

1) ANDHRA PRADESH AND KARNATAKA JOINT OPERATION ON ANTI HUMAN TRAFFICKING

Through the complaint of a victim named 'X' in Nuzvid Police Station, Krishna District, the sex trafficking network from coastal Andhra Pradesh to Bangalore came to light. The victim, in her complaint stated the names of a few traffickers and also indicated that over 15 other victims from Andhra Pradesh and other States were trapped with these traffickers. Two other women, who were stated to be procurers by the victim, came forward to provide more information and also become witnesses in the case.

Pre Rescue Preparation

Extensive preparations were made before the rescue operation in Bangalore.

- Nuzvid Police Station, while investigating a crime of property offence, learnt about brothel-based and **mobile prostitution** in the region. They probed further and developed criminal intelligence on the modus operandi and the offenders involved. This led to intelligence on the Inter state linkage of the traffickers, with connections in Bangalore.
- The PS officials contacted the SP of the district. After discussions the SP informed the CID about the Inter state activities of the traffickers. The SP, CID (Women Protection Cell) advised the district SP to register FIR u/s. 366 A, 372, 373, 376 IPC and S. 3, 4, 5, 7 of ITPA.
- The PS sent requisition to the Magistrate for issue of Search Warrant. The request was supported by all available facts of the Inter state activities of traffickers.
- The Magistrate issued a comprehensive Search Warrant u/s. 97 Cr. PC against traffickers in Bangalore city and also permitted the rescue operations from any state in India and also allowed the victim to accompany the Search Team (VT).
- The SP informed the coastal Anti Human Trafficking Unit (AHTU) based in Eluru and ensured their partnership and involvement.
- On the advice of the AHTU the local police requested the Magistrate for a search warrant to trace traffickers and victims in Bangalore.
- AHTU Eluru contacted AHTU, Hyderabad and AHTU, Ananthpur.
- The CID of Andhra Pradesh decided that all the three AHTU's in co-ordination will do a joint operation, wherein AHTU, Hyderabad would provide experienced officers, AHTU, Ananthpur would provide the logistic support and AHTU, Eluru would be responsible for the production of victims and traffickers in the court and also to make post-rescue arrangements.
- Prajwala represented by its Executive Director and two others was to provide the NGO support for the team as they were already there in Bangalore.
- On behalf of AHTU, Hyderabad, the Additional DG, CID (the Nodal Anti Trafficking Police Officer for the state of AP) and the IG, CID contacted City Police Commissioner, Bangalore for support. CP, Bangalore directed Joint Commissioner, Crime to support the team in every way.
- AHTU, Eluru with the concerned Circle Inspector, 2 SI (one of them women) and three WPC accompanied the victim and the other two women left for the operation on 8-05-2007. En route to Bangalore the team stopped in Hyderabad

where SP, WPC Cell briefed the team on all Protocols and Human Rights issues as well as the legal procedures.

- AHTU, Eluru, together the victims left for Bangalore with a night stopover in Ananthpur.
- The Dy. SP of CID along with the SI of the PS moved to Bangalore and carried out advance liaising with the Bangalore police and NGO (Prajwala).
- Dy SP and Prajwala representatives together with Inspector and SI went and met the Joint Commissioner, Crime on 9-05-07.
- The DCP, Crime was directed to provide operational support to the team.
- The rescue team was tactfully divided into two groups. Officers from Crime Branch, Bangalore accompanied both the teams. It was decided that both the teams would simultaneously search the two houses in Sanjay Nagar and Yelahanka. The three victims were also part of the two teams.

Rescue Operation

- Based on the intelligence provided by the victims, the two teams simultaneously left for the search. Team A with two victims moved towards Sanjay Nagar and Team B with the rest towards Yelahanka.
- The first team was supposed to go to Sanjay Nagar. As the victims started identifying landmarks, they actually reached Vidyaranyapura a place about 5 kms after Sanjay Nagar. The teams were further subdivided into smaller teams as these locations were residential localities and too much curiosity and commotion could destroy the operation. The victims accompanied by two officers went in a private vehicle. The rest of the officers followed at an appropriate distance (1/2 km). As soon as the first team reached the location the victims identified the main accused 'Y' coming out of the house. The two officers (one from AHTU, Hyderabad and another from Crime Branch, Bangalore) rushed to catch him. 'Y' escaped on his vehicle but his friend 'C' and driver 'J' were caught. The supporting officers followed and rushed inside the house and found 10 victims. One more pimp, allegedly their cook named 'R' was also arrested. The victims were requested to recover all their belongings. All the things including mobile phones, driving license of the accused was seized.
- Team B with another victim had gone to Yelahanka. The location that the victim identified was 7kms away from Yelahanka and near Karnataka Nursing College (KNC). The first house that the victim identified was already vacated. The victim also spoke about another isolated house close to that area where she was hidden during a police raid. The team had to go on a wild goose chase to search for the second house but did not succeed in locating other victims and offenders.

