated with using the concept of "consent" to define the concept of trafficking in persons (TIP), particularly in relation to women. The most recent discussions surrounding the UN Trafficking Protocol have undergone a thorough evaluation. The concept of "consent" or "assent" was a hotly debated topic during the conferences' discussions. Many opinions came from various groups that focused on women. They argued that regardless of whether the women involved gave their consent or not, all sexual activities that involved them should be viewed as trafficking. According to a different group of female activists, "coercion" is a necessary element to fully define trafficking. Finding a consensus between these various bodies that were attempting to triumph over their positions was the goal of this article's final effort. In order to understand the concept of "consent" clearly, this article draws on a variety of viewpoints from these discussions and conducts a comparison with theories from the era of widespread white slavery in the middle of the 20th century. It becomes challenging for a nation's government to provide security and protection to people who have migrated and people who have been trafficked. This is primarily due to policies that are created using ambiguous definitions of terms like "migration," "trafficking," and the "consent" concept associated with these processes.

According to Friebel and Guriev (2004), the incentives offered by traffickers to the weaker members of society have caused an increase in the incidences of trafficking. They are forced to stay within the confines of those who lend them money so they can support their families because they have limited access to credit sources. This also applies to people who have entered a country illegally from another.

According to Basu and C. Hau (2004), debt forces people into a state of bondage where they must continue to live as proletariats while being exploited by lenders.

Children are typically forced to provide their labor as a service for such bondages. And this never-ending cycle of debt and child labor in servitude is a vicious one. This is observed to be passed down from generation to generation, ultimately resulting in labor-based trafficking. Therefore, as a policy measure to combat bonded labor, evaluation of trade permits and endorsements must be made mandatory.

In his 2004 study, Richards examined how trafficking and corruption are mutually reinforcing at all levels. The danger that those who are trafficked face is increased as a result of this connection, which has two sides to it. On the flip side, it streamlines the process of human trafficking, allowing it to proceed without delays or obstacles. This is supported by how the resources allotted for this process are used. Nothing but corruption fosters its expansion.

Lalith Kumar and R. Monica J. (2017) Slavery, which involved the sale and purchase of people as chattel, or as commodities that could be bought and sold, is historically associated with trafficking. A person under the age of 18 being recruited, transferred, transported, harbored, or received with the intention of exploiting them is known as "child trafficking." Forced labor and human trafficking are expressly forbidden by India's constitution, which also makes both offenses punishable under Article 23(1). Poverty, a lack of opportunities for employment and education, the collapse of social structures, and other factors all contribute to child trafficking. According to international law, people who have been trafficked cannot be treated differently just because they are foreigners. Regardless of their citizenship or country of origin, everyone who is on a State's territory or under its jurisdiction is subject to international human law. The world needs to implement anti-trafficking measures, especially in rural and urban areas that are vulnerable to the crime.

M. Kannappan and P. Subiksha (2018) A person who has not reached the age of eighteen is considered a child in accordance with the law. Child trafficking refers to any injustice or exploitation that occurs to these children. It is characterized as a cruel act when a child is illegally transported, when they are bought and sold for a purpose of exploitation, whether it takes place domestically or abroad. There are many ways in

which the children have come into contact with the traffickers, but typically these children are promised a daily wage to support their family, and in some cases the parents themselves insist that their children because of poverty consider them as an asset to the family instead of providing them with education. In reality, however, these children are bought into forced slavery or transported to various regions for begging, labor, and sexual exploitation. Since there is inadequate enforcement of the laws governing this issue, which is also referred to as a silent crime, it is challenging to identify traffickers involved in such activities. Until signs of such activities are discovered, no one will be aware that such crimes are being committed illegally. Child trafficking is typically caused by poverty, unpaid debts owed by parents or ancestors, or being forced into forced or bonded labor. It is possible to traffic kids with the goal of adopting them. The rate of child trafficking has increased over the past few years, and in the last two years, children have been kidnapped, abducted, and harbored. Child and bonded labor, sexual exploitation, forced domestic labor, child soldiers, and other forms of child servitude are among the common crimes against children.

Deborah Fry and Dorothy Neriah Muraya (2016) based on the findings of a systematic review of published and unpublished research, organizational policy, and current practice, to investigate the aftercare services offered to child victims of sex trafficking globally. The development of best practices for aftercare service providers begins with this systematic review. Method: Four English-language databases, two libraries with resources on human trafficking, and one Internet search engine were systematically searched for journal articles and "grey" literature on the services provided to child sex trafficking victims worldwide that were published between January 2000 and May 2013. For the review, 15 documents were found through the search. Results: The 15 documents made clear how important it is for aftercare services to be built around children's rights and trauma-informed care. For the child victims to receive the full benefit of the services, they advised using case management and multidisciplinary, multiagency, and multinational coordination. Rescue, recovery, and reintegration are the three stages of aftercare service provision, according to the

systematic review. Different needs and types of services are offered during each of these phases. In comparison to the recovery and reintegration phases, the recovery phase received the most attention. The literature concluded that the provision of aftercare services for victims of child sex trafficking is a novel field that requires an evidence base from which policy and practice can be developed. A lot more study is required, and the documentation of service delivery needs to be improved. Although this study sheds light on the subject, there is still a significant gap in the literature. Within the last ten years, the field of providing aftercare services for trafficked children has seen phenomenal growth, and with more research and funding going into the field, it may be possible to meet the minimum care standards set by the international community.

Edward Snajdr (2013) this essay examines the gaps between anti-trafficking rhetoric and how local communities actually respond to it, as revealed by ethnographic research from Bosnia and Kazakhstan. He investigates how the anti-trafficking discourse functions as a master narrative, utilizing techniques of emotion and logic in addition to a particular kind of victim story, using the concept of "uptake." He also takes into account how the conversation about human trafficking continues to be retold in the media and reproduced in popular culture, frequently in ways that actually depart from the current iteration of the grand narrative, despite an emerging counter discourse that challenges the data and calls into question current policy. Despite Bosnia's compliance with US policy, ethnographic data from Bosnia indicate that the master narrative is selective in how it portrays the history of the issue and that it does not "take up" important details about the context that encourages sexual exploitation. In contrast, despite local initiatives to stop the issue from occurring within its borders and indications that the crime is not common, Kazakhstan suffers from a liminal status. Though not mythical, he contends that the master narrative, which fills the crucial voids of policy, activism, and development, contains the stuff of legend. This raises the issue of how to respond to the nuances and needs of victims of gender violence.

The majority of studies have repetitive content and formats that seem to be recycled. Books, articles, and reports are essentially interchangeable at this point. Every study seems to have three main goals: confirming the presence of trafficking, pointing out gaps in different agencies' responses, and offering recommendations. The information on human trafficking is presented narratively or is limited to a simple list of incidents, occurrences, and cases. A significant amount of trafficking-related literature also exhibits a high level of outrage. Studies that have dealt solely with the problem of trafficking for labor exploitation have not yet been conducted.

It is possible to examine the various facets of trafficking, despite the fact that the majority of studies fall short of doing so. Due to a lack of in-depth analysis of the problem and the factors involved, the majority of studies have been unable to accurately depict the scope of the trafficking problem, what sustains it, and why it occurs. The various dimensions and aspects of this crime and how they relate to one another must be thoroughly examined rather than given a cursory glance, whether the topic is trafficking and migration or trafficking and organized crime.

REFERENCES

1. American Psychological Association, Task Force on Trafficking of Women and Girls. (2014). Report of the Task Force on Trafficking of Women and Girls. Retrieved from <http://www.apa.org/pi/women/programs/trafficking/report.aspx>
2. Aronowitz, A. A. (2009). Human trafficking, human misery: the global trade in human beings. Greenwood Publishing Group.
3. Bales, K. (2007). What predicts human trafficking? *International Journal of Comparative and Applied Criminal Justice*, 31(2), 269-279.
4. Basu, A. K., & Chau, N. H. (2004). Exploitation of child labour and the dynamics of debt bondage. *Journal of Economic Growth*, 9(2), 209-238.
5. Bohl, K. (2010). Human trafficking as a livelihood strategy? (Doctoral dissertation, Master Thesis in Culture).
6. Carole S. Vance. Innocence and Experience: Melodramatic Narratives of Sex Trafficking and Their Consequences for Law and Policy. *Source: History of the Present* , Vol. 2, No. 2 (Fall 2012), pp. 200-218. Retrieved from <https://www.jstor.org/stable/10.5406/historypresent.2.2.0200>
7. Census. (2011). Retrieved from <http://www.census2011.co.in/census/district/398-sundargarh.html> CIF (n.d.). Retrieved from <http://www.childlineindia.org.in/child-trafficking-india.htm>
8. Dinh, N., Hughes, C., Hughes, J. W., & Maurer-Fazio, M. (2014). Human Trafficking in Southeast Asia: Results from a Pilot Project in Vietnam. Available at SSRN 2528778.
9. Doezema, J. (2002). Who gets to choose? Coercion, consent, and the UN Trafficking Protocol. *Gender & Development*, 10(1), 20-27.
10. Dorothy Neriah Muraya and Deborah Fry (2016). Aftercare Services for Child Victims of Sex Trafficking, *Source: A Systematic Review of Policy and Practice. Trauma, Violence & Abuse*, Vol. 17, No. 2 (April 2016), pp. 204-220, Published

by: Sage Publications, Inc, Retrieved from
<https://www.jstor.org/stable/10.2307/26638396>

11. Edward Snajdr. Beneath the master narrative: human trafficking, myths of sexual slavery and ethnographic realities. Source: *Dialectical Anthropology*, June 2013, Vol. 37, No. 2, Special Issue: Anti-Anti-Trafficking? Toward Critical Ethnographies of Human Trafficking (June 2013), pp. 229-256, Retrieved from <https://www.jstor.org/stable/42635397>
12. Fowler, J., & UNIC EF. (2004). Human Trafficking in Africa Fuelled by War, Economic Hardship, and Lack of Birth Registration."
13. Friebel, Guido & Sergei Guriev. (2004). "Smuggling Humans: A Theory of Debt Financed Migration", Discussion Paper, 1025, IZA, Bonn, Germany.
14. Gallagher, A. (2001). Human rights and the new UN protocols on trafficking and migrant smuggling: A preliminary analysis. *Human Rights Quarterly*, 23(4), 975-1004.
15. Getu, M. (2006). Human trafficking and development: The role of microfinance. *Transformation*, 23(3), 142-156.
16. Ghosh, B. (2009). Trafficking in women and children in India: nature, dimensions and strategies for prevention. *The International Journal of Human Rights*, 13(5), 716-738.
17. Gupta, J., Reed, E., Kershaw, T., & Blankenship, K. M. (2011). History of sex trafficking, recent experiences of violence, and HIV vulnerability among female sex workers in coastal Andhra Pradesh, India. *International Journal of Gynecology & Obstetrics*, 114(2), 101-105.
18. Hameeda, S., Hlatshwayo, S., Tanner, E., Turker, M., & Yang, J. (2010). Human Trafficking in India: Dynamic, Current Efforts, and Intervention Opportunities for the Asia Foundation. Report by Stanford University for the Asia Foundation.

19. Huda, S. (2006). Sex trafficking in South Asia. *International journal of gynaecology & obstetrics*, 94(3), 374-381.
20. ILO, A. (2005). *Global Alliance against Forced Labour*. ILO, Geneva.
- Iselin, B., & Adams, M. (2003). Distinguishing between human trafficking and people smuggling. UN Office on Drugs and Crime, Regional Centre for East Asia and the Pacific, Bangkok, 10.
21. Kangaspunta, K. (2011). Trafficking in persons. *Routledge Handbook of Criminology*, 178.
22. Kligman, G., & Limoncelli, S. (2005). Trafficking women after socialism: From, to, and through Eastern Europe. *Social Politics: International Studies in Gender, State and Society*, 12(1), 118-140.
23. Kyle, D., & Koslowski, R. (Eds.). (2011). *Global human smuggling: Comparative perspectives*. JHU Press.
24. Miko, F. T., & Park, G. (2003, March). Trafficking in women and children: The US and international response. Congressional Research Service, Library of Congress.
25. Mudasir Ahmad Bhat (2014). *Emerging Dimensions of Human Trafficking: A Critique of The Efficacy of Legal Framework*, A Thesis submitted to the Faculty of Law, Panjab University, Chandigarh for the Degree of Doctor of Philosophy.
26. Nadia Diamond-Smith and David Bishai. Evidence of Self-correction of Child Sex Ratios in India: A District-Level Analysis of Child Sex Ratios From 1981 to 2011. Source: *Demography*, April 2015, Vol. 52, No. 2 (April 2015), pp. 641-666. Retrieved from <https://www.jstor.org/stable/43699133>
27. Nair, P. M., & Sen, S. (2005). *Trafficking in women and children in India*. Orient Blackswan.
28. Orhant, M., & Murphy, E. (2002). *Trafficking in Persons. Reproductive Health and Rights: Reaching the Hardly Reached*. Washington, DC: PATH.

29. Panda, S. M. (2013). 5 Exploring mobile livelihoods among tribal communities in Odisha, India. *Gender, Mobilities and Livelihood Transformations: Comparing Indigenous People in China, India and Laos: Comparing Indigenous People in China, India, and Laos*, 93.
30. P. Subiksha and M. Kannappan. A Study on Child Trafficking in India. *International Journal of Pure and Applied Mathematics*, Volume 119 No. 17 2018, 1397-1409, retrieved from <https://acadpubl.eu/hub/2018-119-17/2/116.pdf>
31. Richards, K. (2004). The trafficking of migrant workers: what are the links between labour trafficking and corruption? *International Migration*, 42(5), 147-168.
32. Roza Pati, "States' Positive Obligations with Respect to Human Trafficking: The European Court of Human Rights Breaks New Ground in Rantsev v. Cyprus and Russia" 29 *Boston University International Law Journal* 79-142 (2011); S. Sen and P. M. Nair, *Trafficking in Women and Children in India* 18-19 (Orient Longman, New Delhi, 2005).
33. R.Monica J. and Lalith Kumar. CHILD TRAFFICKING IN INDIA. *IJARIE*, Vol-3 Issue-4 2017, Retrieved from http://ijarie.com/AdminUploadPdf/Child_Trafficking_in_India_ijarie5843.pdf
34. Salt, J. (2000). Trafficking and human smuggling: A European perspective. *International Migration*, 38(3), 31-56.
35. Shelley, L. (2007). Human trafficking as a form of transnational crime. *Human trafficking*, 116-137.
36. Shetty, J. (2012). Loss of tribal land and displacement: Impact on women. *Afro Asian Journal of Anthropology and Social Policy*, 3(2), 71-79.
37. Skeldon, R. (2000). Trafficking: a perspective from Asia. *International migration*, 38(3), 7-30.

38. Tumlin, K. C. (2000). Trafficking in children and women: A regional overview. ILO. United Nations Office on Drugs and Crime (n.d.). Human Trafficking. Accessed on 5th February, 2015 from <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html?ref=menuse>
39. United Nations Office on Drugs and Crime, Chawla, S., Me, A., & Le Pichon, T. (2009). Global Report on Trafficking in Persons: Human Trafficking a Crime that Shames Us All.
40. United Nations Office on Drugs and Crime. United Nations. (2000) Retrieved from <http://www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPersons.aspx>
41. Van Impe, K. (2000). People for sale: The need for a multidisciplinary approach towards human trafficking. *International Migration*, 38(3), 113-191.
42. Väyrynen, R. (2003). Illegal immigration, human trafficking, and organized crime (No.2003/72). WIDER Discussion Papers//World Institute for Development Economics (UNU-WIDER).
43. Wheaton, E. M., Schauer, E. J., & Galli, T. V. (2010). Economics of human trafficking. *International Migration*, 48(4), 114-141.

CHAPTER - 3

PREVENTIVE LAWS REGARDING

HUMAN RIGHTS AND CHILD TRAFFICKING IN INDIA

3.1 Introduction

The United Nations General Assembly declared in 1989 that "Children are the future of the world." In his early years, the child is not required to take on the role of earning money or bread. Adult men should play this role. Every child must contribute to their education during their formative years and to the development of their hidden talents. The continuation of society and the growth of civility are connected to this role of the child. The development of children's latent abilities is prioritized for the society's future prosperity. It is thought to be crucial for children to develop physically, mentally, intellectually, and educationally in a balanced manner overall. The first step in developing human resources is ensuring that children are growing up in a balanced and holistic way. Each and every child is a priceless resource for society. As a result, it is expected of every society to offer the conditions and opportunities that will allow children to develop their dormant abilities.

Article 24 of the Indian Constitution states that anyone younger than 14 is regarded as a child. According to the Child Labor Control Act of 1986, a child is anyone under the age of fourteen (14). A person under the age of 14 is classified as a child in the census. The Compulsory Perimeter Education Act states that a boy or girl must be at least six years old and no older than fourteen years old to be eligible for this program.

3.2 International Law and Human Trafficking¹⁰⁸

3.2.1 Instruments of International Law

International law can be an effective tool in the fight against human trafficking. The United Nations Convention against Transnational Organized Crime and its two related protocols, the United Nations Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, and the United Nations Protocol against the Smuggling of Migrants by Land, Sea, and Air, which came into effect in 2003–2004, are the most respectable and recent pieces of international law that have established guidelines for defining, preventing, and prosecuting human trafficking. These treaties were drafted by the UNODC, which has bolstered the effectiveness of international legislation in the fight against human trafficking. UNGIFT, the United Nations Global Initiative to Fight Human Trafficking, was founded by the UNODC in 2007 to facilitate the enforcement of these weapons.

Laws pertaining to human trafficking have existed since slavery was abolished. The Slavery Convention (1926) and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery (1956) both contain provisions pertaining to slavery. The 1948 Universal Declaration of Human Rights, the 1966 International Covenants on Civil and Political Rights, the 1949 United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, and the 1979 Convention on the Elimination of All Forms of Discrimination Against Women are further international legal instruments that contain provisions against the trafficking of persons. These documents established the groundwork for current practices and initiatives to end human trafficking.

¹⁰⁸ Lindsey King. International Law and Human Trafficking, Retrieved from https://sherloc.unodc.org/cld/uploads/res/bibliography/international_law_and_human_trafficking_html/InternationalLaw.pdf

3.2.2 Observance of International Law

The most challenging aspect of ending trafficking is adhering to international law. Signing, ratifying, and enforcing international agreements are actions taken to ensure adherence to treaties. After a state ratifies and signs a treaty, U.N. committees oversee it and receive feedback from non-governmental organisations (NGOs). States are also required to provide periodic reports outlining their degree of adherence to the treaty. In order to keep an eye out for treaty violations and compliance, the UN Human Rights Council also assigns mandates to country rapporteurs, special rapporteurs, and thematic working groups.

In 2008, there were 112 parties to the United Nations Protocol against the Smuggling of Migrants by Land, Sea, and Air, 119 parties to the United Nations Protocol to Prevent, Suppress, and Punish Human Trafficking, Especially Including Women and Children, and 143 parties to the United Nations Convention against Transnational Organised Crime. Because it was designed as a tool for law enforcement, the Trafficking Protocol differs from other treaties and theoretically has more power than aspirational agreements. The Trafficking Protocol contains provisions requiring parties to: prosecute trafficking, safeguard trafficking victims, and provide victims with temporary or permanent residency in the countries of destination. As a result, any state that ratifies the Convention and its Protocols is required to enact domestic legislation in support of these provisions.

The Trafficking Protocol is unique in that it upholds the idea that people do not have the choice to choose to be trafficked or to allow their children to be trafficked. The distinction between trafficking and smuggling is made clearer by this one. However, the crime is considered trafficking if the individual was brought in illegally and then held as a forced labourer. The fact that a person does not need to be directly coerced or threatened into being trafficked is another feature of the Trafficking Protocol. A person may be in compliance with Trafficking Protocol provisions if they can demonstrate that they had no other option than to comply. These features of the Trafficking Protocol make compliance easier by enabling a more expansive definition of human trafficking.

The "Human Rights Standards for the Treatment of Trafficking Persons" and the "Recommended Principles and Guidelines on Human Rights and Human Trafficking" are two comprehensive documents that draw from various international law instruments to outline standards about how victims of trafficking should be treated. In order to guarantee that people who have been trafficked are treated as victims rather than as criminals, these two documents were created. The Special Rapporteur on the trafficking of persons, particularly women and children, is one intermediary who strives to safeguard the rights of victims and prosecutes those who violate those rights. Around the globe, a plethora of non-governmental organisations undertake the intricate duty of overseeing human rights breaches related to human trafficking. The U.N. is better equipped to determine who is abiding by international law and who is not thanks to the reports these organizations produce.

3.2.3 Implementing International Law

The Local Remedies When international law against human trafficking is integrated into regional and national laws, it is most effectively and efficiently enforced. The United States Victims of Trafficking and Violence Protection Act (2000), the European Convention for the Protection of Human Rights and Fundamental Freedoms (1950), and the Council of Europe Convention on Action against Trafficking in Human Beings (2008) are just a few examples of the regional and national instruments that have been instrumental in the prevention and eradication of human trafficking.

Globally, regions are working together to put an end to human trafficking. For instance, China, Laos, Thailand, Cambodia, Myanmar, and Vietnam formed the sub-regional Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) in 2005. Its goal is to establish guidelines for the region's anti-trafficking laws, enabling each state to enact legislation that complies with these requirements. By including provisions that comply with international agreements against human trafficking, as well as by customising their enforcement and monitoring strategies to the specific needs of each state or region, the domestic and regional instruments seek to combat human trafficking.

3.2.4 Challenges in Implementing International Law

Enforcing anti-trafficking laws is difficult because victims of trafficking are reluctant to identify traffickers for fear of negative consequences. Moreover, trafficking is an international crime that crosses national boundaries. Applying international law to a non-resident of another state is an expensive and difficult undertaking. Furthermore, human trafficking is a persistent problem that typically involves multiple legal violations. It might take a lot of time, money, and effort to develop a case against traffickers. These complexities can make it more difficult for anti-trafficking laws to be enforced in nations with limited resources.

The state's local enforcement officers are not properly trained, which presents another challenge to the enforcement of anti-trafficking laws. It is unlikely that border patrol agents, federal agents, and local police officers are knowledgeable about local or international laws pertaining to human trafficking, even in the event that the state has enacted anti-trafficking legislation. Trafficking victims are frequently handled like criminals or undocumented immigrants, and they may be arrested or deported. Information-gathering becomes more difficult because victims of trafficking are typically not in their country of origin and there is frequently a language barrier between them and law enforcement.

Most states lack the substantial resources required to guarantee that the officers can effectively enforce anti-trafficking laws. However, raising awareness of the problem and offering technical support are two of the objectives of the United Nations Global Initiative to Fight Human Trafficking (UNGIFT). Draft legislation, guides for different law enforcement agencies and victims, and fact sheets to increase awareness are just a few examples of the help that would be provided. States that have already started implementing awareness programmes for law enforcement officers include the United States. Furthermore, non-governmental organisations (NGOs) worldwide are vital in promoting awareness and keeping an eye on human trafficking.

Despite the complexity of the problem, international legal tools have been put in place to support victims of human trafficking and stop this global epidemic. The

Universal Declaration of Human Rights contains provisions that require states to protect the rights of trafficked persons, even if they are not parties to the United Nations Convention against Transnational Organised Crime and its two related protocols. This constitutes customary international law. Although difficult to resolve, the problems with anti-trafficking laws' enforcement and compliance can be resolved. States will receive additional funding to combat human trafficking through initiatives under the United Nations Global Initiative to Fight Human Trafficking (UNGIFT). However, states cannot rely solely on UN programmes to address the issue of human trafficking. Given that human trafficking is a transnational crime and that identifying and apprehending traffickers requires coordinated efforts, regional efforts show promise. States need to be honest about their part in stopping this global epidemic, as human trafficking still has a devastating annual impact on millions of people. Like pollution, trafficking is a problem that affects everyone. The world came together to oppose slavery, and the practice of human trafficking will also require global cooperation to end.

3.3 Juvenile Justice (Care and Protection of Children) Act, 2015¹⁰⁹

One of the most comprehensive Acts to address the issue of children was the Juvenile Justice Act of 2000, which also offers a common definition of the child as "any person under the age of 18 years." The Act divides kids into two more general categories in order to more sensitively address their issues: Children in need of care and protection:

- Children in conflict with the law (defined as a child who is claimed to have committed an offense or was found to have done so and who was under the age of 18 when the offense was committed).
- The Juvenile Justice Act categorizes some crimes as special offenses against children, addresses the crime of trafficking children for prostitution and labor, and generally outlines punishments for those who abuse children while in charge

¹⁰⁹ Ganguly Enakshi (2016). Child Trafficking in India. Retrieved from https://www.researchgate.net/publication/304657887_Child_Trafficking_in_India/link/5776338e08aeb9427e27573a/download Pp.47-48.

of them or under their control. The Juvenile Justice Act of 2015 included a number of other categories of children who could be already be trafficked children or are in situations that make them vulnerable to trafficking, in addition to specifically mentioning trafficked children as those who need care and protection (Section 14):

- who is discovered begging or living on the streets, or who is discovered working against current labor laws; or
- has threatened to harm, abuse, exploit, or kill the child, and there is a good chance that the threat will come true;
- who is a runaway or missing child, or whose parents cannot be located after conducting a reasonable search in the manner permitted by law; or
- who has experienced, is experiencing, or is likely to experience abuse, torture, or exploitation for the purpose of engaging in unlawful or sexual acts; or
- who is deemed to be weak and is more likely to be drawn into drug use or human trafficking; or
- who is undergoing or is likely to undergo abuse for egregious gains; or
- who is a casualty of, impacted by, or involved in any armed conflict, civil unrest, or natural disaster; or
- who is in danger of getting married before reaching marriageable age and whose parents, relatives, guardians, or other people are likely to be in charge of solemnizing the marriage

The Juvenile Justice Act also defines the sale and procurement of children for any reason as a cognizable, non-bailable offense punishable by a strict prison sentence that may last up to five years as well as a fine of one lakh rupees. It also forbids the use of kids for labor, as child soldiers by non-state, so-called militant groups, for drug sales, peddling, or smuggling, as well as for illegal adoption.

3.4 Children's Rights

At the United Nations Convention on the Rights of the Child in 1989, the Convention on the Rights of the Child was drafted. This contract has been ratified by India. A system for enforcing children's rights has been established by the Indian government's Department of Women and Child Development. 37 fundamental rights for children are suggested in the Children's Rights document. Four sections serve as the main divisions of all these rights.

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

The social norms and values of child rearing in the modern world are based on these rights. Due to the fact that many children do not have access to these rights, it is crucial to create a social environment where they can.

3.5 Constitutional Provisions in Favor of Children

The following provisions for children are found in the Indian Constitution.

1. All children between the ages of six and fourteen may receive free and mandatory education under Article 21A of the Constitution.
2. Early childhood care and education are covered by Article 45 of the Constitution for children under the age of six.
3. According to Article 51.6(d) of the Constitution, a parent or guardian's fundamental responsibility as a citizen is to give their biological child or a foster child, who is between the ages of 6 and 14, the opportunity to pursue an education.
5. Forced labor and human trafficking are prohibited by Article 23 of the Constitution.
6. According to Article 24 of the Constitution, it is illegal to employ a child under the age of fourteen in a mine, factory, or for any other dangerous work.

7. The State shall adopt a policy of not abusing children while they are still in their formative years, in accordance with Article 39(f) of the Constitution.
8. In accordance with Article 39 of the Constitution, the State must pursue a policy of giving children the opportunities and resources they need to develop into healthy, independent, and dignified adults as well as safeguarding children and teenagers from exploitation and neglect on both a moral and financial level.

These constitutional protections for children have been embodied in a number of child-related laws.

3.6 Laws on Children

Numerous laws pertaining to the growth and welfare of children have been passed and put into effect.

3.6.1 The Right of Children to Free and Compulsory Education Act, 2009

Since the passage of the 86th Constitutional Amendment Act in 2002, Article 21A has been added to the Constitution. In accordance with this section, the state must provide all kids between the ages of 6 and 14 with free, legally required education. This constitutional amendment guarantees every child, from the age of six to fourteen, the fundamental right to a free, public education. The Right of Children to Free and Compulsory Education Act, 2009 was passed by the Parliament on August 4, 2009, and it was published in the Indian Gazette on August 29, 2009, to ensure that this fundamental right is protected by the legal system.

Every child has the right to a primary education in a formal school under the RTE Act. On April 1, 2010, this law went into effect. According to the law, all kids between the ages of 6 and 14 are entitled to free, public education. The "Sarva Shiksha Abhiyan" places a special emphasis on this law. It is intended to establish schools close to residential areas and equip them with learning resources and instructors in order to make this law effective. Children from weak and disadvantaged groups like Scheduled Castes, Scheduled Tribes, Other Backward Classes, and Minority Communities are given special consideration in the implementation of this law.

A child has the right to self-development, according to the United Nations Convention on the Rights of the Child. These rights cover a variety of areas, such as the right to culture, sports, care, social security, leisure, and recreation. Sports, leisure, and cultural activities are all a part of education. Children between the ages of 6 and 14 are considered to be in the primary education age range. Free primary education is still crucial for marginalized and at-risk groups.

Basic education includes primary education. Primary education is the foundation upon which science and education are built. Giving a child a primary education entails educating them from standard 1 to 7 or 8. A child who receives a primary education will inevitably be able to better himself or herself, his or her family, and contribute to the growth of the nation. Receiving a primary education sparks a child's interest in continuing their education. Thus, elementary education continues to be fundamental and basic. Therefore, RTE implementation is still crucial. The development and welfare of those who do not recognize the value of education, as well as the weak and the poor, are particularly impacted by this law.

3.6.2 Commission for the Protection of Child Rights Act, 2005

Children's rights to life, health, nutrition, care, protection, freedom from exploitation, freedom from inhumane treatment, protection in case of emergency, education, safety, recreation, etc. are all protected by the law. Under the guidelines of this Act, a National Commission for the Protection of the Rights of Children has been established. The Commission is concerned with ensuring that children's rights are properly upheld and that programs and laws pertaining to them are carried out in an efficient manner. The mission's goal is to safeguard children's rights in India and expedite that process.

3.6.3 Infant Milk Substitutes, Feeding Bottles and Infant Food Act, 1992

The alternative production, supply, and distribution of food for children are governed by law.

3.6.4 Protection of Children from Sexual Offenses Act, 2012

This law was specifically created to stop child abuse. According to this law, a person who is younger than 18 is regarded as a child. Equal protection under the law is given to both male and female children. Depending on the seriousness of the crime, the law offers harsher penalties that can range from simple to severe. Fines may also be imposed by the court. The law allows for the creation of a special court for children's rights. Additionally, provisions have been made for correlating evidence and moving the investigation of the crime forward quickly and amicably.

Anju Shah v. State¹¹⁰, The Public Prosecutor has uncovered a case that illustrates the inter-country traffickers' methodology. It also demonstrates how, as a result of a trusted individual betraying their confidence, innocent young girls can find themselves in intricate and terrible scenarios involving severe abuse. It also exposes the premium that the "business" of prostitution places on "virgin girls." It illustrates the necessity of applying strict gang rape and aiding and abetting statutes to women who provide physical assistance to the 'clients' in their rape of young girls. Strict rape laws under the Indian Penal Code and the POCSO Act, 2012's provisions for aggravated penetrative sexual assault should be applied in these cases against both the clients and the abettors since the woman who brought the victim from her village was in a "position of trust" with the young girl and caused harm to her genitalia. It's also noteworthy that no conspiracy charges were brought against the accused despite abundant evidence of a plot to force her into prostitution after luring her to India with the false promise of employment.

In this case, a minor Bangladeshi girl, aged about fourteen years¹¹¹, was enticed to travel to India with the promise of a job in Dubai by a person from her Bangladeshi village and acquaintances. Her father had agreed to send her to Dubai and had made the

¹¹⁰ Anju Shah v. State, Through Public Prosecutor, 2014 SCC OnLine Bom 111.

¹¹¹ As per the statements of the prosecutrix and her father, the age of the prosecutrix was between fourteen and fifteen years. As the medical evidence corroborated their oral evidence, the Court held that the prosecution had proved that the prosecutrix had not crossed sixteen years of age.

necessary financial arrangements to prepare her passport, among other things. She was taken to India with two other girls. Without proper documentation, she crossed the border with the accused and they drove her to Mumbai. She was given a Hindu name and told not to give out her true name or address for fear of losing her ability to travel back to Bangladesh. She was in a foreign country and had only completed her eighth grade of education, so she was unable to speculate as to what these people might be planning. The accused forced her into prostitution. When she refused to let the first customer rape her, she was threatened, physically assaulted, and starved. Upon being presented to a customer once more, it was assumed that the prosecutrix was a virgin and a "sealed pack." On the basis of this false representation, the customer was charged fifty thousand rupees. When she was brought to this customer, the two accused women made her take off her clothes, made her lie on the bed, grabbed her hands, assisted the customer in raping her, and laughed as the customer did so. Her private area sustained severe injuries, necessitating her transfer to Mumbai for medical attention. Another customer forcibly raped her. The accused received four thousand rupees from this customer, who then divided the funds. She was physically assaulted every time the prosecutrix made a covert attempt to call her family. Even photos of her relatives were removed from the prosecutrix by the appellant. The information she attempted to get in touch with to find someone who could have assisted her in going back to Bangladesh was given to the traffickers.

Following her prostitution in Gandhigram, Ahmadabad, and Mumbai, the prosecutrix was tricked once more and brought to Goa, where she was sexually assaulted by a patron. She was questioned by the police following an altercation with the hotel manager where she was brought by the patrons. She initially provided them with false information in accordance with the tutoring, but after being detained in Apna Ghar, she told an NGO the truth. The authorities received this information. The majority of the perpetrators connected to the sex racket, including those who had brought her from Bangladesh and those who had forced her to work as a prostitute at various locations, were located by the police based on information provided by the prosecutrix.

Based on the information provided, the police filed three separate charge sheets against various groups from various locations. In this instance, the accused was charged with both the offenses listed above and the offense covered by Goa Children's Act section 8. The appellant was found guilty and given a sentence for offenses that were covered by sections 4 and 5 of the ITPA as well as sections 342, 323, and 366-A of the IPC. According to the ITPA provisions, the trial court sentenced them to a minimum of seven years in prison. Every sentence was meant to flow simultaneously. The Bombay High Court upheld the conviction and sentence. Regarding sentencing, this case highlights a relevant question: why, in cases where organized transnational networks of traffickers engage in serious child exploitation, do courts fail to impose the maximum sentence permitted by law?

Regarding jurisdiction, the court dismissed the appellant's claim that the Goa court lacked authority because Anju was accused of taking part in a sex racket in Gandhigram, Ahmadabad, and Mumbai. The Court noted that in these situations, it is evident that the individuals operating the sex rackets are moving girls around. The brothels are run by different people in each location, and the girls are moved around. Even though the individuals in this business operate in various, far-flung parts of India, they are connected to one another. Given the circumstances of the case, the Court assumed that the offense was ongoing and that section 178(b) through (d) of the Cr.P.C. applied. Since the prosecutrix was taken into custody in Goa after previously being prostituted in Mumbai and Ahmedabad, the Children's Court in Goa was therefore without jurisdiction to try the case. On the other hand, the High Court reversed the appellant Anju's conviction for her involvement in the sex racket in Mumbai, Ahmedabad, and Gandhigram under section 8(9) of the GC Act, arguing that the GC Act was created for the State of Goa and does not apply to the States of Gujarat or Maharashtra.

3.6.5 Child Labor (Control and Regulation) Act, 1986

In accordance with the constitutional clause regarding children, the Child Labor Control and Regulation Act was passed in 1986. The law gives child laborers the

chance to pursue education and career training while also releasing them from child labor. In his early years, the child is not required to take on the financial responsibility of supporting himself. Adults should fill this position. Every child must assume the role of a student during their formative years in order to receive an education and engage in creative pursuits that help him discover his innate talents. The child must be given the opportunity to pursue an education, which requires the support of parents, society, and the government.

The phenomenon of child labor and child labor is a sign of social unrest and a disregard for children's rights in contemporary society. Children's physical, mental, and intellectual development is hampered when they are forced to leave school, participate in sports, arts, and culture programs, and become victims of insecurity, exploitation, cruel treatment, and harassment. Children are deprived of their rights in this situation because they must perform labor that wears them out at a young age.

The Child Labor Control and Regulation Act of 1986 defines a person as a child if they have not attained the age of 14. A person under the age of 14 who works is referred to as a child laborer. This means that the practice of using such a person to earn money is known as child labor.

This law aims to limit the working conditions of children in some jobs and to forbid the employment of children in some dangerous occupations and activities. The law forbids the use of minors in processes and occupations that have been deemed hazardous until they are 14 years old. The employment of children in non-hazardous jobs and processes is governed by law. 65 processes and 16 businesses have been deemed hazardous. It is against the law to use kids in these jobs or processes.

Mat weaving, building and construction, brick kilns, producing hosiery, working as a domestic helper, working in a tea shop, eating and drinking on the street, etc. are a few of the activities that are prohibited. According to the Technical Advisory Committee on Child Labor's recommendations, the hazardous jobs and procedures were added in 2008. As well as processes like mechanized fishing, food processing, the beverage industry, warehousing, the pencil industry, stone grinding, stone quarrying,

etc., it also covers the business of throwing excessive heat and cold. The employment of children in circuses and elephant care has also been prohibited since 2010. There is a clause that allows for the owner who breaks this law to be punished and fined. Anyone who believes the owner has broken the law may bring a lawsuit against them in court.

A system has been established to rehabilitate children by releasing them from hazardous jobs, in accordance with the provisions of this law. Kids are expelled and sent to special education schools. They receive services like education, vocational training, lunch, stipends, child care, etc. in special schools.

Despite being a crucial tool for social welfare and transformation, the law has some restrictions. The effectiveness of the law is impacted in the opposite way by this restriction. In 2013, the Indian government changed its approach to children. The government's dedication to ensuring that all children in the nation have access to their rights is reaffirmed by this new policy. This policy views childhood as a natural component of life. In addition to recognizing the value of childhood.

In *Peoples Union for Democratic Rights vs. Union of India*,¹¹² declared by the Delhi High Court that the Common Wealth Game of 2010 is a matter of common concern. A whopping Rs. 70,000 Crores was allocated exclusively for enhancing the city's infrastructure and sports amenities. In all of the projects during the 2008–2009 construction, over a lakh people were employed. It was discovered that these workers were not receiving minimum wages, nor were they receiving their rightful compensation under labor laws. Following receipt of the complaint, the petitioner conducted an investigation and discovered serious labor law violations.

Following the parties' hearing, the court gave the state and another respondent detailed instructions regarding the following: i. Every Worker Must Register. ii. All workers must receive minimum wages. Living circumstances and safety precautions (iii). iv. Financial support for children's education. v. Pension and maternity benefits. vi. Concerns about CESS collection and the meaning of "employer."

¹¹² AIR 1982 SC 1473 (commonly known as *Asiad* case).

In *People's Union of Democratic Rights v. Union of India*¹¹³ The Supreme Court was informed that children under the age of fourteen were working in the construction industry. It was decided that since construction work is already a dangerous profession, it is imperative that no form of construction work permit the employment of minors younger than fourteen.

In *Labourers Salal Hydro Project vs. State of Jammu & Kashmir*,¹¹⁴ The Indian Express reported on August 26, 1982, that a great number of migrant laborers from various States, including Orissa, were working in the Salal Hydro Electric Project under harsh working conditions. They were also denied the protection of various labor laws and were vulnerable to exploitation by the contractors and employers who were given work assignments by the Central Government. In an effort to give the underprivileged laborers justice, the People's Union for Democratic Rights sent a letter and a copy of the news report to Mr. Justice D.A. Desai. We regarded the letter as PIL.

The Supreme Court noted that parents' desire for their children to work is solely motivated by economic reasons, making child labor a challenging issue. Because it is an economic issue, legislation alone cannot resolve it. Nonetheless, through appropriate education, an effort must be made to lessen, if not completely eradicate, the prevalence of child labor.

