
HUMAN TRAFFICKING IN INDIA AND ENFORCEMENT REALITIES: AN ANALYSIS BASED ON NCRB REPORT 2023

Anant Vaibhav, Research Scholar, Deen Dayal Upadhyaya Gorakhpur University,
Gorakhpur, Uttar Pradesh

Dr. Ashish Kumar Shukla, Assistant Professor, Deen Dayal Upadhyaya Gorakhpur
University, Gorakhpur, Uttar Pradesh

ABSTRACT

This article undertakes an examination of recent human trafficking patterns in India by drawing upon data published in the National Crime Records Bureau (NCRB) Report, 2023, and situating these findings within the broader legal and institutional architecture governing anti-trafficking efforts. The analysis establishes that trafficking in India cannot be reduced to the domain of sexual exploitation alone; it also includes forced labour, domestic servitude, coerced marriage, and other exploitative arrangements operating across diverse social and economic contexts. NCRB data indicates regional disparities in case registration and continue to reveal the heightened vulnerability of women and children, while also marking the presence of male victims, particularly in labour-linked exploitation. Despite the expansion of statutory provisions and the operationalization of specialized Anti Human Trafficking Units, the trajectory from registration to conviction remains uncertain. The gap between investigation and adjudication does not appear incidental. It reflects institutional frictions; ranging from evidentiary limitations to uneven victim-support systems, that continue to affect the practical realization of anti-trafficking law in India.

Keywords: Human Trafficking, NCRB 2023, AHTUs, Legal Framework, Enforcement Challenges.

1. INTRODUCTION

Human trafficking continues to occupy a complex position within India's criminal justice and human rights discourse. It is not merely a discrete offence but a process; often involving recruitment, transportation, concealment, and control, through which individuals are placed in exploitative conditions by means of coercion, deception, or abuse of vulnerability. The phenomenon is embedded within broader structural realities: precarious migration, informal labour arrangements, gendered inequality, and persistent economic distress. Although trafficking is widely acknowledged to be underreported, official crime statistics remain one of the few systematic tools available for assessing contemporary patterns. The National Crime Records Bureau reported 2,183 trafficking cases across India in 2023. The distribution of these cases is far from uniform. Some states account for a significant share of registrations, while others report minimal numbers, raising questions about detection capacity, reporting mechanisms, and institutional reach rather than the absence of exploitation itself.

The recorded purposes of trafficking extend beyond prostitution-related offences. Forced labour, domestic servitude, forced marriage, and other exploitative arrangements appear within the data, indicating that trafficking operates across multiple sectors rather than within a single domain. Victim statistics show substantial representation of women and children, but they also record male victims, particularly in labour contexts. These figures complicate narrow narratives and suggest that trafficking must be understood within a broader matrix of economic and social vulnerability. Equally important is the question of enforcement outcomes. Registration figures alone cannot capture the effectiveness of the legal response. NCRB data reveal a discernible divergence between cases entering the system and those resulting in conviction. This pattern invites scrutiny of investigative quality, prosecutorial continuity, and victim protection mechanisms. It suggests that the success of anti-trafficking law depends not only on statutory breadth but also on institutional performance.

This article examines contemporary trafficking in India through a combined reading of the current legal framework and empirical findings drawn from the NCRB 2023 report. In doing so, it seeks to evaluate not only the scale of recorded trafficking but also the operational realities that shape enforcement outcomes.

2. LEGAL FRAMEWORK OF HUMAN TRAFFICKING IN INDIA

In India, the legal response to human trafficking operates through a layered framework that combines constitutional guarantees, penal statutes, and welfare-oriented legislation. At the conceptual level, trafficking is understood not as a single isolated act but as a continuum of conduct that includes recruitment, movement, transfer, concealment, or receipt of individuals by means of coercion, deception, or abuse of vulnerability for purposes of exploitation. This reconceptualization marks a significant shift from earlier approaches that treated trafficking primarily through the lens of public morality. Contemporary legal understanding situates the offence within the framework of human dignity, autonomy, and protection from exploitation, aligning it more closely with constitutional values than with regulatory control over vice.

