

ABSTRACT

Immoral trafficking and Prostitution are synonymous. It is the act or practice of providing sexual services to another person in return for payment. Prostitution is historically and culturally ubiquitous, The position of prostitution and the law varies widely worldwide, reflecting differing opinions on victim hood and exploitation, inequality, gender roles, gender equality, ethics and morality, freedom of choice, historical social norms, and social costs and benefits. Today, human trafficking is primarily for prostituting women and children. It is the fastest growing criminal industry, set to outgrow drug trafficking. In 1949, the UN General Assembly adopted a convention stating that trafficking persons for the purposes of prostitution is incompatible with human dignity, requiring all signing parties to punish pimps and brothel owners and operators and to abolish all special treatment or registration of prostitutes. Since then, several International Legal Instruments have been resolved and ratified yet the propensity of immoral trafficking has not been minimized.

There are approximately 15 million prostitutes in India and about 75 thousand adult and child prostitutes operate in the State of Orissa. In spite of several legislations the State has not been able to control this social crime. The primary objectives of the empirical research is to study the legal dimensions of immoral trafficking in Orissa and to develop strategies for legal remedies. The measure of the research entitled *Effectiveness of Immoral Trafficking (Prevention) Act Questionnaire* (EITPAQ) has been designed in two point scale format to study 8 dimensions of the existing immoral trafficking law. The Sample structure comprises 250 respondents, clustered in 5 groups i.e. Judicial officer, Police Officer, Advocates, Common Citizens and Victims of Trafficking. The response of the samples were analysed through non parametric statistical analysis. The study not only validated the projected hypothesis but also interposed several interesting socio-legal issues for interpretation. Collected Data suggest that most trafficked women and children come from poverty stricken and underdeveloped districts of Orissa. The study suggests that the present legislation

neither confirm to the International standard nor tackles the international and cross-boarder immoral trafficking. It also proposes to redefine some of the key terms like Child, Brothel, prostitution, and few provisions of the ITP Act. Further, the search also identifies the statutory pit falls of the Act.. It is found that unscientific mapping of immoral trafficking creates lot of difficulties for the state enforcement agencies as well as for the support system agencies. Defective investigation, non sensitized prosecution and adjudication further promote the perpetrators of the crime and maximize the misery of the victims of the crime. The respondents strongly viewed that the Immoral trafficking and prostitution should not be legalized in India as it would promote the social crime. Stringent punishment can minimize the frequency of the crime. Unless the state Government provides necessary rehabilitation support, the victims of the immoral trafficking are likely to suffer more. The respondent perceive that trained Special Police, Prosecuting lawyers and sensitized judiciary can deliver better justice to the victims of the crime. The findings of the study followed by through analysis of the ITP Act interpose some of the key legal issues. These issues have been discussed critically to validate the projected hypothesis. The implications of the research were also considered. Finally, the research has proposed several legal strategies for the minimization of immoral trafficking in Orissa.

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