

**GOVERNMENT OF INDIA
HOME AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3893

ANSWERED ON:19.04.2005

TRAFFICKING OF WOMEN

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Will the Minister of HOME AFFAIRS be pleased to state:

- (a) whether the Government proposes to take effective steps to check trafficking of women and children in the country;
- (b) if so, the details in this regard;
- (c) whether the US has warned to impose economic sanctions on India if effective steps are not taken to check trafficking of women and children;
- (d) if so, whether any discussion has taken place with the Department of Women and Child Welfare in this regard;
- (e) if so, the details thereof; and
- (f) the effective steps the Government proposed to take in this regard?

Answer

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI MANIKRAO HODLYA GAVIT)

- (a), (b) & (f): The details of steps taken to check trafficking in women and children in the country are annexed.
- (c) to (e): As required by the United States` Victims of Trafficking and Violence Protection Act, 2000, the US Department of State releases every year its report on `Trafficking in Persons` in which countries are classified in three tiers. The classification is based on the situation of trafficking and the host Governments` efforts to improve the situation in each country. The Act mandates the US Government to suspend bilateral assistance and its support to multilateral assistance to countries classified under Tier 3. In the `Trafficking in Persons 2004` report, India has been placed in Tier 2 Watch List.

STEPS TAKEN TO CHECK TRAFFICKING IN WOMEN AND CHILDREN

- (a) `Public Order` and `Police` are State subjects. Therefore, primary responsibility of preventing and controlling trafficking in women and children rests with the State Governments. However, the Ministry of Home Affairs has from time to time been advising the State Governments to take measures for the prevention of crime against women, children and other vulnerable sections of society including the measures to eliminate trafficking in women.
- (b) The Immoral Traffic (Prevention) Act, 1956 (ITPA) is a special law for combating trafficking and is supplemented by the Indian Penal Code, 1860. A National Plan of Action (1998) was drawn up and a Central Advisory Committee (CAC) constituted by the Department of Women & Child Development (DWCD) under the chairpersonship of Secretary (DWCD), to combat trafficking, rescue and rehabilitate victims of trafficking and commercial sexual exploitation, and activate legal and law enforcement systems to strengthen implementation of the ITPA. The Committee comprises of the representatives from more than 10 States, United Nations and bilateral agencies and voluntary sectors working on anti-trafficking measures as well as from other Ministries, including Ministry of Home Affairs. The CAC meets periodically to address the issues relating to trafficking in women and children.
- (c) The Government of India has issued guidelines to the States for effective implementation of the Plan of Action. The DWCD regularly reviews State action.
- (d) State Advisory Committees on Trafficking have been set up devolving authority and seeking to mobilize greater state resources in the fight against trafficking.
- (e) The DWCD is preparing manuals for the sensitisation of the Judiciary, Medico-legal Officers and the Police Personnel in dealing with the victims of trafficking, which are at the stage of finalisation. National consultations are being held in this regard.
- (f) DWCD has requested the Ministry of Tourism to implement the Global Code of Ethics for tourism, which prohibits sexual exploitation of children for the purpose of sex tourism. In addition, the State Governments/Union Territory Administrations and the Director General (Tourism) have also been requested to make it binding for the hotels, lodging/boarding houses to prominently display at the reception counter anti-trafficking messages and penal provisions against sexual exploitation.
- (g) The DWCD has undertaken regional efforts, in alliance with NGOs, to create greater awareness of the dimensions of trafficking

and increase sensitivity to victims among Government departments, the police and judiciary, as well as within civil society at large.

(h) Some of the State Governments have enacted legislation to prohibit Devdasi and Jogin traditions of sexual exploitation.

(i) Based on National Human Right Commission's report about Action Research on Trafficking in Women and Children 2002-03, some of the State Governments have been requested to review the problem of trafficking with a view to evolving a comprehensive strategy for prevention, rescue and rehabilitation of victims to effectively deal with the same, sensitize/train police officials at all levels and to carry out special drives in the most vulnerable areas to ensure that besides securing the rescue of the victims the traffickers are brought to book and justice delivered expeditiously.

(j) A Working Group on Cross Border Trafficking of Women and Children was constituted by the Ministry of Home Affairs to identify the transit points, routes, methodology, transport, funding, nexus between individuals and organised gangs and to suggest measures to prevent cross border trafficking. The Group recommended setting up of Organised crime Units in affected States, posting of at least one Deputy Superintendent of Police at the identified affected districts for the Organised Crime Units, systematic collection of information of cases of trafficking, institutionalization of a mechanism for regular reverse feedback to border agencies/intelligence agencies/immigration authorities etc., through National Crime Records Bureau and strengthening, sensitization and training of border check posts. The recommendations of the Group along with a list of identified infiltration routes and touts have been sent to all the State Governments and Union Territories for taking necessary action for implementation of those recommendations.