

CHAPTER VI

COMMERCIAL SEXUAL EXPLOITATION

One day a news paper report carried an article titled "**ek dus saal ki ladki, Delhi main ek kothhe se police dwara raid kar ne par mili**" On reading the details, Meera Didi was concerned, as this was now very common, where young girls from villages were being lured into the cities and sold off to the prostitutes and pimps and forced into the flesh trade. Being concerned, Meera didi decided to undertake tours into the villages and alert the women on this issue, many welfare organizations joined her in her effort. They extensively toured the remotest of villages and briefed the women and the village folk.

In a village when a the panchayat was being organized and all villagers were present, Meera didi explained to them to not to fall prey into the hands of people who lure women and young girls, with a promise of better future in the cities, as it can lead to disastrous consequences such as trafficking or forced flesh trade.

Things to know about trafficking:

- ❖ Trafficking of women and children includes forced sex work
- ❖ The recruiters or traffickers for profit force women and girl children into sexually or economically oppressive and exploitative situations as well as other illegal activities.
- ❖ **Women and Girl Children are Specially Vulnerable.**
- ❖ **The modus operandi of traffickers/Agents:**
 - Promises of jobs and marriage are common techniques by which recruiters entice their victims to leave home.

- Kidnapping
- **Village girls and their families are often deceived by the agents/dalals who offer marriage and all the comforts of modern urban life. They go through a local ceremony and leave the village never to be seen again. The girls end up in brothels.**
- Sometimes they promise the girls employment in the city.
- Another avenue is through distant relatives or friends who pretend to arrange a marriage with relatives or friends in another village, but instead abduct the girl and send her to a brothel

Impact

- Physical and psychological health problems.
- These problems include lack of access to birth control, constant rapes, physical abuse and other health issues.
- Women in forced prostitution suffer increased risk of sexually transmitted infections, including HIV/AIDS

Some Important legal provisions

- “Prostitution” means sexual exploitation or abuse of persons for commercial purposes,
- Any person who procures a woman or girl or causes or induces a woman or girl to carry on prostitution commits an offence
- Detaining a woman or girl in premises where prostitution is carried on is punishable under the law
- Any person who keeps or manages, or assists in the keeping or management of, a brothel commits an offence

- Any person over the age of eighteen years who lives, wholly or in part, on the earnings of the prostitution of a woman or girl is punishable under the law.

In **Gaurav Jain Vs. Union of India and others** Writ Petn. (C) No. 824 of 1988 with Writ Pet. (Cri.) Nos. 745-754/54 of 1990 , the Supreme Court observed that “Women found in the flesh trade, should be viewed more as victims of adverse socio-economic circumstances rather than as offenders in our society. The commercial exploitation of sex may be regarded as crime but those trapped in custom oriented prostitution and gender oriented prostitution should be viewed as victims. Customary initiation of women in the practice of Devdasis, Jogins and Venkatasin is prevalent in Andhra Pradesh, Karnataka and Maharashtra areas: in particular the practice of prostitution is notorious. It is an affront to the human dignitary and self-respect but the pursuit of customary beliefs traps the fair sex into this glorified self-sacrifice and ultimately leads to prostitution service in the temples and charitable institutions etc. which is a crime against humanity, violation of human right and obnoxious to Constitution and Human Rights Act. They are antithetical to the Constitutional scheme. Fundamentalists and proponents of these practices are constitutional criminals. The unfounded customs cannot have legal sanction.