

CHAPTER 1

INTRODUCTION

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1. ABOUT HUMAN TRAFFICKING

Human trafficking as organized crime has been existing among civilized humans for centuries. Growing magnitude is an indication of ailing improvement in society. Despite many treaties, legislations, and protocols, control over human trafficking requires extra attention. However, many Anti-Human Trafficking Units (AHTU) are working throughout India but the fact remains that incidents about illegal human trade are not fully under control. Like terrorism, it has been recognized as one of the major problems not only in India but also the world over. India is a source as well as the destination for trafficked women and children from Nepal and Bangladesh for commercial sexual exploitation. Nepali children are trafficked for forced labour and Indian women are trafficked to the Middle East for commercial sexual exploitation. Indian migrants who move enthusiastically every year to the Middle East and Europe to work as domestic servants and low-skilled labourers mostly end up as part of the trafficked victims. Thousands of women are engaged in commercial sex work in various parts of Gujarat state like Surat, Sabarkantha, Rajkot, Anand, Junagarh, Vadodara, Gandhidham, Ahmedabad, Dahod area along with National Highway (NH) eight. A majority of them have been forced into illegal trade through traffickers. Women are trafficked to Gujarat for commercial sexual exploitation from West Bengal, Rajasthan, Orissa, Assam, and Nepal.

A significant number of the children are subjected to forced labour as factory workers, domestic servants, beggars, and agricultural workers. Most of the children who are brought into Ahmedabad from Bihar and Uttar Pradesh are engaged in different unorganized sectors like zari units in Bapunagar, Saraspur, and Rakhiyal areas. Children who are brought from West Bengal and Orissa are put into jewellery work in the Ratanpole area. National Commission for Protection of Child Rights (NCPCR), report on “Tribal Girls Trafficked to Gujarat's GM fields” (2013) indicated that tribal children are trafficked to Gujarat’s GM Cotton fields from Rajasthan to engage them in child labour. They are engaged in artificial pollination, often working in appalling conditions, not least the extremely hot water, for over 12 hours a day. The children are

subjected to physical, verbal, sometimes even sexual abuse and are at the risk of exposure to chemicals used in pesticide sprays.

2. DEFINITIONS: HUMAN TRAFFICKING AND SOCIAL WORK

2.1 Human Trafficking

According to the Crime in India (2014) report "Human trafficking is a group of crimes involving trafficking in the person of men, women, and children for sexual exploitation or financial gains or exploitation of trafficked persons. Victims are lured or abducted from their homes and subsequently forced to work against their wish through various means in various establishments, indulge in prostitution or subjected to various types of indignities and even killed or incapacitated to beg and trade in human organs"

United Nation Office on Drugs And Crime (UNODC) / United Nations Convention against Transnational Organized Crime (UNCATOC), adopted by General Assembly resolution 55/25, Article 3, paragraph (a) of the Protocol to Prevent, Suppress and Punish Trafficking in Persons (2000) has defined "Trafficking in Persons" as "the recruitment, transportation, transfer, harbouring or receipt of persons, utilizing the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs."

UN General Assembly, (1994) has defined Human trafficking as "The illicit and clandestine movements of a person across national borders, largely from developing countries and some countries with economies in transition, With the end goal of forcing women and girl children into sexually or economically oppressive and exploitative situations for the profit of recruiters, traffickers, and crime syndicates as well as other illegal activities related to trafficking, Such as forced domestic labour, false marriage, clandestine employment and, false adoption."

2.1.1 Differences between UN General assembly and UNODC definitions.

UN GENERAL ASSEMBLY, 1994	DEFINITION BY UNODC/ UNTIP, 2006
<ul style="list-style-type: none">➤ The definition is given by the UN general assembly in 1994 focuses on women and girl children trafficking.➤ The definition speaks only about exploitation, forced labour, false adoption, false marriage, secret employment for the profit of traffickers.➤ The definition that focuses on the act, mean, and purpose of trafficking is unclear.➤ The definition is not widely used, recognizes, and accepted by Anti Human Trafficking Units (AHTU).	<ul style="list-style-type: none">➤ The definition is given by UNODC focuses on the general human being that may cover man, woman, children (both male and female), and x genders.➤ The definition along with all the purposes mentioned above additionally speaks about the removal of organs, prostitution.➤ The definition focuses on the act, means, and purpose of trafficking are clearly explained.➤ The definition is widely used, recognize, and accepted by Anti Human Trafficking Units (AHTU).

2.2 Social Work

International Federation Of Social Worker (IFSW) and International Association of Schools of Social Work (IASSW) General Assembly, (July 2014) has defined "Social work is a practice-based profession and an academic discipline that promotes social change and development, social cohesion and the empowerment and liberation of people. Principles of social justice, human rights and collective responsibility, and respect for diversities are central to social work. Underpinned by theories of social work, social science, humanities, and indigenous knowledge, social work engages people and structures to address life challenges and enhance wellbeing."

National Association of Social workers has defined (1973) "The professional activity of helping individuals, families, groups or communities enhance or restore their capacity for social functioning or creating societal conditions favourable to that goal."

Indian Conference of Social work has defined "Social Work is a welfare activity based on humanitarian philosophy, scientific knowledge, and technical skills or helping individuals or groups or community to live a rich and full life."

2.2.1 Social Work by Foreign Authors:

Pincus and Minahan (1978) defined social work saying, "Social work is concerned with the interaction between people and their environment which affects the ability of people to accomplish their life tasks, alleviate distress, and realize their aspirations and values".

Herbert Bisno (1952) has defined "Social work as the provision of services designed to aid individuals, single or in groups, in coping with the present or future social and psychological obstacles that prevent full and effective participation in society. Such services, however, are limited on the one hand by agency function and the worker's competence, on the other, by already established profession by well defined functional area and by certain practices and prejudices."

Fried Lander (1951) has defined "Social Work is a professional service, based upon scientific knowledge and skill in human relations which assists individuals, alone or in groups, to obtain social and personal satisfaction and independence. It is usually performed by a social agency or a related organization."

Alice Cheyney (1926), stated, "Social work includes all the voluntary attempts to extend benefits in response to the needs which are concerned with social relationships and which avail themselves of scientific knowledge and methods".

2.2.2 Social work by Indian Authors:

Moorthy and Rao (1970) defined, "Social work is help rendered to any person or group, who or which is suffering from any disability, mental, physical, emotional or moral so that the individual or group so helped is enabled to help himself or itself".

Mirza R. Ahmad (1969) said, "Social work is professional service based on the knowledge of human relations and skills in relationships and concerned with intrapersonal and inter-personal adjustments resulting from unmet individual, group or community needs". This definition has emphasized the role of social work as a

professional practice to bring intra-personal (within the person) and inter-personal (between persons) adjustments.

