

Bureau of Police Research & Development
(Directorate of Training)
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Government of India

Human Trafficking –
Handbook
for
Investigators

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CHAPTER - I

INTRODUCTION

Human Trafficking is modern form of slavery, whose victims are mainly women and children. It is the second largest criminal industry in the world, and it is the fastest growing. No country today is free from human trafficking. According to UN estimates nearly 2 million women and children are abused and trafficked globally every year, and millions more are trafficked within their home countries. This commerce in human life generates crores of rupees each year-much of which is used to finance organized crime.

Trafficking and India -The size of the problem

Thousands of Indians, especially women and children, are trafficked everyday to some destination. They are forced to live like slaves. They survive in brothels as sex workers, in dancing bars, child soldiers, as child brides, in factories doing hazardous work, guesthouses, farms and in the homes of well off Indians, with no control over their bodies and lives. They are also being trafficked for illegal adoptions, organ transplants, working in circus, for begging and for the entertainment industry especially as camel jockeys.

Like slavery, trafficking offers huge profits. Transactions in prostitution itself are worth Rs. 185 million a day; Rs. 370 billion per year. Human trafficking is globally the third largest transnational crime after arms and drug trafficking, and comparatively the least risky.

Story of Anju(name changed): Ms Anju, a 15 year old girl belonged to a village in Ranchi district of Jharkhand. She, along with her friends, was promised job in Delhi by the local agent near Ranchi. In July 2003, she, with her friends, boarded Mori Express which brought them to Punjab via Delhi. From the railway station they were brought to the house of Mr. Jawahar (name changed) of a village in Nawanshahar who confined her in a room with 7 more girls. The girls were sent daily to different people for domestic and farm work. A week after Ms Anju landed in Mr. Jawahar's house, his son tried to rape her during the day when no other women were present in the house. The same evening she managed to escape from the house and hid herself in the fields. The next day she was noticed by a Bihari labourer who took her to the Sarpanch's house of the nearby village. She stayed with them for few days and then met some other migrant labourers in Nawanshahar who brought her to the police. A case FIR No.198 dt.5.8.2003 was registered under Sections 342/370/374/376/420/120-B IPC and 18 of Bonded Labour System (Abolition) Act, 1976 by police against Mr. Jawahar and his son on the statement of Ms Anju.

On investigation it was found that Mr. Jawahar was working as the agent for distribution of labour from Jharkhand in Punjab for the last 4 years. The agents from Jharkhand used to send young girls, boys and couples to Mr. Jawahar who, in turn, sent them to local people who needed domestic and farm help, and took a commission of Rs.2000/- to Rs.4000/- per person. Girls hired as household and as farm help were paid monthly salary of Rs.600/- to Rs.800/-, while men were paid Rs.1000/- to 1200/-. They were not paid 3 months salary, and the same was kept as a commission by Mr. Jawahar . After working for a year in the allocated houses, these labourers returned back to Mr. Jawahar who

sent them to different households after taking his fresh commission. According to the investigation, Ms Anju was sexually exploited by her agent from Jharkhand while she was staying with him in Delhi en-route. She was handed over to her parents who took her back to their native village.

Organ Trafficking in India: A case study of a donor of Punjab Kidney Scam

Donor, a 17 year minor, belonged to a poor family in a small town in Punjab. Once when he had gone to visit Golden Temple in Amritsar where he met a middleman. The middleman, on the pretext of teaching him driving, forcibly abducted him and took him to the residence of a police inspector in Chandigarh. His hair was trimmed and his identity was changed to Raju, a resident of Jalandhar. He was shown as a migrant in the records and then his case for kidney transplant was cleared by the Authorization Committee. The Authorization Committee headed by the Principal, Government Medical College cleared the case on 6th June, 2002 without any verification for obvious reasons. He was operated upon in one Hospital in Jalandhar by two doctors and his kidney was removed and transplanted on to police the inspector. Before removing his kidney, he was kept in illegal confinement in Jalandhar and threatened with dire consequences if he reported the matter to the police. His kidney was removed at gunpoint. In the affidavits it was shown that the “age of Raju was 22 years, and he was working as a domestic help with the recipient police inspector for the last 10 years. As his parents had expired and he had no siblings, he wished to offer his kidney for transplant purely out of love, affection and humanitarian grounds without any payment in return”. The victim was however even denied the promised sum of Rs.40,000/-.

The parents of donor are alive and he has 2 brothers. A case vide FIR No.118/02 was registered in this matter in the PS Kotwali under Sections 95A, 363, 367, 368, 420, 468, 469, 471, 506, 120B IPC and 18, 19, 20 of Transplantation of Human Organs Act, 1994.

Victim of Coerced Marriage: Story of Miss Bala (name changed)

Ms Bala, a 15 year old girl, belonged to a village in Nadia district of Bengal. She was the youngest member of a poor Bengali family and had studied upto 2nd class. Her father used to beat her mother, and left her with 2 sons and a daughter. Her eldest brother was unemployed and the other brother worked in a hotel. Her mother worked as a domestic maid in other people’s houses and earned about Rs.400/- per month. A close neighbour from her village “Krishna didi” told her mother that she would get Ms Bala a job in Delhi which would fetch her about Rs.3000/- per month, and her mother allowed her to travel to Delhi with Krishna and some other relatives.

They stayed in Delhi in a jhuggi belonging to Krishna’s relative for 10 days after which they went to Rewari. Krishna was married to a local carpenter in a village in Rewari, and she had a daughter and a son from the marriage. She owned a pucca house of her own. She told Ms Bala that she will get her married to a boy in the village and forced her to do so. Krishna had earlier sold two girls from their village for marriage in Haryana. Ms Bala was confined for a month by Krishna and was pressurized to get married to the man selected by her. Ms Bala

managed to escape to visit a nearby Hanuman temple and narrated her story of confinement and marriage to the priest, who, in turn, informed the Police. Police raided the place and arrested Krishna and lodged her in jail, and registered case u/s 363, 366, 372, 511/506 IPC. Ms Bala was rescued and shifted to Nari Niketan, Karnal by order of the Court on 28/01/2004.

Today Ms Bala is totally blank about her future as she does not want to go home and her mother also has not responded to official letters sent by the Nari Niketan authorities.

Size of the Problem- Some Statistics.

The fact is no one knows the full truth. These are just estimates.

- 27 million people are enslaved in some form worldwide – more than at any time in history
- Number of slaves trafficked from Africa to Americas in 400 year long Atlantic Slave Trade – 15 million
- Up to 4,000,000 people are said to be trafficked annually, the majority of whom are women and children.
- UN estimates of number of persons illegally trafficked across borders in 1990s, per year – 2 million
- Worldwide trafficking is growing fastest in East Europe. Former Soviet Union today is the largest source of women for the sex industry.
- It is estimated that about 500,000 Russian women are trafficked every year to over 50 destination countries
- Human Trafficking today is the 2nd largest crime (after Drug trafficking).

India is a source, transit and destination country for victims trafficked for sexual and economic exploitation. Women and children are trafficked into India from Bangladesh and Nepal en-route to the Middle East nations.

- ✓ About 89 percent of trafficking in India is inter-state.
- ✓ Every day, about 200 girls and women enter into prostitution mostly against their will. Estimates of women involved in sex trade in India ranges from 100,000 to 800,000
- ✓ Of over 2 million commercial sex workers [CSWs] in India upto 25 percent of (3,00,000 – 5,00,000) are below 18 years of age.
- ✓ Mumbai has more than 2,00,000 CSWs, 20 percent of them below 18 years of age.
- ✓ The HIV/AIDS threat has fuelled the demand for younger girls because of the popular myth that virgins are a cure for HIV/AIDS and increase the male potency.
- ✓ Every year over 22,000 women and 44,000 children are reported missing in India. Of these, more than 5,000 women and 11,000 children are not traced.
- ✓ 60% of the rescued girls said that they were deceived into the trade. Only 11% said that poverty was the reason.

Earnings

- The average purchase price of a woman/girl is Rs 10,000/-
- On an average the rescued girls said that they met 6 clients a day
- On an average the girls earned about Rs 3000/- per month.
- On an average a girl gets to keep only 1/3rd of income generated by her.
- One girl generates around Rs 1, 00,000 per year for OTHERS.

CHAPTER – 2

TRAFFICKING EXPLAINED

Understanding Human Trafficking

Trafficking means trade in something that should NOT be traded - drug trafficking, arms trafficking etc.

HUMAN TRAFFICKING is the criminal practice of exploitation and trading in people. This crime is:-

- Very LUCRATIVE/ PROFITABLE
- Has very LOW RISK
- The majority of trafficking in persons (approximately 95%) is controlled by ORGANIZED CRIMINALS
- It has a major HUMANE overtone.
- It is a crime in which victims suffer over a very LONG PERIOD.

Human Trafficking has 3 components. It is:-

- ✓ the act of: recruitment, transportation, transfer, harbouring, or reception of persons
- ✓ By means of: threat, use of force, coercion, abduction, fraud, deception, abuse of power, or other weakness of victim.
- ✓ For exploitation: which includes, prostitution, sexual exploitation, forced labour, removal of organs, etc.

One element from each sub group must be present for it to be defined as Human Trafficking.

It is for basically 2 purposes:-

- A. Sex Trafficking – By use of force, fraud, coercion a women is made to indulge in commercial sex. Can be seen in brothels, dance bars, massage parlours, pornography, etc.
- B. Labour Trafficking – By use of force, fraud, coercion a person is made to provide involuntary labour service or is paid less than his due.

Criminal Activity from Human Trafficking is:

- a) Against the STATE as it causes corruption, money laundering, tax evasion, forgery of documents;
- b) Against the VICTIMS as it leads to illegal detention; bonded labour; kidnapping; murder; injury; sexual assault; rape; torture; cruelty; forced abortion; forced marriage; sale of organs, etc.

In Human Trafficking we always have;

- A source/origin from where the trafficking starts. This is where the recruitment for human trafficking takes place.
- Transit. This involves bringing victims from their villages, etc., to places where they can be exploited. All forms of transport are used for this purpose. It also covers providing temporary shelters through a series of safe houses – places which are used to transport the victim from one place to another.
- Destination – is the place/places where the exploitation takes place.

