

Combating Human Trafficking in Uttar Pradesh

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1. Challenges of Uttar Pradesh:

- Has a population of nearly 22 crores.
- Has perforated international border of 619 kms with Nepal
- Has borders with –Uttarakhand, Delhi, Haryana, Rajasthan, Madhya Pradesh, Chhatisgarh, Bihar
- It is assumed that only 30% of the total cases are reported, so the actual number is pretty high.
- Till date no concrete study has been conducted so far to know the exact number of trafficked kids/adults in India.

2. Scenario of Uttar Pradesh:

- Has 35 Anti Human Trafficking Units (AHTU).
- Operation Smile – to make safe return of missing children.
- Anti Human Trafficking and safety and protection of women and children has been taken up the Hon'ble CM of UP as a priority area- 8 May, 2015
- UP has made Human Trafficking punishable under the Goonda Act and Gangster Act of UP(*presently waiting for Presidential assent*)
- UP is among the front runners which has implemented Victim compensation scheme for specific crimes including human trafficking and the 6 sections of POCSO Act.

We will do our best to check human trafficking, says CM
VISIBLELY MOVED Raids will be conducted in Delhi too if needed, says Akhilesh

SHAKTI VAHINI HAS BEEN ASKED TO SUBMIT ITS PROPOSAL AND WE INTEND TO START THE TRAINING AT THE EARLIEST. THE TRAINING WOULD BE CARRIED OUT AT THANA LEVEL.
DEBASHISH PANDA, principal secretary, home

UP IS A SOURCE, TRANSIT POINT AND DESTINATION FOR TRAFFICKING. ANOTHER PROBLEM EMERGING IN LUCKNOW IS THAT OF SEX TOURISM, WHICH IS UNSHECKED.

Together, we can wipe out the social evil: Dimple

HTIMPACT
Soon, cops to be trained in how to rein in trafficking

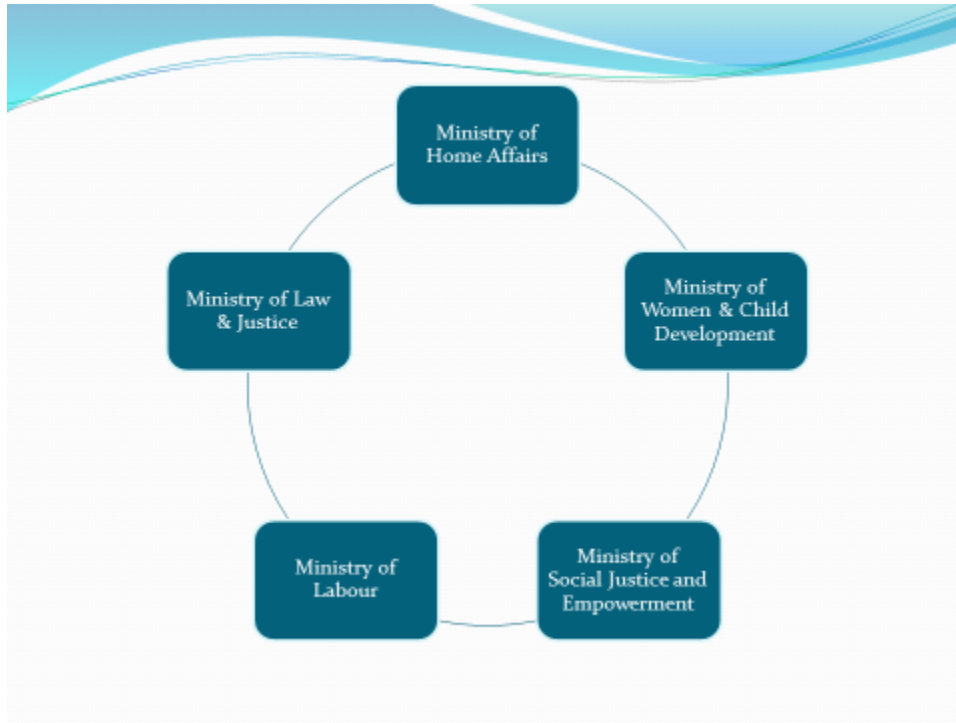
ECONOMICS OF TRAFFICKING
42,000 domestic workers in India are from Jharkhand, NGO estimates suggest.
12-15 years is the most preferred age group for employment as domestic help.
80% of the domestic helps are females and minors.
₹5,000-₹10,000 is the amount an agent earns if a girl is sold to a brothel.
₹20,000 is the amount they would get as commission if the girl works as a help and they get a part of their salary too.