Sushil Chandra (1954) defined social work as "a dynamic activity undertaken by public or private effort in the implementation of social policy, intending to raise the standard of living and to bring about social, economic, political and cultural wellbeing of the individual, family, and group with a society irrespective of its stage of social development."

B.G. Kher (1947) stated, "The aim of social work, as generally understood, is to remove social injustice, to relieve distress, to prevent suffering and to assist the weaker members of the society to rehabilitate themselves and their families and, in short, fight the five giant evils of (1) Physical want, (2) Disease, (3) Ignorance, (4) Squalor and (5) Idleness".

3. MAGNITUDE OF HUMAN TRAFFICKING

The problem of human trafficking is growing day by day. The actual authentic information regarding the exact number of trafficked persons in India is not known; However Ministry of Home Affairs, United Nations Office on Drugs and Crime (UNODC), International Labor Organization (ILO), United Nation Child Emergency Fund (UNICEF), U.S. Department have made systematic attempt to collect the statistical information about human trafficking. The statistics obtained through these sources are only of the reported cases of human trafficking in police stations. Sometimes, actual cases have to be roughly estimated. It means the statistical information doesn't include the cases which are not identified.

3.1 Human Trafficking: India

According to National Crime Record Bureau (NCRB) "Crime in India compendium 2016", the crime against women and children is enormous. It is clear from the last three years' report that for the year 2014, a total of 339457 cases of crime against women and 89423cases of crime against children have been registered. Similarly, 329243 registered cases of crime against women and 94172 registered cases of crime against children during 2015 have been recorded. And for the year 2016, some 338954 registered cases of crime against women and 106958 registered cases of crime against children were recorded. This shows numbers increased by 81.2 percent in the case of children from the last three years.

Moreover, National Crime Record Bureau (NCRB) “Crime in India statistics” crime on human trafficking has been increased in the last four years. Sum of total 8132 cases in the year of 2016, around 6877 in the year of 2015, a sum of 5466 in the years of 2014, and 3940 in the years of 2013 incidents of crimes under various sections of Indian Penal Code (IPC) relating to human trafficking were reported in the country. The reported cases have increased from 72.08 percent in 2014 to 84.56 percent in 2016.

Table 1.1

HIGHEST REGISTERED CASES OF TRAFFICKED VICTIMS IN INDIA LAST FIVE YEARS.

(2015 to 2019)

	2015				2016				2017				2018				2019			
	No. of cases reported (HT*)		No. of victims trafficked (HT*)		No. of cases reported (HT*)		No. of victims trafficked (HT*)		No. of cases reported (IPC-HT**)		No. of victims trafficked (IPC-HT**)		No. of cases reported (IPC-HT**)		No. of victims trafficked (IPC-HT**)		No. of cases reported (IPC-HT**)		No. of victims trafficked (IPC-HT**)	
	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num.
1	ASM	1494	ASM	1516	WB	3579	WB	4164	JHK	373	RAJ	900	JHK	373	MAH	744	MAH	282	MAH	986
2	WB	1255	WB	1474	RAJ	1422	RAJ	2854	WB	357	MAH	665	MAH	311	JHK	392	AP	245	ODS	876
3	TN	577	TN	803	GJT	548	TN	1449	TLGN	329	DEL	490	ASM	262	TLGN	377	ASM	201	RAJ	664
4	TLGN	561	KAR	747	MAH	517	MAH	1145	RAJ	316	BHR	451	TLGN	242	AP	366	KAR	180	AP	399
5	KAR	507	TLGN	709	TN	434	KAR	1012	MAH	310	TLGN	438	WB	172	ASM	270	JHK	177	TLGN	334
-	GJT	47	GJT	57	GJT	548	-	-	GJT	09	GJT	19	GJT	13	GJT	26	GJT	11	GJT	22

(Source: National Crime Record Bureau (NCRB), Crime in India report(s) 2015, 2016, 2017, 2018 and 2019)

(WB= West Bengal, TN= Tamilnadu, KAR= Karnataka, ASM= Assam, BHR= Bihar, GJT= Gujarat, TLGN= Telangana, RAJ= Rajasthan, MAH= Maharashtra, DEL= Delhi, JHK= Jharkhand, AP= Andhra Pradesh, ODS= Odisha)

HT* = Please note, the data of 2015 are of reported cases of only human trafficking.

IPC-HT ** = The data of 2016, 2017, 2018, and 2019 are showing the only relevant cases of Human Trafficking under the Indian Penal Code (IPC).

National Crime Record Bureau as a chief source of information collected the statistics on reported cases under human trafficking from various police departments of Indian states. It is clear from Table 1.1 that in the year 2015, the maximum numbers of cases registered in the top five states were Asam-1494, West Bengal-1255, Tamilnadu-577, Telangana-561, and Karnataka-507. During the same year, numerous victims were trafficked. The topmost numbers of trafficked victims registered in the top five states were Asam-1516, West Bengal-1474, Tamilnadu-803, Karnataka-747 and Telangana-709.

The states like West Bengal, Rajasthan, Gujarat, Maharashtra, and Tamil Nadu, have the highest number of registered human trafficking cases in the year 2016 i.e. 3579. Rajasthan state was second highest after West Bengal in the number of totals registered human trafficking cases for the year 2016 i.e. 1422. **Gujarat state was standing 3rd after Rajasthan with the number of reported cases at 548 for the year 2016.** Maharashtra was the fourth highest state of India where registered cases of human trafficking were 517 for the year 2016. Tamilnadu was the fifth-highest state, where 434 cases of human trafficking have been registered for the year 2016.

In the year 2017, Jharkhand-373, Telangana-357, Westbengal-329, Rajsthan-316, and Maharashtra-310 reported a maximum number of cases in human trafficking chronologically from all around India. During the same year, plentiful victims were trafficked. The highest numbers of trafficked victims registered in e top five states were Rajsthan-900, Maharashtra-665, Delhi-490, Bihar-451, and Telangana-438.

Jharkhand-373, Maharashtra-311, Asam-262, Telangana-242, and west Bengal-172 had the highest number of registered human trafficking cases in the year 2018. During the same year, many victims were trafficked. The highest numbers of trafficked victims registered in the top five states were Maharashtra-744, Jharkhand – 392, Telangana-377, Andhra Pradesh-366 and Asam-270.

In the year 2019, the highest numbers of cases registered in the top five states are Maharashtra -282, Andhra Pradesh – 245, Assam – 201, Kerala -180, and Jharkhand – 177. In the same year, reported trafficked victims in the top five regions were Maharashtra-986, Odisha-876, Rajsthan-664 Andhra Pradesh-399, and Telangana-334.