With the coming into force of the Bharatiya Nyaya Sanhita, 2023, which replaced the Indian Penal Code, the principal penal provisions addressing trafficking now stand incorporated within the BNS. While the new statute retains the essential architecture of the earlier provision, it rearticulates and consolidates the offence within a modernized criminal code structure. The law recognizes trafficking as a process grounded in coercive or deceptive conduct and criminalizes exploitation secured through force, fraud, inducement, abuse of authority, or other forms of manipulation. Its scope is deliberately broad. Sexual exploitation, forced labour, servitude, slavery-like practices, and the removal of organs are all expressly included within the statutory definition. Where the victim is a child, the law prescribes enhanced punishment, acknowledging the aggravated nature of exploitation involving minors. Importantly, liability is not confined to direct perpetrators. Individuals who knowingly engage with, facilitate, or benefit from the exploitation of trafficked persons also fall within the penal net, thereby extending accountability beyond the immediate recruiter to the wider network that sustains exploitation.

Trafficking-related conduct continues to intersect with the Immoral Traffic (Prevention) Act, 1956 (ITPA), which addresses commercial sexual exploitation, brothel-keeping, and procuring persons for prostitution. Although originally framed within a public morality paradigm, the Act remains operational in cases involving sexual exploitation linked to trafficking networks. Labour trafficking overlaps with the Bonded Labour System (Abolition) Act, 1976, which outlaws bonded labour practices, and the Child and Adolescent

Labour (Prohibition and Regulation) Act, 1986, which prohibits hazardous child labour. Child trafficking cases also fall within the scope of the Juvenile Justice (Care and Protection of Children) Act, 2015, which provides for rescue, care, and rehabilitation of children in need of protection, and the Protection of Children from Sexual Offences Act, 2012 (POCSO) in instances involving sexual abuse of minors.

At the constitutional level, anti-trafficking protections are grounded in Constitution of India Article 23, which prohibits trafficking in human beings and forced labour, and Article 24, which prohibits the employment of children in hazardous occupations. These provisions establish trafficking as a violation of fundamental rights, elevating it beyond the realm of ordinary criminality.

Institutionally, enforcement is supported by district-level Anti Human Trafficking Units (AHTUs), responsible for investigation, rescue, and coordination. Data from these units are compiled and published by the National Crime Records Bureau, providing a basis for analysing trafficking patterns, victim profiles, and criminal justice outcomes. Despite this extensive legal and institutional architecture, enforcement remains complex due to overlapping statutes, evidentiary challenges in proving exploitation, and uneven institutional capacity. A meaningful evaluation of India's anti-trafficking response therefore requires linking this legal framework with empirical trends in case registration, victim rescue, and judicial outcomes.

3. NCRB REPORT 2023: SCALE AND DISTRIBUTION OF HUMAN TRAFFICKING IN INDIA

Data published by the National Crime Records Bureau show that 2,183 cases of human trafficking were registered across India in 2023. Although the figures reflect only those cases formally registered by Anti Human Trafficking Units (AHTUs) and therefore cannot represent the full magnitude of trafficking in India, they nevertheless provide a systematic basis for analysing regional patterns and demographic distribution.

3.1. REGIONAL DISTRIBUTION OF REPORTED CASES

The geographic spread of trafficking cases recorded in 2023 is uneven. Maharashtra registered the highest number of cases (388), followed by Telangana (336) and Odisha

(162). Uttar Pradesh and Bihar also reported substantial figures, with 155 and 132 cases respectively. This concentration in certain states may be shaped by a combination of factors, including migration corridors, industrial and urban labour markets, and differences in detection and reporting practices. Conversely, several states reported very few or no cases during the year. Such variation should not be interpreted as an absence of trafficking but rather as a reflection of disparities in enforcement intensity, institutional functioning, and reporting mechanisms. Although the overall crime rate for trafficking remains low in per capita terms, the clandestine nature of the offence suggests that official statistics likely capture only a segment of actual prevalence.

3.2. VICTIM PROFILE: AGE AND GENDER PATTERNS

In 2023, NCRB recorded 6,288 persons as victims of trafficking, of whom 2,687 were minors. These figures confirm that trafficking affects both adults and children, with children constituting a significant share of identified victims. Female victims numbered 3,787, forming a majority of those recorded. While the data do not cross-tabulate gender with specific purposes of trafficking, the overall distribution indicates persistent gendered vulnerability. Male victims are also reflected in the data, demonstrating that trafficking extends beyond stereotypical assumptions regarding victim profiles. The substantial number of child victims underscores the continued exposure of minors to coercion, deception, and exploitative environments, often linked to broader issues such as child labour, early marriage, and economic distress.