₹5,000 is the price for a minor girl who is an expert in household chores, and one with average work-skills is available at **₹4,000** per month.
₹22,000 to ₹40,000 is the amount of commission the agencies charge. The commission depends on the area.
 Apart from minor girls being trafficked to work as domestic helps, bride trafficking and trafficking for prostitution are also rampant.

3. Hon.CM Ghoshana/Announcement Anti Human Trafficking Training on May 8th, 2015

- Free sensitisation training to police personnel down to thana level, of Uttar Pradesh, by SaktiVahini NGO.
- Video Conference by PS Home, SSB, Departmental Representatives, NGOs, childline with all seven bordering districts for Nepal Border alert.
- Workshops decided to be held at district and zonal levels- including all stakeholders- Police, Executive Magistrates, Probation Officers, Childline, NGOs, Unicef, Prosecution officers, DGC Criminal, SSB, AHTU, Shelter Home staff, Child Welfare Committee members, JJB members road transport and railway representatives et al..
- Training material to be provided freely on relevant Acts , Rules, Advisories
- Railway Police personnel to be trained as a major stakeholder
- Nepal bordering districts/zone to be first trained.

4. Apart from NGOs and Civil Society the following ministries are involved in combating Human Trafficking:



Ministry of Home Affairs	Ministry of Women & Child Development	Ministry of Law & Justice	Ministry of Labour	Ministry of Social Justice and Empowerment	NGOs / Civil Society
<ul style="list-style-type: none"> •Police Stations •FIR •Investigation •Juvenile Welfare Officer •Mahila Police Station •Woman Police Officer •Special Juvenile Police Unit •Anti Human Trafficking Units •Prosecution-DGC Cr/ SPO/PO/APO 	<ul style="list-style-type: none"> •Juvenile Justice Act •Juvenile Justice Boards •POCSO •Shelter Homes •Domestic Violence Protection Officer •Integrated Child Protection Scheme •Child Welfare Committee •District Probation Officer 	<ul style="list-style-type: none"> •Victim Compensation through SLSA and DLSA 	<ul style="list-style-type: none"> •Child Labour •Bonded Labour •Migrant Labour 	<ul style="list-style-type: none"> SC/ST men/women/children become victims-compensation, rehabilitation, schools, scholarships 	<ul style="list-style-type: none"> Child Help Line, shelter homes

5. In last couple of years Uttar Pradesh Government has taken several measures to address violence against women such as:

- Setting up of special cell called MahilaSammanPrakoshth,
- Women Power Line 1090
- Dial 100- State wide emergency response system
- Victim Compensation Scheme
- Asha Jyoti Kendra.
- Rani Laxmi Bai SahaytaPrakoshth
- Swift action for prevention of cross border trafficking particularly aftermath of Nepal earthquake
- Reconstitution of the State advisory Committee against Human Trafficking under the mentorship of Chief Secretary.

