

No. 15011/54/2022-ATC
Government of India
Ministry of Home Affairs
Women Safety Division

Major Dhyan Chand National Stadium
India Gate, New Delhi – 110001

July 21, 2022

To

The Registrar General of all High Courts

Subject: Holding of Judicial Colloquium on Human Trafficking.

Sir/Madam,

The result of globalization has increased the movement of people in search of better opportunities which often makes them victims of trafficking and leads to their exploitation by unscrupulous elements. Such exploitation can be in several forms such as labour, prostitution, forced marriages, domestic servitude, begging, organ trade, drug couriers, arms smuggling etc.

2. Victims of trafficking often endure extreme hardship - physical violence, sexual abuse, harassment, threat and coercion are some common experiences of trafficked persons. Some victims lose their lives at the hands of ruthless traffickers who exploit their vulnerabilities. Human trafficking is an issue which has both national as well as international ramifications. The complex nature of human trafficking calls for a multidimensional strategy in tackling it at domestic, regional and international level.

3. Strengthening cooperation and establishing inter-State channels of communication between the States and with neighboring countries etc can be an effective tool in countering trafficking. It is expected that States and UTs will be better equipped to tackle the menace of human trafficking in an effective manner.

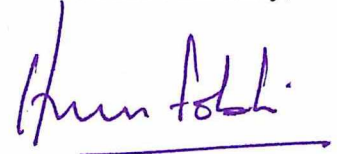
4. Impediments which the Government has come across in the past include lack of awareness, lack of training of concerned officers, failure to register cases under relevant laws and ineffective investigation etc. It has been felt that with regular exchange of information through designated focal points, sensitization of

police officers, judicial officers, border guarding officials, partnership with civil society organizations, organizing capacity building programmes of concerned officials, monitoring activities of private placement agencies and travel agents etc. and by disseminating information to vulnerable sections of society, it may be possible to address the problem of trafficking to a large extent.

5. To meet the objective of sensitizing the Judicial officers of States and UTs on wide-ranging issues relating to trafficking in persons, the Ministry of Home Affairs has been engaging with the Judicial Academies of States and UTs for holding Judicial Colloquiums on Anti-Human Trafficking on periodic basis. MHA provides financial support of up to Rs. 2 lakhs on each such occasion. Guidelines for holding Judicial Colloquiums on Anti Human Trafficking are attached.

6. You are requested to arrange to hold Judicial Colloquium on Anti Human Trafficking in your State/UT as per attached guidelines.

Yours sincerely,



(Arun Sobti)
Deputy Secretary (PR & ATC)
Tele: 2307 5297
Email: dspr.atc@mha.gov.in

Copy, along with enclosure, to

Nodal Officers of AHTUs of all States and UTs

GUIDELINES ON ORGANISING JUDICIAL COLLOQUIUM AND STATE-LEVEL CONFERENCE ON ANTI- HUMAN TRAFFICKING

JUDICIAL COLLOQUIUMS

Objectives of holding Judicial Colloquiums

- i. To sensitise and update the judicial officers on wide-ranging issues relating to trafficking in persons.
- ii. To assist the Magistrates and Judges in taking appropriate decision in handling human trafficking cases, as per the provisions of law that will help the victims of trafficking and give stringent punishment to the traffickers.
- iii. To bring a positive change in the approach of judicial officers in dealing with human trafficking cases, improve decision-making and help them to conform to the intent of relevant laws.
- iv. Provide a nuanced understanding of human trafficking and related legal regime: laws in reference to commercial sexual exploitation, forced labour, organ trade, forced marriage and other types of trafficking.
- v. Legal counseling: Awareness of relevant laws and international conventions such as UNCTOC and SAARC.
- vi. Role of NGOs and civil society in curbing Human Trafficking, etc.

General guidelines on holding Judicial Colloquiums

- i. Judges of High Court/Session Courts along with Public Prosecutors may participate along with District Nodal Police Officers for Human Trafficking of the concerned State/UT.
- ii. Judicial Academy may invite prominent Civil Society organizations working in the field of Human Trafficking to make it more productive and result oriented.
- iii. Judicial Academy of the State may coordinate with the Home Secretary/State Nodal Officers of AHTU and invite other relevant stakeholders of the State to make it a productive and result-oriented brain storming session.
- iv. The Judicial Academy may engage a suitable Resource Person with adequate expertise and knowledge for conducting the judicial Colloquium. If the Judicial Academies are not able to find a suitable Resource Person, they may contact any of the Resource Persons whose names are given in the Annexure.

- v. The Judicial Academies shall inform MHA 15 days to one month in advance about organising the Judicial Colloquium and may share the programme and session plan with MHA.
- vi. A report is to be sent to MHA after holding the Judicial Colloquium.

STATE LEVEL CONFERENCE

Holding State level conference on human trafficking is an attempt to sensitize the law enforcement agencies and other relevant Departments/Organizations of the State about the role which they can play under the relevant provisions of law in preventing and countering Human Trafficking.

It is of paramount importance that the law enforcement agencies, which handle trafficking cases at State and district levels, should be equipped with relevant and up-to-date information on a regular basis and are oriented towards interpretation of relevant laws and focus on real issues involved and provide relief to victims and take suitable action against traffickers.

