

**GOVERNMENT OF INDIA  
HOME AFFAIRS  
LOK SABHA**

UNSTARRED QUESTION NO:3175

ANSWERED ON:24.04.2012

HUMAN TRAFFICKING

Adhalrao Patil Shri Shivaji;Anuragi Shri Ghansyam ;Dharmshi Shri Babar Gajanan;Gandhi Shri Feroze Varun;Gandhi Smt. Maneka Sanjay;Gavit Shri Manikrao Hodlya;Majhi Shri Pradeep Kumar;Patel Shri Kishanbhai Vestabhai;Rajbhar Shri Ramashankar;Saha Shri Anup Kumar;Sugavanam Shri E.G.;Yadav Shri Dharmendra

**Will the Minister of HOME AFFAIRS be pleased to state:**

- (a) whether the term `child abuse` has been defined in the Indian Penal Code so as to give specificity to the offence;
- (b) if so, the details thereof;
- (c) whether the Government proposes to enact stringent penal provisions for the travel agents found to be involved in cases of human trafficking;
- (d) if so, the details thereof;
- (e) whether the Government proposes to set up more anti-human trafficking units in the country; and
- (f) if so, the details thereof alongwith the measures taken by the Government to make the said units more effective?

**Answer**

MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI JITENDRA SINGH)

(a) & (b): There is no specific provision in the Indian Penal Code 1860 defining the term 'child abuse'. However there are many stringent provisions in IPC which are applicable dealing with different forms of 'child abuse'.

For these sections minor is defined as under sixteen years of age for male and under eighteen years if female.

Section 339- Wrongful restraint

Section 340- Wrongful confinement

Section 360- Kidnapping for exporting

Section 361- Kidnapping from lawful guardianship

Section 364A- Kidnapping for ransom

Section 363- punishment for kidnapping

Section 363-A- kidnapping or maiming a minor for purposes of begging

Section 366- kidnapping to compel for marriage

Section 366-A- Procuration of minor girls

Section 367- kidnapping for slavery

Section 372 & 373: Selling and Buying of minors for purpose of prostitution.

(c) & (d): As per inputs provided by Ministry of Tourism, after the details consultations with the stakeholders, they have modified the guidelines for grant of recognition by Ministry of Tourism under the categories of Inbound Tour Operator, Adventure Tour Operator, Travel Agent, Domestic Tour Operator and Tourist Transport Operator to incorporate and commitment and adherence on the part of the applicant to the Code of conduct for Safe and Honourable Tourism.

(e) & (f): Yes, Madam. Ministry of Home Affairs has released funds to the tune of Rs.8.72 crore for establishing 115 AHTUs in 2010-11. 104 units have already been established. Rs.8.338 crore have been released in 2011-12 for establishment of 110 more Anti Human Trafficking Units (AHTUs).

'Police' and 'Public Order' being State subjects, the primary responsibility for preventing and combating the crime of human trafficking lies with the State Governments. However, Government of India has adopted a multi-pronged approach to combat human trafficking by setting up of Anti Trafficking Nodal Cell in Ministry of Home Affairs; launching of Certificate Course on Anti Human Trafficking by Indira Gandhi National Open University (IGNOU) in partnership with MHA and implementing a comprehensive scheme for strengthening law enforcement response by establishing integrated Anti Human Trafficking Units and Training of Trainers. Ministry of Women & Child Development also runs shelter based homes, such as Short Stay-Homes, Swadhar Homes for women in difficult circumstances including trafficked victims.