

HUMAN TRAFFICKING AS A THREAT TO SOCIETY

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INTRODUCTION

India is a developing country with a huge population, that is labor surplus. It faces many crimes day to day among which human trafficking is the most effected among people according to statistical view. Human trafficking is the third largest crime in the world¹ proceeded by drug and weapon trafficking. It is predominant in India, which stands as a country of origin, transit and destination for trafficking of persons². People are transported to serve as a forced labour, bonded labour, sex labour etc., humans are also subjected to domestic servitude, adoption and are used for war crimes. The forms of Human trafficking are interrelated with one another and are not distinctive. Here people are considered as a product of selling and buying according to demand and supply. The most affected are the women and children, where thousands together are trafficked on a day to day basis. The fundamental rights of these victims are brutally violated that in turn is impacting the society at large. To curb this many legislations were passed by the government that criminalizes human trafficking such as Immoral Traffic (Prevention) Act, 1956, Juvenile Justice Act , Bonded Labour Abolition Act, Child Labour Act etc.

DEFINITION

According to the definition of the United Nations- “ trafficking is any activity leading to recruitment, transportation, harboring or receipt of persons, by means of threat or use of force or a position of vulnerability”³.

FORMS OF HUMAN TRAFFICKING

Humans are trafficked for three major purposes,

- Labour exploitation
- Sexual exploitation
- Organ trafficking

From ancient period human trafficking is prevailing for labour and sexual exploitation which increased further with the process of globalization that demanded high labour force

1 <https://www.mapsofindia.com/my-india/society/human-trafficking>

2 Congressional mandated trafficking in persons’ report, 2015.

3 Article.3, paragraph (a) of the UN Protocol to Prevent, Suppress and Punish the Trafficking in Persons.

for technological development and to meet profitable ends. The trafficked victims are forced to work irrespective of the hazardous working environment for long hours without break. The people are exploited even in the form of domestic servitude where their employers force them to work for long duration. The labourers are even treated brutally by their employers. They live a life of slaves where their living conditions are decided by their exploiters. Women and children are even sexually exploited in the hands of their employers. They are trafficked in maximum than men and are forced into prostitution. They are abused emotionally, physically and psychologically⁴. Children's are even trafficked and transported to be adopted by the foreigners. 80% trafficked victims are women and children. These children are also used for war crimes. Women are also forced into marriages in places in which the female sex ratio is less than that of male. Thirdly they are trafficked for organ trade. Each and every organ of Human are sold for crores. The predominance among them is kidney trafficking. For this purpose, people are either manipulated by provoking their money demands or forcefully trafficked. The humans trafficked victims are transported and sold in black markets for the above said purposes. They are subjected to various forms of diseases for which they are not given proper medical aid. The humans here are considered as an object of exploitation. The humans falling in this trap are povertised by debt bondage and are forced to be a subject in the hands of Traffickers or Exploiters. The job seeking backward people are manipulated into such activities.

TRAFFICKING AS AN ORGANISED CRIME

Human trafficking is an organised crime. The process of Human trafficking generally involves three identifiable groups: victims, perpetrators and the end-users. The upper string consists of people co-related with the world economy includes individual involved in production process and who purchase commodity. They are the ultimate beneficiaries of human trafficking. People who are occupying the centre of the hierarchy are the one who manipulates the benefits of globalization via entering world economy where most perpetrators are located. People at the bottom of the hierarchy are the one who are exposed to organised crimes like human trafficking as they are ignored of opportunities. Many factors are contributing to the human trafficking across the world but the key factors which enumerates human trafficking includes the following factors:

- Incessant unemployment
- Pervasive gender equality
- Economic disparities
- Weaken family structure
- Early exposure to sexual activities or any other forms of exploitation.

4 Global Trafficking in Women and Children, Edited by Obi N.I.Ebbe and Dilip K. Das, CRC Press Taylor and Francis Group, Pg. : 67-78.