Objectives of holding State level Conferences

- i. To sensitise the law enforcement agencies and other concerned Departments/Organisations in States on issues relating to trafficking.
- ii. To enable law enforcement officers to take proactive action to detect trafficking incidents and take appropriate action to address the issues involved.
- iii. To bring a positive change in the attitude of Police officers, help in improving their functioning and equip them with adequate knowledge on related issues.
- iv. To bring to their attention the need to coordinate and collaborate with all stakeholders with a view to providing relief to the victims and also help them in evolving strategies to avoid re-victimisation of trafficked persons.
- v. To explain to them the necessity to share information with appropriate authorities about trafficking syndicates and gangs, to understand their modus operandi in exploiting victims of trafficking.
- vi. Role of NGOs and civil society in curbing Human Trafficking.

- vii. Provide a nuanced understanding of human trafficking and legal regime; laws in reference to commercial sexual exploitation, forced labour, organ trade, forced marriage and other types of trafficking.

General guidelines on holding State level Conference

- i. Police Officers at State level and District level handling matters of human trafficking to participate in the meetings.
- ii. State Governments may invite prominent Civil Society organizations working in the field of human trafficking to make it more productive and result oriented. All relevant stakeholder Departments of the State like Social Welfare Department, Women & Child Development Department, Labour Department and eminent personalities from the field of law, Law Universities etc can also be invited to make it a comprehensive and enriching platform. Border guarding Officers posted at Frontier HQs may also be invited for the conference.
- iii. State Nodal Officer of Anti Human Trafficking can act as the coordinating/nodal agency.
- iv. Various advisories issued by the MHA are available on MHA's website at the following link:

[https://www.mha.gov.in/Division of MHA/Women Safety Division/anti-trafficking-cell](https://www.mha.gov.in/Division%20of%20MHA/Women%20Safety%20Division/anti-trafficking-cell).

The Nodal authority should print these advisories in sufficient numbers and distribute it to all participants during the meeting. The guidance shared in the Advisories may be discussed and deliberated upon during the State Level Conference.

- v. The State Govt. may engage a suitable Resource Person with adequate expertise and knowledge for conducting the conference. If the States are not able to locate a suitable Resource Person, they may contact any of the Resource Persons whose names are given in the Annexure.
- vi. The State /UTs shall inform MHA 15 days/1 month in advance about organising the conference.
- vii. The State/UTs shall inform MHA 15 days to one month in advance about organising the State level conference and may share the programme and session plan with MHA.
- viii. A report is to be sent to MHA after organising the State level conference.

SUPPORT FROM MINISTRY OF HOME AFFAIRS

- i. MHA will fund expenditure up to Rs 2 lakhs (as per actual) for organizing the Judicial Colloquium/State level Conference. There is no provision for providing any advance payment.
- ii. Payment will be released by MHA to the official account of the Judicial Academy/State Police Department/State-UT Government Department Account **on production of a Utilisation Certificate by the competent authority** of the Judicial Academy/State Government on the expenditure incurred for organizing the Judicial Colloquium /State level conference in accordance with the guidelines of MHA and by following codal formalities as per GFR 2017.
- iii. Payment will be released by MHA through PFMS portal to the designated Government Account of the Academy/State. Mandate form (attached) is required to be submitted.
- iv. Main components for which the financial support from MHA is to be utilized includes hiring of venue, information-Education and Communication Distribution material, Stationery, Refreshments, engagement of Resource Person (travel/stay etc.), payment of cash incentive, local travel of participants etc.
- v. If Resource person travels by air, economy class tickets to be booked either directly through the airlines or by utilizing the services of authorized travel agents.
- vi. An undertaking is to be furnished that all codal formalities were followed while incurring the expenditure.

Resource Persons for conducting Judicial Colloquiums/ State Level Conference on Anti-Human Trafficking

Dr. Suruchi Pant, Deputy Representative, UNODC, Regional Office for South Asia, DP 16/17, Chandragupta Marg, Chanakyapuri, New Delhi-110021

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MANDATE FORM

ELECTRONIC CLERANING SERVICE (CREDIT CLEANING/REAL TIME GROSS SETTLEMENT (RTGS) FACILITY FOR RECEIVING PAYMENTS

DETAIL OF ACCOUNT HOLDER:-

NAME OF ACCOUNT HOLDER	
COMLETE CONTACT ADDRESS	
TELEPHONE/MOBILE NUMBER /FAX/E-MAIL	

BANK ACCOUNT DETAILS:-

BANK NAME	
BRANCH NAME WITH COMPLETE ADDRESS WITH TE/MOBILE NUMBER	
WHETHER THE BRANCH IS COMPUTERIZES	
WHETHER THE BRANCH IS RTSG ENABLED ? IF YES, THEN WHAT IS THE BRANCH'S IFSC CODE	
IS THE BRANCH ALSO NEFT ENABLED	
TYPE OF BANK ACCOUNT(SB/CURRENT/CASH/CRE DIT)	
COMPLETE BANK ACCOUNT NUMBER(LATEST)	
MICR CODE OF BANK	

DATE OF EFFECT :- I hereby declare that the particulars given above are correct and complete. If the transaction is delayed or not effected at all for reasons incomplete or incorrect information. I would not hold the user institution responsible. I have read the option invitation letter and agree to discharge responsibility expected of me as a participant under the scheme.

(.....)

Signature of Customer

Please attach a photocopy of cheque along with the certification obtained from the bank.