

HUMAN TRAFFICKING IN INDIA

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Abstract

Human Trafficking mainly means the "trade of people" for various purposes mainly involving the transfer, recruitment, transportation or harbouring of people by means of force, threat or other forms of fraud and abuse of power for the purpose of exploitation. Exploitation of people includes sexual exploitation, forced labour, slavery and practices and services of the same. Throwing light on the Human Trafficking of people in India, people are illegally trafficked through India for purposes like forced/bonded labour and commercial sexual exploitation. This issue, although illegal under the Indian Law still remains a major problem. According to the survey made by several NGO's, this affects approximately 20 to 65 million Indians! Human Trafficking is one of the worst abuses of Human Rights. Reasons for human trafficking are determined by various economic, political and cultural factors. In any country or region, there exist many factors such as poverty, unemployment, conflicts, lack of access to education and information, instability in political and economic areas, social conditions, etc. All these reasons are the result of migration of persons and human exploitation and abuse. To counter the crime of Human Trafficking in India, various Legal Frameworks have been designed on the part of the Indian Government. Some of them are- Indian Penal Code 1860, Constitution of India 1949, and The Immoral Traffic Act 1986, The Juvenile Justice Act 2000 etc. Various International Laws have also been framed as well which are- Human Trafficking and International Law (Article 4 of the Universal Declaration of Human Rights), ILO Convention concerning Forced Labour, etc. Every section of the society across the country must be made aware of Human Trafficking and its harsh consequences. The rules and regulations for Human Trafficking must be reinforced in order to prevent people from becoming its victims. Various measures can be taken to prevent Human Trafficking in India like fostering the spread of education, enforcing strict laws to prevent child trafficking, spreading awareness among various communities and groups about the issue, etc. Human Trafficking can only be prevented if the Government of India and the people of our country join hands together in order to eradicate this harmful disease from the society. This paper intends to throw light on Human Trafficking in India, its causes and the various measures taken and the laws enforced to prevent the same.

Keywords: Human Trafficking, Human Rights, Laws, Prevention

INTRODUCTION

Human Trafficking remains a significant issue in India although illegal under the Indian Law. People are now and again trafficked throughout the country for various purposes, some of them being sexual exploitation and bonded labour. Men, women and children are trafficked for various reasons. Where men are trafficked mainly for the purpose of labour and are exploited to serve as escorts, gigolos etc. Women are trafficked for the purpose of forced marriage and sexual exploitation. Large portion of children are made to work in factories as servants and beggars etc.

According to government reports almost 20,000 women and children were trafficked in India in the year 2016 which was nearly a 25% rise as compared to the year 2015. According to a report published by the US Department of State, India is the destination country for Human Trafficking. According to the Ministry of Women and Child Development, nearly 19,223 women and children were trafficked in 2016 against 15,448 in 2015 which was the highest no. of victims which were recorded in the eastern state of West Bengal.

Human Trafficking is the third largest crime globally and is eventually increasing every year. Some of the main causes of Human Trafficking in India include gender discrimination, poverty, unemployment, unhealthy traditional and cultural norms, etc. The government of India launched an Anti Human Trafficking Web Portal in Feb. 2014 with the hope to gain information from interested parties about this topic. The Salvation Army also developed a program that provides safe places for children of women who work in red districts in India. Many more such initiatives have been taken by the Indian Govt. to remove the toxic element of human trafficking from the country and to make India a peaceful and a better place to reside in. In this paper an effort is made to study the state of human trafficking in India and its causes and the prevention strategies adopted by the Govt. of India for the same.

REVIEW OF LITERATURE

Vimal Vidushy in his research paper published in 2016 titled "Human trafficking In India: An analysis" stated that the focus on trafficking either as an issue of illegal migration or prostitution still dominates the discourse of trafficking, which prioritizes state security over human security and does not adequately address the root causes of trafficking and the insecurity of trafficked individuals.

Abhilasha Singh in her article “ANALYSIS OF THE TRAFFICKING OF PERSONS (PREVENTION, PROTECTION AND REHABILITATION) BILL, 2018 stated that India is ranked among Tier II countries in dealing with trafficking in persons, meaning that though India has been true in its commitment to combat the evil of human trafficking, it has not been able to adequately deal with the problem of trafficking in persons.

