
Human Trafficking in India: An Assessment of Government Efforts for Rehabilitation and Re-integration of Victims

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ARTICLE DETAILS

Research Paper

Keywords:

Human Trafficking, Victims, Schemes, Rehabilitation,, Re-integration

DOI :

10.5281/zenodo.14640993

ABSTRACT

Human trafficking continues to afflict Indian society, evolving in various forms to meet the changing demands for human exploitation. To address this issue, the government has implemented numerous measures, including enacting legislation and introducing welfare policies aimed at combating trafficking and supporting the rehabilitation and reintegration of its victims. This article examines the existing laws, policies, and schemes designed to assist trafficking victims in India and evaluates their effectiveness in meeting both the immediate and long-term needs of survivors.

Introduction

Human Trafficking is the recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit.¹ Trafficking in human beings is grave and abominable violation of human rights. The inhuman trade violates the very right to life, right to freedom, right to dignity, right to health, right to education and right to proper employment. India is source, transit and destination for human trafficking.² Every year thousands of men, women and children are abducted, kidnapped and lured by fake promises for the purpose of exploitation. The severity of the cases of trafficking in India can be understood by the recently published data on Crimes In India by National Crime Record Bureau in 2022. According to NCRB, a total of 2,250 cases of Human trafficking were registered in India however, a total of 6,036 victims were reported to be trafficked in

which 2,878 children and 3,158 adults were trafficked. During the year, 6,693 victims have been rescued from clutches of traffickers and 5,864 persons were arrested for trafficking.³ Many cases remain unregistered and unreported due to a lack of proper information, public awareness, social stigma, and administrative and legal inefficiencies. The heinous crime takes different forms of exploitation entailing all age group of people for several purposes. The most common form which is historically attached with human trafficking in India is prostitution and sexual exploitation of women and girls. The other existing form and supposedly the oldest one is forced labour and bonded labour which accounts majority of trafficking in recent times. The other forms transcends to organ trafficking, domestic servitude, forced marriage, child labour, begging etc.⁴

Laws and Acts on Trafficking In India

The Indian Constitution through Article 23 prohibits trafficking in human beings and forced labour and protects individuals from exploitative practices. Article 24 prohibits employment of children in hazardous job to protect health and education of the children.⁵ The Bharatiya Nyaya Suraksha Sanhita, 2024 deals stringently against trafficking/maiming/importation of children under sections 139, 139, 141, 143, 143, 143, and 144.⁶ The Government of India, in different phases of need has passed various legislations for prevention of trafficking in human beings. The Immoral Traffic (Prevention) Act, 1956 was enacted on December 30, 1956, to address and curb immoral trafficking of women and children for sexual exploitation.⁷ With required amendments in ITPA in 1978 and 2006, the nature and scope of the crime and punishment was enhanced and need for rehabilitation was addressed while The Trafficking in Person (Prevention, care and Rehabilitation) Bill of 2021 broadened the scope of victims by including transgenders and need for care and protection of the victims with stringent punishment for traffickers.⁸ The related law enforcement and provisions for trafficking includes, i) Bonded Labour System (Abolition) Act, 1976, ii) Child Labour (Prohibition and Regulation) Act, 2016, iii) The Juvenile Justice (Care and Protection of Children) Act, 2015, iv) The Immoral Traffic (Prevention) Act, 1956 (ITPA 1956), v) The Prohibition of Child Marriage Act, 2006, vi) The Transplantation of Human Organs Act, 1994, vii) The Protection of Children from Sexual Offences Act, 2012.⁹

Institutions and Departments Involved for Rescue

The national Human Rights commission provides a Standard Operating Procedure (SOP) which should be followed while performing the rescue service. The rescue of victims is performed by the law enforcement agencies in collaboration with the web of social organisations and government departments

and agencies directly and indirectly involved with the matter of trafficking. Due to the rising cases of trafficking the Anti Trafficking Cell (ATC) was created in 2006 under the Ministry of Home Affairs which acts as a nodal agency and coordinates with the state governments to combat trafficking in India. The Government of India in collaboration of United Nations Office of Drug and Crime (UNODC) mandated creation of Anti-Human Trafficking Cells in all districts of the country. The Government of India has allocated funds to establish AHTUs in every district nationwide.¹⁰ As of July 11, 2023, a total of 788 AHTUs have been set up.¹¹

The AHTU's further facilitates an officer in every police station of the district to deal with the cases of trafficking in the area. It works in collaboration with other departments of the districts and local NGOs and community based organisations to perform rescue services of victims. For victims, Emergency Outreach Services are made available which can be accessed by dialing National Child Help Line (1098) and Women Helpline (181) can be accessed in need for care and protection.