CAUSES OF TRAFFICKING

Some important causes are:

- Poverty & Economic Hardship.
- Increased Wealth Gap.
- Un-ending demand for prostitution.
- Increased opportunity to travel.
- Free market but no effective laws to tackle trafficking.
- Growth of Criminal Networks.
- Technology – especially Internet and satellite channels.
- Difficulty in prosecuting due to the silence of victims.

Some Social Causes are:

- Lack of education, especially among women and children.
- Harsh / abnormal family environment including breakdown of marriage.
- Low status of women in general.
- Increase in violence – especially against women.
- Breakup of Joint Family resulting in absence of social safety net.
- Sexual ‘revolution/freedom’ resulting in casual attitude towards exchanging sex for money.
- Extraneous Reasons like natural disasters eg. Drought, Famine, Earthquake, War, etc.

Who are the Traffickers?

Traffickers can be:-

- Organized Crime Syndicates with international links.
- Gangs trafficking arms, drugs.
- Smugglers of contrabands.
- Small group with loose structures (including family of victims).
- Marriage/Modelling agencies.
- Gangs who forcibly take/sell orphans/children.
- Friends/acquaintance usually a former victim.
- Groups promising lucrative jobs.

The Characteristics of Traffickers are:-

- Organised criminal group of 3 or more persons,
- existing for a period of time,
- acting in consort,
- with the aim of committing serious crime,
- in order to obtain directly or indirectly ,

– financial or other material benefit.

How are victims trafficked? Traffickers use:-

- Force: Rape, beating, constraint, confinement.
- Fraud: Giving false and deceptive offers of employment, marriage, better life, etc.
- Coercion: Threats of serious harm to victims or their families if the victims do not obey.

How organized is this Crime?

The organized nature of this crime can be judged from the fact that:-

- Someone locates and recruits the victim.
- Someone 'escorts' the victim.
- Someone 'neutralizes' the official machinery.
- Someone who knows and makes arrangements in local places.
- Someone keeps the victims safely
- Someone provides logistic support to the movement of victims – food, housing, etc
- Someone collects the payment for providing the victims.
- Someone is responsible for moving the victim from one place to another
- Someone makes 'investment' in the whole activity, especially when they are sent outside the country.
- Someone watches the movement/activity of police and immigration authorities.
- Someone collects the fees in the country of destination.
- Someone makes the earnings legitimate/ white
- Someone enforces order and discipline in the entire activity.

CHAPTER – 3

LAW

Human trafficking is not comprehensively defined in any Indian law. However there are many laws where reference to different forms of trafficking is made.

Indian Laws: Human trafficking is basically dealt with by four laws in India: the Indian Penal Code, 1861; The Immoral Traffic (Prevention) Act, 1956; Juvenile Justice (Care and Protection of Children) Act, 2000 and Bonded Labour System (Abolition) Act, 1976.

Indian Penal Code

- Section 292 & 293 – Obscene material –Sale, distribution etc.
- Section 341 Punishment for Wrongful Restraint.
- Section 342- Punishment for Wrongful Confinement.
- Section 361 – Kidnapping a minor from lawful guardianship.
- Section 362 – Abducting any person.
- Section 363- Punishment for Kidnapping.
- Section 363A- Kidnapping or maiming a minor for purposes of begging.
- Section 365- Kidnapping or Abducting with Intent Secretly and Wrongfully to Confine Person.
- Section 366- Kidnapping, abducting or Inducing Woman to compel her for Marriage, illicit intercourse, etc.
- Section 366A- Procuration of Minor Girl.
- Section 366B- Importation of Girl from Foreign Country.
- Section 367- Kidnapping or Abducting In Order To Subject Person To grievous Hurt, Slavery, etc.
- Section 368- Wrongfully Concealing or Keeping in Confinement, Kidnapped or Abducted Person.
- Section 369- Kidnapping or Abducting Child Under Ten Years with intent to steal from its Person.
- Section 370- Buying or Disposing of Any Person as a Slave
- Section 371- Habitual Dealing in Slaves.
- Section 372- Selling Minor for purposes of Prostitution, etc.
- Section 373- Buying Minor for purposes of prostitution, etc.
- Section 374- Unlawful compulsory labour.
- Section 376- Punishment for rape.
- Section 376(f)- Rape of woman under 12 years of age.
- Section 377- Unnatural offences.

The Immoral Traffic (Prevention) Act of 1956

This is the most important law to curb trafficking and has been dealt with separately.

The Bonded Labour System (Abolition) Act of 1976

It prohibits forced or bonded labour. The National Human Rights Commission of India monitors its implementation.

Young Persons (Harmful Publication) Act 1956

Prohibits distribution of material related to crime, violence and vice.

The Juvenile Justice (Care and Protection of Children) Act, 2000

This Act explicitly provides for effective social rehabilitation and reintegration of all juveniles in need of care and protection and makes explicit provisions for punishment for employment of juvenile or child for begging, giving intoxicating liquor or narcotic drug or psychotropic substance to juvenile or child, exploitation of juvenile or child employee.

Transplantation of Human Organ Act – 1994.

It provides for the regulation of removal, storage and transplantation of human organs for purpose of treatment and for the prevention of commercial dealings in human organs.

The Child Marriage Restraint Act, 1929

The Act provides for age of marriage i.e. 21 for male and 18 for female.

- Section 3 – It is an offence for a male above 18 years but below 21 years to get married.
- Section 4 – It is an offence if a male above 21 years married a girl below 18 years.
- Section 5 – Whoever performs, conducts or directs any child marriage commits an offence.
- Section 6 - Parent or guardian in charge of the minor, promoting or permitting, or negligently failing to prevent child marriage commits an offence.
- It is a cognizable offence but no Court can take cognizance of any offence under this Act after the expiry of one year from the date on which the offence is alleged to have been committed.
- The Court may issue an injunction against any of the persons mentioned in Section 3, 4, 5 and 6 of this Act prohibiting such marriage.

Chapter – 4

The Immoral Traffic (Prevention) Act

Definition of Prostitution

In ITPA, **prostitution is defined as sexual exploitation** or abuse of persons for commercial purposes.

As per this definition, prostitution is not confined to only women. Homosexuality is also brought under this definition.

It includes not only exploitation of one person by another but also abuse of one's own self for commercial purposes.

Exploitation or abuse for purposes other than commercial is not covered under this definition.

Section 3 of ITPA

✓ Running a brothel or letting premises for running a brothel is offence under **Section 3**.

Brothel is defined as a place where sexual exploitation for abuse is carried on for the gain of another person or for the mutual gain of two or more prostitutes.

Note: - Prostitution, per-se, is not an offence by itself.

Nature and type of evidence possible in the given situation:-

1) You are required to establish the ownership of the premise.

This can be done by examination of Land deeds; by examination of registration documents, lease deeds; by examination of receipt of payment of rent or cess/tax for water, electricity, telephone etc.; by examination of voter's list, ration card, and bank accounts

2) To prove that the premise is being used as a brothel.

This can be done by statement of witnesses; statement of victims; by newspaper reports that the place is being used by brothel; recoveries from the premise; earlier police records.

Note: If a person allows premises to be used as a brothel, the law presumes that he had the knowledge of the place being used as a brothel if any of the relevant documents is produced as evidence.

Section 4 of ITPA

✓ Offence of Living on the earnings of the prostitute: Living on the earnings of the prostitute being above the age of 18 years is an offence under **Section 4**. Even husband or adult children can also be accused under this section. Living on earnings related to prostitution of a child or a minor is a more serious offence.

Nature and type of evidence possible in the given situation

1) In this we have to establish that a person is getting income from prostituting others; or, a person is living with a prostitute; or, a person is habitually found in the company of a prostitute; or, the person aids, abets or compels a prostitute; or the person acts as tout, pimp on behalf of a prostitute.

To prove this we need to use income statements, receipts of payments, vouchers of expenditure, books of accounts, other documents which are maintained in the ordinary course of business to establish that he has unexplained source of income. The association with prostitutes will link this income with the earning of prostitutes. Presumption will be drawn against the person that he is living on the earnings of prostitution

Section 5 of ITPA

✓ Procuring or inducing or taking any person for the sake of prostitution whether the victim accompanies willingly or unwillingly is an offence under **Section 5**.

If the offence is committed in respect of children or minor it is a more serious offence.

Nature and type of evidence possible in the given situation

1) We have to establish that the person was taken away to be used for prostitution.

To prove it we need the following type of evidence:-

- The age of the trafficked person.
- The statement of victim to bring out how the consent was obtained - whether it was under pressure, through coercion, threat, deceit, etc.
- That the trafficker/exploiter had displaced the victim from the community of the latter.
- The intention or knowledge of the trafficker/exploiter can be established by his contact/association with the brothel or the persons in the brothel.
- Medical examination of the trafficked person.
- Medical examination of the abusers to establish the act of sexual assault.
- The details of the destination point, viz. brothel or such other places where sexual exploitation takes place under the cover of other activities (viz. massage parlour, etc.)
- The details of the source point from where the person was trafficked or attempted to be trafficked.
- The transit points, halting places, etc.
- The mode of transport, statement of transporters, travel documents like train ticket, etc.
- A map showing the entire trafficking route and the places of exploitation and the role of exploiters.

Section 6 of ITPA

✓ Detaining a person in premises where prostitution is carried on is an offence under **Section 6**

Certain important presumptions are provided in this section for the benefit of prosecution in proving the cases under this section. It shall be presumed that she is detained in place of prostitution if:-

- a) a child of the victim is found in a brothel; or
- b) a minor victim is medically examined and found with sexually transmitted diseases; or

- c) the jewellery of a victim is in the custody of the management of the brothel.

Nature and type of evidence possible in the given situation

We have to establish that a person has been detained for sexual exploitation. To prove this we need:

- Proof of the place being a brothel or a place of commercial sexual exploitation.
- The victim is always accompanied by a person.
- The victim is not allowed to venture out of the premise.
- Statement of the victim.
- Who keeps her valuables?
- If there was consent, it needs to be probed further whether it was under pressure, coercion, force, lure, deceit, etc.
- Intention/knowledge of the accused to be checked by his examination and conduct.
- Medical examination could indicate that the victim is sexually exploited.
- Medical examination report about the age of victim.

Note: In certain brothels the managers keep account of the belongings taken away from the victims. There are documents, which show the transaction and earnings/expenditures in the brothel. Documents also show the debt bondage of the victims. Such documents need to be thoroughly probed and included as evidence.

