

Human Trafficking as a Violation of Human Rights: A Critical Study of International Norms and Indian Legal Mechanisms

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Abstract

Human trafficking represents one of the gravest violations of human rights, undermining the dignity, liberty, and security of individuals across the globe. This paper critically examines human trafficking as a multifaceted human rights issue through a doctrinal analysis of international legal norms and Indian legal mechanisms. It explores the various forms of trafficking, including sexual exploitation, organ trade, forced labour, domestic servitude, and trafficking for marriage and adoption, while identifying key socio-economic, political, and technological factors that perpetuate this crime.

The study analyses the impact of trafficking on victims, highlighting severe physical, psychological, and social consequences, often resulting in long-term trauma and marginalization. It further evaluates the constitutional and statutory framework in India, including provisions under the Indian Penal Code, the Constitution, the Immoral Traffic (Prevention) Act, and other protective legislations aimed at vulnerable groups such as women, children, and marginalised communities.

At the international level, the paper examines key human rights frameworks such as the Universal Declaration of Human Rights, the International Covenants, and child protection conventions, which collectively establish a global framework against trafficking. The role of the judiciary in India is also critically assessed, emphasizing its proactive approach in interpreting fundamental rights and ensuring victim protection and rehabilitation.

The study concludes by suggesting the need for stronger enforcement, better coordination among authorities, victim-centric rehabilitation measures, and increased public awareness. It argues that despite comprehensive legal frameworks, effective implementation and a rights-based approach remain crucial to combating human trafficking and safeguarding human dignity.

Keywords: Human Trafficking, International Law, Indian Legal Framework, Human Rights.

I.INTRODUCTION

Human trafficking has persisted throughout history in nearly every culture and civilization, though in different ways. It is a commerce that preys on people's weakness, especially that of mothers and children. There are several human rights breaches as a result. It treats people like objects, only fit for use in business dealings. It may happen internationally or within any nation. Trade in people, which does not always include moving the individual from one location to another, is known as human trafficking.³

India has constitutionally forbidden traffic in human beings. The right against exploitation is guaranteed to every citizen of the country, and any violation of this right is punishable by law. However, despite various efforts, human trafficking continues to persist in India.⁴ A significant proportion of trafficking victims come from highly marginalized and disadvantaged sections of society. They have been side-lined because of socio-economic deprivation and discrimination prevailing in society.⁵ Victims are trafficked from nearby countries, i.e., Nepal and Bangladesh. Millions have been trafficked for sexual abuse, forced/bonded labour, and exploitation worldwide. The central issue here is that human beings' trade is made in an extremely private and concealed manner. Despite various international initiatives to eradicate the problem, trafficking is typically under-reported and not brought to the public eye. In India, the problem is prevailing due to the low urgency of law enforcement and justice delivery authorities; coordination is absent among various departments of Government. These include women, police, health, and children.

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³ Global Report on Trafficking in Persons, United Nations Office on Drugs and Crime. 2018.

⁴ Indian Const. art 23.

⁵ Harshadi Rajesh Patel, A Critical Study on Human Trafficking and Its Legal Issues, 4 INDIAN J.L. & LEGAL RSCH. 1 (2022).

STATEMENT OF THE RESEACH PROBLEM

Though they are provisions and operations that are available for the elimination of human trafficking, it is challenging to track down the rackets and brothels because these acts, which are illegal, are done in a legalized manner through possible loopholes in the existing laws and policies, the study projects the misconception which led to a problematic situation in curbing human trafficking. However, there is human trafficking and exploitation of human beings, and it is difficult to eliminate these practices once and for all. Providing explanations on available legislation provides information and awareness of existing systems.

RESEARCH QUESTION

What are the laws against human trafficking in India and at the international level?

AIMS & OBJECTIVE

The present study aims to describe human trafficking and its problems and prescribe suggestions to the confusion and find the best psychological problems faced by the and suggestions on to curb trafficking with a description of possible schemes available that protect thep. hence, the objectives of this research are as follows,

1. To examine the causes and patterns of human trafficking in India.
2. Providing financial, psychological support to the victims of human trafficking. To know their problem and to know about what happened to them. So that it cannot happen to any other person.
3. Increasing the level of education and creating awareness among people to reduce and prevent human trafficking.
4. To give suggestions to the finable questions that are projected in the study.