According to the UNODC Asia report, (2011-2012), every year more than 300 such cases are reported in each of the four considered being from south India state. Whereas west Bengal and Bihar, on average have 100 such cases each year. The Home Ministry of India reported 1379 cases of human trafficking from Karnataka, 2244 from Tamil Nadu and, 2157 from Andhra Pradesh in the period of the last four years. The United National Office on Drug and Crime report on human trafficking revealed that Tamil Nadu has 528 such cases of human trafficking and In 2011 about 35000 children were reported missing and more than 11000 out of this were from West Bengal, it is assumed to be 30% of the total cases reported. Indeed the actual numbers in human trafficking are pretty high.

3.2 Human Trafficking: Gujarat

As can be seen from the title of the study, the researcher has used the Anti Human Trafficking Unit (i.e. AHTU) as a platform to contact the research population. It is, therefore, necessary to explain the 'What' and 'How' of AHTUs through which the 'Who' of the system can be contacted.

The number of immoral human trafficking cases registered in Gujarat during the last decades has seen a rise between 2015 and 2018 with uneven variations. In 2015 registered human trafficking cases in district and city were 381. The reported cases were observed to be higher with a sudden shoot in 2016 and that was 548 cases. According to the latest information (30-09-2019) received from the Office of Additional Director General of Police, Gandhinagar the registered criminal offences on human trafficking under various applicable sections was 851 in the year 2018. It is a fact that in the year 2015, around 29 cases were registered under specific legislation of the Immoral Trafficking (Prevention) Act (ITPA). The same calculation further touched the elevation of 55 cases in the year 2016. It has been noticed that there was a downfall during the year 2017, where only 36 cases were reported. Again in the year 2018, the numbers were accelerated and turned into 47 registered cases. It was significantly noticeable that the places Surat, Ahmedabad, and Vadodara city stood among the top in 2016. The reported cases of human trafficking were 21 in Surat, 5 in Ahmedabad, and 4 in Vadodara in the year 2016. Surat city maintained its top position in 2006 with 67 cases. Even in the past

decade, the reports suggest that the cities Surat and Vadodara have been consistently noticed for the rise in the cases. While Vadodara city stood at the top in 2004 with 10 cases, it was Surat city that stood at the peak in 2005 with 18 registered cases. Surat city again recorded the highest number in 2006 with 67 cases respectively.

Table 1.2

Registered human trafficking cases in Gujarat state last four years (2015 to 2018)

Sr. No.	Legal Act	Applicable sections	2015	2016	2017	2018
1	Indian penal code	363A, 366, 366A, 366B, 370, 370A, 371, 372, 373, 376 & 376D	75	160	221	465
2	Immoral Traffic (Prevention) Act	3, 4, 5, 5A, 5B, 5C, 7 & 18.	29	55	36	47
3	Bonded labour Act.	16, 17, 18, 20 & 23	0	0	0	0
4	Child labour (Prohibition and Regulation) Act.	14(1), 14(2) & 14(3)	5	8	0	4
5	Transplantation of human organs Act.	18(1), 18(2), 19, 20, 21(1), 21(2).	0	0	0	0
6	Prohibition of the child marriage Act.	9, 10, 11(1), 11(2)	0	1	0	0
7	Protection of children from sexual offences Act.	4, 5(g), 6, 8, 10, 17	190	193	208	288
9	SC/ST Prevention of atrocity Act.	3(1), 10	25	37	42	28

10	Juvenile Justice (Care and protection of children) Act.	23, 24(1), 24(2), 25, 26	54	94	22	12
11	Other Acts	-	3	0	0	7
	Total Offences		381	548	529	851

(Source: Office of Additional Director General of Police, Gandhinagar, (30-09-2019))

4. LEGAL PROVISIONS

Several National & international Conventions, laws, and protocols have been adopted by international and state agencies and departments. International and National Intervention include:

4.1 Universal Declaration Of Human Rights (UDHR): Human Trafficking

Universal Declaration of Human Rights (UDHR) was declared on 10th Dec 1948 to protect the interest of human beings, globally. UDHR states that all people are born free and equal in rights and indignity. 7 articles in the Universal Declaration of Human Rights address the human trafficking issue.

4.1.1 UDHR articles to human trafficking

Article-No.

Details Of Articles

Article 2: Everyone is entitled to all the rights and freedoms outlined in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or another opinion, national or social origin, property, birth, or another status. Furthermore, no distinction shall be made based on the political, jurisdictional, or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing, or under any other limitation of sovereignty

- Article 3: Everyone has the right to life, liberty, and security of person
- Article 4: No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms
- Article 5: No one shall be subjected to torture or cruel, inhuman or degrading treatment or punishment.
- Article 7: All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and any incitement to such discrimination
- Article 8: Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law
- Article 25: (1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing, and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control. (2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

4.2 Indian Constitution: Human Trafficking

The constitution of India includes many provisions on trafficking at the level of fundamental rights and Directive Principles of State Policy. Above all, three articles in Part III of fundamental rights and Part IV of Directive Principles of State policy are addressing the trafficking-related issues in India.

4.2.1 Constitutional articles concerning the prevention of human trafficking

Article-No.	Detail of Article
Article 23	Fundamental rights prohibiting trafficking in human beings and forms of forced labour
Article 23 (1)	Traffic in human beings and the beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable by law.
Article 23 (2)	Nothing in this article shall prevent the State from imposing compulsory service for a public purpose, and in imposing such service the State shall not make any discrimination on grounds only of religion, race, caste, or class or any of them.
Article 39(e)	Directive Principles of State Policy are directed at ensuring that the health and strength of individuals are not abused and that no one is forced by economic necessity to do work unsuited to their age or strength.
Article 39(f)	Directive Principles of State Policy stating that childhood and youth should be protected against exploitation

4.3 Immoral Traffic (Prevention) Act, 1956: Human Trafficking

The Suppression of Immoral Traffic Act, 1956 was enacted to stop the immoral trafficking of women and girls. Presently, the Act is renamed The Immoral Traffic (Prevention) Act, 1986 (ITPA). ITPA is special legislation that deals exclusively with trafficking in India. Some important provisions are included:

4.3.1 Important sections in the Immoral Traffic (Prevention) Act.

Section	A provision relating to trafficking / Key features
3	Brothel keeping
4	Living on earning of Prostitution
5	procuring, inducing, or taking a person for the sake of prostitution
6 (1)	Detaining person in the premise where prostitution is carried on
6 (2)	Presumption of Offence if a person is found with a child in a brothel
7	Prostitution in a public place
8	Seducing or soliciting
9	Seduction of the person in custody
15	Two police officer to be present during, search and interrogation is to be done by a woman police officer
16	Rescue on Magistrate's directions
17	Intermediate custody in a safe place, not with those with harmful influence over her

4.4 Other legislations with important sections: Human Trafficking

India has other penal laws dealing with trafficking, too. Some of these provisions have existed before its independence.