Trafficking is an organised Crime and stringent measures are required to combat it. **Kamaljit vs State of NCT of Delhi**⁵, the court in its order stated that Govt. of India's Action Plan of 1998 to combat trafficking and commercial sexual exploitation of women and children had not delivered the desired results and more stringent measures were the crying need of the day. The court stated that penal statutes of other countries dealt with 'organised crime' in supplying goods and services, including gambling, prostitution, loan sharking, narcotics, racketing and other unlawful activities. In December, 2002 India became a signatory to "UN Convention Against Trans-National Organised Crime", which includes the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children. By becoming the participant in the Convention, a global instrument which advocates international and national action against organised. crime, the Government of India has given a clear mandate to confront evils of trafficking of women and children. The court specified that Interpol defined organised crime as "any enterprise or group of enterprises engaged in continuing illegal activity which has its primary activities that bring together a client-public relationship which demands a range of good and services which are illegal." The court while hearing this appeal stated that investigation shows that the accused had a wide network of persons, financial transactions and telephone numbers. Also he had several cases of ITPA already pending on him. The court took cognizance of the same and ordered that MCOCA in this case was valid.

ORGANIZED GROUP OF TRAFFICKERS

There are two types of organised crime groups of trafficking as found by the United Nations in its 2006 annual assessment of the phenomenon⁶. They are core groups and hierarchical groups.

Core groups: Core groups primary activity is to traffic and transport humans that are associated with profit motives . They are groups with limited members that are not associated with relatives, ethical or religious groups. Core groups are tight structured with loose network associates. They use violence to achieve their target.

Hierarchical groups: Hierarchical groups are groups associated with trafficking of things like arms , weapons etc. They are traditionally organised group with single leadership. They use violence only to maintain order , control and discipline among the members of the group. The level of violence used by hierarchical groups are less than that of core groups. In contrary to core groups , they are associated with ethical and social groups.

5 2007 CrLJ 2859, 2007(3) CurCrlR 415, 2007(4) crimes 540

6 Human Trafficking and Human security, edited by Anna Jonsson, Routledge Research On Public And Social Policy In Asia, 2009.

These two are the major groups involved in the crime of trafficking in India in which Delhi is said to be a hub for this crime⁷. It is also said that India is being a large market for bonded labour in Middle East, North Africa, Australia and South East Asia⁸.

HUMAN TRAFFICKING AS A HUMAN SECURITY PROBLEM

Human trafficking undermines human security in all societies such as developed, developing, democracy and authoritarian countries. Most of the human trafficking offences focus in particular regions like Asia, Soviet Union or Europe etc. Patterns of human trafficking cost, actor and consequences are found to be identical in disparate regions of the world. With regard to the definition of human trafficking, the sexual and labour exploitation and trafficking in human organ comes under the ambit of it. It occurs not only in the national borders but also across continents. The traditional perpetrator who involves in the trafficking targets poor and marginalised countries where the people are suffering for the basic survivals. Women are the most victim in the human trafficking all over the world. Communities and families deprived of members through this human trafficking faces terrible consequences as they cannot regenerate the damages they incurred. Due to active trafficking salaries are depressed for the bonded labours, sexual offences are more accessible and there is a threat to health and safety problems.

HUMAN TRAFFICKING AND DEMOCRACY

India being a democratic society has formulated certain Laws and mechanisms to protect the trafficked victims by guarantying them their rights without violation. This can be achieved only when the victims come forward to file their sufferings. The statistical data given by government of India are approximate ratings, many cases of trafficking are left unreported which keeps them away from the protection of law. The victims rescued feel physically unsecured and unprotected and marginalize themselves from the facets of society. The trafficked victims suffer from insecurity and their rights are violated which are considered as the fundamental dogma of democracy⁹.

HEALTH AND DEMOGRAPHIC CONSEQUENCES

Demographic consequences of trafficking are severe in many parts of the globe. Trafficking not only a law and order issue but also affects the livelihood of the victim. They are subjected to serious diseases as the lives of such trafficked victim are not valued as they are treated as slaves without human dignity.

7 Report by United Nations Office on Drugs and Crime.

8 Global Trafficking in Women and Children, Edited by Obi N.I.Ebbe and Dilip K. Das, CRC Press Taylor and Francis Group, Pg.: 67-78.

9 Human Trafficking and Human security, edited by Anna Jonsson, Routledge Research On Public And Social Policy In Asia, 2009.

