

## **Centre/States Acts and Rules on Trafficking**

<http://www.indiacode.nic.in>

Andhra Pradesh Devdasi (Prohibition of Dedication) Act, 1988

Bombay Police Act, 1951 Sec: 110

Child Labour (Prohibition and Regulation) Act, 1986 (61 of 1986)

Code of Criminal Procedure, Sec: 51(2), 53(2), 98, 160, 357

Emigration Act, 1983 (31 of 1983)

Goa Children Act, 2003 (No. 18 of 2003)

Immoral Traffic (Prevention) Act, 1956 (ITPA) (No. 104 of 1956)  
(Earlier known as the Suppression of Immoral Traffic in Women and  
Girls act, 1956) (SITWGA)

Indecent Representation of Women (Prohibition) Act, 1986 (No. 60 of  
1986)

Indian Evidence Act, Sec: 114 A, 151

Indian Penal Code, Sec: 294,339-340,342-47,357,359-73,375-77

Indian Railways Act, 1989 (No. 24 of 1989) Sec: 145

Juvenile Justice (Care and Protection of Children) Act, 2000 (56 of  
2000)

Karnataka Devdasi (Prohibition of Dedication) Act, 1982

National Commission for Protection of Child Rights, 2005 (Act No. 4  
of 2006)

National Commission for Women Act, 1990 (No. 20 of 1990)

Probation of Offenders act, 1958 (No. 20 of 1958)

Protection of Human Rights Act, 1993 (10 of 1994) with amendment act, 2006 (43 of 2006)

Suppression of Immoral Traffic in Women and Girls act,1956 [SITWGA]

[Now see Immoral Traffic (Prevention) act (104 of 1956)]

Young Persons (Harmful Publication) Act, 1956 (93 of 1956)

**Law Commission Reports <http://lawcommissionofindia.nic.in/>**

Report No. 64. Suppression of Immoral Traffic in Women and Girls Act, 1956

Report No. 146. Sale of Women and Children, 1993

Report No. 172. Review of Rape Laws, 2000

**National Policies/Schemes (India): <http://www.wcd.nic.in>**

- Action Plan for Prevention of Trafficking of Women & Children Care and Support through.
- Psychological Interventions Plan of Action for rehabilitation of survivors of trafficking.
- Convention on the Rights of the Child (CRC)-India first periodic report 2001
- India Country Report: To Prevent and Combat Trafficking and Commercial Sexual Exploitation of Children and Women prepared for the World Congress III against Sexual Exploitation of Children and Adolescents, Rio de Janeiro, Brazil, November 2008

<http://www.unodc.org/pdf/india/publications/India%20Country%20Report.pdf>

- Details of Pilot Projects sanctioned under GIA Scheme
- Immoral Traffic (Prevention) Amendment Bill Act 2006
- Initiatives taken by Ministry of Women and Children Development to combat Trafficking of Women and Children.
- Integrated Plan of Action to Prevent and Combat Human Trafficking with Special Focus on Children and Women.

- Judicial Handbook on combating trafficking of women and children for Commercial Sexual Exploitation.
- Kishori Shakti Yojana (KSY)
- Manual for medical officers dealing with medico-legal cases of victims of trafficking for commercial sexual exploitation and child sexual abuse.
- Manual for Social Workers-Dealing with Child Victims of Trafficking and Commercial Sexual Exploitation.
- National Charter for Children 2004
- National Policy for Empowerment of Women
- Optional Protocols to the conservation on the rights of the child on (i) Sale of Children, Child Prostitution and Child Pornography (ii) Involvement of Children in Armed conflict.
- Pilot Project to Combat Trafficking of Women and Children for the Year 2004-2008
- Protocol for Pre-rescue, Rescue and Post Rescue Operations of Child Victim of Trafficking for Commercial Sexual Exploitation.
- Protocol on Inter State Rescue and Rescue Activities relating to Trafficked Persons.
- PSC – Report on ITPA Amendment
- Scheme for welfare of Working Children in need of Care and Protection.
- Scheme of Prevention and Control of Juvenile Social Mal-Adjustment (For the purpose of NORMS only)
- Short Stay Home for Women and Girls (SSH)
- SWADHAR: A Scheme for Women in difficult circumstances.
- Swadhar – Revised SWADHAR Guidelines
- The Integrated Child Protection Scheme (ICPS)
- UJJAWALA: A Comprehensive Scheme for Prevention of trafficking and Rescue, Rehabilitation and Re-integration of Victims of Trafficking and commercial Sexual Exploitation.

### **Useful Links:-**

- Asia Regional Trafficking in Persons Project (ARTIP)  
<http://www.artipproject.org/artip-tip-cjs/tip.html>
- India, Ministry of Women and Child Development  
<http://www.wcd.nic.in>

- National Human Rights Commission, India, New Delhi  
<http://nhrc.nic.in/>

## CONSTITUTION OF INDIA

**Article 14. Equality before law**—The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.

**Article 15. Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth**—(1) The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.

(2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them, be subject to any disability, liability, restriction or condition with regard to—

(a) access to shops, public restaurants, hotels and places of public entertainment;

or

(b) the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of wells, tanks, bathing ghats, roads and places of public resort maintained wholly or partly out of State funds or dedicated to the use of general public.

(3) Nothing in this article shall prevent the State from making any special provision for women and children.

(4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making any special provision for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes and the Scheduled Tribes.

(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Castes or the Scheduled Tribes in so far as such special provisions relate to their admission of educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of article 30.

**Article 19. Protection of certain regarding freedom of speech, etc.** – (1) All citizens shall have the right –  
(g) to practice any profession, or to carry on any occupation, trade or business.

**Articles 21. Protection of life and personal liberty.**–No person shall be deprived of his life or personal liberty except according to procedure established by law.

**Articles 23. Prohibition of traffic in human beings and forced labour.**–(1) Traffic in human beings and begar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.

**Articles 39. Certain principles of policy to be followed by the State.**–The State shall, in particular, direct its policy towards securing–

- (a) that the citizens, men and women equally, have the right to an adequate means of livelihood;
- (e) that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength;
- (f) that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

**Article 46. Promotion of educational and economic interests of Schedule Castes, Scheduled Tribes and other weaker sections.**–The State shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the

Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.

**Article 47. Duty of the State to raise the level of nutrition and the standard of living and to improve public health.**—The State shall regard the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and, in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxication drinks and of drugs which are injurious to health.