



SJMS 2022

WOMEN TRAFFICKING IN INDIA: A STUDY

Dr. N.Radha Krishnan

Assistant Professor
ANC University, Andhra Pradesh, India

Abstract: *Trafficking in human beings take room for the purpose of exploitation which in common could be characterized as (a) Sex -based and (b) Non-Sex-based. The former category comprises trafficking for prostitution, Commercial sexual abuse, Pedophilia, Pornography, Cybersex, and different types of disguised sexual exploitation that take place in some of the massage parlors, beauty parlors, bars, and other manifestations like call girl racket, friends clubs, etc. Non sex based trafficking could be for different types of servitude, like domestic labor, industrial labor, adoption, organ transplant, camel racing marriage related rackets etc. But the growing traffic in women is mainly for the purpose of prostitution. Prostitution is an international problem which can be found in both developed and industrialized states. Unluckily, society remains tolerant of this repulsive crime beside women. There are ways of getting women into prostitution that are common to many nations; then there are specific techniques unique to a country. Perhaps the three most common methods are false employment promises, false marriages and kidnapping. But what makes women and girls vulnerable are economic suffering, desertion by their spouses, sexually exploitative social customs and family backgrounds.*

Keyword: *Trafficking, women, exploitation, industrialized states, economic suffering*

INTRODUCTION

Trafficking in Women and Children is the severest procedure of abuse and exploitation of human beings. Thousands of Indians are trafficked every day to some destination or the other and are enforced to lead lives of slavery. They live in brothels, factories, guesthouses, dance bars, farms and even in the homes of well-off Indians, with no control over their bodies and survives. The Indian Constitution specially bans the traffic in persons. Article 23, in the Fundamental Rights section of the constitution, forbids "traffic in human beings and other similar forms of forced labor".

However there is no real definition of trafficking, it could be said that trafficking essentially involves movement /transportation, of a person by means of pressure or deceit, and resulting exploitation leading to commercialization. The abusers, including the traffickers, the recruiters, the transporters, the sellers, the buyers, the end-users etc., exploit the vulnerability of the trafficked individual. Trafficking indications phenomenal increase with globalization. Increasing income with little or no risk, organized actions, low priority in law enforcement etc., aggravate the situation. The income produced by trafficking is comparable to the money generated through trading in arms and drugs.

DISCUSSION

The two principal Indian laws that speech trafficking and prostitution in specific are the Suppression of Immoral Traffic in Women and Girls Act of 1956 (SITA) and the Immoral Traffic (Prevention) Act of 1986 (ITPA), colloquially named PITA, an amendment to SITA. Neither rule prohibits prostitution per se, but both forbid commercialized vice and asking. Sidewise from lack of implementation, SITA is difficult in several ways. One of its disadvantages is that the arranged penalties differentiate on the basis of sex: a prostitute, defined under SITA as always a woman, who is arrested for soliciting under SITA could be confined for up to a year, but a pimp faces only three months. SITA allowable action of persons other than the prostitutes only if the persons involved "meaningfully" or "freely" made women engage in prostitution. Therefore, pimps, brothel owners, madams, and procurers could feign unawareness of prostitution and escape punishment. The client, moreover, was not viewed as an offender and could not be sanctioned under SITA. Lastly, SITA only spoke street prostitution; prostitution behind closed doors was left alone -- a loophole that really promoted the founding of brothels. SITA, a penal law, was accepted in 1956 and enforced in 1958 as a significance of India's signing the Trafficking Convention, rather than as a outcome of any mass social welfare movement. SITA did not seek the "abolition of prostitutes and prostitution as such and to make it per se a criminal offence or punish a person one prostitutes oneself." Its stated goal was "to inhibit or abolish commercialized vice, namely the traffic in persons for the purpose of prostitution as an organized means of living." Prostitution was defined as the act of a female who offers her body for promiscuous sexual intercourse for hire. Therefore, the engagement by a woman in individual, voluntary, and independent prostitution was not an offense.

CONCLUSION

India is supposed to have accepted a tolerant approach to prostitution whereby an individual is free to carry on prostitution providing it is not an organized and a commercialized vice. Though, it commits itself to opposing trafficking as enshrined in Article 23 of the Constitution which forbids trafficking in human beings. India is also a signatory to international agreements such as the Convention on Rights of the Child (1989), Convention on Elimination of all procedures of Discrimination Against Women (1979), UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000) and the latest South Asian Association for Regional Cooperation (SAARC) Convention on Preventing and Combating Trafficking in Women and Children for Prostitution (2002).

REFERENCES

- [1] ECOSOC, UN. 2003. Combating Human Trafficking in Asia: A Resource Guide to International and Regional Legal Instruments, Political Commitments and Recommended Practices.
- [2] Anand, A.S, Chief Justice. 2004. Justice for Women, Concern and Expression, 2nd ed: Universal Law Publishing Co. Pvt. Ltd.
- [3] NHRC. 2002. Information Kit on Trafficking in Women and Children.
- [4] NHRC, UNIFEM and Institute of Social Sciences, Trafficking in Women and Children in India, Orient Longman, 2005.
- [5] https://www.unodc.org/documents/human_trafficking/2011/Responses_to_Human_Trafficking_in_Bangladesh_India_Nepal_and_Sri_Lanka.pdf
- [6] Trafficking: National Women's Resource Council for India (n.d.). Retrieved October 26, 2009
- [7] UNICEF (2008). Understanding the Convention on the Rights of the Child
- [8] Sen, S. (2004). A Report on Trafficking in Women and Children in India 2002"2003. New
- [9] Delhi: National Human Rights Commission, UNIFEM, Institute of Social Sciences.
- [10] Pandey, B., Jena, D., & Mohanty, S. (2002). Trafficking in Women in Orissa ,Institute for Socio Economic Development (ISED). Retrieved November 9, 2009

- [11] INCIDIN. (1997). *Misplaced Childhood: A Short Study on the Street Child Prostitutes in Dhaka City*. Red Barnet/Danish Save the Children, Dhaka.
- [12] IOM. (2002). *In search of dreams: study on the situation of the trafficked women and children from Bangladesh and Nepal to India*. Dhaka.