RESEACH METHODOLOGY

The nature of the research is doctrinal. It is explanatory and evaluative primarily relying on secondary data and uses the doctrinal method of research. The methodology adopted for the research endeavours to utilize the available information which is limited, optimally to cover the vast exposure of Huan trafficking. Data has been collected from: -

- Primary sources: - Statute and cases
- Secondary sources: - books, journals, research papers, articles, websites, etc.

(A) TYPES OF HUMAN TRAFFICKING

Depending on the purpose of trafficking, human trafficking is segregated as follows:

1. TRAFFICKING FOR SEXUAL EXPLOITATION

This is the type of trafficking that occurs most frequently in India. Trafficking occurs to exploit children and women for sexual purposes. The majority of victims end up stuck in tough and hazardous abusive circumstances that might spread to other victims.⁶ It is challenging to pinpoint the precise number of victims who have been trafficked for sexual exploitation. Women in other nations are offered promising and well-paying careers. Once they cross borders, their passports are seized, and they are made to work in brothels. Additionally, the women are imprisoned and granted freedom only once they have paid for their purchases, obtained a visa, and covered their trip expenses through prostitution. People of the upper-class purchase and sexually exploit these victims.

2. TRAFFICKING FOR FORCED LABOUR

Developing nations account for a substantial portion of the human trafficking victims who are coerced to provide services or work. The domestic, agricultural, construction, manufacturing, and entertainment sectors are the most typical places for this kind of trafficking to occur. The groups most vulnerable to this kind of trafficking are migratory labourers and Native Americans.

3. TRAFFICKING IN ORGANS

Trafficking of this kind is rapidly growing as a kind of illegal activity in several nations, including India. It can happen to anyone, regardless of age. Organs like the liver, kidneys, and so on are removed, utilised in this illicit trade, and then sold to transplant recipients for exorbitant sums. There are several ways to do

⁶ Siddhant Nayak, A Critical Analysis on Human Trafficking, 4 INDIAN J.L. & LEGAL RSCH. 1 (2022).

this. When receiving treatment for other medical issues, the sufferer may be coerced into donating an organ or have it taken without their knowledge. If the victim is promised money in exchange for selling his organ, he may also do so. However, these victims typically receive lower compensation.

4. DOMESTIC SERVITUDE

Domestic slavery refers to the trafficking of people who are made to labour in private households. Their mobility is largely restricted, and they are compelled to carry out home chores. These victims put in a lot of overtime doing these jobs for meagre pay.

5. TRAFFICKING FOR MARRIAGE

Forcible marriage trafficking involves exchanging young girls and women for cash. Without the victims' permission, they are kidnapped, sold, or married off. The ladies are forced into bond labour and servitude. They rely on the kindness of the folks who bought them to survive. The brides that are trafficked typically come from lower socioeconomic backgrounds. These ladies are even traded by their parents and other close relatives.

6. TRAFFICKING FOR ADOPTION

Under this type, the children are taken away from impoverished rural families and sold as orphans, who are up for adoption, in urban areas. This is generally done by parents who want to gain income from the exchange of their child and pay debts. The traffickers also deceive the parents by assuring better education and the future of the children, and as a result, parents are compelled to sell their child.

(B) REASONS FOR HUMAN TRAFFICKING

Human trafficking is the product of very complex causes. These are mostly determined by political, economic, and cultural considerations. The law of supply and demand governs the trade of human beings.

While worker migration has suffered as a result of globalisation, economies have benefited. Although it created many possibilities and allowed the flow of products and services across national borders, the economic impact of globalisation forces people to make decisions and give themselves up helplessly to human trafficking. Human trafficking is mostly driven by developing nations' needs for inexpensive labour and services. Organs are likewise in great demand in wealthy nations. Taking advantage of this chance, the traffickers sell organs for enormous sums, all the while keeping the victims unpaid.

Women's decisions to migrate, often leading to their exploitation in the sex industry, are shaped by factors such as poverty, limited education, and lack of economic opportunities. While globalization has led to increased use of technology and the internet, it has also facilitated human trafficking, making it more efficient and widespread. Traffickers exploit online platforms to recruit, lure, and exploit women.⁷

Political elements that involve human trafficking and take advantage of victims include dishonest and poorly trained police officers. Political events like social unrest and wars can also encourage human trafficking and migration.

(C) HUMAN TRAFFICKING IMPACT ON THE VICTIMS

Constant exploitation and abuse of trafficking victims can cause long-term or short-term physical and psychological harm. Additionally, the victims may come into touch with serious illnesses like HIV and other STDs. Additionally, the person may suffer a lasting handicap or perhaps pass away.