6.Ongoing Efforts of the Home Department of Uttar Pradesh:

- Efforts to inform public and all stakeholders about the Uttar Pradesh Victim Compensation Scheme 2014/modified in 2015 and relevant laws regarding protection of children.
- Home Department has included not only rape, human trafficking, murder, loss of limb and life to earning member/non earning member, acid attacks, but also six relevant punishable sections of POCSO for compensation under UP Victim Compensation Scheme, duly modified in July 2015.
- 2 crores handed over to State Legal Services Authority, as mandated by Hon'ble Supreme Court for distributing among District Legal Service Authorities, when they decide victim compensation claims.
- Human Trafficking made punishable under UP Goonda Act and UP Gangster Act by ordinance, 2014 (*now waiting for Presidential Assent*)

7. Following the Hon'ble Chief Minister's announcement for preventing combating Human Trafficking:

- State Advisory Committee and Taskforce for combating Human Trafficking has been revitalized
 - State Advisory Committee on Anti Human Trafficking : Decisions:-
 - Approval of a State Task Force to implement the decisions of the Committee
 - Task Force to be headed by Secretary Home, with representatives from WCD, Health/Medical, Law, Labour, Social Welfare, NGOs, Unicef, Child line, Police, SSB
 - Task Force to review implementation on the ground of Anti Human Trafficking initiatives
 - Will meet once in 3 months or at shorter duration as per need
 - Approval in principle, to extend cooperation and coordination with neighboring states like Chattisgarh, Jharkhand, West Bengal, Delhi, Maharashtra by signing MoU on rescue and rehabilitation of trafficked victims, after following due process
 - Approval in principle to have a Placement Agency Regulation Act in the model of Chattisgarh to tackle the menace of human trafficking.

- Approval in principle of having a Unorganised Migrant Workers Registration and Welfare Act in the model of Jharkhand to tackle the menace of human trafficking
 - Approval to empower the State Task Force to coordinate with other state agencies for interstate rescue and rehabilitation of victims of human trafficking-Jharakhand PS WCD has specifically requested to circulate a contact list of a working group for fast rescue and rehabilitation of trafficked children/women in UP, originally from Jharkhand.
 - State Task Force to ensure participation of members from UP in relevant interstate meetings and provide all cooperation therein, subject to final approval by the State Advisory Committee
 - Sensitizing Police for follow up in missing children case following BachpanBachao, SC order (consider such cases as kidnapping and trafficking, put numbers under surveillance, update khoyapaya etc.)
- Approximately 4000 key stakeholders including police personnel have been trained.

7.1 Training on Anti Human Trafficking:

	Name of the Unit	No of Participants
Zonal HQs (8)	Varanasi, Meerut, Kanpur and Allahabad	568
Range HQs(18)	Gorakhpur, Lucknow, Bareilly, Agra and Varanasi	632
Districts (75)	Varanasi, Meerut, Lakhimpur Keri, NOIDA, Mathura, Jhansi, Aligarh, Gaziabad, Moradabad, Rampur, Kushinagar, Maharajganj, Siddharthnagar, Balrampur, Shravasti, Bahraich, Muzaffarnagar, Saharanpur, Bijnor, Sonbhadra, Chitrakoot, Banda, Mahoba and Lalitpur	1847
GRP	GRP Luckow and GRP Lucknow Range	233
Video Conferencing by the Home Department	District stakeholders of the seven districts bordering Nepal	30
TOTAL		3310*

[^]April 2015 to Feb 2016



दरभंगाल एटी डूजन ट्रेडिफिकेशन यूनिट को यी गई बच्चों से संबंधित कानूनों की जानकारी

प्रदेश में हर रोज गायब होते हैं 6 बच्चे

७ वर्षीय संजय, सधारा: एनोकाके के लंबेरो पर लाल काले के 2011 के नोकरा नुए 2014 तक लीकर्स के प्रेस में 6000 के नुए बने नुए नुए। एनोकाके के प्रेस में 2014 के नुए 2 बने नुए लीकर्स के नुए नुए। एनोकाके के प्रेस में 2014 के नुए 2 बने नुए लीकर्स के नुए नुए। एनोकाके के प्रेस में 2014 के नुए 2 बने नुए लीकर्स के नुए नुए।



