

Intra-Familial Measures For Legalization Of Prostitution And Rehabilitation Of Sex Workers In Protecting Paramount Interest Of Indian Society

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INTRODUCTION

Since the beginning of human history, women have made significant contributions to the creation of a civilized society. Women are working hard practically everywhere in the modern world. Women make up half of the human population and contribute to their families, communities, and countries. Although they are exalted in words, seen as symbols of power, and referred to as goddesses, women are subjugated as slaves in virtually every religion. Women are hardly ever disregarded in any aspect of life, and India is no different in this regard from other industrialized countries. Prostitution and the treatment of sex workers are two major problems that Indian women face in every aspect of their lives.

An estimated 10 million sex workers are employed in India, with 100,000 of them concentrated in Mumbai, Asia's largest sex industry hub. Almost 20,000 women and children fell victim to sex trafficking in India in 2016, per government of India figures. Security is crucial for any type of employee, which is why there are laws and regulations in place to make sure that employees are safeguarded. Yet, there is no protection for sex workers, and they are also stigmatized, marginalized, and exploited.

Every human being has an innate natural sexual impulse and lust. This is a silent reality of existence. Males naturally require sex as they reach puberty. Every society in the world has established a "marriage" and "family" system to promote healthy sexual relations, healthy offspring, strong moral principles, and societal prosperity. The time between reaching puberty and getting married, though, is vast. Due to factors including unemployment, poverty, economic hardship, the non-marriage of the family's elder, etc., some guys also did not have enough opportunities for marriage. Suppression of the natural sexual urge can occasionally lead to psychological and physical changes that can result in acts of cruelty and violence. Rape, sodomy, sadism, and masochism are examples of sexual perversions.

In a recent judgement, on May 19, 2022, a Supreme Court panel made up of Justices L. Nageswara Rao, B.R. Gavai, and A.S. Bopanna ruled that while operating a brothel is against the law in India, performing consensual sex act is not. The Supreme Court also ordered the Centre to clarify its position on proposals made by a group it appointed in 2011 to study issues related to human trafficking

prevention, rehabilitation, and the dignity of sex workers. The recommendations of the panel were included in the draught legislation, the Centre informed the SC in 2016. Yet since then, no laws have been passed. Due of the prostitution,

PROSTITUTION

The oldest occupation that humans have ever known is prostitution. Prostitution can be defined in its broadest sense as the act of selling one's own body or using one's power for evil. In a more constrained and legal definition, it is the act of a woman providing her body to multiple men for sexual purposes without regard to which guy she is involved, or, as it is sometimes called, "common lewdness of a woman for gain." Allowing a frequent and arbitrary sexual encounter for payment is considered prostitution.

Sex workers actually perform their duties in order to meet their physical and daily demands. They neglect their social and familial lives in the process, too. Sociologists, criminologists, psychologists, and others take a sympathetic stance towards their predicament and troubles and look for the causes and factors that underlie their actions. They then determine whether there are any real-world factors that may be driving prostitution. Some Western nations do not view these actions as crimes and instead view them with leniency. Some of these nations have also legalised homosexual relationships and prostitution.

The relation between the prostitute and her customer is purely commercial. The prostitute or the manager (*Sethani*) fixes the rate for one intercourse or for one night. The rate is depended upon the beauty, age college girls, middle class culture, color of the prostitute, and the time allotted for intercourse. The customer and prostitute do not reveal their original names and identities. The prostitute can fulfill only the lust of the customer. There shall be no affection, tenderness and mutual respect, etc. in prostitution. These are seen in family life and between lovers. The relationship between prostitute and customer is transient only for a short period.

DEFINITION OF "PROSTITUTION"

Section 2(e) of the Immoral Traffic (Prevention) Act, 1956 defines: "Prostitution' means the sexual exploitation or abuse of persons for commercial purposes, and the expression prostitute shall be construed accordingly.

