A Synopsis of

"A STUDY OF ANTI HUMAN TRAFFICKING UNIT FUNCTIONARIES' EXPERIENCES AND OPINIONS: SOCIAL WORK CONCERNS"

A Thesis to be submitted by

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CHAPTER 1

1. INTRODUCTION

Presently, Human Trafficking is one of the major social evils growing gradually. Like terrorism it has been recognized as one of major problems not only in India but also the world over. India is a source as well as destination for trafficked women and children from Nepal and Bangladesh for the purpose of commercial sexual exploitation. Nepali children are trafficked for forced labor and Indian women are trafficked to the Middle East for commercial sexual exploitation. Indian migrants who move enthusiastically every year to the Middle East and Europe to work as domestic servants and low skilled laborers mostly end up as part of the trafficked victims. Thousands of women are engaged in commercial sex work in many part of Gujarat state like Surat, Sabarkantha, Rajkot, Anand, Junagarh, Vadodara, Gandhidham, Ahmedabad, Dahod and area along with NH 8. Majority of them have been forced into the illegal trade through traffickers. Women are trafficked to Gujarat for commercial sexual exploitation from West Bangal, Rajasthan, Orrissa, Assam and Nepal.

A significant number of the children are subjected to forced labor as factory workers, domestic servants, beggars and agricultural workers. Most of the children who are brought into Ahmedabad from Bihar and Uttar Pradesh are engaged in different unorganized sectors like zari units in Bapunagar, Saraspur and Rakhiyal areas. Children who are brought from West Bengal and Orrisa are put into jewellery work in Ratanpole area. National Commission for Protection of Child Rights (NCPCR, "Tribal Girls Trafficked to Gujarat's GM fields", Report 2013) indicated that tribal children are trafficked to Gujarat's GM Cotton fields from Rajasthan for the purpose of child labor. They are engaged in artificial pollination, often working in appalling conditions, not least the extremely hot water, for over 12 hours a day. The children are subjected to physical, verbal, sometimes even sexual abuse and are at the risk of exposure to chemicals used in pesticide sprays.

1.2 Definitions: Human Trafficking

According to Crime in India (2014) report "Human trafficking is a group of crimes involving trafficking in person of men, women and children for sexual exploitation or for financial gains or exploitation of trafficked persons. Victims are lured or abducted from their homes and subsequently forced to work against their wish through various means in various establishments,

indulge in prostitution or subjected to various types of indignities and even killed or incapacitated for the purposes of begging and trade in human organs".

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

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

2. RATIONALE

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

to control / prevent the human trafficking can enhance the technical and procedure understanding among the government officials. This effort may provide new insight in improvement of existing strategies and techniques. The identified gaps from current practices and procedures will be useful in comparison of actual performance of functionaries with legislations to combat illegal human traffic. Proper scientific study can explore the problems faced by the AHTU functionaries in the process of handling human trafficking cases as well as hurdles in following their obligations.

The finding may support the AHTU functionaries in minimizing their difficulties and improving the possibility of a positive improvement in future of anti human trafficking initiatives. Scientific study can provide suggestions for structural system and procedure based on practices so, that improvement take place and control / prevention of human trafficking become possible. In addition, comprehension and documentation of reported cases in human trafficking will be helpful in qualitative assessment of the study. This qualitative assessment will reveal previous efforts of key stakeholders in control / prevention of human trafficking. This research hence, aims to explore the causes of human trafficking and pointing out the loopholes in the system.

2.1 Human Trafficking: India

According to National Crime Record Bureau (NCRB) "Crime in India compendium 2016", crime against women and children is enormous. It is clear from the last three years report that total 339457 registered cases of crime against women and 89423 registered cases of crime against children during year 2014, 329243 registered cases of crime against women and 94172 registered cases of crime against children during 2015, 338954 registered cases of crime against women and 106958 registered cases of crime against children was recorded in 2014. Thus showing numbers increased by 81.2 percent in case of children from last three years.

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

 ${\bf TABLE~1}$ ${\bf TOP~REGISTERED~CASES~AND~REPORTED~TRAFFICKED~VICTIMS~IN~LAST~FIVE~YEARS.}$

(2014 to 2018)

	2014			20	15		2016			2017				2018						
	No. of report (HT*)	ed	No. of victims traffic (HT*)		No. of coreported (HT*)		No. of traffick		No. of c reporte (IPC-H	ed	No. of victims trafficl (IPC-H	ked	No. of oreported (IPC-H	d	No. of victims traffic (IPC- HT**)	s ked	No. of c reporte (IPC-H	ed	No. of victims traffick (IPC-H	ced
	State Rank	Num •	State Rank	Num	State Rank	Num •	State Rank	Num.	State Rank	Num.	State Rank	Num.	State Rank	Num	State Rank	Nu m.	State Rank	Nu m.	State Rank	Nu m.
1	WB	1096	KRL	1326	ASM	1494	ASM	1516	WB	3579	WB	4164	JHK	373	RAJ	900	JHK	373	MAH	744
2	TN	509	WB	1200	WB	1255	WB	1474	RAJ	1422	RAJ	2854	WB	357	MAH	665	MAH	311	JHK	392
3	KAR	472	KAR	834	TN	577	TN	803	GJT	548	TN	1449	TLG N	329	DEL	490	ASM	262	TLGN	377
4	ASM	407	MAH	735	TLGN	561	KAR	747	MAH	517	MAH	1145	RAJ	316	BHR	451	TLG N	242	AP	366
5	BHR	395	TN	590	KAR	507	TLG N	709	TN	434	KAR	1012	MAH	310	TLG N	438	WB	172	ASM	270
-	GJT	56	GJT	88	GJT	47	GJT	57	-	-	-	-	GJT	09	GJT	19	GJT	13	GJT	26

(Source: National Crime Record Bureau (NCRB), Crime in India report(s) 2014, 2015, 2016, 2017 and 2018)

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

HT* = Please note, the data of 2014 and 2015 are of reported cases of only human trafficking.

