

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

No.2021/Sec(Crime)/45/74

Dated 02.02.2022

Principal Chief Security Commissioners/RPF
All Zonal Railways, Kolkata Metro, RDSO, PUs, CORE,
CSC KRCL,
IG Const. NR/ECOR,
Directors- JR RPF Academy/LKO, TC/MLY, TC/KGP,
Principal Chief Security Commissioner/RPSF.

Security Circular 03/2022

**Subject: Action to be taken by RPF against Human Trafficking under
Operation AAHT**

Human Trafficking, especially of Women and Children, for sexual exploitation, prostitution, forced labour, forced marriage, domestic servitude, adoption, begging, organ transplant, drug peddling etc is an organised crime and the most abominable violation of human rights. Perhaps not many crimes are as ghastly as trading in human misery. Human rights guaranteed by the Indian Constitution through fundamental rights are inalienable, non-negotiable and universal. Therefore, trafficking in women and children is a violation of several fundamental rights viz. the right to life, right to liberty and right to human dignity.

In May 2011, Govt. of India ratified the United Nations Convention against Transnational Organised Crime (UNTOC) and one of its three protocols includes the protocol to prevent, suppress and punish trafficking in person, especially women and children. The UNTOC is the first comprehensive and global legally binding instrument to fight transnational organised crime which provided for a universally accepted definition of "Organised Criminal Group" and also listed the offences which are transnational in nature.



Thousands of Indians and persons from countries like Bangladesh and Nepal, especially women and children, are trafficked everyday to some destinations. 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, guesthouse, 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.

The Indian Railway is one of the world's largest railway networks over a route of 65,000 kms. and 7,500 stations. It operated around 21,000 trains everyday prior to onset of pandemic COVID-19, of which about 12,000 were passenger trains. The Indian Railways (IR) carried over 23 million passengers daily (pre pandemic level). The other side of the coin is that the Indian Railways is also the largest, fastest and most reliable carrier for traffickers across the country. Scores of women and children get trafficked every year through the well networked railways in our country.

1.0 Role/responsibilities of RPF:-

The "Public Order" and "Police" as per the VIIth Schedule of the Constitution of India are State subjects and detection, registration, investigation and prevention of crime in railways is primarily the responsibility of the State Governments that they discharge through Government Railway Police (GRP) and District Police. However, RPF with its pan India presence cutting across state boundaries, may not only supplement the efforts of GRP/Police by providing assistance as per the provisions contained in RPF Act 1957 (Amended in 2003) pertaining to crime in passenger area and against passengers, but may also act as a bridge to synergise the efforts of various GRPs/District Police. Moreover, the offence of Human Trafficking (HT) has ingredients of a Cognizable Offence and may be dealt by a member of Force as provisioned in Cr PC.

In its OM issued vide F. No. 15011/6/2009-ATC (Advisory) dated 09.09.2009, MHA has mentioned that **Police should work closely with** immigration authorities, Border Security Force (BSF), **Railways** and other transport authorities, provincial/territorial and Municipal agencies, with social services, child welfare authorities and with any NGOs involved in service

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delivery for supporting and rescuing the victims (Annexure 1). Further, through OM NO F 15011/60/2011 dated 31.01.2012 it has been mentioned that the activities of various departments and agencies in the States/UTs need to be integrated where RPF is also one of the agencies (Annexure 2). Vide its OM NO. 15011/41/2016-ATC dated 21.07.2017 addressed to Chairman, Railway Board, MHA has mentioned that the RPF & GRP personnel deployed at various Railway Stations need to be suitably sensitized about apprehending and detecting the incidents of HT (Annexure 3).

2.0 How RPF can be helpful in this endeavour -

RPF has a Pan India presence and interacts with almost 23 Million passengers daily. Railway is the safest mode of transport of the victims of HT particularly during long distance journey. During last 5 years (2017, 2018, 2019, 2020 & 2021) RPF has rescued 2178 persons from the clutches of Traffickers besides rescue of several other children, women and men who could be potential victims of HT. As per the NCRB records, on an average about 2200 cases of HT are registered per annum. RPF is involved in train escorting, platform duties and several other duties in passenger area where they may identify and apprehend traffickers and rescue the trafficked persons. Focused and sincere efforts of trained RPF personnel may provide clues to bust the HT racket. The infrastructure and intelligence network of RPF can also be utilised for this purpose with minimal additional assistance as RPF is regularly working in coordination with the local intelligence units, local police other LEAs, IB, NGOs involved in rescue and rehabilitation of children among others.

Though, RPF is not empowered for investigation of cases of HT, we can collect, collate and analyse clues in respect of victims, source, route and destination of HT, popular trains being used by traffickers, identity of carriers, agents, handlers and kingpins etc involved in HT, can assist in investigation of Police and also launch joint action with AHTUs to bust HT rackets. We may also act as bridge cutting across state boundaries to help various GRPs/District police forces coordinate their detective/investigative efforts. Presently the persons rescued & offenders arrested are being handed over to the concerned Police for further necessary action and we do not follow the disposal of such cases. If we gather clues (including digital clues) from these foot soldiers of HT, verify, collate, analyse, develop and pass on actionable



inputs to the concerned GRP/Local Police (LP), we would be able to hit the HT network hard.

3.0 Penal provisions under various Criminal Laws -

Though, there is currently no central legislation in India with regard to Organised Crime, Maharashtra has enacted the MCOCA 2000. Some states have adopted the same legislation for fighting organised crime in their respective jurisdictions. Legal action against trafficking in India is being taken under the IPC, Immoral Traffic Prevention Act (ITPA) 1956, MCOCA and laws against child marriage and bonded labour as under:

- a. Under Section 370, 371, 372 & 373 and other relevant sections of IPC
- b. Under the provisions of Immoral Traffic (Prevention) Act 1956 as and when applicable.
- c. Under the provisions of Prohibition of Child Marriage Act, 2006 as and when applicable
- d. Under the provisions of Bonded Labour System (Abolition) Act 1976 as and when applicable.
- e. Under the provisions of MCOCA wherever applicable in case of organised crime of Human Trafficking.
- f. Provisions of Juvenile Justice Act 2020

4.0 The offence of Human Trafficking starts from a source/origin from where the trafficking starts. Here the recruitment for human trafficking takes place and victim is lured/coerced to accompany the mule (the foot soldier of trafficking accompanying the victim) to undertake the journey to destination.

The next stage of trafficking is Transit - This involves bringing victims from their villages etc to places where they can be exploited through different modes of transport. It also covers providing temporary shelters to the mules and victims through a network of safe houses - places which are used to transport the victim from one place to another. **The final stage in the process of trafficking is Destination.** It is the place where the exploitation takes place.



5.0 Identifying traffickers -

Traffickers can be - Organised Crime Syndicates with international links, Gangs involved in flesh trade/prostitution, Gangs trafficking arms, drugs, Smugglers of contrabands, Small group with loose structure (including family of victims), Marriage/Modelling agencies, Gangs who forcibly take/sell orphans/children, Gangs running beggar networks in urban areas, Friends/acquaintance usually a former victim, Groups promising lucrative jobs/placement agencies/agencies providing domestic helps/labour contractors.