Schemes and Services for Rehabilitation and Re-integration: A Critical Analysis

In response to the increasing cases of trafficking and the large-scale rescue of victims by state agencies and communities, the union and state governments have introduced comprehensive policies and measures for the reparation, rehabilitation, and reintegration of trafficked individuals. These efforts have highlighted the critical need for state-regulated mechanisms to support the rehabilitation and reintegration process. Several measures and schemes have been developed and implemented to achieve this objective.

Mission Shakti

The Ministry of Women and Child Development introduced Shakti Sadan as a sub-scheme under *Mission Shakti* implemented on 1st April 2022 to provide integrated relief and rehabilitation services for women in need. The scheme is designed to support up to 50 residents at a time and combines two pre-existing rehabilitation initiatives: Ujjawala, and Swadhar. According to the MWCD, this merger was undertaken for administrative efficiency and to deliver comprehensive rehabilitation services under one roof to women in distress, including victims of domestic violence, human trafficking, rape, forced marriage, and other forms of violence.

The Ministry of Women and Child Development (MWCD) operates shelter-based facilities such as Short Stay Homes and Swadhar Homes to support women facing difficult circumstances. These

programs also extend assistance to trafficked women and girls who have been rescued or have escaped from brothels or other exploitative environments. The schemes provide a range of services, including shelter, food, clothing, counseling, medical and legal aid, training, economic rehabilitation, and helpline support. Many of these homes are equipped with women's helplines to ensure emergency response. Currently, there are 357 Swadhar Homes operational across the country.¹²

The Ujjawala Scheme was launched in 2007 to put an end to trafficking of children and women. The objective of the scheme is to prevent, rescue, rehabilitate, re-integrate and repatriate the victims of trafficking. The Scheme provides rehabilitation services for both immediate and long-term needs to the victims which includes basic amenities/needs such as shelter, food, clothing, medical treatment including counseling, legal aid and guidance and vocational training.¹³ There are 254 functional Ujjawala homes spreaded in 18 states of India.¹⁴

With regard to Shakti Sadans there are only 611 facilities in the country – which includes erstwhile 357 Swadhar Greh and 254 Ujjawala homes. This reduces women's ability to seek long-term stay under Shakti Sadan. The Government of India allocated 3109 crore for Mission Shakti however only 587 crore was allocated for Shakti Sadan compared to 2,522 crores for women empowerment.¹⁵ The funds released for protection, rehabilitation and re-integration of the victims of trafficking with regard to the construction and maintenance of Shakti Sadan's is insufficient for providing holistic facilities for women in need for care and protection. Moreover, the SS homes are hardly available in all districts of the states which makes it difficult for the authorities to provide protection and prosecution services. As an integrated scheme for rehabilitation, it provides services to human trafficking, destitute, victims of domestic violence, victims of rape etc. Since each victim has different needs, a presumed integrated rehabilitation mechanism for every victim taking shelter always undermines their necessities.

One Stop Centers (Sakhi Centers)

The scheme of One Stop Centers was implemented on 1st April, 2016 by the Ministry of Child and Women Development a key project funded by the Nirbhaya Fund on the recommendation of Usha Mehra Commission. The OSC offers temporary shelter to women and girls of all ages, for a maximum of five days, during which they can access necessary assistance. It collaborates with district-level authorities, including the Anti-Human Trafficking Unit (AHTU), Women Help Desk (WHD), Special Fast Track Courts (FTSC), and District Legal Service Authority (DLSA), to ensure effective support. For long-term

help, OSCs coordinate with Shakti Sadan and utilize facilities available under the Juvenile Justice (Care and Protection of Children) Act, 2015, and the Protection of Children from Sexual Offences Act, 2012.¹⁶ There are currently 752 OSC functional in different districts of the country and 8,01,062 women have been assisted during 2015-2023.¹⁷