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

National Crime Record Bureau as a chief source of information collected the statistics on reported cases under human trafficking from various police departments of Indian states. In the year of 2014, the highest numbers of cases registered in the top five states are West Bengal-1096, Tamilnadu-509, Karnataka-472, Asam-407 and Bihar-395. During the same year many victims were trafficked. The uppermost numbers of trafficked victims registered in top five states were Kerala-1326, West Beangal-1200, Kerala – 834, Maharashtra-735 and Tamilanadu-590.

It is clear from the table no one that in the year of 2015, the maximum numbers of cases registered in the top five states were Asam-1494, West Bengal-1255, Tamilnadu-577, Telangana-561, and Karnataka-507. During the same year numerous of victims were trafficked. The topmost numbers of trafficked victims registered in top five states were Asam-1516, West Beangal-1474, Tamilanadu-803, Karnataka-747 and Telangana-709.

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

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

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

(UNODC Asia report, 2011-2012) Every year more than 300 such cases are reported in each of the four considered to be from south India state. Whereas west Bengal and Bihar, on an average have 100 such cases each year. Home ministry of India reported 1379 cases of human trafficking

from Karnataka, 2244 from Tamil Nadu and 2157 from Andhra Pradesh in the period of last four years. The United National Office on Drug and Crime report on human trafficking revealed that Tamil Nadu has 528 such cases of human trafficking and In 2011 about 35000 children were reported missing and more than 11000 out of this were from west Bengal, it is assumed to be 30% of the total cases reported. Indeed the actual numbers in human trafficking is pretty high.

2.2 Human Trafficking: Gujarat

As can be seen from the title of the study, researcher has used Anti Human Trafficking Unit (i.e. AHTU) as plat form to contact the research population. It is there for necessary to explain the 'what' and 'How' of AHTUs through which the 'who' of the system can be contacted.

The number of immoral human trafficking cases registered in Gujarat during last decades has seen a rise between 2015 and 2018 with uneven variations. In 2015 registered human trafficking cases in district and city were 383. The reported cases observed to be higher with sudden shoot in 2016 and that was 548 cases. According to the latest information (30-09-2019) received from the Office of Additional Director General of Police, Gandhinagar the registered criminal offences on human trafficking under various applicable sections was 851 in the year of 2018. It is fact that in the year of 2015, 29 cases registered under specific legislation of Immoral Trafficking (Prevention) Act (ITPA). The same calculation further touched the elevation of 55 cases in the year of 2016. It has been noticed that there was downfall during the year 2017. Where in 36 cases were reported. Again in the year of 2018 the numbers was accelerated and turned into 47 registered cases. It was reality that Surat, Ahmedabad and Vadodara city stood among the top in 2016. The reported cases on human trafficking was 21 in Surat, 5 in Ahmedabad and 4 in Vadodara in the year of 2016. Surat city maintained its top position in 2006 with 67 cases. While Vadodara city stood the top in 2004 with 10 cases, it was Surat city that that stood at the peak in 2005, where 18 cases were registered. Surat city again recorded highest number in 2006 with 67 cases respectively.

TABLE 2
REGISTERED HUMAN TRAFFICKING CASES IN GUJARAT STATE LAST FOUR
YEARS (2015 to 2018)

Sr.	Legal Act	Applicable sections	2015	2016	2017	2018
No.						
1	Indian penal code	363A, 366, 366A,	75	160	221	465
		366B,370,370A,371,372,373,376				
		& 376D				
2	Immoral traffic	3,4,5,5A,5B,5C,7 &18.	29	55	36	47
	(Prevention) Act					
3	Bonded labour Act.	16,17,18,20 & 23	0	0	0	0
4	Child labour (Prohibition	14(1), 14(2) & 14(3)	5	8	0	4
	and regulation) Act.					
5	Transplantation of human	18(1),18(2),19,20,21(1), 21(2).	0	0	0	0
	organs Act.					
6	Prohibition of child	9,10,11(1), 11(2)	0	1	0	0
	marriage Act.					
7	Protection of children	4,5(g), 6,8,10,17	190	193	208	288
	from sexual offences Act.					
9	SC/ST prevention of	3(1)10	25	37	42	28
	atrocity Act.					
10	Juvenile justice (Care and	23, 24(1), 24(2), 25, 26	54	94	22	12
	protection of children)					
	Act.					
11	Other Acts	-	3	0	0	7
	Tota	381	548	529	851	

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

3. Legal Intervention: Anti Human Trafficking Unit (AHTU)

US states department put India in tier two in relation to control of human trafficking. Tier two means government is making significant effort for controlling the Human Trafficking but lacking in minimum standardized procedure.

United Nations Office on Drugs and Crime (UNODC), Regional Office for South Asia in partnership with Ministry of Home Affairs, Government of India, has implemented Project IND/S16. The Project IND/S16 was for "Strengthening Law Enforcement Response to Human Trafficking" in India. The project initiated by UNODC for training of law enforcement officers in five states of India namely Maharashtra, Goa, West Bengal, Bihar and Andhra Pradesh.

United state department, trafficking in person report (2017), the Supreme Court of India directed the government to establish an organized crime investigative agency by December 2015-2016 to investigate human trafficking cases and rescue and rehabilitate victims; the establishment of such an agency was pending the passage of the draft anti-trafficking bill, although in India, Ministry of Home Affairs (MHA) had allocated 832 million Indian rupee (INR) (\$12.3 million) to fund the agency. Anti Human Trafficking Units (AHTU) continued to serve as the primary investigative force for human trafficking crimes. At the beginning of the reporting period, of the more than 600 districts, 226 had active Anti Human Trafficking Units (AHTU); so far, despite researchers' sincere efforts, it is not known if the number of Anti Human Trafficking (AHTU) increased at national level. However, researcher could succeed in getting the data for Gujarat state after rigorous follow-up.