3.3. VICTIM RESCUE AND IDENTIFICATION

NCRB data further indicate that 6,043 individuals were rescued from trafficking-related situations during 2023. States reporting higher numbers of registered cases generally also reported higher rescue figures, suggesting some correlation between detection and intervention. However, rescue statistics must be read cautiously. The divergence between recorded victims and broader prevalence estimates points to continuing gaps in identification mechanisms, particularly in contexts such as informal labour sectors and private domestic spaces where exploitation may remain concealed. The data therefore reflect both enforcement activity and the limitations inherent in detection systems.

3.4. IMPLICATION OF NCRB REPORTING STRUCTURE

An important methodological consideration arises from the structure of NCRB reporting itself. Trafficking statistics in the 2023 report are confined to cases registered by AHTUs. Offences investigated under other legal provisions or by general police units may not be fully captured within this dataset. As a result, the figures provide a focused but partial representation of trafficking enforcement. The statistical picture is therefore shaped not only by underlying criminal activity but also by the institutional reach and operational effectiveness of specialized units.

4. FORMS AND PURPOSES OF HUMAN TRAFFICKING IN INDIA

Trafficking in India manifests across multiple exploitative contexts rather than within a single dominant category. NCRB 2023 data reveal a distribution of purposes that reflects the diversity of socio-economic vulnerabilities within which trafficking operates. These categories demonstrate that exploitation occurs in both visible and concealed sectors of the economy.

4.1. SEXUAL EXPLOITATION AND PROSTITUTION

Sexual exploitation remains one of the most prominently recorded purposes of trafficking. In 2023, 2,189 victims were trafficked for prostitution-related purposes. Maharashtra (852) and Telangana (597) accounted for a substantial share of these cases. The concentration of such cases in certain regions may correspond with urban centres, established trafficking networks, and enforcement focus in prostitution-linked activities. The relative visibility of commercial sexual exploitation may contribute to higher detection rates compared to more hidden forms of trafficking. It is important to note, however, that NCRB data do not provide demographic cross-tabulation linking specific victim profiles to this purpose category.

4.2. FORCED LABOUR

Forced labour constitutes another significant category, with 1,676 cases recorded in 2023. This classification encompasses situations in which individuals are trafficked into work environments characterized by coercion, deception, or restriction of movement. The data highlight the connection between trafficking and informal or unregulated labour

sectors, where oversight mechanisms may be weak. The inclusion of forced labour within trafficking statistics reflects growing institutional recognition of labour exploitation as a prosecutable offence. Nevertheless, labour trafficking frequently operates within complex supply chains and decentralized work arrangements, factors that may limit detection and lead to underrepresentation in official statistics.

4.3. DOMESTIC SERVITUDE

Domestic servitude was recorded in 151 cases during 2023, representing a smaller but distinct category. This form of trafficking typically involves placement of victims in private households where exploitative conditions may include confinement, non-payment of wages, excessive hours of work, or abuse. The comparatively lower recorded number may not correspond to actual incidence but rather to the inherent difficulty of uncovering exploitation within domestic spaces. Its inclusion as a separate category reflects an expanded conceptualization of trafficking that acknowledges exploitation beyond commercial settings.

4.4. FORCED MARRIAGE AND OTHER EXPLOITATIVE PURPOSES

NCRB 2023 NCRB 2023 also recorded 124 cases of trafficking for forced marriage, along with 1,853 cases categorized under “other reasons,” including petty crimes and unspecified exploitative purposes. Although numerically smaller in some instances, these categories demonstrate the adaptive nature of trafficking networks. Forced marriage cases often involve cross-district or inter-state movement of victims and may intersect with demographic imbalances.

The category of “other reasons” with total 1853 registered cases indicates that trafficking networks may engage in diverse exploitative activities that do not fit neatly into traditional classifications. The presence of these categories in official data demonstrates that trafficking in India cannot be reduced to a single narrative but must be understood as a flexible and evolving pattern of exploitation.

5. CRIMINAL JUSTICE RESPONSE TO HUMAN TRAFFICKING

An assessment of trafficking enforcement cannot rest solely on the number of cases registered. The NCRB 2023 report provides additional indicators relating to police disposal,

court disposal, and conviction outcomes, offering insight into how trafficking cases progress through the criminal justice system. Such indicators are particularly significant in trafficking prosecutions, which often involve multiple accused persons, inter-state movement, layered evidentiary requirements, and vulnerable witnesses whose testimony may be central to the case.