The Characteristics of a gang: A gang of criminals is an 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 direct or indirect financial or other material benefit. The Human Traffickers can be organised as a gang with handlers and agents who lure victims from source, arrange for their transportation and hand over to exploiters at the destination.

How organized is this Crime? The organised nature of this crime can be judged from the fact that one person locates and recruits the victim, some other person escorts the victim, someone neutralizes the official machinery, someone else who knows and makes arrangements in local places, one person keeps the victims safely, another one provides logistic support to the movement of victims i.e. food, housing etc. Someone collects the payments for providing the victims, someone else 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 else watches the movements /activity of Police and immigration authorities, someone makes the earnings legitimate/white, and some kingpin enforces order and discipline in the entire activity.

The structure of the gang is generally hierarchical where exchange of information is through secure channels on need to know basis. The bottom most operatives of the structure are the mules. They are foot soldiers, who work on payment of money and are dispensable for the human trafficking gang. They do not possess any information regarding the key operatives of the human trafficking gang and if apprehended, they do not pose any threat of



apprehension to the gang. These mules are arranged by agents working in all the three areas- source, transportation and destination. Source agents contact or arrange to contact families of prospective victims and make the victims agree to travel to destination. The transportation agents arrange mules who will accompany victims to the destination and the distribution agents arrange to distribute the victims at destination points to the places where they would be exploited. These agents work under handlers who in turn report to the members of the gang. These members would be reporting to the kingpin, who, in all probability, would be a respectable person of the locality wielding substantial political and economic clout. This hierarchical arrangement ensures smooth functioning of the gang and protects the gang members from being caught.

6.0 Action plan:

RPF, being the sentinels on the national carrier with a pan India reach, has its task cut out in nation's fight against Human Trafficking. The force has launched an operation against Human Trafficking called "**Operation AAHT**" recently. The operation needs to be structured and must be executed based on a concrete and detailed action plan as under:

(A) COLLECTION OF INTELLIGENCE FROM SOURCE

The first step towards action against trafficking is regular and proactive collection of intelligence to intervene before the victim is trafficked or raid/search at the destination where exploitation is reported to have been committed or intercept the crime before exploitation when the victim is still in transit. The intelligence collection has to be focused keeping in view the vulnerability of the people inhabiting the area and looking into the community resources. Intel strategy would include forming networks for intelligence collection, analysis of existing data and consistent collection of information on identified key vulnerability indicators. The strategy would be:

- To identify sources and conduct awareness creation exercises to ensure collection of intelligence at source. Network with key stakeholders needs to be formed in the community who can provide advance information.



Community resources need to be tapped to ensure dissemination of information with respect to trafficking and red alerts for trafficking.

- RPF has launched civic action programme or community outreach called **"Operation Saathi"**. The source areas of HT may be identified and should be included in the scope of "Operation Saathi". It may eventually build confidence of the community in RPF, ensure consistent outreach with communities, identify whistle blowers in the community and ensure training in participative policing. This can be done through tapping community resources such as panchayat, women's groups, children's groups, local school and the School Management Committees and teachers.
- Information from other stakeholders: Regular interaction and joint programmes with resources such as the District Child Protection Unit, District Task Force of the labour department, the vigilance committee formed under the ITPA, 1986, the village level child protection unit under the Integrated Child Protection Scheme and other similar community based resources may lead to fruitful information exchange from the ground level. Information about pattern of migration and its monitoring, reporting of missing children etc may be valuable. Strong networks with the local hospitals, Child Welfare Committees, district labour department and children's homes may be forged to ensure reporting of any possible indication of trafficking.
- Intelligence using Humint & Techint, may be collected. Further, we may also use previously rescued survivors as sources, involve NGOs, crime stoppers, help lines, police control room, etc. Media reports may be a valuable source of information.
- We may create a Centralized Data base by organizing all the information collected over time and arrange for quick dissemination to those who need it for planning an operation. Database with an MIS (Management Information System) may help us in tracking of accused, identification of transit routes and detection of multiple offenders. Information regarding the profile of the victim, the convicted persons and placement agencies, massage parlours, begging rings, escort agencies etc. may be stored for future analysis. Existing databases such as 'track the missing child',

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Platform for Effective Enforcement for No Child Labour (PENCIL), etc. may be used to collect information too.

➤ Action once input regarding trafficking is received from the originating area

- (a) If input is received before the start of journey then the input will be shared with AHTUs having jurisdiction over the area. The AHTUs will coordinate with other stakeholders to prevent trafficking, counsel victims and round up recruiting agents.
- (b) If the journey has already started, then the route of journey needs to be identified. If it is by road, then concerned AHTUs may be alerted. If it is by rail, then the post in-charge of RPF of the originating station will be alerted. The post IC of RPF will co-ordinate with GRP, AHTU concerned and try to identify/rescue the victims and apprehend the mule. If due to some reason the victim along with mule has started the journey by rail then all available details will be relayed to RPF units en-route with an advice to get the train thoroughly checked, identify the mule and victim/(s) and take suitable action in co-ordination with GRP.

(B) Setting up of Anti Human Trafficking Units (AHTUs) of RPF:

- (i) Similar to the AHTUs established by Police and BSF/SSB (on the International Borders), we may set up AHTU at Post/Division/Zonal levels that would coordinate with Police, AHTUs functioning in district and state levels, Intelligence Units, NGOs and other stakeholders and take effective action on Traffickers. AHTUs will be responsible for immediate response to inputs received regarding trafficking, detection of trafficking cases through rail, sharing of information with other stakeholders, analysis of data from crime records and identification of suspects, identification of routes of trafficking and possible vulnerable areas among others.
- (ii) AHTU at the post may consist of one young and smart SI/ASI with 2 young staff. They will shoulder the responsibility of AHTU in addition to their regular duties. The Crime detection team of the division shall earmark 2-3 smart staff with a young and dynamic officer to work as



AHTU. A similar unit may be constituted under Crime detection unit at the zonal level.

(iii) To strengthen AHTUs in all districts of States and UTs to enable them to effectively coordinate activities to check the crime of HT, MHA has approved a scheme for setting up and strengthening AHTUs in all District of States & UTs under Nirbhaya Fund. The scheme has also been extended to BSF & SSB. Following components are permissible under the scheme -

- a. Office Furniture (2 Office Table & 10 Chairs)
- b. Almirah for books & records
- c. Three mobile phone instrument (running expenses to be incurred by States)
- d. Digital Camera
- e. One Vehicle (driver to be provided by State)
- f. One/Two 2 wheeler
- g. Landline phone with Broad Band connection
- h. Two Desk-Top/Laptop Computer/Tablet with accessories including internet connection/broadband
- i. Relevant Legal and other books
- j. Publicity Material for sensitizing people

Necessary logistic arrangements for the AHTUs may be proposed on similar scale through Nirbhaya Fund. However, to start with, we may start AHTUs utilizing available resources and process for other essential equipments i.e. Tablets, Relevant Books, Publication of pamphlets etc. till necessary support is received from the Nirbhaya Fund.

(iv) ASC/Crime will coordinate the AHT activities of RPF at the RB level. He may start a WhatsApp group for inter zonal coordination/information sharing and call for periodical reports/returns from the field as deemed fit. The Divisions may hold fortnightly review meeting to assess efficacy of our action in the field. The PCSCs may review the performance monthly. Security Directorate may hold review VCs from time to time.