Section 2(a)(i) of the Immoral Traffic (Prevention) Act, 1956 defines brothel, which is concerned to this profession as follows: "Brothel includes any house, room (conveyance) or place or any portion of any house, room, conveyance or place which is used for purposes of sexual exploitation or abuse for the gain of another person or for the mutual gain of two or more prostitutes."

Fernando Henriques, Sexologist, in his book "Prostitution and Society" defines: "Prostitution consists of any sexual acts, including those which do not actually involve copulation, habitually performed by individuals with of the other individuals of their own or the opposite sex, for a consideration which is non-sexual. In addition sexual acts habitually performed for gain by single individuals, or by individuals with animals or objects which produce in the s. The spectator some form of sexual gratification can be considered acts of prostitution. Emotional involvement may or may not be present."

H.Ellis: a prostitute is a person who makes it a profession to gratify the lust of various persons of the opposite or the same sex."

Forstal W.J. Robinson: “Prostitution is indiscriminate sexual intercourse for pay.” mat an of bad **G.R. Scott:** “A prostitute is an individual, male or female, who for some kind of reward, monetary or otherwise, or some form of personal satisfaction and as a part or whole-time profession, engages in normal or abnormal sexual intercourse with various persons, who may be of the same sex, or the opposite sex, to the prostitute.”

TYPES OF PROSTITUTES

The Call Girls: The Call Girls are sophisticated prostitutes. Not everyone will be accepted. They have excellent housing, high living standards, nice clothes, and superb taste. Since they have impeccable manners and a good education, only wealthy officials and politicians favour them.

Charges are excessive. Each of these call girls in America, according to Harold Greenwald, charges \$1,000 (about Rs. 35,000/-) every day. They also have very expensive prices in India, starting at Rs 10,000 or more.

Bawdy house girls: A group of girls are frequently kept in bawdy homes run by certain people known as setanis, who also set the sex fees. Similar homes can be found in Kamathipura, the redlight district of Bombay, Mehard in Hyderabad, Chilakalooripeta, Rajahmundry, and other Andhra Pradesh locations, as well as in Kolkata and New Delhi. On this, the well-known film Gangubai was released, which exposes the realities of sex workers.

The Streetwalkers: These prostitutes walk in streets and attract behave very vulgarly

Bar Prostitutes: There are certain pubs that provide cabaret dancing entertainment for their patrons in America, England, India, etc. Some of them select specific wealthy and motivated clients for prostitution. Several college students, middle-class individuals, divorced women, etc. who require income may select this line of work . Similar to them, there are dance hall prostitutes in India and some other nations who perform for the amusement of the guests and afterwards engage in sexual acts.

Camp followers: Some of the prostitutes accompany professionals, rich people etc, in their tours, and camps and entertain them. They take lump sum charges for each tour or camp.

Interracial prostitutes: Criminologists say that males are interested in having sex with opposite race, viz such as white males with black females, Indian males with Russian or Western females, etc. It involves high quantity of money.

The Fleabags: These prostitutes are old aged, to above 50 to 80. They are very cheap. Generally, these old aged prostitutes have venereal diseases and liquor or drug addicted

Child Prostitutes: Some older men have a perverse sexual preference towards kids. The owners of brothels supply certain youngsters by kidnapping them. According to India's federal police, there are thought to be 1.2 million minors engaged in prostitution there. The Central Bureau of Investigation's (CBI) Ashwani Kumar stated during a conference on human trafficking that India held a "unique position" as a source, transit country, and destination of this activity. According to Madhukar Gupta, the home secretary of India, at least 100 million persons in India are involved in human

trafficking. "Because of the crime's secrecy and covert nature, it is challenging to estimate the number of trafficked people."ⁱ