4.4.1 Legislations with specific sections and features, about human trafficking.

Legislations	Section	Details Of the Provision / Key features
Indian Penal Code, 1860	363(A)	Kidnapping or maiming a minor for purposes of begging
	366	Kidnapping, abduction, or inducing women to compel marriage.
	366A	Procuring a minor girl
	366B	Importation of girls below 21 for sexual exploitation

	367	Kidnapping to subject person to grievous hurt, slavery
	370	Buying or disposing of a person as a slave.
	371	Habitual dealing in slaves
	372	Selling minors for prostitution
	373	Buying minors for prostitution
	374	Compelling a person to labour
Bonded labour system (Abolition) Act, 1976	16	Compelling a person to render bonded labour or forced labour
	17	Punishment for the advancement of bonded debt.
	18	Punishment for extracting bonded labour under the bonded labour system.
	20	Abetment to be an offence.—Whoever abets any offence punishable under this Act shall, whether or not the offence abetted is committed, be punishable with the same punishment as is provided for the offence which has been abetted.
Child Labour (Prohibition and Regulation) Act, 1986	3	Child work in certain employments
	14(1)	Whoever employs any child or permits any child to work in contravention of the provisions of section 3 shall be punishable with imprisonment for a term which shall not be less than three months but which may extend to one year or with fine which shall not be less than ten thousand rupees but which may extend to twenty thousand rupees or with both.
	14(2)	Whoever, having been convicted of an offence under section 3, commits a like

			<p>offence afterward, he shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to two years.</p>
	14(3)	(a)	fails to give notice as required by section 9; or
	(a, b, c)	(b)	fails to maintain a register as required by section 11 or makes any false entry in any such register; or
		(c)	fails to display a notice containing an abstract of section 3 and this section as required by section 12; or
Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989	3(vi)		Compelling or enticing member of SC or ST
	3(xii)		Using a position of dominance to sexually exploit an SC or ST woman.
Transplantation of Human Organs Act, 1994	18		Punishment for the removal of the human organ without authority.
	18(1)		Any person who renders his services to or at any hospital and who, for purposes of transplantation, conducts, associates with, or helps in any manner in, the removal of any human organ without authority, shall be punishable with imprisonment for a term which may extend to five years and with fine which may extend to ten thousand rupees.
	18(2)		Where any person convicted under subsection (1) is a registered medical practitioner, his name shall be reported by the Appropriate Authority to the respective

		State Medical Council for taking necessary action including the removal of his name from the register of the Council for a period of two years for the first offence and permanently for the subsequent offence.
	19	Punishment for commercial dealings in human organs.
Juvenile Justice (Care and Protection Of Children) Act, 2000	2(vii)	A child in need of care and protection includes one who is vulnerable and likely to be trafficked
	24	Employment of child for begging
	26	Procuring juveniles for hazardous employment or bonded labour is punishable.
Prohibition of Child Marriage Act, 2006	12	Child marriage is void if after that the minor is sold or trafficked or used for immoral purposes.

4.5 Code of Criminal Procedure: Human Trafficking

Apart from the above-mentioned National and State government laws, the main legislation on procedure for administration of substantive criminal law in India is the Code of Criminal Procedure (Cr. P. C.). This Act is Provide the machinery for investigation of crime, apprehension of suspected criminals, collection of evidence, determination of guilt or innocence of an accused person, and the determination of punishment of the guilty. Besides, it also deals with public nuisance, prevention of offences, and maintenance of wife, children, and parents.

4.5.1 Human trafficking-related sections in the Criminal Procedure Code Act.

Legislation	Section	The provision relating to trafficking / Key features
Code Of Criminal Procedure Act, 1976	51(2)	A search of arrested Person Whenever it is necessary to cause a female to be searched, the search shall be made by another female with strict regard to decency.
	53(2)	Examination of accused by medical practitioner at the request of the police officer. Whenever the person of a female is to be examined under this section, the examination shall be made only by, or under the supervision of, a female registered medical practitioner.
	98	Power to compel restoration of abducted females. Upon complaint made on oath of the abduction or unlawful detention of a woman, or a female child under the age of eighteen years, for any unlawful purpose, a District Magistrate, Sub-divisional Magistrate or Magistrate of the first class may make an order for the immediate restoration of such woman to her liberty, or of such female child to her husband, parent, guardian or other person having the lawful charge of such child, and may compel compliance with such order, using such force as may be necessary.
	160	Police officer's power to require the attendance of witnesses.
	160(1)	Any police officer, making an investigation under this Chapter may, by order in writing, require the attendance before himself of any person being within the limits of his own or any adjoining station who, from the information given or otherwise, appears to be acquainted with the facts and circumstances of the case; and such person shall attend as so required: Provided that no male person under the age of fifteen

years or woman shall be required to attend at any place other than the place in which such male person or woman resides.

160(2) The State Government may, by rules made on this behalf, provide for the payment by the police officer of the reasonable expenses of every person, attending under sub-section (1) at any place other than his residence.

357 Order to pay compensation

4.6 Gujarat State Legislations: Human Trafficking

Along with above mentioned central legislations, the Gujarat state government developed the laws according to the state needs and nature of the crime. The legislations apply to entire Gujarat. The legislations with key features and sections relevant to human trafficking are given as follows.

4.6.1 Gujarat State legislations relevant to human trafficking

Legislation	Section	The provision relating to trafficking / Key features
The Gujarat Prevention of Anti Social Activity (PASA), 1985	2(g) 3(4)	“Immoral Traffic Offender” means a person who habitually commits or abets the commission of any offence, under the Suppression Of Immoral Traffic in Women and Child Act, 1956 (Now Immoral Traffic Prevention Act, 1956) A person shall be deemed to be” acting in any manner prejudicial to the maintenance of public order” when such person is engaged in or is making preparation for engaging in any activities, whether as a bootlegger or dangerous person or drug offender or <u>immoral traffic offender</u> or property grabber, which affect adversely or are likely to affect adversely the maintenance of public order.
Bombay Police Act, 1951	1(2) 10	“Bombay” substituted “Gujarat” Behaving indecently in public. No person shall will fully