Section 7 of ITPA

✓ Prostitution in the vicinity of a public place is an offence against the prostitute under **Section 7**. Land lord of a public place or letting out a place with the knowledge that it will be used for purpose of prostitution is an offence under **Section 7**. A public place is one that is accessible to the public in general.

Nature and type of evidence possible in the given situation

We have to establish that a place is a public place and that prostitution is taking place near it. To prove this we need to establish:-

- That it was taking place within a notified area or within two hundred meters from a place of worship/educational institution/hostel/hospital/ nursing home or any such area notified by the Commissioner of Police or the District Magistrate or Sub Divisional Magistrate.
- If a brothel exists within the above area this section will get established.
- If the offence takes place in a hotel, the license is liable to be suspended / cancelled.
- Liability extends to the keeper of a public place, the tenant, lessee, occupier or manager of the premises and the owner, lesser or landlord or their agents, provided they had the knowledge / intention.
- The detailed statements of the victims.
- The statement of persons affected / harmed (other than the victims of commercial sexual exploitation) by the brothel being run in the vicinity. For example, the statements of religious priests, hospital employees, residents in the area etc.

Section 8 of ITPA

- Seducing or soliciting for the purpose of prostitution from any public place or within the site of or in the hearing of any person in any public place, whether from within a building or house, by means of words, gestures or any exposures is an offence under **Section 8**.

Note : The offender could be a male or female (though S.8 (a) speaks about only a female person, the proviso to the Section 8 does speak about males also)

Nature and type of evidence possible in the given situation

We have to establish that seducing or soliciting took place in a public place or near it. To prove this we need to establish:-

- That it is a public place and the evidence discussed in the previous para under S.7 is required in order to establish it.
- That the person was tempting or attracting the attention of any person by words, gestures or wilful exposure of one's person or otherwise (otherwise can include telephone sex, soliciting advertisements in yellow journals etc.).
- That the person was soliciting or molesting any person, or loitering or acting in such manner as to cause obstruction or annoyance to residents or passers-by or offends against public decency.
- That the above was done deliberately and knowingly for if a person is made to solicit by force / threat/ deceit/ lure etc. by another person, the latter is responsible and not the former.
- That the statement of witnesses as to how it annoyed / offended them. The witnesses could be residents or passers-by.
- Documents regarding earlier charge sheet/conviction of the person (Subsequent convictions invite graver penalty).

Section 9 of ITPA

✓ Seduction of any person when in custody or charge or care of any person in authority is an offence under **Section 9**.

Nature and type of evidence possible in the given situation

To establish this we have to prove that the person was in the charge of the accused and that the accused seduced the person. To prove this we need:-

- Documents and statements to establish that the victim is in the custody / charge/ care or under the authority of the offender. This includes registers maintained (more often kept hidden) in the brothel/hotel etc.
- In places where the exploitation is done under the cover of another activity (for e.g., prostitution taking place under the cover/board of massage parlour) there may be regular documents to show that the victims are employed viz, payroll, attendance registers, leave registers etc.
- If a trafficked person is confined to a brothel by the brothel keeper to a hotel by the hotel manager etc, and thereafter seduced/exploited, the brothel keepers or hotel managers, as the case may be, are liable under this section too.
- Medical examination reports of the victims.
- Documents from previous search/charge sheet etc to show that the offender is in command/control/authority over the victim.
- Documents regarding earlier conviction, charge sheet etc.

Note: If a person who is in charge of the victim causes or aids or abets the seduction for prostitution of that person then he is guilty.

There is minimum punishment prescribed for the offence and, therefore, can be a deterrent against trafficking, if used against all those who command and control the trafficked persons.

Section 11 of ITPA

✓ When an offender is prosecuted and convicted for an offence under this Act and again convicted for the second time within a period of 5 years, the Investigating Officer can file a memo at the time of passing the sentence to the Court requesting the court to notify the address of the convict. **(Section 11)**

Section 13 of ITPA

✓ The special police officers not below the rank of Inspectors appointed by the State Government under this Act are only competent to investigate the offences under this Act falling in their jurisdiction.

Section 18 of ITPA

✓ Closure of Brothels

The **area executive magistrate**, on information from the police or otherwise that prostitution is being carried on in a house or **brothel within 200 meters of any public place** as defined in section 7 (1) of the Act, may issue notice to the owner, lessee or occupier of the place to **show cause within 7 days as to why that place shall not be attached for improper use** and after making due enquiry and after giving opportunity to be heard, may pass an order:

- Directing the eviction of the occupier within 7 days from the date of order, and
- also directing the owner to obtain previous approval of the magistrate if the owner wants to let out the premises within one year from the date of order.

This provision can be invoked irrespective of the fact that prosecution is launched or not. In case the prosecution is also launched and the accused is convicted, a memo can be filed in the court itself for eviction of the premises. A Judicial Magistrate convicting a person u/s 3 or 7 ITPA can order closure of the brothel and eviction of the offenders (without any further notice)

Nature and type of evidence possible in the given situation

The same evidence outlined u/s 3 of ITPA will establish the ownership of the premise and the fact that it is a brothel. We have then to establish that it is within 200 metres of the public place. To satisfy the Magistrate, following information could be useful:-

- Documents and physical measurements to show that the scene of crime is in a public place (refer documents listed u/s 7).
- Bills/ Vouchers/ receipts regarding electricity/ telephone/ water/ hospitality etc to establish linkage of the offender to the place. Also Land deeds/agreements, etc. relating to the ownership / title of the property.
- Report of police/ NGO etc, regarding abuse of the place, before the DM/SDM so that even before conviction by a judicial court, the eviction can be done.
- Medical examination report of the victim.

- Earlier reports, if any, of police regarding the exploitation taking place in the same place.

Note:-

Orders passed by the court/ Magistrate is not appealable nor stayable nor can be set aside by any court

Lease / agreement regarding the house becomes invalid and ceases to be operative on conviction under this section.

Section 20 of ITPA

The **area executive magistrate**, on information from the police or otherwise that a prostitute resides in his jurisdiction, may issue notice to the person to appear before him. If, after making due enquiry and after giving opportunity to be heard, he is satisfied that the person is a prostitute he may pass an order asking the person to remove herself from the area of his jurisdiction or to some other place within his jurisdiction.

Nature and type of evidence possible in the given situation

The evidence required would be broadly in line with section 7, 8 and 9 of ITPA

CHAPTER – 5

WHAT POLICE OFFICERS AND INVESTIGATING OFFICER MUST DO

General guidelines for the Police

All Police activity from prevention to investigation to trial to conviction must ALWAYS be primarily focused on making the traffickers ineffective.

It shall be the bounden duty of Supervisory Police officers to enquire and ensure that there is no involvement of police and other government agencies in the abetment and encouragement of human trafficking.

A. Proactive Police Work

Proactive police work is when the police gather information before taking action, with the advantage that you can take the lead, decide who to target, and carefully plan the whole exercise. Since proactive actions rely on gathering and using information, it involves tracing the trails left by traffickers including:-

- Make regular enquiry from Chawkidar about missing women and children; mass movement of women and children; women being sold.
- Geographic profiling of city red light areas, brothels, floors and compartments may be done as it assists police during raids.
- Networking of police of various states on the issues of trafficking especially source and destination states.
- Analysis of advertisements in newspapers.
- Using sources - bar owner, NGO, journalists.
- Tracking telephones, mobiles and internet.
- Source information.

Building information involves:

- Identifying key players
- Tracking routes and travel arrangements
- Identifying safe houses and destinations
- Mobile surveillance
- Surveillance of premises
- Undercover work
- Using cover information
- Tracing a money trail
- Get a sense of the scale of business

There are more technical forms of information gathering that may be be used:

- Wire tapping telephones
- Telephone intercepts-mobile and landline
- Wire tapping a house
- Tracking devices on cars
- Recording devices
- Camcorders

When arrests follow a pro-active process there is not much of a need to rely on victim's statement.

B. Disruptive Police Work

In this a message goes out to the organizers that trafficking would not be tolerated and will only cause harassment to the suspected trafficker. It is meant to make the trafficker afraid of the consequences.

Police uses legal resources to enter a building:

- To ensure there are no minors working there
- To ensure the compliance of health and safety provisions
- To ensure the compliance of Licensing laws
- To enquire into complaints about noise etc.
- To check the violation of land use by-laws on a property, if it is not being used as a residence

General Guidelines for Investigating Officers

The Investigation Officer should always keep in mind that he is dealing with organized crime. Otherwise, the investigation will be perfunctory.

- He must look at the trafficking routes and halts and source points;
- Locate the traffickers, transporters, conspirators, abettors, financiers, abusers, etc;
- document through interview, bio-medical tests, psycho-social profiling, the harm done to the victim;
- Investigate into the profit of the exploiters;
- Verify the records maintained in the brothel;
- Follow up of the entries in the registers and clearly bring out the role of each of them.

Where a victim comes forward and complains herself, or member of the community, or NGO provides police with information, then the police officer should first assess the following and then follow up on the information received.

- Listen to the informant/complainant carefully and seek clarification.
- If a criminal case is made out, write the FIR and make necessary entry in the General/Station Diary. If the information points to an emergency the Police Officer should act immediately.
- Send information to senior formations of the department.
- Obtain the services of Special Police Officer, NGOs and lady police. Generally, a woman or girl should be arrested by woman police personnel. If Special Police Officer designated under ITPA is not available, get authorization to arrest and investigate.
- Check the list of willing lawyers at the Police Station.
- Where is the Rescue Home located?
- Are there any witnesses?
- Are the witnesses prepared to testify?
- If the witness is the victim what are her needs?
- There should be adequate number of **vehicles** so that the rescued person is transported without publicity.