In *Rajangum ,Secretary District Beedi Worker Union vs. State of Tamil Nadu*¹¹⁵ A PIL was filed for the emancipation of bonded labor in response to a letter from a beedi worker to the Supreme Court. The definition of "forced labor" was established by the Supreme Court taking into account Article 23 of the Constitution. The Supreme Court has noted that it is a violation of Article 23 of the Constitution for someone to work for the government or for another individual and receive less money than the legally required minimum wage. Generally speaking, no one wants to voluntarily perform labor or provide services to another for less than the minimum wage when they are aware that they are legally entitled to it. As a result, it is assumed that someone is

¹¹³ Id.

¹¹⁴ (1983)2 SCC 181.

¹¹⁵ AIR 1993 SC 404.

working under duress or coercion when they provide services to another for payment that is less than the minimum wage.

Forced labor, defined as labor or service that an individual is coerced into providing and force that would result in such labor or service, is prohibited by Article 23 of the Constitution. Force to perform labor or provide a service to another person can take several forms. It can involve physical force, legal provisions that impose fines or imprisonment on an employee for failing to perform labor or provide a service, or even pressure brought on by destitution, hunger, or poverty. Any circumstance that denies someone their freedom of choice and forces them to take a specific course of action can legitimately be viewed as force, and if labor or service is required as a result of such force, it would constitute forced labor.

In this case, the Supreme Court also directed the implementation of specific welfare and protection programs to enhance the working conditions of children in Tamil Nadu's beedi and cigar industries. It is therefore mandated that all employees obtain insurance coverage for a minimum of Rs. 50,000, with employers bearing the cost of the premium and workers being strictly prohibited from recovering it.

In *M.C Mehta vs. State of Tamil Nadu*¹¹⁶ In what is officially referred to as the "child labor abolition case," the Supreme Court issued an order prohibiting minors from working in dangerous industries. This is essentially a reminder of the constitutional requirement that no child under the age of fourteen shall work in a factory or in any other hazardous occupation. The Supreme Court gave all of the states some guidelines and instructions in this case.

The Supreme Court, with Justices K.G. Balakrishnan and G.P. Mathur on its bench, sent notices to every State and Union Territory requesting the enforcement of every child's right to an education by outlawing child labor in all its forms. The court also requested data on child labor in the nation from the Registrar General of Census.¹¹⁷

¹¹⁶ AIR 1997 SC 699.

¹¹⁷ The Hindu, 2nd Feb 2006.

In *M C Mehta vs. State Of Tamil Nadu*,¹¹⁸ The Supreme Court established a number of actions that must be performed in order to support the child laborer and his family. The Court decided that each offending party using child labor must have their premises sealed and be required to pay a fine of Rs 20,000; the money collected will go toward the victimized child's rehabilitation. Additionally, the Court ordered a nationwide study on child labor. The Supreme Court noted that in order to ensure compliance with the Act's provisions, the Inspectors designated under Section 17 must be tasked with collecting compensation from the offending employer for each child employed in violation of the Act's provisions, up to a total of Rs 20,000/. The inspectors would make sure that the employers responsible for any child employed in violation of the Act's provisions paid Rs 20,000, which could then be deposited into the Child Labor Rehabilitation-cum-Welfare Fund. Even if the employer wanted to discharge the child from his current employment, his liability would still exist. Establishing a fund of this kind based on district or area would be appropriate. The money raised will create a corpus, the income from which will go exclusively toward helping the affected child. Money can be deposited in any nationalized bank or other public entity's high-yielding program to increase income.

In *Bandhua Mukti Morcha vs. Union of India and others*¹¹⁹ The Supreme Court ruled that in cases where it is demonstrated that an individual is coerced into performing forced labor, the Court will presume that the individual is obliged to do so in exchange for an advance or other financial benefit. As a result, the individual is considered a bonded laborer and is eligible for benefits under the law. The State government, District Magistrates, and Vigilance Committees will enlist the aid of non-governmental organizations (NGOs) to guarantee the enforcement of legal provisions. The State government must take the required steps to implement the law, which is a crucial tool for preserving human dignity. The Central and State governments will take the required actions to guarantee that workers employed in stone quarries and stone crushers receive minimum wages directly from them rather than through intermediaries.

¹¹⁸ 1996 6 (SCC) 756

¹¹⁹ AIR 1984 SC 802.

In *Neerja Chaudhury vs. State of Madhya Pradesh*¹²⁰ The Supreme Court ruled in this case that rehabilitation had to happen immediately after identification and release because, in the absence of such action, released bonded laborers would once more be forced into serfdom by desperation, poverty, and helplessness. The task of identifying and releasing bonded laborers should be entirely undertaken by grassroots social action organizations. It is necessary to reorganize and reactivate the Vigilance Committees at the district and subdivision levels. Officers should receive the necessary training and sensitization if they are assigned to various levels to address the issue of the bonded labor system. Officers who exhibit social commitment, natural motivation, idealism as inspiration, are unaffected by external pulls and pressures, and are willing to face difficult opposition should be supported and their achievements acknowledged through appropriate public recognition.

In *Santhal Pargana Antyodaya Ashram vs. State of Bihar and Others*¹²¹ The Supreme Court ruled in this case that each bonded laborer who was freed should receive a release certificate from the Collector. As temporary relief, each of the bonded laborers will receive Rs. 3000. The State government is required to provide permanent rehabilitation and employment opportunities for the bonded laborers.

In *Public Union for Civil Liberties vs. State of Tamil Nadu & Others*¹²² In this particular case, the Supreme Court has directed that the National Human Rights Commission be involved in overseeing the state of the law's implementation, as well as national policies, programs, and the Supreme Court's occasionally issued directives. The National Human Rights Commission (NHRC) keeps an eye on the nation's bonded labor situation. Officers from the federal government and state governments made up the Task Force that the ministry of labor established to make sure the above directives were followed. To gather information about the living conditions of the workers, the Task Force is mandated to visit and inspect the stone quarries and crushers on a regular basis. The task force meets frequently to carry out its mandate, and it reports to the Central

¹²⁰ AIR 1984 SC 1099.

¹²¹ 1987(1)SCALE679, 1987Supp(1)SCC141.

¹²² (2013)1SCC585.

and State Governments on the extent to which the relevant authorities are adhering to the Supreme Court's directives and the statutes.

In Court on its own Motion and with Other¹²³ In this instance, the Delhi High Court sent the case to the National Commission for Protection of Child Rights, which is tasked with formulating a Plan of Action to end child labor and carry out the mandate of Articles 23, 24, 39, 45, and 47 of the Indian Constitution.

The Supreme Court had issued number of directions in *M.C. Mehta vs. State of Tamil Nadu*.¹²⁴ One of the key directives was to require an employer to reimburse the Child Labour (Prohibition & Regulation) Act, 1986 of 1986 by paying Rs. 20,000/-for hiring a child under the age of 14 for dangerous work. It was also mandated that the relevant government provide a grant or deposit of Rs. 5,000 for every child working in a hazardous job. The aforementioned sum of Rs. 25,000 was to be deposited into the Child Labor Rehabilitation-cum-Welfare Fund, with the rescued child's rehabilitation to be funded by the fund's earnings.

The Delhi High Court¹²⁵ instructed the National Commission for Protection of Children Rights to create a thorough Action Plan for the rigorous application and enforcement of laws pertaining to children. The National Commission was given instructions to recommend policies for the rescue children's health, education, and financial support. The National Commission was also instructed to recommend actions for the prompt recovery and appropriate use of funds obtained in compliance with the Supreme Court's order in the *M.C. Mehta* case.

3.7 THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956

The latent market for buying and selling sex-sex has grown in modern times, and supply determines demand in this market. In the sex market, both women and children are trafficked. This trade distinguishes itself from the prostitution industry. On the one hand, there are companies that sell women and children in secret, and on the

¹²³ 163 (2009) DLT 641.

¹²⁴ AIR 1997 SC 699.

¹²⁵ vide a detailed order dated 24th Sept 2008.

other, there are individuals who buy it in secret. They trade sex for money, which has a value of its own. This trade is profitable on the black market. It involves the economic and sexual exploitation of girls and women. In actuality, the illegal trade in women and children is a trade in people and in blood. which is referred to as prostitution, and the women who engage in it as sex workers or prostitutes. In today's society, a woman who gives another person sexual satisfaction in exchange for money is referred to as a business sex worker. The woman who sells sex views herself as a sex worker rather than a prostitute. There have been cases of girls being kidnapped and raped for prostitution. There have been instances of these girls being pushed forcibly into the prostitution trade. Young women are being kidnapped and raped as part of an unethical business that pays prostitution brokers large sums of money for their services. The sale of child prostitutes has a covert system that has developed in the major cities. Young children are abducted, courted, and made into prostitutes by him. In India, prostitution has claimed the lives of numerous young people between the ages of 10 and 18. As sex workers, millions of women are employed. A clandestine network of sex workers and brokers has grown within the industry. In it, brokers entice young women with promises of a job and marriage. Even though she is being sold, the woman is unaware of it. Children are taken or stolen in order to sell them. These infants are exploited, lose the affection and warmth of the family, are denied the right to an education and marriage, as well as a portion of their developmental potential.

In *Guria, Swayam Sevi Sansthan vs. State of U.P. and Ors*¹²⁶ briefly, the fact that several children had been imprisoned without authorization in Varanasi, Uttar Pradesh's redlight area. Based on information, the Varanasi police found thirty girl children, filed a case, and, upon the conclusion of their investigation, filed a charge sheet against thirty-six people under the Immoral Traffic (Prevention) Act, 1956 and the Indian Penal Code. Later on, a few accused people attempted to get bail before the relevant Sessions Court, but their petitions were denied. However, the Allahabad High

¹²⁶ 2009(2)ALD(Cri)555, 2010CriLJ1433.

Court has granted bail to the accused, citing the fact that the witnesses' statements were not recorded by a judicial magistrate in accordance with section 164 of the CrPC.

An NGO petitioned the Hon'ble Supreme Court to have the bail revoked after feeling wronged. It is regrettable that the Investigating Officers and the Courts typically fail to distinguish between the rescued children and the people who are involved in such immoral traffic, aiding and abetting the commission of crimes. The Supreme Court held that the Immoral Traffic (Prevention) Act, 1956 was enacted in pursuance of the International Convention for the Prevention of Immoral Traffic. It has also been the failure of the Legislature and the Executive to develop a well-thought-out plan for the reintegration of the rescued children into society through appropriate laws or programs. The majority of young girls and minors who fall victim to immoral trafficking are released on bail. Most of the time, after they have recovered, they are compelled to return to the brothels, where they are once more forced to become prostitutes by the same people. Bail is also granted to other accused who are taken into custody from the brothels, regardless of whether they are suspected of working behind closed doors or of more serious offenses.

In Vishal Jeet vs. Union of India,¹²⁷ An advocate filed a Public Interest Litigation (PIL) under Article 32 of the Constitution with the Supreme Court, requesting that the CBI investigate all police officers under whose jurisdiction red light areas, as well as the flourishing Devdasi and Jogin tradition, and take necessary action against those officers and other individuals involved in such rackets. Additionally, the PIL directed the CBI to provide shelters and other facilities to rehabilitate the inmate and their children.

Although the Supreme Court denied the CBI's request for an investigation, it held that issuing such a directive would be counterproductive and that it is neither desirable nor feasible for the CBI to conduct a nationwide open-ended investigation. The owners of brothels, brokers, and pimps are among the exploiters that the Supreme Court called for swift and severe legal action against. The Court issued a number of

¹²⁷ (1990) 3 SCC 318.

directives, among them the creation of advisory committees comprising professionals from all disciplines to offer recommendations on how to end child prostitution, care for and rehabilitate rescued girls, establish rehabilitation facilities, and conduct an examination of devadasi and jogin customs. The Court ruled that it is abhorrent and heartbreaking that many underprivileged children are coerced into the flesh trade, which is conducted in flagrant violation of all morality, decency, and human dignity standards. The Court further declared that all forms of unimaginable vulgarity ought to be outlawed at all levels through severe enforcement. The Supreme Court demanded an impartial, multifaceted analysis and investigation of the situation.

In *Munni vs. State of Maharashtra*¹²⁸ In this instance, the Nagpur police conducted a raid in the Ganga Jamuna red light district, rescuing numerous young girls from the brothel. The minor girls were brought before the Judicial Magistrate in Nagpur, where they were deemed victims. The Magistrate ordered the Investigating Officer to bring the girls before the Child Welfare Committee (CWC) and denied the petition filed by Smti Munni, who was seeking custody of her minor daughter, Kumari Mamta. The rationale for the CWC's care and custody of the victim was that she is a minor and needs to be rehabilitated.

The Bombay High Court denied the victim's mother's request for custody, ruling that the threat of sexual abuse by immoral child trafficking to force them into prostitution is a long-standing phenomenon that requires the utmost care and precaution from both the federal and state governments. The High Court further held that minor girls are susceptible to sexual abuse and exploitation due to their poverty, illiteracy, and helplessness, and that it is imperative to safeguard these children from any danger or risk to their lives. The Court further declared that the CWC can effectively combat child abuse and shield affected children from other types of maltreatment. The CWC may be given the authority to decide whether to grant protective custody of the child in need of care and protection in order to aid in the rehabilitation of the minor children who have been rescued. When it comes to cases involving the development, care, protection, and

¹²⁸ *Munni vs. State of Maharashtra* - Criminal Writ Petition No. 227/2011(Bombay High Court).

rehabilitation of children in need of care and protection, the CWC will have the final say.

In *Central Bureau Of Investigation vs. Birendra Kumar Singh@Virendra*¹²⁹ In this instance, an email from an NGO concerning the disappearance of a 14-year-old girl from Darjeeling was received by the CBI Crime Branch in Delhi. It appears that there is an interstate trafficking gang involved. Information led to the victim child's recovery from New Delhi. The victim claimed that after being brought to Delhi under false pretenses for a job, Anand Vishwa sexually assaulted her and used her for commercial sex. The victim was forced to have sex with more than eight or ten customers every day, according to the case investigation, and the accused were profiting from this exploitation of the defenseless young victim. Further investigation showed that the accused individuals had a practice of luring young girls from impoverished backgrounds to Delhi by pretending to offer them suitable jobs. These girls were brought from West Bengal, North-Eastern States, Andhra Pradesh, Orissa, and other places. The traffickers bought and sold small girls who were forced into forcible sex with eight to ten clients every day while living in various rented homes in the neighborhood. Up to five child traffickers were apprehended in this case by the CBI anti-trafficking unit. With the help of this arrest, the CBI was able to identify a somewhat organized network of traffickers operating in the vicinity of Delhi and apprehend up to 21 traffickers who were involved in the trafficking of minors for the purpose of exploiting them for commercial gain.

An accused person, Birendra Kumar Singh, who had been detained for eighteen months, was given bail by the learned Trial Court. The CBI filed a request for bail cancellation before the Delhi High Court after feeling wronged. In light of this, the Delhi High Court revoked the accused's bail and held the respondent and other accused parties accountable for offenses under Sections 120B read with Sections 342, 342, 344, 366A, 376, and 420 and 506 IPC in accordance with Sections 4 and 5 of The Immoral Traffic (Prevention) Act, 1956. As per section 366A, the prescribed penalty is

¹²⁹ 2002 CrLJ2951 (SC) , 2011 CrLJ 2305.

incarceration, with the possibility of lifelong imprisonment. The Immoral Traffic (Prevention) Act's Section 5 prescribes a seven-year sentence, with the possibility of a 14-year prison sentence. Because of this, the offense that is being leveled against the accused is extremely serious.

In *State of Maharashtra and Anr. vs. Mohd. Sajid Hussain Mohd. S. Hussain*,¹³⁰ The Supreme Court noted that unethical trafficking is becoming more common. The goal of luring victims into the trade is to coerce, threaten, or lure them in. These victims should receive all available protection. Additionally, it has been noted that instances of child rape are often instances of perverse lust for sex, in which even defenseless children are sacrificed in the name of sex. This is the height of obscenity, and it is a crime against humanity. Children have been said to be humanity's greatest gift. One of the worst crimes is the sexual abuse of minors. It is a heinous betrayal of their confidence and an egregious transgression of our pledge to safeguard the defenseless. The Constitution contains particular protections for children that are applicable to them only. The Constitution guarantees children a childhood free from exploitation and abuse, one that is happy and healthy.

In *Geeta Kancha Tamang vs. State of Maharashtra*¹³¹ the Immoral Traffic (Prevention) Act, 1956 found petitioner Geeta Kancha Tamang, a brothel owner, guilty under Section 6 for holding a minor victim in the brothel and using her in commercial sex with patrons. This verdict was rendered by the Bombay High Court. According to the case report, a minor child who was taken from her home country and detained by the accused, subjected to mistreatment, and used for commercial sex purposes, complained during a police raid at the brothel. She was then saved by police, along with a few other girls' children who also needed care and security. Following the trial, the petitioner was found guilty. The High Court noted that trafficking is an extremely serious offense that is forbidden by Article 23 of the Indian Constitution. As a result, every citizen has the fundamental right to be free from human trafficking. Such an act is

¹³⁰ AIR2008SC155.

¹³¹ 2010 CrI LJ 2755.

the most egregious violation of the victim child's human rights. Additionally, it is decided that since the petitioner owns a brothel and operates a business where a child was detained, the offense is likely to be repeated.

In *Kamaljeet Singh (In Judicial Custody) vs. State*¹³² The case's actual situation is that SI Sajjan Singh was tipped off to the fact that Kamaljeet Singh and his associate Pappi had been providing prostitutes with girls for several Five Star Hotels. After that, the staff posed as customers and approached Pappi, who agreed to provide a girl for sex, telling the SI Sajjan Singh to meet him outside the Taj Palace Hotel's main gate and requesting payment in advance of Rs. 5,000. As a result, a raiding party was formed, and Arvinder Pal Singh @ Pappi and the two girls—Pooja @ Bijli and Sonali—were captured along with a fictitious customer. It is evident from the evidence gathered during the investigation that Kamaljit Singh and his associates have numerous phone connections. Kamaljit Singh and his associates communicate over the phone frequently and establish relationships without providing any business or personal explanations. There are numerous phone bills for brief periods of time. Numerous calls to five-star hotels were made without any relevant business. Confessional statement provided by the CJM's co-accused. Many airline tickets were purchased by Kamaljit Singh and his partners. Based on this evidence, the court declined to dismiss the case, ruling that various forms of violence against women, such as rape, trafficking in women, child sexual abuse, domestic abuse, pornography, selective abortion of female fetuses, and dowry deaths, diminish the dignity of women.

In *Orissa Patita Udhar Samiti vs. State Of Orissa And Ors.*¹³³ An non-governmental organization filed a Writ Petition in this case regarding the rights of sex workers living in Bhubaneswar. The petition claimed that members of the weaker section were forced to engage in these activities by their abductors and had no other option but to work as such in order to survive. More than 40,000 sex workers reside in Bhubaneswar, where they are housed on government land and in shantytowns. The

¹³² 148(2008)DLT170, 2008(101)DRJ582, (2008)ILR 2Delhi575.

¹³³ 2007 (1) OLR 150.

authorities have threatened to forcibly remove them from their home, where they have lived for forty years, on several occasions. The Orissa High Court ruled that the State, all non-governmental organizations, and public-spirited individuals have a responsibility to assist these individuals in leaving prostitution, rehabilitating them with a helping hand so they can live a dignified life, finding self-employment through appropriate education and financial support. Furthermore, the State has a constitutional obligation to restore them through socioeconomic empowerment and justice. Their fundamental rights are to economic empowerment and social justice with dignity, and the government should actively work to uphold these rights.

The High Court ordered that the State of Orissa take immediate action to assist the women who had fallen, including giving them access to basic utilities like electricity and water, holding awareness camps to inform these victims of their constitutional rights, giving their children a minimum education, providing health care to stop the spread of AIDS, and finding them alternative places to live. If it is determined that the aforementioned Mallisahi residents who fall into that category will be removed from their homes without following the previously mentioned directive, victims or commercial sex workers who have been living on government property for the past forty years will not be forced to leave their current residence.

In *Suo Moto Proceedings in Flesh vs. State and Ors.*¹³⁴ In actuality, the case involves some distressing press reports that surfaced in the state of Jammu and Kashmir in May 2006 concerning the enticement and blackmail of young girls into engaging in unethical physical relationships, with high-ranking officials in the state directly implicated. The Jammu and Kashmir High Court took up the case suo motu and ruled that the CBI will conduct the investigation and that the High Court will monitor it. The CBI will also submit a report to the court on a daily basis detailing the progress of the investigation under a confidential cover. Given the gravity of the situation, the investigating officer will require that victim and witness statements be recorded in front of the Principal District and Session Judge.

¹³⁴ 2008 (1) JKJ 161.

Eighteen people have been taken into custody by the CBI, including two MLAs (former ministers), an IAS officer, a BSF DIG, a former State Additional Advocate General, and two Dy. SPs of Police. Additionally, 14 of them are the targets of cases that the CBI has filed. A total of eighteen people were taken into custody, while some others were not detained or listed as suspects because there were not enough evidence. The High Court securitized the evidence gathered by the I.O., but it was not entirely content with the I.O.'s findings and issued the following orders:

- a) The CBI will present all documents, evidence, and materials pertaining to Sheikh Mehmood SP, Niyaz Mehmood DIG, G.H. Khan MLA (former minister), Yogesh Sani MLA (former minister), Nissar Ahmed Sheikh, Manzoor Naik, and Sh. Hakeem Mohd Yaseen (the current cabinet minister), Dr. Pritipal Singh Goja, and Amit Amla to the CJM, Srinagar, who will review them in order to determine whether to take cognizance of the offenses or issue orders that seem appropriate and legal.
- b) The CBI will look into the cases of Sh. Raj Tickoo, the former Vigilance Commissioner, Sh. M.Y. Khan, the former Chairman of JK Bank, and Sh. Zahoor Ah. Malik.
- c) The J&K DGP will establish a special team of police officers with a good reputation, led by a DIG, to handle cases pertaining to drug abuse and illicit sex trafficking in addition to drug trade cases in any form.
- d) He will also give the victim girls listed here security right away.
- e) Through the Women's Development Board and Department of Social Welfare, the government will implement a rehabilitation program for all girls involved in or coerced into the sex trade.

In *Gaurav Jain vs. Union of India*,¹³⁵ the Supreme Court ruled, among other things, that while some notable women, such as Margaret Thatcher, Indira Gandhi, Golda Meir, and Srimovo Bhandarnaike, have succeeded in democratic governance, a

¹³⁵ AIR 1997 SC 3021.

class of women remains victimized by forces, limitations, and coercion towards the flesh trade. A few enlightened segments are approaching this court in search of relief for those class members. One such segment is the petitioner, Gaurav Jain, a public-spirited advocate who asserted that the magna carta is the right of free citizens, the right to remain untrapped, adjustment in economic empowerment, social justice, the dignity of the human person in reality, and social integration. The petitioner has requested that distinct educational facilities be set up for the offspring of those deceased women. The children of prostitutes were not to be allowed to live in the squalor and chaos of their mothers' homes, the court had decreed. It was determined that this was especially true for young girls whose mothers' careers would likely subject them to abuse as they grew older, both physically and mentally. In light of this, the Court established a Committee made up of a few advocates and other people to conduct a thorough investigation into the issues surrounding prostitution, the children of those who have fallen victim to it, and the rescue and rehabilitation of these children.

The committee's report states that the court ordered a program for children of prostitutes and children who associate with prostitutes and prostitution. Many factors have contributed to the continuation of the flesh trade, which has resulted in a sizable population of prostitutes and their offspring. The children frequently lack care for their general development due to factors such as the mother's income, work schedule, and living situation. It must be addressed in order to keep them from turning to prostitution. It is intended for the Child Development and Care centers to offer specialized services that will enable these kids' bigger interests to be realized. The locations of those centers are to be found in: (i) the vicinity of red light areas; (ii) the vicinity of other areas where a concentration of prostitutes has been identified; and (iii) those areas where there is a concentration of communities where prostitution is the customary occupation of the women and girls. The government will provide funding for these centers, which will be managed by nonprofit organizations under the direction of advisory and monitoring committees at the federal, state, and local levels.

At different levels, advisory and monitoring committees will be established to guarantee the scheme's successful execution. A Central Committee, a State Committee in each State, and an equal number of Local Committees as the number of CDCCs operating in each State would be present. A representative of the Department of Women and Child Development, a retired police officer, three social workers, a representative of the Ministry of Welfare, and the Chairperson of the Central Social Welfare Board are among the members of the Central Committee.

- i) The State Social Welfare Advisory Board Chairperson;
- ii) A Department of Women and Child Development Representative;
- iii) A Department of Social Welfare Representative; iv) A Retired Police Officer; and v) Three Social Workers comprise the State Committee.

The Local Committee is composed of the following individuals:

- (i) The CDCC Program Coordinator;
- (ii) A Mothers' Representative;
- (iii) A Community Representative;
- (iv) A Local Club Representative, if applicable;
- (v) The Secretary or an official from the volunteer organization running the program.
- (vi) A pair of social workers

In *Public at Large vs. State of Maharashtra and Others*,¹³⁶ An article about sex workers working in Mumbai was published in the daily Indian Express on January 13, 1996. Additionally, it was reported in the newspaper that: i) Girls who are rescued from brothels face harassment and their guardians are forced to pay large sums for protection; ii) The owners of the brothels regularly extort large sums of money in exchange for their protection; iii) The State Government makes no effort to rehabilitate 40,000 sex workers; and iv) A significant number of minors are recruited by some local agents to work in brothels where they are detained illegally. v) It was estimated that 65% of these

¹³⁶ (1997) 4 Bom. CP 171.

women were infected with HIV. Based on the news, the Bombay High Court took up the case suo motu and issued orders directing the immediate release of the sex workers from their confinement and frequent monitoring in order to facilitate the release and rehabilitation of minors and others.

473 young girls were taken from brothels by raids carried out on the orders of the authorities; the majority of these girls were brought from the States of Karnataka, Kerala, Tamil Nadu, Andhra Pradesh, and Assam, as well as from nations like Bangladesh and Nepal. In the end, the Court has given the following instructions:

- (1) The State Government is responsible for ensuring that areas with red lights are kept under strict surveillance and for rescuing child sex workers. Sufficient measures to penalize the traffickers while giving the investigating agencies instructions to act right away. In instances where cognizable offenses are committed, all police officers are required to act promptly.
- (2) The State Government should establish homes for the rehabilitation of rescued victims, including children, and train them in alternative skills so they can find alternative employment. This is in accordance with the directives of the Vishal Jeet case.
- (3) Continually run programs raising awareness of AIDS in the red light districts.

In *State vs. Freddy Peats and Others*,¹³⁷ The case revolves around the accused, 66-year-old Freddy Feats, who oversaw a boys' orphanage in Goa. Regarding the complaint submitted by an engineer, it was stated that Peats, claiming to be a religious leader, physician, philanthropist, and social worker, had sexually assaulted his ten-year-old son, causing injuries to his genitalia. Peats, who additionally captures nude photos, had also sexually molested two other boys. As a result, police detained him and found 2306 negatives and photos, as well as drugs, syringes, torture equipment, multiple passports, and bank books. Following the involvement of Mumbai-based lawyer and social worker Sheela Barse, the case of Freddy Peats from Goa has garnered significant attention.

¹³⁷ Sessions Case No. 24/1992.Criminal Appeal No. 4/1996.

Freddy Peats was found guilty by the relevant Sessions Court and given a life sentence. The High Court also rejected his appeal. Child rights activist Sheela Barse's intervention allowed the Freddy Peats trial to proceed in a child-friendly manner, including the following: The trial was conducted in camera to ensure that the witnesses wouldn't feel intimidated by the formal setting of the court. (2) Everyone involved in the trial was dressed casually. (3) Neither the chamber nor the location of the trial had a police officer in attendance. (4) The child was instructed to face the judge while providing testimony so that he wouldn't have any opportunity to see the accused and become alarmed.¹³⁸

In *Prerna vs. State of Maharashtra and Others*¹³⁹ According to the fact sheet, the Social Service Branch raided the Santacruz brothel on May 16, 2002, found 24 women inside, and arrested four people they suspected of being pimps or brothel keepers. Charges under the Immoral Traffic (Prevention) Act of 1956 were brought against the accused. The 24 females who had been saved were brought to the Government Special Rehabilitation Center for custody. The learned magistrate then ordered the release of a few adult females and ordered the production of a few recovered juveniles before the Juvenile Justice Board.

As a result, the juvenile girls appeared before the Juvenile Justice Board. On behalf of the young girl, a petition was filed pleading for their release, claiming that they had committed no crimes. The minor girls' guardians or parents weren't present to request custody. The Board did, however, release the minor girls, noting that upon asking each girl individually, she had all expressed a desire to be freed.

The Board also noted that since the girls were victims of their circumstances and had not committed any crimes, their continued detention was unlawful and unjustified.

In the appeal, the High Court gave the following instructions:

¹³⁸

Asha Bajpayee, "Child Right in India: Law, Policy and Practice", (2003) Oxford University Press, New Delhi

p.260.

¹³⁹ 2003BomCR(Cri)481, 2003(3)RCR(Criminal)365.

1. When a juvenile who appears to be minor and is in legal trouble or in need of care is produced, the magistrate is required to investigate the matter as soon as feasible to determine the juvenile's age. If the juvenile is determined to be minor, the case is referred to the Juvenile Justice Board.
2. When someone is produced who has been rescued under the Immoral Traffic (Prevention) Act of 1956 or who has been seen soliciting in a public place, the magistrate must determine their age. If the magistrate determines that the person is a minor, the case will be sent to the Juvenile Justice Board if the person is a juvenile in violation of the law, or to the Child Welfare Committee if the person is a child in need of care and protection.
3. The Probation Officer should not release a minor who has been rescued from a brothel or who has been caught soliciting in a public setting until the investigation is finished.
4. Only after a parent or guardian has been deemed suitable by the CWC may the aforementioned juvenile be released into their care.
5. The JJAct, 2000 procedure should be followed for the rescued child's rehabilitation if the parent or guardian is determined to be unfit.
6. The Child Welfare Committee may only be contacted by the parents directly, or through an attorney they have chosen.
7. Attorneys hired by pimps or brothel owners are not permitted to represent the rescued victims in court.

It appears in Delhi High Court Legal Services Committee vs. UOI that the Delhi Police saved two young girls, A and B, who were roughly 14 and 16 years old, respectively, from a brothel. Both victims came from very low-income West Bengali families; they were brought to Delhi in search of work before being sold and forced into prostitution. Following the rescue, the police brought them before the CWC for Care and Protection with the assistance of an NGO, and they were subsequently sent to a children's home. After receiving a custody petition, the learned trial magistrate determined that the petitioner was the girl's father and issued an order placing the girl in

the applicant's care. The Delhi High Court received the petition after the petitioner became enraged.

The High Court issued the following directive:

- i) Children are generally incapable of giving consent, and any sexual activity involving children exposes the participating adult to severe legal penalties; however, since the children are victims, there is no need to impose criminal liability on them.
- ii) Children who are discovered to be working, begging on the streets, or who are suspected of being mistreated, tortured, or exploited for illicit or sexual purposes should not be considered offenders. They will be handled like a victimized child in need of support and shielding.
- iii) According to the JJ Act, 2000, a minor who is discovered to be involved in any kind of prostitution or trafficking or who is saved during a police raid cannot be treated as a juvenile in violation of the law; instead, they must be treated as a child in need of care and protection.
- iv) When it comes to the custody and rehabilitation of a child victim—a child in need of care and protection—only the CWC has the final say.
- v) A person who has been rescued by the police and presented before the magistrate must be moved right away to the Child Welfare Committee, which will handle the case in line with the law if the person looks to be a minor.

In *Smt. Babita W/o Vikram Kalkhor vs. State of Maharashtra through PSO and Child Welfare Committee through its Chairperson*¹⁴⁰ In this case, several girls were saved when Nagpur Police stormed the notorious Red Light District. The recovered girls were treated as victims and brought before the learned Judicial Magistrate, who ordered them to appear before the CWC. The victim's mother filed a petition seeking custody on the grounds that the girls are minors, roughly 15 and 16 years old, and that the CWC's care and custody are necessary for their rehabilitation. The petition was denied. A writ petition has been filed in opposition to the rejection order.

¹⁴⁰ MANU/MH/0745/2011.

The High Bombay Court ruled that minor girls were actually treated like minor victims when they were placed under the care of CWC. The girls who were rescued are regarded as children in need of nurturing and security. Young girls need to be treated with extreme caution because they may be driven to areas with red lights and are at a higher risk of being forced or coerced into engaging in illicit sexual activity or the flesh trade. The magistrate's authority ended when she sent the girls to CWC. The petitioner must then get in touch with CWC so that they can consider their request to have the victim minor girls released.

In *State of Maharashtra & Anr vs. Mohd. Sajid Husain Mohd. S. Husain etc*¹⁴¹ In this case the victim, a girl between the ages of 14 and 16, described how accused Tabassum forced her into the flash trade. After being assaulted, the victimized girl fled the home and traveled to Aurangabad, where she met accused Tabassum and began working as a maid-servant in her home. The victim was asked to accompany one of the girls who used to frequently visit the house but one day did not show up. When they arrived at the Dhaba in a white car with the other one sitting inside, they discovered someone was there. where a soft drink was given to her. After finishing the beverage, she experienced dizziness and eventually lost her ability to move.

The individual then sexually assaulted her. After that, she had been dispatched on a regular basis with different people. Occasionally, the amount she was given was to be split 50/50. She had been brought to a guest house run by the government and, once, their own apartment by other accused. The other accused individuals arrived at Accused No. 1's home on April 22, 2007, with the intention of transporting her to Mumbai. They were to take a bus and stop at a hotel along the way to pick up alcohol. When the accused began acting inappropriately around her prior to the bus arriving, the police arrived and brought them all to the police station. Subsequently, the accused individuals managed to escape and applied for anticipatory bail before the relevant Sessions Judge in Aurangabad, a request that was ultimately denied. However, the High Court granted the accused anticipatory bail, ruling that, prima facie, no case under Section 376 IPC

¹⁴¹ 2008(1)ACR616(SC), AIR 2008 SC155.

has been made out due to the prosecutrix's major status and her voluntary consent to have sex.

After feeling wronged, the state petitioned the Supreme Court to have the bail revoked. The Supreme Court noted that immoral trafficking is now pervasive in the case and revoked the bail that the High Court had granted. It is important to provide complete protection to victims who are threatened, manipulated, or seduced in order to further the trade. Of the eight people charged, two work as politicians, five as police officers, and one as a hotel owner. They had been evading for a while after learning of the prosecutrix's assumption about them through her statement. The court further ruled that it is improper to support police officers' immoral behavior. We don't understand how the police officers were able to go undercover and why they were constantly moving addresses.

In *Manjappa vs. State of Karnataka*¹⁴² In actuality, the victim's father filed a formal complaint, claiming that his 13-year-old daughter Shilpa had been abducted from his home by the accused appellants and sold for Rs. 5,000/-in Bombay to support her prostitution business. As a result, the investigating officer traveled to Bombay and located the girl. The victim's statement was taken down, and she was taken to the hospital for a checkup. Later, after being detained, accused, and found guilty of crimes covered by Sections 366A, 372/373/ 34 I.P.C., the appellants and Shanta were cleared of one accusation, Manjappa.

The State filed an appeal with the High Court challenging the acquittal of Manjappa and requesting an extension of the sentences of those found guilty in response to the aforementioned order. Manjappa was found guilty of offenses covered by Sections 366A/372/373/ 34 IPC and given a seven-year prison sentence. The High Court upheld the conviction and increased the sentence. It also overturned Manjappa's previous acquittal. Based on the victim's testimony, the Supreme Court upheld the sentences after an appeal. In her testimony, she said that in 1997, when the incident occurred, she was a sixth-grader, and these defendants lured her to Bombay in the hopes

¹⁴² 2010 CriLJ 4729.

of finding employment. The accused individuals sold her for Rs. 5,000 after they arrived in Bombay, and accused appellant no. 1 used to regularly force her into prostitution against her will.

In *Vinod Kumar vs. State of Punjab*¹⁴³ in this case the reliability of the testimony of the "trap witnesses," who typically carry out raids in brothels or other locations to recover or rescue victims of human trafficking, has come under scrutiny. The police officers who participate in the rescue operation are competent witnesses, and the Supreme Court has held unequivocally that their testimony should be taken into consideration alongside that of any other interested witness.

3.8 Constitutional Provision

Every Indian citizen has a right against exploitation under the Constitution. Human trafficking is forbidden by Article 23 (1) of the Constitution, and anyone found in violation of this provision will be prosecuted. According to Article 39 of the Constitution, the state will use all reasonable means to safeguard children and teenagers from exploitation and their moral and financial neglect.

Article 51A (f) of the Constitution states that it is every citizen's fundamental responsibility to abstain from actions that degrade women's dignity.

This constitutional clause was codified through legislation, which are listed below.

3.9 Unethical Trade Detention Act, 1987

A law outlawing the trafficking of women and girls was passed in 1956. Any woman who leases out her body for unprotected sex is referred to as a prostitute under the law.

This law was intended to stop the commercialization of the prostitution industry, not to punish specific prostitutes or the prostitution industry as a whole. A prostitute is only held legally accountable if she operates her business in or near public areas.

¹⁴³ AIR 2015 SC 1206

Consequently, the law lost its ability to stop prostitution. As a result, this law was modified and altered.

The 1987 Unethical Trade Prevention Act is the law that has been amended. Prostitution is defined by law as the sexual exploitation or abuse of people for financial gain. Prostitution itself is not against the law, but using prostitution to profit from the exploitation of women is. The law stipulates harsher penalties for offenses related to prostitution.

A distinct Ministry of Children and Women's Development was established in 2006. This ministry's main goals are to close the gender gap in state action for women and children, to promote gender equality, and to hasten the adoption of laws, policies, and initiatives that are centered on women. The Ministry of Women and Child Development is in charge of promoting women's and children's rights and interests as well as their overall survival, protection, development, and participation. The Ministry seeks to properly raise children with opportunities for growth and development in a safe and secure environment, as well as to empower women and children to live a dignified life and contribute as partners in development in an environment free from violence and discrimination.

Trafficking for any form of Slavery

Trafficking in slaves in any capacity Slavery in the form of human trafficking for the purpose of commercial sexual exploitation is acknowledged. A general provision known as Section 370 of the Indian Penal Code made it illegal to import, export, remove, buy, sell, or dispose of someone as a slave, or to accept, receive, or detain someone as a slave against their will. The crime carried a maximum seven-year jail sentence as well as a fine. Habitual slave trading carries an enhanced penalty of up to ten years in prison or life in prison. 187 Section 370 of the Indian Penal Code has been replaced with a new section that defines the offense of trafficking in persons, thanks to the Criminal Law (Amendment) Act of 2013.

3.10 Clarity of the Trafficking Concept

Definitions of the phenomenon take up a sizable portion of the trafficking literature. There are many definitions of trafficking, which reflects the lack of agreement on its exact definition. The idea itself has changed over the years, adding many more characteristics and features than it did at first. So much so that "it has been recognized that historical descriptions of trafficking are out of date, ill-defined, and unresponsive to the nature and extent of the abuses inherent in and incidental to trafficking" (United Nations 2000, 8).

Different interpretations, understandings, emphases, inclusions, and exclusions of particular elements and attributes of trafficking are reflected in the definitions. The topics of consent and movement, the relationship between smuggling and illegal immigration, and the treatment of children appear to be the main topics of debates, arguments, and misunderstandings.

As an addendum to the UN Convention against Organized Crime, the Protocol to Prevent, Suppress, and Punish Trafficking in Persons, Especially Women and Children, adopted in November 2000, "provides the first internationally recognized" definition of trafficking (ESCAP 2003). The United National Protocols definition for its work was adopted by the National Human Rights Commission, UNIFEM, and Institute of Social Science in a joint report (NHRC 2002-03, 2).