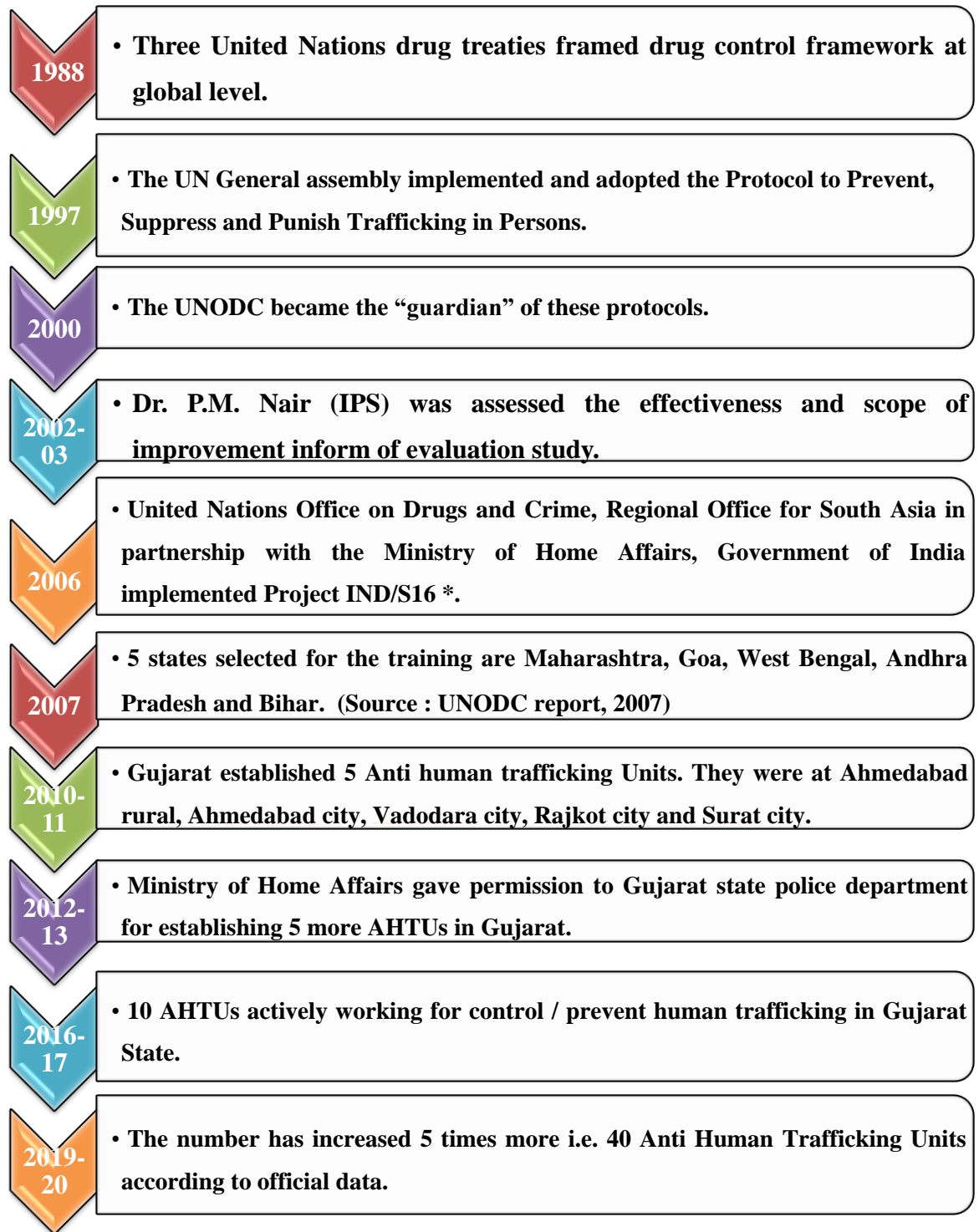
and indecently expose his person in any street or public place or within sight of, and in such manner, as to be seen from any street or public place, whether from within any house or building or not, or use indecent language or behave indecently or riotously, or in a disorderly manner in a street or place of public resort or any office station or station house.

Other international interventions include: International Convention for suppression of traffic in women of full age apart from this other interventions are the International agreement for suppression of white slave traffic, the International Convention for the suppression of the traffic of the women and children, Slavery Convention, ILO Forced Labour Convention and many more. Despite many National and International conventions, laws, and protocols, it is a fact that the phenomena of human trafficking are increasing and flourishing on an alarming face.

5. LEGAL INTERVENTION: DEVELOPMENT OF ANTI HUMAN TRAFFICKING UNIT (AHTU)

Globally, legal intervention on human trafficking started in the year of 1988 through United Nations conventions. Later the convention was adopted in the United Nations general assembly where the United Nations Office for Drug and Crime (UNODC) was introduced as a protocol guarding entity to control human trafficking worldwide. As a result UNODC with the help of the Government of India, the Ministry of Home Affairs introduced Project IND/S16 in India. The glimpses of the events are given in the flow chart.

Figure 1
Constitution of Anti Human Trafficking Units



Note: *= IND/S16 is a project started by UNODC for "Strengthening the law enforcement response to Human Trafficking".

- United Nations (1988) supported countries in implementing three United Nations drug conventions. First Convention was on Narcotic Drugs, 1961, as amended by the 1972 Protocol; the second Convention was on Psychotropic Substances, 1971, and the Third and last Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, 1988.
- United Nations general assembly (1997) implemented and adopted three international protocols to prevent, suppress and punish traffickers.
- United Nations Office for Drugs and Crime (2000) becoming guarding functions of fighting against human trafficking.
- Dr. P.M. Nair (IPS) (2002-03) was assessed the effectiveness and scope of improvement inform of evaluation study police officials.
- United Nations Office on Drugs and Crime (2006), Regional Office for South Asia in partnership with the Ministry of Home Affairs, Government of India, has implemented Project IND/S16.
- The Project IND/S16 (2007) was established for “Strengthening Law Enforcement Response to Human Trafficking” in India. The project was initiated by UNODC for the training of law enforcement officers in five states of India namely Maharashtra, Goa, West Bengal, Bihar, and Andhra Pradesh.
- In 2010-2011 Anti-human trafficking Units were working to prevent/control the illegal human traffic in, especially Gujarat state. Initially, it began with 5 AHTUs. They were at the following location.

- | | |
|---------------------------|-------------------------|
| 1. Ahmedabad Rural | 4. Surat city |
| 2. Ahmedabad City | 5. Vadodara City |
| 3. Rajkot city | |

- In 2012-2013, after permission from the Ministry of Home Affairs, the Gujarat state police department established 5 more added and it became 10 AHTUs in Gujarat.

- | | |
|---------------------------|---------------------------|
| 1. Ahmedabad Rural | 6. Nadiad |
| 2. Ahmedabad City | 7. Rajkot |
| 3. Anand | 8. Surat city |
| 4. Bhavnagar | 9. Vadodara City |
| 5. Mehsana | 10. Vadodara Rural |

- In the year 2018, there were 15 internally administered Anti-human trafficking Units formed in different places of Gujarat. Later, it was expanded and became 25 AHTUs. These all were internally form based on reference Letter No 4. These 15 places included

- | | |
|----------------------------|---------------------------|
| 1. Ahmedabad city | 9. Mehsana |
| 2. Ahmedabad –rural | 10. Rajkot city |
| 3. Anand | 11. Surat city |
| 4. Banaskatha | 12. Vadodara city |
| 5. Bhavnagar | 13. Vadodara-rural |
| 6. Dahod | 14. Valsad |
| 7. Jamnagar | 15. Jamnagar |
| 8. Kheda-Nadiad | |

- In 2018-19, 25 Anti Human Trafficking Units were formed in the following locations. These were all internally administered AHTUs.