- ➤ In 2010-2011 Anti human trafficking Units were working to prevent / control the illegal human traffic in especially Gujarat state. Initially, it began with 5 AHTUs. They were at following location.
 - 1. Ahmedabad Rural
- 4. Surat city

2. Ahmedabad City

5. Vadodara City

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

- Ahmedabad Rural
 Ahmedabad City
- 3. Anand
- 4. Bhavnagar
- 5. Mehsana

- 6. Nadiad
- 7. Rajkot
- 8. Surat city
- 9. Vadodara City
- 10. Vadodara Rural
- ➤ It was hearten to note that by 2017-18 the number has increased 5 times more i.e. 40 Anti Human Trafficking Units according to official data. All the 40 AHTUs are actively working for control / prevent human trafficking in Gujarat State. The list of 40 Anti Human Trafficking Units (AHTUs) in Gujarat is at following location.
 - 1. Ahmadabad-City
 - 2. Ahmadabad-Rural
 - 3. Ahmadabad-WR
 - 4. Amreli
 - 5. Anand
 - 6. Aravalli
 - 7. Bharuch
 - 8. Banaskatha
 - 9. Botad
 - 10. Baroda City
 - 11. Baroda Rural
 - 12. Baroda WR
 - 13. Bhavnagar
 - 14. Chhota-udepur
 - 15. Dahod
 - **16. Dang**
 - 17. Dwarka
 - 18. Gandhidham
 - 19. Gandhinagar
 - 20. Godhara

- 21. Jamnagar
- 22. Junagadh
- 23. Kachchh-Bhuj
- 24. Morbi
- 25. Mahisagar
- 26. Mehsana
- 27. Nadiad
- 28. Narmada
- 29. Navsari
- 30. Porbandar
- 31. Patan
- 32. Rajkot City
- 33. Rajkot Rural
- 34. Sabarkatha
- 35. Somnath
- 36. Surendranagar
- 37. Surat city
- 38. Surat Rural
- **39.** Tapi
- 40. Valsad

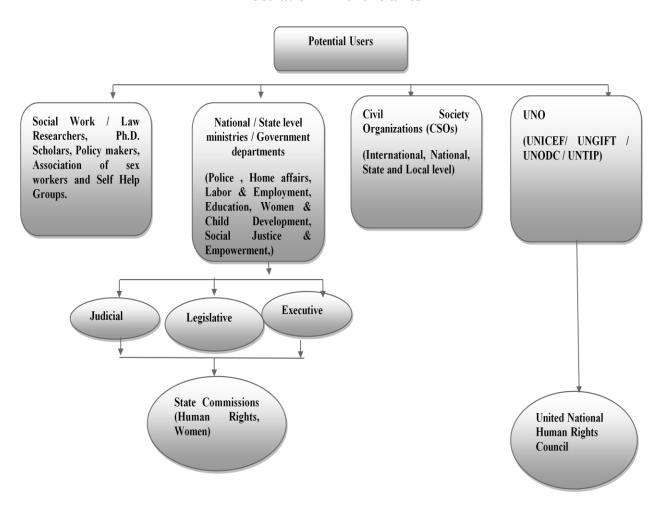
4. Significance of the study

Human trafficking is a grave violation of human rights. It is a violation against women as well against children. Because of serious violation of human rights, social work field is essentially concerned about the problem. Social work focuses on empowerment of vulnerable sections of the society through advocacy and protection of rights.

The research will give new insights in the current- existing practices and procedures in dealing with human trafficking. So that through the scientific study the present gaps and difficulties can be identified and the procedure can be reviewed and revised to control human trafficking.

Findings of the research study may be directly or indirectly useful to the stakeholders mentioned in the illustration 'A' as follows.

Illustration A Beneficiaries



Victims of human trafficking will be chief beneficiary of this research study. It is hoped that the research will be base for those who want to conduct their research in the similar subject area.

5. Research Questions

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

6. Aim and Objectives

The broad aim of this research is to understand the existing structures created to control and prevent human trafficking and find the scope to improve and enhance the current practices, procedures by using Social work strategies. Other specific objectives are

- > To explore the prevalence of reported cases in Human Trafficking in India and Gujarat State.
- > To study the current process of actual formal / informal practices and procedures followed by government to control human trafficking in Gujarat.
- To describe the expected standard procedure followed by the AHTU Functionaries i.e. law and order maintaining authorities (Police Officials) in controlling the human trafficking of Gujarat state.
- To explore and describe experience of AHTU Functionaries.
- To identify the difficulties faced by the AHTU Functionaries in Gujarat.
- > To describe opinions and suggestions of AHTU Functionaries, base on their practical wisdom.
- ➤ To provide suggestions for structural and procedural improvement procedure based on Social Work Knowledge.

CHAPTER 2

REVIEW OF LITERATURE

United State department office to monitor and combat trafficking (2017) in the report of "Trafficking in person" ranked and recommended the activities to the worlds governments who are following the standard of Trafficking victims protection Act. U.S. government have initiated ranks in three tiers. Tier One is for the Countries whose governments fully meet the Trafficking Victims Protection Act's (TVPA) minimum standards. There are around 36 countries falls under tier one. Tier two Countries whose governments do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards. Approximately 80 countries fall under the same criteria in which India is one among them. Tier two watch list Countries whose governments do not fully meet the TVPA's minimum standards, but are making significant efforts to bring themselves into compliance with those standards and: a) The absolute number of victims of severe forms of trafficking is very significant or is significantly increasing; b) There is a failure to provide evidence of increasing efforts to combat severe forms of trafficking in persons from the previous year; or c) The determination that a country is making significant efforts to bring itself into compliance with minimum standards was based on commitments by the country to take additional future steps over the next year. There are approximately 45 countries fall under the same criteria. Tier three is for the Countries whose governments do not fully meet the minimum standards and are not making significant efforts to do so.

The U.S. Government gave rank two to the Government of India because they believe that Indian government has increased effort for protecting the victims by indicating higher number of reported cases on records and they putting their effort for meeting the minimum standards of the trafficking in person protocols set by American government. Although, since last seven years Indian government is on tier two rank. Indian government has adopted action plan to prevent child abuse and child trafficking. Still they are lacking in many key areas. The report stated that with respect to forced and bonded labour the Indian government convictions rates and numbers of investigation, prosecution and convictions not justified and low relative to human trafficking in India.

