



Government attaches highest importance to matter of preventing and countering crimes against women and children including crimes of human trafficking

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The National Crime Records Bureau (NCRB) compiles and publishes data on crimes, including crime against women and children, in its publication “Crime in India”, which is available on the website of NCRB <https://ncrb.gov.in>. The said report is available up to the year 2023. As per NCRB, the number of cases registered under ‘the Immoral Traffic (Prevention) Act, 1956’ during the years 2019, 2020, 2021, 2022 and 2023 are 1639, 1294, 1678, 1497 and 2166 respectively.

“Police” and “Public Order” are State subjects under the Seventh Schedule to the Constitution of India. The responsibility to maintain law and order, protection of life and property of the citizens including investigation and prosecution of crimes related to human trafficking and commercial sexual exploitation of the victims of trafficking or seducing or soliciting for the purpose of prostitution rests with the respective State Governments and 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 human trafficking and is fully committed to check the menace of trafficking. The Central Government has undertaken a number of legislative and schematic interventions to combat trafficking, protect and rehabilitate victims of trafficking.

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. Section 143 of BNS defines trafficking as recruiting, transporting, harbouring, 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, including 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 of BNS related to sexual intercourse on false promise of marriage, employment, promotion or by suppressing the identity, Section 95 of BNS related to hiring, employing or engaging a child etc.to commit an offence, Section 99 of BNS 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), 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. The Immoral Traffic (Prevention) Act, 1956 has been enacted to prevent prostitution and trafficking of persons for commercial sexual exploitation and related offences.

For addressing cross-border/ transnational issues of human trafficking, the Government of India has signed bilateral Memorandum of Understanding with several countries namely Bangladesh, United Arab Emirates (UAE), Cambodia and Myanmar and some multilateral instruments on countering human trafficking.

The responsibility for preventing and countering the crime of human trafficking vests with respective States/ Union Territories, however, the Government of India supplements the efforts of the States/ Union Territories by providing them guidelines on preventing and countering the crime of human trafficking, in the form of various advisories issued from time to time. Some of the initiatives of the Central Government are as under:

- (i) The Government has provided financial assistance to all States/ Union Territories, for upgrading/ setting up Anti Human Trafficking Units (AHTUs) covering all Districts of the States/ UTs. 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.
- (ii) The Ministry of Home Affairs also provides financial assistance to the States/ UTs in holding 'State level conferences' and 'Judicial Colloquiums', which are aimed at sensitizing the Police/ Law officers of the State/ UT about the latest initiatives/ developments relevant in addressing the issue of human trafficking in a focused and efficient manner.
- (iii) 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.
- (iv) The Government has mandated the National Investigation Agency (NIA) to investigate cases of human trafficking having inter-state, national and international ramifications.
- (v) Women Help Desks (WHDs) established with financial assistance under Nirbhaya Fund focus on making the Police Stations more women friendly and approachable.
- (vi) 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.
- (vii) National Database on Sexual Offenders (NDSO) is a database available exclusively to police. Launched on 20.09.2018 to facilitate investigation & tracking of sexual offenders, which allow Investigating Officers to track habitual sex offenders along with initiating preventive measures

against sexual offences.

(viii) 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.

(ix) 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.

That the steps taken by the Union of India, encompassing legislative amendments, institutional strengthening, and victim-centric programs, demonstrate a comprehensive approach to combating trafficking in persons. The Union of India is committed to enhancing inter-agency collaboration at the national and international levels and strengthening public awareness campaigns to prevent trafficking. The NIA, in conjunction with the new criminal laws and the Immoral Traffic (Prevention) Act, 1956 (ITPA), coupled with the initiatives of the Ministry of Home Affairs and Ministry of Women and Child Development puts in place a robust framework for handling offences related to human trafficking.

This information was given by the Minister of State for Women and Child Development Smt. Savitri Thakur in Rajya Sabha in reply to a question today.

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