PROFESSIONS SOMETIMES RELATED TO PROSTITUTION

- **Nochi**, young female trainee under a Tawaif^f
- **Kanjari**, low-class uncultured Tawaif
- **Kasbi**, a female belonging to family which practices hereditary sex trade over several generations
- **Nautch girl**, assorted dance performer during colonial India for all classes of people
- **Tawaif**, an elegant and cultured courtesan who is master of arts, including singing and dancing
- **Devdasi**, temple dancer devoted to the practice of spiritual dancing
- **Domni**, a hereditary female singer

"Indian poets have praised the "public woman," or the professional entertainer, since the dawn of time. The epics paint a vivid picture of her close relationship with regal splendour. The Puranas emphasise her favourable presence as a representation of fortune. Buddhist writings attest to the high regard in which she was regarded by her fellow citizens. She has appeared throughout history in a variety of forms, including the divine form of an apsara, ganika, devdasi, nartika, kanchani, tawaif, and the nautch girl." (*Pran Nevile*)ⁱⁱ

FAMOUS RED LIGHT AREAS IN INDIAⁱⁱⁱ

Kamathipura (Mumbai): Kamathipura is the second-largest red light district in India. The Andhra Pradesh "Kamathis," which means workers, are what made the word popular. As Kamathipura is the oldest prostitution hotspot in South Bombay, the British authorities has referred to it as "Lal Bazar" since 1795. Gangubai Kathiawadi by Alia Bhatt also focused on the local brothels and the sex workers who frequented them.

Foras Road (Mumbai): The sex workers come from a number of cities in the northern states, including Lucknow, Moradabad, Agra, Ratlam, and Bhopal. Only Mujras are performed by the sex workers here. Locations like Beer Bars and Ladies Bars are more commonly frequented by people as a result of their development and expansion.

Turbhe Tekdi (Mumbai): The Turbhe red light area was a narrow street near the Turbhe Station and a hilltop in Navi Mumbai. Due to the "affordability" factor, Turbhe Tekdi, a slum district, has generally been the favorite site for sex workers in Bombay. Here, sex workers from various Indian states, Bengal, Nepal, and other countries were trafficked. Kamathipura was founded several years before Turbhe Tekdi.

BudhwarPeth (Pune): According to reports, it is India's third-largest red light district, employing nearly 5000 professional sex workers. Also, the area serves as a hub for technology and literary works. Over 700 brothels are thought to exist there. Condoms were made mandatory in order to make it India's safest red light district. After that, during the pandemic, gloves and face masks became regulations.

Meerganj (Allahabad): This red light district is notorious for its forced prostitution and illegal trafficking, making it risky for tourists. A social worker named Sunil Chaudhary petitioned the

Allahabad High Court in 2016 to shut down the red light area and move the establishment. The court approved the petition. Several prostitutes have, nevertheless, returned to the region.

Garstin Bastion Road (Delhi): The streets of this neighbourhood are lined with hundreds of brothels, making it almost the largest red-light district in India. Equipment and auto parts markets are located on the ground floor, and kothas, or brothels, are located on the second floor. Here was also the debut of the first health centre specifically for sex workers and their families.

Paharganj: In addition to being well-known for its inexpensive lodging options, Paharganj is also said to be a sex trade hub. Many billboards advertising low-cost “male to female” and “female to male” massage services can also be seen on the streets. The staff members offer to travel to clients' homes or hotels in addition to delivering services at these sex parlours that pass for “massage parlours.” If someone searches for a “red light district near my location,” Paharganj is one of the locations that comes up when they are in Delhi.

Chaturbhujsthan (Muzaffarpur): Red-light district in the Indian state of Bihar, in the district of Muzaffarpur, is where you may find Chaturbhujsthan. The area, which is estimated to have thrived since the Mughal era, is home to more than 3,500 sex workers. Its name comes from the Chaturbhujsthan Temple in the neighbourhood. In this neighbourhood, historical temples and brothels have coexisted for a very long time. Even while it appears strange, it all starts to make sense when you realise the high social status concubines once possessed.