- (v) The minimum frequency of co-ordination meetings of AHTUs of RPF with AHTUs of other agencies, NGOs and other stakeholders may be reviewed periodically.

(C) Action to be taken by AHTUs and other units of RPF for detection of trafficking cases through Rail:

- (i) Our train escort and staff deployed in mass contact area should be properly sensitized and trained to identify the potential victims and be capable to rescue them.
- (ii) Help of Cyber Cells may be obtained for cyber patrolling and to identify any digital footprints related to HT in the internet including Social Media and Dark Net.
- (iii) If the information received by an RPF unit requires action by some other RPF unit, the information should be expeditiously passed on to the concerned unit.
- (iv) Input received from NGOs like Bachpan Bachao Andolan and other stakeholders should be verified and acted upon.
- (v) Similar to the MIS of MHA, we should develop a Human Trafficking module within RSMS where database of all trafficking inputs as well as detected trafficking cases will be recorded and analysed through MIS to provide the field units with actionable leads. DIG Project will prepare a detailed flow chart and logic of the module and get it implemented within a time frame, after due approval from Force Hqrs.
- (vi) Effort should be made by RPF to identify the persons involved at all levels in running the trafficking racket from foot soldiers/mules accompanying the victims during transit, their agents, handlers and the kingpins. The persons accompanying victims during rail journey should be properly interrogated with intent to extract maximum information regarding this trade and should be confronted with the statement of victims. CDRs of their mobile numbers can be collected and analysed to identify frequently contacted numbers in coordination with the investigating agency. Similarly analysis of tower dump data may give us many clues regarding associates and accomplices in the racket. We may coordinate with police, AHTUs of districts to share information and plan joint action.

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- (vii) Once a victim fleeing from the clutches of traffickers is rescued by RPF, the victim should be interacted with courteously showing due compassion and empathy to find out the reasons regarding him/her being trapped in the web of trafficking. The reasons identified may be shared with civil authorities for devising/fine-tuning preventive strategy further.
- (viii) We may properly utilize CCTNS and CriMAC application of NCRB for the purpose of planning action against HT. We may also use UNIFY mobile app and Missing person search feature available in digital police portal for automated photo matching for matching the photo of the person rescued. The details regarding how to use these features have been intimated to the field formation of RPF vide Letter No. DIG/P/UNIFY/2021/271 dated 12.10.2021.
- (ix) The Cyber cells of RPF may start patrolling the web/social media to look for digital footprints/traces of human trafficking in the internet and try to cull out clues that may help the field units in taking action against HT through rail.
- (x) We should use our CCTV monitoring system with proper analytic software like Face Recognition System (FRS) to identify the suspects & victims. We may obtain photos of human traffickers frequently apprehended in the past and feed it in the database of Face Recognition System to alert us whenever they enter the surveillance area.
- (xi) We should focus on the identified locations i.e. bordering districts of Nepal, Bangladesh, Myanmar etc and States i.e. Assam, Telengana, Andhra Pradesh, Orissa, Bihar, Jharkhand, Rajasthan, Kerala, Maharashtra etc on priority. Identification of most popular trains for human trafficking may also be done and these trains should be thoroughly swept during their journey at different stations.
- (xii) We should also involve "Meri Saheli" teams who are created for better security of Women for surveillance in identified trains. Mixed escorts to be regularly sensitized.
- (xiii) The subject of "Human Trafficking" should be included in all training courses being conducted in RPF TCs. Special seminars may be organised by PCSCs to sensitize RPF personnel and train them in



identification of victims and traffickers. There are several Reference Books, Handbooks and Training Materials published by BPR&D and UNODC which is available on web which can be utilised for this.

- (xiv) A SOP for Tracing Missing Children has been published by MoWCD which is available at <https://wcd.nic.in/sites/default/files/SOP%20for%20Tracing%20Missing%20Children-24.4.17.pdf> can be viewed wherein the role and responsibility of RPF in case of a Missing Child has been detailed. This should be adhered in true spirit.

D. Action to be taken once the victim of trafficking is rescued by RPF:

As soon as a victim of trafficking is rescued, the following needs of the victim have to be met:

1. Separate the victims from the trafficker and if possible, move the victims to another location. Make sure that all victims are discovered and rescued.
2. Provide food, water, and necessary clothing.
3. Make available access to a bathroom/ toilet.
4. Provide immediate medical care/aid using the available medical kit or with assistance of Doctor available.
5. If needed move the victim to the identified place for further medical attention.
6. Inform the concerned Police without any lapse of time so that legal course of action is initiated by them i.e. Medical Examination of victims etc.
5. Explain to the victim in a sensitive manner about the situation at hand and what to expect in the immediate future. This can be done best with the aid of the social worker or psychologist.
6. In case of a child, all interaction must be in child friendly language, and presence of a person the child trusts is to be ensured wherever possible. Psychological help from a medical professional should be made available to all victims in the form of trauma counseling, etc. For the purpose we may reach out to the local resources to identify and provide such aid to victims.



7. Assess if the victim has any immediate medical (physical or psychological) needs and ensure that they are taken care of.
8. Make a list of services that need to be immediately made available to the victim and ensure their availability.
10. A victim of trafficking should never be treated as an offender, kept in a lock up or made to interact with the offender. All interaction with the victim should be in child friendly and comforting language. Attention should be paid to ensure that the victim does not meet the accused or her/his representative.
11. It should be kept in mind while taking any action against traffickers that the action is against the organized crime, otherwise the action may be perfunctory manner.
12. We must look at the trafficking routes and halts and source points and convey information collected to the units that can take action;
13. Further details regarding the traffickers, transporters, conspirators, abettors, financiers, abusers, etc may be collected and shared with concerned LEAs;
14. Where a victim comes forward and complains herself, or member of the community, or NGO provides information, then we should first assess the following and then follow up on the information received:
 - a. Listen to the informant/complainant carefully and seek clarification,
 - b. If a criminal case is made out, inform concerned Police Station for taking suitable legal action and if the information points to an emergency, the RPF Officer should act immediately sending information to the concerned Police having jurisdiction.
 - c. Send information to senior formations of the department and Police.
 - d. Obtain the services of Special Police Officer, NGOs and lady police personnel.
 - e. Assist police/AHTUs in the rescue operation from the place where the victims and perpetrators are likely to be found as per the complaint of the victim coming forward.
15. The rescued person should be transported without publicity
16. Allow victims to take her belonging.



17. Seize all phones/mobile phones of the offender, for handing over to police.
18. Send the victim to the rescue home as soon as possible.
19. Any article found at the scene which has relevance to the crime should be handled, collected, packed and documented properly and carefully.
20. 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.
21. 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.
22. Regular updates be obtained from local police/GRP on specific cases initiated so that cases are taken expeditiously to their logical end.
23. Treat victims with respect and dignity.
24. Do not hold the victim in custody for lengthy periods of time, or even in the same or next cells to their exploiters.
25. The victim may be interacted with in a courteous manner showing empathy. The following may be kept in mind while recording the statement of the victim:
 - (i) 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 in cases related to ITPA. Chose the most comfortable room. Ensure it is private. Do the interview in small parts and get the whole story.
 - (ii) When collecting evidence from the victim remember to ensure, that the victim narrates the incident from the beginning giving details of places, names of all persons involved, their contact information etc.
 - (iii) Help the victim understand their role in the investigation and what will happen.
 - (iv) Make sure to collect all information of all the culprits giving the victim enough time for recall and Relate information collected to

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the existing data base and then see if the identity of the accused can be determined.