RAID:

It should be well planned and a range of evidence should be routinely looked for and collected. Police should have a clear idea of how to enter the premises, and

the number of police officers needed. Summon two independent witnesses, one being women from the locality. Brief them about the raid. In terms of evidence collection Investigating Police officer should:

- Rescue the victims and arrest everyone involved with management of the brothel/establishment. Only a woman police officer should search a victim/woman. Special care should be taken if the woman is pregnant or has a very small child.
 - Look for minor victims in false ceiling, basements, and other hiding places. If victim is below the age of sixteen, the client can be arrested for rape under the Indian Penal Code.
 - Allow victims to take her belonging.
 - Seize all relevant documents- financial records, travel documentation.
 - At the time of raid, if possible take video of the scene of crime. Film/photograph of the raids will also be useful.
 - Telephone diaries – sometimes certain pages are folded at the corner and they may be notes of numbers and addresses on them.
 - Check for fingerprints.
 - Always take the rubbish - it may include the essential evidence.
 - Seize Maps for they may detail the routes taken by traffickers.
 - Seize all phones and unload memory from mobile phones.
 - Use sniffer dogs to search for minor victims in false ceilings, basements and other places where they are likely to be hidden.
 - As and when the rescue is done, please **notify** the authorities of the concerned Rescue Home regarding the number of persons going to be lodged so that they could be prepared to receive them and organize themselves.
 - Send the victim to the rescue home as soon as possible. Till such time,
 - ✓ Keep men and women in a separate lock up;
 - ✓ Do not handcuff her;
 - ✓ Allow a relative, if available, to keep a watch on her when she is in the lock up;
 - ✓ Provide her necessary privacy to change, use the toilet or for bathing;
 - ✓ If possible, provide her privacy when she is sleeping.
- (NB:- This applies to any female who has been arrested)

Crime Scene Photography

- After cursory look of the Scene of Crime, the Investigator should plan and brief the photographer accordingly, and take liberal number of photographs to cover the minutest detail.
- Video record or photograph the inside and outside of the premises.
- Take long distance, intermediate distance and close-up photographs of the scene.
- Measuring tape should be placed by the side of each physical clue while taking close-up photographs.
- Take a few photographs of the witnesses while recording the scene.
- The photographer should submit both the negatives and prints and also a note about each photograph, to the investigating officer so that they may be kept in the police station as permanent record.

Sketching of the Scene

The Investigator should draw a rough sketch of the scene showing the following:

- Size of the area (Length, Breadth and Height). Sketch the entry, exit and other routes.
- Position of permanent fixtures, their dimension and distance from each other.
- Position of physical evidences, their measurement and distance from each other.
- Sketch of a room or any closed area may be shown like an un-folded packing box.
- Use proper abbreviations, numbers, and legends in the sketch.
- Distance of an object should be measured from two nearest, permanent, and perpendicular fixtures.
- North direction should always be indicated in the sketch.
- It should also bear the signatures of witnesses.
- Convert the rough sketch into a smooth sketch engaging a professional expert, but the rough sketch should always be retained as permanent record.

Collection, Handling and Packing of Physical Evidence

Any article found at the scene which has relevance to the crime should be handled, collected, packed and documented properly and carefully. Adequate care should be taken that their evidentiary value is maintained and not lost due to improper means of transportation, delay, mishandling, poor packing, lack of relevant papers etc.

Chain of custody should always be maintained. Individuality of each item should be maintained by ensuring proper packing and sealing, numbering and specifications, writing forwarding note and other desired information. All information should be entered correctly in a precise and specific manner.

For articles bearing fingerprints the Investigation Officer should take adequate precaution by using gloves for collecting, handling and packing of any article, which bears fingerprints to ensure that the Investigating Officer is not leaving behind his fingerprints on the object.

Stained clothes of the victim should be seized and if it corroborates the statement of the victim or implicates the accused it should be sent for necessary examination.

Ascertain the age of the Victim

If age of the victim is a fact-in-issue, all possible evidence such as physical appearance, registration of birth, medical opinion, ossification test viz. test of bone formation to determine age, school certificate, evidence of neighbours, etc., should be collected. Only "ossification" test is not accepted as conclusive proof of age. Special care should be taken to prove age in border line cases.

Medical Examination:

The Investigating Officer should -

- Depute 2 lady constables to accompany the victim to the hospital. Medical examination should be done by a lady doctor. If the medical examination is being conducted by a male doctor, then one of the lady constables must be present.

The Investigating Officer should specifically ask for report from the doctor on:— Injuries (type, size, location, cause, relative distances, age of the wounds; typical injuries sustained during struggle – cuts, bites, cigarette butt marks, etc.) Injuries should be specially checked at the following places by the doctor.

- Scalp/ Head /Fore Head
- Face/ Neck / Throat
- Shoulders/ Chest/ Upper arm/ Lower arm/ Back of the shoulder
- Abdomen
- Thigh/ Calf/ Foot
- Genital area.
- Back/ Hips

Preserve the vaginal swab

Record of any treatment in a hospital, if available should be sent to the Doctor to assist him.

Dispatch the victim to the protective home after the medical examination.

Recording of statement from trafficked victim

- ✓ Interview must be carried out by a female police officer or in the presence of a female NGO worker as mandated under Section 15 (6-A) of ITPA.
- ✓ Chose the most comfortable room.
- ✓ Ensure it is private.
- ✓ Do the interview in small parts of about 2 hours, if it takes several days to get the whole story let it be as it is better to have a complete statement.

The I.O. should pay special attention to –

- Full name with alias if any.
- Name of Father and Mother and her full permanent address.
- Caste / Religion.
- Height, built, complexion, colour of hair and eyes.
- Clothes/ tattoo marks/ ornaments.
- Identification marks.
- Educational qualification and name of school.
- Married/Unmarried and details of children if any.
- Family history – especially of brothers, sisters, paternal uncle and aunt; maternal uncle and aunt and their full address, vocation etc.
- Social background /Economic background.
- How, when and by whom was she recruited?
- What she believed she would be doing?
- Was she held anywhere before leaving?
- How did she travel, with whom, who paid for the travel, stay en-route?
- How did she reach the destination, whether moved to other locations with details?
- Any physical or sexual violence inflicted at this point of time.
- How was she initiated?

- How was she controlled? What was the method used by brothel keeper to control her or prevent her escape?
- Her working conditions in detail.
- How many clients did she see per day? Does she have the name and address of regular clients?
- Details of financial transactions. What was the monthly payment made by the brothel keeper/trafficker? Deduction made every month and for what purpose.
- Whether she knows about the organized nature of this crime. How many other girls were there; how many were below 16 years; from which district/state had they come?
- Which govt. agency was paid by the brothel keeper?
- Did she indulge in any substance abuse (drugs; alcohol; cigarettes, etc.) Did she contract any disease and was she treated for it.
- Description of all suspects, their involvement, lifestyle, how they spend money, their property, etc.

When all the information has been obtained, write up a statement and read that back to her for accuracy. Every effort should be made to get her full statement recorded before a Magistrate as quickly as possible. Also, if Test Identification Parade has to be carried out using the victims as witness it should be done at the earliest. Further, every effort should be made to ensure that the same Investigating Officer & other officials stay in contact with the victims throughout her legal case.

Questioning of suspects.

Detailed Questioning of suspects always helps to establish linkages, and truthfulness of the statements of accused and witnesses. This is very important when we need to prove the organized nature of this offence. The questioning of suspects should include the following:-

- Is he known/unknown to the victim/brothel owner/client etc.
- His general place of residence.
- Education/ Profession/job.
- Social background/ Economic background.
- Friends/ Profile of friends/ Love affairs.
- Is he married and is his spouse also involved in trafficking?
- Profile/ Profile of the parents, siblings.
- Habits/ Places normally visited.
- Previous criminal record.
- Medico-legal report/ Hospital record (treatment record), STDs.
- Examination of clothes for stains/ Collection of clothes.
- Motive.
- Vehicle used.
- Other accomplices.

The role and status of trafficked victim

There is a clear conflict for law enforcers between the fact that many trafficked women will have broken certain laws-in terms of sex work, immigration- but the fact is that they have been victims of human rights abuse, rape, confinement and physical assault. **Trafficked women should be always treated as victims, and not criminals, and all with respect.**

- They may become a witness or provide important information. For this to happen victims must be able to trust the police.
- Victims are fearful of police and traffickers, their families are threatened, and hence may not cooperate with the police.
- It is rare of trafficked victims to make a formal statement or complaint against their exploiters; and therefore the need to create 'victimless prosecution'.

To protect the human rights of the victims, the following needs to be done :-

- Treat with respect and dignity.
- Provide immediate medical or other treatment if needed.
- Do not hold the victim in custody for lengthy periods of time, or even in the same or next cells to their exploiters.
- Protect victim from all forms of abuse whilst in custody/care of public officials.
- Provide victim access to female officials.
- Provide the victim with accurate information about their legal rights.
- Be offered protection and temporary shelter if they are willing to give evidence.
- Be offered the possibility of return reintegration with society through NGOs.
- Provide safe accommodation.
- Provide some living support with assistance from social welfare department.
- Provide protection when victim gives evidence.
- Insist on in camera trial.
- Get victim to and from the court safely unseen by others.
- Use assumed name or alias and to prevent her real name from appearing in the media. Many of the steps will also be applicable to witnesses.
- Rescued children should be produced before the Child Welfare Committee (CWC) constituted under the Juvenile Justice Act.

Special Guidelines for Police & Investigating Officer under ITPA

ITPA is more effective than IPC since burden shifts to accused.

Guidelines for Investigating Officer under the ITPA

The Investigating Officer should keep in mind the following guidelines in the investigation of cases under this Act:

(a) Sympathy towards the victim - The rescued women should be examined in great detail, with **sympathy and not with hostility**. We should not **look down** on her. The grip of the trafficker would be so strong and possibility of their acceptance in society or family being bleak, they tend not to disclose any details. Hence the Investigating Officer should first take all steps in coordination with the Advisory Bodies, voluntary Social Welfare Organizations in the field, the Governmental agencies in charge of correctional and protection homes to give confidence to the women to be able to tell the details of persons who exploited them.

(b) **Procedure of search -Searches**, for rescue of persons from brothels or to detect offences under this Act, can be carried out only **by special police officers without warrant**, in the presence of two independent witnesses and one among them shall be woman. Any other officer not below the rank of a Sub-inspector can also conduct a search for rescue of persons only under the warrant from a competent magistrate.

(c) **Arrest provisions -Arrest without warrant** may be made **by a special police officer** or under his direction or subject to his prior approval, a police officer not below the rank of an S.I. may arrest the accused and immediately report to the special police officer.

(d) Punishment to exploiters: The **law is intended to punish those who exploit** the women and trade on them and not the victims. The evidence of victims is therefore extremely important.