Sonagachi (Kolkata): Sonagachi is a universe unto itself and is home to the largest red light district in Asia. There, around 11,000 sex workers reside. There has been a lot said and written about what is arguably India's most well-known red-light district. We also know very little, as the Academy Award-winning documentary *Born into Brothels* has explored.

Kalighat (Kalighat): There are two separate identities in India's Kalighat neighbourhood in South Kolkata, West Bengal. The Kalighat Temple, where throngs of worshippers assemble, is well-known in this densely populated area, which also boasts a sizable red light district. Between 1000 and 1500 prostitutes live and work along the "Adi Ganga Canal" in one of South Kolkata's oldest neighbourhoods.

REASONS FOR PROSTITUTION

Prostitution is becoming more and more prevalent across the world for a variety of reasons. Several social, economic, psychological, etc. factors contribute to this. Some females choose this job because of poverty and financial constraints in an effort to support their family. Some parents send their daughters to work as prostitutes. Some ladies enter this field in order to support their families in the event that their husbands are physically incapable, unemployed, etc. Some spouses compel their wives to work in this line of work so they can make money. Some women fall out of love and move to new cities with their partners, where their lovers either sell them to brothel houses or abandon them.

The brothel housekeeper will then prey on these girls. Such brothel house proprietors may prey on illegitimate mothers. In some situations, a lady finds herself lacking sexual fulfilment with her spouse and starts switching men one at a time. Gradually, society elevates her, and the only option left for her is prostitution. Several gangs have been known to abduct young, attractive girls for use as prostitutes. Gulabi and several more images depict it. Middle-class wives occasionally find themselves drawn to

this line of work as a side gig, as is quite evident in Asu Bhattacharya's film "Astha." Some women and girls go for this career in order to afford certain luxury.

Prostitution generates more income than any other legal profession combined. For a young, attractive lady who wants to effortlessly earn large sums of money without doing any physical labor, this is the most straightforward way to get money. There are some traditions in India and other developing nations, like Devadas, where unmarried females are given to god and used as prostitutes by peasants. This technique had been made illegal in India by laws. Nonetheless, in some communities and places, it is still going on. The innate sexual urge that exists in every human being is the core reason of prostitution encouragement: Males need sex once they reach puberty.

LEGAL STATUS OF PROSTITUTES IN INDIA

The Immoral Traffic (Prevention) Act, 1956 (ITPA) is the main law in India that regulates sex work, but there are other sections in the Indian Criminal Code (IPC) and Juvenile Justice Act that address prostitution and trafficking. It further states that if prostitutes are discovered soliciting business or enticing other people, they must be arrested. Call girls are also forbidden from disclosing their phone numbers. If discovered doing so, they might receive fines and a sentence of up to six months in jail.

The Immoral Traffic (Prevention) Act, 1956 was passed by the Indian Parliament in accordance with the International Convention for the Prohibition of Immoral Trade, which was signed in New York on September 5, 1950. The Suppression of Immoral Trade in Women and Girls Act of 1956 was the original name of the law. With effect from 26 January 1986, it was called "The Immoral Traffic (Prevention) Act, 1956". This Act covers all of India. This Act contains 25 sections. This Act defines "brothel" and "prostitution," forbids such offences, and specifies penalties for transgressions of the laws incorporated herein. This Act sanctions the following penalties:

Section No.	Nature of offence	Punishment
3	Keeping a brothel or allowing premises to be used as a brothel.	Rigorous imprisonment for a term of not less than one year and not more than three years and also with fine which may extend to Rs. 2,000/- for the first conviction. Rigorous imprisonment for a term of not less than 2 years and not more than 5 years and also with fine which may extend to Rs. 2,000/-.
4	Living on the earnings of prostitution, on a women Living on the earnings of prostitution on a child/minor	Imprisonment for a term which may extend to 2 years, or with fine which may extend to Rs. 1,000. Imprisonment for a term of not less than 7 years and not more than 10 years.