The One Stop Centers are meant to provide temporary relief to women in distress by offering immediate medical needs, legal aid and counselling with a structured functionaries engaged for the purpose. The recent studies on OSC reveals that the facilities are poorly equipped with the facilities for immediate relief along with untrained staffs. Some centers work from 9 am to 5 pm though they are supported to give 24 hours services.¹⁸

Mission Vatsalya

The Ministry of Women and Child Development launched **Mission Vatsalya** in 2021-22 to create a sensitive, supportive, and coordinated ecosystem for children. This initiative replaced the **Child Protection Services** scheme of 2009-2010 by introducing improved institutional and non-institutional care systems for **Children in Conflict with Law (CCL)** and **Children in Need of Care and Protection (CNCP)**.¹⁹ Aligned with the **Sustainable Development Goals (SDGs)**, Mission Vatsalya focuses on child rights, advocacy, awareness, and the strengthening of the juvenile justice care and protection system under the guiding principle of "leave no child behind." Its framework is rooted in the provisions of the **Juvenile Justice (Care and Protection of Children) Act, 2015**, and the **Protection of Children from Sexual Offences (POCSO) Act, 2012**.²⁰

The scheme focuses on providing both institutional and non-institutional care for both CCL and CNCP children. For institutional care the states are required to establish Child Care Institutions such as Children's Home, Open Shelters and Specialised Adoption Agencies for CNCP where institutional care is fulfilled for runaway children, missing children, trafficked children, working children, children in street situation, child beggars, and child substance abusers, where care, treatment, education, training, development, and rehabilitation will be ensured. For CCL the states are required to establish Observation Homes (for temporary reception, care and rehabilitation), Special Homes (for long term rehabilitation) and Place of Safety (for children between the age of 16 to 18 committed heinous crime) for ensuring proper rehabilitation and performing correctional activities required for the development of child.

The Mission Vatsalya Scheme includes provisions to support children through **Non-Institutional Care**, encompassing the following services:

- **Sponsorship:** Financial assistance is provided to vulnerable children living with extended families or biological relatives to meet their education, nutrition, and health needs.
- **Foster Care:** Care, protection, and rehabilitation are undertaken by an unrelated family. Foster parents receive financial support to nurture the child.
- **Adoption:** Facilitates the placement of children legally free for adoption into families. The Central Adoption Resource Authority (CARA) oversees and supports the adoption process.
- **Aftercare:** Financial support is extended to children transitioning out of Child Care Institutions upon reaching 18 years of age to aid their reintegration into society. This support is available from 18 to 21 years of age and can be extended up to 23 years to promote self-reliance.²¹

The Government of India with Mission Vatsalya proposed to create Vatsalya Sadan an Integrated Home Complex, combining various Child Care Institutions (CCIs), including Children's Homes, Observation Homes, Special Homes, and Places of Safety, along with Juvenile Justice Boards (JJB) and Child Welfare Committees (CWC), all located within a single premises to facilitate the effective implementation of the Juvenile Justice Act. States may consider establishing such model complexes based on necessity and land availability. Each Vatsalya Sadan (Integrated Home Complex) can be designed to accommodate units of 50 and 25 children in each Home.

The National Commission for Protection of Child Rights (NCPCR) commissioned between 2018 and 2020 for a social audit project assessed that out of 7,163 childcare institutions, 2,039 or 28.5% are still not registered with the state government. In an address to Lok Sabha, Minister Smriti Irani informed that as per the latest report by NCPCR, 49 child sexual exploitation and harassment allegations in childcare institutions have been received in four years of 2016- 2020 where Uttar Pradesh had the highest number of instances reported.²²The facilities designated for providing services to Children in Need of Care and Protection (CNCP) and Children in Conflict with the Law (CCL) are often overcrowded due to the increasing number of cases, compounded by limited resources and insufficient funding. Additionally, the staff employed in these institutions lack professionalism, largely due to inadequate training, and the vocational courses offered are outdated and fail to meet current needs. A major concern lies in the rehabilitation methods employed, which primarily focus on delivering routine services within a time-bound framework, neglecting the holistic approach necessary for a child's overall development.