Trafficked labour victim: Human trafficking negatively affects the health of the human trafficked victims and also it causes demographic consequences all along. Those victims are carried over a long distance travelling in abysmal conditions. The trafficked victims are threatened to do dangerous work for very long hours which will endanger their life. Even though they are low paid. They are easily prone to serious health problems due to the unsanitary vulnerable work condition they are subjected to do. Victims are unable to pay the high fee for the medical assistance as they are low paid which leads to their mortality at-last becoming a factor for demographic consequences. Trafficked victims are left unseen and uncompensated by the employer of the illegal labour whenever their life is in danger.

Women victim: Health issues are exclusively vigorous in sex trafficking arena. Women traffickers are easily accessible to venereal disease like HIV who are involved in brothels. Controllers of women traffickers are denied of medical assistance and are ignored to prevent them from such transmitting disease. Many other health cost are also integrated with this sadistic trafficking. Women traffickers are forced to abort in unsanitary which makes the women sterile. In different cases, they are compelled to multiple abortion which restrain them to subsequently conceive and become infertile. Demographic consequence of infertility is crystal clear in case of women trafficking.

Organ trafficked victim: Human organ trafficking doesn't involve in shipment or migration of organ instead the victim's organ is operated to sell it for the one in need of it which cannot be found in legitimate market. Organs are usually purchased by the people of the developed country, buys from the poor individual. In other cases, without the assent of the particular person the organs have been taken through surgery by giving them a drug which makes them unconscious and ultimately they are deprived of their organ. Law lax regarding organ transplanting.

HUMAN RIGHTS AND HUMAN TRAFFICKING

D.D. Basu defines , “Human rights as those rights ,which every individual must have against the state or public authority by virtue of his being a member of the human family irrespective of any other considerations”. Human rights ensures to protect the rights of the trafficked victims through many Conventions and International Instruments. The effect of these Conventions are not effective since the victims are in state of fear to expose their Traffickers. The Trafficked humans when rescued has to considered as a victim. Article:

3¹⁰, 4¹¹, 5¹², 12¹³, 23¹⁴, 24¹⁵ and 25¹⁶ of the Universal Declaration of Human Rights (1948) provides the victims the rights against trafficking. Many other provisions of UDHR are also there to protect the rights of the trafficked victim. The states though not parties have to follow to combat trafficking that affects humanity. India being a party binds by the provisions related to trafficking. Many other Conventions are formulated to combat the crime of Human Trafficking globally that are to be followed by the state parties such as,

- United Nations Convention Against Transnational Organised Crime and its related Protocols (signed in 2000 and effected in 2003).
- The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (signed in 2000 and effected in 2003).
- United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air (signed in 2000 and effected in 2004).
- United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), 2007 - this was established by United Nations office on Drugs and Crime (UNODC) to support the enforcement of the above stated instruments. Creates awareness on those issues and also provides technical assistance.
- Slavery Convention (1926) and certain other Conventions related to Slavery.
- The United Nations Convention for the Suppression of Traffic in Persons and Exploitation of others (1949).
- The Convention on the Elimination of All Forms of Discrimination against Women (1979).

10 Everyone has the right to life, liberty and security of person.

11 No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

12 No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

13 No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

14 1. Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

2. Everyone, without any discrimination, has the right to equal pay for equal work.

3. Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection. 4. Everyone has the right to form and to join trade unions for the protection of his interests.

15 Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

16 1. Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

2. Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Apart from these certain Special Rapporteurs were laid to combat violation of Human Rights of Victims and Certain Standards were laid for the Treatment of Trafficking Persons.

ROLE OF JUDICIARY

People's Union for Democratic Rights v. Union of India¹⁷, court defined the forced labor as Any factor which deprives a person of a choice of alternatives and compels him to adopt one particular course of action may properly be regarded as "force" and if labor or service is compelled as a result of such "force", it would be "forced labor".