Post Rescue

- The victims and the traffickers were transported in separate vehicles and brought to the Crime Branch, Bangalore. The victims were kept segregated from the accused both in sight and sound.
- The victims were provided group counseling by NGO representatives (Prajwala), who apprised them of their rights and the rehabilitation package that will be provided to them. They were also clearly informed about the future course of action.

- The pancha was prepared by the Bangalore Police, with the NGO as the witness and a copy of the properties seized was enclosed.
- The victims were provided dinner and then in separate vehicles the victims and the accused were transported to Nuzvid, Vijayawada to be produced in the court.
- All victims were provided shelter in a NGO home (set up under the Swadhar scheme of MWCD) and were with provided with trauma counseling.
- The District Collector of Krishna district immediately announced the interim relief of Rs 10,000/- each to all the rescued victims, including those from Nepal.

POINTS TO LEARN

1. VT should inform HT in advance.
2. HT should respond to VT's request.
3. HT should alert local Government Homes.
4. HT should alert local NGOs and Homes.
5. HT should arrange local NGOs for rescue.
6. HT and VT should both be fully involved in all activities including planning.
7. Planning is essential before starting the operation. All contingencies are to be taken into consideration during planning.
8. NGO association is a must. HT should take all steps to involve NGO at all stages.
9. Liaison with judiciary is important to get the warrants and judicial approvals on time.
10. Accountability of officials for all acts of omission and commission need to be ensured.
11. Good work should be commended without delay.

HIGHLIGHTS OF THE BANGALORE RESCUE OPERATION

1. The Anti Human Trafficking Units (AHTU) set up by UNODC, did a splendid performance.
2. All the 3 AHTUs of Andhra Pradesh have jointly participated in this operation.
3. The entire operation took place under the close supervision of the Inspector General of Police and the Superintendent of Police of CID, Andhra Pradesh. This ensured the best delivery.
4. The entire operation of rescue and post rescue had the personal participation of the Director of NGO Prajwala, Hyderabad; an agency working for more than a decade in Anti Human Trafficking.
5. A text book case where all protocols and procedures were followed scrupulously.
6. Victim's needs and best interest was the primary focus throughout the operation.
7. A good example of inter state police co-ordination and that of Police – NGO partnership.

2)

THE HINDU

Date:29/06/2007 URL:

<http://www.thehindu.com/2007/06/29/stories/2007062959370500.htm>

Andhra Pradesh - Hyderabad

Two convicted for trafficking

Staff Reporter

NGO helps girl in pursuing the case

Housemaid forced into prostitution

Officials of CID supervise probe

HYDERABAD : A local court here has convicted two persons – Shankar, 26, and his associate Sridevi, 20, in a child trafficking case. This was the first time in the State that the accused in a trafficking case received conviction.

Jail term

While Shankar was sentenced to undergo seven-year rigorous imprisonment, Sridevi was handed down a five-year jail term.

The victim, a 16-year-old girl from Yakutpura, used to work in a house at Chilkalguda as maid. Shankar cast his eyes on the girl when she went to Secunderabad railway station a year ago. He lured her to a secluded place offering some work and sexually assaulted her. Later, he and his associate Sridevi forced the girl into prostitution. The girl became pregnant. The girl, with the help of a voluntary organisation Prajwala, approached the Gopalapuram police station Inspector Mohd. Ismail who registered a case under Sections 366A (procuring of minor girl) and 376 (rape) of Indian Penal Code and relevant provisions of Immoral Traffic (Prevention) Act.

Officials of the Crime Investigation Department supervised investigation into the case and provided shelter to the girl in a safe place since she had threat to her life from the accused during trial of the case.