The report has focused on 3Ps. These 3Ps are important components of Trafficking victims Protection Act, 2000 (TVPA). It incorporated Prosecution, Protection and Prevention. Below table shows India government efforts to meet the minimum United States government standards of trafficking in person protocol.

SR.	TVPA	U.S. GOVERNMENT	GOVERNMENT OF INDIA
NO.	COMPONENTS	EFFORT	EFFORT
1	Prosecution	Government Increase efforts	Government of India increase
		of passing the proper	law enforcement efforts but
		legislations that criminalize	low in Convection, prosecution
		immoral human trafficking,	and investigation for the scale
		and imprison the exploiters	of human trafficking in India.
		who abuse other humans for	
		profit.	
2	Prevention	Support foreign countries in	Government of India do not
		drafting laws to prosecute	have national action plan to
		trafficking, creating	fight against immoral human
		programs for trafficking	trafficking.
		victims, and assistance with	(In January 2017, Ministry of
		implementing effective	Woman and Child
		means of investigation and	Development catapult the
		also efforts to combat	national plan of action for
		trafficking, as well as	preventing and protecting
		address trafficking within	children from all forms of
		the United States, including	trafficking and to conduct
		through research and	research and analysis.)
		awareness rising.	
3	Protection	Identifying victims,	The government of India
		providing them with	increased efforts to protect
		medical care and shelter	victims. The government did
		(and if necessary witness	not provide complete
		protection), and, when	information on the number of

	appropriate,	repatriating	trafficking victims it identified.			
	them.		Government do not have			
			appropriate information about			
			victim identification tool			
			development.			

Moreover, report explained that several media agencies and civil society organizations reported girls are sold and forced to deliver babies for sale. It is fact that employers pay young women lump sum amount for the use of study or dowry under "Provident Funds" or "Sumangali" scheme in Tamil Nadu. At the end the activity finish with conditions of forced labor. Rebellious groups, such as the Maoists in Bihar, Chhattisgarh, Jharkhand, Maharashtra, West Bengal, and Odisha, is using 6 years old children to fight against the government, to work secretly for obtaining information or transferring secret documents of an enemy, fix improvised explosive devices.

NCPCR, annual report (2016) described employment of children in show business, sightseeing business, child soldiers, suicide bombers, children in Television reality shows as modern phase of child labor. The NCPCR report on rescued children from bangle industry found that the children were trafficked by organized traffickers for child labor.

Secretary member submitted report to the honorable supreme court of India in the petition number 56/2004 titled "Prajwala Versus Union of India and Others" (March, 2015) explained that currently, many rescue operations are being conducted by the law and order maintaining authorities. Instead of protecting the victims, Over and over these raids and rescue operations lead to punish the sufferers of human trafficking. The rescue processes are not conducted for specific purpose as necessary. These operations are without planning. And rescue strategies are not victim friendly. Rescue operations are same in brothel based trafficked victims, street based prostitution and child victims of sexual exploitation. It is noticed that states and departs are lacking in internal coordination and collaboration. It is true that Ministry of Home Affairs (MHA), and Ministry of Women and Child Development (MWCD) are not strictly following the set of rules and advisories on particular legislations. Negligible attention is given to protect the rights of the sex workers and rescued victims. Thus the rescue operation itself is a upsetting experience for the victims towards law enforcement agencies.

Dejana jovanovic with others in his article "Modern slavery – trafficking in Human beings in Serbia" (July, 2014) explained that in many countries the police officials are facing the issue of unregistered internal migrations from neighbor country. Many time victims of human trafficking entered in the country without valid visa and that gave high degree of control to the traffickers during the transit stage. It is fact that victims of human trafficking are not able to get protection because they are fright of law enforcement authorities.

Joint secretary and Ms. Christina Albertin, Representative of UNODC explained in "Meeting Minutes Of The State/UT Nodal Officers For Human Trafficking"(2013) that It is essential to ensure the protection of trafficked victims apart from prosecution of any traffickers. Protecting the individuality plus privileges of trafficked victims does not only help criminal traffickers but also work as safeguard for combating against re-trafficking. It is very important to get better method for the identification of victims and institutionalizing sufficient referral procedure for providing sufferer centric support, assistance and reintegration.

Moreover, they emphasized development of standard Operating Procedure for the deportation of Bangladeshi and Nepal nationals is an essential step. They said that the majority of women/girls are not offering own self in the field of prostitution as volunteer but they are mislead and force by human traffickers. They suggested that Strong stance required to stop the inclination of children entering in prostitution. They noted the complexity in coordinating the law enforcement response across different areas and pointed out that traffickers are able to weaken the existing systems of Government.

Furthermore, Ravi kant from the Non government organization name shakti vahini and Mr. Bhuvan Ribhu from Bachpan bachao Andolan shared their experience with police officials while conducting raid for rescuing the trafficked victims and delay in registering First information report was seen in Tripura garment case. Mr. Bhuvan stated that there were huge gape between knowledge of subordinates staff and senior police officials. They suggested that senior officials are actively guide and monitor trafficking victims.

Dr. P.M. Nair (IPS retd.) mentioned that all unacceptable statement should be recorded and lack of clarity about territorial jurisdiction should not be the ground for non-registration of first information reports. All laws especially the non-bail able part used in registration of offence. He added that search should be professionalized and that can only come with experienced and

trusted Officer-in-charge of Police Stations and other investigating officers by senior officers. A settled way of thinking should be brought for good change by police empowerment. Accountability of officers should be fixed in nature and motivating them by rewarding their good work.