In Laxmi Kant Pandey vs Union of India¹⁸, the Supreme Court while supporting inter-country adoption stated it is necessary to bear in mind that the primary object of giving the child in adoption being the welfare of the child, great care has to be exercised in permitting the child to be given in adoption to foreign parents, lest the child may be neglected or abandoned by the adoptive parents in the foreign country or the adoptive parents may not be able to provide to the child a life of moral or material security or the child may be subjected to moral or sexual abuse or forced labor or experimentation for medical or other research and may be placed in a worse situation than that in his own country. The court has laid down procedures to check and monitor inter country adoptions so that the children don't end up trafficked.

Bandhua Mukti Morcha Vs. Union of India and others¹⁹, whenever it is shown that a laborer is made to provide forced labor the Court would raise a presumption that he is required to do so in consideration of an advance or other economic consideration and he is, therefore, a bonded laborer entitled to the benefits under the law. The Supreme Court gave directions on the rehabilitation of Bonded Labors²⁰.

Vishal Jeet v. Union of India²¹, the Supreme Court while putting on record the growing exploitation of young women and children for prostitution and trafficking reported that in spite of the stringent and rehabilitative provisions of law under various Acts, it cannot be said that the desired result has been achieved. The Supreme Court ordered for an objective multi-dimensional study and a searching investigation into the matter relating to the causes and effects of this evil and requiring most rational measures to weed out the vices of illicit trafficking. It stated that this malady is not only a social but also a socio-economic problem and, therefore, the measures to be taken in that regard should be more preventive rather than punitive. It was of the view that devastating malady can be suppressed and eradicated only if the law enforcing authorities in that regard take very severe and speedy legal action against all the erring persons such as pimps, brokers and brothel keepers. Apart from legal

17 (1982) 3 SCC 235

18 (1984) 2 SCC 244

19 AIR 1984 Supreme Court 802

20 Neerja Chaudhury Vs. State of Madhya Pradesh AIR 1984 Supreme Court 1099

21 (1990) 3 SCC 318

action, both the Central and the State Governments would have an obligation to safeguard the interest and welfare of the children and girls of this country and had to evaluate various measures and implement them in the right direction. The Court after bestowing deep and anxious consideration on this matter laid down guidelines for formation of Advisory Committee in all States and Central Government to oversee and prepare programme for combating trafficking.

M C Mehta Vs State Of Tamil Nadu²² , the Court said from each offending persons employing child labour their premises needs to be sealed and they be asked to provide fine of Rs 20,000 which will be used for the Rehabilitation of the Child victim. The Court also asked for a national level survey on Child labour.

Madhu Kishwar v. State of Bihar²³ , in this case the Supreme Court considered the provisions of the Convention on the Elimination of All Forms of Discrimination Against Women, 1979 (CEDAW) and held the same to be an integral scheme of the Fundamental Rights and the Directive Principles. Article 2(e) of CEDAW enjoins the State Parties to breathe life into the dry bones of the Constitution, International Conventions and the Protection of Human Rights Act, to prevent gender-based discrimination and to effectuate right to life including empowerment of economic, social and cultural rights. Article 2(f) read with Articles 3,14 and 15 of the CEDAW embodies concomitant right to development as an integral scheme of the Indian Constitution and the Human Rights Act. Section 12 of the Protection of Human Rights Act charges the National Commission with duty to ensure proper implementation as well as prevention of violation of human rights and fundamental freedoms.

Gaurav Jain v. Union of India,²⁴ while clearly stating the violation of Right to Life of trafficked victims the Supreme Court ordered the Union Government to form a Committee to frame the National Plan of Action and to implement it in mission mode.

Prerna v. State of Maharashtra²⁵ , Court Lays down process for care and Protection of Trafficked Children . Rules that Advocates cannot appear before the Child Welfare Committee to take custody of trafficked child.

Munni vs State of Maharashtra²⁶ , the menace of sexual abuse by immoral trafficking of children to force them somehow to enter in the business of prostitution is age-old phenomenon and needs to be tackled by Central as well as State Government with utmost care and precaution. Poverty, illiteracy or helplessness of parents may make the minor girl vulnerable to sexual abuse/exploitation. Protecting children against any perceived or real danger/risk to their life, their person-hood and childhood is necessary. . Child welfare

22. 1996 6 (SCC) 756

23. (1996) 5 SCC 125]

24. (1997) 8 SCC

25 .2003 (2) Mah.L. J. 105

26 . Criminal Writ Petition No. 227/2011(Bombay High Court)

Committees have the final say to dispose of the cases for the care, protection, treatment, development and rehabilitation of the children as well as to provide for their basic needs, protection and restoration to their family.