This definition has broadened the scope of potentially exploitative situations that may arise from trafficking, which were previously limited to prostitution. As a result, it is regarded as being more inclusive.

The fact that the "concept of "trafficking" can easily be expanded, limited, or shifted to accommodate institutional objectives and context" (ILO 2002a, 5) may help to explain why this debate has persisted. A report from ESCAP also came to the conclusion that trafficking is a multifaceted form of exploitation, with each dimension having its own conceptual and legal framework. There are various forms of trafficking, each with distinct consequences and a place in "an interconnected web of varying

contexts." Therefore, any hopes for a uniformity in trafficking definitions around the world seem unfounded (ESCAP 2003). The literature amply supports the idea that geographic and contextual factors affect how a term is interpreted.

Human trafficking is an organized crime that infringes on fundamental human rights, particularly those of women and children. (MWCD 2008, 3). According to the Goa Children's Act of 2003, child trafficking is the acquisition, recruitment, transportation, transfer, harboring, or receipt of individuals, legally or illegally, within or across borders, through threats of use of force or other forms of coercion, kidnapping, fraud, deception, the abuse of power or of a position of vulnerability, or by giving or receiving payments or benefits in order to obtain the consent of a person having control over another individual.

Another factor contributing to the wide variation in the suggested forms of trafficking is the multiplicity of characteristics and variables involved in the criminal enterprise as well as the various viewpoints on the matter. These forms cannot be categorized using a standardized system. For instance, some suggested forms are defined based on differences at the place of origin, while others place more emphasis on differences at the destinations, while still others base their definitions on the tactics used by traffickers (Mattar 2002).

There appears to be widespread agreement regarding the causes of trafficking in the literature review. These variables have an impact on people's socioeconomic and political environments, are interconnected, and may be categorized into two groups: personal circumstances and structural forces that shape the environment (Raymond et al. 2002). Typically, they are mentioned in relation to commercial sexual exploitation. According to Mukherjee's research (SEVA 2003), "fifty-seven factors play the role of causal agents to push women and girls towards prostitution."

Nearly all studies and reports discovered that a sizable portion of trafficked individuals come from lower socioeconomic groups. The risk of becoming a victim of trafficking increases with the level of poverty (UNDP 2002). Women who may experience "disfigurements" or people with disabilities are also at risk (Gathia 2003, 5).

People are more susceptible to trafficking in a dysfunctional home environment where there is family dissolution, marital strife, physical and sexual abuse, drug use, family pressures, large families, families facing uncertain times, children in substitute care, gender discrimination within the family, husbands abandoning their wives, and husbands taking a second or third wife. Prostitution in pilgrim towns and other tourist destinations, cross-border trafficking, and sexual exploitation through sex tourism, as well as child sex tourism and pedophilia, are a few worrying trends that have recently emerged (MWCD 2008, 4).

The constant pressure to work and earn money in environments with few options for a living or economic opportunity makes life for most people a "battle for survival." Industrialization and globalization, economic crises, underdevelopment, economic policies like privatization and liberalization, promotion of sex tourism, withdrawal of subsidies, and commercialization of agriculture, the ensuing erosion of subsistence agricultural practices, loss of traditional livelihoods, and inflation are listed as the structural factors influencing and determining these conditions. Policies and labor demand have an impact on vulnerability as well. Women and girls are increasingly being hired as service providers in a global market, putting them in danger (Sanghera 1999).

Following the trafficking of weapons and drugs, it has been determined that human trafficking is the third-largest source of income for organized crime worldwide. Trafficking occurs for a variety of reasons, including labor, prostitution, the organ trade, the delivery of drugs, the smuggling of weapons, etc. These, however, cannot be viewed in isolation because of their cross-cutting nexus and linkage, which exacerbates the challenges encountered in tackling the issue. Additionally, it is evident that although the techniques used for trafficking, such as coercion, deception, luring, abduction, kidnapping, etc., are frequently mentioned, the victims' social and financial limitations are what make them most vulnerable (MWCD 2008, 3).

Contributing factors include the speeding up of urbanization and the increased mobility brought on by the construction of road networks. Family needs and personal

desires are distorted by a culture of consumerism, materialism, commoditization of people, and commercialization of sex (Raymond, 2002). Groups like Scheduled Tribes, Scheduled Castes, Other Backward Castes, and ethnic minorities, tribal communities, undocumented migrant workers, stateless people, or people in refugee camps are more vulnerable as a result of discriminatory practices and social exclusion.

In relation to women, vulnerable groups' physical or geographical locations have been examined. Locations of poor women in India (rural and urban) have been identified, though the list is not all-inclusive (Murthy and Sankaran 2001). Contrary to popular belief, a study from Orissa discovered that "developed areas with improved infrastructure have invariably been the source as well as the destination of trafficking in women," despite the fact that 80% of the population or victims in these areas still belonged to landless households and families that relied on wage labor for survival (Pandey 2002). This suggests that in order to fully comprehend and explain vulnerability, it may be necessary to look more closely at the areas where the wealthy and less wealthy coexist.

The idea of a trafficking triangle is one put forth by Alison Phinney, and it refers to the area where trafficking occurs due to the supply, demand, and impunity of the criminal justice system. She asserts that "sex trafficking is driven by a demand for women's and children's bodies in the sex industry, fueled by a supply of women who are denied equal rights and opportunities for education and economic advancement, and perpetuated by traffickers who are able to exploit human misfortune with almost complete impunity" (Phinney 2001). Trafficking will continue to occur as a result of insufficient or ineffective laws, poor enforcement, ineffective penalties, low chances of prosecution, the relatively low risks involved, corruption and complacency, the issue being ignored, and governments' failure to put policies into place and provide adequate services for victims (Nirmala Niketan, College of Social Work, 2003).

3.11 Trafficking Process

Despite clarity of the trafficking concept issues with definitions of trafficking, the stages involved are generally accepted throughout the literature reviewed. They

include gathering people from a village or city, getting them to a designated place or transit point, possibly moving them to a central location, and then moving them to their final location. Before they reach their final location, where the 'Sale' takes place, the trafficked individuals may be moved several times. There appear to be an insurmountable number of permutations and combinations possible thanks to the various components involved in this process. As a result, the majority of research on human trafficking uses case studies to try to capture its variations. However, some patterns in these processes can be found at the regional level (ILO 2002a, 14–15).

Tribal people of Dahod, Panchmahal and Mahisagar districts of Gujarat state migrate to different regions for employment. Especially the people of this tribal community who migrate from Dahod, Panchmahal and Mahisagar districts migrate to Saurashtra and other districts. According to some studies, traffickers pick particular times of day to recruit. They take advantage of challenging times when many locals look elsewhere for income to survive, such as just before harvest or during a drought (HRW 1995). Traffickers also stay up-to-date on regions that are extremely impoverished or that have experienced natural, man-made, or political disasters. They allegedly also hire people during celebrations (ISS 2003a). According to some studies, traffickers choose specific times of the day to recruit. They take advantage of challenging times when many locals look elsewhere for income to survive, such as before harvest or during drought (HRW 1995). Traffickers also stay up-to-date on regions that are extremely poor or that have experienced natural, man-made or political disasters. They also reportedly hire people during celebrations (ISS 2003a).

From the extremely violent (drug use, kidnapping, and abduction) to persuasion, material inducements, befriending, and deception, a variety of tactics and strategies are reportedly being employed. False job offers and fake marriages are used to seduce people. It is simple to set up fictitious marriages in the South Asian region because proposals of nuptials without dowries are accepted. The majority of prostitution studies provide some details on the methods that are employed for recruitment (Joshi 2002, 15). In the CSWB study, 11.90% of the participants named another person's deception as the

reason they became prostitutes. 23.15 and 27.2 percent, respectively (Mukherjee and Das 1996, 42). Another study found that 9.2% of the women were sold and resold, 11% were lured, and 11% were kidnapped (Rozario 1988, 76). In order to gain the trust of women and girls, traffickers often approach them in groups (Sangroula 2001). Recent news reports from India have revealed a pattern whereby traffickers lure victims using marriage bureaus, placement agencies, and tutorial services.

Women who have migrated or who have been trafficked, women friends who have returned from abroad, husbands, fathers, boyfriends, or lovers can all be recruiters. They can also be neighbors, friends of families, relatives of friends, and acquaintances who have recently returned from abroad. Because of their sex orientation, some recruiters were gay men who women trusted (Raymond, 2002). Drug dealers, head masons at construction sites, band leaders in dancing or live bars, motorcycle pilots like in Goa (CRG 2003), or labor contractors (ISS 2003c) are just a few examples. They either rely on word of mouth or use friends and acquaintances as recruits. Traffickers are referred to as dalal or dalali (Gupta 2003).

3.12 Characteristics of Traffickers

In contrast to the young women and children they recruit, traffickers are typically middle-aged or young men. They are locals and agents who frequently travel between their home countries or regions and the receiving regions, and they typically have connections to the villages where the victims are from. According to reports, procurers are gamblers or substance abusers. Many of the traffickers are older women who either used to prostitution or are currently forced into it and are looking to escape abuse and servitude by offering a replacement. These agents frequently speak multiple languages (Giri 1999, 77). They might play several roles.

According to ILO 2002a, 13 a variety of actors are involved in trafficking "along the road from acquisition to exploitation." Usually, they are associated with organized trafficking. Police, passport and visa officials, railroad and bus authorities and staff, taxi and auto rickshaw drivers, and rickshaw pullers may all be a part of networks (DWCD 1996). According to Raymond (2002), the various roles include financiers or investors,

procurers or recruiters, organizers, document forgers, corrupt public officials or protectors, owners and managers of sex establishments such as brothels, as well as escorts, guides, or traveling companions. Additionally, there is the classification of an initial spotter, known in Bengali as choghat/arkathi (ISS 2003a).

The Department of Women and Child Development (DWCD) (1996) has distinguished between primary and secondary traffickers. In order to protect themselves, it is said that the latter work covertly and have connections in government circles. The main traffickers are pimps and procurers.

People may be trafficked by infrequent traffickers, local trafficking rings, or organized international trafficking networks. As a result, traffickers may work alone, in small gangs, or as a component of organized crime organizations (Richard 1999). According to Nirmala Niketan (2003), the last two are the main forms of trafficking in South Asia.

According to the United Nations Convention on Organized Crime, an organized crime group is described as a structured group of three or more people who have been together for a while and are "acting in concert with the aim of committing one or more serious crimes or offences to obtain directly or indirectly a financial benefit" (United Nations 2000, 4). Traffickers typically follow the rules of the marked zones and do not transgress them. As a result, when you change zones, completely different groups of people take over the activities. Additionally, they frequently relocate in an effort to both evade the police and expand their operational area (ISS 2003a).

3.13 Movement/Transportation

Trafficking "patterns and routes are often highly complex, ranging from intra-national flows to cross-border flows between neighboring countries to intercontinental and globalized trade," In 2000, Tumlin. People who have been trafficked typically move from less developed to more developed areas. As a result, the flow of trafficked women and children moves from South to North or East to West, respectively, with the former being marked by relative poverty and the latter by affluence; alternatively, it moves

from countries experiencing economic, social, and political crises to nations with more stable social and political systems; or it moves from rural to urban areas. From South-East Asia and South America, people have been trafficked to the US, UK, Italy, and other countries. They are also moving in the direction of the Middle East. There have been some cases of trafficking from India to South-East Asia. According to HAQ (2001), Delhi and Mumbai serve as the primary international transit hubs. Nepal and Bangladesh are the two main suppliers in the Indian market. According to news reports, girls from Russia and other CIS nations like Uzbekistan were trafficked into India following the fall of the USSR.

Around 89% of trafficking is thought to occur between states (ADB 2002: 8). The internal trafficking routes in India, as well as the locations of centers for commercial sexual exploitation and interstate flesh trade triangles, are described in detail by studies by Rozario (1988), Gathia (1999), Mukherjee (1997), CSWB (1991), SAP (2001), and HAQ (2000). These studies also pinpoint exploitation hotspots, such as the pink triangle connecting Agra, Jaipur, and Delhi. It appears that the main states from which trafficked people are sourced are Andhra Pradesh, Bihar, Karnataka, Madhya Pradesh, Rajasthan, West Bengal, Uttar Pradesh, and Maharashtra. In Mumbai, 45.6% of the prostitutes are female from Karnataka. 72.11% of women in Bangalore moved across state lines, and 93.60% of prostitutes in Hyderabad were Andhra Pradesh natives (Mukherjee and Das 1996, 34–35).

When the women arrive at their destinations, they might be "sold" or "transferred." Rozario et al. (1988) described the characteristics of the girls being "sold" and identified the market areas in various states. Somewhere, they are "resold." Based on factors like appearance, age, etc., the "rates" for women range from Rs. 400 to Rs. 70,000 (Ibid., p. 83).

To guarantee adherence to the exploiters' demands, numerous control mechanisms are employed. Three types of control are possible for people who are being trafficked: physical seclusion, financial restriction, and violence. Initiation, intimidation, punishment, and control are all accomplished through the use of violence

(Bales 1999, 246). Trafficked individuals are put in positions and circumstances where they have little to no control over their bodies and lives. To exert indirect control over the victims, efforts are made to make them dependent on drugs and alcohol.

In the industries targeted by trafficking, the use of debt bondage as a basis for labor acquisition is very common. India is a prime example of this. According to Bales (1999, 8–9) in his study on slavery, there are approximately 27 million slaves in the world who work as bonded laborers in Bangladesh, India, Pakistan, and Pakistan. Over 20 Indian states are alleged to have a high rate of bonded labor. In fish processing plants in Gujarat, stone quarries in Haryana, and brick kilns in Punjab, it has been discovered that migrant workers are employed in conditions resembling the bonded labor system (ILO 2001c).

At least 15 million children are working as virtual slaves, according to Human Rights Watch (HRW 1996).

Several industries have a need for trafficked people. The HAQ study on child trafficking served as the inspiration for the broad categories listed below.

3.14 Commercial Sexual Exploitation

The reporting and research on trafficking for the purpose of commercial sexual exploitation is extensive. Prostitution, pornography and cybersex, as well as sex tourism are some of the various forms that commercial sexual exploitation takes.

Prostitution is primarily a commercial phenomenon with strong patriarchal roots. It touches on ethical, religious, medical, and human rights concerns. Governments find it challenging to deal with this industry because of its economic exploitation, corruption, and connections to crime (Lim 1998). The systematic appropriation and devastation of women's and children's bodies is how large-scale capital accumulation occurs. The CSWB survey of six major cities, conducted in 1990, yielded the statistics that are frequently cited in India to illustrate the extent of prostitution. The study estimates that there are between 70,000 and 100,000 prostitutes living in all of the cities combined (Mukherjee and Das 1996). According to another report, there are 900,000

prostitutes in the world (Gathia 1999). The Indian Association for the Rescue of Fallen Women estimated in 1992 that there were 7.5 million call girls and 8 million brothel workers in India. All reports "indicate a dramatic escalation of the number of sexually exploited children all over the world," according to the UN Special Reporter on Sale of Children, Child Prostitution, and Child Pornography from 1996 (Baker 1999). Younger girls are also preferred because they can work as prostitutes for a longer period of time and earn more money as a result (Nirmala Niketan 2003). Almost every report on prostitution repeats these claims and convictions.

The literature that is currently available provides descriptions of various organizational structures and hierarchies, modes of operation, and types of prostitutes (ADB 2002). Along national highways, prostitution is carried out in call centers, friendship clubs, beauty and massage parlors, apartments, small hotels, and exclusive clubs. The term "flying prostitutes" appears to be a new classification that is on the rise. The locations where commercial sexual exploitation occurs are numerous and constantly changing. The sharing of income is a crucial aspect of the sex industry. The nexus between procurers, pimps, brothel keepers, local goondas (Goondas means Rowdy Sheeters), and police is made so strong by this income sharing that they collectively promote prostitution. (Mukherjee and Das 1996, 67).

Prostitution is typically found among women and girls from the most disadvantaged parts of society. The Scheduled Castes and Scheduled Tribes make up nearly 50% of the population, while Other Backward Classes make up between 12% and 27% (DWCD 1998). According to recent press reports, wealthy girls are increasingly being seduced into the sex industry. Married women also participate in the industry for brief (two-month) periods with their husbands' permission. (Nirmala Niketan 2003).

The expansion of the tourism sector has contributed to a rise in child sexual exploitation, which frequently takes intolerable forms. Sex tourism, also known as travel for sex, has entered the mainstream travel industry (CRG 2003). Tourism fosters an environment that makes indulgence simple. The advantage of anonymity provided by

the host nation minimizes the influence of the external impediments. The preference for South Asian nations is a result of their lax legal systems. Travel agencies, tour operators, hotels, and other businesses in the tourism sector are all involved in sex tourism; some even openly "advertise availability of child prostitutes" (Nirmala Niketan, 2003).

According to reports, the Indian states of Rajasthan, Goa (a popular tourist destination), and Kerala are all hotspots for sex tourism, with Mumbai regarded as the country's "biggest center for pedophilia commerce" (Nirmala Niketan, 2003). Out of a sample of 150 children, a study on the commercial sexual exploitation of children by the tourism industry on the eastern coast of India found that 60% had come because they had been promised a better job (Equations 2002, 33). According to another report, "hotels have contacts with adult sex workers, pimps, and other middlemen, including rickshaw pullers, van pullers, and petty traders." According to customer demand, these people approach children living on the streets and bring them to tourist lodges and hotels (Ibid, 28).

In India, the issue of labor exploitation is very common. According to the Supreme Court's definition, bonded laborers are all individuals who receive compensation that is less than the established minimum wage. There are currently 35 crore unorganized sector workers who are not receiving the required minimum wages. In addition, 12 crore children between the ages of 6 and 14 do not attend school. Thus, 47 crore people, or just under 50% of India's population, live in a state of servitude. (Iyer 2003, 436). There are between 60 million and 115 million child laborers in India, according to estimates. Sexual abuse and exploitation may also be perpetrated against children who are being trafficked for forced labor. Children are less expensive, easier to manipulate, exploit, and intimidate, and they work hard, so employers prefer to hire them (Nirmala Niketan 2003).

People are trafficked for agricultural, construction, or industrial work (organized and unorganized), in addition to being forced to work as domestic labor or exploited by the small-scale sector. They might be sold off by adoption rackets or trafficked for

engaging in illegal activities like selling drugs, trading organs, forcing people into marriage, or begging. There are also reports of trafficking for entertainment and sports, such as camel racing, for exotic dancing or the circus.

3.15 Impact of Trafficking

Effects of being a victim of trafficking on the victims' social, emotional, legal, and economic well-being (Wennerholm 2002).

3.15.1 Individual

Posttraumatic stress disorder, depressive disorder, dissociative disorders, psychotic disorders, and eating disorders are among the psychiatric conditions that are common in trafficking survivors (Ibid., 7). By maintaining their sexual purity and chastity, girls are expected to uphold the family's honor (ISS 2003c). They experience additional stress if they are trafficked into CSE (commercial sexual exploitation) because of the moral climate that prevails. In addition to being stigmatized as outcasts and experiencing moral and legal isolation (Giri 1999, 68), trafficked individuals are at risk for contracting HIV/AIDS, developing a drug addiction, and having high-risk abortions or teenage pregnancies, which may permanently harm their ability to conceive. According to a study conducted by an NGO in Dhaka, "more than 20% of street child prostitutes die before they reach adulthood." Nearly 22% of people become physically incapable and are only suitable for begging. All facets of their lives have been impacted by psychological trauma. Because it frequently goes unresolved, "the abused turn into abusers" (SOS 2001, 22), with a high likelihood that they end up committing crimes. It is well known that participating in "child labor" has negative effects on a child's development. HIV/AIDS, gender, and trafficking are all inextricably linked (UNDP 2002). Trafficking victims are forced to live illegal lives. Every aspect of their lives is tainted by illegality, turning them into criminals. They are severely stigmatized by their criminalization as individuals and as workers. It multiplies their victimization, making it impossible for them to seek redress. (Sanghera 2002, 8–9).

There is another perspective that is not frequently presented in the literature on human trafficking. It contends that the social effects of trafficking have contradictory aspects because, while harming many women, these episodes also freed them from other oppressive situations. Numerous women who have returned but have chosen to keep quiet about their experiences, particularly with regard to CSW, may have not only saved money but also gained more global experience.

Some of these women have been successful in using their experiences to empower themselves and their communities (ADB 2002, 46).

3.15.2 Society

A wide range of laws and human rights are broken in the crime of trafficking. Because trafficker cross borders with impunity, organized crime is increasingly involved, and the rule of law is generally undermined, it poses a threat to society. Because it involves both criminals and law enforcement, trafficking "threatens the very fabric of society." It displays and reinforces patriarchal attitudes and behavior, undermining efforts to advance gender equality and end prejudice against women and children (Ibid, 45).

According to a study by the Asian Development Bank, the economic losses to communities and governments are significant when measured in terms of the lost returns on investments in human or social capital. The cost of combating illegal trafficking activities places additional pressure on the government's already constrained law enforcement resources. In "hidden" sectors, a significant portion of the potential revenue from trafficked labor is lost (ADB 2002, 46). Low educational levels, poor health, and potential premature death all contribute to a loss of future productivity and earning power that is also felt at the national and regional levels. Poor countries cannot afford to lose their youth, whose capacity for productivity in the present and the future is crucial to development. A further imbalance between the young and middle-aged potential workforce (those most likely to be impacted) and older people who depend on them is created by the ravages of disease, including HIV/AIDS (ILO 2002a, 29).

People who have been trafficked are typically calculated using CSE. It is particularly challenging to arrive at accurate numbers in India because of the stigma associated with prostitution and the covert nature of operations (Gupta 2003). Estimates of adult and child sex workers in India are given to give an idea of the scope of the issue. In general, all cases of minors engaged in commercial sex work are considered to be trafficking. The figures provided exhibit a significant degree of discrepancy, making it virtually impossible to verify their veracity. Rarely are the original sources or the methodology used to calculate these numbers disclosed. At the time of entry, between 30% and 90% of women and girls are under the age of 18 (Gathia 2003, 9). There are between 70,000 and 1 million women and children working in the sex industry in India, according to estimates. 30 percent of them are under 20 years old. Almost 15% of people started sex work when they were under 15, and 25% did so between the ages of 15 and 18 (Mukherjee and Das 1996). According to a news story that appeared in *Statesman* on August 12th, 2002, 2 million Indian children are reportedly abused and forced into prostitution each year. There are about 2 million prostitutes in India, and 20% of them are minors, according to a rough estimate made by the NGO End Children's Prostitution in Asian Tourism. According to a 1992 study, 20,000 girls are reportedly transported from one region of the country to another at any given time (Gupta 2003).

However, sex work estimates from NGOs are significantly higher (UNICEF 1994). According to a CEDPA report, 200 women and girls in India engaged in prostitution every day in 1997, with 80% being forced into it (SOS 2001). In India, there are reportedly between 300,000 and 500,000 child prostitutes. According to a UNICEF study on Maharashtra, approximately 40% of CSE and trafficking victims are under the age of 18 at any given time (Patkar, Praveen and Priti, Patkar 2001, 11). In India, there were 9,368 cases of trafficked women and children in 1999, according to NCRB data. Since 1997, the prevalence of trafficking has been steadily rising, rising 7.7% from the rate in 1998. Tamil Nadu had the highest percentage of reported crimes against women (10.5%). Additionally, 15,956 cases of kidnapping and abduction were

reported overall in 1999. Of the total number of female victims, 1,960 were said to have been kidnapped or abducted for marriage and 9,159 were reported to have been taken for prostitution (ADB 2002, 19). Regarding cross-border flows, there are gaps in the national crime data collection systems (Ibid: 31).

3.16 Difficulties in Studying Trafficking

The relative dearth of information and quantitative data on human trafficking is due to the problem's many facets, which make precise assessments challenging. Few details are disclosed due to the clientele's desire for anonymity, the traffickers' clandestine activities, the low visibility of exploitation itself, and the victims' fear of the police and their exploiters. As a result, it is challenging for researchers to find sources because most of the parties involved refuse to cooperate (Pandey, Jena and Mohanty, 2002). This likely explains why the vast majority of studies use extremely small sample sizes. Their preference for qualitative information over quantitative information hinders the development of patterns and trends. Rozario (1988) carried out the only study on trafficking at the national level in India that was based on field research to date. Numerous reports base their findings on information obtained from news articles, law enforcement organizations, and anti-trafficking initiatives, which affects the conclusions they draw. Studies on female trafficking conducted in such facilities (rehabilitation homes), according to Blanchet, "do not adequately represent the life path of most "trafficked" women."

3.17 Approaches to Trafficking

The variety of approaches used to comprehend and combat trafficking also reflects the multifaceted nature of the crime. They stand for the points where human trafficking and other phenomena intersect and take place throughout the course of the trafficking process. The majority of the methods share elements. For instance, an approach will typically approach the issue from a labor or gender perspective. The issue will also be discussed in relation to human rights at the same time. This is the most comprehensive and addresses the widest range of concerns posed by trafficking. Adopted perspectives and approaches have an impact on the strategies created to

combat trafficking. According to Sanghera (1997, 27), human trafficking in South Asia is addressed as a problem of crime and violence against women, child labor and exploitation, or within a sociological framework. It has only recently been attempted to be seen from the perspective of human rights. You can approach the problem of trafficking as one of the following: labor, crime, migration, human rights, development, children's rights, or gender (Wijers 2002).

There are two distinct camps when prostitution is considered a moral issue in India. One is in favor of making prostitution a legal profession through self-governing bodies made up of sex workers, which will control the influx of new recruits, especially in terms of age and health. The anti-legislation movement holds that legalization will only legitimize an unethical industry and improve the position of pimps and brothel owners. Additionally, guardians will defend their actions by noting that their wards have entered a lawful profession (Shalini and Lalitha 1996). Women who engage in prostitution have recently tried to unionize. A national conference of sex workers brought together the Mahila Samanwaya Committee in Calcutta in 1997. Shalini and Lalitha's JWP study revealed that organizations have underlying political and vested interests in the creation of such groups, though. The other demands are a betrayal of the interests of women, with the exception of those for childcare services and education for their women.

3.18 Response to Trafficking

The three main areas of intervention in human trafficking are prevention, protection, and assistance, according to the UN protocol. Following these very broad divisions, the UN High Commissioner's report makes recommendations for principles and policies (UNESCAP 2002). More than half of the space in most reports on trafficking is devoted to interventions and suggestions. The criminal justice system and social welfare policies are the two broad categories under which these are covered (United Nations 2001). The former consists of international and national laws that are pertinent to trafficking. Typically, topics covered include the function of the implementation agencies as well as the policies and programs of both government and

non-government organizations. The evaluation of rescue and rehabilitation measures and facilities is the main goal of two UNICEF-sponsored studies that are currently under way. One of them is a study that examines government rehabilitation facilities for trafficked individuals in all 35 states and UTs in India.

Denying the issue, objectifying the victims and failing to consider their human rights, confusing trafficking with undocumented migration, and using the wrong definition of the crime are the "four main reasons for inappropriate or inadequate responses" to the problem (Jordon 2002).

3.19 Legal Framework

In her critique of South Asian trafficking laws, Sanghera (1999) contends that the legal system deprives trafficked people of their constitutional and human rights in an apparent effort to protect them from harm and abuse, a result that runs counter to the intentions of anti-trafficking measures. She also emphasizes how the laws infantilize women by ignoring cases of women who were trafficked as children rather than those who were rescued as adults (Sanghera 1999).

3.19.1 Judiciary

Vishal Jeet v. Union of India in 1990 and Gaurav Jain v. Union of India in 1997 are two prominent Supreme Court decisions that are credited with spurring government action on the issue of commercial sexual exploitation (DWCD 1998). On the other hand, the judiciary is accused of contributing to secondary victimization because of the way it interrogates witnesses during court proceedings and because of the drawn-out, tiresome procedures involved. Instead of serving as a deterrent to those who commit crimes, the victims view the legal system as formidable (DWCD 1996) Depending on the judges' level of sensitivity, decisions can either help the victims or make their harassment worse (United Nations 2001). With the aid of NGOs, Indian courts typically send rescued foreign national girls, such as Nepalese or Bangladeshi women, back to their home countries; on occasion, they are sent to government homes. There is hardly any activism or research after that. The police and the judiciary take very little action

against the traffickers and those who are initially in charge of violating the rights of these women. The women and girls who have been trafficked are the main witnesses against the offenders in evidence-gathering procedures in trafficking cases. They are extremely vulnerable and run for their lives when dealing with organized crime (Ibid: 16).

3.19.2 Police

The police forces of the respective nations in the SAARC region are considered to be "the most important institutions in the fight to eradicate trafficking." However, in reality, there is evidence of police involvement in trafficking throughout all reports, and it is claimed that corruption is "endemic" within the force (Ibid: 15). Rescue operations' management and conduct have come under harsh criticism. Reports are critical of police behavior, age verification practices, and the ineffective networking with other relevant agencies, such as protective homes (STOP 2002a, 26). Since police officers are detested in the sex industry and are seen as tormentors, prostitutes prefer to be under the protection of a brothel owner (DWCD 1996). STOP (2002a) goes into great detail about a number of flaws in the investigations that led to the accused's acquittal. Due to their responsibility for prevention, the police force is required by law to take a more proactive role. However, they typically keep their involvement to reactive actions and focus on the outward signs of crime rather than its inward causes (DWCD 1996).

The difficulties that police officers face have also been emphasized. They worry that brothel owners will use their political connections to make accusations against them and victimize them. Due to inadequate facilities and communication issues, the police have trouble transferring children to juvenile facilities. They are unable to devote enough attention to trafficking in terms of surveillance and prevention due to understaffing, especially in rural areas. Typically, victims become hostile (DWCD 1996). The lack of infrastructure and resources, as well as the traffickers' influential political and commercial connections, are other factors that hamper the law enforcement apparatus (DWCD 1998). The lack of any authority to conduct an investigation into a crime outside of a state limits swift prosecution; the CBI is said to have many

difficulties. The constabulary is said to have poor living and working conditions. Due to other law-and-order priorities, there is "a lack of per capita time for the constable or sub inspector at the grassroots" (i.e., the number of police constables per thousand is low) (ADB 2002, 63).

3.19.3 Other Factors

Border patrol agents and immigration officers also come into contact with trafficked individuals. According to reports, some work with the traffickers. Due to a conspicuous lack of documentation examination and questioning, many trafficked women claim that immigration officials are involved in their transfer (Raymond et al. 2002). By selling visas, they might encourage trafficking (GSN 1997). The use of new technologies in trafficking is a topic that is generally not addressed in literature from other regions but is in literature from India. "Developments in methods of detection and prevention have not kept pace with the creation of new forms of trafficking," the prosecution's perspective on the matter, reads (Giri 1999, 72). Because of the use of these communication tools and the significance of organized crime involving global syndicates, some studies do suggest that trafficking may necessitate the use of more advanced and creative investigation techniques (ADB 2002, 63 and Nair 2002).

In *Bachpan Bachao Andolan vs. Union of India (UOI) and Ors.*¹⁴⁴ an appeal petition was submitted to the Supreme Court in this case, addressing the growing number of unaccounted-for children in India. The Supreme Court ruled that if a report or piece of information regarding a missing child is brought to the attention of a police station, it will be considered a formal police report (FIR) and necessary action will be taken to ensure that an immediate investigation and follow-up are conducted. Additionally, it is mandated that a Special Juvenile Police Unit be established in each state and that a single officer from the unit be assigned to each police station.

¹⁴⁴ MANU/SCOR/32485/2013.

In *Bachpan Bachao Andolan vs. Union Of India & Ors.*¹⁴⁵ (2014) The following are some astounding guidelines that the Supreme Court issued to address the issue of missing children:

1. All First Information Reports must be registered.
2. The number of police stations in the state in question that have officers assigned to the position of juvenile welfare officer disclosed.
3. Designating volunteer paralegals
4. The existence of an NGO network for missing child recovery and reintegration
5. A provision allowing the police to take a photo graph of each child they find or recover.
6. Developing a standard operating procedure to address child disappearance cases.
7. Cases referred to each state's Anti-Human Trafficking Unit.
8. The Anti-Human Trafficking Unit's status reports.
9. Within one month of the date this order was communicated, all First Information Reports must be registered.

In *Bachpan Bachao and Ors Vs. Union of India (UOI) and Ors, Shramjeevi Mahila Samiti Vs. State and Ors and Kalpana Pandit Vs. State*,¹⁴⁶ decided in a common judgment by the Delhi High Court. Each of the three writ petitions filed as part of the PIL highlights a troubling issue that our society deals with on a daily basis: the threat that child trafficking poses to our community. In the first case, the petitioner, Kalpana Pandit, was employed as a domestic servant and was originally from West Bengal. She arrived in Delhi between 1995 and 1996 as a result of extreme poverty and her inability to find employment. The Petitioner, who had been suffering from a severe illness in the interim, gave her daughter Jharna to Sunita Sen, the proprietor of a placement agency. After getting better from her illness, the petitioner visited Sunita Sen's home to meet her daughter. It was then that she discovered her daughter was employed at a house in Noida. She managed to get the phone number somehow and

¹⁴⁵ MANU/SCOR/39836/2014.

¹⁴⁶ 2012 IAD (Delhi)565: 177 (2011)DLT 198.

tried to call her daughter, but Jharna would not allow her to speak with her. Her persistent requests to Sunita likewise proved fruitless. She didn't find out for another year and a half that her daughter had gone missing on August 29, 2000.

In *Hori Lal vs. Commissioner of Police , Delhi & Ors*¹⁴⁷ The Court established specific guidelines that all State investigation officers must adhere to in order to effectively search for kidnapped minor girls or missing children:

1. Within a week of receiving the FIR, to immediately publish photos of the missing people in newspapers and on television. A missing person's photos must be widely publicized at all notable locations in the city, town, and village as well as at railway stations, airports, interstate bus stops, regional passport offices, and border checkpoints.
2. To inquire from friends, coworkers, acquaintances, and family as well as in the neighborhood, place of employment, or place of study.
3. To get in touch with the missing people's employer, coworkers, class teacher, and students.
4. To interview the missing girl or woman's family, neighbors, teachers, and school friends about their whereabouts.
5. Conduct the appropriate investigations to find out if there have been any prior instances or reports of violence within the family.

3.20 Protection and Assistance: Policies, Program and Initiatives

The Department of Women and Child Development (DWCD), which falls under the ministry of human resource development, is the primary government agency responsible for protection and assistance policies and programs. It serves as the focal point on a national level for the fight against child and woman trafficking in India. Each state government has a department that corresponds to DWCD (ADB 2002, 48). The government was required by the Supreme Court's 1990 ruling in the *Vishal Jeet v. Union of India* case to provide for the victims of commercial sexual exploitation's care,

¹⁴⁷ MANU/SCOR/008/2004.

protection, development, treatment, and rehabilitation, as well as to establish a central advisory committee. A national seminar was held the same year of establishment, following a survey initiated by the Central Social Welfare Board. This led to a national consultation in 1994, accompanied by six regional workshops to develop strategies involving diverse stakeholders. The Indian Leadership Forum Against Trafficking (ILFAT) has raised concerns to the Ministry of Women and Child Development regarding gaps in the Trafficking in Persons (Prevention, Care & Rehabilitation) Draft Bill 2021, set for discussion in the forthcoming Winter session of Parliament.

3.20.1 National Plan

The DWCD devised a comprehensive national action plan in 1998 to address trafficking and the commercial sexual exploitation of women. It encompassed prevention, awareness-raising, economic empowerment of women, rescue, rehabilitation, and various social welfare measures, including education and shelter provisions. While commended for its inclusion of psychological counseling in health services, criticisms highlight shortcomings such as the absence of integrated intelligence on trafficking-related activities and funding details. Additionally, concerns were raised about the exclusion of child pornography and potential implementation challenges. Suggestions to separate children of prostitutes from their mothers faced backlash for infringing on familial rights. The plan was also faulted for lacking specific measures to identify and prosecute traffickers. The rapporteur states that "accountable state institutions are better vehicles for enforcement than social surveillance" and that the method of "social surveillance" to combat trafficking is not considered advisory. Regarding "laws and strategies for identifying and punishing traffickers," the plan is silent (United Nations 2001, 32).

3.20.2 Prevention

The ADB country report on India details various anti-poverty and pro-women programs introduced by various ministries that may shield vulnerable groups from human trafficking. According to the Working Women's Forum, effective source area programming necessitates a holistic approach, which is acknowledged in the report

(ADB 2002, 78). The Integrated Child Development Scheme (ICDS) and Swarn Jayanthi Swa Rozgar Yojana are two of the government programs mentioned. The Swadhar scheme, launched in December 2001, is intended for women in challenging situations, such as rescued victims of trafficking (DWCD 2001). The DWCD intends to develop a national media plan as well. The state partners are in charge of state-level initiatives. The Jabali scheme in Madhya Pradesh targets the Bhedia, Bhancadara, and Sansui tribes and adopts an inclusive strategy programs for victims' children (Ibid.: 57).

3.20.3 Rehabilitation

Women are primarily placed in government-run homes for protective custody during the rehabilitation process, either until their cases are heard or until they are sent back to their original homes. These government-run homes have come under fire for a number of flaws. Corruption, subpar infrastructure, tight budgets, insufficient support for mental health care, and ineffective skill development (DWCD 1996). The majority of women end up sitting around for extended periods of time, and those who do not want to be rescued see their homes as prisons. They can only be found close to the houses. "Protective custody as practiced in South Asia is a serious violation of women's rights, and it is crucial that governments in the area re-examine both this idea and the conditions in the government homes where women are kept." (United Nations 2001, 12). It appears that the Bombay High Court mandated that these homes be under the supervision of outside agencies (ADB 2002, 61). States like Haryana have fallen short in offering temporary housing for young girls. The rescued girls are being kept in nariniketans, which is against the law, due to a lack of adequate facilities. According to the Juvenile Justice Act, short-stay homes and juvenile homes are to be established for the protection and rehabilitation of young girls (Gupta 2003). Only a few of the required states have provided these homes, despite the requirement. The homes that have been constructed are overcrowded and underequipped to meet the most fundamental requirements. Additionally, the Juvenile Welfare Board has come under fire for operating largely in isolation (Nirmala Niketan 2003).

The rehabilitation of trafficking victims can be a challenging endeavor. For instance, a young woman who became pregnant and was "rescued" refused to have an abortion. These children must be institutionalized when the parents are deemed unfit or unreliable. There aren't many foster homes, though. The parents are given custody of the child in the absence of a special court hearing the case. This is a problem because the child will probably be trafficked again (Ibid). Additionally, there have been instances where CSE victims organized them, persistently resisted eviction and brothel closure, and demanded appropriate rehabilitation facilities before any action was taken.

3.20.4 Reintegration

The biggest barriers to reintegration are perceived to be social stigma and rejection (Shah 2003). In addition to the stigma making it difficult to find alternative employment, any source of income that pays less than Rs. 5,000 to 8,000 per month is unviable, and the saved girls frequently return to commercial sex work. There aren't enough recovery, repatriation, and reintegration models that prioritize the preferences and interests of trafficked women and children, according to some studies. Additionally, there are few programs for comprehensive rehabilitation and few support systems. By sensationalizing the situation and revealing the victims' identities, the media impedes the rehabilitation process.

3.20.5 Patterns of media coverage

"Media coverage focuses on activities related to commercial sexual exploitation of women and children," rather than the entire process of trafficking, when discussing the issue of trafficking in women and children. Reports in the media emphasize the "exploitation of sex workers by brothel owners, pimps, and law enforcement agencies; nexus between politicians, traffickers, and enforcement agencies; initiatives taken by NGOs and other civil society organizations; case studies of specific victims; incidents of police raids on brothel houses and arrests of people caught during the raids; and, seminars, and workshops organized on the problem of trafficking." (ADB 2002, 65).