Samagra Shiksha Abhiyan

The NCLP has been set up in different areas to rehabilitate child labour both forced to do jobs for their financial problems or are trafficked for forced labour. The Policy has introduced grant-in-aid scheme for (a) Survey (b) Awareness Generation and (c) Establishment of Special Schools of Child Labour under the National Child Labour Project (NCLP). The said scheme was introduced by the Ministry of Labour & Employment, Government of India, and way back in 1988 only in 9 districts across the country. Through its proper implementation process the child labour project during the current 11th plan had covered 250 districts of the country. NCLP scheme was approved for implementation up to 31.03.2021 and since then the scheme has been subsumed/merged with the Samagra Shiksha Abhiyan (SSA) Scheme of the Ministry of Education. Further, the NCLP Scheme was sanctioned in 324 districts and operational in 59 districts of the country as on 31.03.2021.²³

Re-integration Services

Trafficked victims who have returned often encounter a wide range of challenges, including psychological and physical trauma, fractured relationships, social stigma, and economic instability due to limited employment opportunities and inadequate job skills. Consequently, without comprehensive and holistic support during their return and reintegration, these individuals remain susceptible to further exploitation or even re-trafficking.²⁴ A meaningful re-integration of the victims largely depends on the economic and materialistic opportunity provided by the institutions dealing with the cases of trafficking.

For the stated purpose the Government of India implemented Central Sector Scheme for Rehabilitation of Bonded Labour in 1978 for providing rehabilitation assistance in form of monetary compensation. The schemes was revised in the year 2000, 2016, 2021 and 2022. The present scheme includes a compensation of 1 lakh rupees for male adult beneficiaries and 2 lakh rupees for female and child beneficiaries who are victims of forced labour. The children and women rescued from brothels or massage parlours or trafficking are assisted with 3 lakh rupees through Direct Benefit Transfer.²⁵ For children in need of care in protection Mission Vatsalya provides a one-time financial support to rescued victims, monthly 4000 rs is provided to minor pregnant girl child up to the age of 23 and a monthly support of 4000 rs is provided for institutional care of other children. For the victims under ITPA the District Legal Service Authority can award a compensation after enquiry which includes an interim relief and a long-term relief ranging from 10,000 rs to 2 lakh rs under 357A of Criminal Procedure

Code.²⁶ Although the Government of India has introduced various integrated schemes aimed at facilitating the successful reintegration of trafficking victims through skill enhancement programs during rehabilitation and victim compensation schemes, current studies indicate that vocational training offered in rehabilitation centers fails to align with current market demands, and compensations are often delayed or, in some cases, not provided to the victims at all.

Similarly, Non-Governmental Organisations (NGOs) are essential in the rehabilitation of trafficking victims. They provide localised expertise, prompt rescue operations, and ongoing support during rehabilitation. Non-governmental organisations frequently connect victims with existing government programs, guaranteeing that survivors have the necessary support.

The government must prioritise the establishment of a conducive policy framework and ensure sufficient funds for reintegration initiatives. Collaborative endeavours between the government and NGOs can augment the breadth and efficacy of these services. Collaborative endeavours may encompass:

- Programs for rehabilitation inside the community.
- Campaigns aimed at mitigating stigma.
- Collaborations with enterprises to generate employment prospects for survivors.

Conclusion

Human Trafficking is grave violation of human rights which needs a tailored services for dignified rehabilitation and restoration. While the Government of India has implemented various laws, schemes, and initiatives such as Mission Shakti, Ujjawala, Shakti Sadan, and Mission Vatsalya, significant gaps persist in terms of infrastructure, funding, and effective service delivery. The scarcity of rehabilitation facilities, coupled with limited resources and inadequate training for staff, hampers the ability to provide holistic and sustainable care for victims. Lack of tailored services for diverse needs of the victims undermines effective rehabilitation and re-integration process. Since majority of the victims of human trafficking in India belongs to underprivileged section of society mere fulfillment of basic needs during rehabilitation process can't ensure effective re-integration children and women in society. The compensation policy under enlisted schemes are unclear and largely depends on the district administration which often doesn't reaches to the victims or the family concerned. The proper re-integration of victims requires enhanced services during the rehabilitation process supported with stable

employment or small business opportunity for economic empowerment and reducing the risk of re-trafficking.

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