Research has indicated that victims of human trafficking may have psychological and emotional trauma even after they are no longer exploited. It is impossible for rehabilitation facilities to guarantee that traumatized patients will get well. Additionally, some victims find it difficult to maintain the healthy they once had. Many others experience being victimized again. Human trafficking victims often experience depressive, aggressive, anxious, or panicked episodes, as well as social distancing.

⁷ Mark Cherukuri, Sustainable Development Framework to Adopt the Right Approach for a Prosperous Future, 6 INT'L J.L. MGMT. & HUMAN. 513 (2023).

II.LEGAL PROVISIONS AGAINST HUMAN TRAFFICKING IN INDIA**(A) THE CONSTITUTION OF INDIA, 1949**

Art 23 prohibits trafficking in persons and guarantees some internationally acknowledged human rights norms.⁸ It also guarantees rights such as the personal liberty and right to life⁹, right to equality¹⁰, right to constitutional remedies¹¹ And the right to freedom¹². Judicial decisions and academic decisions are broadly impacted and concluded only after considering these rights. The citizens of India also have a right to live a life free from exploitation.¹³ Contravention of Art 23 of the Constitution is punishable under Art 23(1).¹⁴

(B) THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989**Section 3 - Punishment for Offences of Atrocities**

Many victims are members of the social groups that are marginalised in society. This legislation was developed by the Indian government to provide the underprivileged groups with justice. Untouchability, in all its manifestations, has been declared a crime that is punished by law and is not subject to compounding. The lower class and those from backward backgrounds are the targets of human trafficking.

Special legislations have been enacted to safeguard women and young girls belonging to Scheduled Castes and Scheduled Tribes. The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, commonly known as the SC/ST Act or the Prevention of Atrocities Act, serves as an important legal instrument in combating human trafficking. Atrocities perpetrated against members of Scheduled Castes or Scheduled Tribes are covered by Section 3 of the Act. It includes forced employment, bonded labour, and the sexual exploitation of women, among other types of human trafficking. Under this clause, a minimum sentence of six months has been established. It can be prolonged an additional five years.

(C) THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000

The Juvenile Justice (Care and Protection) Act of 2000, which was enacted in accordance with the 1989 U.N. Convention on the Rights of the Child, calls for efforts to be made in the areas of minor offence prevention and treatment. Additionally, it offers a foundation for the juvenile justice system's approach to treating and rehabilitating youth.

Several terms defined in Sec 2 of this Act must be taken into account while interpreting the Juvenile Justice Act's provisions. Everyone under the age of 18 is regarded as a kid under the statute. A youngster who has been human trafficking victims is seen as needing care and security.¹⁵ Under this Act, a Child Welfare Committee (CWC) has been established. In *Prerana Vis State of Maharashtra*¹⁶ it was held that all the children who are in need of protection and care. Children should neither be arrested nor treated as accused; instead, they must be produced before the CWC.

(D) THE INDIAN PENAL CODE, 1860

IPC, 1860 comprehensively prohibits human trafficking and provides for stringent punishment for trafficking of women and young girls for forced prostitution in India.¹⁷ The act also lays down that if a trafficker buys or sells any child, for immoral purposes, shall be punishable with imprisonment for a term of up to ten years and shall also be liable to a fine.¹⁸

IPC also addresses cross-border trafficking for prostitution. Any person who brings into India a girl under

⁸ Indian Const. art 23.

⁹ Indian Const. art 21.

¹⁰ Indian Const. art 14.

¹¹ Indian Const. art 226.

¹² Indian Const. art 19.

¹³ Indian Const. art 17.

¹⁴ Indian Const. art 23, cl.1.

¹⁵ Juvenile Justice Act, 2000, § 1(d).

¹⁶ *Prerana Vis State of Maharashtra* (2003) 2 BOMLR 562.

¹⁷ Indian Penal Code, 1860, § 366B.

¹⁸ Indian Penal Code, 1860, § 373.

the age of twenty-one from outside the country, with the intention or knowledge that she is likely to be forced into prostitution, shall be punishable with imprisonment for a term which may extend to ten years and shall also be liable to a fine.¹⁹

The Act defines rape as sexual intercourse with a woman without her consent, or with consent obtained through threat or fear of death or injury, or where consent is given by a person incapable of understanding its consequences, as well as in cases involving a minor below the age of sixteen, irrespective of consent.²⁰ The minimum punishment prescribed for rape is seven years of imprisonment.²¹

All the laws framed under I.P.C., 1860 apply directly to brothel owners, brothel staff and customers who engage in sexual intercourse with minors, irrespective of consent, or with women under threat or coercion.

