

F.NO.15011/ 6/2009-ATC (Advisory)
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA
NORTH BLOCK NEW DELHI /CS DIVISION

Dated the 10th September, 2010

To,
The Chief Secretaries,
The Principal Secretary / Secretary (Home)
State Governments of West Bengal, Orissa, Jharkhand, Bihar, Uttar Pradesh, Madhya Pradesh
and New Delhi

Subject: Advisory on Preventing and Combating Human Trafficking during Commonwealth Games.

1. Trafficking in persons, particularly in women and children for various purposes, such as, commercial sexual exploitation, forced labour, domestic servitude, begging etc. is an organized crime that gravely violates basic human rights. Increasing reports of such criminal activity by certain fraudulent placement agencies by making false promises of getting employment in Delhi during the Commonwealth Games, is a matter of deep concern. The victims are mostly those who are promised work in Delhi ahead of the Commonwealth Games by fraudulent placement agencies, but instead likely to be trafficked. Minor girls are the main targets. Some of them are even injected with oxytocin to attain puberty at a younger age.
2. A few minor girls, who were brought to the capital from certain States in the Eastern part of India, were recently rescued from New Delhi railway station by the police in collaboration with NGOs. They fell into the trap of middlemen who brought them here on the pretext of giving them jobs. Strict action is urgently required against those involved in such trafficking, both in the source, transit and destination areas in the States/UTs.
3. '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, Ministry of Home Affairs issued an Advisory dated 9.9.2009 to States/UTs to deal with the crime of trafficking in a holistic manner and to evolve an effective and comprehensive strategy encompassing prevention, rescue, relief and rehabilitation of victims, besides taking deterrent action against the violators of law. The Advisory had listed special measures to prevent trafficking, such as identification of women and children at risk, development of victim profiling, carrying out of checks on sponsors and persons who claim to be the relatives of children identified as being at risk of trafficking, etc. Ministry of Women & Child Development also runs shelter homes, such as Short Stay-Homes and Swadhar Homes for women in difficult circumstances, including trafficked victims.
4. Ministry of Home Affairs has already approved and circulated to the State Governments a comprehensive Scheme for establishment of integrated Anti Human Trafficking Units and capacity-building of responders, including Training of Trainers, for strengthening the response of law enforcement agencies to human trafficking in India. The first instalment of funds has also been released to the States for this purpose under the scheme. These units may be made functional to combat trafficking.
5. An effective coordination is required to check the spread of this crime in collaboration with multiple agencies i.e. Delhi Police, Ministry of Women and Child Development, Ministry of Labour and Employment, Ministry of Tourism, Ministry of Railways, State Governments and UT Administrations as well as NGOs, to prevent the crime and mobilise all such efforts to do so. There is a need for exchange of information between these stakeholder ministries and civil

society constituents to ensure that such activities do not go unchecked in any garb, including that of labour migration. Police Agencies may set helplines and Special Desks in the Police Stations and Control Rooms as well as officers of senior formation to address this issue on a real time basis.

6. Ministry of Women and Child Development, State Govts/UTs and NGOs must undertake large scale public awareness campaigns to make the potential target/ vulnerable groups aware of such activities including the traps laid by traffickers. The campaigns should also address the issues of demand, so that individuals and agencies involved in propagating demand are brought to book.
7. Detailed instructions may be issued to all police formations, especially SP/DCP and Station House Officers, to sensitize and alert the beat constables to lookout for cases of suspected trafficking at all transit points/ places like railway stations, bus stands, taxi stands, public places, isolated hotels/ guest house/ streets etc. All such cases noticed must be reported to the Control Room for immediate action/ rescue operation. As far as possible, NGOs of the locality working in the area of anti-trafficking should also be closely associated with such rescue and relief operations. SOPs are already available in this connection and they must be strictly adhered to for adopting a gender, child and victim sensitive approach.
8. The receipt of this letter may kindly be acknowledged immediately.

Yours faithfully,

(Dr. Nirmaljeet Singh Kalsi)
Joint Secretary to the Government of India
Ministry of Home Affairs
North Block, New Delhi-110 001
Tele: 23092630

Copy for information and necessary action to:

- i. Commissioner Police, Delhi with the request to immediately establishing the Anti-Trafficking cells in all sensitive Police Districts in Delhi in the wake of Commonwealth games and work closely with all the Central Ministries concerned, the State Governments and NGOs.
- ii. The DGPs - All State Governments / UTs for information and necessary action.
- iii. Ministry of Women and Child Development (Mrs. Sangeeta Verma, Advisor & Additional Secretary, MWCD) Shastri Bhawan, New Delhi.
- iv. Ministry of Labour, Shram Shakti Bhavan, New Delhi.
- v. Ministry of Social Justice and Empowerment, Shastri Bhawan, New Delhi.
- vi. Ministry of Overseas Indian Affairs (Shri Ranbir Singh, Protector), New Delhi.
- vii. Director General, BPR&D, New Delhi.
- viii. Director General Border Security Force, New Delhi
- ix. Director, CBI, New Delhi.
- x. JS (NE) /Director (Delhi), MHA, North Block, New Delhi.

(Dr. Nirmaljeet Singh Kalsi)
Joint Secretary to the Govt. of India

Ministry of Home Affairs
CS Division

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A meeting was held by AS (CS) on 19/8/2010 wherein representative of MWCD, Ministry of Labour, Ministry of Tourism, BPR&D and Delhi Police participated to discuss action plan to prevent increase in trafficking in wake of Commonwealth games. **Minutes of meeting placed at Flag 'X'**. It was decided in the meeting that MWCD may convene a meeting of different stakeholders including Delhi Police and representatives of source States and also issue an advisory. However, Ms. Sangeeta Verma, Economic Advisor, MWCD has informed vide her letter addressed to AS(CS) (**Flag/ Z**) that MWCD is of the opinion that since MHA has set up AHTUs and has Delhi Police under its control, it would be appropriate for MHA to hold the meeting. Regarding issuing of Advisory, MWCD has stated that since MHA has been issuing advisories in the past on the subject, it would be in the fitness of things that MHA may issue an advisory in this regard to the State Governments.

2 Many reports have come into media citing cases of trafficking from North-Eastern States involving young children and women. **Instances of human Trafficking in wake of Commonwealth games have also been reported both in print and electronic media.**

3 "Police" and "Public Order" are State subjects and, as such the primary responsibility of prevention, detection, registration, investigation and prosecution of crime, lies with the State. However, the Union Government, from time to time, guides the States/UTs, by issuing advisory to the State Governments/ UT Administrations, to give focused attention to the prevention and control of crimes within their jurisdiction. **The last exhaustive advisory combating human Trafficking was issued was issued on 9/9/2009 (F/Y).**

4 A draft Advisory in the form of OM, is placed below for kind consideration and approval. May also kindly decide what needs to be done regarding holding meeting with different Ministries, NGOs, Delhi Police and source states .

[Dr. (Smt.) Praveen Kumari Singh]
Director (SR)
Dt. 25.8.2010

Joint Secretary (CS)