विश्वे मुद्राकरण के लंबेरो पर लाल काले के 2011 के नोकरा नुए 2014 तक लीकर्स के प्रेस में 6000 के नुए बने नुए नुए। एनोकाके के प्रेस में 2014 के नुए 2 बने नुए लीकर्स के नुए नुए। एनोकाके के प्रेस में 2014 के नुए 2 बने नुए लीकर्स के नुए नुए।

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7.2 Stakeholders included for the training:

- Divisional Commissioners
- Inspector General of Police – Zones
- Deputy Inspector General of Police –Ranges / GRP
- District Magistrates
- District Superintendents of Police
- Officer in charge of Anti Human Trafficking Units
- District Juvenile Police Unit officer
- Police Station in charges
- Sub Divisional Magistrates and Circle Officers
- Officers from SSB
- Officers from the prosecution Branch,
- Child Protection Officer/ District Probation Officer
- Officers from UNICEF and Child Line
- Members of Child Welfare Committee and Juvenile Justice Board
- In charges of Shelter homes working under Women and Child Development Ministry
- Members of District Legal Services Authority
- Labor Officer
- Officers from Road Transport/ RPF and GRP

7.3 Apart from the training material provided by Saktivahini to all participants, Home Department sent to every DM/SP/Commissioner/DIG/IG the following:

- Guidelines under Juvenile Justice Act 2000, JJ Act 2015, Protection of Children from Sexual Offences Act 2012, including duties of police officers and salient features of these Acts.
- Integrated Child Protection Scheme(ICPS), primarily run by WCD but having many components integrated with the protection and care of children
- Q&A on POCSO for easy use at Police Station level
- Detailed advisory from judiciary on JJ Act/Rules that govern minor, trafficked victims and children in need of protection

7.4 Training for the new JJ Act 2015, is to be soon initiated

8.Operation Smile:

- Ghaziabad police launched one day operation against child labour in Ghaziabad on 14.09.2014 and recovered 51 children.
- Found 227 and 326 missing children in the two phases of operation Smile
- Operation smile has changed public perception of police, especially among the weaker sections of society which felt neglected.
- MHA ordered repetition of this model across India
- Operation Muskaan launched from 1st July till 31st July 2015
- *3 SSPs selected for awards(2015) for their exemplary efforts under Operation Smile- Noida, Ghaziabad, Jhansi*
- Operation Smile launched again in January 2016 by MHA

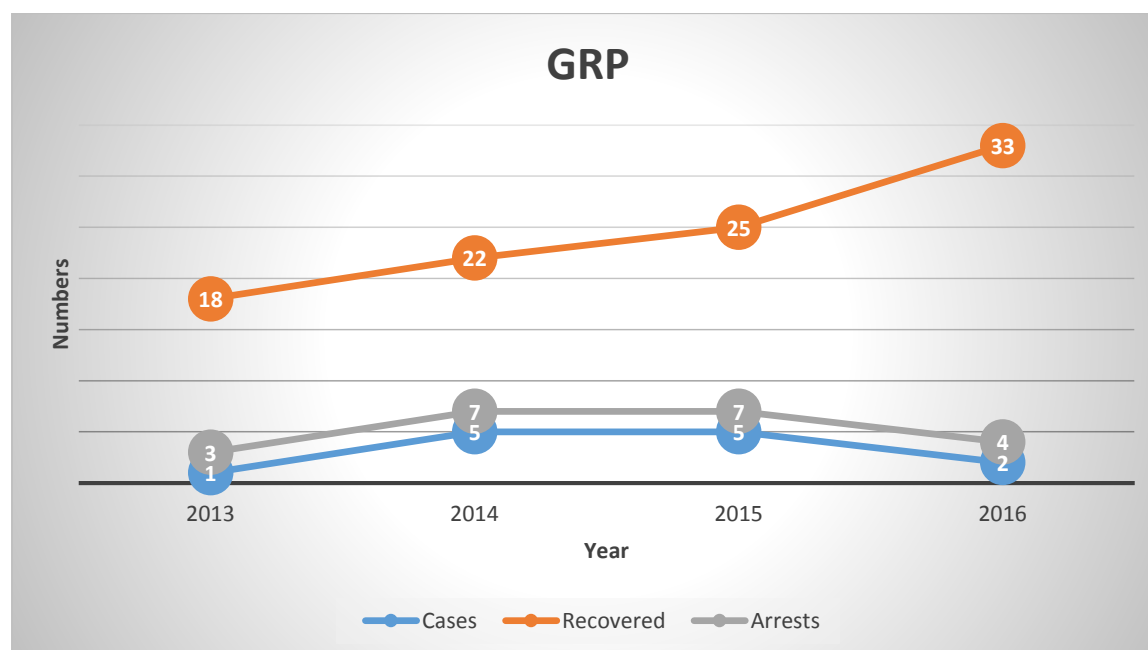
9. Technical support for two years 2016 and 2017, has been offered by UNICEF on the following:

1. Provide support to the Home Department in strengthening 35 AHTU in Uttar Pradesh for combating trafficking of women and children;
2. Provide overall technical support to the home department on policy matter related to children and women protection and ending violence against them for by sharing global and national good tool and techniques;
3. Provide technical assistance to MahilaSammanPrakoshth for effective implementation of child and women protection laws such as JJ Act, POCSO Act, Criminal Amendment Law and gender sensitive policing through community policing, strengthening child protection desk, dialogue with community/ children (Ru Baru) etc;
4. Through Ram Manohar Lohiya National Law University provide training of Public Prosecutors and District Government Counsels of 75 districts on child and women protection laws such as POCSO Act, JJ Act, Criminal Amendment Act and child and gender sensitive approach.
5. Support in training of 1200 Circle Officers and DSPs, SPs in UP on child protection and gender sensitivity;
6. Provide technical support to the state government to developing 6 Model child friendly police stations and ten Special Juvenile Police Units (SJPU) as per the Juvenile Justice Act and Protection of children against sexual Offence Act which can be replicated in all over state by the State government and could be example for other states;

7. Provide support in developing and printing and printing information, Education and Communication/Behavior Change Communication materials on child and women safety, protection and role of Police and Public at large;

10. Figures of Government Railway Police UP combating Human Trafficking:

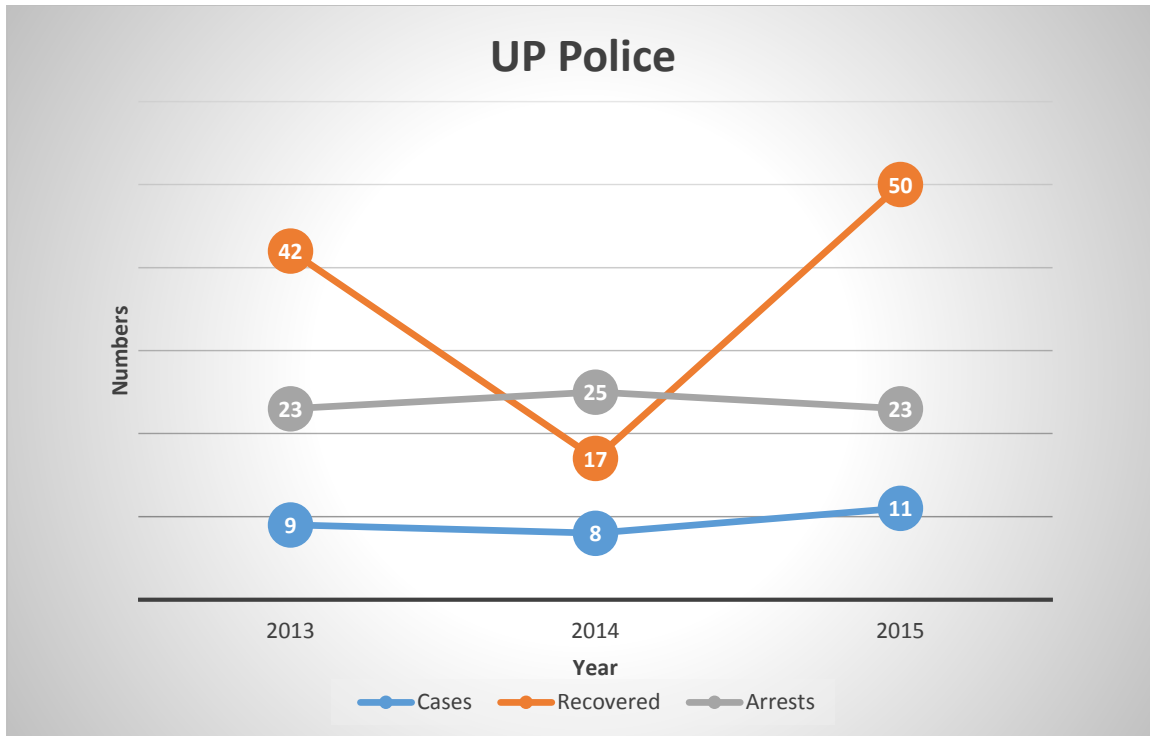
Year	No of cases registered	No of recovered victims	No of arrested criminals
2013	1	18	3
2014	5	22	7
2015	5	25	7
2016(Jan)	2	33	4