(E) THE IMMORAL TRAFFIC PREVENTION ACT, 1986

In order to align with the trafficking agreements and give effect to constitutional laws, the Suppression of Immoral Traffic in Women and Girls Act (SITA) was passed. Later on, this statute underwent revisions and was called the Immoral Traffic Prevention statute (ITPA). Nonetheless, a number of the act's clauses discriminated against prostitution victims. The victims were thought to be criminals. These clauses have been modified over time, nevertheless.

III. INTERNATIONAL CONVENTIONS ON HUMAN TRAFFICKING

Human rights violations have been occurring for the past 200 years, and despite several treaties and conventions designed to put an end to this terrible crime, they continue to be an issue on a national and international scale.

(A) UNIVERSAL DECLARATION OF HUMAN RIGHTS

The Universal Declaration of Human Rights is a significant document that was approved on December 10, 1948, by the United Nations General Assembly. Historical and societal factors led to its drafting. The proclamation acknowledges "the inherent dignity of all members of the human family is the foundation of freedom, justice, and peace in the world"²². It recognizes that all persons are entitled to the enjoyment of their basic human rights, regardless of who they are or where they reside. The right to life, liberty, dignity, freedom of speech, and privacy are only a few of the rights protected in the UDHR. Under the declaration, social, cultural, and economic rights are also protected.

Art 4 of the UDHR states individual rights.²³ It says that no person should be detained under servitude and slavery. The Indian Constitution recognizes the right of persons to freedom of residence and movement.²⁴ Furthermore, it affirms the right to nationality.

The signatories to the Universal Declaration are not legally bound by its provisions, as it does not constitute a treaty. Rather, it represents a statement of ideals endorsed by the nations that adopted it. Despite its non-binding nature, it has significantly influenced the development of international human rights law. It has also laid the foundation for subsequent international instruments, such as the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

(B) INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

The International Covenant on Civil and Political Rights, a multilateral treaty, was adopted through a resolution of the United Nations General Assembly. The States parties to the Covenant undertake to respect and ensure the civil and political rights of all individuals, including the right to life, freedom of expression, due process, and a fair trial.²⁵ Art 8(1) and (2) provide that no person shall be subjected to slavery or servitude, and that all forms of trade associated with such practices shall be prohibited.²⁶ This Art also

¹⁹ Indian Penal Code, 1860, § 366B.

²⁰ Indian Penal Code, 1860, § 375.

²¹ Indian Penal Code, 1860, § 376(1)(2).

²² Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III) (Dec. 10, 1948).

²³ Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III), at art. 4 (Dec. 10, 1948).

²⁴ Indian Const. art 13.

²⁵ International Covenant on Civil and Political Rights, 999 U.N.T.S. 171 (Dec. 19, 1966).

²⁶ International Covenant on Civil and Political Rights, 999 U.N.T.S. 171, art 8(1)(2) (Dec. 19, 1966).

prohibits military, forced labour and civil obligations.²⁷

The Committee of Human Rights generally employed Article 8 to stop human trafficking and forced prostitution. Participants in the covenant pledge to take action to stop human trafficking and forced prostitution both domestically and internationally. They have to give specifics on the same as well.

(C) INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS

The International Covenant on Social, Economic, and Cultural Rights was another agreement that followed the United Nations Declaration on Human Rights. The UN General Assembly approved the international pact.²⁸ The signing parties strive to provide labour rights, the education right, and the livable wage right, among other economic, social, and cultural rights.

Art 10(3) of the Covenant on Social, Economic, and Cultural Rights states that all children and young people are entitled to support and protection, free from discrimination on the criteria of caste or any other factor. One should be shielded against social and economic exploitation.²⁹

Furthermore, it provides that the employment of minors and young persons in occupations hazardous to their health should be prohibited, and such practices are treated as offences under the law. It also requires States parties to establish a minimum age below which the employment of children is considered child labour and is therefore unlawful. India is a signatory to this agreement.