- | | |
|--------------------------|---------------------------|
| 1. Aravalli | 14. Junagadh |
| 2. Ahmadabad-WR | 15. Mahisagar |
| 3. Amreli | 16. Morbi |
| 4. Baroda – WR | 17. Narmada |
| 5. Bharuch | 18. Navsari |
| 6. Botad | 19. Patan |
| 7. Chhota-Udaipur | 20. Porbandar |
| 8. Dang | 21. Rajkot – Rural |
| 9. Dwarka | 22. Sabarkatha |
| 10. Gandhidham | 23. Somnath |
| 11. Gandhinagar | 24. Surat – Rural |
| 12. Godhara | 25. Surendranagar |
| 13. Aravalli | |

- It was heartening to note that by 2019-20 the number has increased 5 times more i.e. 40 Anti Human Trafficking Units according to official data. All the 40 AHTUs are actively working to control/prevent human trafficking in Gujarat State. The list of 40 Anti Human Trafficking Units (AHTUs) in Gujarat is at the following location.

- | | |
|---------------------------|---------------------------|
| 1. Ahmadabad-City | 21. Jamnagar |
| 2. Ahmadabad-Rural | 22. Junagadh |
| 3. Ahmadabad-WR | 23. Kachchh-Bhuj |
| 4. Amreli | 24. Morbi |
| 5. Anand | 25. Mahisagar |
| 6. Aravalli | 26. Mehsana |
| 7. Bharuch | 27. Nadiad |
| 8. Banaskatha | 28. Narmada |
| 9. Botad | 29. Navsari |
| 10. Baroda – City | 30. Porbandar |
| 11. Baroda – Rural | 31. Patan |
| 12. Baroda – WR | 32. Rajkot – City |
| 13. Bhavnagar | 33. Rajkot – Rural |
| 14. Chhota-Udaipur | 34. Sabarkatha |
| 15. Dahod | 35. Somnath |
| 16. Dang | 36. Surendranagar |
| 17. Dwarka | 37. Surat – city |
| 18. Gandhidham | 38. Surat – Rural |
| 19. Gandhinagar | 39. Tapi |
| 20. Godhara | 40. Valsad |

United States department, trafficking in-person report (2017), the Supreme Court of India directed the government to establish an organized crime investigative agency by December 2015-2016 to investigate human trafficking cases and rescue and rehabilitate victims; the establishment of such an agency was pending the passage of the draft anti-

trafficking bill, although, in India, Ministry of Home Affairs (MHA) had allocated 832 million Indian rupee (INR) to fund the agency. Anti-Human Trafficking Units (AHTU) continued to serve as the primary investigative force for human trafficking crimes. At the beginning of the reporting period, of the more than 600 districts, 226 had active Anti Human Trafficking Units (AHTU); so far, despite researchers' sincere efforts, it is not known if the number of Anti Human Trafficking (AHTU) increased at the national level.

6. CURRENT SITUATION OF ANTI-HUMAN TRAFFICKING UNIT IN GUJARAT

It is a fact that anti-human trafficking units in Gujarat have been divided into two major areas base on functions. One is internally formed anti-human trafficking units, and another is independent anti-human trafficking units.

The earlier proposal was made for the start-up of twelve AHTUs in Gujarat state but the resolution (Letter date 14/5/2012 reference no E-2/1536/AHTU distribution/923/2012) granted only two anti-human trafficking units in 2012-13 with the total budget of 22,75,000/- rupees. These two independent AHTUs are in Ahmedabad City and Surat City. The sanctioned manpower under these independent anti-human trafficking units was as follows.

Location wise sanctioned manpower in 2012-13

AHTU location	PI	ASI	PC	HC	Total
Ahmedabad city	1	1	3	1	6
Surat City	1	1	3	1	6
Total	2	2	6	2	12

It is disappointing that even after long decades no change has been noted in the numbers of independent Anti Human Trafficking Units. Two independent units incorporated nine independent supporting staff and two independents nodal in charge.

Presently in AHTU of Ahmadabad city has three supporting staff (i.e. Assistant Sub-Inspector (ASI) - 1, Head Constable (HC) - 1 and Police constable (PC) -1) and one Police inspector. The police inspector is mainly working in the women's police station along with an additional charge of AHTU. However, the resolution granted a total of six manpower for Ahmadabad AHTU in the year 2013. It was another shocking fact that request made to police commissioner through officials' letter (reference letter no 1044/2018 date: 10/4/2018) for the appointment of more new supporting staff time by time but till now there were no updates of new recruitments noted.

As per the information recovered from the Director-General of Police (DGP), CID Crime and railways, Gandhinagar, Gujarat.

Only one AHTU of Surat city out of 39 AHTUs has maintained manpower ratio as per the guidelines. AHTU of Surat City has 6 staff members included Police inspector-1, Assistant Sub Inspector-1, Head Constable -3, and Police constable-1. However, the resolution granted Police inspector-1, Assistant Sub Inspector-1, Head Constable -1, and Police constable-3 in the year 2013.

Other dependent Anti Human Trafficking Units are facing problems at a different level while executing the procedures. Many functionaries are overburdened with multiple duties and responsibilities. They are not motivated to work in AHTUs. Some of them believe that working in AHTU is like punishment.

7. IMPORTANT GUIDELINES FOR AHTU

The researcher has prepared some important glimpses of guidelines with reference numbers that included government circulars, Police department circulars, important sections in legislations specifically for human trafficking as follows

7.1 Guideline No. 1: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that each Anti Human trafficking Unit (AHTU) should have a minimum 30% female staff.

7.2 Guideline No. 2: Letter date 21/7/2017 Reference No. CID / AHT CELL / 57 / 2017 prescribed that the Local Crime Branch (LCB) in charge Police inspector must be appointed at district level AHTU and Detection Crime Branch (DCB) in charge Police inspector appointed in city-level AHTU to follow raid and other important work in AHTU as nodal officer.

7.3 Guideline No. 3: Concerning Honourable Supreme Court, New Delhi writ petition no. 75/2012. Letter date 25/6/2013 Reference No. 24013/62/SC/ST-W Government of India, Ministry of Home Affairs, New Delhi prescribed that Anti Human Trafficking Unit must be formed in each district/city of the state. When missing/ kidnapped cases of children (age 0-18 years) are not found till 4 months, such cases of children should be investigated by the Anti Human Trafficking Unit.