- (v) Get a sketch prepared of the accused / multiple accused persons. Information of other related crimes and information about other possible victims and accused must be collected and immediate action taken or information passed to the appropriate authority for action.
 - (vi) Get in touch with family members at the earliest. Recover other material or accused based on the victims' statement to substantiate evidence.
 - (vii) Avoid taking the victim back to the scene of crime.
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- 26. Protect victim from all forms of abuse whilst in custody/care of public officials.
 - 27. Provide victim access to female officials if the victim is female.
 - 28. Get victim to and from the Police Station safely unseen by others.
 - 29. 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.
 - 30. Rescued children should be produced before the Child Welfare Committee (CWC) constituted under the Juvenile Justice Act.
 - 31. The mules accompanying the victims may be interrogated thoroughly. Detailed Questioning of suspects always helps to establish linkages, and truthfulness of the statements of accused and witnesses. The questioning of suspects should include the following:-
 - a. Is he known/unknown to the victim/brothel owner/client etc.
 - b. His general place of residence.
 - c. Education/ Profession/job.
 - d. Social background/ Economic background.
 - e. Friends/ Profile of friends/ Love affairs.
 - f. Is he married and is his spouse also involved in trafficking?
 - g. Profile/ Profile of the parents, siblings.
 - h. Habits/ Places normally visited.
 - i. Previous criminal record.
 - j. Medico-legal report/ Hospital record (treatment record), STDs.



- k. Examination of clothes for stains/ Collection of clothes.
 - l. Motive.
 - m. Vehicle used.
32. The AHTU apprehending the mules should collect the identification details of the mules. The identification details must have all known mobile numbers of the mule apprehended along with his/her photograph.
33. The CDRs/SDRs of these mobile numbers may be obtained through the nodal officer of Local Police.
34. The CDRs of these mobile numbers may be thoroughly analyzed using necessary software to identify the mobile numbers of the handlers who had been in direct touch of these mules and were coordinating the movement of mules and trafficking victims.
35. Reports in this regard may be sent to Railway Board in the format mentioned in Annexure 4 every month till the time the Human Trafficking Module of RSMS is operationalized.

(E) Monitoring of the victims rescued -

Prevention of re-trafficking of a victim of trafficking, depends on the efficacy of the efforts and action taken through the process of rescue, rehabilitation and prosecution. Besides, steps taken at the source areas along with efforts at different levels of administration can prevent re-trafficking. We should have a monitoring mechanism to monitor the activities/rehabilitation of rescued person. 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 RPF/police is to complement their efforts. However, in the matter of dealing with organized crime against women, particularly, trafficking we have to take a proactive role and monitor the rehabilitation of the victims rescued by us.

These instructions are only indicative and not exhaustive. PCSCs may issue additional instructions/SOP/clarification in furtherance to the instructions mentioned above. An initial compliance of these instructions be conveyed in detail to Force Hqrs at Railway Board by PCSCs within a month of issue of this circular, followed by regular updates as mandated. Rank and file of the Force should be regularly briefed / sensitized about these



instructions through all possible mechanism. It would be a big service to humanity if all members of the Force, compassionately and selflessly devote themselves towards this humble cause.

These instructions will supersede all earlier instructions issued on the subject. Director General/RPF reserves the right to modify/withdraw/add all or any of the instructions mentioned above in the interest of the administration.



(SANJAY CHANDER)
DG/RPF

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

New Delhi, the 09.09.2009

OFFICE MEMORANDUM

Subject: Advisory on Preventing and Combating Human Trafficking in India

Introduction:

The Trafficking in Human Beings (THB) is a crime committed in order to target, lead or drive a human being into an exploitative situation with the aim to make profits. Such exploitation may take many forms, for example commercial sexual exploitation, child labour, forced labour, bonded labour or illegal organ removal etc. The country is witnessing cross-border as well as internal (intra-country) trafficking.

Human Trafficking and Indian Laws:

Trafficking in Human Beings (THB) is prohibited under the Constitution of India under Article 23 (1). Following specific legislations deal with Trafficking in Human Beings (THB)

- Laws relating to trafficking in women and children being administered by the MWCD (wcd.nic.in)
 - i. Immoral Traffic (Prevention) Act, 1956,
 - ii. Prohibition of Child Marriage Act (PCMA), 2006.
- The "Bonded Labour System (Abolition) Act, 1976", being administered by Ministry of Labour and Employment (labour.nic.in), provides for abolition of the system of bonded labour and the rehabilitation of released labourers. Child Labour (Prohibition and Regulation) Act, 1986 is also being administered by Ministry of Labour.
- Further, commercial dealing in human organs is a punishable offence under the Transplantation of Human Organs act, 1994, being administered by Ministry of Health and family Welfare (mohfw.nic.in). The appropriate authorities appointed under the Act are responsible and empowered to check the illegal activities of human organs traffickers.
- Specific Sections in the IPC, e.g., Sections 372 and 373 dealing with selling and buying of girls for the purposes of prostitution.

'Public Order' and 'Police' as per the 7th Schedule of the Constitution of India, are State subjects and, as such, detection, registration, investigation and prevention of crime is primarily the responsibility of the State Governments. However, Central Government supplements the efforts of the State Governments by providing policy guidelines, financial assistance for modernization of the State Police Forces in terms of weaponry, communication, equipment, mobility, training and other infrastructure under the Scheme of Modernization of State Police Forces.

A working Group comprising of Directors General of Police of some of the affected States was constituted in 2004 by MHA to study the issues relating to cross border trafficking. The

evolve a comprehensive strategy for effectively dealing with the problem of trafficking. Also an **"Integrated National Plan of Action to Prevent and Combat Trafficking in Human Beings Specially Women and Children"** (nhrc.nic.in/planofaction.doc), which has been worked out through a consultation process of all related Ministries and other stakeholders, has been adopted by Government of India in the Ministry of Women and Child Development. This plan deals with all aspects of prevention, rescue, registration of cases, investigations, prosecution, conviction, cross border trafficking issues, rehabilitation, repatriation and reintegration of victims etc. Based on these the recommendations of DGPs and the integrated action plan stated above the State Governments may evolve a holistic approach towards combating Trafficking in Human Beings (THB), encompassing all aspects of prevention, rescue and rehabilitation. Convergence should be adopted between various state departments and stakeholders for effective of handling of crime of Trafficking in Human Beings (THB).

Following key points of advice have been worked out in collaboration with the related Ministries of Women and Child Development, Labour and Employment, and Health and family Welfare where the assistance/ action by the State Government/ Police would be required for the effective implementation/ enforcement of laws relating to Trafficking in Human Beings (THB):

1. Constitution of the State Advisory Committee for Preventing and Combating Trafficking of Women and Children for Commercial Sexual Exploitation.