(D) CONVENTION ON THE RIGHTS OF THE CHILD

The convention recognizes a child as an individual, and as a member of family and community, with rights and responsibilities according to his age and stage of development.³⁰ It focuses on the following principles:

1. Every child has special needs, requires support and protection, and the child's veracity should be protected.

2. The child has his rights and a right to express his opinion.

The governments that participated in this treaty have to align their domestic laws with the requirements of the treaty on the Rights of the Child. Each and every right that this agreement grants children is applicable and universal. The signatory states are bound by these rights on a national level.

India ratified this convention, agreeing to the articles except with particular reservation on the issues relating to child labour. Under Article 24 on the Indian Constitution, the child under the age of 14 should not work. However, there is no outright ban on child labour; the restriction is only concerning employment in hazardous industries.³¹ However, after the introduction of the Child and Adolescent Labour (Amendment) Act in 2016, the economic employment of children under the 14 years was prohibited. Furthermore, the employment of adolescents was prohibited in any hazardous industry.

(E) CONVENTION FOR THE SUPPRESSION OF THE TRAFFIC IN PERSONS AND THE EXPLOITATION OF THE PROSTITUTION OF OTHERS

The agreement confirms that reliance is a major factor in the commercial sexual exploitation of women, children, and young people. even when it violates the victims' basic rights and dignity. The agreement adopts a number of measures, such as making procurement in any form illegal, to stop practises that result in commercial sexual exploitation. The convention's signatories are dedicated to eradicating prejudice that targets those who fall prey to this kind of exploitation. The member nation should prioritise combating human trafficking. India is dedicated to ending human trafficking and is a party to the treaty.

(F) UNITED NATIONS CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT, 1984

The United Nations Convention against Torture is a human rights treaty that focuses on the global prevention of torture and other cruel, inhuman, or degrading treatment or punishment (UNCAT). It is mandatory for the member states to implement effective measures aimed at eliminating torture within their authority. Additionally, it is the duty of the states to ensure that no one is sent to a nation where they

²⁷ International Covenant on Civil and Political Rights, 999 U.N.T.S. 171, art 8 (3) (Dec. 19, 1966).

²⁸ International Covenant on Economic, Social, and Cultural Rights, 993 U.N.T.S. 3 (Dec. 16, 1966).

²⁹ International Covenant on Economic, Social, and Cultural Rights, 993 U.N.T.S. 3, art. 10(3) (Dec. 16, 1966).

³⁰ Convention on Rights of a Child, 1577 U.N.T.S. 3, art. 1, 11, 19, 32(1), 34, 35, 36. (Nov. 20, 1989).

³¹ Indian Const. art 24.

suspect of being tortured. Although it has signed the convention, India has not yet ratified it.

IV.ROLE OF INDIAN JUDICIARY

Many judicial decisions in India have been focused on trafficking victim protection. The few cases which have been decided were brought up by the public-spirited people, who raised their voices and represented victims of slavery and trafficking.

Under *Kaushaliya vis State of Allahabad*³², the High Court of Allahabad struck of Section 20³³ of The Immoral Traffic (Prevention) Act, 1956. The section controlled the movement and residence of prostitutes. If a prostitute resides in the jurisdiction of a magistrate, he had the authority to expel her out of the area without any further ado. She could have been expelled from the whole district. It was struck on the grounds of unconstitutionality. It infringed the fundamental right guaranteed under Article 43³⁴ of the Indian Constitution.

Under *Prajwala vs. Union of India*³⁵ a P.I.L. was filed by Prajwala, an anti-trafficking organization, in the Supreme Court of India. It petitioned that the Government creates a 'Victim Protection Protocol'. This was to ensure the rights of the victims trafficked. The women and children who are rescued after trafficking and sexual exploitation are not efficiently protected under the existing Indian laws. Hence, Prajwala invoked Art 32 of the Constitution of India and filed a P.I.L. for the formation of the 'Victim Protection Protocol' for the rehabilitation of human trafficking .

Under *Gaurav Jain v Union of India*³⁶ The Court held that the State has the responsibility to protect, rehabilitate, and help women live a life of dignity. The Court has also taken a serious note on the unresponsive and careless approach of the State Administration towards identifying and rehabilitating forced labourers in the country.

*Upendra Baxi and Lotika Sarkar vs. State of Uttar Pradesh*³⁷ is a case questioning the disgraceful conditions of the protective homes. These protective homes were established under Sections 17, 19 and 21 of SITA, in Agra.