All the 98 recovered victims were females of which only 2 were adults

10. Figures of UP combating Human Trafficking:

Year	No of cases registered	No of recovered victims	No of arrested criminals
2013	9	42	23
2014	8	17	25
2015	11	50	23

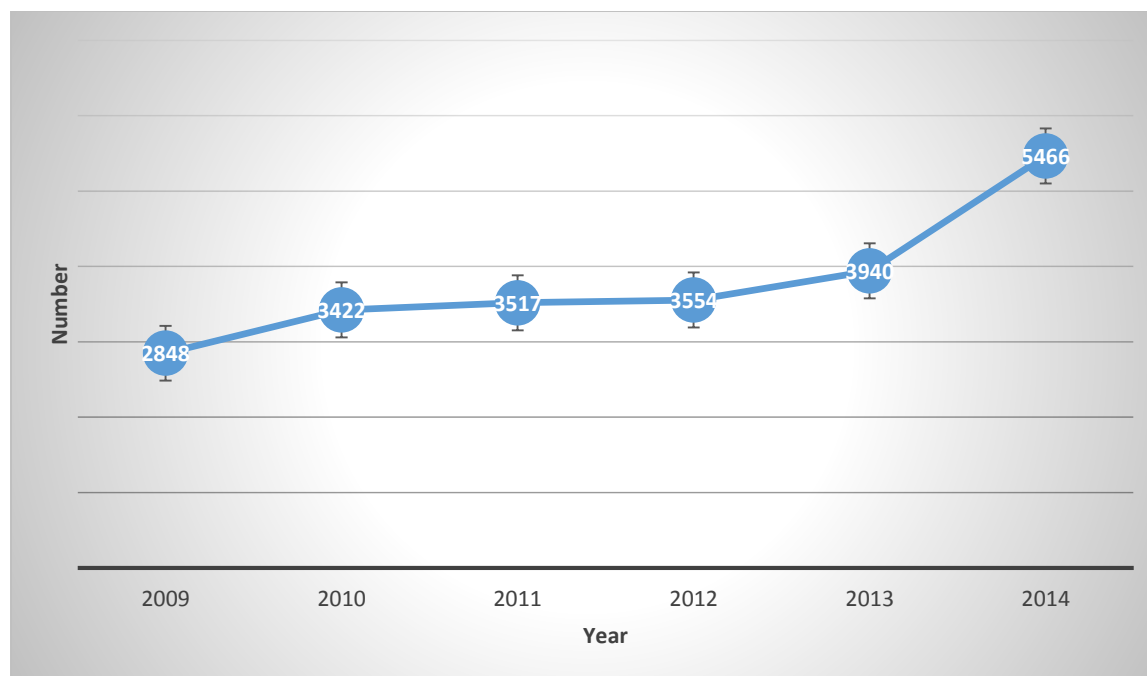


11. The National Crime Record Bureau is collecting data under the following heads of crime which are related to human trafficking: (Source: *Crime in India 2014 Compendium NCRB MHA*)