(e) Enquiry about correct identity of the victim: The names and identity of women is often changed, and hence, the **correct identity** should be established by gathering information about their native village/town.

(f) Corroborative evidence: The **persons doing odd jobs in the brothel** or place where the women are kept and used as sex workers would be a useful corroboration.

(g) **Working with vulnerable witnesses – Witnesses** who can be blackmailed or threatened with consequences cannot be expected to give evidence unless police officials do everything in their power and resources to protect them from reprisals. Strong links between police and specialist NGOs is the best way of meeting the needs of victims and witnesses. They are able to build trusting relationship; provide practical and emotional support; and ensure that the victim's needs are taken into account in the law enforcement process.

(h) Documentary evidence: The **chits, papers or bank transactions if any**, house owner's title, the rental documents (whether true or false), municipal records, details of previous cases in which the accused may be involved should be collected.

(i) Means of livelihood: The **means of livelihood of the accused** should be thoroughly investigated including the adequacy or otherwise of such means to the style of life being led by him.

(j) Circumstances of disappearance: The **circumstances under which the girl has disappeared** or left her home, workplace, school, etc. should be brought out clearly.

(k) Medical Examination: **Medical examination** of persons found whether women or minors, male or female should be got conducted.

(l) Penal Code: Where offences under this Act or the Indian Penal Code are part of **Organised Crime**, 120 B IPC should be added.

(m) Care during the trial: **Photographic or video graphic evidence whenever** possible should be secured during investigation of the cases. It should

be remembered that a sense of shame, unwillingness and even fear very often prevents the witnesses from deposing either during investigation or trial. Necessary precautions to prevent undue publicity with the permission of the concerned court should be taken.

CHAPTER 6

HUMANE ASPECT OF INVESTIGATION

Every police officer must understand the thinking of the victim of trafficking. It is essential for policemen that they must appear before the victim as a source of hope and help to save them from their present situation, rather than as a person just concerned with dealing with criminal activity. He must be gentle, understanding, helpful and as far as possible, caring. As fellow human being and as a person in authority, the police officer must see that the victim is fully cared and cured of any ailments. Listed below is the usual status and mental condition of such victims.

- a) They don't seek help because of FEAR. Also, they have neither access nor faith in authorities.
- b) They fear revenge if they cooperate with the authorities.
- c) They fear being punished for illegal entry, prostitution, etc.
- d) They are afraid of being exposed and hurt by the media and criminal justice process.
- e) They have no opportunity to seek help – as they are kept confined, isolated and are always watched and escorted.
- f) The Traffickers compel them to support the cover story provided by the traffickers.
- g) They blame their fate for the misfortune.
- h) Sometimes they even develop loyalties and positive feeling towards traffickers.
- i) Sometimes, they are reluctant to complain for fear of losing money as the traffickers keep their money for safe custody.
- j) They are generally suffering from poor nutrition, poor health care from before.
- k) They are psychologically upset all the time.
- l) They are often exposed to unsafe, sub-human conditions and undergo personal risk of injury, beating, physical and sexual abuse.
- m) They are continuously exposed to AIDS and Sexually Transmitted Diseases and/or substance abuse in the form of drugs, alcohol, etc.
- n) They are always exposed to unwanted pregnancy, loss of organs and have seldom any access to healthcare.

It is evident that women and children are particularly vulnerable, and need special measures for their protection and well being. Community has a major role to play in the rehabilitation of victims. No long term solution can be found without the cooperation of the community. Much greater gender and child sensitivity towards victims of trafficking needs to be brought about/ promoted.

Rehabilitation

In the matter of **rehabilitation, rescue and treatment, the welfare** departments of the government and recognized non-governmental organizations have an important role to play. The role of the police is complementary to these. However, in the matter of dealing with organized crime against women, particularly, trafficking and serious crimes it is entirely the responsibility of the police.

The Police and prosecution should especially make efforts to send the victims to corrective homes rather than jail. This can be done by taking in to consideration the character, state of health and mental condition of the offender and other circumstances, at the time of **conviction of female offenders** found guilty for the offences under section 7 and 8 of ITPA, and requesting the trial court that instead of sentencing them to imprisonment, to send them to **corrective homes**.

Similarly, the victims of offences under sections 3, 4, 5, 6 and 9 of ITPA may also be sent to **protective home or a correctional institution** if it is possible to satisfy the magistrate.

NGOs IN LAW ENFORCEMENT

Non-Governmental organizations have a very important role to play. Police officers, very often, are suspicious of NGOs. However, it is necessary to change our views and works in tandem with those NGOs who are equally concerned about removing trafficking.

Police must maintain list of NGOs – with their expertise/specialization, contact telephone, E mail, addresses etc. Section 13(3)(b) of ITPA has provisions for non-official advisory body. NGOs also find a role u/s 17(5) of ITPA for providing intermediate safe custody to victims. They are a valuable source for intelligence on trafficking and they often play a vital role in Rescue - as witnesses, as advisors, as partners, as Human Rights guardians.

Post rescue role of NGOs lies in carrying out Counselling, i.e., giving advice, suggestion and support, and helping the victim overcome the shock, suffering and pain; helping to identify the best interest of the victim; prescribe guidelines and protocols for Police & others.

The role of NGOs in victim support and rehabilitation programs covers identification of suitable programs for the victims; their training to enable them to earn a livelihood; providing them necessary resources to produce goods and then market the products produced by them. All these are of immense help in motivating and uplifting the morale of the victim. Thus, NGOs provide linkage between victim & society, and victim & other agencies involved in stopping trafficking.

NGOs have also helped in the trial of cases by looking after the child of the victim; acting as language translator; providing assistance to the court - by helping the court with the interpretation of child's perception; getting victim/witness for evidence; providing care and protection to victim/witness.

Research by NGOs in Law Enforcement

- Utilising NGOs for micro research results in proper feedback which, in turn, saves resource and time and ensures the best interest of the victims. NGOs are usually well networked, both nationally and internationally. They can be very useful in **developing data base**. The data base can be used for (a) Data surveillance; (b) Seminar & workshops; (c) Implementing the findings; (d) Sensitization & orientation of all concerned.

Test Your Understanding
(These questions are text based)

CHAPTER – 1

(I) Answer the following questions by ticking the appropriate choice (True/False).

1. Human trafficking is modern form of slavery. True/False
2. Human trafficking is the fastest growing criminal industry. True/False
3. The average purchase price of a woman is about Rs 10,000/- True/False
4. The proceeds of commerce in human life are used to finance organized crime. True/False
5. Most of the income generated by a girl goes to her. True/False
6. A systematic study is difficult to conduct in trafficking because of its clandestine nature. True/False
7. The official data about trafficking obtained from Govt sources match with the data provided by NGOs. True/False

(II) Fill-in the blanks given below with a suitable word.

1. Most of the victims of human trafficking are _____.
2. According to UN estimates nearly _____ million women and children are abused and trafficked globally every year.
3. _____ is the largest source of women for sex industry.
4. The inter-state trafficking in India is about _____ percent.
5. One girl generates around Rs. _____ per year for others.
6. The children are being trafficked for the entertainment industry (in Arab countries) especially as _____ jockey
7. Article _____ in the Indian Constitution prohibits the all forms of trafficking.

(III) Answer the following questions by ticking at the right choice.

1. In India, every day the numbers of girls and women forced into prostitution is about:-

- (A) 50
 - (B) 200
 - (C) 600
 - (D) 1000
2. The percentage of commercial sex workers (CSWs) below 18 years of age, in India is:-
- (A) 5
 - (B) 10
 - (C) 25
 - (D) 60
3. The demand for younger girls has been fuelled by the myth that virgins are cure for:-
- (A) Cancer
 - (B) Asthma
 - (C) AIDS
 - (D) Diabetes
4. The percentage of untraced missing cases of women and children in India, every year is about:-
- (A) 10 – 15
 - (B) 20 – 25
 - (C) 50 – 55
 - (D) 80 – 85
5. The biggest cause of young girls being pushed into the flesh trade is:-
- (A) Poverty
 - (B) Willingness
 - (C) Illiteracy
 - (D) Deception
6. How much is the approximate transactions in the prostitution:-
- a) 10 million a day
 - b) 185 million a day
 - c) 100 million a day
 - d) None of the above
7. What is the annual approximate transaction in the prostitution:-
- a) 370 billion
 - b) 100 billion
 - c) 50 billion
 - d) None of the above
8. How much people are enslaved in any form worldwide:-
- a) 10 million
 - b) 15 million
 - c) 27 million
 - d) None of the above

9. Number of slaves trafficked from Africa to Americas in 400 year long Atlantic Slave Trade was:-
 - a) 2 million
 - b) 7 million
 - c) 15 million
 - d) None of the above
10. Worldwide trafficking is growing fastest in:-
 - a) West Europe
 - b) East Europe
 - c) North Europe
 - d) None of the above
11. Which is the second largest crime in the world:-
 - a) Drug trafficking
 - b) Human Trafficking
 - c) Cyber Crime
 - d) None of the above
12. Estimates of women involved in sex trade in India ranges from:-
 - a) 20000 to 50000
 - b) 100000 to 800000
 - c) 1500000 to 2500000
 - d) None of the above
13. Which place in India has more than 200000 Commercial Sex Workers, 20% of them below 18 years of age:-
 - a) Ahmedabad
 - b) Delhi
 - c) Mumbai
 - d) Kolkata
14. How many percent of the rescued girls were found to be deceived into the trade:-
 - a) 20%
 - b) 80%
 - c) 60%
 - d) 15%
15. The trafficking in human especially attracted attention during:-
 - a) 1950
 - b) 1960
 - c) 1980
 - d) 2000

(IV) Do as directed.

1. Arrange criminal activity as per their size in the increasing order.
(Drugs trafficking, Arms trafficking, Human trafficking)
2. What is the plight of women trafficked in India and how are they exploited?

3. What is the plight of children trafficked in India and how are they exploited?

CHAPTER – 2

(I) Answer the following questions by ticking the appropriate choice (True/False).