According to the Supreme Court order dated 2/05/09 (Vishal Jeet Vs Union of India), every State Government should set-up a State Advisory Committee for Preventing and Combating Trafficking of Women and Children for Commercial Sexual Exploitation. Ministry of Women & Child Development (MWCD) has already issued an advisory in this regard to all the State Governments.

2. Implementation of Immoral Traffic (Prevention) Act (ITPA), 1956.

- 2.1. Since ITPA is the main Act that can be used to book trafficking for commercial sexual exploitation, its implementation is essential for counter-trafficking. Under Section 23, the State Government may, by notification in the Official Gazette, **make rules for carrying out the purposes of the Act.** Such rules may be formulated, notified and intimated to MWCD with a copy to MHA.
- 2.2. Under Section 13, the State Government may **appoint 'Special Police Officers (SPOs)'** and the 'Non-official advisory bodies' to advise the SPOs for dealing with offences under the Act.
- 2.3. Under Section 21, the State Governments may set-up 'Protective homes' and 'Corrective institutions' for ensuring proper implementation of the provisions of the Act. **The information regarding these homes may be circulated to all Police Stations and officers dealing with the trafficking cases.**
- 2.4. Under Section 22-A, the State Government may, by notification in the Official Gazette, **and after consultation with the High Court, establish one or more Courts** for providing speedy trial of the offences under the Act.
- 2.5. It is generally noticed that sections 8 and 20 of ITPA, which focuses on the victims, are more often invoked as a result of which the victim is re-victimized and the exploiters are not punished. It is, therefore, advised that sections 3, 6 and 7 which pertains to pimps, brothel owners, clients who are actual perpetrators of the crimes need to be invoked rather than sections 8 and 20. **Law enforcement agencies need to adopt a victim centric approach in the investigations.**

3. **Implementation of Juvenile Justice Act (JJ Act), 2000:** Juvenile Justice Act provides comprehensive mechanism for care and protection of children including rehabilitation and social integration of children. Therefore, its implementation is essential to address trafficking of children. Following provisions of the Act are concerned with the Home Department/ Police and require action by the State Governments:
- 3.1. Under Section 62-A, the State Government shall constitute 'Child Protection Units' for the State and districts to fulfill its responsibilities as stipulated under the Act.
 - 3.2. Under Section 63, in each police station, at least one police officer may be designated as the 'Juvenile or Child Welfare Officer' to handle a juvenile or child in coordination with the police.
 - 3.3. Under Section 68, the State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.
4. **Implementation of Prohibition of Child Marriage Act (PCMA), 2006:** Prohibition of Child Marriage Act (PCMA) was enacted in 2006 repealing Child Marriage Restraint Act, 1929. It is reported that traffickers in some pockets in the country are exploiting evil custom of child marriage to target innocent girls for trafficking. Therefore, it is essential to implement the Act to address this modus operandi of traffickers.
- 4.1. As per PCMA, State Governments under Section 19 (1), may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.
 - 4.2. Under Section 16, the State Government may appoint 'Child Marriage Prohibition Officers' to fulfill the mandate as stipulated in the Act. State Governments may intimate the MWCD about the status of appointment of Prohibition Officers and Rules.
 - 4.3. The State Governments are to maintain MIS and send quarterly information on number of cases registered under PCMA and convictions.
 - 4.4. On receiving a complaint about child marriage, police are required to follow the procedure laid down in the Code of Criminal Procedure, 1973, which include registering an FIR and carrying out investigation.
 - 4.5. The offences under PCMA are cognizable and non-bailable, hence, immediate arrest of offenders is necessary.
 - 4.6. Extra vigilance should be maintained during festivals such as 'Akshya Tritha' to ensure that no child marriage takes place.
5. **Capacity building of the State machinery:** Implementation of the legal provisions in relation to applicable Acts- CLPRA, BLSA, IPTA, JJA and IPC involves not only police but many other officials dealing with the Criminal Justice System - notably the executive magistrates, the labour officials, CWC members and in-charges of Homes. Therefore, the State government may initiate a time bound action plan to build the required capacity of the state investigation and prosecution machinery in this regard. Some of the key areas identified for capacity building are listed below,
- 5.1. Identification of victims of trafficking for the purpose of commercial sexual exploitation, child/bonded/forced labour and for illegal organ removal.
 - 5.2. Recognition of all applicable legal provisions of the law to a case of trafficking (not just one Act or two) by law enforcement machinery.

- 5.3. Understanding of legal and administrative provisions for inter-state and cross border investigation.
- 5.4. Understanding of legal provisions for closure of places of exploitation.
- 5.5. Understanding of legal provisions for confiscation of proceeds of crime.
- 5.6. Understanding of the mechanism in place for victim support and assistance.
- 5.7. Integrated actions on prosecution, prevention and protection by building linkages with other Government departments and agencies, including NGOs.
- 5.8. For capacity building the Bureau of Police Research and Development (BPR&D) (www.bprd.gov.in), at the behest of MHA, has prepared a **training manual on Human Trafficking Handbook for Investigators** and this has been circulated to the States for use in the police Training Institutes. All the training materials have also been uploaded on BPR&D website. BPR&D has already translated the training material in Hindi, Telugu and Marathi languages. 12 Resource Books on 'Training and Investigation on Anti-Human Trafficking' prepared as a result of pilot project between MHA and UNODC (www.unodc.org/india/ind_s16.html) have also been uploaded on BPR&D website. These resource materials should be used by State Governments for the capacity building of all agencies involved in prevention of human trafficking.
- 5.9. Also MWCD, in collaboration with National Institute of Public Co-operation and Child Development (NIPCCD) and UNICEF, has developed manuals for training of stakeholders such as 'Judicial Handbook on Combating Trafficking of Women and Children for Commercial Sexual Exploitation', 'Manual for Medical Officers for dealing with Child Victims of Trafficking and Commercial Sexual Exploitation', 'counseling services for Child survivors of trafficking', 'Counseling services for Child survivors of trafficking', 'Social workers'.
- 5.10. States may organize training/workshops/awareness campaign to sensitize their SHOs/Dy. SP/ACP and other law enforcement agencies towards the crime, safety and security of women and children.
- 5.11. The **Compendium of Best Practices in handling cases of human trafficking** (www.unodc.org/india/ind_s16.html) has already been circulated to all the State Governments and UT Administrations for information and appropriate use.