- I. Importation of girls from foreign country (Sec. 366B IPC)
- II. Procurement of minors (section 366-AIPC)
- III. Buying of minor prostitution (section 373 IPC) (in previous editions, data was collected under buying of girls for prostitution)
- IV. Selling of minors for prostitution (section 372 IPC) (in previous editions, data was collected under buying of girls for prostitution)
- V. Immoral Traffic (Prevention) Act 1956
- VI. Human trafficking (section 370 & 370A IPC), collected for the first time in 2014.

Chart: Trend of incidents of human trafficking during 2009-2014 in India

(Source: *Crime in India 2014 Compendium NCRB MHA*)



The crime under Human Trafficking during the year 2014 has increased by 59.7% over 2010.

IPC 370: Section 370 of the Indian Penal Code

Trafficking of persons[1]

1. Whoever, for the purpose of exploitation, (a) recruits, (b) transports, (c) harbours, (d) transfers, or (e) receives, a person or persons, by—
 1. using threats, or
 2. using force, or any other form of coercion, or
 3. by abduction, or
 4. by practising fraud, or deception, or
 5. by abuse of power, or
 6. by inducement, including the giving or receiving of payments or benefits, in order to achieve the consent of any person having control over the person recruited, transported, harboured, transferred or received, commits the offence of trafficking.

Explanations

1. The expression “exploitation” shall include any act of physical exploitation or any form of sexual exploitation, slavery or practices similar to slavery, servitude, or the

forced removal of organs.

2. The consent of the victim is immaterial in determination of the offence of trafficking.

2. Whoever commits the offence of trafficking shall be punished with rigorous imprisonment for a term which shall not be less than seven years, but which may extend to ten years, and shall also be liable to fine.
3. Where the offence involves the trafficking of more than one person, it shall be punishable with rigorous imprisonment for a term which shall not be less than ten years but which may extend to imprisonment for life, and shall also be liable to fine.
4. Where the offence involves the trafficking of a minor, it shall be punishable with rigorous imprisonment for a term which shall not be less than ten years, but which may extend to imprisonment for life, and shall also be liable to fine.
5. Where the offence involves the trafficking of more than one minor, it shall be punishable with rigorous imprisonment for a term which shall not be less than fourteen years, but which may extend to imprisonment for life, and shall also be liable to fine.
6. If a person is convicted of the offence of trafficking of minor on more than one occasion, then such person shall be punished with imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and shall also be liable to fine.
7. When a public servant or a police officer is involved in the trafficking of any person then, such public servant or police officer shall be punished with imprisonment for life, which shall mean imprisonment for the remainder of that person's natural life, and shall also be liable to fine.

12. SashastraSeemaBal has greatly supplemented UP Police's efforts in combating Human Trafficking.

Interception locations:

- I. Sonauli (Maharajganj) - Bhairawa (Nepal)
- II. Rupaidiha (Bahraich) - Nepalganj (Nepal)
- III. Barhni (Siddharthnagar) – Krishnanagar (Nepal)

Summary

(Source SSB office, Lucknow; Credit- SSB Lucknow Frontier)

Year	No of cases	No of Apprehensions		No of Interceptions			
				Adults		Minors	
		Male	Female	Male	Female	Male	Female
2013	7	4	1	2	13	1	4
2014	13	6	2	2	24	5	12
2015	36	48	2	2	28	34	21
Total	56	58	5	6	65	40	37
Post-EQ	30	38	3	-	25	30	18