Shri Amit Ray Director of Ministry of Women and Child Development (MWCD) explained that "Ujjawala" scheme launched by MWCD to prevent human trafficking, rescue, rehabilitation, reintegration and repatriation of the victims of commercial sexual exploitation. The Scheme offer shelter, food, and clothing for women and children below the age of 18 years. Moreover, helpline facility for needy one, counseling, clinical, medical support, legal support, training and economic rehabilitation are important welfare facilities cover under the scheme.

CHAPTER 3

RESEARCH METHODOLOGY

Research Design/Method

The research is *exploratory in nature*. It is an exploratory research because the study focuses on a relatively unexplored dimension of human trafficking especially from functionaries' experiences.

The purpose of exploratory research is to gain familiarity with the issue of human trafficking from functionaries' perspective. The Quantitative data were collected by census survey method and Qualitative was through in depth interviews with key persons.

Universe and Population

All of the 40 AHTU functionaries from the universe of the study. The total number of the population is 214. It must be noted that originally the population was limited till 63 in ten AHTUs from with gradual addition to the numbers of Anti Human Trafficking Units (AHTUs), this number increased up to 214 from total 40 units. This can be explaining through following Table No 3.

TABLE NO. 3

Details of Anti Human Trafficking Units of Gujarat State.

Sr. No.	AHTU location	DE	DESIGNATION OF THE RESPONDENTS								
		ASI	нс	LR	PC	PI	PSI	Total			
1	Ahmadabad-City	1	1	0	1	1	0	4			
2	Ahmadabad-Rural	1	3	2	0	0	1	7			
3	Ahmadabad-WR	1	1	0	1	1	0	4			
4	Amreli	1	1	0	0	1	0	3			
5	Anand	0	1	0	1	1	0	3			
6	Aravalli	2	3	1	0	0	1	7			
7	Bharuch	0	2	0	0	1	0	3			
8	Banaskatha	2	1	0	3	1	1	8			
9	Botad	0	2	1	0	1	2	6			
10	Baroda - City	1	1	0	2	1	0	5			
11	Baroda – Rural	0	2	0	1	1	2	6			

12	Baroda - WR	0	0	0	0	1	2	3
13	Bhavnagar	1	1	0	2	1	0	5
14	Chhota-udepur	0	1	0	2	1	0	4
15	Dahod	1	2	0	0	1	2	6
16	Dang	5	5	0	0	1	1	12
17	Dwarka	1	1	0	0	1	0	3
18	Gandhidham	0	1	0	2	1	0	4
19	Gandhinagar	1	0	0	2	1	1	5
20	Godhara	0	0	0	3	2	1	6
21	Jamnagar	1	1	1	2	2	1	8
22	Junagadh	0	0	2	0	1	0	3
23	Kachchh-Bhuj	1	0	0	1	1	1	4
24	Morbi	1	1	0	0	1	0	3
25	Mahisagar	1	1	0	2	1	1	6
26	Mehsana	2	1	0	0	1	0	4
27	Nadiad	2	2	1	0	1	1	7
28	Narmada	1	0	0	1	1	1	4
29	Navsari	0	0	2	0	1	0	3
30	Porbandar	2	5	1	4	1	0	13
31	Patan	1	2	0	0	1	0	4
32	Rajkot – City	0	4	0	4	1	0	9
33	Rajkot – Rural	0	1	0	1	0	1	3
34	Sabarkatha	1	3	0	0	1	1	6
35	Somnath	1	0	0	2	1	0	4
36	Surendranagar	1	1	0	2	1	1	6
37	Surat – city	1	3	0	1	1	0	6
38	Surat – Rural	1	1	0	1	1	2	6
39	Tapi	0	3	0	4	0	1	8
40	Valsad	0	1	0	1	1	0	3
	Total	35	59	11	46	38	25	214

(Source: Nodal Officer / Inspector General of Police (IGP), CID Crime and Women Cell, Gandhinagar, Gujarat 2017-2018)

The universe of study included key respondents from forty Anti Human Trafficking Units mentioned in the Table no 3. Apart from this other selected key informants are like functionaries from Child line and DCPU (District Child Protection Unit).

Census study covered 214 Functionaries from all original 40 AHTUs of Gujarat State.

Respondents were taken from 40 AHTUs of Gujarat state. These respondents included

- 1. Police Inspectors (PI) 38
- 4. Head Constables (HC) 59
- 2. Police Sub-Inspectors (PSI) 25
- 5. Police Constables 46
- 3. Assistant Sub Inspectors (ASI) 35
- 6. Lok Rakshak 11

In addition, to supplement the data key informants from government and non government organization have been interviewed. These respondents are from child line and District child Protection Unit (DCPU) and summary of their findings are qualitatively described to supplement the quantitative data.

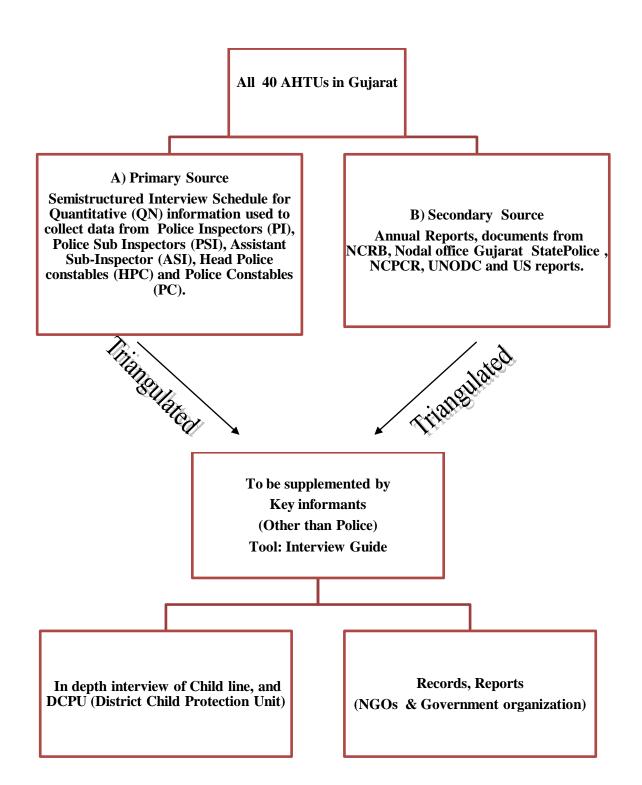
Originally the total respondents in 40 AHTUs are 244. While other 30 functionaries holding additional parallel multiple postings in other departments were not available and could not be contacted despite researcher effort.