5	Procuring, inducing or taking person for the sale of prostitution, with the will of the woman Procuring, inducing or taking person for the sale of prostitution without the will of the woman Procuring, inducing or taking a minor for the sale of prostitution	Imprisonment for a term of not less than three years and not more than 7 years + fine up to Rs. 2,000/-. Imprisonment for a term of 7 years to a term of 14 years. Rigorous imprisonment for a term of not less than 7 years but may extend to life.
6	Detaining a person in premises where prostitution is carried on	Imprisonment not less than 7 years but which may be for life or for a term which may extend to ten years and shall also be liable to fine.
7	Prostitution in or in the vicinity of public places	Imprisonment for a term up to 3 months.
8	Seducing or soliciting for purpose of prostitution	Imprisonment up to 6 months or with fine up to Rs.500/-, or both. (for woman) Imprisonment for a period of not less than 7 days but which may extend to 3 months with or without fine, or with fine uptoRs. 500/-in case of man.

JUDICIAL APPROACH TOWARDS PROSTITUTION

Budhadev Karmaskar entered a brothel on Jogen Dutta Lane in Kolkata on the evening of September 17, 1999. He then attacked and killed a sex worker brutally. He was sentenced to life in jail by a trial court under Section 302 of the IPC, and the High Court of Calcutta supported this decision. In 2011, when this murder case finally made it to the Supreme Court as Budhadev Karmaskar v. State of West Bengal, the Court not only rejected Karmaskar's appeal against the conviction, but also cited Article 21 of the Constitution to claim that sex workers also have a right to a life of dignity. The Court issued a number of directives to the State and Central governments that tried to rehabilitate sex workers around the country to support this case..^{iv}

Despite the fact that Karmaskar's fate was decided, the case has continued for more than ten years and has shown to be helpful in alleviating the living and working conditions of sex workers in India at various points. The primary pillar for this has been Article 21, which ensures the protection of a person's life and personal liberty and has been broadened by the courts to include the right to a life of dignity.

A Panel was established in accordance with a ruling issued by this Court on July 19, 2011, and included Mr. Pradip Ghosh as its chairman, Mr. Jayant Bhushan, Senior Counsel, Usha Multipurpose Cooperative Society through its president/secretary, Durbar Mahila Samanwaya Committee through its president/secretary, and Roshni through Ms. Saima Hasan. The Panel presented a detailed report on the terms of reference following a thorough discussion with all relevant stakeholders..^v

A Supreme Court panel made up of Justices L. Nageswar Rao, B.R. Gavai, and A.S. Bopanna issued a judgement on May 19, 2022, adding the most recent development to the *Budhadev Karmaskar v. State of West Bengal* case based on this report. The instructions that are given in this case only concern the methods for rehabilitating sex workers and other related difficulties. The following recommendations have been made by the panel for the third term of reference:^{vi}

I Sex workers have a legal right to equal protection. Criminal law must be applied uniformly in all circumstances, regardless of "age" and "consent." The police shall not interfere or engage in any criminal activity when it is obvious that the sex worker is an adult and taking part with consent. There have been worries that police have a biased view of sex workers. The police must take seriously and follow the law when a sex worker reports a criminal, sexual, or other form of offence.

According to Section 357C of the Code of Criminal Procedure, 1973 read with "Guidelines and Protocols: Medico-legal care for survivor/victims of sexual violence," Ministry of Health and Family Welfare, any sex worker who is the victim of sexual assault should be given access to all facilities available to a survivor of sexual assault, including immediate medical assistance (March, 2014). As performing consensual sex acts is not against the law and only operating brothels is, the sex workers in question shouldn't be detained, fined, harassed, or otherwise victimised if a brothel is raided. The

State Governments may be instructed to conduct an audit of all ITPA Protection Houses in order to assess and expeditiously process instances of adult women who are being held against their will.