Geeta Kancha Tamang vs State of Maharashtra Criminal²⁷, while denying the release of a women trafficker, on mercy grounds, who had served 14 months imprisonment the court stated that the first aspect that the Court has to consider for such a heinous crime is that trafficking in persons is prohibited under Article 23 of the Constitution of India. It is, therefore, the Fundamental Right of every Indian citizen not to be trafficked. Such act constitutes the grossest violence of the Human Rights of the victim child. “The offence is prone to repetition since the Applicant is shown to be a brothel owner and accordingly carries on the business of running a brothel, in which, inter alia, a child was detained. Despite the specific provision under Section 18 of the ITP Act, the learned APP states, upon instructions, that the prosecution has not taken any steps for closure of the brothel or for eviction of the offenders from the brothel premises. In fact, the Applicant’s Advocate also stated to Court that the brothel has not been sealed, as required under Section 18 of the ITP Act. The same offence, albeit for violations upon other persons, including children, is liable to be committed if the Applicant is released, since she is the owner of the brothel which has not even been closed/sealed.”

State of Karnataka v. Krishnappa,²⁸ while overruling the reduction of sentence by the High Court in case of sexual offence the Supreme Court stated “The measure of punishment in a case of rape cannot depend upon the social status of the victim or the accused. It must depend upon the conduct of the accused, the state and age of the sexually assaulted female and the gravity of the criminal act. Crimes of violence upon women need to be severely dealt with. The socio-economic status, religion, race, caste or creed of the accused or the victim are irrelevant considerations in sentencing policy.

Budhadev Karmaskar v. State of West Bengal²⁹, in this case the Supreme Court while dismissing a appeal by the accused in a case of murder of a Sex Worker the Supreme Court stated that the Central and the State Governments through Social Welfare Boards should prepare schemes for rehabilitation all over the country for physically and sexually abused women commonly known as the “prostitutes” as we are of the view that the prostitutes also have a right to live with dignity under Article 21 of the Constitution of India since they are also human beings and their problems also need to be addressed. The Court observed that a woman is compelled to indulge in prostitution not for pleasure but because of abject poverty. If such a woman is granted opportunity to avail some technical or vocational training, she would be able to earn her livelihood by such vocational training and skill instead of by selling her body. The Court directed the Central and the State Governments to prepare schemes for giving technical/vocational training to sex workers and sexually abused women in all cities in India. The schemes should mention in detail who will give

27. Appeal No. 858 of 2009

28.(2000) 4 SCC 75

29 .(2011) 11 SCC 538

the technical/vocational training and in what manner they can be rehabilitated and settled by offering them employment. For instance, if a technical training is for some craft like sewing garments, etc. then some arrangements should also be made for providing a market for such garments, otherwise they will remain unsold and unused, and consequently the woman will not be able to feed herself.

Bachpan Bachao Andolan Vs Union of India ³⁰, Chief Secretary of each state asked to submit a circular for implementation of actions to combat Human Trafficking. In case of **Hori Lal vs Commissioner of Police, New Delhi**³¹, the apex court's judgment had issued comprehensive guidelines for the investigation officers in missing children cases like publishing photographs of children in print media and telecasting it through electronic media within a week of receipt of complaints and pasting the photos at prominent places. Reward for giving clue in a missing girl's case should be announced within a month of girl's missing report. The police commissioner/IG/DIG concerned would find out the feasibility of establishing multi-task force for locating girl child or women, the apex court directed.