Sources of data collection / Tools:

Illustration B represent visual model of sources for data collection. 1. Primary source of data collection is mixed method i.e. Qualitative and Quantitative design (Q1 - Qn). The interview guide and Observation for qualitative (Ql) study. And semi structural Interview schedule for quantitative (Qn) information is used. Interview schedule have both close-ended as well as openended questions regarding experiences and opinions of key stake holders in implementation of anti human trafficking initiatives.

Secondary source of data collection has been used by the researcher for quantitative information from published material like Annual reports, documents from National Crime Record Bureau (NCRB), Nodal office Gujarat state Police, United Nation Office for Drugs and Crime (UNODC), National Commission for Protection of Child Rights (NCPCR) and United states reports on human trafficking and registered cases in police station.

Illustration B Visual model of Source of data collection



OPERATIONAL DEFINITIONS:

Human Trafficking

The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force, or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs. (UNODC / UNTIP 2014)

Human rights

It is an interest inborn to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, color, religion and language. We are equally entitled to our human rights without discrimination. (UDHR, 1948)

Anti Human Trafficking Unit (AHTU) Functionaries

They are the people involved in anti human trafficking activity and play active role in identifying, support the victims and cases for controlling such kind of organized crime. The key stakeholders include Special Police Officials from Anti Human Trafficking Unit and members of CSOs. A part from these Stakeholders are also includes Judges from courts, Public Prosecutors, Advocates, Police officers human traffickers, victims and International agencies members but the study have focus on the person who are directly dealing with the anti human trafficking activity for benefiting the victims of trafficking

Current practice

It is formal as well as actual existing procedure adopted by authorities and civil society Organizations to control the illegal human trafficking.

Experience

"The Knowledge or skill acquired by a period of practical experience of something especially that gained in particular profession" (Oxford Dictionary, 2016)

(For the purpose of this study the term 'experience' is related to their role as Anti Human Trafficking Unit (AHTU) functionaries.)

Opinion

"A view or judgment formed about something. Not necessarily based on fact or knowledge." (Oxford Dictionary, 2016)

(For the purpose of this study the term 'opinion' of the functionaries about the issue of human trafficking, present structure, process, their effectiveness, causes and loopholes.)

Variables

- I) Independent variables: Education, Designations, Age, roles and responsibilities
- II) Dependent variables: Experiences, Opinions ,Standard Operating process, Problems, Awareness, suggestions

Data processing and analyses

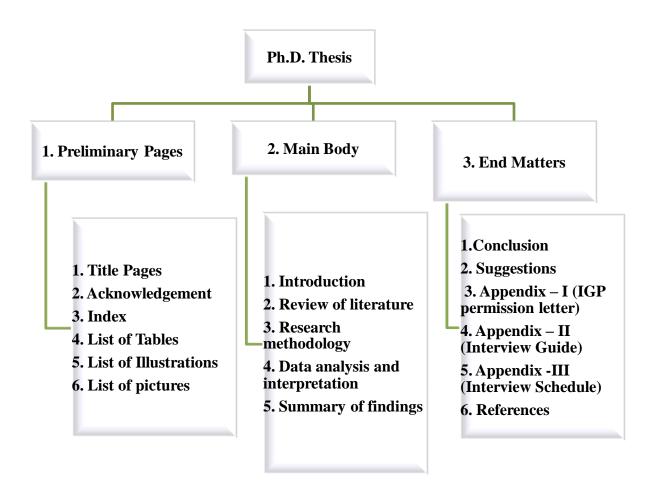
- I) Quantitative data: Simple frequency tables with cross tables
- II) Qualitative data:- In depth case studies and observation

Research report plan

The Ph.D. thesis will be divided into 3 major sections. Section 1 will be Préliminaire pages. This section would contents title of the page, acknowledgement, index, list of tables, list of illustrations and list of Picture.

Next Section 2 will be the main body of the thesis. This section incorporates with an introductrion, review of literature, research methodology, data analysis, data interprétation, major findings, summary, conclusion and suggestion in last. Last section 3 will include the end matters of the thesis. This content Appendix I, II and refrences in last.

Illustration D Visual plan of Ph.D. Thesis reporting



CHAPTER 4

MAJOR FINDINGS AND TREND IN ANTI HUMAN TRAFFICKING UNIT

Considering the seriousness of global crime human trafficking, in the year of 2006 United Nation Office On Drug and Crime (UNODC) in South Asia with partnership of Ministry of Home Affairs, Government of India implemented Project IND/S16. Under the project five states were selected for the training of Anti Human Trafficking Unit. These states were Maharashtra, Goa, westbengal, Andhra-pradesh and Bihar.

Trend noted on respective study areas and objectives are as under.

PROFILE OF RSPONDENTS

It was found that presently, forty Antihuman trafficking Units included 214 functionaries in Gujarat state. The staff members incorporated Nodal officer as Superintendent of Police (SP) and/or Deputy Superintendent of Police (Dy.S.P.) and Nodal In-charge or special officer as 38 Police inspector (PI) and/or 25 Police sub Inspectors (PSI) with assisting team are like 35 Assistant Sub Inspectors (ASI), 59 Head Constables (HC), 46 Police Constables (PC) and 11 Lok Rakshak (LR).

It was observed in many AHTUs that the ratio of female staff is not maintained. Researcher experiences many AHTU in Gujarat state where the female police officials were not at all available. However, the guidelines of Ministry of Home affairs states that each Anti Human trafficking Unit (AHTU) must have minimum 30% female staff.

Majority of the respondents are Graduate. Many among them have 6 to 10 years of experience in police department and 4 months to 12 months experience in Anti Human Trafficking Unit.