=====
This is in reference to **Crime Number 297 of 2006 U/S 366A, 376 IPC & sec. 3, 4, 5 of ITPA of Gopalpuram police station of Hyderabad City , complainant Dr. Sunitha Krishnan of Prajwala, Hyderabad. Hon'ble 5th Addl.MSJ Court Nampalli has pronounced Judgment on 26/06/2007.**

Punishment details

Accused 2- Mental Shanker @ Manjunath @ Sanker S/o Subbaraya Achari, aged 26 yearsn/o Bodhgiri cross roads near Bangalore, Karnataka- Occupation -Trafficker-

Punishment- 7 Years Rigorous Imprisonment & Rs. 2000 fine under section 376 IPC, 2

Years R.I. & Rs. 2000 fine U/s 4 ITPA & 5 years R.I. & Rs. 2000 fine U/S 5 ITPA. Accused

**1- Sridevi @ Swapna w/o Mehboob Pathan, aged 20 years n/o Uppal, Hyderabad,-
Punishment -1 Year R.I. U/s 4 ITPA, 5 years R.I. & Rs. 200 fine U/S 5 ITPA.**

Investigating officer- Inspector Md.Ismail (presently SHO of Charminar P.S.)

Victim girl- Tina R/o Hyderabad (identity withheld) age 16-17 Years As the victim was pregnant at the time of rescue and there was a lot of threats to her life with the joint efforts of the police and very specially the CID the victim was sheltered in a safe place.

Commendable work by Dr. Sunitha of Prajwala, Inspector Md.Ismail the then SHO of Gopalpuram P.S. , victim Tina, Mrs Varalaxmi & Sheshu Reddy the Public Prosecutors A special mention of court constable Mr Subba Rao who was a great source of support in ensuring victim witness protection, Director of Prosecution of A.P. and the support from CID, Andhra Pradesh & UNODC S16 Project coordinator Dr. P.M. Nair

3)Landmark Judgement

14 yrs Conviction for Traffickers

In a landmark judgement given in 5th Addl MSJ Court ,Hyderabad, two traffickers were convicted for the first time in Andhra Pradesh.

Based on the testimony of a victim Prajwala filed a complaint in Gopalpuram P.S. The Circle Inspector Md Ismail after hearing to the victim's version lodged a FIR (Cr No 297 of 2006 U/S 366 A, 376 IPC and Sec 3,4,5 of ITPA). After the legal formalities of medical examination, statement 164 was recorded one week after the FIR was lodged.

As the victim was pregnant at the time of rescue and there was a lot of threats to her life with the joint efforts of the police and very specially the CID the victim was sheltered in a safe place.

The trail began in May 2007. Before the trail the victim was prepared for the court room environment and also on the nature of questions that would be asked. In one such session the public prosecutor also participated. Both victim and Dr Sunitha Krishnan were prime witness for the case.

Inspite of hostile environment in the court the victim witness was very powerful. This was largely due to pre-trial preparations.

On 26-6-07 the Honourable Judge pronounced her verdict. For accused 1, 7yrs RI and Rs 2000 fine under Sec 376 IPC, 2yrs RI & Rs 2000 fine U/S 4 ITPA & 5 yrs RI & Rs 2000 fine U/S 5 ITPA. Accused 2, 1yr RI U/s 4 ITPA, 3 yrs RI and Rs 200/ fine U/s 5 ITPA.

This is the first conviction in the State of Andhra Pradesh for trafficking crime. And again for the first in the state conviction has happened from both IPC and ITPA.

Prajwala wishes to thank UNODC and very specially Mr PM Nair for sensitizing the law Enforcers and Public Prosecutors. This case is a testimony of the paradigm shift in the minds of enforcement agencies.

Committed officers made a difference. Our gratitude to Md Ismail the Inspector who lodged the case, Mrs Radha Rani and Mrs Varalaxmi the Public Prosecutors, Mr Bhaskar, Director of Prosecutions, Mr Ratan, Addl DGP, Nodal Officer, AHTU, Mr Umapati, DIG, CID and Mr Mahesh Bhagwat, SP, Women Protection Cell whose tireless efforts ensured conviction.

A special mention of court constable Mr Subba Rao who was a great source of support in ensuring victim witness protection.

4) Closure of (Lodges) Brothel and ejection of offenders U/S 18(1) of IT(P) Act 1956

- in Guntur Town through the joint efforts made by Guntur Police and HELP

Guntur police had seized two lodges in Guntur Town on 29th May 2007 U/S 18(1) of ITPA, for organizing the prostitution and also for kept trafficked victims and for continuing the business with them.