7.4 Guideline No. 4: The Criminal Procedure Code, 1973 (Cr. P.C) section 167(2) prescribed that after arresting the accused, officials shall submit a charge sheet within 60 days (90 days in serious offences).

7.5 Guideline No. 5: Letter date 15/9/2017 Reference No. Missing / AHTU / SOP / 82 / 2017 prescribed that Nodal officers / in charge shall effort for bringing ITPA (Immoral Trafficking Prevention Act) cases on fast track board and submitting charge sheet within the prescribed timeline.

7.6 Guideline No. 6: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that anyone can file complain. Special police officers can file an official complaint against the incident particularly if, no one comes forward to file the official police complaint.

7.7 Guideline No. 7: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 5(3) prescribed that single cases First information report (FIR) is registered in two or more

police stations or they find controversy in the jurisdiction of police station than case along with evidence can be transferred to the mutually agreed police station only after consulting with the other responsible police officials of a different jurisdiction.

7.8 Guideline No. 8: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 15(16a) prescribed that woman victim's interviews shall be conducted through woman police officers only or in presence of woman NGO workers. It is mandatory to maintain a list of NGOs in the police station.

7.9 Guideline No. 9: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 15(16a) prescribed that victim's interrogation shall be conducted through woman police officers only or in presence of woman NGO workers. It is mandatory to maintain a list of NGOs in the police station.

7.10 Guideline No. 10: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that Interrogation of victim/witness should be carrying at a place where the victim/witness feels comfortable and safe to give. Police must go to the victim/witness for an interview. They should not call the police station.

7.11 Guideline No. 11: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014. Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that Woman witnesses usually call in the morning at the police station.

7.12 Guideline No.12: The Criminal Procedure Code, 1973 (Cr. P.C) section 161 and 164 prescribed that statement can be recorded one or more times. Respected authority can record a statement when the victim is in condition to give a statement, especially after counselling.

7.13 Guideline No.13: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that statement of the victim can be recorded through writing on paper and electronic recording (video/audio).

7.14 Guideline No.14: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 17(2) indicated age verification of victims. The first opportunity shall be given to the victim(s). Special officers can ask a victim/complainant for their age. They can verify the age through school leaving certificates or birth certificates. Age can be verified through medical/forensic tests like ossification.

7.15 Guideline No. 15: The Criminal Procedure Code, 1973 (Cr. P.C) section 164 prescribed that the witness statement shall record in presence of the magistrate only.

7.16 Guideline No. 16: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that Children of victims found in the raid/rescue/search operation can stay with his/her mother.

7.17 Guideline No. 17: Letter date 15/9/2017 Reference No. MISSING / AHTU / SOP / 82 /2017 prescribed that respected authorities should try to receive information about the trafficked victim(s)through the website www.trackthemissingchild.gov.in.

7.18 Guideline No. 18: Letter date 15/9/2017 Reference No. MISSING / AHTU / SOP / 82 /2017 prescribed that respected authorities should enter the information related to missing/kidnap children on the website www.trackthemissingchild.gov.in.

7.19 Guideline No. 19: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 17(5) and 17(a) prescribed that home verification is a mandatory activity. The magistrate can receive support from 5 NGOs (including 3-woman NGO workers) and he can consult with NGO representatives for the decision of home verification. Home verification of victim(s) should be done through a probationary officer. It can also be done through the support of NGO representatives.

7.20 Guideline No. 20: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that Behavioural training while dealing with the cause(s)

of human trafficking plays a significant role. Training can provide the right update and help in sensitizing the police officials for the victim(s) of human trafficking.

7.21 Guideline No. 21: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that it is expected to provide legal counselling to the victim(s) of human trafficking by a lawyer(s) in Anti Human Trafficking Unit (AHTU).

7.22 Guideline No. 22: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that it is expected to maintain a list of lawyers in Anti Human Trafficking Unit (AHTU). The lawyers should be interested in advocating the case of human trafficking only. The special officials should collect the list through the bar council or district legal services authorities.

7.23 Guideline No. 23: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that it is mandatory to provide medical support (with mental health) immediately after releasing the victim(s) from human trafficking. In special cases, trafficking officers can manage appearance through a medical specialist.

7.24 Guideline No. 24: The Criminal Procedure Code, 1973 (Cr. P.C) section 357(a) explained that the state government in coordination with the central government shall prepare a scheme for compensating the victim of crime. To help the victims of rape, acid attack, human trafficking, and women killed, the Government has introduced Central Victim Compensation Fund (CVCF) scheme.

Ministry of Woman Child Development, Government of India has introduced 'UJJAWALA' and 'SWADHAR' comprehensive scheme for prevention, rescue, rehabilitation, and reintegration of victims of trafficking.

7.25 Guideline No 25: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that magistrate shall be informed by a special officer for cancelling the bail to prevent the repetitive activities of bail trafficker.

7.26 Guideline No. 26: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking and letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that list of NGOs (especially working on women and children) shall be maintained and updated regularly along with their top officials' names, designation, and contact numbers at the local Anti-Human Trafficking Unit (AHTU).

7.27 Guideline No. 27: The Immoral Traffic (Prevention) Act, 1956 (ITPA) section 13(3)(b) prescribed to notify non-officials advisory committee of not more than 5 leading social workers of that area (including woman social worker) to advise on allied matters of the Act.

7.28 Guide Line No. 28: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that even if the committee(s) is/are not notified the police can still receive support from the NGOs.

7.29 Guideline No. 29: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that with regards to support anti-human trafficking, a special desk/helpline number should be arranged in the police station and police control room.

7.30 Guideline No. 30: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that the Immoral Traffic (Prevention) Act, 1956 (ITPA) raids should be conducted with the support of a special police officer once a month at the local Anti-Human Trafficking Unit (AHTU).

7.31 Guideline No. 31: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that result of the raid/rescue/search operations should be maintained in separate case register at local Anti-Human Trafficking Unit (AHTU).

7.32 Guideline No. 32: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that conducting a raid in case of child labour/child beggary can be an important link of missing children and human trafficking.

7.33 Guideline No. 33: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that the case of human trafficking should be a briefing to the victim(s) before starting the trial in the court.

7.34 Guideline No. 34: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that the case should be de-briefing to the victim(s) after trial from the court.

7.35 Guideline No. 35: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that special officials should take initiative to collect information about sex rackets running under the lips of newspapers, escort girls, male friendship, friends club, beauty parlour, massage parlour, and spa.

7.36 Guideline No. 36: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that apart from police department support should be taken from other government departments (like labour department, health department, education department, social defence department, woman and child welfare department) working under same legislations of anti-human trafficking.

7.37 Guideline No. 37: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that apart from police department contact register/manual/list of other departmental government officials should be updated and maintained regularly in Anti Human Trafficking Unit (AHTU).