5.1. POLICE DISPOSAL AND CHARGESHEETING OUTCOME

At the national level, NCRB 2023 records a charge-sheeting rate of 90.9 percent in trafficking cases. This suggests that in the vast majority of registered matters, investigations concluded with the filing of a charge-sheet rather than closure through a final report. From an investigative standpoint, this reflects a relatively high rate of formal case progression to the trial stage. However, a high charge-sheeting rate must not be equated with prosecutorial success. Trafficking cases frequently extend over prolonged periods, and the quality of evidence gathered at the investigative stage ultimately determines trial outcomes. The data further reveal considerable variation across states and union territories. Jurisdictions such as Gujarat, Himachal Pradesh, Maharashtra, Rajasthan, Tripura, Telangana, Uttarakhand, Chandigarh, Puducherry, and Delhi reported charge-sheeting rates of 100 percent, whereas other states reflected lower rates. Such disparities indicate uneven investigative capacity and possibly differing evidentiary thresholds or resource allocation across jurisdictions.

5.2. COURT DISPOSAL

While investigation closure marks an important procedural milestone, the true measure of enforcement effectiveness lies in judicial determination. According to NCRB 2023, 683 trafficking cases had trials completed during the year, encompassing both convictions and acquittals or discharges. Of these, 72 cases resulted in conviction, yielding an all-India conviction rate of 10.5 percent among completed trials. This figure warrants careful interpretation. The relatively low proportion of convictions among concluded cases suggests not merely a numerical shortfall but deeper systemic complexities.

Trafficking prosecutions often depend substantially on victim testimony, supported by corroborative documentation gathered during rescue operations. Where witness protection mechanisms are inadequate, or where victims experience stigma, intimidation, or continued economic vulnerability, testimony may weaken over time. Additionally,

prolonged trials can affect evidentiary continuity and witness availability.

State-level variation further reinforces this pattern. Some jurisdictions reported comparatively higher conviction rates, while others demonstrated limited convictions despite strong investigative throughput. Maharashtra, for instance, reported a 100 percent charge-sheeting rate across 388 registered cases, yet only two convictions were recorded during the year. This divergence highlights a critical institutional gap that investigative completion does not necessarily translate into judicial affirmation.

5.3. THE CHARGESHEET – CONVICTION GAP

Taken together, NCRB 2023 suggests a structural imbalance; a relatively strong throughput at the investigation stage (high chargesheeting) combined with weak conversion into convictions (low conviction rate on trials completed). This pattern is particularly relevant for trafficking because the offence typically involves:

- Multiple accused and networked criminality;
- Cross-border or inter-state movement requiring coordination;
- Dependence on victim testimony and timely rescue documentation;
- Challenges in proving coercion, deception, and exploitative purpose beyond reasonable doubt.

Accordingly, the chargesheet–conviction gap may be read as a proxy for deeper institutional constraints, including uneven training of investigators and prosecutors, delays in trial processes, inadequate witness protection, inconsistent victim rehabilitation support, and limited use of financial and digital evidence to establish trafficking networks.

5.4. INSTITUTIONAL CAPACITY AND THE ROLE OF AHTUs

NCRB 2023 also provides information on the institutional infrastructure supporting trafficking enforcement. It notes that 815 AHTUs were functional as of 2023, and that several states and union territories such as Assam, Bihar, Gujrat, Jharkhand, Kerala Uttar Pradesh, Chandigarh etc reported achieving their targets of establishing AHTUs across

districts. This expansion of specialized units represents an important institutional development, reflecting policy emphasis on specialized investigation and data recording.

However, the existence of AHTUs does not itself ensure uniform performance. The effectiveness of these units depends on staffing, training, inter-agency coordination, logistical support, and the ability to work with child protection systems and labour enforcement bodies.

6. STRUCTURAL AND OPERATIONAL CHALLENGES IN ANTI-TRAFFICKING ENFORCEMENT

The NCRB 2023 The NCRB 2023 data reveal a striking imbalance in India's anti-trafficking response. While a considerable number of cases proceed through investigation and culminate in charge-sheets, conviction outcomes among completed trials remain comparatively limited. This divergence is not merely statistical; it points to systemic pressures operating within investigative, prosecutorial, and support structures.

6.1. INVESTIGATIVE COMPLEXITY

Human trafficking cases are rarely straightforward. They often involve organized networks operating across multiple districts or states, layered patterns of recruitment and movement, and diverse forms of exploitation. Establishing the legal elements of trafficking requires proof of recruitment, transfer or harbouring, and an identifiable exploitative purpose, frequently across jurisdictions. This necessitates coordination among police authorities, labour departments, child welfare bodies, and other agencies. Where inter-agency cooperation is delayed or documentation is incomplete, prosecutions tend to rely heavily on victim testimony. Such dependence increases fragility at the trial stage. Although the expansion of Anti Human Trafficking Units has introduced greater specialization, disparities in staffing, training, and logistical resources across states continue to affect the quality of investigations and case preparation.