3.20.6 Rescued Foreign Women

In India, there are no laws governing the return of trafficked individuals to Bangladesh or Nepal. These NGOs "have built relationships with several NGOs across the border to lease with the Nepal Embassy and Bangladesh High Commission in repatriation of trafficked women and children," according to an NGO statement. 200 women are reportedly waiting to be returned to Bangladesh (Ibid: 26-27). Girls who have been rescued are frequently forced back into prostitution after being left at the border or left to rot in holes (DWCD 1998). In addition, there is little information available about the difficulties in reintegrating women and children from Bangladesh or Nepal. Only across India's international borders with Nepal and Bangladesh are NGOs and partner organizations able to assist with repatriation.

3.21 Trends in Trafficking

Some of the trends mentioned in the literature point to an increase in both the volume and significance of human trafficking. According to reports, trafficking "has taken on grave global dimensions in the recent context of globalization." (D'Cunha 2002). Along with an increase in unauthorized and undocumented migration within the region, this trend is present (Sanghera 1999). With new sources and destinations, the flows now encompass the majority of the world's nations (D'Cunha 2002: 3). The "global sophistication, complexity, and consolidation of trafficking networks" has increased and is said to include a variety of advanced mechanisms (Ibid: 5); the penetration of organized crime groups has increased as well (Sanghera 1999). Even though there are other reasons why people are trafficked, commercial sexual exploitation continues to be the main motivator. Its complex socioeconomic and political foundation, which is emphasized by class, gender, and ethnic concerns, has also been brought to light. The inclusion of men and very young children is reportedly preferred (D'Cunha 2002, 3). Other trends noted by D'Cunha and mentioned in almost all reports include "hefty profits, which by some estimates exceed those of the illicit drug and arms trades... Strong ties between trafficking networks and public officials...vertical and horizontal connections between trafficking networks and criminal enterprises, including the transportation and tourism industries" (Ibid.). It has also been

noted that "fewer victims are being kidnapped or abducted in the current context of globalization and migration." In actuality, the vast majority are victims of human trafficking that involves deceit and false promises (United Nations 2001).

3.22 National Strategy to Combat Human Trafficking¹⁴⁸

Marginalized communities, demand-reduction tactics, addressing trafficking in supply chains, and utilizing a variety of legal and technological tools, the Department continues to strengthen its ability to prevent human trafficking. The Department of Justice's initiatives to stop human trafficking are detailed in this section. To be more precise, Department of Justice will improve detection and enforcement activities by utilizing its administrative and civil authority, examining creative demand-reduction tactics, and leveraging its current prevention initiatives.

A. Leverage Existing Prevention Initiatives

The Department of Justice will step up its support of current programs that have been shown to be successful in stopping human trafficking. These include programs aimed at finding missing children and lessening the vulnerability of American Indians and Alaska Natives to violent crime, including human trafficking.

B. Examine Innovative Demand Reduction Strategies

Numerous studies on domestic and international efforts to reduce the demand for sex trafficking have been conducted, but there are few reliable indicators of how effective these efforts have been. Preventive actions and responses from the criminal justice system work together to reduce the demand for sex trafficking. On the other hand, there is disagreement among advocacy groups, governmental actors, and survivors of human trafficking regarding the best ways to lower demand. This is especially true when it comes to the effects of law enforcement tactics meant to disrupt the market and the decriminalization of some or all parties involved in the commercial

¹⁴⁸ National strategy to Combat Human Trafficking. January 2022. Pp. 37-42, Retrieved from https://www.justice.gov/d9/pressreleases/attachments/2022/01/31/Department_of_Justice_ht_strategy.pdf

sex industry. It can be difficult to reduce demand in relation to labor trafficking since, in part because labor has not been the focus of most demand-reduction initiatives, anti-trafficking practitioners do not fully understand this concept. Although there is general consensus that efforts to combat labor trafficking should not be neglected, there is disagreement over the nature of the demand for forced labor or goods made using forced labor in legitimate business sectors. Therefore, further research is needed to identify the specific aspects of demand that should be decreased.

The working group, which is co-chaired by the departments of Justice, Health, and Education, has examined the federal government's ongoing efforts to reduce demand, compiled the body of research on the subject, and held a number of listening sessions with advocates, survivors, and other experts to hear their perspectives on the situation and offer recommendations for federal action. For instance, the Working Group met and discussed, upon request, the report of the Organization for Security and Cooperation in Europe's Special Representative and Coordinator for Combating Trafficking in Human Beings. Through the Working Group, Department of Justice will continue to look at demand-reduction tactics in the upcoming year and assess options for additional action. In addition to conducting research to support evidence-based demand-reduction initiatives, Department of Justice will produce training on dismantling illicit massage industry enterprises in order to improve its examination of demand reduction strategies.

C. Utilize Civil and Administrative Authority

Enacted in December 2018, Title 18 Section 1595A permits the Attorney General to file civil lawsuits to prevent future violations of Chapters 77, 110, or 117, as well as conspiracies to violate those provisions. This is a potentially very helpful new tool that cuts across the criminal and civil equities of Department of Justice components in order to prevent human trafficking violations. In order to guarantee the consistent distribution of information regarding the efficient utilization of this instrument, a national subject-matter expert must be designated.

3.23 Conclusion

The United Nations (2008)¹⁴⁹ highlights numerous ways in which these anti-trafficking policies and initiatives could be made more effective while also summarizing the major responses to human trafficking launched over the past ten years. It emphasizes in particular how important it is to gather information about the numbers of victims of trafficking and the types of exploitation to which they are subject so that prevention programs and nearly all other anti-trafficking initiatives can be tailored to the task at hand. The implication is that anti-trafficking initiatives shouldn't be motivated by widely reported but unsupported estimates that have occasionally greatly overestimated or seriously underestimated the number of people trafficked. It is not the responsibility of any one body or mechanism within the United Nations system to ensure that these standards are followed or to advise States when the level of protection and assistance is significantly less than what is required by the standards. As a result, it should come as no surprise that many trafficked individuals choose not to get in touch with the organizations set up to protect or assist them. This has unfortunate repercussions for both the individual being trafficked, who is unable to receive assistance, and for the States, which are hindered in their efforts to prosecute offenders. Raising these standards and creating mechanisms for reciprocal state accountability for the caliber of the protection and assistance they offer appear to be top priorities. It is perhaps not surprising that responses to trafficking have been so varied given the wide range of (and occasionally conflicting) recommendations made to Governments by international, regional, and specialized organizations. It is encouraging that "good practice" has received more attention in recent years, but there are still no established procedures that would enable various institutions and States to debate and come to an understanding about what qualifies as "good practice." Overcoming this obstacle and prioritizing agreement on what "good practice" is going forward should ensure that anti-trafficking initiatives are more successful and that funding designated for stopping human trafficking is used more effectively.

REFERENCES

¹⁴⁹ United Nations (2008). An Introduction to Human Trafficking: Vulnerability, Impact and Action. New York. Retrieved from https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf

1. American Psychological Association, Task Force on Trafficking of Women and Girls. (2014). Report of the Task Force on Trafficking of Women and Girls. Retrieved from <http://www.apa.org/pi/women/programs/trafficking/report.aspx>
2. Aronowitz, A. A. (2009). Human trafficking, human misery: the global trade in humanbeings. Greenwood Publishing Group.
3. Bales, K. (2007). What predicts human trafficking? *International Journal of Comparative and Applied Criminal Justice*, 31(2), 269-279.
4. Basu, A. K., & Chau, N. H. (2004). Exploitation of child labour and the dynamics of debt bondage. *Journal of Economic Growth*, 9(2), 209-238.
5. Bohl, K. (2010). Human trafficking as a livelihood strategy? (Doctoral dissertation, Master Thesis in Culture).
6. Carole S. Vance. Innocence and Experience: Melodramatic Narratives of Sex Trafficking and Their Consequences for Law and Policy. Source: *History of the Present* , Vol. 2, No. 2 (Fall 2012), pp. 200-218. Retrieved from <https://www.jstor.org/stable/10.5406/historypresent.2.2.0200>
7. Census. (2011). Retrieved from <http://www.census2011.co.in/census/district/398-sundargarh.html> CIF (n.d.). Retrieved from <http://www.childlineindia.org.in/child-trafficking-india.htm>
8. Dinh, N., Hughes, C., Hughes, J. W., & Maurer-Fazio, M. (2014). Human Trafficking in Southeast Asia: Results from a Pilot Project in Vietnam. Available at SSRN 2528778.
9. Doezema, J. (2002). Who gets to choose? Coercion, consent, and the UN Trafficking Protocol. *Gender & Development*, 10(1), 20-27.
10. Dorothy Neriah Muraya and Deborah Fry (2016). Aftercare Services for Child Victims of SexTrafficking, Source: *A Systematic Review of Policy and Practice. Trauma, Violence &Abuse*, Vol. 17, No. 2 (April 2016), pp. 204-220, Published

by: Sage Publications, Inc, Retrieved from
<https://www.jstor.org/stable/10.2307/26638396>

11. Edward Snajdr. Beneath the master narrative: human trafficking, myths of sexual slavery and ethnographic realities. Source: *Dialectical Anthropology*, June 2013, Vol. 37, No. 2, Special Issue: Anti-Anti-Trafficking? Toward Critical Ethnographies of Human Trafficking (June 2013), pp. 229-256, Retrieved from <https://www.jstor.org/stable/42635397>
12. Fowler, J., & UNIC EF. (2004). Human Trafficking in Africa Fuelled by War, Economic Hardship, and Lack of Birth Registration."
13. Friebel, Guido & Sergei Guriev. (2004). "Smuggling Humans: A Theory of Debt Financed Migration", Discussion Paper, 1025, IZA, Bonn, Germany.
14. Gallagher, A. (2001). Human rights and the new UN protocols on trafficking and migrant smuggling: A preliminary analysis. *Human Rights Quarterly*, 23(4), 975-1004.
15. Ganguly Enakshi (2016). Child Trafficking in India. Retrieved from https://www.researchgate.net/publication/304657887_Child_Trafficking_in_India/link/5776338e08aeb9427e27573a/download Pp.47-48.
16. Getu, M. (2006). Human trafficking and development: The role of microfinance. *Transformation*, 23(3), 142-156.
17. Ghosh, B. (2009). Trafficking in women and children in India: nature, dimensions and strategies for prevention. *The International Journal of Human Rights*, 13(5), 716-738.
18. Government of India: The Constitution of India
19. Government of India: Social Welfare in India.
20. Gupta, J., Reed, E., Kershaw, T., & Blankenship, K. M. (2011). History of sex trafficking, recent experiences of violence, and HIV vulnerability among female

- sex workers in coastal Andhra Pradesh, India. *International Journal of Gynecology & Obstetrics*, 114(2), 101-105.
21. Hameeda, S., Hlatshwayo, S., Tanner, E., Turker, M., & Yang, J. (2010). *Human Trafficking in India: Dynamic, Current Efforts, and Intervention Opportunities for the Asia Foundation*. Report by Stanford University for the Asia Foundation.
 22. Huda, S. (2006). Sex trafficking in South Asia. *International journal of gynaecology & obstetrics*, 94(3), 374-381.
 23. ILO, A. (2005). *Global Alliance against Forced Labour*. ILO, Geneva.
 - Iselin, B., & Adams, M. (2003). *Distinguishing between human trafficking and people smuggling*. UN Office on Drugs and Crime, Regional Centre for East Asia and the Pacific, Bangkok, 10.
 24. Jogan Shankar (1992). *Social Problems and Welfare in India*. USA: South Asia Books.
 25. Kangaspunta, K. (2011). *Trafficking in persons*. *Routledge Handbook of Criminology*, 178.
 26. Kligman, G., & Limoncelli, S. (2005). *Trafficking women after socialism: From, to, and through Eastern Europe*. *Social Politics: International Studies in Gender, State and Society*, 12(1), 118-140.
 27. Kyle, D., & Koslowski, R. (Eds.). (2011). *Global human smuggling: Comparative perspectives*. JHU Press.
 28. Lindsey King. *International Law and Human Trafficking*, Retrieved from https://sherloc.unodc.org/cld/uploads/res/bibliography/international_law_and_human_trafficking_html/InternationalLaw.pdf
 29. Miko, F. T., & Park, G. (2003). *Trafficking in women and children: The US and international response*. Congressional Research Service, Library of Congress.

30. Mudasir Ahmad Bhat (2014). *Emerging Dimensions of Human Trafficking: A Critique of The Efficacy of Legal Framework*, A Thesis submitted to the Faculty of Law, Panjab University, Chandigarh for the Degree of Doctor of Philosophy.
31. Nadia Diamond-Smith and David Bishai. Evidence of Self-correction of Child Sex Ratios in India: A District-Level Analysis of Child Sex Ratios From 1981 to 2011. Source: *Demography*, April 2015, Vol. 52, No. 2 (April 2015), pp. 641-666. Retrieved from <https://www.jstor.org/stable/43699133>
32. Nair, P. M., & Sen, S. (2005). *Trafficking in women and children in India*. Orient Blackswan.
33. National strategy to Combat Human Trafficking. January 2022. Pp. 37-42, Retrieved from https://www.justice.gov/d9/press-releases/attachments/2022/01/31/Department_of_Justice_ht_strategy.pdf
34. Orhant, M., & Murphy, E. (2002). *Trafficking in Persons. Reproductive Health and Rights: Reaching the Hardly Reached*. Washington, DC: PATH.
35. Panda, S. M. (2013). 5 Exploring mobile livelihoods among tribal communities in Odisha, India. *Gender, Mobilities and Livelihood Transformations: Comparing Indigenous People in China, India and Laos: Comparing Indigenous People in China, India, and Laos*, 93.
36. P. Subiksha and M. Kannappan. A Study on Child Trafficking in India. *International Journal of Pure and Applied Mathematics*, Volume 119 No. 17 2018, 1397-1409, retrieved from <https://acadpubl.eu/hub/2018-119-17/2/116.pdf>
37. Richards, K. (2004). The trafficking of migrant workers: what are the links between labour trafficking and corruption? *International Migration*, 42(5), 147-168.
38. R. Monica J. and Lalith Kumar. CHILD TRAFFICKING IN INDIA. *IJARIE*, Vol-3 Issue-4 2017, Retrieved from http://ijarie.com/AdminUploadPdf/Child_Trafficking_in_India_ijarie5843.pdf

39. Salt, J. (2000). Trafficking and human smuggling: A European perspective. *International Migration*, 38(3), 31-56.
40. Sharma Usha (2013). Gender Mainstreaming and Women's Rights.
41. Shelley, L. (2007). Human trafficking as a form of transnational crime. *Human trafficking*, 116-137.
42. Shetty, J. (2012). Loss of tribal land and displacement: Impact on women. *Afro Asian Journal of Anthropology and Social Policy*, 3(2), 71-79.
43. Skeldon, R. (2000). Trafficking: a perspective from Asia. *International migration*, 38(3), 7-30.
44. S. Subramanian (2015). *Human Rights: International Challenges*. Manas Publication.
45. Tumlin, K. C. (2000). Trafficking in children and women: A regional overview. ILO. United Nations Office on Drugs and Crime (n.d.). *Human Trafficking*. Accessed on 5th February, 2015 from <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html?ref=menu>
46. United Nations (2008). *An Introduction to Human Trafficking: Vulnerability, Impact and Action*. New York. Retrieved from https://www.unodc.org/documents/humantrafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf
47. United Nations Office on Drugs and Crime, Chawla, S., Me, A., & Le Pichon, T. (2009). *Global Report on Trafficking in Persons: Human Trafficking a Crime that Shames Us All*.
48. United Nations (2000). United Nations Office on Drugs and Crime. Retrieved <http://www.ohchr.org/EN/ProfessionalInterest/ProtocolTraffickingInPersons.aspx>
49. Van Impe, K. (2000). People for sale: The need for a multidisciplinary approach towards human trafficking. *International Migration*, 38(3), 113-191.

50. Väyrynen, R. (2003). Illegal immigration, human trafficking, and organized crime (No.2003/72). WIDER Discussion Papers//World Institute for Development Economics (UNU-WIDER).
51. Wheaton, E. M., Schauer, E. J., & Galli, T. V. (2010). Economics of human trafficking. *International Migration*, 48(4), 114-141.

CHAPTER - 4

NATURE OF CHILD TRAFFICKING AND ROLE AND FUNCTIONS OF NGOS IN CHILD TRAFFICKING

4.1 Introduction

In India, the complex process of human trafficking often starts when family members neglect their responsibility to protect and take care of the victim. However, in many cases, this results in the victim being trafficked by a third group of individuals and forced into the profession of a commercial sex worker, or prostitute.¹⁵⁰ Trafficking, according to the Oxford Dictionary, refers to the illegal sale of something. It also introduces new vocabulary words like "human trafficking," "drug trafficking," and "arms trafficking." The term "human trafficking" has a conceptual meaning that describes the illegal practice of treating people like commodities for profit and subjecting them to long-term exploitation after being trafficked.¹⁵¹ Human rights are gravely violated and serious crimes are committed when people are trafficked. One of the most heinous types of human rights violations is the transportation, harboring, or reception of people under duress, through kidnapping, or through fraud with the intent to exploit them. As a result, human lives are grossly commercialized and turned into commodities, making human trafficking the most serious threat to human dignity and rights.

Nevertheless, Article 23 of the fundamental rights prohibits trafficking in persons as well as other forms of forced labor that are similar to it, and this is specifically prohibited by the Indian Constitution.¹⁵² Still, traffickers take advantage of the victimized people and make them live like animals. Women and children are the weakest and vulnerable members of society, and they are the main targets of human

¹⁵⁰ Ashok K Jain, *Socio- Economic Offences 35-40* (Ascent Publications, Delhi, 2016).

¹⁵¹ Sen S, Nair PM, —A Report on trafficking on women and children in India 2002-2003 440 (Institute of Social Sciences, NHRC & UNIFEM, India; 2004).

¹⁵² J.N. Pandey, *The Constitutional Law of India 299-304* (Central Law Agency, Allahabad, 45th edn., 2008).

trafficking, which severely infringes on their dignity and human rights. As a result, society bears equal responsibility for this threat. This makes "human trafficking one of the three most lucrative forms of organized crime, after drugs and arms," according to one study.¹⁵³

4.2 Human Trafficking in India¹⁵⁴

In India, human trafficking has grown to be a significant problem, especially involving women and children. Trafficking is an organized crime whose lifeblood is human suffering. Even though the Indian government has taken strong action, trafficking gangs and rackets have grown into newer forms of trafficking. Because of how far crime has spread, this social and criminal threat now affects almost all states. Although there is still trafficking for the purpose of commercial sexual exploitation, there has been a recent increase in the trafficking of women and children for forced labor, bondage, and slavery. The following situational analysis outlines the various facets of human trafficking that occur in India:¹⁵⁵

4.2.1 Child Labor and Trafficking

There is a growing trend of child labor trafficking and migration in many parts of the country. Because of the socioeconomic conditions, a lot of children are moving to major cities from economically depressed areas in search of work. Many of these cases involve middlemen and agents who, among other things, give meager advances to the parents and make false promises of lucrative jobs in order to bring children to employers in the city. These kids labor under incredibly exploitative circumstances, which include long hours, low pay, and difficult and unhygienic working conditions. These young people are usually employed in domestic work, dhabas (regional highway restaurants), jewelry manufacturing, zari (gold thread work), tea stalls, etc. They are often confined to the confines of their places of employment, which robs them of their

¹⁵³ Sen, Sankar & Nair, P.M. Trafficking in Women and Children in India 191 (Orient Longman Pvt. Ltd., New Delhi, 2005).

¹⁵⁴ UNODC (2013). India Country Assessment Report: Current Status of Victim Service Providers and Criminal Justice Actors on Anti Human Trafficking. A Review Commissioned by UNODC.

¹⁵⁵ UNODC (2013). India Country Assessment Report: Current Status of Victim Service Providers and Criminal Justice Actors on Anti Human Trafficking. A Review Commissioned by UNODC.

freedom and exposes them to mistreatment. There are reports of child labor trafficking and migration from Bangladesh and Nepal, two nearby countries.

4.2.2 Child Trafficking for Domestic Help and Maids

Children from the states of Jharkhand, Chhattisgarh, Odisha, Assam, West Bengal, and Madhya Pradesh are increasingly being trafficked for use as domestic labourers. The illegal placement agencies are involved in child trafficking. The majority of these placement agencies are situated in Delhi and the surrounding National Capital Region (NCR). By bringing in children from these states, these placement agencies are making enormous profits.

4.2.3 Trafficking and Placement Agencies¹⁵⁶

The placement agencies' strategy is to lure kids from remote tribal villages into their recruitment by promising them jobs. The employers receive custody of the kids after the money has been paid. The youngsters are required to work 10 to 14 hours per day without pay or breaks. The advance payment collected by the placement agencies never makes it to the child's family. After some time, these kids bond together and are made to work. Many of these kids have come forward to report torture, violence, and physical and sexual abuse. The rescue doesn't happen until information about their conditions reaches the police. Between 2010 and 2012, the Delhi Police's Crime Branch and a number of organizations carried out hundreds of such children's rescue operations.

The Department of Labour in the Delhi Government drafted the Delhi Private Placement Agencies (Regulation) Bill, 2012 in response to the concerns raised by the growth of placement agencies and their involvement in child trafficking. Numerous of these placement organizations are child trafficking-focused organized crime gangs. In order to avoid prosecution, they frequently change both their addresses and the name of the company. In the source areas, these agencies also have very robust networks. The parents are discouraged from filing complaints by being threatened. Investigations have

¹⁵⁶ UNODC (2013). India Country Assessment Report: Current Status of Victim Service Providers and Criminal Justice Actors on Anti Human Trafficking. A Review Commissioned by UNODC.

shown that these agencies are to blame for both the national missing children statistic and the trafficking of thousands of children.

4.2.4 Trafficking for Forced Marriages

The promise of a happy marriage to a wealthy man in Punjab or Haryana, often presented as a voluntary union, attracts thousands of young girls and women each year. The majority of "purchased brides" suffer from exploitation, deprivation of basic rights, duplication as maids, and eventual abandonment. It is impossible to find a bride for every man due to skewed sex ratios (Punjab has 893 and Haryana has 877 females per 1,000 males), so "importing a bride" has emerged as the only option. It will take many years for the demographic situation in these states to stabilize because it has become so skewed. Due to the high demand for women of "marriageable age," organized trafficking rings have begun operating in Haryana, Punjab, and Uttar Pradesh.

A Drishti Stree Adhyayan Prabodhan Kendra NGO field study on the impact of sex ratio on the pattern of marriages in Haryana, which involved over 10,000 households, found that over 9,000 married women in the state were bought from other States. According to the study, the majority of the 92 villages in the districts of Mahendragarh, Sirsa, Karnal, Sonapat, and Mewat accepted it as a common practice, but denied buying a bride for their family. Due to their families' need for money, the majority of women and girls who are forced into marriages come from Assam, West Bengal, Jharkhand, Bihar, and Odisha's impoverished villages. As a result, these families fall prey to human traffickers. The majority are untraceable, mistreated, or duplicated by the men who marry or purchase them as domestic servants. There are also cases where girls who have been married for a while are resold to different people.¹⁵⁷

4.2.5 Commercial Sexual Exploitation through Trafficking

The top source states in India for trafficking to the red light districts are still Karnataka, Andhra Pradesh, Maharashtra, West Bengal, and Odisha. Modernization has brought about a change in the commercial exploitation of children and women for

¹⁵⁷ <http://www.thehindu.com/news/national/article2400857.ece>,

prostitution. Prostitution has always been prevalent in red light districts, but by offering services on demand, the industry has grown outside of these districts and become much more organized. The traffickers have benefited from this by making the most money possible and gaining access to lucrative clients. Even now, they are promoting their offerings online and in newspapers. Deals are made over the phone, and online transactions take place. These organizations have proliferated all over the nation, and despite significant police intervention via the AHTUs, business is still growing.

According to a well-known news source, the Common Wealth of Independent States (CIS), which is made up of the nations of Georgia, Ukraine, Kazakhstan, Uzbekistan, Azerbaijan, Chechnya, and Kyrgyzstan, has seen an increase in prostitution networks in India.¹⁵⁸ The majority of the business is done online and has developed into a money-making enterprise.

4.2.6 Kidnapping Rackets and Denotified Tribes

The denotified tribes were discovered by police investigations in Agra, Madhya Pradesh, Rajasthan, Delhi¹⁵⁹ (also known as criminal tribes) like the Bedia, Nat, Kanjar, Banjara etc. The practice of prostitution as a family tradition has been linked to the abduction of young girls from all over North India. They abduct young girls and raise them as their own. To make the young girls appear older, they inject them with hormones like oxytocin.¹⁶⁰ The victims are then employed in prostitution rings in Dubai and other Middle Eastern countries, as well as as dancers in bars in Mumbai. Police investigations in a village in the Alwar district of Rajasthan have revealed that the women from these villages possess numerous passports. Similar activity is very common, according to Madhya Pradesh police investigations in the Mandasaur district.¹⁶¹

4.2.7 Middle Eastern Prostitution Victim Supply

¹⁵⁸ <http://indiatoday.intoday.in/story/the+new+white+flesh+trade/1/80283.html>

¹⁵⁹ http://en.wikipedia.org/wiki/Denotified_Tribes

¹⁶⁰ <http://indiatoday.intoday.in/story/Girls+drugged+into+puberty,+sold+as+prostitutes/1/99132.html>

¹⁶¹ <http://daily.bhaskar.com/article/MP-OTC-32-girls-abducted-for-brothels-rescued-2628838.html>

Victims from India are being sent to the Middle East on a regular basis to work as actors and performers for sex gangs there. Numerous groups being transported from airports to Dubai have been detained by Mumbai police. Similar police investigations conducted in Delhi and Kerala have revealed a thriving market for procuring prostitution victims in India.¹⁶² In August 2012, one of the victims reported to the Mumbai Police that she had been forced to participate in a dance performance in the Gulf States.

4.2.8 Trafficking and Adoption Rackets

The trafficking of children for adoption has increased. By giving them money, the traffickers buy children from poor and struggling families, who they then misrepresent as their own for international adoption. According to police investigations, there are a lot of these cases, both in Delhi and throughout the country.¹⁶³ Reports state that there have been instances of unlicensed adoption agencies selling off kids for adoption in Delhi, Jharkhand, Andhra Pradesh, and Maharashtra. Despite the establishment of a central agency by the Indian government to supervise adoptions, the practice of obtaining children for adoption through financial inducements has proliferated.

4.3 Defining Trafficking

The Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which was adopted in 2000 and entered into force in December 2003 as an add-on to the United Nations Convention against Transnational Organized Crime (Trafficking Protocol), may have helped to achieve the much-desired and broad consensus on a practical definition of trafficking at the international level.

According to Article 3 of the Protocol, trafficking is:

- (a) "Trafficking in persons" refers to the act of obtaining a person's consent to be exploited by hiring, transporting, transferring, harboring, or receiving them

¹⁶² <http://www.siasat.com/english/news/sex-racket-involving-300-girls-busted>

¹⁶³ http://articles.timesofindia.indiatimes.com/2010-10-19/delhi/28262187_1_child-trafficking-childless-couples-police-zero

through the threat of, or actual use of, force or other coercive measures, kidnapping, fraud, deception, abuse of power, exploiting vulnerability, or providing or receiving benefits in exchange for a person's cooperation. A minimum definition of exploitation is the use of another person for prostitution or other forms of sexual exploitation, forced labor or services, slavery or acts that are similar to slavery, servitude, or organ harvesting;

- (b) Where any of the means listed in subparagraph (a) have been used, the victim of human trafficking's consent to the intended exploitation set forth in that subparagraph shall be irrelevant;
- (c) Even if it does not use any of the methods listed in subparagraph (a) of this article, the recruitment, transportation, transfer, harboring, or receipt of a child for the purpose of exploitation shall be deemed to be "trafficking in persons";
- (d) Any individual under the age of eighteen is referred to as a "child."

4.4 Trafficking in Gujarat

One state where women and children are not frequently trafficked is Gujarat. But the vice is still present in some measure. In brothels and other places close to highways, thousands of women engage in commercial sex. Although Surat's redlight district was closed in 2003, the industry has since expanded throughout the city and is still allowed to operate as flying sex workers, friendship clubs, and massage parlors. There are no redlight areas in Ahmedabad, but the sex industry is booming there, drawing customers from Bangladesh, West Bengal, and Odisha. Gujarat is a common place where migrants go.¹⁶⁴

Trafficking in children for work is a serious problem in Gujarat. Children are transported to work as child laborers in the jewelry polishing and diamond cutting industries from Bihar, Rajasthan, Uttarakhand, Uttar Pradesh, and Madhya Pradesh. For use as child labor in the artificial pollination process in "Bt Cottonseed Farms," a large number of children are being trafficked from Rajasthan (particularly from the districts

¹⁶⁴ Migration, trafficking and sites of work: Rights and vulnerabilities- A study in Rajasthan and Gujarat by Jagori, 2007.

of Udaipur, Banswara, and Dungarpur in the Udaipur division) to Gujarat (Banaskanta, Sambarkanta, and Patan districts). Young children between the ages of 8 and 15 are the ideal candidates for the same job. Gujarat's agricultural economy has grown through time, thanks in part to the production of Bt cotton, which increased by 16.6% in the previous year.

The women of the Sarania tribe engage in traditional prostitution in Gujarat's Sabarkantha district. Because of custom, the women in this community are forced to participate in sexual activities. Recently, the entire community attended a mass wedding organized by the non-governmental organization Vicharta Samudaya Samarthan Manch, which works to prevent women and girls from being trafficked or forced into traditional prostitution. Once again, the majority of the girls who had married said that they had done so to protect themselves from being coerced into prostitution.

Raids in Uttar Pradesh, Madhya Pradesh, and Maharashtra have revealed a rising trend of Gujarati victims. Maharashtra police officials have reported that trafficking is increasingly coming from Gujarat and Rajasthan. Gujarat's data on missing women and children, which indicates a substantial number of missing women and children, supports the trend. Additionally, there have been rumors that some of the victims are from Bangladesh. These days, transnational traffickers have strong ties to Gujarat, especially those from Bangladesh.¹⁶⁵ The Jharkhand-Delhi-Gujarat route is used by traffickers. On all the routes that lead from Rajasthan to Gujarat, there is an issue with child trafficking for labor. Furthermore, trafficking incidents from Gujarat to Madhya Pradesh and Maharashtra have been reported.

4.5 Gujarat Government Initiative

Gujarat's government has taken action to stop human trafficking in the region. The Principal Secretary, Department of Women and Child Development, Government of Gujarat, is in charge of the State Advisory Committee, which was established by the Department of Women and Child Development. In compliance with the Immoral

¹⁶⁵ <http://indiatoday.intoday.in/story/bengali-speaking-girls-human-trafficking-kutch-flesh-trade/1/213428.html>

Trafficking Prevention Act of 1956, the committee was established. The departments of Home, Law, Women and Child Development, Gujarat Women Economic Development Nigam Limited, Gujarat State Social Welfare Board, Mahila Suraksha Samiti, Social Defense Department, and Gandhinagar are among the members of the committee. The government has also undertaken other notable initiatives. In the Surat district's village bhatha, Taluka Choryasi, five acres of land have been set aside for the housing and accommodations of sex workers. This colony will have amenities like a primary school, primary health center, and anganwadi. The department has developed a training program for 150 sex workers in association with NIFT. Partnerships have been established with companies like Haria Garments in order to purchase textile products. Fifty sex workers in the clothing industry were trained by NIFT.

The Social Defense Directorate complied with the Women and Child Development Department's decision to provide sewing machines to twenty-four sex workers in Surat. A government-run children's home has been assigned to 51 children of sex workers in order to provide for their safety and protection, as well as proper medical attention, rehabilitation, and vocational training. For the 40 sex workers in Surat, the government has launched a training program to prepare cotton toys in partnership with the non-governmental organization Shantaba Gajera Trust. In addition, the government took the initiative and organized multiple training sessions and workshops for judges, law enforcement, non-governmental organizations, Child Welfare Committee members, and other government workers on the Juvenile Justice (Care and Protection of Children) Act. In accordance with Section 68 of the Juvenile Justice (Care and Protection of Children) Act, the State Government has published rules in the official gazette to carry out the Act's objectives. NGOs and the government work together to manage Gujarat's 123 victim-focused protective homes. All district authorities received letters or advisories about the 1956 Immoral Trafficking Prevention Act.

4.6 Missing Statement of Children and Women

Numerous women and children have been reported missing to the Gujarat police. Compared to the 4,120 missing women in 2010, there are 1,818 more missing

girls, or girls. In 2010, there were 2,890 reported cases of missing children. Since 2006, there have been an increasing number of missing children overall. In 2011, Gujarat Police conducted special drives throughout all of the districts and cities in an effort to locate the missing children.

4.7 Anti Human Trafficking Unit (AHTU)

The Gujarat State's Nodal Agency for the fight against human trafficking is the State CID Crime. Statewide coordination of the state's anti-human trafficking initiatives is handled by a deputy inspector general of police nodal officer. In compliance with Standing Order No. 9/94 of September 21, 1994, the Gujarat DG & IG of Police has designated as Special Police Officers all police inspectors, circle police inspectors, police of the local crime branch, police of the detection of crime branch, all ACPs, ASPs, Dy. SP, and SDPOs of divisions within the state of Gujarat. On September 22, 2005, the Gujarati government reorganized the Gujarat State Coordination Committee in compliance with the ITPA. The aforementioned committee conducts a quarterly review of the issue of human trafficking under the direction of the Chief Secretary of State.

4.8 Role and Function of NGOs in Child Trafficking¹⁶⁶

Everyone is occupied with finding quick, clever ways to make money in an organized manner because, as we are all aware, trafficking has evolved into a disease that is spreading quickly throughout the entire world, leaving no place untouched. Because organized crime has evolved into human trafficking, chances for rescue have decreased. Once a person falls into the trap of the traffickers by entering the vicious cycle, there is no way to escape until it is too late or a miracle occurs. Unfortunately, our government or police frequently pull off miracles like this, necessitating the initiative of non-governmental organizations every time because police authorities prefer to keep their hands off of such things in general. Therefore, NGOs are the only

¹⁶⁶ Apeksha Kumari. Role of Non-Government Organizations in Confronting Trafficking In India. American International Journal of Research in Humanities, Arts and Social Sciences, Retrieved from <http://iasir.net/AIJRHASSpapers/AIJRHASS14-185.pdf>

group left with the option to promote public welfare and free people from an abusive and exploitative cycle. Their persistent demands have inspired and focused state and public attention on children and women issues of all kinds. They have taken the lead and supported initiatives. Involving NGOs in the work process and as collaborators has been a significant recent issue of concern and interest in the cooperation. Many national and international organizations have launched studies and research over the past ten years.

4.8.1 The Scope of NGOs

The majority of the NGOs under investigation take the lead in battling human trafficking in their respective nations despite having few resources, funding, training, or access to information. The social and cultural backgrounds of their respective countries and regions are connected to their anti-trafficking activities, goals, and orientation, which reflect regional patterns of trafficking. The scope of an NGO's contribution to social change and development varies, as do its histories and relationships with governmental institutions. For instance, in conditions where poverty, social change, economic constraints, inflation, and unemployment surrounded the scene, NGOs like Bachpan Bachao Aandolan and Shakti Vahini in India emerged as a path-breaking total social instability. Many NGOs struggled to deal with the remnants of the outmoded and oppressive social system and the lack of a legal or administrative framework to support their work. In the fight against human trafficking, NGOs have played a significant and respectable role in helping and rescuing individuals.

4.8.2 Prevention of Trafficking in Children

Programs and projects have been established by national and international NGOs in various nations to offer education and vocational training to populations in at-risk groups in the nation where the organization is based. The programs are primarily expected to aid in preventing child exploitation and human trafficking as well as reducing issues associated with unauthorized immigration. Numerous initiatives are put in place to create and safeguard jobs across the nation. NGOs work to prevent children from being trafficked in exchange for employment, just as they do in developing nations

like ours where poverty, unemployment, and illiteracy have affected nearly every state. NGOs have taken this initiative to build all the facilities in their villages alone. NGOs in our nation are doing an admirable job of promoting awareness, employment, and literacy. Welfare is a government responsibility, but NGOs handle it within the constraints of available resources and space.

4.8.3 Coordinate with other NGOs and Government Agencies

The process of saving and bringing back trafficked children essentially requires coordination, cooperation, and support from all levels of government. The process begins with coordination with judicial police officers to rescue the children from abusive situations, and then legally processes the case through Immigration Office, Public Welfare Department for social services, welfare, and rehabilitation. Next, the process moves on to waiting for repatriation, finding relevant information to ensure that each trafficked victim is supported as best as possible, preparing for the costs of repatriation, and finally contacting relevant organizations in a sending. Governments in the Mekong sub-region have not been fully prepared to take on such demanding responsibility and coordination until recently. Therefore, it has been the responsibility and coordination that NGOs have.

4.8.4 Conducting Research

This is a crucial tool for raising awareness about child trafficking, promoting child welfare, enlightening the public, and uncovering its hidden dimensions in today's society, where it is becoming an increasingly organized crime-like activity. Because research on various needs and issues can provide important knowledge and understanding about trafficking in women and children to intervention programs and policy development. Although the number of children trafficked, complex issues related to trafficking, trafficking networks, other forms of trafficking like overseas friendship and marriage services, conditions of trafficked victims in receiving countries, and impacts on individual victims and their communities upon repatriation have all been quite thoroughly researched and NGOs and governments have access to a good amount

of quality data, trafficking still occurs. Therefore, there is a need for ongoing research as well as fully informed intervention programs and implementations.

4.8.5 Response to the AIDS Epidemics

Many NGOs run AIDS programs, including daycare centers for HIV-positive people and outreach initiatives to spread awareness of the disease and encourage community-based care. For their various target populations, NGO volunteers are typically well-trained and furnished with materials and information on HIV prevention and AIDS care. While some NGOs may offer their services to people living in border regions or in other places crossing their national borders, others may work primarily with people who are currently living in a particular country. as in PLAN India is a child-centred development organization with a mission to advance children's rights and enhance the well-being of young people in need. Over a million children and their families' lives have been directly impacted by Plan since 1979, which operates in 13 States of India. Child participation and protection, children in challenging situations, education, HIV/AIDS awareness, health, early childhood care and development, etc. are the main goals of the organization's child-centred community development interventions.

4.8.6 The role in providing support before repatriation

When trafficked children are rescued from abusive environments in homes or workplaces, governmental organizations and citizens of a country frequently refer to shelters run by NGOs. Before the process of repatriation gets underway, the shelters have also given the children the necessary care to restore their physical and mental health and well-being.

4.8.7 Strategies adopted by NGOS in protecting migrant children

Children from other countries should be protected by the Children's Rights Act. Although a government may deny their status as illegal immigrants, thanks to NGOs' efforts, such children are also receiving shelters before being repatriated. Children who are forced into migration, tricked into it, or kidnapped by human traffickers need to be

given immediate medical attention as well as physical and mental rehabilitation. The search for their families should be coordinated, and they should be brought back safely. If children voluntarily come to sell goods and beg, they should first undergo physical and mental rehabilitation. In order to develop the repatriation process and stop their return, there should also be multilevel coordination. Reintegrate children into families through a supportive process in both the communities of the sender and the recipient. This would ensure that the kids will be treated with respect and that their rights will be upheld. Change relevant laws to remove any barriers to helping children who have been trafficked.

