

THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956

An Act to provide in pursuance of the International Convention signed at New York on the 9th day of May 1950 for prevention of immoral traffic. Prostitution is a social evil and indicating the poverty and disparity in distribution of resources. No women would like to indulge in prostitution until circumstances forces her to do so. It is indirect indicator of problem of drug, lower status of women, alcoholism, and weak social fabric. Recently emergence of HIV and AIDS has once again forced the society to reconsider the need to change the concept of sexuality. High prevalence of sexual transmission of diseases among commercial sex workers and deaths due to HIV and AIDS in them need legal action beside health action from the government.

In section 2, many words like brothel is defines as "any house, room, or place used for purpose of sexual exploitation or abuse for the gain of another person or for the mutual gain of two or more prostitutes", child is the one who has not completed 16 years of age, "minor" who has completed 16 years but not completed 18 years and "major" who has completed 18 years of age, and prostitute has been defined as "sexual exploitation or abuse of person for commercial purposes".

Any person who keeps or manages, or acts or assists in the keeping or management of, a brothel, shall be punishable on first conviction with rigorous imprisonment for a term of not less than one year and nor more than three years and also with fine which may extend to Rs. 2000/- and in the event of a second or subsequent conviction, with rigorous imprisonment for a term of not less than two years and not more than 5 years and also with fine which may extend to Rs. 2000/- (Sec. 3).

Reference:

The immoral Traffic (prevention) Act 1956. Gazette of India. Act No. 104 of 1956 as amended up to Act No. 44 of 1986.