Dwaraka Lodge, Opp RTC Busstand & Srinivasa Lodge, Rajagari Thota, Guntur were seized u/s 18(1) of ITPA by the Guntur Police with the joint efforts of HELP

First time in the history of coastal Andhra Pradesh two lodges were seized U/S 18(1) of ITPA with joint efforts of Guntur Police and HELP.

In January, 2007 Sri Ravindra Babu, Former DSP Guntur had issued notices to 8 lodges for organizing prostitution and Trafficking.

In the last 6 months Guntur Police and HELP Jointly organized rescue operations and rescued 39 Women and girls at the following lodges:

1. Dwaraka Lodge - 5 Rescued Women and Girls
2. Srinivasa Lodge - 9 Rescued Women and Girls
3. Sri Lekha Lodge - 2 Rescued Women
4. Ravi Teja Lodge - 3 Rescued Women and Girls
5. Nandini Lodge, - 7 Rescued Women and Girls
6. Friends Rest House - 4 Rescued Women
7. Everest Lodge - 4 Rescued women and Girls
8. Vijetha Lodge - 5 Rescued women and Girls.

These 39 rescued women and girls were sent to HELP Transit Centre and Provided Counseling and Vocational Training Services to the Rescued Victims. 19 out of these have also got immediate relief of Rs. 10,000 /- from WD&CW

In the month of January Sri. Umapathi, DIG - CID had explained very clearly about implementing the Section 18 of ITPA and instructed all the

officers to exercise the powers, in the Recently organized Police training at APPA, Hyderabad with the support of UNODC.

Sri. M. Diwakar, ASP who is also the DSP In-charge Guntur , had given the report to the RDO (Sub Divisional Magistrate) about cancellation and seizure of the following 8 lodges.

1. M/S Dwaraka Lodge, Opp RTC Busstand, Guntur .
2. M/S Sree Lekha Lodge, 3rd line Rile pet Guntur .
3. M/S New Ravi Teja Lodge, Seelam Vari Veedhi, Kothapet, Guntur .
4. M/S Nandini Lodge, Old Club Road , Kothapet, Guntur .
5. M/S Friends Rest House, Railpet, Guntur .
6. M/S Everest Lodge Seelam Vaari Street Guntur .
7. M/S Vijetha Lodge, 7th Line, Guntur Vaari Thota, Guntur .
8. M/S Srinivasa Lodge, Rajagari Thota, Guntur .

The Sub Divisional Magistrate, Guntur had issued Orders Under Section 18(1) of IT(P) Act 1956 to seize the 8 Lodges on 8th May, 2007. Then Polices given the Show cause notices to the Lodge Owners. As there was no response from them, Guntur Police on 29th May 2007 seized these two lodges Dwaraka Lodge and Srinivasa Lodge

On an experimental basis Guntur Police Seized two lodges with the joint efforts of HELP and Guntur police are also trying to seize the remaining lodges who are involved in the trafficking and organized prostitution. The efforts of Guntur Police are applauded in this regard

4)Sub: Conditional order from Magistrate to close the places of prostitution like hotels and lodges

Dear all,

You are aware that, Magistrate can issue order to close the brothels U/s 18 of ITP Act. If prostitution is carried in a hotel or lodge the Manager/keeper of the hotel is liable U/s 7 of ITP and U/s 7 (2) (c) ITP Act, hotel license can be suspended for a period of not less than 3 months by the District Magistrate.

It is suggested to use the legal provision of Sec 133 (1) (b) of Criminal Procedure Code under which lodges, hotels, public guest houses found encouraging immoral trafficking and illegal activity are liable for prosecution. Once the police officer initiates report to the District Magistrate or Subdivision Magistrate or any other Magistrate specially empowered by State Government regarding conduct of any trade or occupation such as sex trafficking which is injurious to health or physical comfort of the community, then such trade or occupation should be prohibited by conditional order of the Magistrate.