The case began with a letter to the editor by Upendra Baxi and Lotika Sarkar. The letter was published in a daily newspaper, the Indian Express. A shocking picture of the protective homes was revealed. The letter was converted into a writ petition by the Supreme Court. The case went on for a span of 16 years. The order was passed for the Superintendent of homes. He was bound to explain the allegations presented in the writ petition. The supreme court closely monitored the case and found various omissions in the functioning of the homes.

In a landmark judgment under *Vishal Jeet vs. Union of India*³⁸, the Supreme Court took upon itself to provide with orders and directions for rehabilitation and protection of the women who have been dedicated as 'Devadasis' by their families for cultural reasons. These women were stuck in prostitution. These orders were also applicable for Nepali women, stuck in the Indian brothels.

There have been various cases where the court has ordered that the victim should be compensated. In *Bodhisattwa Gautam vs. Subhra Chakrabort*³⁹, the man promised marriage and even completed a wedding ceremony with the women. Later, it turns out to be all false. The man was asked to compensate the women. It was decided in *The Chairman, Railway Board vs. Chandrima Das*⁴⁰, that compensation can also be ordered for cases involving foreign nationals. Compensation was also ordered in *PUCL vs. Union of India*⁴¹, which was a case related to trafficking of children as forced labour.

In *Lakshmikant Pandey vs. Union of India*⁴² the court examined the helplessness of the children being trafficked for adoption. The children were stuck due to an ineffective protection mechanism. The court went ahead and created an appropriate protection mechanism for better implementation and protection of children.

³² Kaushaliya v. State, AIR 1963 ALL 71.

³³ The Immoral Traffic (Prevention) Act, 1956 (SITA), § 20.

³⁴ Indian Const. art 43.

³⁵ Prajwala vs. Union of India, AIR ONLINE 2009 SC 127.

³⁶ Gaurav Jain v Union of India, A.I.R. 1997 SC 3021.

³⁷ Upendra Baxi and Lotika Sarkar vs. State of Uttar Pradesh, (1998) 8SCC 622.

³⁸ Vishal Jeet vs. Union of India, (1990) 3SCC 318.

³⁹ Bodhisattwa Gautam vs. Subhra Chakrabort, (1996) 1SCC 490.

⁴⁰ Chairman, Railway Board vs. Chandrima Das, AIR 2000 SC 988.

⁴¹ PUCL vs. Union of India, (1998) 8SCC 485.

⁴² Lakshmikant Pandey vs. Union of India, AIR 1984 SC 469.

Under *Prerana vs. State of Maharashtra*⁴³ the Court held the children who voluntarily trafficked themselves should be given proper care and protection. These are not children in conflict with law. In cases related to children sex workers, the Court held that these vulnerable children should be made to stay at desirable surroundings.

V.SUGGESTION AND CONCLUSION

SUGGESTION

Human trafficking have to be reduced and this will be possible only when there is awareness of possible tactics used by traffickers on the youngsters and this awareness can help at least few percentage of victims. educational institutes and awareness programes should be conducted especially to the vulnerable section of the country because they are the most targeted. Victims of sex trafficking go through a lot of trauma when some of them try to escape from them they have to be sent to habitation centres, there is awareness for this centres and also most of them are in practice but most of the countries don't have a proper procedure and protocol that can revive and help them to resume to a normal life. Legislations should be passed regarding every sector of human trafficking and more emphasis should be based on searching for brothels and capturing women and minors who are not voluntary involved to do this kind of work.

CONCLUSION

The dignity and security of the victims of human trafficking get scarred for life. Trafficking violates the human rights of an individual severely. The Indian Constitution guarantees equality of rights to all. However, during implementation, these rights are hardly adequate. Strong political governance and strict implementation of trafficking laws are necessary to safeguard the trafficked persons. The researchers have concluded that this trade is more prevalent in the backward countries and states. Lack of information about the consequences and the impact human trafficking has on an individual are the main reason behind the exploitation of the poor. Awareness amongst individuals is also necessary, and alertness among the public will eradicate the well-organized flesh trade. N.G.O.s educate and stand for the rights of the poor. The N.G.O.s can also perform and carry out duties that cannot be carried out by the Government.

The National Human Rights Commission should conduct surveys and organize workshops to spread awareness about human trafficking. Shelters and schooling should be provided to orphans and needy children to make them aware and protect them from trafficking. The system, presently, is slowly and gradually working towards providing protection to the victims of trafficking and ensuring that the victims are entitled to the enjoyment of all the fundamental rights guaranteed under the Indian Constitution.

⁴³ *Prerana vs. State of Maharashtra*, (2003) MLJ 105.