6.2. EVIDENTIARY AND PROCEDURAL CHALLENGES

Evidentiary challenges remain central to trafficking prosecutions. Victims may hesitate to testify due to fear of retaliation, social stigma, or continuing economic dependence on those who exploited them. Delays in recording statements, inconsistencies

during rescue documentation, and limited reliance on forensic or financial investigation can weaken the evidentiary foundation of cases. In network-based trafficking operations, attributing individual responsibility and demonstrating exploitative intent beyond reasonable doubt can be especially demanding. Procedural delays compound these difficulties. Prolonged trials may affect witness availability and memory, thereby diminishing evidentiary reliability. Such factors help explain why high rates of investigation closure do not necessarily result in proportionate conviction outcomes.

6.3. VICTIM IDENTIFICATION AND SUPPORT GAPS

Effective prosecution is inseparable from effective victim protection. While rescue operations represent a critical first step, they do not automatically translate into sustained rehabilitation. Limited shelter capacity, inadequate counselling services, and delays in compensation or reintegration support may discourage victims from remaining engaged in legal proceedings. Where follow-up mechanisms are weak, particularly in cases involving inter-state movement, victims may return to distant regions without coordinated monitoring or assistance. In such circumstances, prosecutorial continuity is compromised. The absence of stable support systems therefore affects not only victim welfare but also the integrity of the judicial process.

6.4. INTER-AGENCY COORDINATION

Trafficking intersects with multiple regulatory domains, including labour law enforcement, child protection, immigration control, and social welfare administration. Fragmented coordination among these sectors can disrupt the evidentiary chain and delay case development. Inconsistent data sharing between AHTUs, labour inspectors, and child welfare committees may result in incomplete case records. Although NCRB statistics reflect the functioning of specialized units, they also indirectly underscore the importance of stronger institutional integration in strengthening prosecution outcomes.

6.5. INSTITUTIONAL CAPACITY AND RESOURCE VARIATION

The expansion of AHTUs across the country represents measurable progress in institutional design. However, capacity remains uneven. Variations in funding, infrastructure, technological tools, and prosecutorial support contribute to divergent enforcement outcomes across jurisdictions. States registering higher volumes of cases may

not always possess proportionate judicial or prosecutorial resources, leading to backlog and extended trial timelines. The NCRB figures on pending and completed trials reflect the cumulative impact of such systemic pressures within the criminal justice system.

7. CONCLUSION

The NCRB 2023 statistics confirm that trafficking cases continue to be recorded across diverse regions of India and that exploitation spans multiple sectors, including sexual exploitation, forced labour, domestic servitude, forced marriage, and other activities. These patterns reinforce the understanding that trafficking is not confined to a single domain but constitutes a multi-dimensional form of exploitation requiring a correspondingly comprehensive response.

At the enforcement level, the data present a nuanced picture. A charge-sheeting rate of 90.9 percent indicates that most registered cases proceed beyond the investigative stage. Yet the conviction rate of 10.5 percent among completed trials reveals substantial attrition at the adjudicatory phase. The divergence between investigative throughput and judicial confirmation is one of the most significant insights emerging from the NCRB 2023 report.

The persistence of this gap suggests that the effectiveness of India's anti-trafficking framework cannot be evaluated solely by legislative breadth or the existence of specialized units. Rather, the operational strength of the system depends on the quality of evidence collection, victim identification, protection and rehabilitation mechanisms, prosecutorial capacity, and the ability of institutions to coordinate across jurisdictions and sectors. The establishment of a substantial number of AHTUs, as reflected in NCRB data, represents an important institutional step; however, their impact is likely to remain uneven unless supported by consistent training, resources, and standardized investigative and victim-support protocols.

In this context, strengthening anti-trafficking enforcement requires a shift from a narrowly punitive approach to an integrated model that combines criminal prosecution with sustained victim protection and institutional coordination. Measures aimed at improving the quality of investigations, ensuring timely recording of evidence, supporting victims through the trial process, and enhancing inter-agency collaboration are central to improving conviction outcomes and reducing re-trafficking risks. The NCRB 2023 patterns, read

alongside India's contemporary legal framework, therefore underscore a central conclusion: *“while the statutory architecture for combating trafficking has expanded, the practical realization of anti-trafficking objectives ultimately depends on closing the persistent gap between law on paper and law in action.”*

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