4.8.8 Credible tasks by NGOs

Human trafficking negatively affects parents in India's worst-affected states, such as Bihar, Madhya Pradesh, Rajasthan, Uttar Pradesh, Orissa, and nearly all of the North Eastern States, because of poverty, lack of access to education, inadequate facilities in their hometowns, and a lack of employment. Employers and traffickers frequently take advantage of, mistreat, and threaten the children working here, despite the traffickers' claims that their ward is safe and comfortable because they are making good money. In one way or another, they only lived a pitiful and pitiful life as child labour engaged in slavery-like practices, but for many people, life is no longer as it once was due to the involvement of numerous NGOs in the effort to free children from the grasp of human traffickers and their employers. Some worthy NGOs in India include:

In Delhi, Shakti Vahini ensures that cases are thoroughly investigated and that there is a connection between exploitation that occurs at the source, during transit, and at the destination. Since 2010, Shakti Vahini has intervened in 1270 cases, saving the lives of 1300 victims. It also participated in 462 trials and court proceedings, 26 of which had convictions. Shakti Vahini is involved in several Public Interest Litigations concerning human trafficking and victim protection. ARZ has been fighting against the exploitation and abuse of people who have been the victims of commercial sexual exploitation in Goa. The group has been collaborating with the government, wealthy individuals, businesses, and other non-governmental organizations to fight human

trafficking that is associated with commercial sexual exploitation. Apne Aap, a Delhi-based organization, has been defining and outlawing human trafficking in line with the UN Protocol to End Trafficking in Persons, Particularly Women and Children, since its founding in 2002. Additionally, it assists disadvantaged women and girls in escaping the prostitution industry by setting up and supporting Mandals, which are small self-help groups. Bachpan Bachao Andolan is a pioneering child rights organization that strives to eradicate child trafficking and promotes children's rights. Between April 2011 and March 2012, BBA coordinated 107 raids throughout India, resulting in the release of 1,152 bonded minors. At Delhi's Mukti Ashram, 751 children received rehabilitation services during the same period that 452 release certificates were issued. For over a decade, Impulse in Meghalaya has been providing sustainable living assistance to rural communities in the state. The company prioritized capacity building, marketing relationships, and design inputs. Rescue operations are constantly carried out across the nation by organizations such as ATSEC in Bihar and Jharkhand, SANLAAP in West Bengal, PLAN International, which concentrated on HIV/AIDS awareness programs and policies in 13 Indian states, and many others.

4.9 Conclusion

Children should be protected by the government through its policies, but in reality, this is not the case. The government only makes policies in almost all of India's states; NGOs take great personal risks to carry out these policies and tasks. Without NGOs, it is difficult to envision the worst that the police and government could do. Given that child abuse happens in every country and culture, we should feel and show our anger when children are harmed. We must make the invisible visible since it is all too common to witness violence against children without it being acknowledged.

REFERENCES

1. Marina Tzvetkova, NGO responses to trafficking in women, Gender and Development Vt ol.1 0, No. 1, March 2002, Taylor and Francis, UN report on 'Current Status of Victim Service Providers and Criminal Justice Actors in India on Anti-Human Trafficking', UNODC, 2013.

CHAPTER - 5

RESEARCH METHODOLOGY

This chapter includes the methodology of research which is used to conduct study on Child Trafficking in India: A Critical Study of Relevant Preventive Laws with Special Reference to Dahod, Panchmahal and Mahisagar District.

This chapter includes the research design, statement of problem, need of the study, hypothesis to be tested and various components of methodology which helps in conducting a survey by collecting primary data with the help of a structured questionnaire. The tools and techniques used to test the hypothesis are explained in the chapter which helped in carrying out data analysis and infer interpretations to support the theoretical base of the research.

Location of the Study

Selected districts Dahod, Panchmahal and Mahisagar of the Gujarat state were selected for the study.

5.1 Significance of the Research

The present study on the research topic is done to find out the menace of child trafficking, its extent and how we can combat it by effectively enforcing the existing laws in India.

National Crime Records Bureau (NCRB), states the severity of the evil of child trafficking, it says that eight children were trafficked every day in India in 2021 — for labor, begging and sexual exploitation. These numbers stood at 2,834 cases in 2018; 2,914 in 2019; 2,222 in 2020. And such cases often go unreported due to a lack of awareness about the modalities of trafficking, unawareness towards preventive laws and reluctance to seek police help and socio-economic deprivation.

One child goes missing every eight minutes in India with millions ending up in domestic slavery, sex work and forced labor forced the researcher to undergo the

proposed research in the field of Child Trafficking in India: A Critical Study of Relevant Preventive Laws with Special Reference to Dahod, Panchmahal and Mahisagar District. The focus is to know many matters regarding trafficking of the children, victims, their family members, police officers, NGO workers and rescued client and law enforcement agencies for different district on issues of child trafficking. The assumption here is that the level of awareness about child trafficking and preventive laws is an important indicator that will help to eradicate the evil of the research is undertaken to highlight the issue of child trafficking in creating the awareness among the society for formulation and implementation of legal policy and strict laws to prevent and control crimes related to child trafficking.

There is need to cultivate awareness about different trafficking crimes, form targeted child protection schemes, provide survivors with psychological and emotional support systems during rehabilitation, and offer incentives to keep children in school.

Trafficking of human beings is not a new phenomenon. Historically, it has been linked to slavery which involved the sale and purchase of human beings as chattel, treating them as commodities that could be bought and sold. The owner maintained absolute rights over the slaves, who were considered his private property. Child trafficking is the third largest organized crime after drugs and the arms trade across the global. Child trafficking is a form of modern-day slavery and millions of people around the world, including children and women are victims of this crime. This research will suggest lake of awareness about child trafficking, lack of proper laws and ineffective implementation of laws.

5.2 Scope of the Proposed Study

The broad objective of the study is in the context of child trafficking in Middle Gujarat with selected area of reaersch as Dahod, Panchmahal and Mahisagar. The study aims to bring awareness about child trafficking. It will also focus on the concept of Human Rights (recent laws) and preventive measures to eradicate the social evil and strengthen the social structure to report against such cases for the goal of saving innocent children. The study tries to bring out the level of awareness in child trafficking

because it can create a ripple effect and is an important indicator that will affect the stop of child trafficking. For future, awareness in the society and formulation and implementation of strict laws will be necessary to prevent and control crimes related to child trafficking. The quantitative data is collected from NGO workers, Parents, Advocates, Victims (respondents) of three districts (Dahod, Panchmahal, Mahisagar) of the Gujarat state and qualitative data is compiled through observations and personal interaction.

The research tried to examine the infrastructural support system which can prove instrumental in the prevention and control of child trafficking related issues and socio cultural problems. The research helps to understand trafficking as an organized crime and look at legal provisions which could tackle this problem. The main focus of the present study is to gain an in-depth understanding of the causes and consequences of child trafficking and analyze awareness about preventive laws on child trafficking and related matters.

5.3 Research Gaps

The review of literature on trafficking identifies the previous contribution of the researchers and manages to establish its occurrence and the consequences. The focus was too shabby and they lacked in-depth analysis of the problem. the problem is to be rationalized in all its dimensions and the responses of various entities involved has to be analyzed for concrete results. In the light of the above review of the literature regarding the social evil of Child Trafficking the present study was propped on child trafficking in Dahod, Panchmahal and Mahisagar districts in middle Gujarat.

One of the major gaps is the lack of research studies based on primary data of child victims or their family members. The previous research is mainly qualitative and could not highlight the awareness about the issue as well as child trafficking laws that can help I prevention. There has been no systematic attempt to gather information on quantitative manner to analyses the actual social perspective.

5.3.1 Research Questions of the Proposed Study

The research questions for this study are the following:

1. What is the nature of issues related to child trafficking?
2. What are the human rights and state-mediated child trafficking awareness programs?
3. What are the perspectives of the society regarding the child trafficking?
4. Who can create awareness about child trafficking cases?
5. What can be done to prevent child trafficking?

5.4 Objectives of the Proposed Study

1. To critically assess the awareness about preventive laws against child trafficking in selected area of Gujarat.
2. To examine the role of society to prevent child trafficking.
3. To study preventive measures against child trafficking.
4. To study the perception regarding the child trafficking.
5. To identify critical measures to prevent this practice of child trafficking.
6. To examine the causes and remedies of child trafficking in Panchmahal, Dahod and Mahisagar districts of Gujarat.)

5.5 Hypothesis

H₀₁: There is no significant impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region.

H_{A1}: There is a significant impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region.

H₀₂: There is no significant impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region.

H_{A2}: There is a significant impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region.

H₀₃: There is no significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region.

H_{A3}: There is a significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region.

H₀₄: There is no significant relationship between involvement of trafficker and proper process for preventing child trafficking

H_{A4}: There is a significant relationship between involvement of trafficker and proper process for preventing child trafficking

H₀₅: There is no significant relationship between gender and perception of respondents regarding reason of child trafficking.

H_{A5}: There is a significant relationship between gender and perception of respondents regarding reason of child trafficking

Sampling Plan

The sampling plan constitutes of the method of selecting sample units for the study in the sample from the target population. This study includes the non- probability sampling plan to select sample units from the population. The sampling technique used to select the sample is purposive sampling where the data was collected from all those who were purposefully selected from selected districts.

The next stage of sampling was carried to select the sample to act as respondents for the further research and the respondents were segregated on the basis of different districts. The later stage of sampling includes survey of the selected sample through survey questionnaire. The tool of data collection is used to collect primary data from the selected respondents and secondary data is collected through published works.

5.6 Research Process

The Process of Research



Fig.3.1: Flow chart for processing the research

The research process starts with identifying a research problem and conducting a literature review to understand the context. The researcher sets research questions, objectives, and hypotheses based on the research problem.

5.6.1 Research Design

The research design is the blueprint for fulfilling objectives and answering research questions. It specifies the methods and procedures for collecting, processing, and analysing data, ensuring the study is structured and systematic.

A research design serves as a structure or plan for carrying out a research study. It outlines the steps required to gather the necessary information to address or resolve the research problem.

The researcher has utilized a descriptive research design to examine both qualitative and quantitative data using suitable statistical methods.

Descriptive research is a research method used to try and determine the characteristics of a population or particular phenomenon. This type of design aims to describe or document the characteristics, behaviors, attitudes, opinions, or perceptions of a group or population being studied.

This design is based on primary data that has been collected by the researcher through a meticulously crafted, organized, and comprehensive questionnaire, which has been developed in consideration of the theoretical literature and previous research findings. Additionally, personal interviews and discussions have also been conducted.

The primary data collection tool consists of various statements that demonstrate their connection to the research objective. The questionnaires were distributed for data collection to the sampled respondents to study the current research topic. The data selected through the primary survey was tabulated as per the requirement of the research objectives. The bivariate and multivariate representation of tables and graphs to analyses the data is represented in the next chapter. The data was evaluated by the application of various descriptive methods and hypothesis formulated were tested by applying statistical tools and techniques. the inferences were drawn for the sampled respondents and the results were inductive to suggest solution to the problems of the population under study.

Descriptive research design does not attempt to establish cause-and-effect relationships between variables or make predictions about future outcomes. Instead, it focuses on providing a detailed and accurate representation of the data collected, which can be useful for generating hypotheses, exploring trends, and identifying patterns in the data.

5.6.2 Population

The population of the research study includes all the victims or their family members residing in the selected districts of Gujarat and all the NGO workers working in this area

5.6.3 Sample Size

The sample size constitutes of 150 NGO Workers and 225 Victims or his family staying there in selected districts of Panchmahal, Dahod and Mahisagar. From each district 75 sample units were selected for the study.

5.6.4 Period of Study

The study covers a period of 3 years i.e. from 3 Years

5.6.5 Research Method

The method of research is quantitative as-well-as qualitative and the primary data is collected through survey questionnaire from victims or their family members and NGO workers. The response rate of questionnaire filling is 90%, 10% of the respondents did not completely responded to the questionnaire.

5.6.7 Development of Tools of the Research

Two self-structured questionnaire are used to collect primary data from two different types of respondents. The reliability and validity of the two set of tool is tested:

5.6.8 Reliability and Validity Test

Cronbach's alpha test is applied to test the reliability and validity of the final questionnaire, according to different theory of reliability value above 0.6 is appropriate, low value below the 0.5 implies that reliability may not be appropriate.

5.6.9. Value of Cronbach alpha

Questionnaire 1 for victims or family members **0.826**

Questionnaire 2 for NGO workers **0.701**

Thus, the final questionnaire was used for gathering primary information that has been enclosed as Appendix

5.6.10 Pilot Study

A pilot study, also known as a feasibility study, is a small-scale preliminary study conducted before the main research to check the feasibility or improve the research design.

A pilot study can assist the researcher in identifying any uncertainties (i.e., uncommon occurrences), misunderstandings in the information provided to participants, or issues with the devised task.

In order to achieve superior results, it is imperative to conduct a well-designed research study with appropriate experimental design and precise execution. Assessing its feasibility before embarking on the main study, also referred to as the full study or large-scale main trial, can prove to be highly advantageous.

The pilot study serves as the initial phase of the entire research protocol and is typically a smaller-scale investigation that aids in the planning and refinement of the main study. A pilot study was conducted with a small sample initially to improve the reach tool and design.

5.6.11 Statistical Tool Applied

Statistical tools like, ANOVA test, Correlation and Chi-square test are used for the analysis of the data Table, Graphs and Diagrams are also used to present the processed data.

Chi- square Test

The Chi-square test stands as a stalwart in statistical analysis, particularly when exploring the association between categorical variables. It serves as a powerful tool for researchers, aiding in the investigation of hypotheses and determining if observed data aligns with expected frequencies.

In its essence, the Chi-square test evaluates whether there exists a significant difference between the observed and expected frequencies within categorical data sets. By comparing observed frequencies to those anticipated under a null hypothesis, researchers can ascertain if deviations are due to chance or if they signal a genuine relationship between variables.

The applicability of the Chi-square test extends across various fields, from biology and psychology to business and social sciences. Its simplicity and versatility render it invaluable in hypothesis testing, allowing researchers to draw meaningful conclusions about the relationships between categorical variables.

Through this introductory lens, we embark on an exploration of the Chi-square test's mechanics, its assumptions, and its utility in discerning patterns and associations within categorical data. As we delve deeper, we uncover the nuances of hypothesis testing and the pivotal role the Chi-square test plays in unlocking insights from observed frequencies.

The hypothesis was tested by applying a non- parametric test

Chi-square (χ^2 test)

The formula

$$\chi^2 = \frac{\sum (F_o - F_e)^2}{F_e}$$

F_o= Observed frequency

F_e = expected frequency

Steps for Calculation of (χ^2) Chi-Square

- i) Compute the expected frequencies (F_e)
- ii) (F_o-F_e) is computed.
- iii) (F_o-F_e)² is calculated.

- iv) The squared differences between frequencies $(F_o - F_e)^2$ are divided by expected frequency (F_e) that is $(F_o - F_e)^2 / F_e$ is calculated.
- v) These quotients are added together to obtain the total of computed of x^2 values that is $\Sigma (F_o - F_e)^2 / F_e$ is obtained.
- vi) The degrees of freedom (d.f.) are calculated from the frequency table called contingency table by using the formula.

$$\mathbf{d.f. = (c-1) (r-1)}$$

c = number of cell frequencies in columns

r = number of cell frequencies in rows

- vii) The computed value is then compared to the tabular value of x^2
- viii) If the computed value is lesser than tabular value the null hypothesis is accepted.

Conditions for using x^2 test

- The experimental data or sample observations must be independent of each other.
- The data collected must be drawn at random from the universe or population.
- The data must be presented in original units.

Correlation

The statistical tool with the help of which relationship between two or more than two variables is studied is correlation.

The Karl Pearson's method, popularly known as Pearsonian coefficient of correlation, is most widely used. The coefficient of correlation is denoted by r. this symbol is used for describing the degree and direction of relationship between two variables.

The formula

$$r = \frac{N \sum xy - (\sum x)(\sum y)}{\sqrt{[N \sum x^2 - (\sum x)^2][N \sum y^2 - (\sum y)^2]}}$$

Where,

N = Number of pairs of scores

$\sum xy$ = sum of the products of paired scores

$\sum x$ = Sum of x scores

$\sum y$ = sum of y scores

ANOVA

Analysis of variance, also called ANOVA, is a collection of methods for comparing multiple means across different groups. The “analysis of variance” procedure or “F” test is used for the significance of the difference among more than two sample means.

Assumptions in Analysis of Variance

The analysis of variance technique is based on the following assumptions:

1. Each sample is drawn randomly from a normal population and the sample statistics tend to reflect the characteristics of the population
2. The population from which the samples are drawn have identical means and variances

Computation of Analysis of Variance

The null hypothesis while applying analysis of variance technique is that the means of different samples do not differ significantly. It can be calculated in two ways-

One -way classification, and Two -way classification

Anova is a statistical test which analyzes variance. It is helpful in making comparison of two or more means which enables a researcher to draw various results and predictions about two or more sets of data. Anova test includes one-way anova, two-way anova or multiple anova depending upon the type and arrangement of the data. One-way anova has the following test statistics:

$$F = \frac{MST}{MSE}$$

Where,

F = Anova Coefficient

MST = Mean sum of squares due to treatment

MSE = Mean sum of squares due to error.

Formula for MST is given below:

$$MST = \frac{MSE}{p - 1}$$

$$SST = \sum n(X - \bar{X})^2$$

Where,

SST = Sum of squares due to treatment

p = Total number of populations

n = Total number of samples in a population.

Formula for MSE is given below:

$$SE = \frac{SSE}{N - p}$$

$$S = \sqrt{\frac{\sum (n - 1)S^2}{N}}$$

Where,

SSE = Sum of squares due to error

S = Standard deviation of the samples

N = Total number of observations.

ANOVA is used to test the significance of group differences between two or more groups when the IV has two or more categories and it only determines that there is a difference between groups, but doesn't tell which is different.

5.7 Limitations of the Research

- The study is limited to selected districts of Gujarat region and selected NGO's working in the area to resolve the issue of child trafficking.
- The study is limited to study the awareness about child trafficking and preventive laws
- The sample size remains limited
- Some of the interpretations and findings are based on assumptions, observations and informal interviews
- Primary data collection was very difficult and so the responses may be biased as the people restraint to speak about the issue under consideration
- Sample may be biased as it was purposive sampling
- Recording response was very difficult as victims are not available.

CHAPTER - 6

DATA ANALYSIS AND INTERPRETATION

This chapter incorporates the analysis of data along with tabular and graphical representation of the response of respondents. The chapter is divided into different sections to better understand the data tables. All the analytical and statistical interpretations are represented as per the need of the research. The primary data was collected from two different categories of respondents and it is tabulated in bivariate and multivariate tables to draw the inferences.

6.1 SECTION 1: NGO WORKERS

The questionnaire was meticulously designed to explore various dimensions, including the understanding of trafficking dynamics, identification of risk factors, familiarity with legal frameworks, and proficiency in implementing preventive measures. Analysis of the responses revealed varying degrees of awareness and preparedness among respondents, with some demonstrating a comprehensive understanding of trafficking dynamics and effective prevention strategies, while others displayed gaps in knowledge and implementation.

The survey data highlighted several key themes regarding child trafficking awareness and prevention among NGO workers. These included the recognition of common trafficking indicators, familiarity with relevant laws and policies, and insights into the efficacy of existing prevention programs. Additionally, the analysis revealed the challenges faced by NGO workers, such as resource constraints and coordination issues with law enforcement agencies. Overall, the survey served as a valuable tool for assessing the current landscape of anti-trafficking efforts and informed evidence-based strategies to strengthen frontline workers' capacity and collaboration in combating this human rights violation.

Overall, the questionnaire survey among NGO workers served as a valuable tool for assessing the current landscape of awareness and preventive measures child trafficking.

Table 6.1: Respondent’s thought about child Trafficking

What do you think about Child trafficking	Respondents
Social evil	67
Not yet a serious issue	0
serious issue	157
Don’t Know	1
Total	225

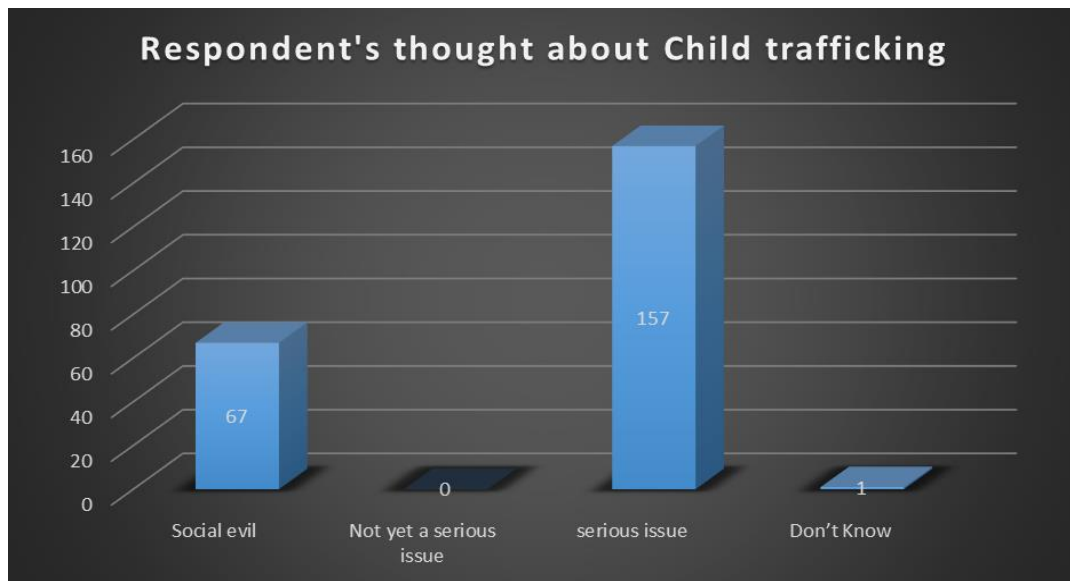


Fig. 6.1: Respondent’s thought about child Trafficking

Interpretation:

The table reflects respondents' perspectives on child trafficking, with 67 individuals categorizing it as a social evil, 0 indicating it's not yet a serious issue, 157 recognizing it as a serious issue, and 1 respondent expressing uncertainty. The overwhelming majority acknowledging child trafficking as a serious issue underscores a collective awareness of the severity of the problem. The absence of respondents considering it not yet a serious issue indicates a widespread recognition of the urgency and importance of addressing child trafficking as a pressing societal concern. This data suggests a well-informed and concerned respondent population, emphasizing the need for concerted efforts and awareness campaigns to combat child trafficking effectively.

Table 6.2 Is it socio-Economic Problem

Do you considers it is a socio- economic problem in the state.	Respondents
Yes	172
No	43
Not Known	10
Total	225

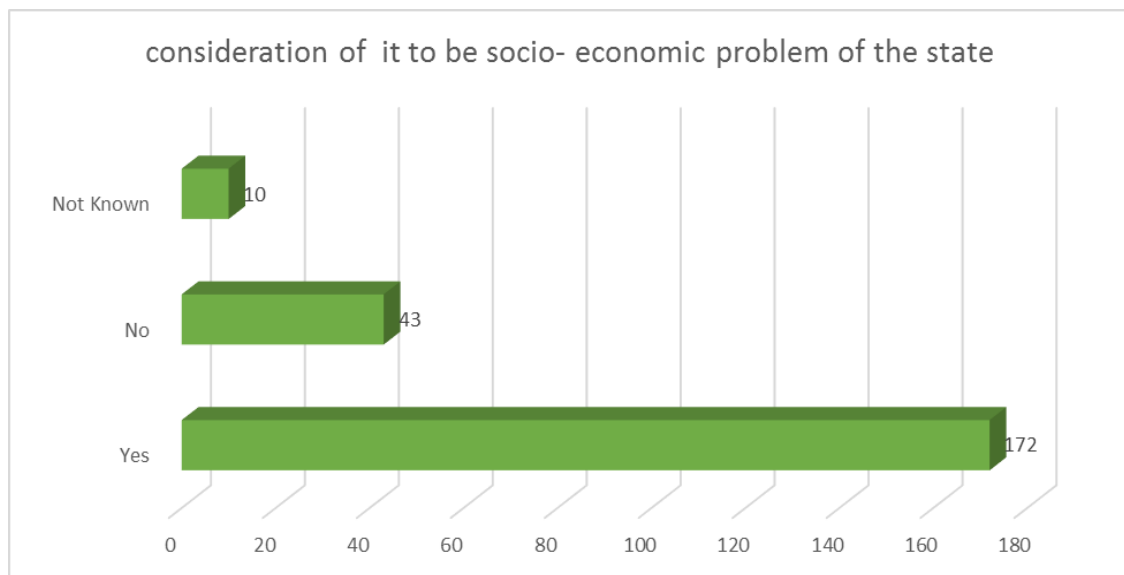


Fig. 6.2: Responses on whether it is socio-Economic Problem

Interpretation:

The table presents respondents' opinions on whether child trafficking is perceived as a socio-economic problem in the state. The majority, with 172 respondents, affirm that child trafficking is indeed considered a socio-economic problem. This perspective suggests an understanding that the issue is intricately linked to broader societal and economic factors, emphasizing the need for comprehensive interventions that address both social and economic dimensions. While 43 respondents express a contrary view by stating it is not a socio-economic problem, and 10 respondents indicate uncertainty, the predominant acknowledgment of the socio-economic aspects highlights the importance of addressing root causes and implementing holistic strategies to combat child trafficking effectively.

Table 6.3: Responses for whether the problem is related to law or order

Is the problem related to law and order	Respondents
Yes	94
No	87
Not Known	44
Total	225

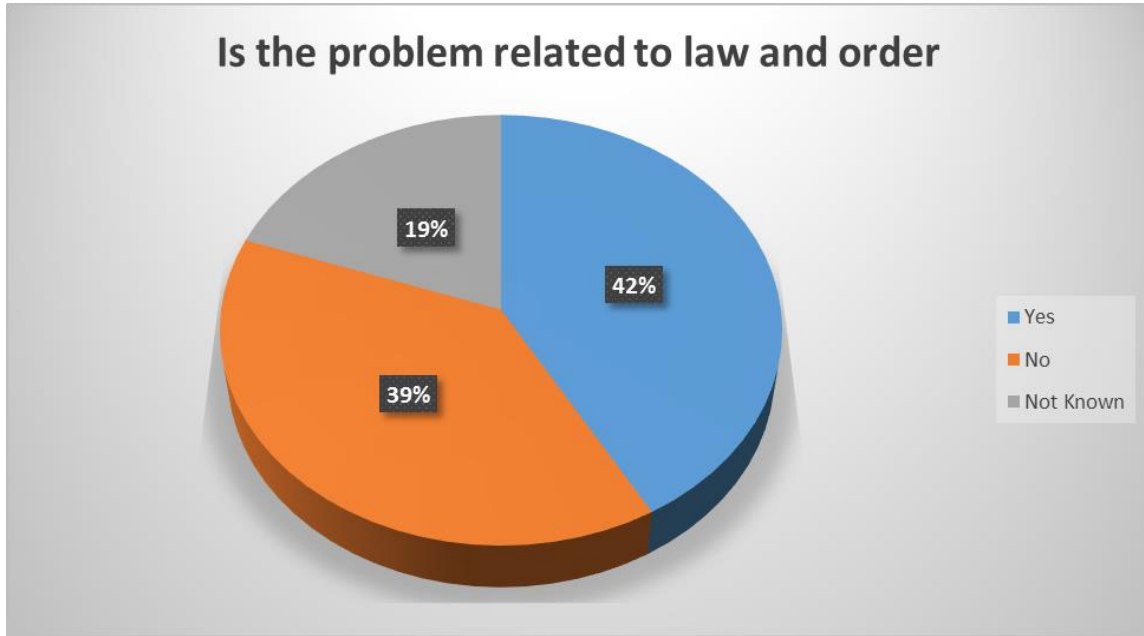


Fig. 6.3: Representation of Responses for whether the problem is related to law or order

Interpretation:

The table illustrates respondents' views on whether child trafficking is related to law and order. A substantial portion, with 94 respondents, acknowledges the issue's connection to law and order, emphasizing the role of legal frameworks and enforcement in addressing and preventing child trafficking. However, a notable 87 respondents express a different perspective, suggesting a portion of the population does not perceive the problem as directly tied to law and order. Additionally, 44 respondents indicate uncertainty or lack of knowledge on this aspect. This diversity in responses underscores the complexity of the issue, potentially involving multiple dimensions beyond law and order alone, such as socio-economic factors, systemic vulnerabilities, and the need for multi-sectoral approaches to combat child trafficking comprehensively.

Table 6.4: About basic reasons of the child trafficking

What may be the basic reasons of the child trafficking?	Respondents
Poverty	113
Illiteracy	39
Under development	14
Other	59
Total	225

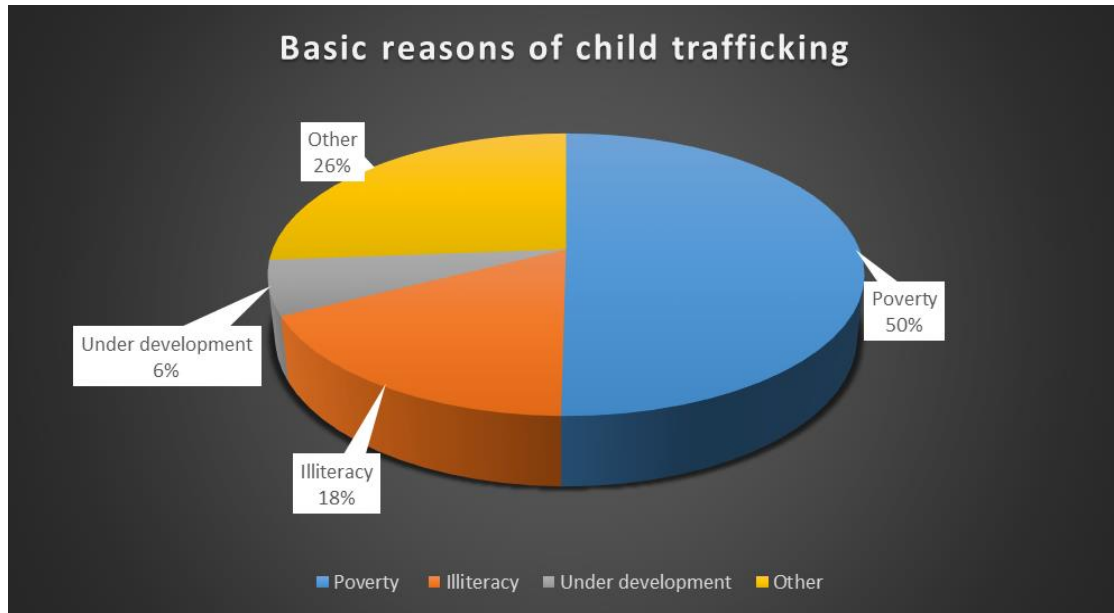


Fig. 6.4: Representation basic reasons of the child trafficking

Interpretation:

The table indicates respondents' perceptions of the basic reasons for child trafficking. The highest number of respondents, with 113, attribute child trafficking to poverty, highlighting the correlation between economic vulnerability and susceptibility to exploitation. Illiteracy is identified by 39 respondents as another significant factor, emphasizing the role of education in preventing child trafficking. The mention of underdevelopment by 14 respondents suggests a broader recognition of systemic issues contributing to the problem. Additionally, 59 respondents attribute child trafficking to other reasons, emphasizing the multifaceted nature of the issue. This data underscores the need for targeted interventions addressing poverty, promoting education, and addressing systemic shortcomings to effectively combat child trafficking.

Table 6.5: Class of people becoming the victims of the child trafficking

What class of people may the victims of the child trafficking?	Respondents
Poor people	84
Uneducated	89
Backward Class	8
others	44
Total	225

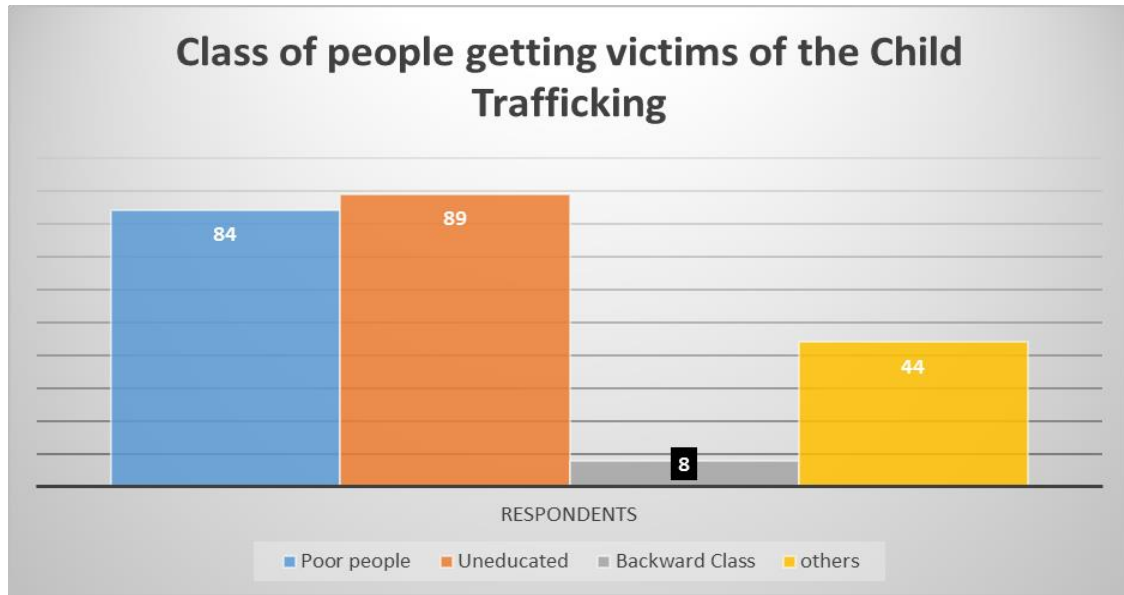


Fig. 6.5: Class of people becoming the victims of the child trafficking

Interpretation:

The table outlines respondents' perceptions regarding the potential victims of child trafficking. A significant number, with 84 respondents, identify poor people as likely victims, emphasizing the vulnerability of economically disadvantaged individuals to exploitation. Uneducated individuals are also recognized, with 89 respondents associating them with the risk of being victims. The mention of the backward class by 8 respondents underscores the intersectionality of vulnerabilities. Additionally, 44 respondents attribute child trafficking victimization to other classes, highlighting the diverse nature of potential victims. This data signals the importance of targeted interventions that address economic, educational, and social disparities to safeguard vulnerable populations from the threat of child trafficking.

Table 6.6: Type of the persons involved in trafficking

Which type of the persons are trafficker or involved in trafficking	Respondents
Gang	159
Relative	17
Villagers	38
Other	11
Total	225

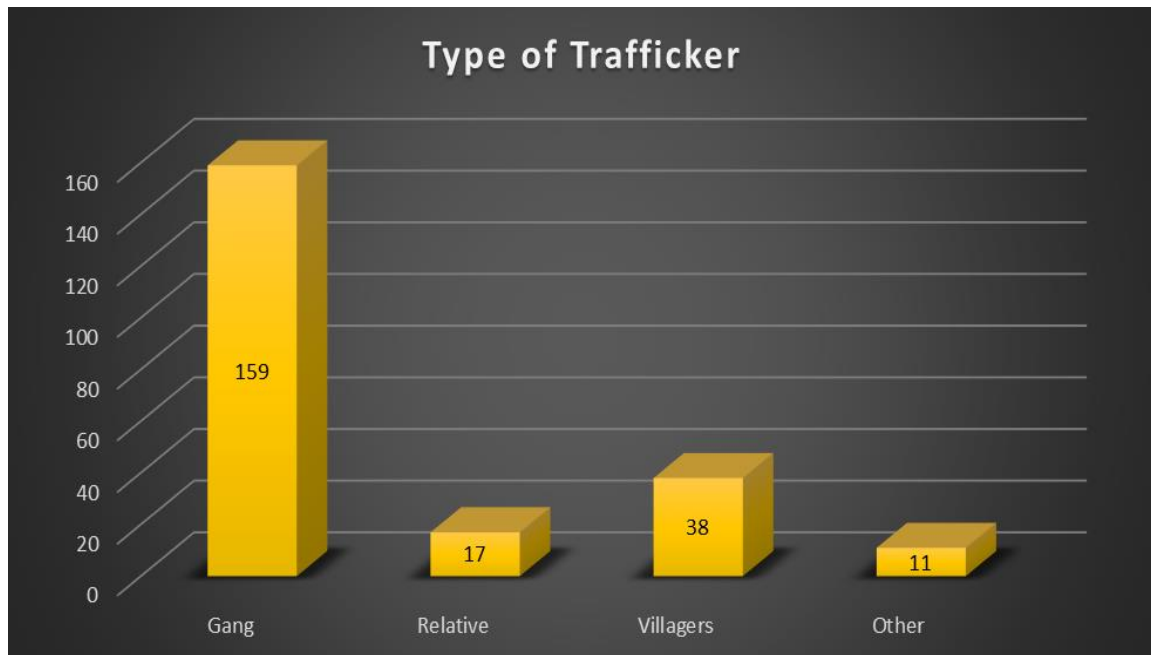


Fig. 6.6: Representation of type of the persons involved in trafficking

Interpretation:

The table reveals respondents' perceptions of the types of individuals involved in child trafficking. A predominant number, with 159 respondents, identify gangs as potential traffickers, indicating a recognition of organized criminal elements contributing to the issue. The mention of relatives by 17 respondents suggests an acknowledgment of familial involvement, while 38 respondents associate villagers with trafficking. Additionally, 11 respondents attribute trafficking involvement to others, showcasing the diversity of perceived perpetrators. This data underscores the need for comprehensive strategies that target organized crime, raise awareness within communities, and address familial dynamics to effectively combat child trafficking.

Table 6.7: Is there exist a complete nexus of the traffickers

Do you think there exist a complete nexus of Govt. officials, police, politician and the traffickers?	Respondents
Yes	41
No	70
Don't Know	114
Total	225

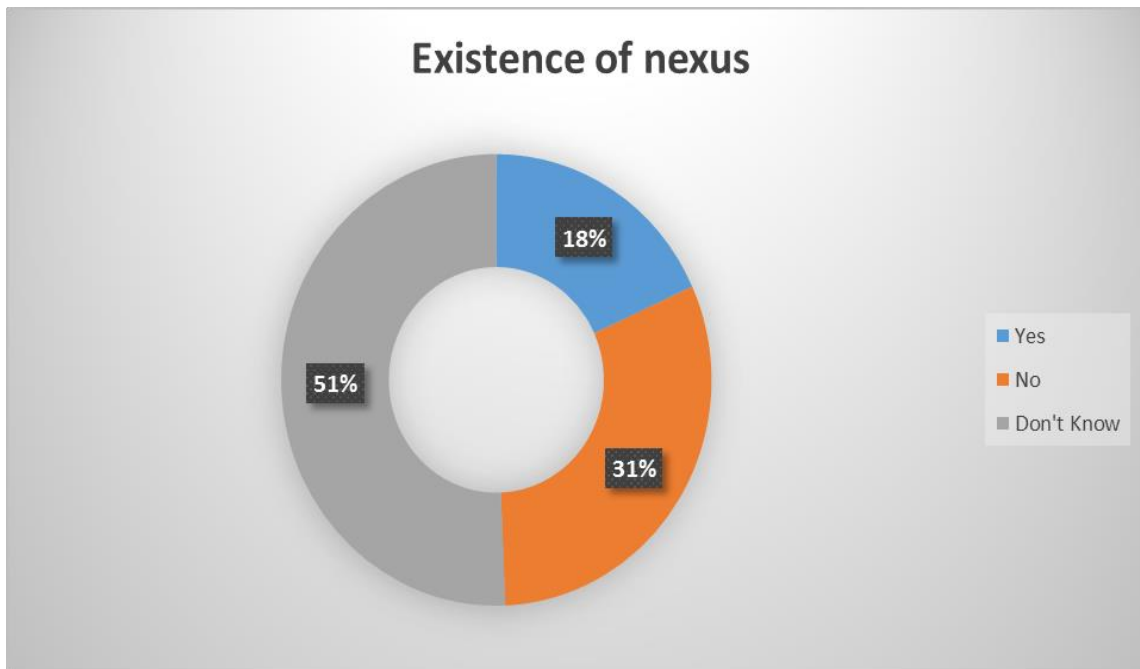


Fig. 6.7: Representation of respondent's view for existence of a nexus of the traffickers

Interpretation:

The table indicates respondents' perceptions regarding the existence of a complete nexus among government officials, police, politicians, and traffickers. While 41 respondents affirm the belief in such a nexus, 70 respondents express a contrary view, and 114 respondents admit uncertainty or lack of knowledge on the matter. This diversity in responses suggests a range of perspectives within the population, reflecting the complexity and sensitivity of the issue. Addressing concerns about potential collusion and fostering transparency in government and law enforcement efforts may be crucial to building public trust and effectively combating child trafficking.