Jaffer Latief Najar in his article “Human Trafficking in India” published in November 2014, stated that the organisation of human trafficking in such a professional manner has also been taken as a backdrop of the emerging phenomenon of globalisation, feminization of international migration and state policies to sustain in the present competitive economic scenario. The impact of new international policies with the emergence of agencies like World Bank, World Trade organization, International Monetary Fund is the increasing displacement of rural population, lower wages and abject poverty.

OBJECTIVE OF RESEARCH

To study the condition of Human Trafficking in India, its causes and the various measures taken and the laws enforced to prevent the same.

RESEARCH METHODOLOGY

The research paper is descriptive in nature and based on secondary data. The data has been collected from various articles, reports, journals and websites.

DATA ANALYSIS

According to the definition of the United States- “trafficking is any activity leading to recruitment, transportation, harbouring or receipt of persons, by means of threat or use of force or a position of vulnerability.”

According to the statistics of the Indian government, **every 8 minutes a child goes missing in the country.** Around 35000 children were reported missing in 2011 and more than 11000 from these were from West Bengal. As per the New York Times report, the most number of trafficked cases are from the state of Jharkhand. The report also stated that young girls were trafficked from neighbouring Nepal to India. In an article published in the Times of India, Karnataka is the third state in India for human trafficking. As per reports more than half of the human trafficking cases are from the states of West Bengal and Bihar. The latest reports on human trafficking by the United Nations Office on Drugs and Crime reveals that Tamil Nadu had 528 cases of human trafficking in the year 2012. According to sources from Home Ministry, 1379 cases of human trafficking were reported from Karnataka in a span of 4 years. The city of Delhi is the “Hub” as well as the transit point of human trafficking trade in the country.

Young girls and women mostly from the North Eastern states are sold by agents in other states of India to work as labourers. These agents attract their parents to provide better living to these kids whereas in reality they make them work as servants and beggars. Girls are mainly trafficked for the purpose of sexual exploitation and they are even forced to marry in areas where there is uneven female to male sex ratio.

Causes of Increasing Human Trafficking in India

- The main cause that can be seen for the increasing rate of human trafficking in India is poverty. Children born in a poor family in backward areas with no education and development are at a greater risk of being sold some parents can also be seen selling their own daughters in the name of money. Other reasons include corruption, social and gender inequality, etc.
- People who run out of cash sell their children as labourers in exchange for cash. Traffickers recruit victims from rural and undeveloped areas promising huge amounts and are generally not paid for years.
- The decreasing sex ratio and increasing demand of women in women starve areas is also considered as a major cause behind bride trafficking in India.
- Globalization is also a major cause for human trafficking. According to the report of the International Organization for Migration, 90% of victims trafficked as sex slaves experienced domestic violence before they were trafficked.

Measures adopted by the Indian Government

The Govt. of India is taking various steps to address the country's human trafficking problem.

The budget for aid to the trafficking victims has been increased, border security has been heightened along with drafting of an anti-trafficking bill.

- The Union Cabinet passed the Trafficking in Persons Bill to be voted on by Parliament in February 2018. This bill includes methods for rehabilitation of victims, attention is paid on physical and mental trauma suffered by victims and promotion of health, education and development of skill.
- The Rescue Foundation established in 2000 helps to rescue victims of human trafficking in India. Rehabilitation programs involve legal counselling, computer training, education, etc.
- The Immoral Traffic (Prevention) Act, 1956 was enacted which was the main legislation for prevention of trafficking for sexual exploitation.
- The Ministry of Home Affairs set up an Anti-trafficking Nodal Cell to act as a focal point for communicating various decisions to stop the crime of human trafficking.
- An MOU was signed between India and Bangladesh for Prevention of Human Trafficking in Women and Children and recovery of victims of trafficking.
- Government will be setting up women help desks in all police stations and anti-human trafficking units in all districts across India using the NIRBHAYA Fund.
The women help desks, would be gender-sensitive desks whose aim will be grievance redressal of women through the policing system and improved community interaction of the police with a focus on crime against women and children.

LIMITATIONS

- Lack of availability of data.
- Reliability of data depends upon credibility of the sources.

CONCLUSION

The laws made for human trafficking must be revised and strengthened. People must be made aware about the harmful consequences of human trafficking in order to prevent the crime from happening at the first place. Various seminars and conferences can be conducted across the country so that people and the government together can stand together to prevent the heinous crime. The weaker sections of the society must be looked after by the Government so that they don't fall as victims to human trafficking.

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