1. The victims of human trafficking suffer over a very long period. True/
False
2. This is crime which has a major humane overtone. True/
False
3. In Labour trafficking a person is paid more than his due. True/
False
4. Sex trafficking can be witnessed in brothels and massage parlours. True/
False
5. One should be careful about marriage/ modelling agencies as it can be a recruitment place for Human Trafficking. True/
False
6. The trafficking in human is on decline. True/False
7. The involvement of any family member in commercial sex work creates vulnerability. True/False
8. In trafficking, source, transit & destination are always single/unique points. True/False
9. Trafficking patterns and routes are often simple and can be established easily. True/False
10. Recruitment can take place at places like cinema halls, bus stops, railway stations. True/False
11. Recruitment never occurs during festivals. True/False
12. Women do not act as traffickers. True/False
13. South Asian countries are preferred because of the lax law enforcement. True/False

(II) Fill-in the blanks given below with a suitable word.

1. Human trafficking is the criminal practice of exploitation and trading in _____.

2. Human Trafficking is a criminal activity against _____ as it causes corruption, money laundering, tax evasion, forgery of documents.
3. In Human Trafficking we always have a _____ , _____ and destination.
4. _____ status of women is one of social cause of trafficking.
5. The casual attitude in the society towards exchanging sex for money results in _____ in human trafficking.
6. The common place understanding of trafficking is akin to _____ .
7. Traffickers may operate alone, in small gangs or as part of _____ crime groups.
8. Terms like dalal or dalali are used to refer to _____ .

(III) Answer the following questions by ticking at the right choice.

1. Which is not a characteristic of the crime in human trafficking:-
 - (A) Lucrative
 - (B) Organised
 - (C) High Risk
 - (D) Exploitation
2. Which of the following is not a cause of Human Trafficking:-
 - (A) Poverty
 - (B) Demand for Prostitution
 - (C) Increased Wealth
 - (D) Growth of Criminal Networks
3. Which of the following is not a cause of Human Trafficking:-
 - (A) Breakdown of marriage
 - (B) Increase in violence
 - (C) Break-up of joint family
 - (D) High literacy rate
4. Which of the following is not a Trafficker:-
 - (A) Organised Crime Syndicate
 - (B) Gangs dealing in arms
 - (C) Gang of thieves
 - (D) Smugglers of Contraband
5. Which are not the characteristics of traffickers:-
 - (A) Organised criminal group of 3 or more persons
 - (B) May be in existence for a period of time

- (C) Act in consort
- (D) Suffer from mental disorders
- (E) All of them are male
- (F) Motive for financial or other material benefits

6. From the trafficking point of view, India serves as:-
- a) Source
 - b) Transit point
 - c) Destination
 - d) All of the above
7. Which of the following contributes to increase in trafficking:-
- a) Lack of livelihood options
 - b) Economic & social deprivation
 - c) Migrating populations
 - d) Low priority area with Law Enforcement Agencies
 - e) All of above
8. In Indian content, the two main suppliers are:-
- a) Pakistan & Nepal
 - b) Bangladesh & Myanmar
 - c) Nepal & Bangladesh
 - d) CIS & Sri Lanka
9. The flow of trafficked women and children moves from:-
- a) South to North
 - b) East to West
 - c) Underdeveloped to developed
 - d) Rural to Urban
 - e) All of the above
10. The different forms that commercial sexual exploitation (CSE) takes are :-
- a) Prostitution
 - b) Pornography
 - c) Cyber sex
 - d) Sex Tourism
 - e) All of the above

(IV) Do as directed.

Match the Following about Human Trafficking.

- | | | |
|----|-------------------------------|--------------------------|
| 1. | <u>Components Head</u> | <u>Ingredient</u> |
| | Act | Prostitution |
| | Means | Transportation |
| | Exploitation | Coercion |
| 2. | <u>Components Head</u> | <u>Ingredient</u> |

Act
Means
Exploitation

Deception
Forced Labour
Recruitment

3. Why the reporting in human trafficking cases is measurably poor and what is the remedy?

CHAPTER – 3

I. Multiple Choice Questions

Select the right answer and tick the same (a, b, c, d, e)

1. Which of the following laws deal with human trafficking:-
 - (a) The Indian Penal Code, 1861
 - (b) The Immoral Traffic (Prevention) Act, 1956
 - (c) Juvenile Justice (Care and Protection of Children) Act, 2000
 - (d) Bonded Labour System (Abolition) Act, 1976
 - (e) All the above
2. Section 363 of the Indian Penal Code deals with the offence of:-
 - (a) Habitual dealing in slaves
 - (b) Procurement of a minor girl
 - (c) Punishment for kidnapping
 - (d) Importation of a girl from foreign country
3. Section 342 of the Indian Penal Code provides punishment for:-
 - (a) Kidnapping a minor
 - (b) Punishment for kidnapping
 - (c) Unlawful compulsory labour
 - (d) Punishment for wrongful confinement.
4. Section 362 of the Indian Penal Code deals with the offence of:-
 - (a) Punishment for wrongful restraint
 - (b) Abducting any person
 - (c) Kidnapping a minor
 - (d) Kidnapping or maiming a minor for purposes of begging
5. Section 361 of the Indian Penal Code deals with the offence of:-
 - (a) Kidnapping a minor
 - (b) Kidnapping or maiming a minor for purposes of begging
 - (c) Buying minor for purposes of prostitution, etc.
 - (d) Unlawful compulsory labour
6. Section 363A of the Indian Penal Code deals with the offence of:-

- (a) Procurement of a minor girl
 - (b) Kidnapping or maiming a minor for purposes of begging
 - (c) Buying minor for purposes of prostitution, etc.
 - (d) Abducting any person
7. Section 366A of the Indian Penal Code deals with the offence of:-
- (a) Procurement of a minor girl
 - (b) Importation of a girl from foreign country
 - (c) Unnatural offences
 - (d) Unlawful compulsory labour
8. Section 367 of the Indian Penal Code deals with the offence of:-
- (a) Buying or disposing any person as a slave
 - (b) Kidnapping or abducting in order to subject a person to grievous hurt, slavery, etc.
 - (c) Habitual dealing in slaves
 - (d) Unnatural offences
9. Section 372 of the Indian Penal Code deals with the offence of:-
- (a) Selling minor for purposes of prostitution, etc.
 - (b) Buying minor for purposes of prostitution, etc.
 - (c) Unlawful compulsory labour
 - (d) Punishment for wrongful restraint
10. Section 374 of the Indian Penal Code deals with the offence of:-
- (a) Unlawful compulsory labour
 - (b) Punishment for rape
 - (c) Selling for purposes of prostitution, etc.
 - (d) Unlawful offences
11. Section 373 of the Indian Penal Code deals with the offence of:-
- (a) Unlawful compulsory labour
 - (b) Kidnapping a minor
 - (c) Buying minor for purposes of prostitution, etc.
 - (d) Procurement of a minor girl
12. The most important laws to curb trafficking is:-
- (a) The transplantation of Human Organs Act, 1994
 - (b) The Juvenile Justice (Care and protection of Children) Act 2000
 - (c) The Immoral Traffic (Prevention) Act, 1956
 - (d) The Bonded Labour System (Abolition) Act, 1976
 - (e) All the above

II. Fill in the blanks:

1. The Bonded Labour System (Abolition) Act of 1976 prohibits _____ or _____ labour.
2. The Juvenile Justice Act, 2000 provides for effective social rehabilitation and reintegration of all _____ in need of care and protection.
3. The young persons (Harmful Publication) Act, 1956 prohibits _____ of material related to _____, _____ and _____.
4. The Transplantation of Human Organs Act, 1994 provides for _____ of removal, storage and transplantation of human organs for purposes of treatment.
5. The Child Marriage (Restraint) Act provides for ____ years of age of marriage for male and ____ years of age for female.

CHAPTER – 4

I. Multiple Choice Questions

Select the right answer and tick the same.

1. In ITPA, the definition of prostitution covers:-
 - (a) Sexual exploitation or abuse of persons for commercial purposes
 - (b) Prostitution is not confined to only women
 - (c) It includes abuse of one's own self for commercial purposes
 - (d) All the above
2. Which section of the ITPA deal with the offence of running a brothel or letting premises for running a brothel :-
 - (a) Section 5
 - (b) Section 3
 - (c) Section 4
 - (d) Section 6
3. Which section of the ITPA deals with the offence of living on the earnings of the prostitute?
 - (a) Section 6
 - (b) Section 5
 - (c) Section 3
 - (d) Section 4
4. Which section of the ITPA deals with the offence of procuring or inducing or taking any person for the sake of prostitution?
 - (a) Section 5
 - (b) Section 3
 - (c) Section 6
 - (d) Section 4

5. Which section of the ITPA deals with the offence of detaining a person in premises where prostitution is carried on:-
- (a) Section 6
 - (b) Section 3
 - (c) Section 8
 - (d) Section 13
6. Which section of the ITPA deals with the offence of prostitution in the vicinity of a public place:-
- (a) Section 6
 - (b) Section 7
 - (c) Section 3
 - (d) Section 9
7. Which section of the ITPA deals with the offence of seducing or soliciting for the purpose of prostitution:-
- (a) Section 6
 - (b) Section 9
 - (c) Section 13
 - (d) Section 8
8. Which section of the ITPA deals with the seduction of any person in custody or charge of any person in authority:-
- (a) Section 9
 - (b) Section 18
 - (c) Section 11
 - (d) Section 6
9. Which section of the ITPA makes provision for the closure of brothels by the magistrate:-
- (a) Section 13
 - (b) Section 11
 - (c) Section 18
 - (d) Section 9
10. Which section makes provision for the magistrate's power, on being satisfied, to pass an order asking the person involved in prostitution to remove herself from the area of his jurisdiction:-
- (a) Section 20
 - (b) Section 11
 - (c) Section 13
 - (d) Section 18

II. Fill in the blanks:-

1. Brothel can be defined as place where _____ for abuse is carried on for the _____ of another person or for the _____ of _____ or _____ prostitutes.
2. The offence made punishable under section 5 of the ITPA becomes a more serious offence if it is committed in respect of _____ or _____.
3. Letting out a place with the knowledge that it will be used for purpose of prostitution is an offence under section _____ of the ITPA.
4. The offender under section 8 of the ITPA could be _____ or _____.
5. The magistrate, under section 18 of the ITPA can initiate proceedings for closure of brothels if he receives information that prostitution is being carried on in a house or brothel within _____ metres of any public place as defined in section _____ of the Act.
6. The provision of section 18 can be invoked irrespective of the fact that _____ has been launched or not.
7. As per section 13 of the ITPA special police officers not below the rank of _____ appointed by the State Government under this Act, are competent to investigate the offences under this Act.
8. A Judicial Magistrate convicting a person under Section 3 or Section 7 of the ITPA can order _____ of the _____ and _____ of the offender without any further _____.