6. Prevention of Trafficking:

- 6.1. It has been noticed that people, especially women and children are vulnerable to trafficking during 'distress migration' and from 'disaster prone areas'- such as during floods, earthquakes, crop failures, riots, terrorist activities etc. Therefore, it is important to establish extra vigilance in this regard around transit points and at borders- inter-district/inter-state and international.
- 6.2. Police should work closely with immigration authorities, Border Security Force (BSF), Railways and other transport authorities, provincial/ territorial and municipal agencies, with Social Services, child welfare authorities and with any NGOs involved in service delivery for spotting and rescuing the victims.
- 6.3. Effective patrolling and vigil at locations prone to trafficking such as highways, dhabas, railway stations and bus stations for suspicious movement of traffickers and victims and monitoring, through involvement of village community, the suspicious/

- 
- 6.4. Pro-active policing through information exchange with representatives from the local Government, community, NGOs with a view to raise awareness and garner active support of the community.
 - 6.5. Periodical checks on transporters to prevent physical transportation of the trafficked persons.
 - 6.6. Prevention at the demand area by understanding/ addressing new forms of demand. For example, placement agencies providing domestic child labourers.
 - 6.7. Facilitating inter-State collaboration by sharing data on missing children/ kidnappings and suspected offenders. Development of victim and offender profiles on an inter-agency basis.
 - 6.8. Sensitization programmes/workshops for police officers/railway police force and prosecutors on various legislations mentioned above in relation to trafficking. State nodal officers may hold periodical meetings to review and monitor the efforts taken to prevent and combat the crime of trafficking.
 - 6.9. In case of child trafficking, following provisions also need to be kept in view:-
 - 6.9.1. Identification of children at risk, (e.g. following raids on off-street sites, responding to referrals from other agencies, NGO or members of the public, following up reports of missing children).
 - 6.9.2. Report instances of children in need of protection to relevant child protection agencies. For this purpose the Police Stations could be sensitized.
 - 6.9.3. The development of victim profiling with other agencies.
 - 6.9.4. Undertaking joint interviews with social workers of children identified as victims or potential victims to assess risk and assist in the development of protection plans.
 - 6.9.5. Carry out checks on sponsors and people who claim to be the relatives of children identified as being at risk of trafficking.
 - 6.9.6. Participating in local child protection networks with related organizations (immigration, social services, NGOs, health, education) to develop joint approaches to the issue at local level and contribute to wider forums as appropriate.
 - 6.9.7. If children disappear, initiate missing person's procedures, investigate circumstances and circulate information/ undertake investigations, linking with other agencies as required.
 - 6.9.8. Ministry of Labour & Employment has developed a detailed protocol for prevention, rescue, repatriation, rehabilitation and reintegration of migrant and trafficked child labour. The protocol has been issued to all State Governments for implementation.

7. Investigation & Prosecution:

- 7.1. Standard operating procedures for Investigation have been developed under the pilot project between MHA and UNODC as mention in para 5.8 above, which can be used for effective investigation in trafficking related crimes.
- 7.2. One of the effective means of securing better conviction rates of nernetrators of crime

of trafficking is to base the case on documentary, forensic and material evidence. At present, most of the time, the victim is being used as a witness and more often than not, he/she can easily be intimidated. State Governments are advised to encourage the law enforcement agencies to build full proof investigation against the traffickers, so that, convictions can be guaranteed.

7.3. Use of fast track courts and video conferencing to the extent possible.

8. Rescue and Rehabilitation

8.1. Police should work with other agencies and stakeholders to ensure that those who are rescued or who choose to return are not re-trafficked; this should include a risk assessment of the danger to returning victims (child care authorities would prepare risk assessment for children).

8.2. Identifying support services and referring victims/ potential victims to specialist NGO's and safe accommodation, where these are available. The Ministry of Women and Child Development runs short stay homes Swadhar shelter homes for women in difficult circumstances (wcd.nic.in/Comscheme.doc). These cater to trafficked women/girls rescued or runaway from brothels or victims of sexual crimes who are disowned by family or who do not want to go back to respective family for various reasons. The schemes provide for shelter, food, clothing for women and children below the age of 18 years, counseling, clinical, medical, legal and other support, training and economic rehabilitation and helpline facilities.

8.3. A new scheme - UJJAWALA (wcd.nic.in/Comscheme.doc) – a comprehensive scheme for prevention of trafficking, rescue, rehabilitation, reintegration and repatriation of the victims of commercial sexual exploitation has been launched on 04.12.2007 by the Ministry of women and Child Development which should be effectively used by the State Governments.

9. MHA has already established an Anti Trafficking Cell (ATC) under the Director (SR) which deals with the following major subject matters:

9.1. All matters pertaining to the criminal aspect of trafficking in human beings especially of women and children, which is the fastest growing organised crime and an area of concern.

9.2. To act as the Nodal cell for dealing with the criminal aspect of Human Trafficking in India, hold regular meetings of all States and UTs, communicating various decisions and follow up on action taken by the State Governments.

9.3. To interface with other Ministries like MWCD, MSJE, MEA, MOIA, MOLE, MOL, MOT and NCRB regarding the criminal aspect of human trafficking.

9.4. All matters relating to the UNODC, UNIFEM, their meetings, conferences, conventions, reports etc. in the context of the criminal aspect of Human Trafficking.

10. The Anti Trafficking Nodal Cell of MHA has developed an MIS proforma for the monitoring of the action taken by various State Governments regarding the criminal aspect of human trafficking as well as crime against women. The State Governments are requested to send quarterly information on 1st January, 1st April, 1st July and 1st October of the year in the prescribed proforma.

11. You are requested to issue suitable directions to all concerned under intimation to this

reviewed by the State Governments and UT administrations and a report indicating the present status sent to this Ministry within a month.

12. This advisory is being issued in consultation with the Ministry of Women and Child Development and Ministry of Labour and Employment.

The receipt of this letter may kindly be acknowledged immediately.

Yours faithfully,

-Sd-

(Nirmaljeet Singh Kalsi)

Joint Secretary to the Government of India

Ministry of Home Affairs, North Block

New Delhi - 110001

Tel. No. 23092630

To,

The Chief Secretaries &

The Principal Secretary / Secretary (Home)

All State Governments and Union Territory Administrations – for information and necessary action.

Copy for information and necessary action to:

- i. The DGs / IGs (In-charge of Prisons)/ - All State Governments / UTs for information and necessary action.
- ii. Ministry of Women and Child Development (Mrs. Manjula Krishnan, Advisor & Joint Secretary, MWCD, Ms. P. Bolena, Joint Secretary) Shastri Bhawan, New Delhi.
- iii. Ministry of Labour (Shri S.K. Dev Verman, Jt. Secy.), Shram Shakti Bhavan, New Delhi.
- iv. Ministry of Social Justice and Empowerment (Sh. D.V.S. Ranga, Joint Secretary), Shastri Bhawan, New Delhi.
- v. Ministry of Overseas Indian Affairs (Shri G. Gurucharan, Jt. Secy.), New Delhi.
- vi. Ministry of External Affairs, (Joint Secretary SAARC and Joint Secretary UNES) South Block, New Delhi.
- vii. Chairperson, National Commission for Women, 4, Deen Dayal Upadhyaya Marg, New Delhi-110 002.
- viii. Chairperson, National Commission for Protection of Child Rights, 5th Floor, Chandralok Building, Janpath, New Delhi-110 001.
- ix. Chairperson, National Human Rights Commission, Copernicus Marg, New Delhi.
- x. Director General, NCRB, RK Puram, New Delhi.
- xi. Director General, BPR&D, New Delhi.
- xii. Director General Border Security Force, New Delhi
- xiii. Director, CBI, New Delhi.
- xiv. JS (UT)/ JS (NE) /JS (K), MHA, North Block, New Delhi.
- xv. Under Secretary (Parliament), MHA, North Block, New Delhi.

-Sd-

(Nirmaljeet Singh Kalsi)

Joint Secretary to the Govt. of India

F.NO.15011/60/2011
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA
NORTH BLOCK NEW DELHI/CS DIVISION

New Delhi, the 31st January 2012

OFFICE MEMORANDUM

Subject: Advisory on missing children-measures needed to prevent trafficking and trace the children-regarding.