EQ* = Earth quake

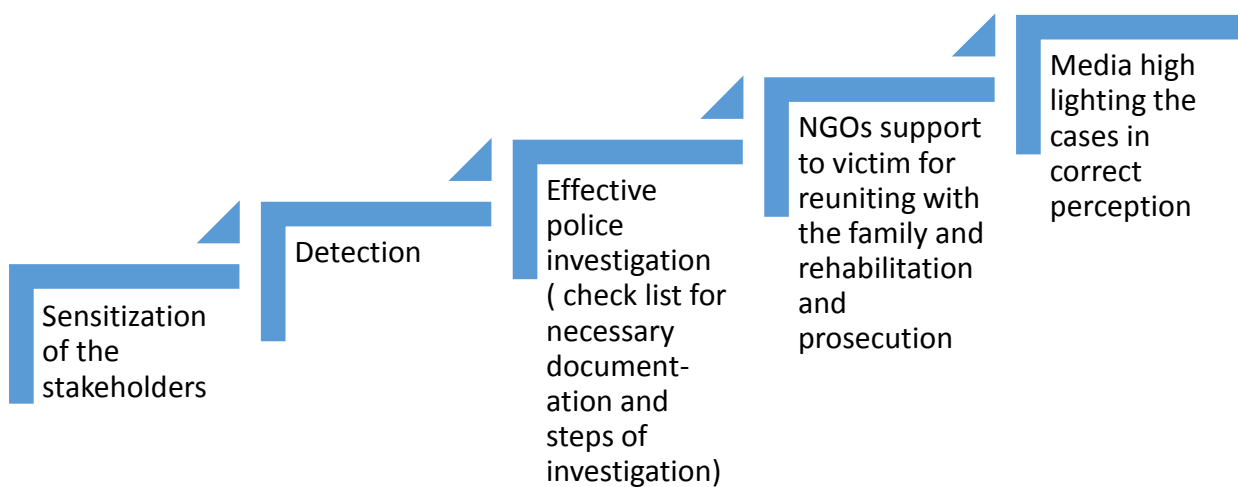
13. Way Forward:

- NALSA Report submitted to Hon'ble Supreme Court. All challenges envisaged therein needs to be addressed coherently with synergy and vision as directed by the SC. Eg: **Centralised agency to tackle human trafficking menace, Central Act on Human Trafficking must be put in place at the earliest.**
- Exemplary and quick punishment for all involved in the inhuman crime. **Dedicated courts Should be notified(As is the case with CBI)**
- More shelter homes and post rescue and rehabilitation efforts involving all stakeholders(**Adoption / creation of more shelter homes should be made a part of CSR schemes**)
- Sensitivity and Action from all departments and stakeholders. **Media and community should be requested to play a more active role in combating Human trafficking. Regular and repeated trainings should be held for stake holders.**
- Dedicated study needs to be done on socio economic causes of Human Trafficking. **Vulnerable areas and routes should be identified and must become focus of educating the locals, skill development and confidence building. Big data analytics should be utilized to develop proper strategy to tackle the Human Trafficking following the US Model.**

The police response is uneven, unorganized and non-systematic. From intelligence collection to registering FIRs, rehabilitating the victims, investigation, helping the prosecution and creating a data base are the steps which are largely police centric and absolutely essential. At the higher formations, of all the hand holding and MOUs and assistance being extended, very little trickles down to the cutting edge, that is the state preparedness through policing. With a very exhaustive training program with an NGO Shaktivahini, the UP police along with other stake holders were trained and sensitized in combating Human Trafficking. The results have started flowing now for all to see. The traffickers are being nabbed, victims being rescued and rehabilitated and cases are being investigated. However we are still a long way from proactive policing- we should be looking beyond NGOs to community policing.

p

Stakeholders:



15. Giving voice to the voiceless & Restoring human dignity.

Help in combating Human Trafficking



Thank You