It has been noted that the police frequently have an aggressive and cruel attitude towards sex workers. They appear to be a group whose rights are not acknowledged. The police and other law enforcement organisations should be made aware of the rights of sex workers, who also have access to all of the fundamental human rights and other rights that are granted to all citizens by the Constitution. All sex workers should be treated with respect by police, who should also refrain from verbal or physical abuse, using force against them, or forcing them to engage in any sexual activity.

It should be asked that the Press Council of India provide suitable guidelines instructing the media to exercise extreme caution not to publish or transmit any images that will reveal the identity of sex workers during arrest, raid, and rescue operations, whether as victims or accused. In addition, the recently enacted Section 354C of the IPC, which criminalises voyeurism, needs to be aggressively enforced against electronic media in order to forbid the telecasting of images of sex workers with their clients while pretending to document the rescue effort.

The use of condoms, for example, or other safety measures taken by sex workers shouldn't be considered as an offence or as proof that an offence has been committed. The Central Government and the State Governments must include sex workers and/or their representatives in all decisionmaking processes, including planning, designing, and putting into effect any policy or programme for sex workers, as well as creating any changes to or reforms to the laws pertaining to sex work. This can be accomplished by either including them in the group or panel that makes decisions or by soliciting their input on any choice that will have an impact on them.

Through the National Legal Services Authority, State Legal Services Authority, and District Legal Services Authority, the Central Government and the State Governments should conduct workshops to inform sex workers of their legal rights with regard to sex work, the rights and responsibilities of the police, and what is allowed and what is prohibited by the law. The legal system can be accessed by

sex workers to uphold their rights and prevent unwarranted abuse at the hands of traffickers or law enforcement.

No child of a sex worker should be taken away from their mother for no other reason than that she works in the sex trade, as was previously suggested in the 6th interim Report dated 22.03.2012. Furthermore, it should not be assumed that a youngster who is discovered living in a brothel or with sex workers has been trafficked. Testing can be done to see if the sex worker's claim that he or she is her son or daughter is true, and if it is, the youngster shouldn't be forced to be separated. The Union Government's Draft Law on Sex Work was supposed to include the recommendations, but since receiving them in 2016, the government has taken its time introducing legislation. The Supreme Court directions are supposed to be a temporary relief until proper legislation is brought in place.

REHABILITATION OF SEX WORKERS IN INDIA

According to sociologists and criminologists, no woman deliberately enters this area. She is forced to pursue this career through compulsion, threats, or inducement. Once a girl or woman enters this business, she will never be able to leave it and lead a family- and peace-filled-life. When she starts working in this field, she is already dead on the social front. Police frequently detain people to demonstrate how many cases they have. Most prostitutes pass away from venereal illnesses including AIDS, Sciphilis, Gonorrhea, etc. Prostitutes suicide to end their lives.

She is also unhappy in terms of money. Her earning potential is constrained for a few years, and even then, it depends on how charming she is. *Sethanis*, moneylenders, cops, and brokers take 60% of her salary at her earning age. She still has personal expenses to pay for, such as clothing, makeup, support for her dependents, high rates of interest, etc. When she is declared unfit for a profession, no savings may be in her possession. Most prostitute deaths occur on the side of the road without medical attention. Just a select minority are capable of fostering both economic and social stability through remarriage or by becoming as *sethani*.

Many Acts have been passed in India for the welfare of the underprivileged, especially women. Our Constitution makes it quite clear that women are entitled to respect and equal chances. The Governments do not generally implement the Legislation. The Immoral Traffic (Prevention) Act of 1956 defines "Corrective Institution" and "Protective Home" as corrective measures. According to Section 10-A of this Act, if a female criminal is found guilty of an offence under Sections 7 or 8, the courts must instead send her to a corrective institution for incarceration for a period of time ranging from 2 to 5 years. The Act mandates that appropriate corrective and protective housing be established by the Central and State Governments for such women.