III. Multiple Choice Questions

1. In order to prove that a premise is being used we can rely on:-
 - (a) Statement of the witnesses
 - (b) Statement of the victims
 - (c) Relevant recoveries from the premise
 - (d) Earlier police records
 - (e) All the above
 - (f) None of the above
2. Which of the following needs to be done to establish the ownership of the premise:-
 - (i) Examination of land deeds
 - (ii) Examination of registration documents and lease deeds
 - (iii) Examination of receipt of payment of rent or tax for water, electricity and telephone, etc.
 - (iv) Examination of voter's list, ration card and bank accounts
 - (a) (i) and (ii) only
 - (b) (ii) only
 - (c) (ii) and (iii) only
 - (d) All the above

3. In order to prove the offence under section 4 of the ITPA, we need to prove the following
- (i) A person is getting income from prostituting others
 - (ii) A person is living with a prostitute
 - (iii) A person is habitually found in the company of a prostitute
 - (iv) A person aids, abets or compels a prostitute
 - (v) A person acts as tout, pimp on behalf of a prostitute
- (a) (i), (ii) and (iv) only
 - (b) (ii), (iv) and (v) only
 - (c) (i), (iii) and (v) only
 - (d) All the above
4. In the context of proving the offence under section 5 of the ITPA, Please indicate whether the following evidence/facts can be used or not:-
- (a) The age of the trafficked person. Yes/No
 - (b) The statement of the victim indicating his consent, etc. Yes/No
 - (c) That the trafficker displaced the victim from his community Yes/No
 - (d) Medical examination of the trafficked person Yes/No
 - (e) Medical examination of the abuser Yes/No
 - (f) The details about the relatives of the victim Yes/No
 - (g) The details about the destination point viz. brothel Yes/No
5. Which of these presumptions can be helpful for the prosecution in providing the offence under section 6 of the ITPA?
- (i) A child or the victim is found in a brothel
 - (ii) A minor victim is medically examined and found with sexually transmitted diseases
 - (iii) The jewellery of the victim is in the custody of the brothel management
 - (iv) A child is lost and found in a park near a brothel
 - (v) All the above
- (a) (i), (ii) and (V) only
 - (b) (ii), (iv) and (V) only
 - (c) (v) only
 - (d) (i), (ii) and (iii) only
6. In the context of proving the offence under section 6 of the ITPA, please indicate as to whether the following evidence/facts can be helpful or not:-
- (a) Proof of the place being a brothel Yes/No
 - (b) The victim is never accompanied by a person Yes/No
 - (c) The victim is always accompanied by a person Yes/No
 - (d) The victim is not allowed to come out of the premise Yes/No

- | | | |
|-----|--|--------|
| (e) | Statement of the victim | Yes/No |
| (f) | The manner of obtaining the consent of the victim i.e. by force, fraud or deceit | Yes/No |
| (g) | Medical examination of the victim to prove his/her sexual exploitation | Yes/No |
| (h) | Medical examination report about the age of the victim | Yes/No |

7. In the context of proving the offence under section 8 of the ITPA, please indicate whether we need to establish the following facts or not:-

- | | | |
|-----|--|--------|
| (a) | That it is a public place | Yes/No |
| (b) | That the person was attracting the attention of any person by words, gestures or wilful exposure of one's person | Yes/No |
| (c) | That the person was standing without making any gestures | Yes/No |
| (d) | That the person was soliciting or molesting any person or acting in such a manner as to cause annoyance to residents or passers-by or offends public decency | Yes/No |

8. In the context of the proceedings under section 18 of the ITPA, please indicate as to which of the following information could be useful to satisfy the magistrate:-

- | | | |
|-----|--|--------|
| (a) | Documents & physical measurements to show that the scene of crime is in a public place | Yes/No |
| (b) | Aerial measurement of the place | Yes/No |
| (c) | Bills and vouchers to establish linkage of the offender to the place | Yes/No |
| (d) | Report of police/NGOs etc. regarding abuse of the place | Yes/No |
| (e) | Earlier police report regarding the exploitation taking place in the same place | Yes/No |
| (f) | Medical examination of the victim | Yes/No |

IV. Descriptive Question

1. What facts do we need to establish to prove that a place is a public place and that prostitution is taking place near it?

CHAPTER – 5

I. Multiple Choice Questions

1. Which of the following does not include in pro-active work of police in ITPA cases:-
- a) Geographic profiling
 - b) Networking of police of various States
 - c) Analysis of advertisement in newspapers

- d) Arrest of victim
 - e) All the above
2. Which of the following is odd man out?
- a) Brothel House
 - b) Rescue Home/NGO
 - c) Special Home
 - d) Special Police Officer
3. Which of the following is not an important aspect of investigation of ITPA cases:-
- a) Circumstances under which the girl has disappeared
 - b) Means of livelihood of the accused
 - c) Victim's willingness to go with the accused
 - d) Documentary evidence and bank transactions
 - e) All the above
4. Collection of physical evidence includes the following:-
- a) Handling, labelling and packing
 - b) Using the gloves
 - c) Proper seal on the envelope
 - d) Forwarding letter
 - e) All the above
5. Which of the following technology cannot be used in immoral trafficking investigation:-
- a) Camcorders
 - b) Telephone tapping
 - c) Recording devices
 - d) GSR Particle Analyser
 - e) None of the above
6. Which of the following points does not include in the human trafficking investigation:-
- a) Tracking the routes and travel arrangements
 - b) Tracking a money trail
 - c) Identifying safe houses and destinations
 - d) Action against non-commercial sex workers
 - e) None of the above
7. Which of the following are relevant documents found during raid?
- a) Telephone diaries
 - b) Client Register
 - c) Financial Records
 - d) Travel documents and identity cards

- e) All of the above
8. Which of the following is not a vital clue during raid of brothel house?
- a) Video CDs & mobile phones
 - b) Rubbish in the dust bin
 - c) Finger prints
 - d) Maps and route details
 - e) Knife
9. Which of the following is the key ingredient of crime scene photography?
- a) Liberal number of photographs of scene of crime
 - b) Measuring tape
 - c) Exhibit number
 - d) Note about photograph
 - e) All the above
10. The age of the victim cannot be ascertained by:-
- a) Registration of Birth Certificate
 - b) Medical opinion
 - c) School certificate
 - d) DNA fingerprinting
11. Which of the following is not relevant during the medical examination of the victim?
- a) Sexually transmitted disease (STD)
 - b) HIV-AIDS
 - c) Asthma
 - d) Vaginal swab
12. Which of the following is not relevant during medical examination of the wound?
- a) Type & size of the wound
 - b) Warts on the skin
 - c) Cause & location
 - d) Age of the wound
13. A woman trafficked for CSE (Commercial Sexual Exploitation) was arrested from a hotel along with the "Customer". In this context, which of the following is the correct position?
- a) Both the women and the man are to be arrested
 - b) Only the man is to be arrested
 - c) Only the woman is to be arrested as she was soliciting
 - d) Both cannot be arrested as they were doing a willing act
14. In which police station a "Trafficking" offence can be registered and investigated?

- a) Police station at the starting point
- b) Police station at the transit point
- c) Police station at the destination point
- d) Any of the above

15. A police officer who went for rescue/investigation to a brothel case acted as follows. Please indicate which of the following actions are correct:-

- I. He arrested all the females available there (including the VCSE and the brothel madam, pimps, etc.) and put them all together in a jeep and whisked them away to the police station
- II. Because he was in a hurry, he could not allow the women to carry their belongings
- III. He did collect the pornographic materials available there, but some registers and account books lying there were not collected as they were not considered important
- IV. One of the young woman, appearing to be @ 20 years of age said that she had her child there, but the police officer did not want to take the child to the police station and, therefore, left the child there itself.
- V. The brothel madam had a few young women in a cubicle, but the police officer did not see them in the hurry.

- a) I & IV
- b) I only
- c) I, II & III
- d) All the above

16. Which of the following is not a part of interrogation of the victim:-

- a) Travel route
- b) Forced initiation
- c) Cosmetics used
- d) Method of control by brothel madam
- e) Drug abuse

17. Which of the following is not part of financial transactions in trafficking:-

- a) Monthly income of the victim
- b) Monthly deductions of the victim
- c) State of health of the victim
- d) Commission for agents or pimps

II. **Fill in the blanks:**

- 1. Blood and Semen stains on the cloth should be properly _____ before sending to expert.

2. If the victim below the age of sixteen is rescued from the brothel house, the client can be arrested under _____ IPC.
3. _____ can be used to search for minor victims in false ceilings and basements.
4. Plan Drawing or Sketching of a room or any closed area may be shown like an un-folded _____.
5. The statement of the trafficked victim can be recorded by female police officer under _____ Section of I.T.P.A.
6. The rescued children should be produced before the _____ under the Juvenile Justice Act.
7. In ITPA cases, the burden of proof is on the _____.
8. I.T.P.A. is intent to punish the _____ but not the _____.
9. N.H.R.C. deals with _____.

III. **One line answers:**

1. What is "chain of custody" of physical evidence?
2. What is "Ossification Test" used for?
3. Expand I.T.P.A.
4. Expand C.W.C.
5. Expand A.I.D.S.
6. Expand C.S.W.
7. Expand C.S.E.
8. Under what Section of Cr.P.C., the victim can record her statement before the Magistrate?
9. What is "psycho-social profiling"?
10. What does "pro-active police work" mean?
11. In what offences, in-camera trial is admissible?
12. What are the hiding places for minor victims in brothel houses?
13. What is meant by "integrity of the physical evidence"?
14. Can you utilize the services of a NGO as a witness during search?