Table 6.8: Awareness that in India on every 8 minute a child goes missing

Do you know that in India on every 8 minute a child goes missing?	Respondents
Yes	13
No	190
Not Known	22
Total	225

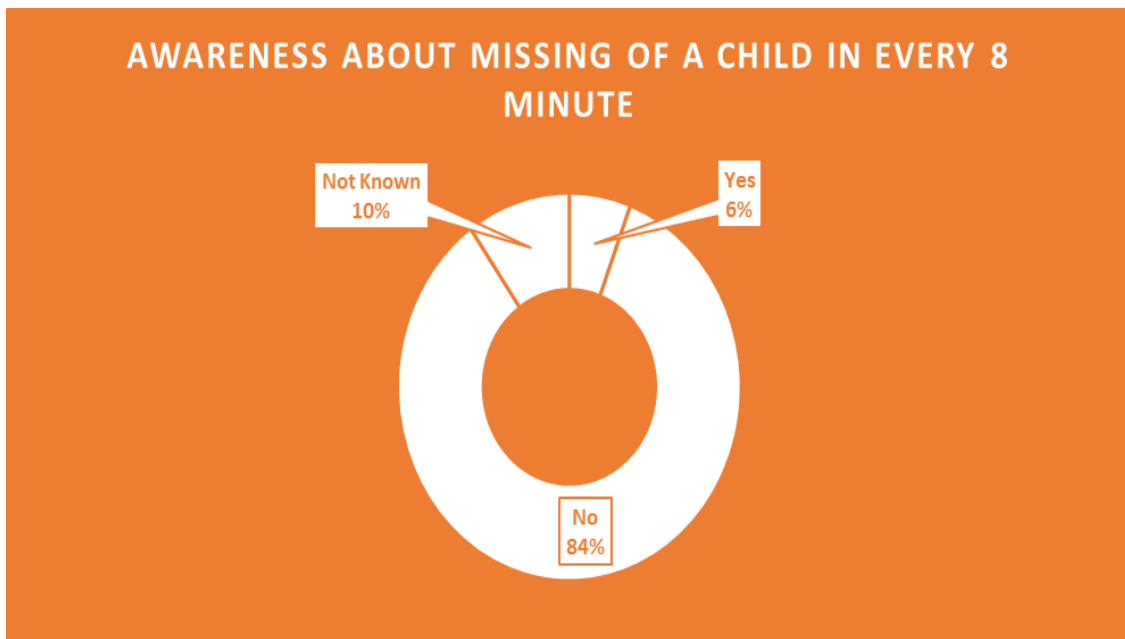


Fig. 6.8: Awareness that in India on every 8 minute a child goes missing

Interpretation:

The table presents respondents' awareness of the alarming statistic that in India, a child goes missing every 8 minutes. Unfortunately, the majority, with 190 respondents, indicates a lack of awareness of this concerning reality. Only 13 respondents are aware of the statistic, while 22 respondents' express uncertainty or lack of knowledge. This data underscores the need for increased awareness campaigns and education on the prevalence and severity of child trafficking and abduction issues in India, as well as the importance of community involvement in preventing and addressing such incidents.

Table 6.9: About connection between the missing children and the child trafficking

Do you think there is any connection between the missing children and the child trafficking?	Respondents
Yes	176
No	38
Not Known	11
Total	225

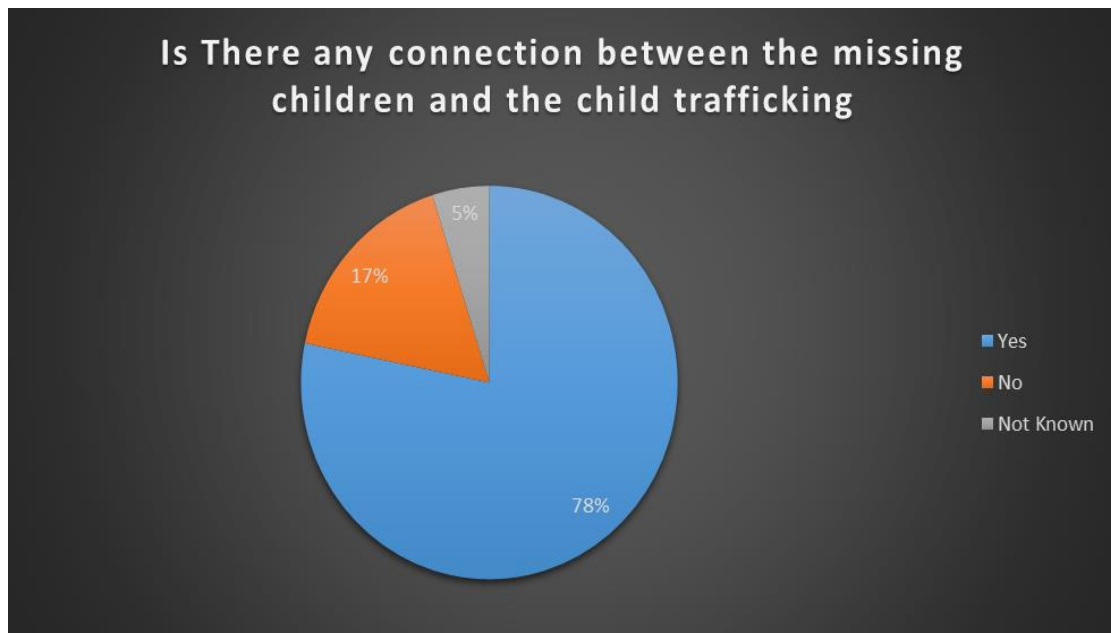


Fig. 6.9: About connection between the missing children and the child trafficking

Interpretation:

The table reveals respondents' perceptions regarding the connection between missing children and child trafficking. A substantial majority, with 176 respondents, acknowledges a connection between the two issues, suggesting an understanding that missing children are at risk of being victims of child trafficking. However, 38 respondents express a contrary view, and 11 respondents admit uncertainty or lack of knowledge on the matter. This data emphasizes the importance of public awareness on the link between missing children and child trafficking, as well as the need for coordinated efforts to address both issues comprehensively.

Table 6.10: About existence of proper Laws that deals with missing of children

Are there are any proper Laws that deals with missing of children?	Respondents
Yes	67
No	89
Not Known	69
Total	225

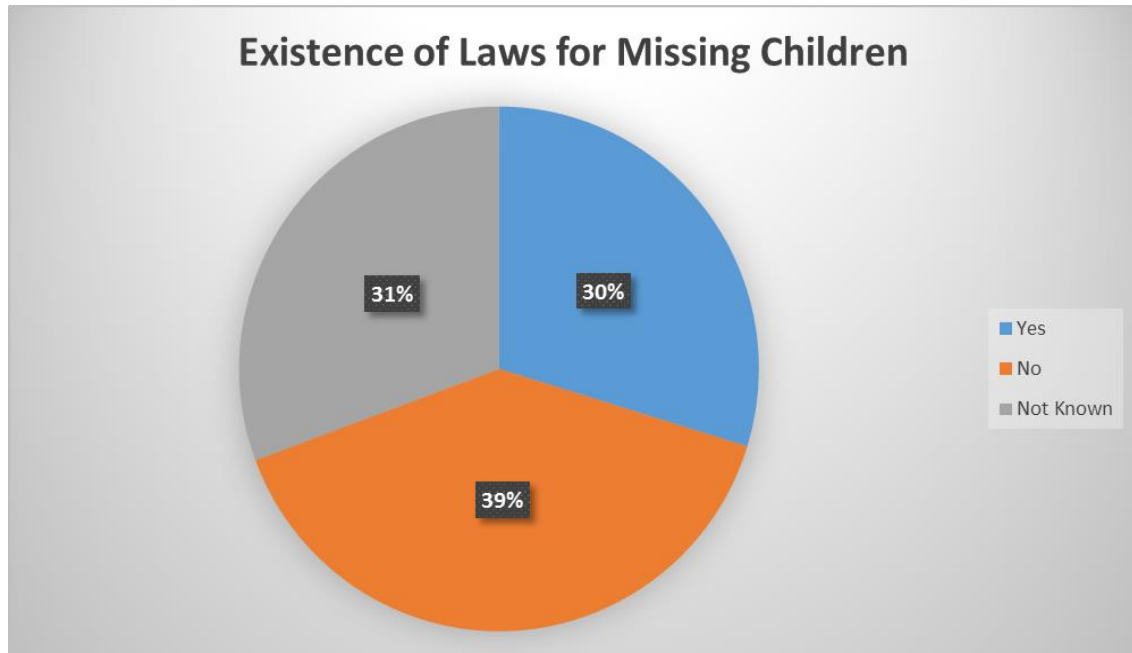


Fig. 6.10: About existence of proper Laws that deals with missing of children

Interpretation:

The table reflects respondents' awareness of the existence of proper laws dealing with the missing of children. A significant portion, with 67 respondents, acknowledges the presence of such laws, indicating an awareness of legal frameworks addressing the issue. However, 89 respondents express a belief that there are no proper laws in place, suggesting a perception of gaps or inadequacies in the existing legal provisions. Additionally, 69 respondents admit uncertainty or lack of knowledge on this matter. This data highlights the need for public education on existing legal measures and potential advocacy for enhanced legal frameworks to address the complexities of missing children cases.

Table 6.11: Response regarding whether guardians file an FIR against the traffickers

Whether guardians file an FIR against the traffickers?	Respondents
Yes	190
No	34
Not Known	1
Total	225

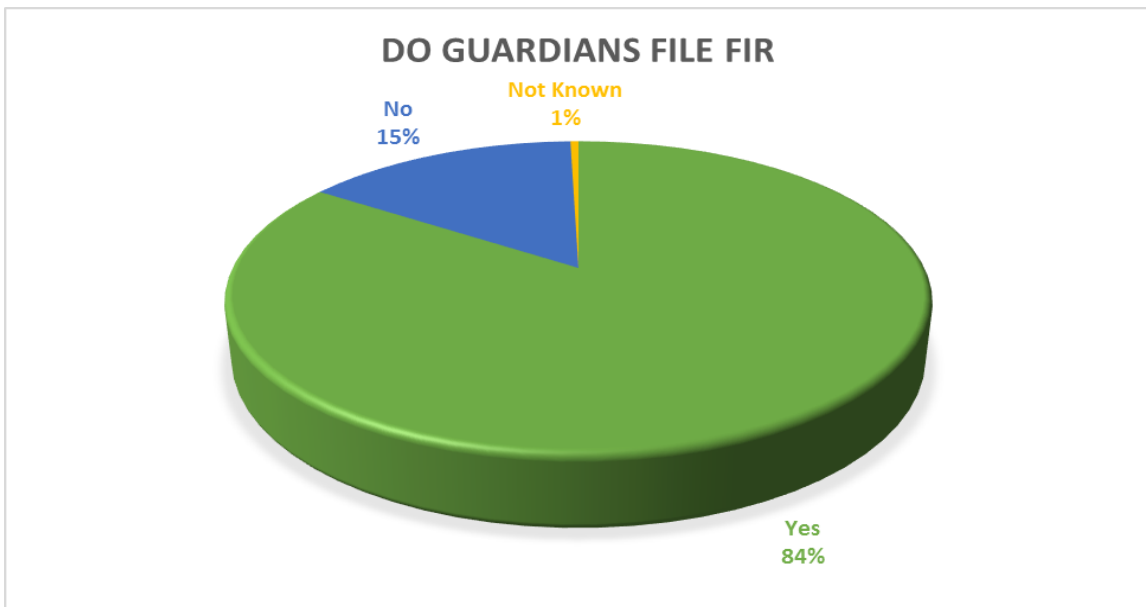


Fig. 6.11: Representation of response regarding guardians filing FIR against traffickers

Interpretation:

The table illustrates respondents' perceptions regarding whether guardians come forward to file a First Information Report (FIR) against traffickers. A majority, with 190 respondents, believes that guardians do come forward to file FIRs, indicating a level of trust or confidence in the legal system's responsiveness. However, 34 respondents express a contrary view, suggesting a portion of the population may perceive challenges or barriers in reporting trafficking incidents. Additionally, 1 respondent indicates uncertainty or lack of knowledge on this matter. This data highlights the importance of promoting a supportive environment for guardians to report trafficking cases, ensuring that legal processes are accessible and responsive to their needs.

Table 6.12: Problems faced by police during investigation

What are problems faced by police during investigation?	Respondents
Lack of evidence	19
Difficulties in tracing out the victim and traffickers	167
Others	39
Total	225

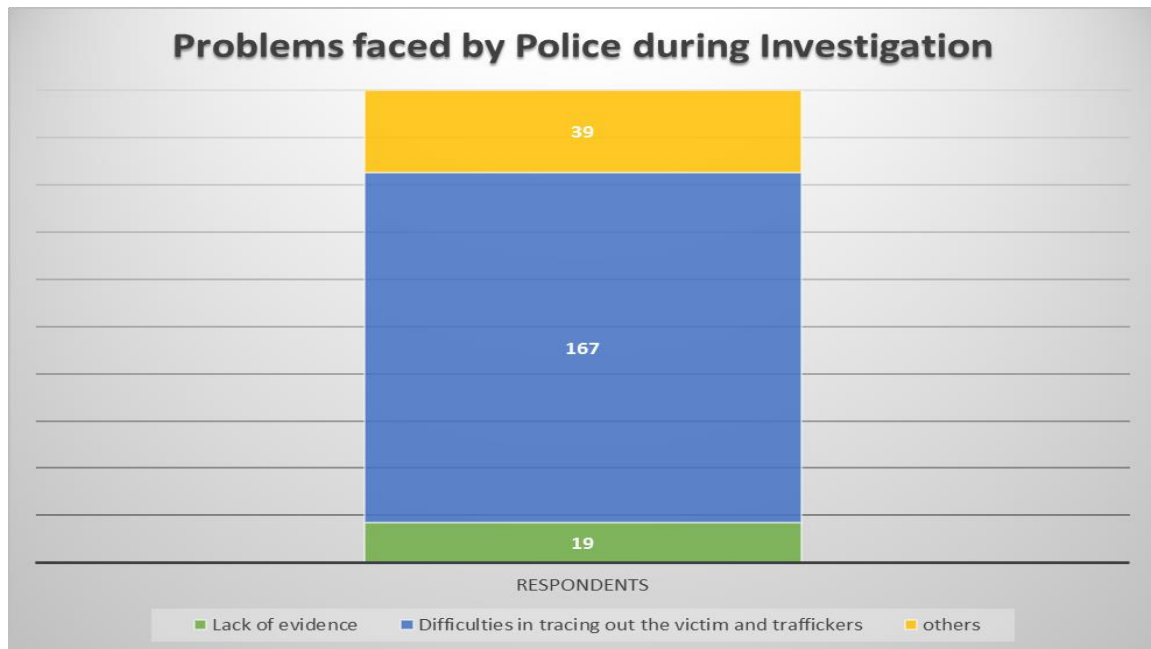


Fig. 6.12: Problems faced by police during investigation

Interpretation:

The table outlines respondents' perceptions of the problems faced by the police during investigations into child trafficking. A substantial majority, with 167 respondents, identifies difficulties in tracing out the victim and traffickers as a significant challenge for law enforcement. This underscores the complexities involved in locating both victims and perpetrators in cases of child trafficking. The mention of lack of evidence by 19 respondents suggests a recognition of the challenges related to gathering sufficient evidence for successful prosecutions. Additionally, 39 respondents attribute other problems not specified in the table, emphasizing the multifaceted nature of the obstacles faced by law enforcement in addressing child trafficking cases.

Table 6.13: Basic reasons for lower rate of prosecution and conviction in child trafficking

What are the basic reasons for lower rate of prosecution and conviction in child trafficking?	Respondents
Improper investigation	153
Insufficient Evidence	43
Court is not serious	2
Other	27
Total	225

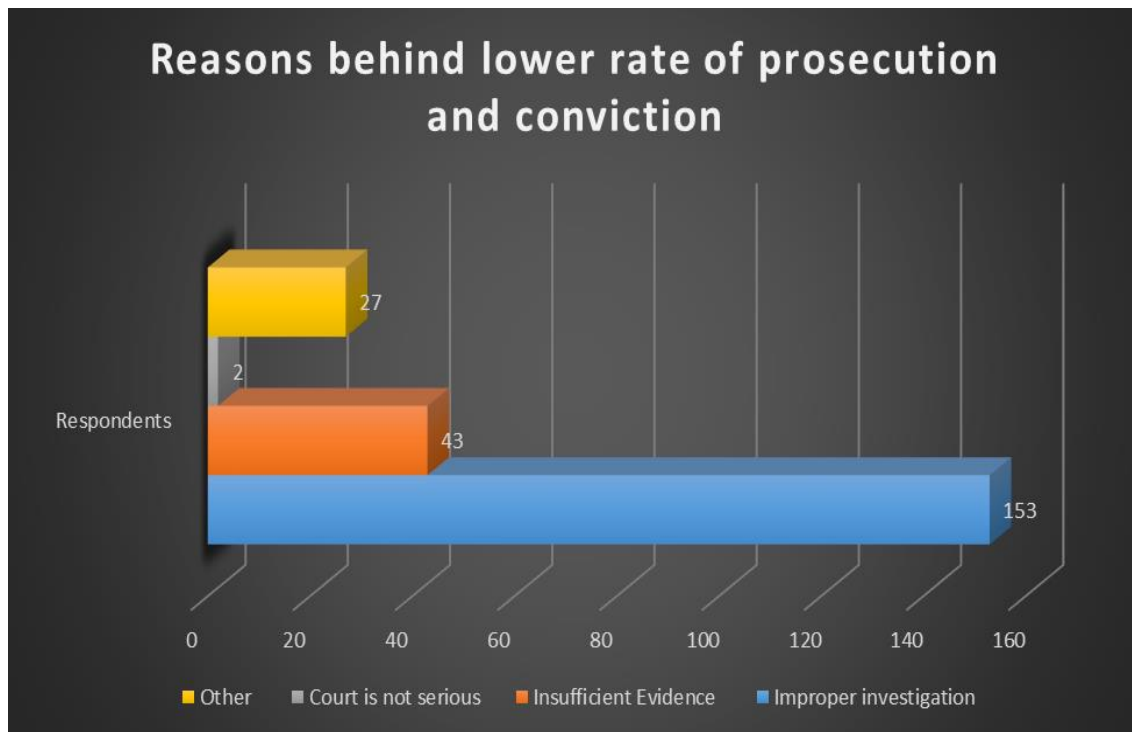


Fig. 6.13: Basic reasons for lower rate of prosecution and conviction in child trafficking

Interpretation:

The table highlights respondents' perceptions of the basic reasons for the lower rate of prosecution and conviction in child trafficking cases. The majority, with 153 respondents, points to improper investigation as a key factor contributing to the

challenges in securing convictions. This suggests concerns about the quality or effectiveness of investigative processes. Additionally, 43 respondents attribute the lower rate to insufficient evidence, emphasizing the importance of robust evidentiary support in legal proceedings. A smaller number, with 2 respondents, believe that the court's lack of seriousness is a factor. Furthermore, 27 respondents cite other reasons not specified in the table, reflecting the multifaceted nature of the obstacles faced in prosecuting and convicting child trafficking cases. This data underscores the need for improvements in investigative practices, evidence collection, and the overall judicial process to enhance the likelihood of successful prosecutions.

Table 6.14: Whether parents or guardian may be involved in child trafficking

Do you think parents or guardian may be involved in child trafficking?	Respondents
Yes	9
No	204
Not Known	12
Total	225

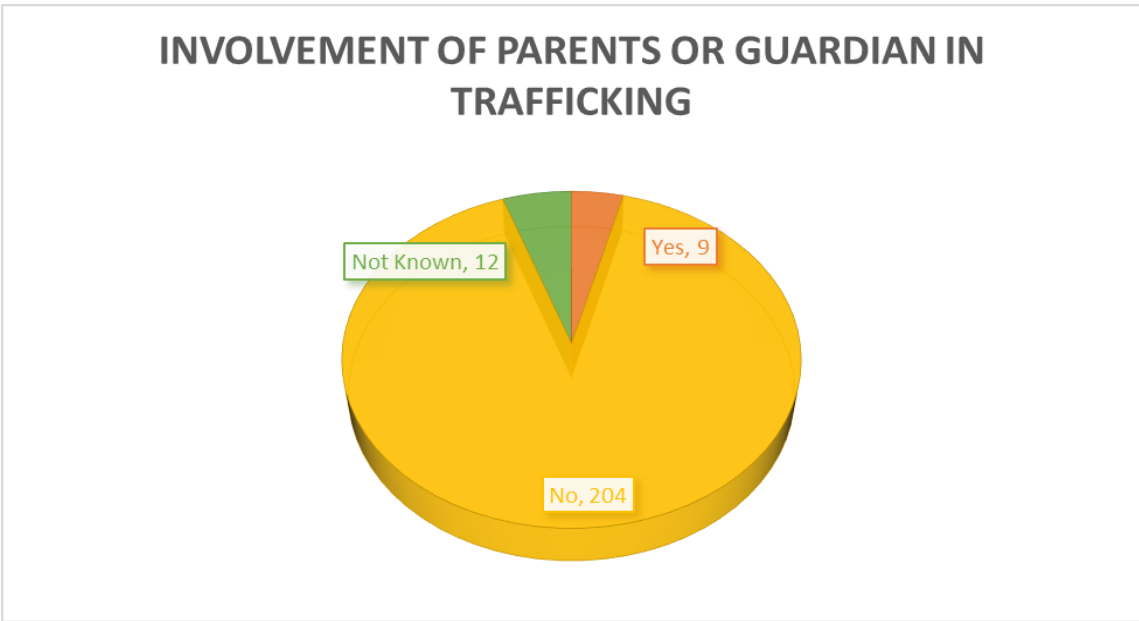


Fig. 6.14: Representation of involvement of parents may be involved in child trafficking

Interpretation:

The table reveals respondents' views on the potential involvement of parents or guardians in child trafficking. A significant majority, with 204 respondents, dismisses the idea of parents or guardians being involved in child trafficking. Only 9 respondents believe that parents or guardians may be involved, while 12 respondents' express uncertainty or lack of knowledge on this matter. This data suggests a strong inclination among the respondents to trust parents or guardians and points to the importance of addressing external factors that contribute to child trafficking rather than focusing on family units. Public awareness campaigns and education may further clarify misconceptions and promote a more accurate understanding of the dynamics surrounding child trafficking.

Table 6.15: Suggestion to control the threat of trafficking

What is your suggestion to control the threat of trafficking?	Respondents
Proper Education	72
Increase Awareness	75
Strict Law needed	72
Other	6
Total	225



Fig. 6.15: Suggestion to control the threat of trafficking

Interpretation:

The table outlines respondents' suggestions to control the threat of trafficking. A considerable number, with 75 respondents, advocates for increasing awareness, underscoring the importance of educating the public about the dangers and signs of trafficking. An equal number, 72 respondents, emphasizes the need for proper education and strict laws, highlighting the roles of both education and legal measures in combating trafficking effectively. Additionally, 6 respondents propose other solutions not specified in the table. This data reflects a collective call for comprehensive strategies that involve education, awareness campaigns, and robust legal frameworks to address the multifaceted challenges posed by child trafficking.

Table 6.16: Ways the society should opt to prevent child trafficking

What ways should the society opt to prevent child trafficking	Respondents
Promotion and protection of human rights	34
Awareness campaign	85
Community outreach	47
Discussion forum	17
Teaching & Research	19
Legislative and Political Interventions	23
Total	225



Fig. 6.16: Ways the society should opt to prevent child trafficking

Interpretation:

The table presents respondents' suggestions for ways society should adopt to prevent child trafficking. The majority, with 85 respondents, advocates for awareness campaigns, emphasizing the crucial role of education and public awareness in preventing trafficking. Community outreach, mentioned by 47 respondents, underscores the importance of engaging communities in preventive efforts. Promotion and protection of human rights, mentioned by 34 respondents, reflects an understanding of the need to address the root causes of trafficking. Legislative and political interventions, mentioned by 23 respondents, highlight the importance of legal and policy measures. Teaching and research, mentioned by 19 respondents, emphasize the role of educational institutions in prevention. Discussion forums, mentioned by 17 respondents, suggest a desire for open dialogue to address the issue comprehensively. This data underscores the multifaceted approach required, involving education, awareness, community engagement, human rights advocacy, and legislative measures to effectively prevent child trafficking.

Table 6.17: Ratings for the reasons of child trafficking

How would you rate the following reasons of child trafficking?	Agree	Neutral	Disagree	Total
Lack of Education	92	52	6	150
Ignorance of Parents	64	42	44	150
Drop out from schools	13	39	98	150
No proper information about child trafficking	136	10	4	150
No preventive laws are responsible for child trafficking.	47	53	50	150
The role of media is insufficient in highlighting the issue of child Trafficking.	5	35	110	150

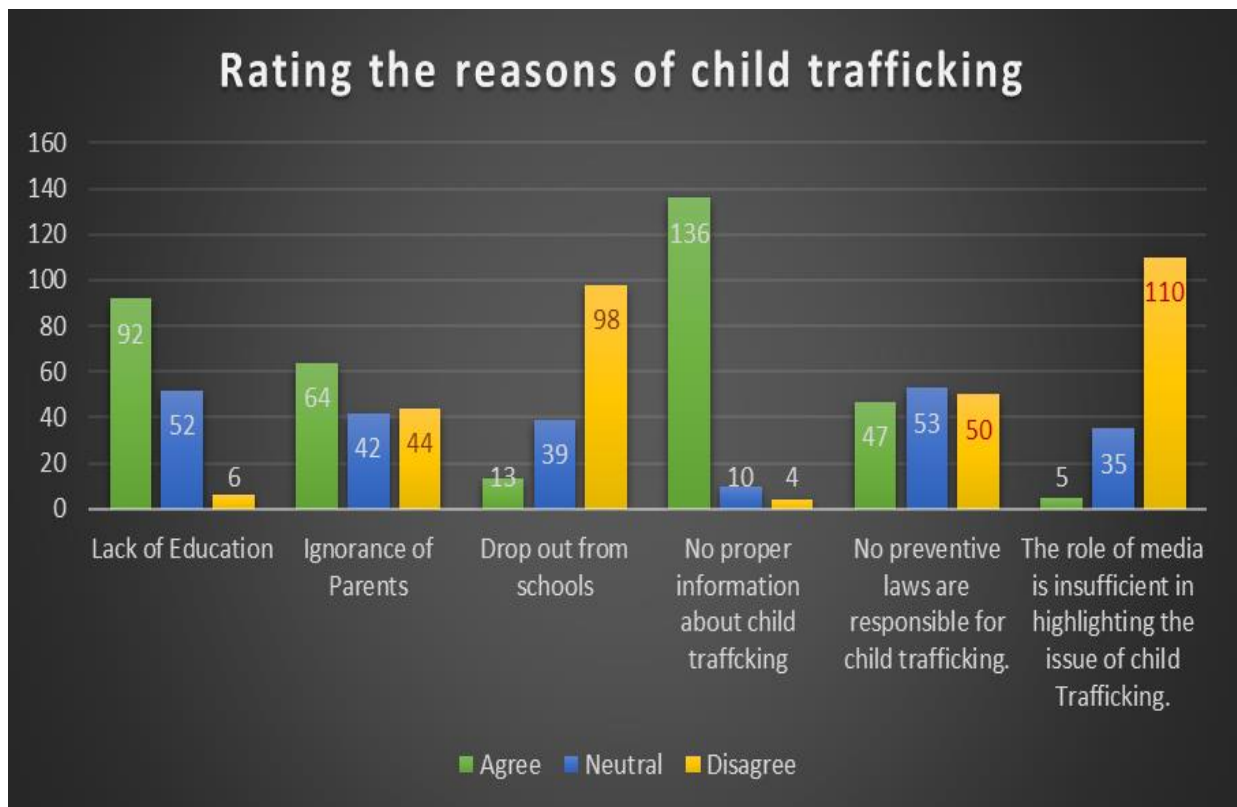


Fig. 6.17: Ratings for the reasons of child trafficking

Interpretation:

The table presents respondents' ratings on various reasons for child trafficking.

1. Lack of Education: A significant majority, with 138 respondents, agrees that lack of education is a contributing factor to child trafficking.
2. Ignorance of Parents: The responses are mixed, with 95 agreeing, 64 being neutral, and 66 disagreeing on the role of parents' ignorance in child trafficking.
3. Dropout from Schools: A majority, with 147 respondents, disagrees that dropout from schools is a significant reason for child trafficking.
4. No Proper Information about Child Trafficking: The vast majority, with 204 respondents, agrees that insufficient information about child trafficking contributes to the problem.

5. No Preventive Laws are responsible for Child Trafficking: The responses are divided, with 71 agreeing, 79 being neutral, and 75 disagreeing on the role of preventive laws in child trafficking.
6. The Role of Media is Insufficient in Highlighting the Issue: A significant majority, with 164 respondents, disagrees that the media's role is insufficient in highlighting the issue of child trafficking.

These responses provide insights into the perceived causes of child trafficking, emphasizing the need for education, awareness, and information dissemination to address the issue effectively.

6.2 SECTION 2: RESPONSE FROM VICTIM OR FAMILY OF VICTIM

Table 6.18: Gender of Victim

Gender of Victim	Respondents
Male	164
Female	61
Total	225

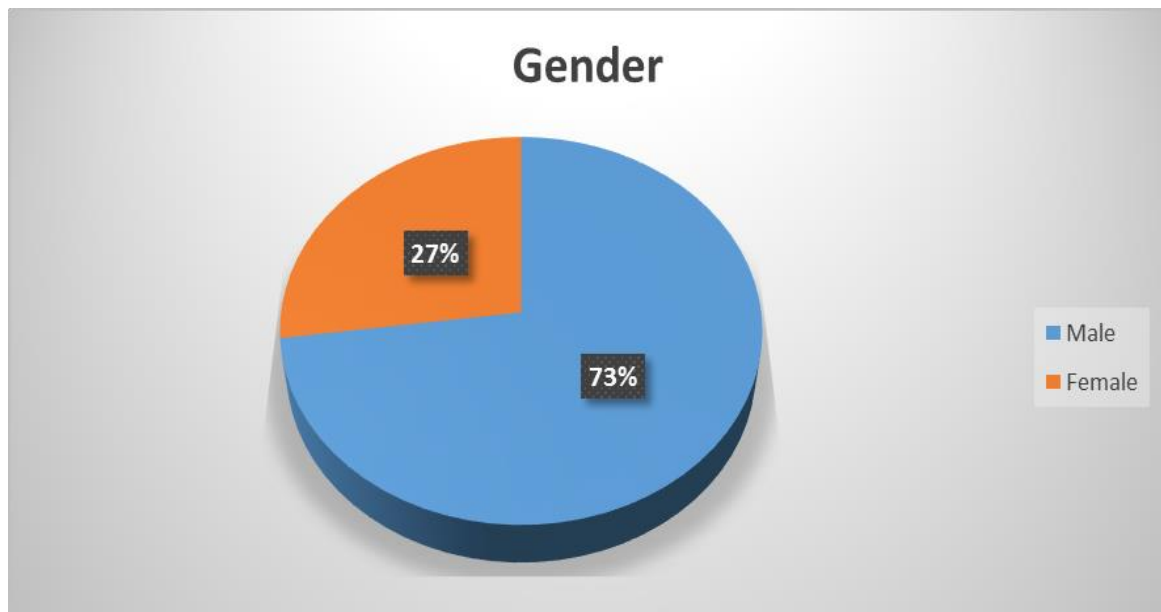


Fig. 6.18: Gender of Victim

Interpretation:

From the data, the majority of victims are male, comprising 164 out of 225 respondents. Female respondents represent a smaller portion of the total respondents, with 61 out of 225. The gender distribution indicates a higher participation of males compared to females in the survey or study. This distribution might suggest certain gender-related patterns or preferences within the context of the survey topic or population being studied. Further analysis could explore any potential implications of this gender distribution on the survey results or the broader context of the study.

Table 6.19: Age of Victim

Age of Victim	Respondents
Less than 10 Yrs	70
10-15 Yrs	101
15-20 yrs	34
20-25 Yrs	14
More than 25 Yrs	6
Total	225

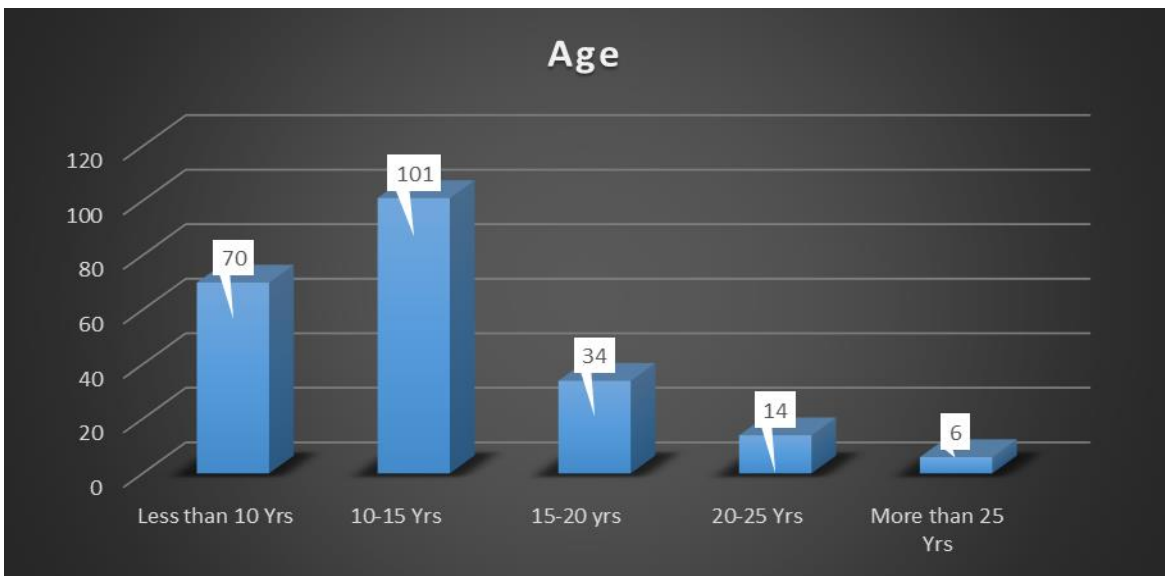


Fig. 6.19: Age of Victim

Interpretation: The data reveals the age distribution among respondents, comprising a total of 225 individuals. The majority of respondents, accounting for 101 individuals, fall within the age bracket of 10 to 15 years. Following closely behind are respondents aged less than 10 years, with a count of 70. Those aged between 15 and 20 years make up the next group, with 34 respondents. Additionally, 14 individuals belong to the 20 to 25 years' age group, while only 6 respondents are aged more than 25 years. This distribution illustrates a predominance of younger respondents, particularly in the 10 to 15 years' age range, reflecting the demographics of the surveyed population. Knowing this age composition provides valuable insights into the participant demographics.

Table 6.20: District of victim

District of victim	Respondents
Dahod	80
Panchmahal	70
Mahisagar	75
Total	225

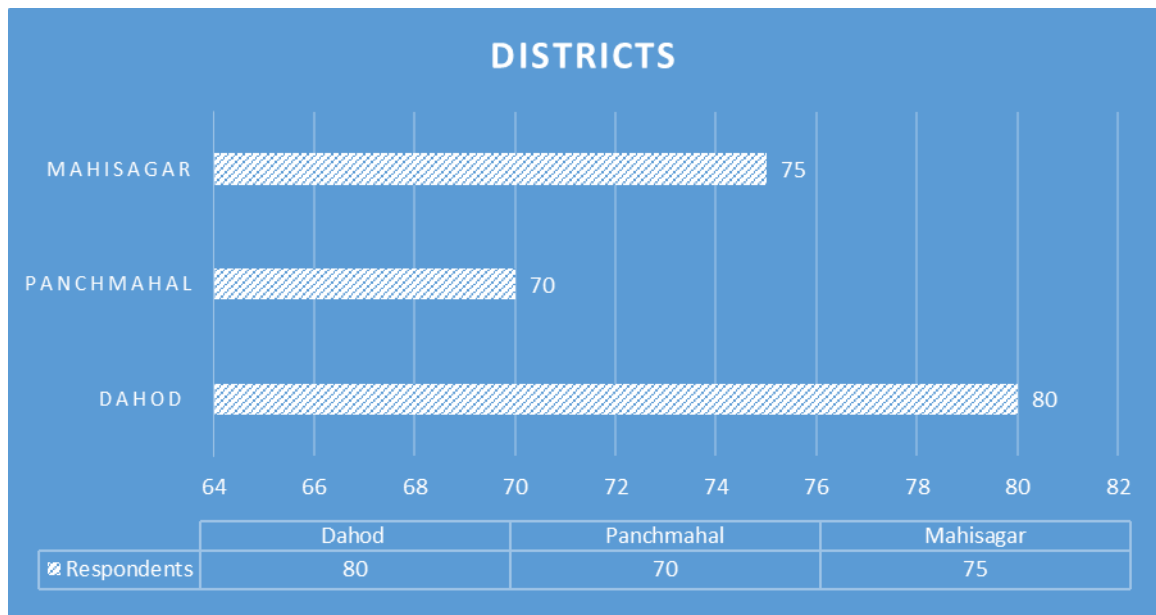


Fig. 6.20: District of victim

Interpretation:

The data presents the distribution of respondents across different districts, with a total of 225 individuals participating in the survey. Among the districts surveyed, Dahod has the highest number of respondents, totaling 80 individuals. Panchmahal follows closely behind, with 70 respondents, while Mahisagar district accounts for 75 respondents. This distribution highlights the participation of individuals from various districts within the surveyed region. Understanding the distribution across districts is essential for assessing geographic representation and considering regional variations in responses, which can provide valuable insights into localized perspectives and experiences.

Table 6.21: Religion of Victim

Religion of victim	Respondents
Hindu	110
Muslim	46
Christian	9
Sikh	39
Others	21
Total	225

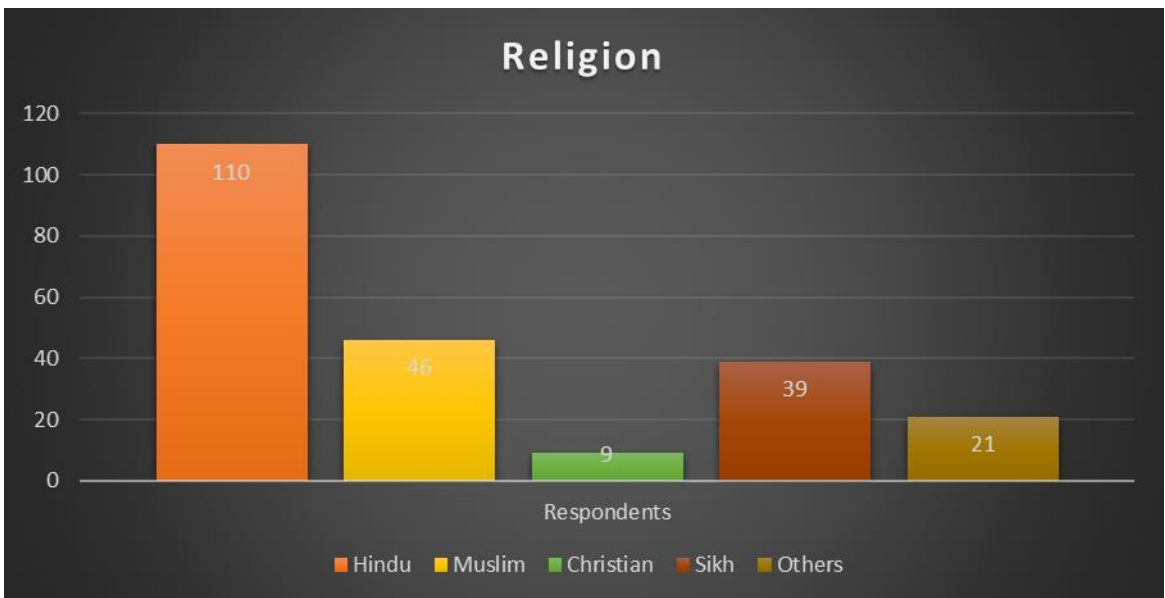


Fig. 6.21: Religion of victim

Interpretation:

The data presents the religious affiliations of respondents in relation to trafficking incidents. Among the respondents, 110 identified as Hindu, 46 as Muslim, 9 as Christian, 39 as Sikh, and 21 as belonging to other religions. This distribution reflects the diversity of religious backgrounds among individuals affected by or involved in trafficking cases. Understanding these demographics can aid in crafting targeted interventions and support systems tailored to the specific needs of different religious communities impacted by trafficking.