1. The issue of missing and untraced children, based on police records, is a matter of deep concern to the Government of India. It requires a concerted and systematic attention of Central and State Governments. As missing children are exposed to high risk situations, they are vulnerable and fall prey to crimes of exploitation, abuse, including human trafficking. It is, therefore, necessary that effective steps be taken for effective investigation of cases relating to missing children and tracing of these children. This advisory is in continuation of the advisories dated 09.09.2009, 14.7.2010 02.12.2011 and 4.1.2012 issued by this Ministry to all the States / UTs on similar/related issues of crimes against children.
2. A missing child is defined as a person below 18 years of age whose whereabouts are not known to the parents, legal guardians or any other person who may be legally entrusted with the custody of knowing the whereabouts/well being of the child whatever may be the circumstances/causes of disappearance. The child will be considered missing and in need of care and protection, until located and/or his/her safety/well being is established.
3. The legal provisions as existing in the Juvenile Justice (Care and Protection of Children) Act, 2000 and other laws, several rulings of the Hon'ble Supreme Court of India and High Courts and the recommendations of NHRC, inter alia, emphasize the immediacy of prompt action by law enforcement agencies following disappearance of the child, especially minor girls to maximize chances of tracing/recovery.
4. The guidelines of NHRC which has already been communicated to the States/UTs with respect to missing children should be implemented and their monitoring ensured (refer website [www.nhrc.nic.in/ Reports/misc/MCR Report.doc](http://www.nhrc.nic.in/Reports/misc/MCR%20Report.doc)).
5. The Hon'ble Supreme Court of India has issued guidelines in respect of missing children on 14/11/2002 (WP (Cri) No.610 of 1996) in Horilal Vs Commissioner of Police, Delhi and Sampurna Behura vs. Union of India & Ors dated 12/10/11(WP (Civil) No.473 of 2005). These instructions should also be complied with and monitoring ensured.
6. An officer not below the rank of a DIG should be declared Nodal Officer for every state/UT for handling the cases of missing children.

7. Supervision of investigation of such cases by senior police officers of the level of Dy.SP/Addl.SP may be ensured.
8. When, any heinous crime or organized crime on missing children, such as, victims of rape, sexual abuse, child pornography, organ trade etc, is reported, and then the investigation of such cases should be taken over by the CID of the States/UTs to expedite the investigation and to ensure prosecution of the offenders.
9. State Crime branch should maintain close links with District Missing Children Unit (DMCU) and ensure that uploading of data and matching of missing children with UIDBs/Children found is carried out effectively.
10. The Missing Persons Squad (MPS) will match the information regarding missing children with the data available with the MPS and if matched it should be communicated to the concerned police station. A monthly report should be sent to DMCU.
11. When the missing person is traced through search or rescue from places of exploitation, the police control room, District Missing Persons Unit (DMPU) and Missing Persons Squad (MPS) should be informed immediately for updating the record and for discontinuing the search.
12. Whether these missing children land up in Begging Rings, Prostitution, Pedophilic Net and Organ Trade or end up getting exported for Camel Jockeying etc., it is always an Organised Crime. Profile of all traffickers who facilitate such trafficking should be maintained at PS level in Gang Registers.
13. The State CID should use data mining to analyse patterns, gather intelligence and to build profiles which have inter state ramifications, ascertain angles of trafficking, organized crime, number age/sex profile and maintain liaison with other central agencies dealing with the matter.
14. All police officers and men, especially the team of officers handling investigation into these cases need to be trained and sensitized on an ongoing basis to the issues concerned. The issues of missing children, human trafficking along with JJ Act may be made part of syllabus in the state police training colleges to sensitize the police force. The training should focus on imparting knowledge of the substantial and procedural laws, court rulings, administrative procedures, skills in child-friendly investigations, including interviewing, interrogation, scientific data collection, presentation in the court of law, networking with the prosecutors, facilitating victims/witness protection programmes etc.
15. As there is considerable overlap in the problems of missing children and trafficked children, AHTUs should play an active role.
16. The Superintendent of Police in the districts and Commissioners of Police in the metropolitan areas should review each case of missing children/persons during their monthly crime review meetings to find out the actual number of missing children, number of children traced/untraced, children, the reasons for child disappearance/missing and its links to human trafficking and to take stringent action

against the perpetrators of the crime. They should also take strong measures for successful prosecution of the offenders in the court of law.

17. In cases where children and women have been smuggled illegally out of the country, the investigation agencies should utilize Interpol channels to communicate with member countries and if need be, have appropriate Interpol Notices issued through CBI/Interpol wing, in order to trace the victims.
18. An exercise to check all the unclaimed and unidentified children who are kept under safe custody in various shelter homes of the government/non-governmental agencies may be undertaken and details may be matched with the available missing children data base in the country as most of the children lodged in these shelter homes are indeed missing children. Missing Persons Bureau in the state should have a centralized data on children lodged in these shelter homes run by the government/non-governmental agencies in the state with mechanism to update the data on regular basis. This data along with the photographs of the children should be digitized and regularly sent to NCRB and NCRB will upload this data in their website www.ncrb.gov.in for pan-India search by other state police/stake holders.
19. A number of children reportedly die after disappearance/missing and their dead bodies remain unidentified. States/UTs should also consider making it mandatory for the investigating officers and provide the necessary infrastructure to have the DNA profiling of all such unidentified dead bodies for future comparison and identification. DNA profile of the nearest blood relative through informed consent should be done if child is not found for 3 months. Both the DNA data base may be maintained at the state MPS for future comparison and matching.
20. Similarly, in order to curtail offences of child sex abuse, in all cases of pornography, cyber crimes etc. under investigation, efforts should be made to correlate the pictures of the child with the details of missing children and vice-versa.
21. The data available in each missing children file should be uploaded to the computer maintained at the police station for this purpose. It will be the responsibility of each I.O. to ensure that efforts made towards tracing the missing children is also uploaded on the computer, which would be linked to national database and via CCTNS, eventually. CCTNS should update it promptly on the proposed 'Khoya Bachpan' website.
22. The SHO/Inspector of the police station will ensure that the computerized record of missing children is maintained up-to-date and the same is sent to DCRB and from there to SCRB. The State and District/City police Control Room/local Police net, ZIP NET, www.trackthemissingchild.gov.in should be updated immediately. It would be useful to access data on missing children through other websites maintained by www.childlineindia.org.in and www.stoptrafficking.in to mention a few.
23. NCRB is mandated to function as a national repository of crime and criminal related data in the country and the States /UTs should evolve a mechanism to share the data on missing children and human trafficking cases to NCRB in the prescribed proforma of NCRB on monthly basis for analysis and study to find the emerging trends in these sensitive issues.