It was found that Anti Human Trafficking Unit is additional charge for majority of the respondents in many districts of Gujarat state. It is true that along with main charge many respondents are feeling more difficulty with additional charge of AHTUs. The main charge incorporated charge of Local Crime Branch (LCB), Government Railway Police - Western Railway (GRP-WR), Detection Crime Branch (DCB), Special Operation Group (SOG), Circle

Police Inspector (CPI), Woman Police station (WPS), Parole Furlough Squad (PFS), Modus Operandi Bureau (MOB), Local Intelligence Branch (LIB) and Local police chowki.

As result they are facing problem of overburden and not able to focus primarily on Anti Human Trafficking Units. It is fact that many respondents are unaware of their issued work order for Anti Human Trafficking Unit. During the interview it became clear that work in AHTU is penalty for many respondents.

RESPONDENTS AWARENESS ON PREVALENCE OF ANTI HUMAN TRAFFICKING CASES.

Majority of the respondents from 17 Anti Human Trafficking Units reported 11-20 cases of children and/or adult female victims last year. It is true that respondents from 13 Anti Human Trafficking Units are not aware about the yearly reported cases in their own AHTUs.

It is fact that respondents' are receiving cases only after four months later in Anti human trafficking Units. As result respondents are experiencing problems in establishing investigation link in old cases and some time Careless attitude of primary investigation branch that they are just waiting for four months and immediately transferring the cases to AHTU with no progress.

Majority of the respondents' replied that they do not have pending cases related to Immoral Trafficking Prevention Act (ITPA). Minority of the respondents' replied that they have some pending cases related to Immoral Trafficking Prevention Act (ITPA). The respondents explained major reasons for pending cases are progressive investigation, and accused and /or victims not found.

Researcher experienced that best part of the respondents are submitting the charge sheet in court within sixty days. But it is fact that many respondents' are not aware of the exact days require for submitting the charge sheet in the court especially for the cases in Anti Human Trafficking Units.

Majority of the respondents' are not putting effort for bringing the cases related to Immoral Trafficking Prevention Act (ITPA) on fast track board in court.

EXPERIENCE RELATED TO VICTIMS / PERPTRATORS

The respondents usually take support from Female functionaries and/or female NGO workers especially for interview in cases of female / child trafficking survivor. It is fact that majority of

the respondents' does not have proper interviewing format in AHTUs for identifying the true victim(s) of Human Trafficking.

Majority of the respondents replied that victims / witness are interviewed mostly in the police station. However, the guideline prescribed this to be done at place where the victim/witness feel comfortable and safe to give.

Majority of the respondents' are collecting statement from witness in the early morning. It is true that they are recording statement by writing on paper. It was observed that majority of the AHTUs does not have prescribed budget. It became clear after interview from respondents that they are bearing many expenses from their won pockets. The facilities provided on paper for AHTUs are insufficient. For e.g. AHTUs are receiving van and other facilities on paper but those facilities are not in proper working conditions and it require maintenance a lot.

Majority of the respondents verified the age of the victims by asking victims or complainants but in special cases they prefer medical test for age identification of trafficked victim.

Majority of the respondents' replied that they are collecting statement one time only. However, the guideline prescribed this to be done again after counselling. It is true that majority of the respondents are recording witness statement through magistrate.

It is fact that majority of the respondents are not putting effort to prevent the replication of victims. Minority of the respondents replied that they are taking support of NGO in victim counselling and employment / awareness related activities to prevent the repetition of victims.

Majority of the respondents are receiving information only through official complaint (First Information report (FIR)) and secret informer.

It is true that majority of the respondents are not aware about the website that presents all the information about the trafficked victims.

Majority of the respondents replied that victim home verification is accountability of police officials. Minority of the respondents replied that it is an accountability of government probation officers. However, the guideline explained that victim home verification can be done through NGO representatives.

It is true that majority of the respondents does not received any behavioural training for dealing with cases of human trafficking.

Majority of the respondents are neither providing any legal advice nor maintaining the list of advocates' (Advocates interested in special cases of trafficked victims) in AHTUs as special support to the victims.

It is true that majority of the respondents are providing medical support to the victims of human trafficking. It was observed that majority of the respondents are not aware of the availability of government support for victims of human trafficking (For e.g. Victim compensation and Ujjwala scheme made for trafficked victims).

Majority of the respondents replied that they are informing magistrate for cancelling the bail to prevent repetition of accused. It is true that some time constant monitoring also use to prevent activity of traffickers.

CURRENT PROCESS OF ACTUAL FORMAL / INFORMAL PRACTICE FOLLOWED BY ANTI HUMAN TRAFFICKING UNITS.

It was found that majority of the respondents are not maintaining the NGO list in Anti human trafficking Units.

It is fact that Majority of the respondents haven't framed any advisory committee of female social worker / NGO workers in AHTUs. However, it is mandatory instruction in law for formation of advisory committee of female social worker / NGO worker under ITPA section 13(3b).

Majority of the respondents replied that special desk / help line are not available in Anti Human Trafficking Unit for protection of victim.

Majority of the respondents replied that Anti human trafficking Units are not conducting raids. However, the guideline explained that raids should be conducted once in month in each AHTUs. Minority of the respondents replied that they are regularly conducting the raid.

It is realty that majority of the respondents are not maintaining the details of raids in anti human trafficking Units. Minority of the respondents are maintaining the case registers of raid, where as other are just specifying the information into the police movement dairy. However, the

guidelines explained that the raid conducted through the support of district / city level government officials and NGOs in case of child labour, child beggars should be maintained in the separate case register at AHTUs.

It is fact that a respondent does not understand the important link between human trafficking and conducting raids in the cases of child labour and child beggary. However, the guideline explained that raids should be conducted once in month in each AHTUs. The focused raid on child labour and child beggary can be an important link of human trafficking.

It is true majority of the respondents are not briefing the cases to victim before starting trail in the court. It is also true that majority of the respondents are not de-briefing the victims about case after the court sessions end.