Table 6.22: Economic status of the parents or guardian of victims

Economic status of the parents or guardian of victims	Respondents
Farmer	72
Day labour	53
Unemployed	21
other	79
Total	225

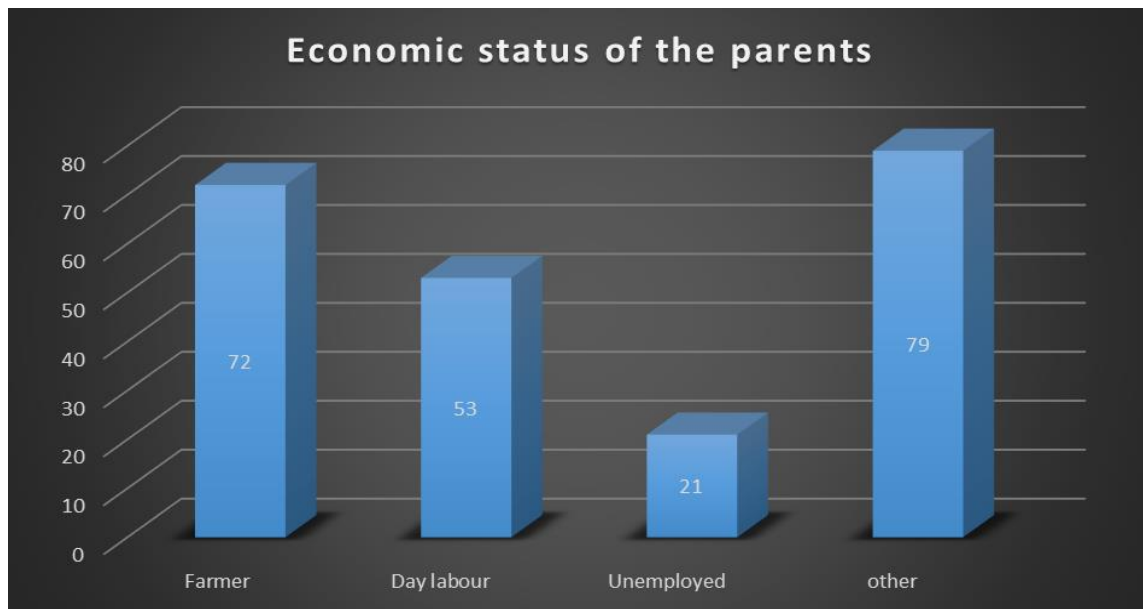


Fig. 6.22: Economic status of the parents or guardian of victims

Interpretation:

The economic status of parents or guardians, as reported by respondents, is diverse. A substantial number identify as farmers (72), reflecting an agricultural economic background, while others engage in day labor (53) or describe themselves as unemployed (21). Additionally, a significant majority falls into the "other" category (79), signifying a varied range of economic circumstances. This diversity underscores the need for nuanced, context-specific approaches in addressing the vulnerabilities to child trafficking within communities, considering the unique challenges associated with different economic sectors.

Table 6.23: Victim’s education Status

Status of education of victim	Respondents
Illiterate	152
Primary	34
Secondary	12
School drop out	27
Total	225

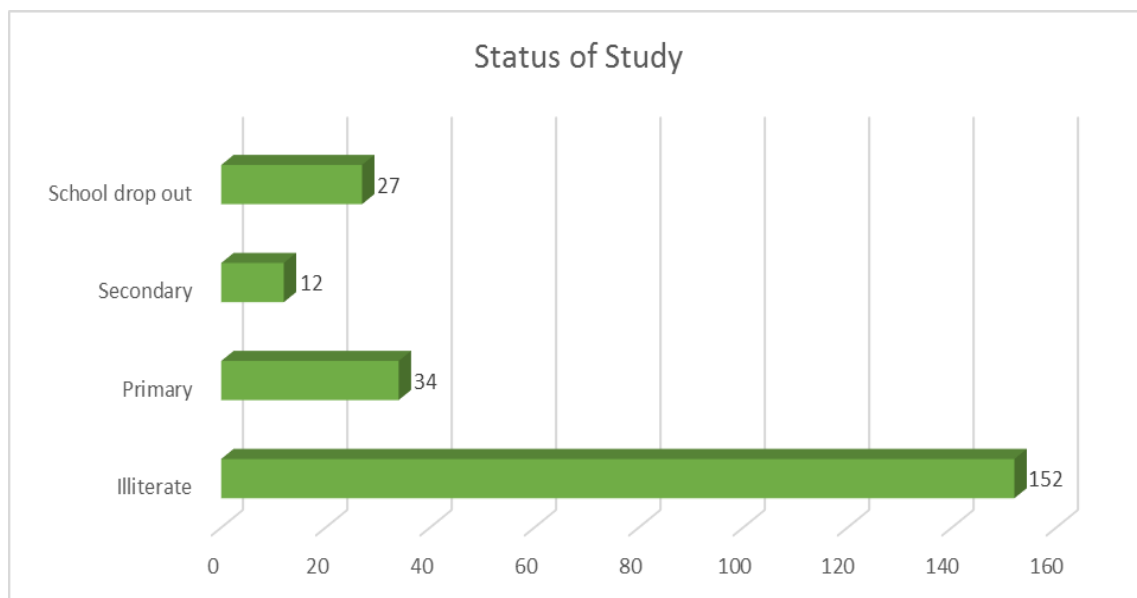


Fig. 6.23: Victim’s education Status

Interpretation:

The respondents' reported status of school study indicates a range of educational levels within the community. The majority of respondents are illiterate (152), emphasizing a significant portion of the population lacking formal education. There are 34 respondents at the primary school level, 12 at the secondary level, and 27 school dropouts. This distribution highlights a need for targeted educational interventions to address illiteracy and promote sustained school attendance, ensuring that children have access to and complete formal education. The educational status of the community plays a crucial role in shaping vulnerability to societal challenges emphasizing the as a protective factor.

Table 6.24: About Place from where victim was taken

Place from where victim was taken away	Respondents
Known place	4
Unknown place	221
Total	225



Fig. 6.24: About Place from where victim was taken

Interpretation:

The respondents' answers regarding the location where they were taken away from their homes reveal a stark trend. The overwhelming majority, with 221 respondents, states that they were taken from an unknown place. This significant imbalance underscores the clandestine and often surreptitious nature of child trafficking, where victims are frequently abducted or moved to undisclosed locations. The limited number (4) mentioning a known place implies that, in most cases, victims are forcibly taken to unfamiliar settings, emphasizing the covert tactics employed by traffickers. This data accentuates the need for increased efforts in raising awareness, enhancing community vigilance, and implementing preventive measures to address the risk of child trafficking, particularly in contexts where the location of abduction is unknown.

Table 6.25: About person who took away Victim

Who has taken you away from your Home	Respondents
Unknown	108
Known	66
villagers/ Neighbors	28
Agency	23
Total	225

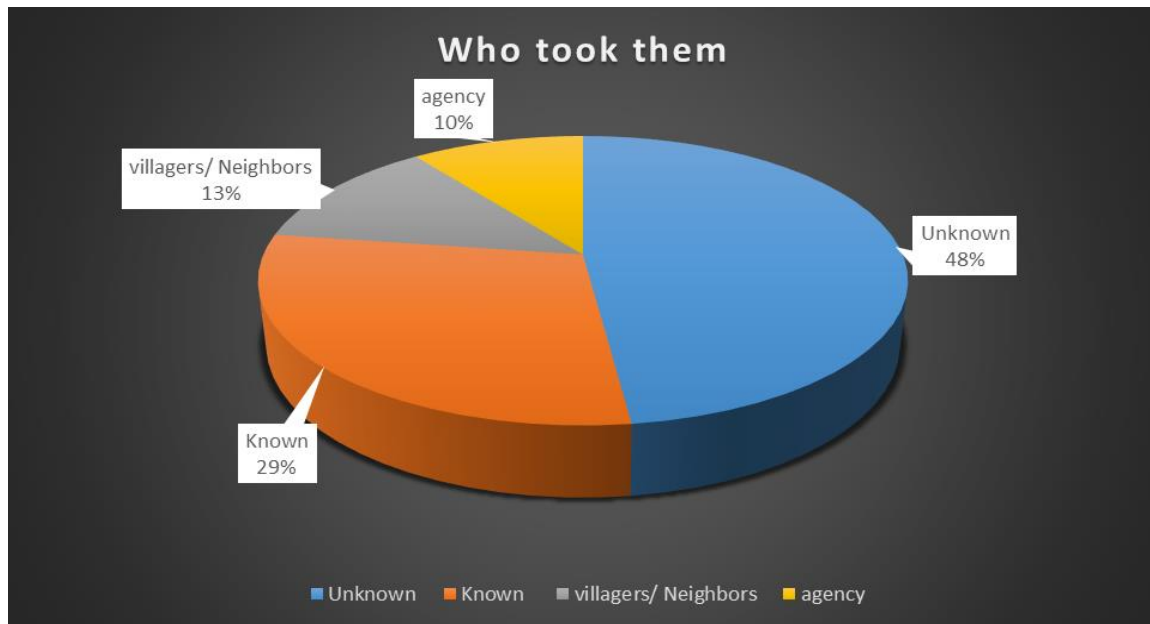


Fig. 6.25: About person who took away Victim

Interpretation: The responses regarding who took respondents away from their homes reveal a variety of circumstances. A notable portion (108) states that the abductor was unknown, suggesting that many cases involve perpetrators who are not recognized by the victims. In 66 instances, the abductor was known, possibly indicating situations where the victims could identify the person responsible. Additionally, villagers or neighbors were mentioned in 28 cases, while agencies were implicated in 23 cases. This diversity in responses emphasizes the complex nature of child trafficking, involving both familiar and unfamiliar individuals, as well as potential involvement of community members or organized entities. Addressing these varied scenarios requires a multifaceted approach, incorporating community awareness, vigilance, and collaboration with relevant agencies to prevent and combat child trafficking effectively.

Table 6.26: Reasons behind taking the victim

Reasons of taking the victim away from home	Respondents
For domestic help	110
For marriage	87
For Study	7
for job	19
others	2
Total	225

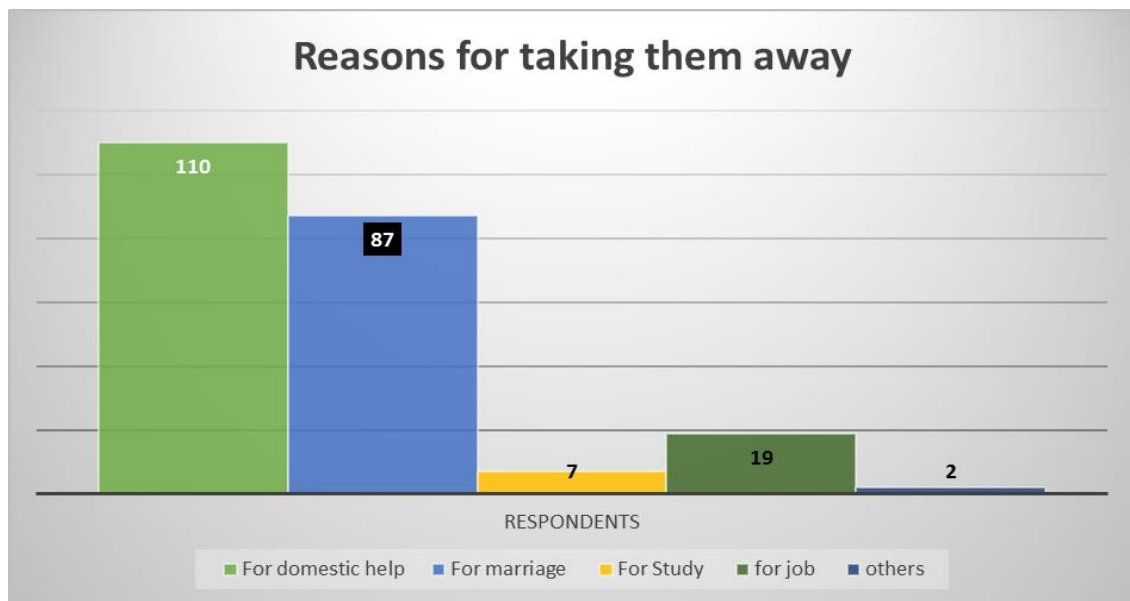


Fig. 6.26: Reasons behind taking the victim

Interpretation: The reasons reported by respondents for being taken away from their homes are diverse. The majority (110) state that they were taken for domestic help, highlighting the exploitation of individuals for labor within private households. Additionally, 87 respondents mention being taken for marriage, reflecting the disturbing trend of forced marriages. A smaller number, with 7 respondents, state being taken for study, indicating potential deceptive recruitment for educational purposes. Nineteen respondents mention being taken for jobs, pointing to labor exploitation beyond domestic help. Two respondents cite other reasons not specified in the table. This variation in reported reasons underscores the multifaceted nature of child trafficking, encompassing different forms of exploitation and highlighting the need for targeted interventions addressing specific contexts and motivations.

Table 6.27: About Type of work Victim carried

What Type of work you have to carry out	Respondents
Domestic help	92
Prostitution	57
Working in factory	67
Other	9
Total	225

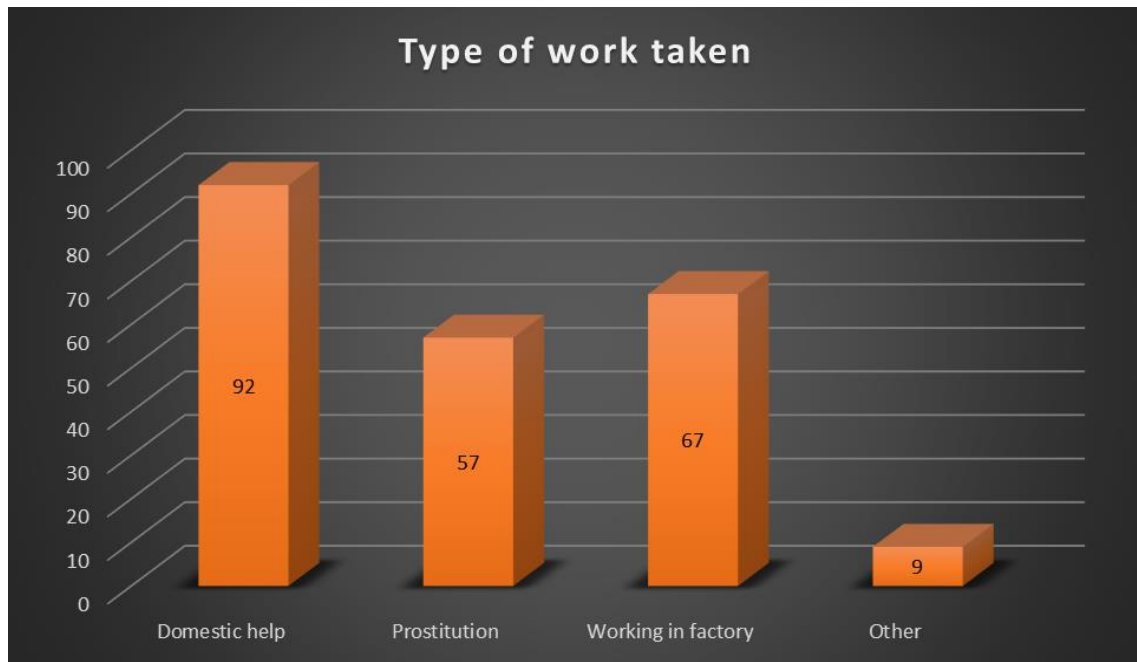


Fig. 6.27: About Type of work Victim carried

Interpretation:

The respondents indicate a range of types of work they were compelled to carry out after being taken away from their homes. A significant number (92) mention domestic help, underscoring the prevalence of exploitation within private households. Prostitution is reported by 57 respondents, highlighting the alarming issue of forced involvement in the sex trade. Sixty-seven respondents mention working in factories, indicating instances of labor exploitation in industrial settings. Additionally, nine respondents cite other types of work not explicitly specified in the table. This diversity in reported work types emphasizes the varied forms of exploitation faced by victims of child trafficking, necessitating targeted interventions to address specific labor and exploitation contexts.

Table 6.28: Numbers of working Hours

How much were your working Hours	Respondents
6 hours	25
12 hours	143
14 hours	39
others	18
Total	225

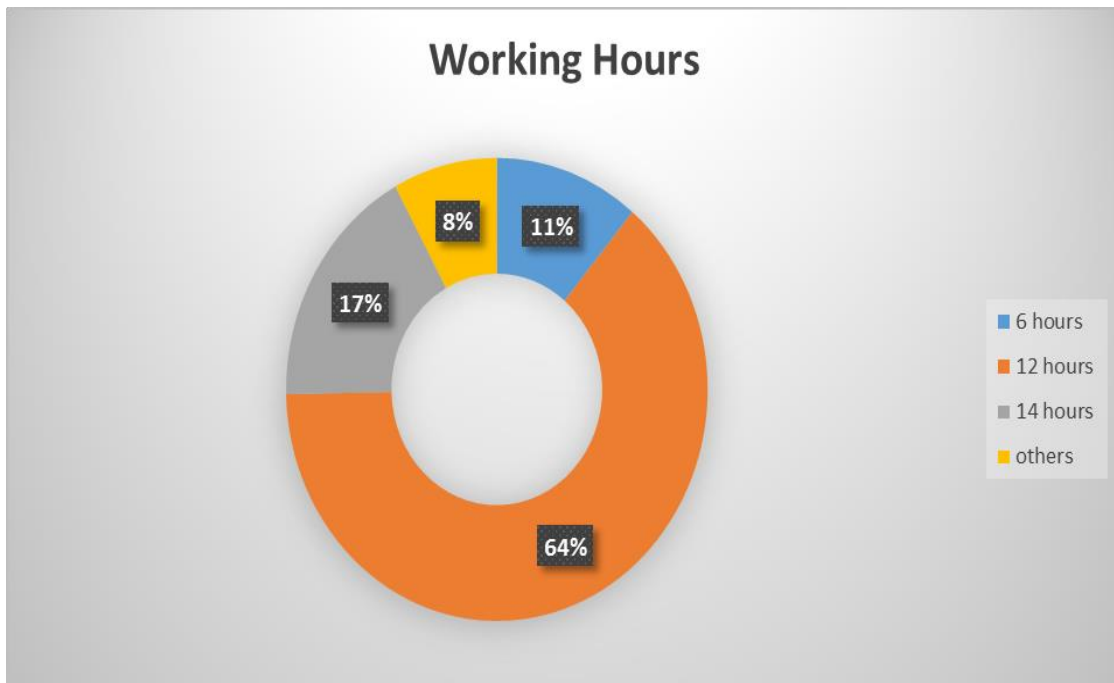


Fig. 6.28: Numbers of working Hours

Interpretation: The reported working hours of the respondents indicate a range of labor conditions. A substantial number (143) mention working for 12 hours, reflecting an extensive and likely exploitative workday. Thirty-nine respondents report working for 14 hours, further emphasizing the prolonged nature of their labor. Twenty-five respondents mention a 6-hour workday, representing a comparatively shorter duration. Additionally, 18 respondents cite other working hours not specified in the table. This data underscores the need to address the labor conditions of victims of child trafficking, advocating for fair and humane working hours and highlighting the potential exploitation faced by individuals subjected to excessively long workdays.

Table 6.29: About remuneration paid

Whether remuneration was paid or not	Respondents
Fully paid	41
Not paid	178
Partly paid	6
Total	225

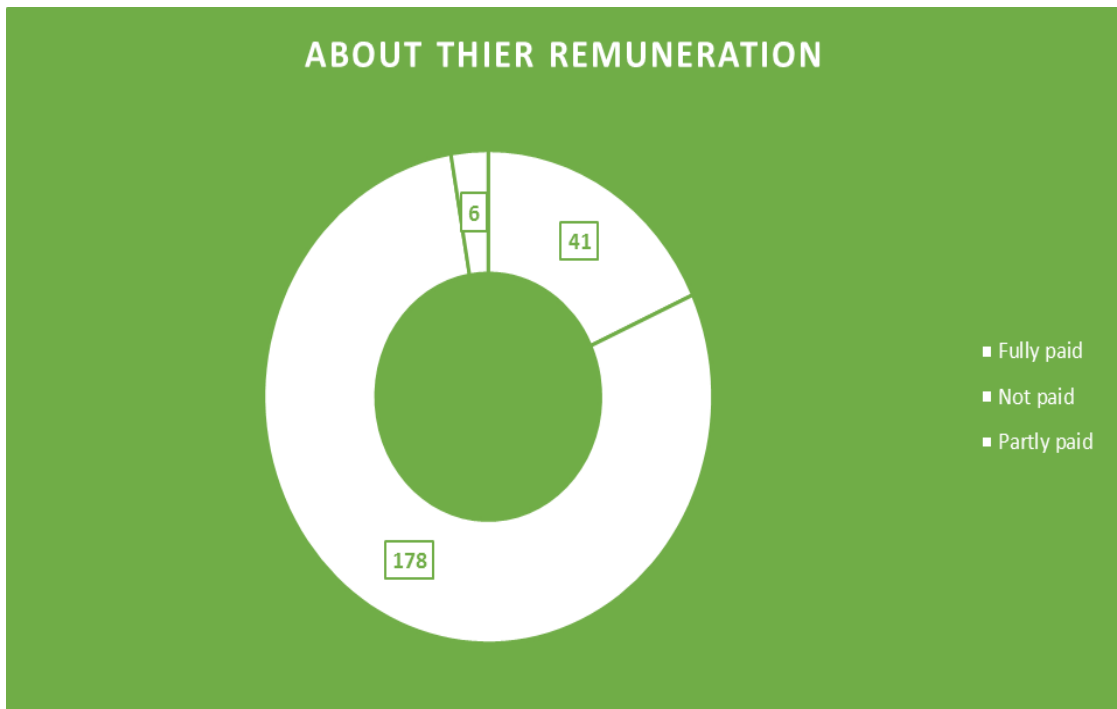


Fig. 6.30: About remuneration paid

Interpretation:

The respondents' answers regarding remuneration indicate a concerning trend. The majority (178) states that they were not paid for their work, highlighting instances of forced labor without compensation. Only 41 respondents mention being fully paid, suggesting a minority who received wages for their labor. Additionally, six respondents report receiving partial payment. The prevalence of non-payment underscores the exploitative nature of the situations faced by victims of child trafficking, emphasizing the urgent need to address and eliminate such instances of forced labor and ensure fair compensation for work.

Table 6.30: Awareness about the fact of being trafficked

Were you aware of the fact that you had been trafficked	Respondents
Yes	107
No	43
Can't Say	75
Total	225

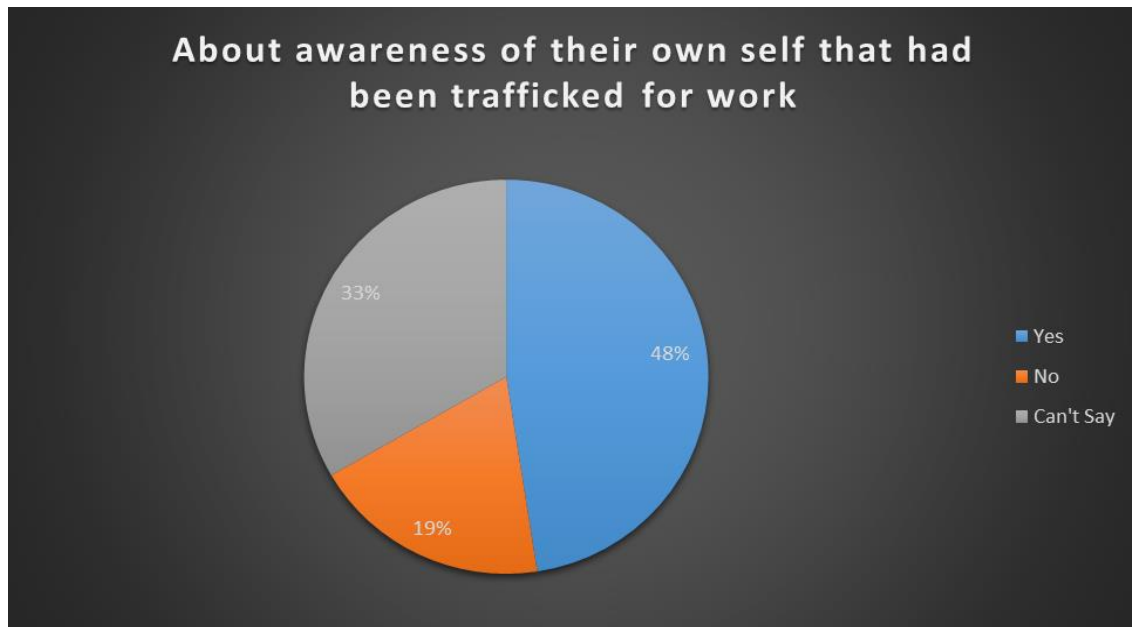


Fig. 6.30: Awareness about the fact of being trafficked

Interpretation:

The respondents' awareness of being trafficked for work reveals a mixed pattern. A notable portion (107) acknowledges being aware of the fact that they had been trafficked for work, indicating a level of recognition or understanding of their situation. However, 43 respondents state that they were not aware of being trafficked, suggesting potential instances of deception or lack of information about their circumstances. A significant number (75) expresses uncertainty or an inability to say definitively whether they were aware of being trafficked. This complexity in responses emphasizes the need for increased awareness campaigns and education to empower individuals to recognize and report instances of trafficking, ensuring better protection and support for victims.

Table 6.31: Types of problem faced at the work place

What type of problem do you face at the work place	Respondents
Physical abuse	89
Torture	78
Monitory Problem	53
other	5
Total	225

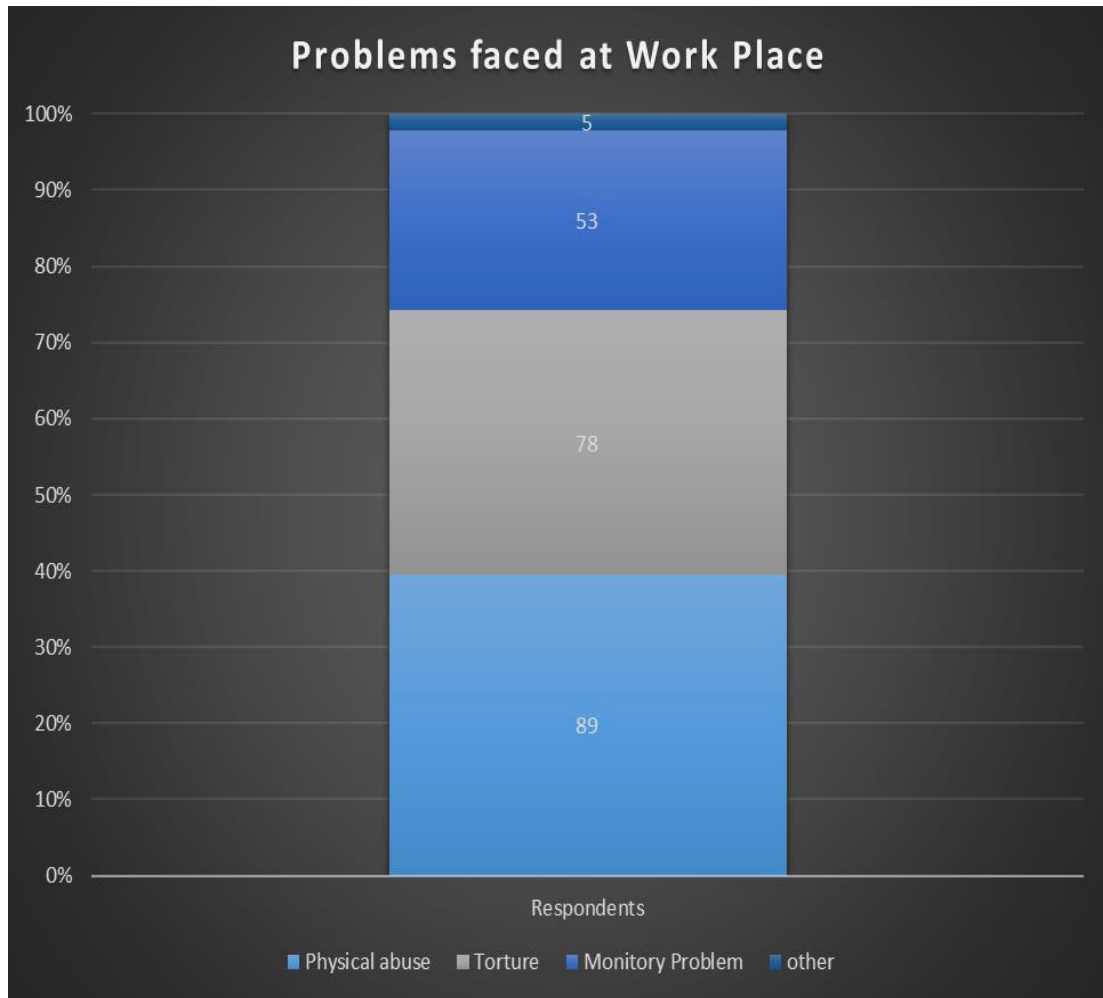


Fig. 6.31: Types of problem faced at the work place

Interpretation: The respondents report various problems faced at the workplace, shedding light on the challenges associated with their labor conditions. The predominant issue is physical abuse, mentioned by 89 respondents, indicating a distressing prevalence of violence at the workplace. Additionally, torture is reported by 78 respondents, emphasizing the severity of the abuse experienced. Fifty-three respondents cite monetary problems, highlighting financial exploitation and potential withholding of wages. Five respondents mention other types of problems not specified in the table. This data underscores the urgent need for interventions to address workplace abuse, ensuring the safety, well-being, and fair treatment of individuals vulnerable to exploitation and trafficking.

Table 6.32: Ways to return Home

How did You came to Home from there?	Respondents
Personally	97
With the help of police	107
With the help of others	21
Total	225

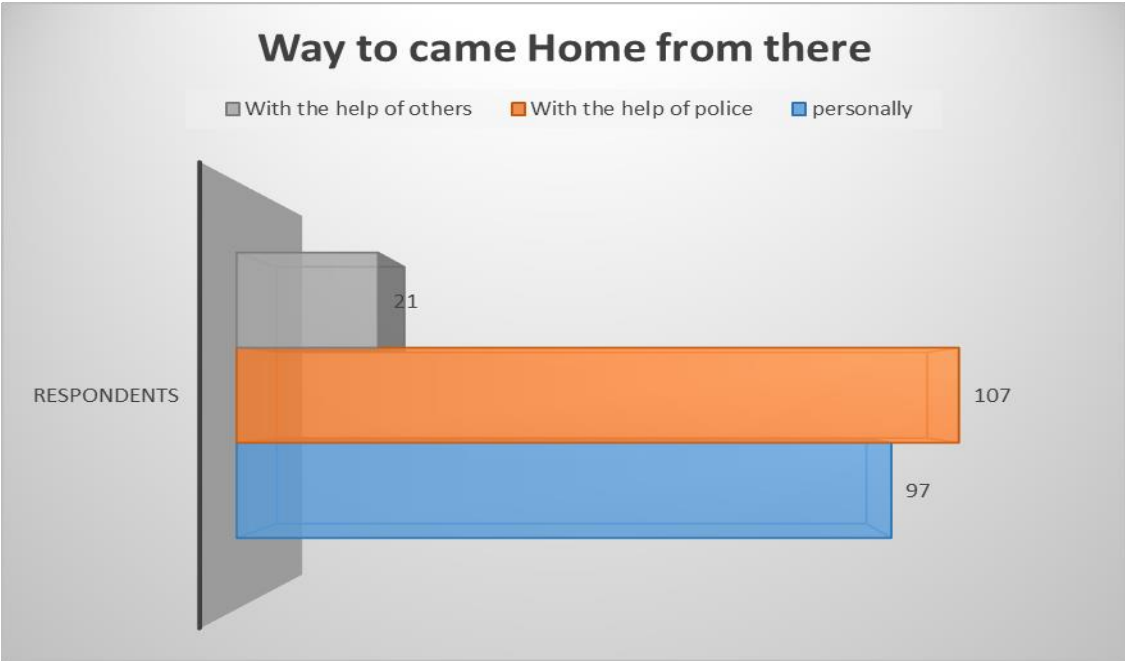


Fig. 6.32: Ways to return Home

Interpretation: The responses regarding how respondents returned home from their trafficking situations reveal several scenarios. A significant portion (107) indicates that they sought assistance from the police to facilitate their return, emphasizing the role of law enforcement in rescuing and supporting trafficking victims. Ninety-seven respondents mention returning home personally, suggesting instances where individuals were able to escape or find their way back independently. Additionally, 21 respondents report returning home with the help of others, possibly involving support from NGOs, community members, or other individuals. This diversity in return mechanisms underscores the importance of efforts involving law enforcement, support networks, and individual agency in the process of rescuing and repatriating victims of trafficking.

Table 6.33: Work Interest at present

What you want to do at present	Respondents
Study	129
Stay at home	68
Work	19
Other	9
Total	225



Fig. 6.33: Work Interest at present

Interpretation:

The aspirations of respondents regarding their current situation reveal diverse preferences. A significant majority (129) expresses a desire to study, indicating an eagerness to pursue education and possibly rebuild their lives after the trafficking experience. Sixty-eight respondents mention a preference to stay at home, reflecting a desire for a sense of stability and security. Nineteen respondents express a wish to work, underscoring a readiness to engage in productive activities. Additionally, nine respondents cite other aspirations not specified in the table. This data emphasizes the importance of supporting the educational and vocational goals of survivors of trafficking, ensuring opportunities for personal growth, recovery, and reintegration into society.

Table 6.34: Awareness about specific laws regarding human trafficking

Are Victims or their parents aware about specific laws regarding human trafficking	Respondents
Yes	164
No	27
Can't Say	34
Total	225



Fig. 6.34 Awareness about specific laws regarding human trafficking

Interpretation:

The respondents' awareness of specific laws regarding human trafficking provides insights into their knowledge of legal frameworks. A substantial majority (164) affirms the existence of specific laws addressing human trafficking, indicating an awareness of legal measures in place to combat this crime. Seventeen respondents state that there are no specific laws regarding human trafficking, suggesting potential gaps in awareness or understanding. Additionally, 34 respondents' express uncertainty or an inability to say definitively whether such laws exist. This data underscores the importance of strengthening awareness and education initiatives to ensure that individuals, particularly those vulnerable to trafficking, are informed about the legal protections in place against this heinous crime.

6.3 SECTION 3

HYPOTHESIS TESTING

Awareness of respondents about laws regarding human trafficking

H₀₁: There is no significant impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region.

Table 6.35: Cross tab between gender and Awareness about specific laws

Gender	Awareness about specific laws regarding human trafficking			
	Yes	No	Not Known	Total
Male	133	15	16	164
Female	31	12	18	61
Total	164	27	34	225

The bivariate tabular representation of gender of respondents and response on a scale of Yes, No and Not known revealed that there is a huge difference between males and females and more than 80 % are aware about the issue and laws regarding the issue but only 50 % females are aware on this issue. Out of total 164 respondents are aware and so this was tested with the help of ANOVA statistical test to study the impact of gender on awareness about specific laws regarding human trafficking in the selected region. **To test the hypothesis** There is no significant impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region ANOVA test is applied.

Table 6.36: ANOVA: Single Factor

SUMMARY						
<i>Groups</i>	<i>Count</i>	<i>Sum</i>	<i>Average</i>	<i>Variance</i>		
Column 1	2	164	82	5202		
Column 2	2	27	13.5	4.5		
Column 3	2	34	17	2		
ANOVA						
<i>Source of Variation</i>	<i>SS</i>	<i>df</i>	<i>MS</i>	<i>F</i>	<i>P-value</i>	<i>F crit</i>
Between Groups	5953	2	2976.5	1.714409	0.318776	9.552094
Within Groups	5208.5	3	1736.167			
Total	11161.5	5				

ANOVA uses the F test for statistical significance. The F test compares the variance in each group mean from the overall group variance. The above hypothesis is tested statistically by applying ANOVA test where the null hypothesis says that the mean of different samples does not differ significantly. One factor analysis of variance refers to the fact that the single variable is controlled and its effect is observed. The F ratio is calculated and it is compared with the tabular value of F at 95% level of significance.

To determine whether any of the differences between the means are statistically significant, the p-value is compared with significance level to assess the null hypothesis. The null hypothesis states that the population means are all equal. The p-value is high

than significance level (denoted as α or alpha) of 0.05 which indicates a 5% risk of concluding that a difference exists when there is no actual difference.

If the p-value is greater than the significance level, we cannot reject the null hypothesis that the population means are all equal. The calculated value of F is lower than tabular value of F at (2,3) degree of freedom which indicates that the difference in sample means is insignificant. The null hypothesis is accepted; hence There is no impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region.

H₀₂: There is no impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region.

Table:6.37: Cross tab between Class of people and Awareness about specific laws

Class of people	Awareness about specific laws regarding human trafficking			
	Yes	No	Not Known	Total
Poor people	72	6	6	84
Uneducated	63	11	15	89
Backward Class	2	6	0	8
others	27	4	13	44
Total	164	27	34	225

The bivariate tabular representation of class of respondents and response on a scale of Yes, No and Not known revealed that there is a huge difference between different class of people and it is seen that all class people are aware about the issue and laws regarding the issue but only few of them are not aware on this issue .Out of total 164 respondents are aware and so this was tested with the help of ANOVA statistical test to

study the impact of class on awareness about specific laws regarding human trafficking in the selected region.

To test the hypothesis There is no impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region ANOVA test is applied.

Table:6.38: ANOVA: Single Factor

SUMMARY						
<i>Groups</i>	<i>Count</i>	<i>Sum</i>	<i>Average</i>	<i>Variance</i>		
Column 1	4	164	41	1054		
Column 2	4	27	6.75	8.916667		
Column 3	4	34	8.5	47		
ANOVA						
<i>Source of Variation</i>	<i>SS</i>	<i>df</i>	<i>MS</i>	<i>F</i>	<i>P-value</i>	<i>F crit</i>
Between Groups	2976.5	2	1488.25	4.022599	0.056478	4.256495
Within Groups	3329.75	9	369.9722			
Total	6306.25	11				

ANOVA uses the *F* test for statistical significance. The *F* test compares the variance in each group mean from the overall group variance. The above hypothesis is

tested statistically by applying ANOVA test where the null hypothesis says that the mean of different samples does not differ significantly. One factor analysis of variance refers to the fact that the single variable is controlled and its effect is observed. The F ratio is calculated and it is compared with the tabular value of F at 95% level of significance.

To determine whether any of the differences between the means are statistically significant, the p-value is compared with significance level to assess the null hypothesis. The null hypothesis states that the population means are all equal. The p -value is high than significance level (denoted as α or alpha) of 0.05 which indicates a 5% risk of concluding that a difference exists when there is no actual difference.