LEGISLATIONS IN INDIA

- **The Immoral Traffic (Prevention) Act, 1956** ³²- enacted for the prevention of Immoral trafficking. It lays down rules and regulations regarding the issue of prostitution in India.
- **Protection of Children from Sexual Offences (POSCO) Act, 2012** ³³- An Act to protect children from offences of sexual assault, sexual harassment and pornography .
- **The Prohibition of Child Marriage Act, 2006** ³⁴- An Act to provide for the Prohibition of solemnisation of Child Marriages.
- **The Bonded Labour System (Abolition) Act, 1976** ³⁵- Provides for the Abolition of bonded labour system with a view to preventing the economic and physical exploitation of the weaker sections of the people.
- **The Child Labour (Prohibition and Regulation) Act, 1986**³⁶- Prohibits the engagement of children in certain employments and to regulate the conditions of work of children in certain other employments.
- **The Transplantation of (Human Organs and Tissues) Act, 1994** ³⁷ - Provides for the regulation of removal ,storage and Transplantation Human Organs and Tissues for therapeutic purposes and for the prevention of the commercial dealings in human

30. 2011 SCC (5) 1

31 Supreme Court dated November 14, 2002

32 Act No: 104 of 1956; This Act was signed at New York on the 9th day of May, 1950.

33 Act No.32 of 2012; 19th June 2012.

34 Act No.6 of 2007; 10th January, 2007.

35 Act No. 19 of 1976; 9th February, 1976.

36 Act No.61 of 1986; 23rd December, 1986

37 Act No.42 of 1994; 8th July 1994.

organs and tissues. Apart from these many states legislations were passed for regulation within their territory.

CONSTITUTIONAL PROVISIONS

Article 23 defines prohibition of traffic in human beings and forced labor and Article 24 talks about prohibition of employment of children in factories, etc. These two articles provide the trafficked victims a fundamental Right Against Exploitation. The fundamental rights of the victims provided under Article: 14, 21 are also to be ensured without violation. The rescued victims are not to be denied of their rights.

In **People's Union for Democratic Rights v. Union of India**³⁸, a PIL for the emancipation of Bonded Labour was considered in which supreme has defined the meaning of forced labour as stated in Article.23 of the Constitution. The supreme Court held that where a person provides labour or service to another for remuneration which is less than the minimum wage, the labour, the service provided by him clearly falls within the ambit of the words "forced labour" under art.23. Such a person would be entitled to come to the court for enforcement of his fundamental right under Article 23 by asking the court to direct payment of the minimum wage to him so that the labour or service provided by him ceases to be "forced labour" and the breach of the article 23 is remedied.

In **Bachpan Bachao Andolan v. Union of India**³⁹, the SC directed that in case a missing child is not recovered within four months from the date of filing of the first information report, the matter may be forwarded to the Anti-Human Trafficking Unit in each state in order to enable the said unit to take up more intensive investigation regarding the missing child. The Anti-Human Trafficking Unit shall file periodical status reports after every three months to keep the Legal services authorities updated.

CRIMINAL PROVISIONS

The Human Traffickers are punished under section 366(A) for procurement of minor girl. Section 366(B) for importation of girl from foreign country, section 370 for trafficking of persons, sec.371 for habitual dealing in slaves and under Sec.372 for selling minor for purposes of prostitution etc. These Traffickers are punished with an imprisonment for 10 years which may extend to imprisonment for life and with fine. They can also be convicted under the concept of criminal conspiracy where two or more persons agree to come together to commit an act contrary to law according to section 120A and 120B.

State of Uttarkhand v. Sartaj Khan⁴⁰, in this case it was said that Trafficking of a minor is a crime punishable under Sec.370 of IPC. The Minor's consent is immaterial as far as offence under Sec.379 IPC is concerned.

38 (1982)3 SCC 235.

39 2011 SCC (5)1

40 7th December, 2017

CONCLUSION

Human trafficking for labor and sexual exploitation has become a universal phenomenon. Many more serious consequences such as infringement, embedding organized crimes in the society and serious health problems arise due to the immoral trafficking. Demographic consequences also occur in society with low birth rate and high rate of trafficking. Women and children who are easily prone to this trafficking are denied a guaranteed future. Trafficking is a result of coercion, human rights violation, irregular migration, exploitation and illegal employment. Judiciary as well as legislative even though formulated many guidelines and provisions should regulate strict penalties against whosoever is involved in the immoral trafficking of innocent victims. Human trafficking being a threat to society has to be curtailed through stern enforcement of executive action and preventive measures to be taken to reclaim their lost life caused by trafficking as to ensure their rights are still conferred to them in this democratic country in particular.