24. NCRB should devise methods of uploading the data on a real-time basis not only of missing persons but also with respect to traced and un-traced persons as well as linking the database with those of rescued persons from different places including children rescued from exploitative or forced labour.
25. The universal number 1098 for reporting of missing children 24x7 is being run in some States / UTs, but there is no uniformity. It needs to be made effective and operational if not done earlier. There should be at least one dedicated police personnel at this helpline on 24x7 basis with proper monitoring mechanism. In the meantime BPR&D would explore further possibilities of integrating 1098 with 100 to make it toll free.
26. Responsible and competent NGOs be earmarked as Nodal NGOs in States for assisting the law enforcement agencies in this regard. The NGOs who have done work in this field with commitment be supported by the law enforcement agencies and synergy be established so that they could work in tandem.
27. When training the police, they must be oriented to undertake all preventive steps including steps to identify children in distress, watch of suspicious persons, special attention at transit points viz. border areas, ICs, railway stations, bus stations, airports, ports etc., identify vulnerable population/places and take steps to address the vulnerability on time.
28. BSF/ITBP/SSB personnel in outposts on borders should be trained to look-out for trafficked children on the borders. They should be sensitized to question and detect unaccompanied minors/children or accompanying adults with suspicious behaviour during pursuant checking of vehicles/public transport.
29. The law enforcement agencies may involve representatives of Panchayati Raj Institutions and the community at large, such as, Village Watch & ward/ Municipal Committees/Neighbourhood Committees/Resident Welfare Associations etc.. This will enable the community to get fully involved along with the administration/police in identification, tracing & recovery of missing and trafficked children and arrest of accused persons.
30. Community awareness programmes on the issue of missing children and its links with human trafficking may be undertaken by the District administration. Periodic interface with Public and Safety Awareness Campaign should be conducted in schools and vulnerable areas, jointly by the district administration. Schools must be encouraged to issue Identity cards to children.
31. The activities of various departments and agencies in the States /UTs need to be integrated through a nodal agency. These includes Home Department, Police Department, Social Welfare Department, Women and Child Welfare Department, Juvenile Justice Department, Child Welfare Committees, Labour Department, Health Department, Tourism Department as well as other agencies like State Human Rights Commission, State Women's Commission, State Commission for Child Rights, Railways, RPF, BSF, SSB, ITBP etc. State governments may institutionalize a coordinating mechanism among all these agencies through an SOP clearly mandating the roles and responsibilities of each of these agencies.

32. In places, where vulnerable groups of children are found in large numbers, a mechanism should be evolved in partnership with NGOs and social workers, where by apart from rendering counseling to them, awareness-raising activities are also carried out.
33. The protocols and SOPs developed by UNODC in the Joint Project of MHA-UNODC, during 2006-2008, including protocol on interstate transfer of rescued victims may be effectively utilized (refer www.unodc.org/India).
34. The States/UTs may bring out an SOP for guidance of all concerned.

The receipt of this letter may kindly be acknowledged immediately.

Sd/-

(B. Bhamathi)

Additional Secretary to Govt. of India,
Ministry of Home Affairs,
North Block,
New Delhi – 110001
Tel. No. 23092514

To,
The Chief Secretaries &
The Principal Secretary/Secretary (Home)
All State Governments and Union Territories

Copy also for information and necessary action to:

- i. The DGs of all State Governments/UTs.
- ii. National Commission for Protection of Child Rights
- iii. Director General BPR&D
- iv. Director NCRB
- v. Director CBI
- vi. Director General BSF
- vii. Director General ITBP
- viii. Director General SSB
- ix. Ministry of Women and Child Development
- x. Ministry of Labour
- xi. Ministry of Social Justice and Empowerment

Sd/-

(B. Bhamathi)

Additional Secretary to Govt. of India,
Ministry of Home Affairs,
North Block,
New Delhi – 110001
Tel. No. 23092514

No. 15011/41/2016-ATC
Government of India
Ministry of Home Affairs
CS Division

NDCC-II Building, 5th floor,
Jai Singh Road, New Delhi-110001
July 21, 2017

To

The Chairman
Railway Board
Rail Bhawan
New Delhi

Sub: Addressing the crime of Human Trafficking – sensitizing the Railway Protection Force (RPF) and Government Railway Police (GRP) personnel.

Sir,

A review meeting of the Nodal Officers of Anti-Human Trafficking was convened by MHA under the chairmanship of Joint Secretary (CS) at New Delhi on 8.6.2017. During the deliberations of the meeting, it was noted that there is a need to rope in RPF and GRP in curbing the crime of human trafficking since many traffickers use Railways as a major mode of transport for trafficking the victims to other States and border areas.

2. It has been felt that the **RPF and GRP personnel deployed at various Railway Stations need to be suitably sensitized** about apprehending and detecting the incidents of human trafficking. The RPF and GRP personnel can play a very significant role in helping the victims of trafficking in close coordination with the local police agencies, only if they remain alert and are sensitive to their job.

3. You are therefore requested to kindly issue suitable directions to all RPF and GRP personnel and sensitize them suitably about the issue of trafficking. Your cooperation and involvement in curbing the problem of human trafficking is solicited.

Yours sincerely,



(Arun Sobti)
Under Secretary (PR & ATC)
Tele: 23438185
Email: uspr-mha@nic.in

Copy to:

The Anti-Human Trafficking Nodal Officers of all States and UTs

Annexure 4

Format of monthly report to be submitted before 5th of every month regarding action against gangs of Human Trafficking by RPF under Operation AAHT

Srl. No	Brief of civic action programme conducted at places identified as vulnerable for luring victims into trafficking	Brief of meetings with stakeholders like District/village CPUs, district taskforce of labour dept, vigilance committee under ITPA, NGOs like BBA, CWCs, local hospitals, children homes, local police, resource persons in affected villages etc that may help us get inputs from places of origin	Input received from place from where trafficking starts (Source)	Action taken on the inputs received mentioned in Col. 4
1	2	3	4	5

Details obtained from statement of victims				
Name, gender, age of victim	Native places of victims (villages, districts, states)	Identity of persons contacting victims for trafficking with detail of temptation	Destination	Details of victims who were lured earlier (name, address)
6	7	8	9	10

Analysis of data collected so far				
Places of origin frequently reported (village, district, state)	Boarding stations used frequently by traffickers	Trains frequently used by traffickers	Train routes used by traffickers	Destinations frequently reported
11	12	13	14	15

Whether photograph of the mule obtained and kept as record	Identification details of mules accompanying victims, interrogated including all their mobile numbers ascertained during interrogation.	No of meetings conducted with AHTUs of state police	No of meetings conducted with CAPF units deployed in international borders	Details of inputs including TechInt collected reg Human Trafficking gangs by Crime Intelligence Wing and other units of RPF		
				CIB	RPF posts	SIB
16	17	18	20	20a	20b	20c

Identification details including Contact numbers of Agents identified and their associates, if any			Identification details including Contact numbers of handlers and associates of handlers identified	Identification details including Contact numbers of gang members and associates identified	Identification details including Contact numbers of the king-pins and associates identified
Source Agents	Transport Agents	Distribution Agents			
21a	21b	21c	22	23	24

Subsequent action taken by RPF post identification	Details of arrests of agents, handlers, gang members or the king pin, if any with police case reference	Action taken on the inputs culled out from CDRs/SDRs/Internet/Social Media during the month. (as a brief note)
25	26	27

Brief of actionable inputs generated during month. (as a brief note) (except inputs mentioned in Col. 4 and 26) and action taken thereupon	Brief of action taken on the inputs received from other zones/divisions during the month. (as a brief note) (except action taken mentioned in Col. 5, 26 and 27)	Additional information, if any
28	29	30