When a man engages a prostitute for sex and the police detain them both, they are lenient and merciful towards the man's companion and release him in exchange for a bribe. Males are also treated leniently by the courts, which typically do not penalize them or only fine them with lower amounts. The prostitute is the real victim. She is subjected to harassment from her clients, setanis, brokers, moneylenders, the police, and even the courts, who punish them harshly with jail time or steep fines. A total of 4,419 prostitutes can be housed in the 100 Safe Houses that the Central Government constructed. The actual number of prostitutes in all of India exceeds a few lakhs. How can 100 Houses, with a capacity of 4,419, meet the current need?

Also, the number of prostitutes is rising daily. It is worrying for our social and economic conditions, our health, our morals, our judicial system, and other areas. The wellbeing of the underprivileged is

not a priority for the political leaders, who seek and weigh their votes. Can we expect any constructive and lucrative steps for the wellbeing of the prostitutes when they don't care about the broader public? Some sociologists, criminologists, sexologists, and other academics have sympathy for prostitutes and advocate granting licenses to suitable healthy women to engage in prostitution and legalizing this profession while sending the sick, elderly, and healthy prostitutes to rehabilitation facilities or rescue homes. In several Western nations, it has already been legalised, and prostitutes now have licenses.

The sympathizers argue that since our efforts at rehabilitation are futile and powerless, why not accept reality and legalize this profession. They contend that, in a manner similar to how the Devadas system sanctioned prostitution in the early Hindu customs, the profession now has to be regulated. Feminists, however, are vehemently opposed to this viewpoint and advice.

Recently, the Hon'ble Supreme Court issued clear instructions about the rehabilitation of sextortioners in the *Budhadev Karmaskar v. State of West Bengal* case. In accordance with Section 357C of the 1973 Code of Criminal Procedure read with “Guidelines and Protocols: Medico-Legal Care for Survivor/Victims of Sexual Violence,” it is mandated to provide all assistance facilities to sexual workers who are assault victims, including immediate medical assistance, Ministry of Health and Family Welfare, March, 2014.

CONCLUSION

Like all other professions and people, sex workers and their children are protected by Article 21 of the Indian Constitution. According to Article 21, no one may be deprived of their life or personal freedom unless doing so in accordance with a legal process. It is not necessary to reiterate that, regardless of occupation, every person in this nation is guaranteed the right to a decent existence under Article 21 of the Indian Constitution as well as the fundamental freedom to pursue the business or profession of their choice, subject to some limitations. The police are not allowed to interfere or engage in any criminal activity when it is obvious that the sex worker is an adult and engaged with consent.

It has always been allowed to perform consensual sex acts in India; the only need is that the sex worker be treated with respect, autonomy, and consent. The police should be prohibited by law from engaging in any criminal activity or interfering in cases of consensual adult sex work since sex workers are entitled to equal protection under the law. The Court acknowledged the very real physical and verbal assault that sex workers experience at the hands of the police. The police force and other law enforcement organisations need to be made more aware of the rights of sex workers.

Importantly, the volunteer sex job was lawful; in contrast, operating a brothel, soliciting in public, engaging in forced intercourse, and engaging in immoral trafficking of teenage girls—all of which are crimes already subject to punishment—were forbidden. Also, the state should make all sorts of support, including medical help, available to sex workers who have been the victims of sexual assault.

In India, the subject of prostitution is still debatably controversial. Private prostitution is not prohibited by India's Immoral Traffic Act. Although some steps have been done to protect those who work in the sex industry, there is still no protection for sex workers. There are many things that need to change, including the opaque conversation around the legalization of prostitution. Despite this, the nation is said to have the largest commercial sex business in the world. It is now the State's responsibility to provide legal protection to sex workers and legalize the oldest profession, which in turn indirectly

preserves the chastity and modesty of billions of females in India. The Hon'ble Supreme Court has also instructed the central government to pass the law and legalize prostitution.

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