Majority of the respondents are not taking any initiatives to collect information about sex service running through news paper advertisement, male friendship club, beauty parlour, massage parlour and spa in many anti human trafficking Units. However, the guideline explained that officials of AHTUs should take initiative to collect information about sex service running through various sources.

Apart from police department majority of the respondents are taking support from other government departments during raid.

Majority of the respondents are not maintaining the contact registers of government officials. However, the guideline explained that apart from police department the contact register of other government officials should be maintained and updated regularly in each AHTU.

Minority of the respondents are maintaining the contact registers of government officials but those were not in updated conditions. It is fact that very few anti human trafficking units found with updated contact registers of government officials.

Majority of the respondents are slightly aware about the formal laws use to control human trafficking in India.

STANDARD PROCEDURE FOLLOWED BY RESPONDENTS

It is reality that majority of the respondents are not at all aware about guidelines / advisory booklet issued by Government of India.

Majority of the respondents replied that they do not have Standard operating procedure (SOP) in Anti Human Trafficking Unit. The equal numbers of respondents are not aware about Standard operating procedure (SOP). However, the guideline explained that standard operating procedure should be develop and maintained in each Anti human trafficking Unit.

Majority of the respondents replied that they have special officer / trafficking officer at local level but all of them are working under the additional charge of AHTU. It is fact that majority of the respondents are complaining that they are not getting any direction from their senior officials.

It was found that only two independent Anti Human Trafficking Units working in Gujarat state. These two independent units incorporated nine independent supporting staff.

It is fact that only one separate AHTU observed by research where the special trafficking officer is deputed with independent charge. Majority of the respondents replied that Anti human trafficking units are internally administered / formed under the various main branch of police department. For instance

- 1) Anti Human Trafficking Unit (AHTU) in Vadodara rural is internally formed and administering under main Local Intelligence Branch (LIB)).
- 2) Anti Human Trafficking Unit (AHTU) in Vadodara city is internally formed and administering under main Local Crime Branch (LCB)).

Majority of the respondents replied that superior officials and/or nodal officers are organising training workshops / seminar on human trafficking for Nodal in charge in Anti Human trafficking Units. But nodal in charge of Anti Human trafficking Units are not organising training workshops / seminar on human trafficking for supporting staffs.

Please note in relation to Anti Human Trafficking Unit composition.

- 1. Nodal officer / Superior officials are police commissioner, Superintendents of Police (SP) and/or Deputy Superintendent of Police (DSP) at city and rural level in Gujarat state.
- 2. Nodal In charge is Police inspectors (PI) and/or Police Sub Inspectors (PSI)).
- 3. Supporting staffs are Assistant Sub Inspector (ASI), Head Constables (HC), Police constables (PC) and Lok Rakshak (LR)

Majority of the respondents are fully aware about the importance of female witness during the raid/rescue/search operations. In fact the law ITPA section 15(2) clearly states about the important of female witness.

Majority of the respondents are not aware about the minimum significant numbers of female police constables during raid/rescue/search operations under section 15(6a) of ITPA.

It is fact that majority of the respondents are using two volunteer witnesses from public during the raid/ rescue/search. However, the guideline explained that two volunteer witnesses should be use from reputed NGO and/or other government department during the raid/rescue/ search operations.

Majority of the respondents replied that they are involving woman volunteers in case of insufficient female police; minority of them responded that they can manage insufficient female staff from other woman police station in case of emergency. However, the guidelines explained to approach retired female police especially in case of insufficient numbers. This is also explained under section 13(2a) of ITPA.

Majority of the respondents are not taking any initiatives to prevent child labour from unorganised sector. It is fact that minority of the respondents are organising the awareness activity, regular patrolling and drive in coordination with NGO to control the child labour in unorganised sectors. However, the guideline explained that raids should be conducted once in month in each AHTUs. The focused raid on child labour and child beggary can be an important link of human trafficking.

Majority of the respondents replied that child labour prevention is actual responsibility of concern NGO/Government officials. They are just playing supporting role by extending their support to NGOs / government officials. Minority of the respondents are complaining that in many cases these government officials are not taking initiative and following their duty properly.

DIFFICULTIES FACED BY THE RESPONDENTS

Many respondents replied that while dealing with victims of human trafficking they are facing problems are like Problem in child face recognition after long time, Language related problems specially with outside states and refuges, Fake victim identification and problem of main streaming them with refuges and outsiders, Lack of public response, Lack of interest from

parent, Less response from relatives specially in tribal or remote location, Orphan cases consume more time for recognition of guardian or parent, some time victims are not aware of their own exploitation and time consuming medical procedure of victim.

Respondents are facing many problems during their job in Anti Human Trafficking Unit. These problems included less trained and experienced staff, lack of facility in AHTU, lack of inter and intra departmental coordination, Shortage of staff, VIP security (Bandobast), Shortage of female staff in AHTU, dependency on other for solving the case, Lack of guidance from senior officials, Constant transfer, Lack of working interest in AHTU among staff members, Lodging problem outside state, Problem in temporary accommodation of HT victim, No secret fund allocated in AHTU, Lack of inter departmental coordination / support, Travelling allowance and Dearness allowance related problems, permission procedure is time consuming / No emergency permission, Lack of knowledge on AHTU, No independent staff, Many of them never worked in AHTU so not aware about the formal functions of AHTU, Time Consuming communication procedure with senior officials, Unavailability of Child Welfare committee in all the location, Jurisdiction limitation of court, Geographically large area need to cover (For e. g. 10 or more district police stations are covered by GRP-WR), Truth is disturbing the senior officials (In many cases they are taking personal interest for transferring the junior staff in remote location). Many respondents replied that they are neither facing internal nor external pressure that stops them while performing their duty. Only one candidate is facing the internal pressure from her seniors that arise sense of dissatisfaction with present service otherwise rest of them are happy with their present services. Respondents do not have any information about monthly pamphlet published by senior officials on human trafficking.

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