

GOVERNMENT OF INDIA
MINISTRY OF WOMEN AND CHILD DEVELOPMENT

RAJYA SABHA
UNSTARRED QUESTION NO. 2715
TO BE ANSWERED ON 18.12.2024

WOMEN TRAFFICKING

2715. SHRI KESRIDEVSINH JHALA:
SHRI BABUBHAI JESANGBHAI DESAI:

Will the Minister of Women and Child Development be pleased to state:

- (a) whether any measures have been undertaken to prevent trafficking of women;
- (b) the number of cases of trafficking that have taken place in Gujarat, Maharashtra and Delhi;
- (c) the details of rehabilitation policy in place at the national level for trafficked women and children across the country;
- (d) if not, the reasons therefor; and
- (e) the steps taken with other Ministries and State-level bodies to carry out impact assessment of such trafficking incidents on individuals, if not, reasons therefor?

ANSWER

MINISTER OF STATE IN THE MINISTRY OF WOMEN AND CHILD DEVELOPMENT
(SHRIMATI SAVITRI THAKUR)

(a) to (e): National Crime Records Bureau (NCRB) compiles statistical data on crimes as reported to it by the States/ UTs and publishes the same in its publication “Crime in India” available on the NCRB website www.ncrb.gov.in The latest published report is available up to the year 2022. As per the data, the cases registered under Human Trafficking in Gujarat, Maharashtra and Delhi during 2022 are as under:

Sl. No.	State/UT	2022
1	Gujarat	9
2	Maharashtra	295
3	Delhi UT	106

Note: Human Trafficking data published is based on annual data as provided by States/UTs from their Anti Human Trafficking Units

“Police” and “Public Order” are State subjects under the Seventh Schedule of the Constitution of India. The responsibility to maintain law and order, protection of life and property of the citizens including investigation and prosecution of crime against women and children including the cases of trafficking rests with the respective State Governments; they are competent to deal with it.

The Government of India attaches highest importance to the matter of preventing and countering the crimes against women and children including crimes of trafficking of women. The Central Government has undertaken a number of legislative and schematic interventions to combat trafficking, protect victims, and rehabilitate trafficked women and children. The Immoral Traffic (Prevention) Act, 1956 has been enacted to prevent prostitution and trafficking of persons for commercial sexual exploitation and related offences. Sections 143 and 144 of the Bharatiya Nyaya Sanhita (BNS),2023, are crucial components of India's legal framework against human trafficking. These sections replace and expand offenses previously covered under sections 370 and 370A of the Indian Penal Code, 1860. BNS Section 143 defines trafficking as recruiting, transporting, harbours, transferring, or receiving a person for exploitation using various coercive means. The section outlines severe punishments for trafficking, with higher penalties for trafficking multiple persons or children. Further, Section 144 of BNS,2023, deals with the exploitation of trafficked persons, specifically focusing on sexual exploitation. The section outlines different punishments for exploiting trafficked children and adults, with distinct terms of imprisonment and fines. A new offence of Organized Crime has been added to BNS under Section 111 that covers the crime of trafficking of persons and human trafficking for prostitution as well. Section 69 related to sexual intercourse on false promise of marriage, employment, promotion or by suppressing the identity, Section 95 related to hiring, employing or engaging a child etc.to commit an offence, Section 99 related to buying a child for the purposes of prostitution are also relevant in the context of human trafficking. Further, in respect of certain severe crimes against women

like buying child for the purposes of prostitution (section 99 of BNS), organised crime (Section 111), kidnapping or maiming a child for purpose of begging (Section 139), mandatory minimum punishments have been prescribed. Additionally, the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 also recognizes trafficking as a cognizable and non-bailable offence. Section 396 of the BNSS, establishes a framework for victim compensation scheme that mandates every State Government to prepare a scheme for providing funds for the purpose of compensation to the victim or his dependents who have suffered loss or injury as a result of the crime and who require rehabilitation. Further, the Protection of Children from Sexual Offences (POCSO), 2012 and the provisions of the Juvenile Justice (Care and Protection of Children) Act, 2015 (JJ Act) also applies in cases of sexual and other forms of exploitation of trafficked children. Hence, ITPA, BNS and BNSS collectively provide for several provisions to criminalise and deal with offences of human trafficking and the crimes of similar nature.

Government of India supplements the efforts of State Governments/ UT Administration by way of providing them financial assistance to establish and strengthen the infrastructure in combating human trafficking at various levels in the State/ UT as well as by providing them regular guidance and advice through various advisories, guidelines and SOPs issued from time to time. Some of the initiatives of the Central Government are as under:

- (i) The Central Government has provided financial assistance to States/ UTs for setting up/ strengthening of Anti Human Trafficking Units (AHTUs). Currently, 827 AHTUs are functional including 807 in States/ UTs, 15 in Border Security Forces (BSF) and 5 in Sashastra Seema Bal (SSB). SSB has also established dedicated helpline number 1903. From time-to-time states have been organizing training sessions for police officials to handle trafficking cases.
- (ii) A national level communication platform - Crime Multi Agency Centre (Cri-MAC) was launched by Ministry of Home Affairs (MHA) on March 12, 2020 for online sharing of information on crime & criminals on 24x7 basis among various Law Enforcement Agencies and ensure seamless flow of information between them. It facilitates dissemination of information about significant crimes including human trafficking cases across the country on a real time basis and enables inter-State coordination.

(iii) Government has mandated the National Investigation Agency (NIA) to investigate cases of human trafficking having inter-state, national and international ramifications.

(iv) Women Help Desks (WHDs) established with financial assistance under Nirbhaya Fund focus on making the Police Stations more women friendly and approachable.

(v) Investigation Tracking System for Sexual Offences (ITSSO), an online analytical tool, has been launched to monitor and track police investigations in sexual offences as per Criminal Law (Amendment) Act 2018 (now included in BNSS). It enables a regular review by the States/ UTs concerned to monitor the progress of case investigation and shows increase in compliance rate from 44.4% in 2018 to 61.5% in 2023.

(vi) National Database on Sexual Offenders (NDSO) is a database available exclusively to police. Launched on 20.9.2018 to facilitate investigation & tracking of sexual offenders, NDSO has data of more than 18lakh sexual offenders in the country, which allow Investigating Officers to track habitual sex offenders along with initiating preventive measures against sexual offences.

(vii) National Database of Human Trafficking Offenders (NDHTO), facilitates the LEAs to search the trafficker's portfolio which provides crime history, personal details, movement, court actions, appeals, visitors, etc. Trafficker's data search provides details for prevention/detection and investigation of such crimes. As on date, NDHTO has more than 1.20 lakh offender records.

(viii) Further, with regard to Protection and Rehabilitation of Victims of Trafficking, the Ministry of Women and Child Development, under Mission Shakti Scheme has a component 'Shakti Sadan', an Integrated Relief and Rehabilitation Home. Shakti Sadan is a home for destitute, distressed, marginalized women and those who are victims of trafficking etc. and also provides help, care and support and all the daily needs and services to such women. Similarly, the Child Care Institutions (CCIs) under Mission Vatsalya take care of the relief and rehabilitation needs of trafficked children.