IV. **Write True or False:**

S.No.	Question	Answer
1.	Immoral Trafficking is an organized crime	
2.	Tracking telephones, mobiles and internet can be used in gathering information on immoral trafficking	
3.	Any officer not below the rank of Sub-Inspector can conduct search for rescue of persons without warrant	
4.	Normally the name and identity of women is changed in the brothel house	
5.	In trafficking cases, Section 120B IPC cannot be initiated	
6.	Witness protection can be ensured through strong NGO links	
7.	Photographic or videographic evidence is admissible during trial	
8.	Taking vaginal swab is not required during medical examination of the victim of commercial sexual exploitation	
9.	Ossification test is used to determine the sexually transmitted diseases of the victim of commercial sexual exploitation	
10.	Special Police Officer cannot arrest without Warrant in ITPA cases	
11.	One of the independent witness during raid of the brothel house should be a woman from the same locality	
12.	If pregnant woman is rescued from a brothel, she should not be searched in the premises	
13.	Victims rescued from the brothel house can be handcuffed	
14.	A relative cannot be allowed to keep watch on victim when she is in the lock-up	
15.	Crime scene photography involves only close-up photographs of the scene of crime	
16.	Video graph/photograph of outside premises of scene of crime/brothel house is not relevant in the investigation	
17.	Victims photographs can be given to newspapers/media	
18.	Plan of scene of crime can be drawn by measuring the distance of pace.	

19.	The best way of determining the scale is to take the measurement of the longest distance and scale it down to fit the paper	
20.	It is better to include both relevant and irrelevant things found on the scene of crime while drawing its plan	
21.	More than one physical clue can be put together in the same packet and then sealed and forwarded to an Expert	
22.	Physical evidence is the clue that can provide a link between the victim, crime and its perpetrator	
23.	Wet blood sample can be dried against heat and then carefully packed	
24.	North direction should always be included in the sketch	
25.	In plan drawing, the distance of an object can be measured from two nearest movable objects	
26.	Signature of witnesses is not required for plan drawing sketch	
27.	Cigarette butts can be sent for DNA examination	
28.	Prostitution and trafficking are one and the same	
29.	Statement recorded by police should be signed by the victim	
30.	The write-up of a statement should be read out to the victim for accuracy	
31.	The statement should be written in the mother tongue of the victim as far as possible	
32.	In trafficking cases, test identification parade has to be carried out using the CSW (commercial sex worker) as witness	
33.	The medical history of the CSW is important during investigation	
34.	The person doing odd jobs in the brothel can be used as corroborative evidence	
35.	In trafficking cases, the linkage between suspects, accused and witness should be strongly established	
36.	Trafficked women should always be treated as victims and not as criminals	

CHAPTER 6

I. Fill in the blanks :-

1. It is essential for policemen that they must appear before the victim as a _____ and _____ to save them.
2. A policeman must be _____, _____, _____ and caring towards the victims of trafficking.
3. _____ and _____ are particularly vulnerable to trafficking.
4. _____ has a major role to play in the _____ of victims.
5. Much greater gender and child _____ is required towards the victims of trafficking.
6. In the matters of _____, _____ and _____, the welfare departments of the government and recognized NGOs have an important role to play.
7. The police and prosecution should specially make efforts to send the victims to _____ rather than _____.
8. Section _____ of the ITPA has provisions for non-official advisory body.
9. NGOs also find a role under section _____ of the ITPA for providing intermediate safe custody to victims.
10. NGOs are a valuable source for _____ on trafficking.
11. NGOs often play a vital role in _____ of the victims.
12. Post-rescue role of NGOs lies in carrying out _____ of victims.
13. The NGOs provide _____ between victims and society and victim and other anti-trafficking agencies.
14. The NGOs can be very useful in developing _____ on trafficking.

II. Multiple Choice Questions

1. The NGOs play a vital role in rescue as:-
 - (a) Witnesses
 - (b) Advisors
 - (c) Partners
 - (d) Human Rights Guardians
 - (e) All the above
2. Post rescue counselling of the victims by the NGOs include:-
 - (a) Giving advice and support
 - (b) Helping the victims overcome the shock and suffering

- (c) Helping to identify the best interest of the victim
 - (d) Prescribe guidelines and protocols for police and others
 - (e) All the above
3. The NGOs' role in victim's support and rehabilitation covers:-
- (a) Identification of suitable programmes for the victims
 - (b) Training the victims to enable them to earn a livelihood
 - (c) Provide them resources for production & marketing of products
 - (d) All the above
 - (e) None of the above
4. NGOs can be helpful in trial of cases:-
- (a) By looking after the victim
 - (b) Acting as language translator
 - (c) Providing assistance to the court
 - (d) Getting victim/witness for evidence
 - (e) All the above

III Please indicate whether the following statements about the usual status and mental conditions of the victims of trafficking are true or false:-

- (a) The victims of trafficking don't seek help because of fear. True/False
- (b) They have access to and faith in the authorities. True/False
- (c) They fear being punished for illegal entry, prostitution, etc. True/False
- (d) They are not afraid of being exposed and hurt by the Media and criminal justice system. True/False
- (e) They have no opportunity to seek help as they are kept confined and always watched. True/False
- (f) The traffickers don't compel them to support the cover story provided by the traffickers True/False
- (g) The victims blame their fate for their misfortune. True/False
- (h) Sometimes the victims even develop loyalties and positive feelings toward traffickers. True/False
- (i) Sometimes, the victims are reluctant to complain for fear of losing money kept in safe custody of the traffickers. True/False
- (j) The victims don't generally suffer from poor nutrition and poor health care. True/False
- (k) The victims are psychologically upset all the time. True/False
- (l) The victims are exposed to unsafe and sub-human conditions. True/False
- (m) The victims don't undergo personal risk of injury, beating, physical and sexual abuse. True/False
- (n) The victims are continuously exposed to AIDS and sexually transmitted diseases. True/False
- (o) The victims are not exposed to unwanted pregnancy, loss of organs and have access to health care. True/False

KEY/ANSWERS

Chapter -1

- (l) 1) True 2) True 3) False 4) True 5) False
- 6) True 7) False

- (II) 1) Women & Children 2) 2 3) Former Soviet Union
4) 89 5)1, 00,000 6) Camel 7) 23
- (III) 1) B 2) C 3) C 4)B 5)D 6)b
7) a 8)c 9)c 10)b 11)b
12)b 13)c 14)c 15)c
- (IV) 1) Arms trafficking, Human trafficking, Drug trafficking
- 2) They are forced as sex workers in brothels, dancing bars, sold as child brides, do hazardous work in factories, domestic help and in farms.
- 3) They are trafficked for illegal adoptions, organ transplants, working in circus, for begging and entertainment industry especially as camel jockeys.

Chapter – 2

- (I) 1) True 2) True 3) False 4) True 5) True
6) False 7) True 8) False 9) False 10) True
11) False 12) False 13) True
- (II) 1) People 2) State 3) Origin, transit 4) Low 5) Increase
6) Prostitution 7) Organized 8) Traffickers
- (III) 1) C 2) C 3) D 4) C 5) D, E
6) d 7) e 8) c 9) e 10) e
- (IV) 1) Act – Transportation; Means – Coercion; Exploitation – Prostitution
- 2) Act – Recruitment; Means – Deception; Exploitation – Forced Labour
- 3) The silence of victims is the major factor in such cases going unreported, as they feel insecure in alien environment and don't have any support. Co-operation of other bodies like NGOs may be sought to rectify it.

Chapter – 3

- I. 1. (e) 2. (c) 3. (d) 4. (b) 5. (a) 6. (b)
7. (a) 8. (b) 9. (a) 10. (a) 11. (c) 12. (e)
- II. 1. forced, bonded 2. juveniles 3. distribution, crime, violence, vice
4. regulation 5. 21, 18

Chapter – 4

- I. 1. (d) 2. (b) 3. (d) 4. (a) 5. (a) 6. (b)
7. (d) 8. (a) 9. (c) 10. (a)
- II. 1. sexual exploitation, gain, mutual gain, two, more 2. children, minor
3. 7 4. male, female 5. 18, 200, 7(1) 6. prosecution 7. Inspectors
8. closure, brothel, eviction, notice

- III. 1. (e) 2. (d) 3. (d) 4. (a) Yes, (b) Yes, (c) Yes, (d) Yes
 (e) Yes, (f) No, (g) Yes, (h) Yes, (i) Yes, (j) Yes 5. (d)
 6. (a) Yes, (b) No, (c) Yes, (d) Yes, (e) Yes, (f) Yes, (g) Yes, (h) Yes
 7. (a) Yes, (b) Yes, (c) No, (d) Yes 8. (a) Yes, (b) No, (c) Yes, (d) Yes,
 (e) Yes, (f) Yes

- IV. 1. (Descriptive Answer)

Chapter - 5

- I. 1) d 2) c 3) c 4) e 5) d 6) d
 7) e 8) e 9) e 10) d 11) c 12) b
 13) b 14) d 15) b 16) c 17) c
- II. 1) Air dried 2) Sec.376 IPC 3) sniffer dogs 4) packing box
 5)Sec.15 (6-A) of ITPA 6) Child Welfare Committee 7)accused
 8)exploiters, victims of CSEs 9) human rights violation
- III. 1) Recording the movement of physical evidence from the custody of one person to another person during investigation.
 2) To determine the age of the victim
 3) Immoral Traffic Prevention Act
 4) Child Welfare Committee
 5) Acquired Immuno-Deficiency Syndrome
 6) Commercial Sex Worker
 7) Commercial Sexual Exploitation
 8) 164 Cr.P.C.
 9) To know about the psychology and social background of the victim or the criminal
 10) Gathering information and using it before taking action
 11) (a) Rape cases and (b) Human Trafficking cases
 12) (a) False ceilings (b) Basements
 13) Protecting the evidence from contamination
 14) Yes
- IV. 1) True 2) True 3) False 4) True 5) False 6)
 True 7) True 8) False 9) False 10) False 11) True 12)
 False 13) False 14) False 15) False 16) False 17) False 18)
 False 19) True 20) False 21) False 22) True 23) False 24)

True 25) False 26) False 27) True 28) False 29) False 30)
True 31) True 32) True 33) True 34) True 35) True 36) True

Chapter – 6

- I. 1. source of hope, help 2. Gentle, understanding, helpful
3. women, children 4. community, rehabilitation 5. sensitivity
6. rehabilitation, rescue, treatment 7. corrective homes, jail
8. 13(3)b 9. 17(5) 10. intelligence 11. rescue
12. counselling 13. linkage 14. database
- II. 1. (e) 2. (e) 3. (d) 4. (e)
- III. (a) True, (b) False, (c) True, (d) False, (e) True, (f) False, (g) True
(h) True, (i) True, (j) False, (k) True, (l) True, (m) False (n) True (o) False