If the p-value is less than or equal to the significance level, we can reject the null hypothesis that the population means are all equal. The calculated value of F is almost equal to the tabular value of F at (2,9) degree of freedom which indicates that the difference in sample means is significant. The null hypothesis is rejected; hence There is a significant impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region.

H03: There is no significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region.

Table:6.39: Cross tab between District and Awareness about specific laws

District	Awareness about specific laws regarding human trafficking			
	Yes	No	Not Known	Total
Dahod	70	3	7	80
Panchmahal	53	15	2	70
Mahisagar	41	9	25	75
Total	164	27	34	225

The cross tabular representation of district of respondents and response on a scale of Yes, No and Not known revealed that there is no such difference visible among respondents of different districts and it is seen that all respondents are mostly aware about the issue and laws regarding the issue irrespective of their district of residence. Out of total 164 respondents are aware and so this was tested with the help of ANOVA statistical test to study the relationship between district and awareness about specific laws regarding human trafficking in the selected region.

To test the above hypothesis There is no significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region ANOVA test is applied

Table:6.40: ANOVA: Single Factor

SUMMARY						
<i>Groups</i>	<i>Count</i>	<i>Sum</i>	<i>Average</i>	<i>Variance</i>		
Row 1	3	80	26.66667	1412.333		
Row 2	3	70	23.33333	702.3333		
Row 3	3	75	25	256		
ANOVA						
<i>Source of Variation</i>	<i>SS</i>	<i>df</i>	<i>MS</i>	<i>F</i>	<i>P-value</i>	<i>F crit</i>
Between Groups	16.66667	2	8.333333	0.010546	0.989528	5.143253
Within Groups	4741.333	6	790.2222			
Total	4758	8				

ANOVA uses the F test for statistical significance. The F test compares the variance in each group mean from the overall group variance. The above hypothesis is tested statistically by applying ANOVA test where the null hypothesis says that the mean of different samples does not differ significantly. One factor analysis of variance refers to the fact that the single variable is controlled and its effect is observed. The F ratio is calculated and it is compared with the tabular value of F at 95% level of significance.

To determine whether any of the differences between the means are statistically significant, the p-value is compared with significance level to assess the null hypothesis. The null hypothesis states that the population means are all equal. The p-value is high than significance level (denoted as α or alpha) of 0.05 which indicates a 5% risk of concluding that a difference exists when there is no actual difference.

The p-value is more than significance level; we cannot reject the null hypothesis that the population means are all equal. The calculated value of F is less than the tabular value of F at (2,6) degree of freedom which indicates that the difference in sample means is insignificant. The null hypothesis is accepted; hence there is no significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region

H₀₄: There is no significant relationship between involvement of trafficker and proper process for preventing child trafficking.

Table:6.41: Cross tab between category of trafficker and whether Guardian Filing FIR

Which type of the persons are trafficker or involved in trafficking	Guardian File an FIR			
	Yes	No	Not Known	Total
Gang	139	20	0	159
Relative	10	7	0	17
Villagers	33	5	0	38
Other	8	2	1	11
Total	190	34	1	225

The data reveals the involvement of different categories of individuals in trafficking, as reported by respondents. Among them, gangs emerged as the most frequently cited perpetrators, with 139 respondents confirming their involvement and 20 expressing uncertainty. Relatives were also implicated, with 10 respondents confirming their involvement and 7 expressing uncertainty. Villagers were identified in trafficking incidents by 33 respondents with certainty and 5 with uncertainty. Additionally, 11 respondents reported involvement by other individuals, with 8 confirming and 2 expressing uncertainty. The data underscores the diverse range of individuals involved in trafficking activities, highlighting the complex nature of addressing and combating such criminal behavior.

There is no significant relationship between involvement of trafficker and proper process for preventing child trafficking is tested by applying chi square test.

Table 6.42: Chi square test statistic

Tabular Value	Calculated Value	Degree of Freedom	H₀ Accepted or Rejected
10.6	34.92	6	Rejected

*At 95% level of significance

Chi square Output

The hypothesis that there is no significant relationship between involvement of trafficker and proper process for preventing child trafficking is tested by applying chi square test. The calculated value and tabular value are compared at 6 degree of freedom and 95% level of significance. The calculated value of chi square is greater than the tabular value for 6 degree of freedom. So, the null hypothesis is rejected that the two attributes under study have no association and so we can infer that there is no significant relationship between involvement of trafficker and proper process for preventing child trafficking.

Perception of Respondents

H₀₅: There is no significant relationship between gender and perception of respondents regarding reason of child trafficking.

H_{a5}: There is a significant relationship between gender and perception of respondents regarding reason of child trafficking

The response was recorded on a scale of three Agree, Neutral and Disagree. All the responses in each category are cross tabulated with gender of the respondents to visualize if there is any correlation between the response and gender of the respondents

Table 6.43: Response on Agree scale with gender

How would you rate the following reasons of child trafficking?	Agree Responses		
	Male	Female	Total
Lack of Education	124	14	138
Ignorance of Parents	86	9	95
Drop out from schools	16	3	19
No proper information about child trafficking	183	21	204
No preventive laws are responsible for child trafficking.	58	13	71
The role of media is insufficient in highlighting the issue of child Trafficking.	6	2	8

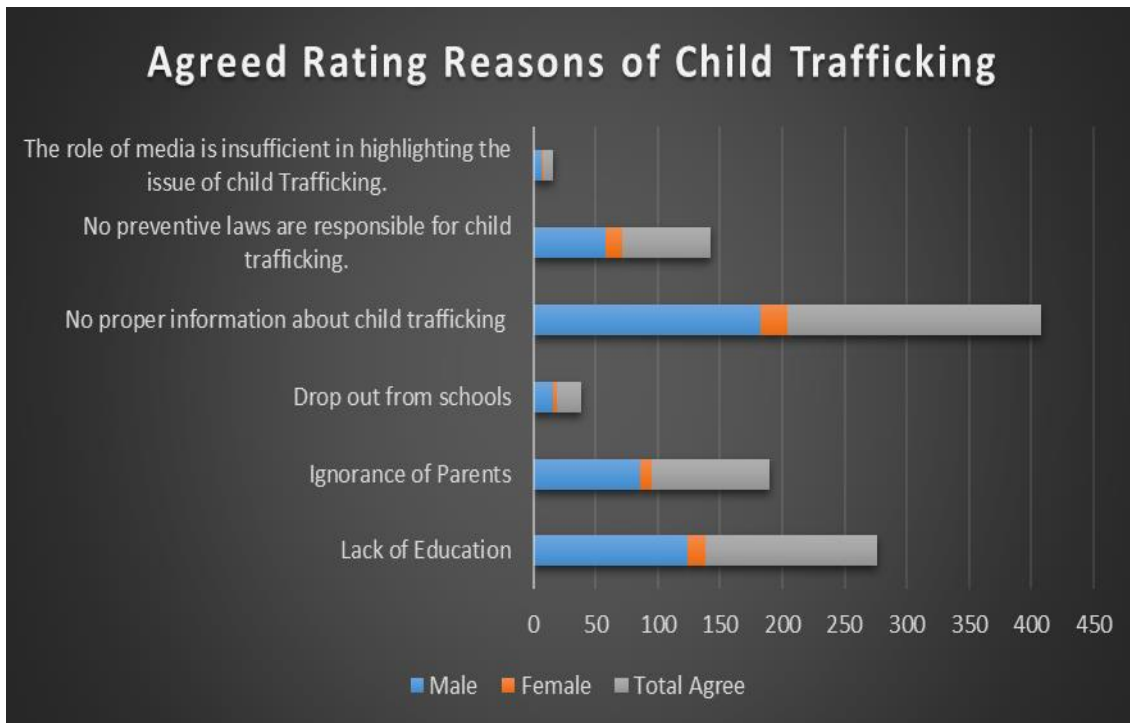


Fig. 6.35: Response on Agree scale with gender

Interpretation:

The table presents the responses regarding the rating of various reasons contributing to child trafficking, categorized by gender. Among male respondents, 124 agreed that lack of education contributes to child trafficking, while 14 female respondents shared the same view, totaling 138. Similarly, 86 male respondents and 9 female respondents agreed on the ignorance of parents as a factor contributing to child trafficking, totaling 95. Regarding the dropout from schools, 16 male respondents and 3 female respondents agreed, totaling 19. A significant agreement was observed concerning the lack of proper information about child trafficking, with 183 male respondents and 21 female respondents in agreement, totaling 204. In terms of the absence of preventive laws contributing to child trafficking, 58 male respondents and 13 female respondents agreed, totaling 71. Lastly, only 6 male respondents and 2 female respondents agreed that the role of media is insufficient in highlighting the issue of child trafficking, totaling 8. These responses provide insights into the perceptions and awareness of different gender groups regarding the factors contributing to child trafficking.

Table 6.44: Response on Neutral scale with gender

How would you rate the following reasons of child trafficking?	Neutral Responses		
	Male	Female	Total
Lack of Education	73	5	78
Ignorance of Parents	60	4	64
Drop out from schools	42	17	59
No proper information about child trafficking	12	3	15
No preventive laws are responsible for child trafficking.	61	18	79
The role of media is insufficient in highlighting the issue of child Trafficking.	39	14	53

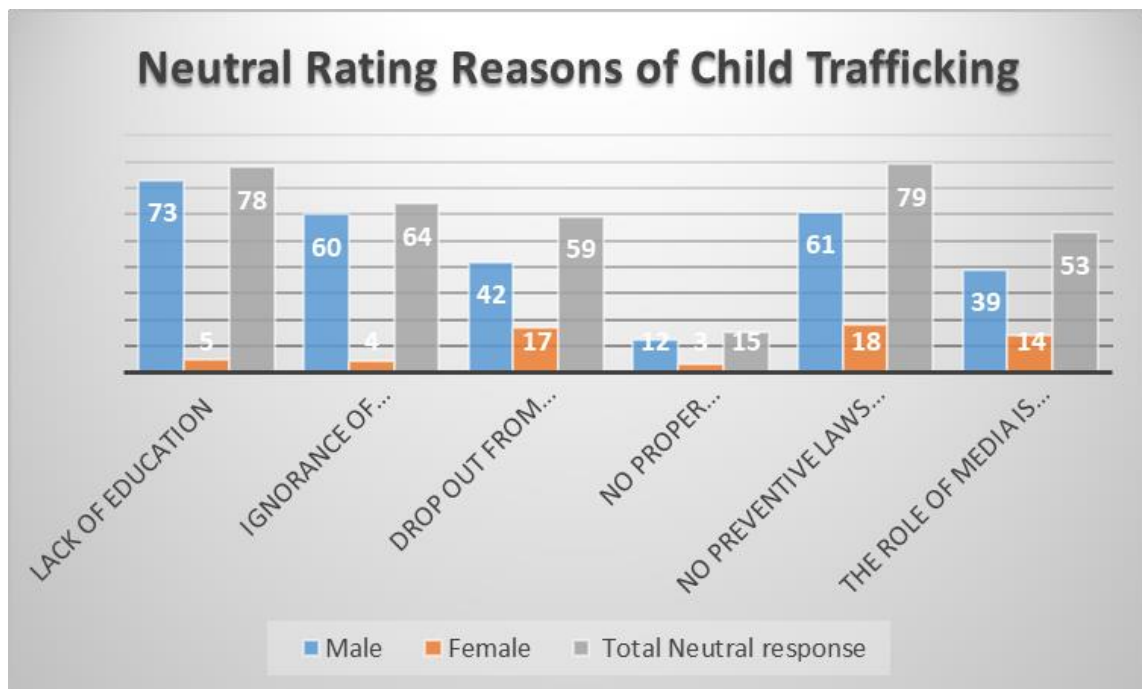


Fig. 6.36: Response on Neutral scale with gender

Interpretation:

The table displays the neutral responses regarding the rating of various reasons contributing to child trafficking, segmented by gender. Among male respondents, 73 remained neutral about the lack of education as a factor in child trafficking, while 5 female respondents shared the same stance, totaling 78 neutral responses. Concerning the ignorance of parents, 60 male respondents and 4 female respondents remained neutral, resulting in 64 total neutral responses. For dropout from schools, 42 male respondents and 17 female respondents expressed neutrality, amounting to 59 neutral responses. Regarding the lack of proper information about child trafficking, 12 male respondents and 3 female respondents remained neutral, totaling 15 neutral responses. In terms of the absence of preventive laws contributing to child trafficking, 61 male respondents and 18 female respondents expressed neutrality, totaling 79 neutral responses. Lastly, concerning the role of media, 39 male respondents and 14 female respondents remained neutral, totaling 53 neutral responses. These responses provide insights into the perceptions and attitudes of different gender groups regarding the factors contributing to child trafficking, indicating areas where awareness or opinion may be less definitive.

Table 6.46: Response on Disagree scale with gender

How would you rate the following reasons of child trafficking?	Disagree Responses		
	Male	Female	Total
Lack of Education	7	2	9
Ignorance of Parents	53	13	66
Drop out from schools	100	47	147
No proper information about child trafficking	5	1	6
No preventive laws are responsible for child trafficking.	71	24	75
The role of media is insufficient in highlighting the issue of child Trafficking.	118	46	164



Fig. 6.37: Response on Disagree scale with gender

Interpretation:

The data presents the disagreement responses regarding the rating of various reasons contributing to child trafficking, categorized by gender. Among male respondents, 7 disagreed that lack of education is a factor in child trafficking, while 2 female respondents held the same view, summing up to 9 disagreement responses. Regarding the ignorance of parents, 53 male respondents and 13 female respondents disagreed, resulting in 66 total disagreement responses. For dropout from schools, 100 male respondents and 47 female respondents expressed disagreement, totaling 147 disagreement responses. Concerning the lack of proper information about child trafficking, 5 male respondents and 1 female respondent disagreed, amounting to 6 disagreement responses. In terms of the absence of preventive laws contributing to child trafficking, 71 male respondents and 24 female respondents disagreed, totaling 75 disagreement responses. Lastly, regarding the role of media, 118 male respondents and 46 female respondents disagreed, resulting in 164 disagreement responses. These responses reflect the differing opinions among male and female respondents regarding the factors backing to child trafficking, emphasizing areas where perspectives diverge.

CHAPTER - 7

FINDINGS CONCLUSION AND SUGGESTIONS

7.1 FINDINGS

Here are the comprehensive findings from the interpretation of the primary data collected and analyzed:

Analytical Findings

1. Location of Abduction:

- as per the response of victim if available and in case they are not available response of family members, the majority of response (221) revealed that victims were taken from unknown places, emphasizing the clandestine nature of child trafficking. Only a small fraction (4) mentioned being taken from known places.

2. Abductor Identification:

- A miscellany of individuals or entities were identified as abductors. While 108 respondents mentioned unknown abductors, 66 identified known individuals, 28 mentioned villagers or neighbors, and 23 cited agencies.

3. Reasons for child Trafficking:

- The primary reasons for trafficking varied. The majority (110) mentioned trafficking for domestic help, followed by trafficking for marriage (87), study (7), and job (19) purpose which highlights the diverse nature of victimization.

4. Type of Work Carried Out:

- the victims or other Respondents reported children to be engaged in various types of work after abduction The most prevalent was domestic help (92), followed by prostitution (57) and working in factories (67) which clarify the dreadful interest of the traffickers.

5. Working Hours:

- A substantial number of respondents reported working for 12 hours (143), followed by 14 hours (39) and 6 hours (25). Additionally, 18 respondents mentioned other working hours which is suggestive to note that children were exploited mentally and physically.

6. Remuneration:

- The majority (178) reported not being paid for their work. Only 41 respondents mentioned being fully paid, and six reported receiving partial payment.

7. Awareness of Trafficking:

- A significant portion (107) of respondents was aware that they had been trafficked for work. However, 43 were not aware, and 75 couldn't definitively say whether they were aware or not because they were given false statements and were carried away unknowingly.

8. Workplace Problems:

- Respondents were asked about problems they encountered and they reported facing various problems at the workplace. Physical abuse was the most prevalent (89), followed by torture (78) and monetary problems (53).

9. Returning Home:

- Respondents utilized different means to return home. Personal efforts were the most common (97), followed by seeking help from the police (107) and assistance from others (21) but only few were successful.

10. Current Aspirations:

- The majority of respondents expressed a desire to study (129), followed by staying at home (68) and working (19). Nine respondents mentioned other aspirations.

11.Awareness of Anti-Trafficking Laws:

- A significant majority (164) of respondents were aware of specific laws addressing human trafficking. However, 17 respondents stated that there were no such laws, and 34 expressed uncertainties about presence of such legal policy.

These findings collectively paint a vivid picture of the varied experiences and challenges faced by individuals affected by trafficking. They underscore the urgent need for comprehensive awareness campaigns, legal literacy initiatives, and targeted support systems to address the multifaceted issue of human trafficking effectively.

7.1.1 Statistical Findings

1. Awareness about specific laws regarding human trafficking in the selected region
 - Gender and awareness: The null hypothesis is accepted hence there is no impact of gender of respondents on awareness about specific laws regarding human trafficking in the selected region.
 - Class of respondents and awareness: The null hypothesis is rejected; hence There is a significant impact of class of respondents on awareness about specific laws regarding human trafficking in the selected region.
 - District of respondents and awareness: The null hypothesis is accepted; hence there is no significant relationship between district of respondents on awareness about specific laws regarding human trafficking in the selected region
2. Prevention of Child trafficking
 - The null hypothesis is rejected that the two attributes under study have no association and so we can infer that there is no significant relationship between involvement of trafficker and proper process for preventing child trafficking.
3. Perception of respondents
 - The null hypothesis is rejected and so it is inferred that there is a significant relationship between gender and perception of respondents regarding reason of child trafficking

4. The analysis reflects a collective call for comprehensive strategies that involve education, awareness campaigns, and robust legal frameworks to address the multifaceted challenges posed by child trafficking.
5. The interpretations provided offer a comprehensive view of the responses categorized by gender regarding various factors contributing to child trafficking with their agree, neutral and disagree behavior. Across the spectrum of perceptions, it's evident that both male and female respondents hold distinct views on these issues. In terms of lack of education, a higher number of male respondents agreed with this factor compared to female respondents. Similarly, concerning the ignorance of parents, a notable proportion of both genders expressed agreement, with male respondents exhibiting slightly higher levels of agreement. However, concerning dropout rates from schools, the disagreement responses were considerably higher among both male and female respondents, indicating differing perspectives on the role of education in mitigating child trafficking. This divergence in opinion is further reflected in responses related to the absence of preventive laws and the role of media, where disagreement responses outweigh agreement and neutrality. These cumulative findings underscore the complexity of addressing child trafficking, highlighting the need for nuanced interventions that consider diverse perspectives and prioritize areas where awareness or consensus may be lacking. By understanding these perceptions and attitudes, policymakers and advocates can tailor strategies to effectively combat child trafficking while addressing the underlying societal factors contributing to its persistence.

7.2 CONCLUSION

The comprehensive analysis of the data from the provided tables offers profound insights into the complex and multifaceted issue of human trafficking. The respondents, primarily victims or their families, provide a mosaic of experiences, challenges, and perceptions related to trafficking. Here are key conclusions drawn from the interpreted data:

1. Vulnerability and Exploitation:

- The respondents, often from economically vulnerable backgrounds, faced diverse forms of exploitation, including forced labor, domestic servitude, and prostitution.
- The majority reported being taken from unknown places by unknown individuals, highlighting the covert and clandestine nature of trafficking.

2. Educational and Economic Factors:

- Illiteracy and limited educational attainment were prevalent among the respondents, emphasizing the correlation between education and vulnerability to trafficking.
- Economic challenges, such as unemployment and reliance on low-income occupations, contributed to the susceptibility of individuals to exploitation.

3. Awareness and Understanding:

- A significant number of respondents were aware of being trafficked, but a substantial portion expressed uncertainty or lacked awareness, indicating the need for enhanced education and awareness campaigns.

4. Work Conditions and Abuse:

- The respondents faced long working hours, often without remuneration, and reported various forms of abuse, including physical abuse and torture, underscoring the harsh conditions associated with trafficking.

5. Return and Aspirations:

- Many respondents sought assistance from the police or managed to return home personally, reflecting resilience and agency.
- Aspirations for the future primarily revolved around studying, suggesting a desire for personal growth and recovery.

6. Legal Awareness:

- A significant majority of respondents were aware of specific laws regarding human trafficking, emphasizing the importance of legal frameworks in addressing this issue.

7. Challenges and Gaps:

- While legal frameworks exist, there are gaps in awareness, as evidenced by respondents expressing uncertainty or a lack of knowledge about specific laws.
- The diverse reasons for trafficking, including domestic help, marriage, and employment, highlight the need for targeted interventions addressing different forms of exploitation.

8. Recommendations:

- Strengthening educational opportunities and awareness campaigns to empower vulnerable communities.
- Enhancing legal literacy and ensuring effective implementation of anti-trafficking laws.
- Collaborative efforts involving law enforcement, NGOs, and communities to prevent and address human trafficking.
- Providing support for the education and vocational aspirations of trafficking survivors to facilitate their reintegration into society.

In conclusion, the data underscores the urgency of a comprehensive, multidimensional approach to combat human trafficking. Addressing the root causes, enhancing awareness, and strengthening legal and support systems are crucial elements in the collective effort to eradicate this egregious violation of human rights.

7.3 SUGGESTIONS

Based on the findings provided regarding child trafficking, several suggestions can be made for improvement of the situation and prevention of the issue

1. Enhanced Awareness Campaigns:

- Develop and implement comprehensive awareness campaigns targeting vulnerable communities, families, and children to educate them about the dangers and signs of trafficking.

2. Strengthened Education Initiatives:

- Improve access to education, especially for marginalized and economically disadvantaged groups, to empower children with knowledge and skills that can protect them from exploitation.

3. Legal Reforms and Enforcement:

- Strengthen existing laws and policies related to human trafficking, ensuring harsh penalties for perpetrators and effective enforcement mechanisms to deter criminal activities.

4. Community Engagement and Support:

- Foster community involvement and support networks to provide assistance to victims and their families, offering safe spaces and resources for recovery and rehabilitation.

5. Training for Law Enforcement and Frontline Workers:

- Provide specialized training programs for law enforcement officers, social workers, healthcare professionals, and educators to recognize, respond to, and prevent instances of child trafficking.

6. Active role of government and society

7. Training and development of social workers

8. Coordination and Collaboration:

- Facilitate coordination and collaboration among government agencies, non-governmental organizations (NGOs), and international partners to share information, resources, and best practices in combating child trafficking.

9. Addressing Root Causes:

- Address underlying socio-economic factors such as poverty, inequality, and lack of opportunities, which contribute to the vulnerability of children to trafficking.

10. Victim-Centered Approaches:

- Adopt victim-centered approaches that prioritize the safety, well-being, and rights of trafficked children, providing them with access to healthcare, counseling, legal assistance, and support for reintegration into society.

11. Research and Data Collection:

- Invest in research and data collection efforts to better understand the scope, trends, and dynamics of child trafficking, informing evidence-based interventions and policies.

12. Prevention Programs:

- Develop and implement targeted prevention programs focusing on at-risk populations, including runaway and homeless youth, migrant communities, and children living in conflict-affected areas.

13. Enactment of laws and making process of complain easy

14. Stringent child labor laws

15. Giving due importance to the issue as it is considered to be a socio- economic originated issue: By implementing these suggestions in a coordinated and comprehensive manner, stakeholders can work towards effectively combating child trafficking and safeguarding the rights and well-being of children globally.

Bibliography

1. American Psychological Association, Task Force on Trafficking of Women and Girls. (2014). Report of the Task Force on Trafficking of Women and Girls. Retrieved from <http://www.apa.org/pi/women/programs/trafficking/report.aspx>
2. Aronowitz, A. A. (2009). Human trafficking, human misery: the global trade in human beings. Greenwood Publishing Group.
3. Bales, K. (2007). What predicts human trafficking? *International Journal of Comparative and Applied Criminal Justice*, 31(2), 269-279.
4. Basu, A. K., & Chau, N. H. (2004). Exploitation of child labour and the dynamics of debt bondage. *Journal of Economic Growth*, 9(2), 209-238.
5. Bohl, K. (2010). Human trafficking as a livelihood strategy? (Doctoral dissertation, Master Thesis in Culture).
6. Carole S. Vance. Innocence and Experience: Melodramatic Narratives of Sex Trafficking and Their Consequences for Law and Policy. Source: *History of the Present*, Vol. 2, No. 2 (Fall 2012), pp. 200-218. Retrieved from <https://www.jstor.org/stable/10.5406/historypresent.2.2.0200>
7. Census. (2011). Retrieved from <http://www.census2011.co.in/census/district/398-sundargarh.html> CIF (n.d.). Retrieved from <http://www.childlineindia.org.in/child-trafficking-india.htm>
8. Dinh, N., Hughes, C., Hughes, J. W., & Maurer-Fazio, M. (2014). Human Trafficking in Southeast Asia: Results from a Pilot Project in Vietnam. Available at SSRN 2528778.
9. Dorothy Neriah Muraya and Deborah Fry (2016). Aftercare Services for Child Victims of Sex Trafficking, Source: *A Systematic Review of Policy and Practice. Trauma, Violence & Abuse*, Vol. 17, No. 2 (April 2016), pp. 204-220, Published by: Sage Publications, Inc, Retrieved from <https://www.jstor.org/stable/10.2307/26638396>

10. Dinh, N., Hughes, C., Hughes, J. W., & Maurer-Fazio, M. (2014). Human Trafficking in Southeast Asia: Results from a Pilot Project in Vietnam. Available at SSRN 2528778.
11. Doezema, J. (2002). Who gets to choose? Coercion, consent, and the UN Trafficking Protocol. *Gender & Development*, 10(1), 20-27.
12. Dorothy Neria Muraya and Deborah Fry (2016). Aftercare Services for Child Victims of Sex Trafficking, Source: A Systematic Review of Policy and Practice. *Trauma, Violence & Abuse*, Vol. 17, No. 2 (April 2016), pp. 204-220, Published by: Sage Publications, Inc, Retrieved from <https://www.jstor.org/stable/10.2307/26638396>
13. Dave J K (2012). *Samajik Sanshodhan Paddhatio* ((Gujarati). Anada Prakashan, Ahmedabad.
14. D’Cunha, Jean. 1998. Prostitution and sex trafficking: A review of contemporary feminist perspectives and strategies, in *Violence against women* by Shirin Kudchedkar and Sabiha Al-Issa. New Delhi: Pencraft International.
15. Edward Snajdr. Beneath the master narrative: human trafficking, myths of sexual slavery and ethnographic realities. Source: *Dialectical Anthropology*, June 2013, Vol. 37, No. 2, Special Issue: Anti-Anti-Trafficking? Toward Critical Ethnographies of Human Trafficking (June 2013), pp. 229-256, Retrieved from <https://www.jstor.org/stable/42635397>
16. Fowler, J., & UNIC EF. (2004). Human Trafficking in Africa Fuelled by War, Economic Hardship, and Lack of Birth Registration."
17. Friebel, Guido & Sergei Guriev. (2004). "Smuggling Humans: A Theory of Debt Financed Migration", Discussion Paper, 1025, IZA, Bonn, Germany.
18. Gallagher, A. (2001). Human rights and the new UN protocols on trafficking and migrant smuggling: A preliminary analysis. *Human Rights Quarterly*, 23(4).
19. Ghosh, B. (2009). Trafficking in women and children in India: nature, dimensions and strategies for prevention. *The IJHR*, 13(5), 716-738.
20. Gupta, J., Reed, E., Kershaw, T., & Blankenship, K. M. (2011). History of sex trafficking, recent experiences of violence, and HIV vulnerability among female

- sex workers in coastal Andhra Pradesh, India. *International Journal of Gynecology & Obstetrics*, 114(2), 101-105.
21. Gallagher, A. (2001). Human rights and the new UN protocols on trafficking and migrant smuggling: A preliminary analysis. *Human Rights Quarterly*, 23(4), 975-1004.
 22. Ganguly Enakshi (2016). *Child Trafficking in India*. Retrieved from https://www.researchgate.net/publication/304657887_Child_Trafficking_in_India/link/5776338e08aeb9427e27573a/download Pp.47-48.
 23. Getu, M. (2006). Human trafficking and development: The role of microfinance. *Transformation*, 23(3), 142-156.
 24. Ghosh, B. (2009). Trafficking in women and children in India: nature, dimensions and strategies for prevention. *The International Journal of Human Rights*, 13(5), 716-738.
 25. Government of India: *The Constitution of India*
 26. Government of India: *Social Welfare in India*.
 27. Gupta, J., Reed, E., Kershaw, T., & Blankenship, K. M. (2011). History of sex trafficking, recent experiences of violence, and HIV vulnerability among female sex workers in coastal Andhra Pradesh, India. *International Journal of Gynecology & Obstetrics*, 114(2), 101-105.
 28. HAQ: Centre for Child Rights (2016). *For Campaign Against Child Trafficking (CACT)*. New Delhi, www.haqcrc.org
 29. Hameeda, S., Hlatshwayo, S., Tanner, E., Turker, M., & Yang, J. (2010). *Human Trafficking in India: Dynamic, Current Efforts, and Intervention Opportunities for the Asia Foundation*. Report by Stanford University for the Asia Foundation.
 30. Huda, S. (2006). Sex trafficking in South Asia. *International journal of gynaecology & obstetrics*, 94(3), 374-381.
 31. ILO, A. (2005). *Global Alliance against Forced Labour*. ILO, Geneva.
 - Iselin, B., & Adams, M. (2003). *Distinguishing between human trafficking and people smuggling*. UN Office on Drugs and Crime, Regional Centre for East Asia and the Pacific, Bangkok, 10.

32. Jogan Shankar (1992). *Social Problems and Welfare in India*. USA: South Asia Books.
33. Kangaspunta, K. (2011). *Trafficking in persons*. *Routledge Handbook of Criminology*, 178.
34. Kligman, G., & Limoncelli, S. (2005). *Trafficking women after socialism: From, to, and through Eastern Europe*. *Social Politics: International Studies in Gender, State and Society*, 12(1), 118-140.
35. Kyle, D., & Koslowski, R. (Eds.). (2011). *Global human smuggling: Comparative perspectives*. JHU Press.
36. Lindsey King. *International Law and Human Trafficking*, Retrieved from https://sherloc.unodc.org/cld/uploads/res/bibliography/international_law_and_human_trafficking_html/InternationalLaw.pdf
37. Marina Tzvetkova, *NGO responses to trafficking in women*, *Gender and Development* Vol. 10, No. 1, March 2002, Taylor and Francis, UN report on 'Current Status of Victim Service Providers and Criminal Justice Actors in India on Anti-Human Trafficking', UNODC, 2013
38. Mudasir Ahmad Bhat (2014). *Emerging Dimensions of Human Trafficking: A Critique of the Efficacy of Legal Framework*, A Thesis submitted to the Faculty of Law, Panjab University, Chandigarh for the Degree of Doctor of Philosophy.
39. Miko, F. T., & Park, G. (2003, March). *Trafficking in women and children: The US and international response*. Congressional Research Service, Library of Congress.
40. Nadia Diamond-Smith and David Bishai. *Evidence of Self-correction of Child Sex Ratios in India: A District-Level Analysis of Child Sex Ratios From 1981 to 2011*. Source: *Demography*, April 2015, Vol. 52, No. 2 (April 2015), pp. 641-666. Retrieved from <https://www.jstor.org/stable/43699133>
41. Nair, P. M., & Sen, S. (2005). *Trafficking in women and children in India*. Orient Blackswan.

42. National strategy to Combat Human Trafficking. January 2022. Pp. 37-42, Retrieved from [https://www.justice.gov/d9/pressreleases/attachments/2022/01/31/ Department of Justice_ht_strategy.pdf](https://www.justice.gov/d9/pressreleases/attachments/2022/01/31/Department_of_Justice_ht_strategy.pdf)
43. Orhant, M., & Murphy, E. (2002). Trafficking in Persons. Reproductive Health and Rights: Reaching the Hardly Reached. Washington, DC: PATH.
44. Panda, S. M. (2013). 5 Exploring mobile livelihoods among tribal communities in Odisha, India. Gender, Mobilities and Livelihood Transformations: Comparing Indigenous People in China, India and Laos: Comparing Indigenous People in China, India, and Laos, 93.
45. P. Subiksha and M. Kannappan. A Study on Child Trafficking in India. *International Journal of Pure and Applied Mathematics*, Volume 119 No. 17 2018, 1397-1409, retrieved from <https://acadpubl.eu/hub/2018-119-17/2/116.pdf>
46. Richards, K. (2004). The trafficking of migrant workers: what are the links between labour trafficking - corruption? *International Migration*, 42(5), 147-168.
47. Roza Pati, "States' Positive Obligations with Respect to Human Trafficking: The European Court of Human Rights Breaks New Ground in Rantsev v. Cyprus and Russia" 29 *Boston University International Law Journal* 79-142 (2011); S. Sen and P. M. Nair, *Trafficking in Women and Children in India* 18-19 (Orient Longman, New Delhi, 2005).
48. R.Monica J. and Lalith Kumar. CHILD TRAFFICKING IN INDIA. *IJARIE*, Vol-3 Issue-4 2017, Retrieved from http://ijarie.com/AdminUploadPdf/Child_Trafficking_in_India_ijarie5843.pdf
49. Salt, J. (2000). Trafficking and human smuggling: A European perspective. *International Migration*, 38(3), 31-56.
50. Sharma Usha (2013). Gender Mainstreaming and Women's Rights.
51. Shelley, L. (2007). Human trafficking as a form of transnational crime. *Human trafficking*, 116-137.
52. Shetty, J. (2012). Loss of tribal land and displacement: Impact on women. *Afro Asian Journal of Anthropology and Social Policy*, 3(2), 71-79.

53. Skeldon, R. (2000). Trafficking: a perspective from Asia. *International migration*, 38(3), 7-30.
54. S. Subramanian (2015). *Human Rights: International Challenges*. Manas Publication.
55. Salt, J. (2000). Trafficking and human smuggling: A European perspective. *International Migration*, 38(3), 31-56.
56. Tumlin, K. C. (2000). *Trafficking in children and women: A regional overview*. ILO
57. United Nations (2008). *An Introduction to Human Trafficking: Vulnerability, Impact and Action*. New York. Retrieved from https://www.unodc.org/documents/human-trafficking/An_Introduction_to_Human_Trafficking_-_Background_Paper.pdf
58. United Nations Office on Drugs and Crime, Chawla, S., Me, A., & Le Pichon, T. (2009). *Global Report on Trafficking in Persons: Human Trafficking a Crime that Shames Us All*.
59. United Nations (2000). United Nations Office on Drugs and Crime. Retrieved www.ohchr.org/EN/ProfessionalInterest/Pages/ProtocolTraffickingInPerson.aspx
60. United Nations Office on Drugs and Crime (n.d.). *Human Trafficking*. Accessed on 5th February, 2015 from <http://www.unodc.org/unodc/en/human-trafficking/what-is-human-trafficking.html?ref=menuside>
61. Van Impe, K. (2000). People for sale: The need for a multidisciplinary approach towards human trafficking. *International Migration*, 38(3), 113-191.
62. Vayrynen, R. (2003). *Illegal immigration, human trafficking, and organized crime (No.2003/72)*. WIDER Discussion Papers//World Institute for Development Economics (UNU-WIDER).
63. Wheaton, E. M., Schauer, E. J., & Galli, T. V. (2010). Economics of human trafficking. *International Migration*, 48(4), 114-141.

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

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

ORIGINALITY REPORT

6% SIMILARITY INDEX	5% INTERNET SOURCES	3% PUBLICATIONS	3% STUDENT PAPERS
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6	www.indiastatdistricts.com Internet Source	<1%
7	Submitted to Hidayatullah National Law University, Raipur Student Paper	<1%
8	"The Palgrave International Handbook of Human Trafficking", Springer Science and	<1%

ANNEXURE 4

Certificate of Publication and Presentation

12th INTERNATIONAL CONFERENCE



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PACIFIC INSTITUTE OF MANAGEMENT

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&



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RAJASTHAN TECHNICAL UNIVERSITY, KOTA

This is to certify that **Ms. Patel Tanvi Sanjaykumar**
of **PAHER University, Udaipur (Research Scholar)**
has presented his/her paper entitled **Legal provisions, of Child Rights.**

during the two-day International Conference jointly organized by Pacific Institute of Management & Pacific Business School, Udaipur in online mode. The Organizers wish his/her success in future endeavors.

Prof Mahima Birla
Conference Chair

Prof Dipin Mathur
Director Conference

Dr Shivoham Singh
Organizing Secretary



PACIFIC ACADEMY OF HIGHER EDUCATION & RESEARCH UNIVERSITY, UDAIPUR
PACIFIC SCHOOL OF LAW IN COLLABORATION WITH CHILD WELFARE COMMITTEE, UDAIPUR

**MULTIDISCIPLINARY INTERNATIONAL CONFERENCE ON
CHILD RIGHTS AND CHILD PROTECTION ISSUES AND CHALLENGES**

CERTIFICATE OF PRESENTATION

This is to certify that Prof./Dr./Ms./Mr. **PATEL TANVI SANJAYKUMAR**
from **LAW** has presented the paper titled
RESEARCH SCHOLAR in the two days Multidisciplinary
International Conference on "Child Rights and Child Protection: Issues and Challenges" held on 25th and 26 th August 2023,
organised by Pacific School of Law, PAHER University and Child Welfare Committee at Pacific School of Law, Pacific Academy of
Higher Education And Research University, Udaipur.

Prof. K.K. Dave
President
PAHER University, Udaipur

Dr. Pushpa Mehdo
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Pacific School of Law

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This is to certify that

Prof. / Dr. / Mr. / Mrs. / Ms. Patel Tanvi Sanjay Kumar
from Pacific Academy of Higher Education and Research University, Vadipuz (Rajasthan)
participated as a delegate / chaired a session on / made a keynote address / participated / presented a paper on
The physical or emotional or sexual mistreatment of children

(On 21st & 22nd January 2023)

his / her active participation in the deliberations of the conference is appreciated



J.K. Patel
Dr. J. K. Patel
Conference Director



D.U. Patel
Dr. D. U. Patel
Conference Director



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CHILDREN: CONSTITUTIONAL PROVISIONS AND LAWS

of Dr./Mr./Miss./Mrs. **TANVI SANJAYKUMAR PATEL** It is peer-reviewed

and published in the Volume-4 / year -9 / Issue - 6 / January - 2022.

Thank you for sending your valuable writing for Research Matrix

Submitted: 14/01/2022 Reviewed: 17/01/2022 Published: 29/01/2022

Kalpesh Rakholla

Dr. Kalpesh Rakholla
Chief Editor Research Matrix



UID : RM-ABU-ELE POST

ANNEXURE 5

Published Papers

The Physical or Emotional or Sexual Mistreatment of Children

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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.

REFERENCES-

बाल शोषण के लक्षण, कारण, इलाज, दवा, उपचार और निदान - Child abuse ke karan, lakshan, ilaj, dawa, upchar in Hindi (myupchar.com)

बाल यौन शोषण। (Child Sexual Abuse.) - Societalaffairs

<https://www.bing.com/search?q>

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CHILDREN: CONSTITUTIONAL PROVISIONS AND LAWS

TANVI SANJAYKUMAR PATEL

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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

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.

REFERENCES

1. Government of India: The Constitution of India
2. S. Subramanian (2015). Human Rights: International Challenges. Manas Publication.
3. Government of India: Social Welfare in India.
4. Jogan Shankar (1992). Social Problems and Welfare in India. USA: South Asia Books.
5. Usha Sharma (2013). Gender Mainstreaming and Women's Rights.



IMMORAL TRAFFICKING IN WOMEN AND CHILDREN ACT

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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.

REFERENCES

- Government of India: The Constitution of India
- S. Subramanian (2015). Human Rights: International Challenges. Manas Publication.
- Government of India: Social Welfare in India.
- Jogan Shankar (1992). Social Problems and Welfare in India. USA: South Asia Books.
- Usha Sharma (2013). Gender Mainstreaming and Women's Rights.