Recently in Andhra Pradesh, one Police Commissioner (Police officers are empowered as Magistrate in Commissionerate system) issued order using the provision of section 133 (1) (b) Cr.PC passing conditional order against a hotel for encouraging immoral trafficking. Such check on lodge and hotel owners will deter the management and would prevent them from using them for sex trafficking. In the Criminal Procedure Code, Schedule (2) form 20 Pertains to order for removal of nuisance U/s 133 Cr. PC. Further **‘no order duly made by a Magistrate under this section shall be in question in any Civil Court ’ vide Sec. 133 (2) of Cr. PC.’**

5)Project Aasara

International awards winning antitrafficking initiative by Nalgonda District Police, Andhra Pradesh, India

Trafficking in Women and Children for Commercial and Sexual Exploitation is 3rd largest organized Crime in World after Drugs and Arms Trade. India in recent times has been identified as a source, transit, and a destination for women, men, and children trafficked for the purposes of sexual and labour exploitation. The trafficking, sale and prostitution of children has become a serious issue in Andhra Pradesh and it is also the state, which has the highest prevalence of HIV/AIDS infected children in the country.

Objectives:

Project Aasara was launched by the Nalgonda District Police in Andhra Pradesh in the Southern part of India. This antitrafficking project in partnership with Government and Non Government agencies sought to prevent organized human trafficking using a **Two- pronged strategy to fight Crime and institute rehabilitation** to give dignified life to the victims of Commercial and Sexual Exploitation and Trafficking (VOCSET). The objective of the project is to prevent organized human trafficking in general and immoral trafficking in particular. **Methodology of this project is based on Three P's – Prevention, Protection and Prosecution and Three R's -Rescue, Rehabilitation & Reintegration of victims.**

On 21 April 2005 Nalgonda Police in the Yadgirigutta town launched a special drive to arrest organized traffickers. Subsequently, 77 children were identified in Yadagirigutta who needed to be rehabilitated. Out of them, 24 were not going to any school and in all likelihood would have ended up joining the sex trade. The one positive aspect was that the parents of these children were supportive and were keen on having them educated. With a mission to fight crime and rehabilitate project AASARA was launched on 19 May 2005. Partners in this project are a coalition of several government departments such as the Police, District Rural Development Agency (DRDA) and Velgu, Women and Child Welfare, Education, Health, Panchayati Raj, people's representatives like MLA's, MP's and others, State Bank of Hyderabad and the BC Corporation. Besides this several NGO's are also part of Project including Child & Police (CAP)/ SARIQ Project, Red Cross Organization Nalgonda Unit and Prajwala, NGO, Hyderabad.

Project Activities:

- 1. Law enforcement and prevention:** Traffickers were identified & stern action has been taken by prosecuting them under IPC sections and immoral Traffic Prevention Act. 225 organizers, procurers & brothel keepers arrested and being prosecuted in 75 cases registered in one year.
- 2. Women & Youth empowerment:** With the help of the District Administration, loans were provided to the trafficking victims for self-employment and to initiate small scale production. Working in groups was also encouraged. As part of rehabilitation and to have alternative source of livelihood training was imparted to trafficking victims at Yadagirigutta under the CAP/SARIQ project with 100%

Employment guarantee .The Velgu project trained four self help groups of 26 members for two months in production of incense sticks, plates, bowls, baskets & tailoring. Twelve youth from Dommara community who were other wise working as pimps and procurers are trained by Police & employed as security guards at Yadgirigutta temple.

3. **Social awareness:** was created by conducting camps on personality Development through behavioral training with the help of Red Cross Society & excursion tours for interaction with rehabilitated sex workers.

4. **Shelter:** Acquisition of 20 acres of land to construct houses as well as develop floriculture for victims of trafficking, so that they could look for alternative means of employment.

5. **Education:** The identified 24 illiterate children of sex workers in the age group of 7-15 were joined in a local Bridge school at Yadagirigutta preventing second generation trafficking. There is also a plan of opening drop in centers for siblings of sex workers.

6. **Health:** Health camps & AIDS awareness programmes have been conducted with the help of medical and Health departments and private organizations like the Red Cross and others.

Result

After launching this project Commercial and Sexual exploitation of trafficking victims is prevented by 90% at temple town of Yadgirigutta. This project aimed at confidence building measures to create trust with the government, the police and the victims. Due to control of antisocial behaviour Crime rate is controlled. This Project selected as Pilot Project as per memo dated 29 August 2005 of Andhra Pradesh state the then DGP Sri Swaranjit Sen. DGP has appreciated the initiative taken by the Nalgonda district police. **This Project is recipient of 2006 IACP/Motorola Webber Seavey Law Enforcement award & Civil Rights award of International Association of Chief of Police (IACP), USA.**

[Project contact: Mahesh Bhagwat IPS,IG Security , Hyderabad 500004. Email: mmbips@yahoo.co.uk, , Web <http://www.aasara.blogspot.com>, 9908017349]