7.38 Guideline No. 38: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that the Government of India, Ministry of Home Affairs issued an advisory booklet on human trafficking at the office of Anti Human Trafficking Unit on 21/3/2014 with letter reference No. CID / MISSING CELL / 204 / 2014.

7.39 Guideline No. 39: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that the Government of India, Ministry of Home Affairs issued an advisory booklet on human trafficking at the office of Anti Human Trafficking Unit on 21/3/2014 with letter Reference No. CID / MISSING CELL / 204 / 2014 should be executed strongly.

7.40 Guideline No. 40: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that Standard operating procedure (SOP) should be available at local Anti-Human Trafficking Unit (AHTU).

7.41 Guideline No. 41: The Immoral Traffic (Prevention) Act, 1956 (ITPA) section 13 (1) (2) prescribed that special police officers should be appointed in each region by the state government for dealing with the offences under this Act. This special officer shall not be below the rank of an inspector of police.

7.42 Guide Line No. 42: Letter date 21/7/2017 reference no CID / AHT CELL / 57 / 2017 prescribed that Local Crime Branch (LCB) in charge Police inspector must be appointed at district level Anti Human Trafficking Unit (AHTU) and Detection Crime Branch (DCB) in charge Police inspector appointed in city-level Anti Human Trafficking Unit (AHTU) to follow raid and other important work of Anti Human Trafficking Unit (AHTU) as nodal officer.

7.43 Guideline No. 43: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that special police officials should organize a workshop to sensitize supporting staff on human trafficking.

7.44 Guideline No. 44: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that special police officials should organize a workshop on the Juvenile Justice Act, Child labour and Immoral Traffic (Prevention) Act (ITPA) for supporting staff of Anti-Human Trafficking Unit (AHTU) and Child Welfare Officers (CWO) at the district level for better update and guidance.

7.45 Guideline No. 45: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that special police officials should organize workshops (on Juvenile Justice Act, Child labour and Immoral Traffic (Prevention) Act (ITPA)) every month for supporting staff of Anti-Human Trafficking Unit (AHTU) and Child Welfare Officers (CWO) at the district level.

7.46 Guideline No. 46: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that Special police officials should conduct a raid and drive once every month through the support of district-level social justice officials and NGOs.

7.47 Guideline No. 47: Letter date 21/3/2014 Reference No. CID / MISSING CELL / 204 / 2014 Government of India, Ministry of Home Affairs circulated advisory booklet on human trafficking prescribed that special police officer including all supporting staff of Anti-human trafficking Unit (AHTU) shall involve in raid/rescue/search operation from the police department.

7.48 Guideline No. 48: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 15(2) prescribed that special police officers shall call upon two or more reputed person (at least one of whom shall be a woman) of the locality in which the raid/rescue/search operation located to attend and witness.

7.49 Guideline No. 49: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 15(2) prescribed that witness shall be two or more reputed inhabitants (at least one of whom shall be a woman) of the region where the raid/rescue/search operation situated.

7.50 Guideline No. 50: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 15(6)(a) prescribed that special officer or trafficking officer shall be accompanied by at least two women police officers while making search and interrogation under this section. In case of interrogation If a woman police officer is not available then it shall be done in presence of a lady member of a recognized welfare organization only.

7.51 Guideline No. 51: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 13(2)(a) prescribed that in case of an insufficient woman police officer, district magistrate confer upon a retired police officer or military officer concerning a particular case under the Act. The retired police officer at the time of his/her retirement was holding a post, not below the rank of an inspector, and a retired military officer at the time of his/her retirement was holding a post, not below the rank of a commissioned officer.

7.52 Guideline No. 52: The Immoral Traffic (Prevention) Act, 1956(ITPA) section 15 prescribed that special police officers do not require a search warrant for conducting a raid. Special / trafficking police officials can search the premises without a warrant on logical grounds.

7.53 Guideline No. 53: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that maximum raid shall be conducted in unorganized sectors to prevent child labour and child beggary because it can be an important connection of missing and trafficking children.

7.54 Guideline No. 54: Letter date 15/9/2017 Reference no. MISSING / AHTU / SOP / 82 / 2017 prescribed that work done by senior officials of the Anti-Human Trafficking Unit (AHTU) is monitored by higher authorities. The work shall publish in a monthly pamphlet and send to local Anti-Human Trafficking Units (AHTU).

8. HUMAN TRAFFICKING AND SOCIAL WORK RELEVANCE/CONCERNS.

Social work as a discipline and practice-based profession has many concerns about the situation and the trafficked victims. Among the given rising magnitude of Human Trafficking, the modern Social work Profession can play a very important role in minimizing such crime through, studying the problem systematically by using experience-based knowledge and practice. It also helps by analysing complex situations through modern methods, techniques, and tools for the empowerment of vulnerable and marginalized parts of society. Social work as practice-based profession, deals with various social issues like poverty, illiteracy, slavery, disability, and gender oppression. Traditionally, the Social Work profession has been divided into various specialized fields such as

1. Labour Welfare and Personnel Management,
2. Livelihood and Entrepreneurship,
3. Medical and Psychiatric Social Work,
4. Urban and Rural Community Development,
5. Child Rights,
6. International Family Studies and many more.

These specialized fields require a professional approach with the expertise to minimize and eliminate the ill effects of the social problem. Among them, **Criminology and Correctional Management** is one of the specialized fields of the social work profession. This field deals with both victims as well as offenders for the protection of their rights by using the knowledge of social justice, equality, and human dignity. Furthermore, social work also includes field of Human resource Development by creating awareness through training programs to the functionaries through the larger community and inter mediatory including the policy makers. My action plan suggested specifically for better knowledge and skill building so, that they are better equipped and work more efficiently as one of the actionable plan.

The social work profession aim at ensuring the human rights of every individual and focuses more on the vulnerable sections. It is supporting the cause of protection of the rights of women as well as children within the society. Because of grave violations of human rights among women and children; human trafficking has been recognized as a

challenging issue in the social work field. The field base profession is essentially concerned about the problem. To solve the issue, scientific research on experiences and opinions of government/non-government machinery can play an effective role in raising the standard legislation for trafficked victims. It can address various problems faced by government machinery. The study can provide new insights into the current- existing practices and procedures in dealing with human trafficking. So, that present gaps and difficulties can be identified, and the procedure can be reviewed and revised to control and prevent human trafficking. Victims of human trafficking will be the chief beneficiary.

Research Questions

- What is the profile of AHTUs and other functionaries?
- What are the current formal/informal structures, procedures, and practices?
- How do the AHTU functionaries manage actual situations?
- What are the hurdles faced by AHTU functionaries' ineffective implementation of Anti Human Trafficking initiatives?
- What are their opinions and suggestions to improve the system?
- What contribution can the social work professionals make in preventing, and controlling Human Trafficking?