

# **Child Rights & Trafficking**

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***CP Rachakonda***

***Telangana***

# Glossary

- **Child**: A person who has not completed 18 years of age.
- **Children in need of Care and Protection (CnCP)**: A child who is in need of support from the State. This includes missing child, trafficked child, child labour, child with disability, victim of child sexual abuse, and child who is in imminent danger of being married among others.

- **Children in Conflict with law (CiCL)**: A child who is alleged to have committed or is found guilty of having committed an offence.
- **Best interest of child**: Is the basis for any decision taken regarding the child, to ensure fulfilment of his/her basic rights and needs, identity, social well-being, physical, emotional and intellectual development.

# What is Human Trafficking ???



## WHAT

- recruits
- transports
- harbours
- transfers
- receives



## HOW

- threats
- force
- any other form of coercion
- abduction
- practicing fraud
- deception
- abuse of power
- inducement



## WHOM

- Sex trafficking or prostitution
- Domestic servitude
- Forced labour
- Organ trade
- Camel Jockeying
- Circus
- Child Pornography
- Contract marriage
- Adoption
- Or any other form of trafficking

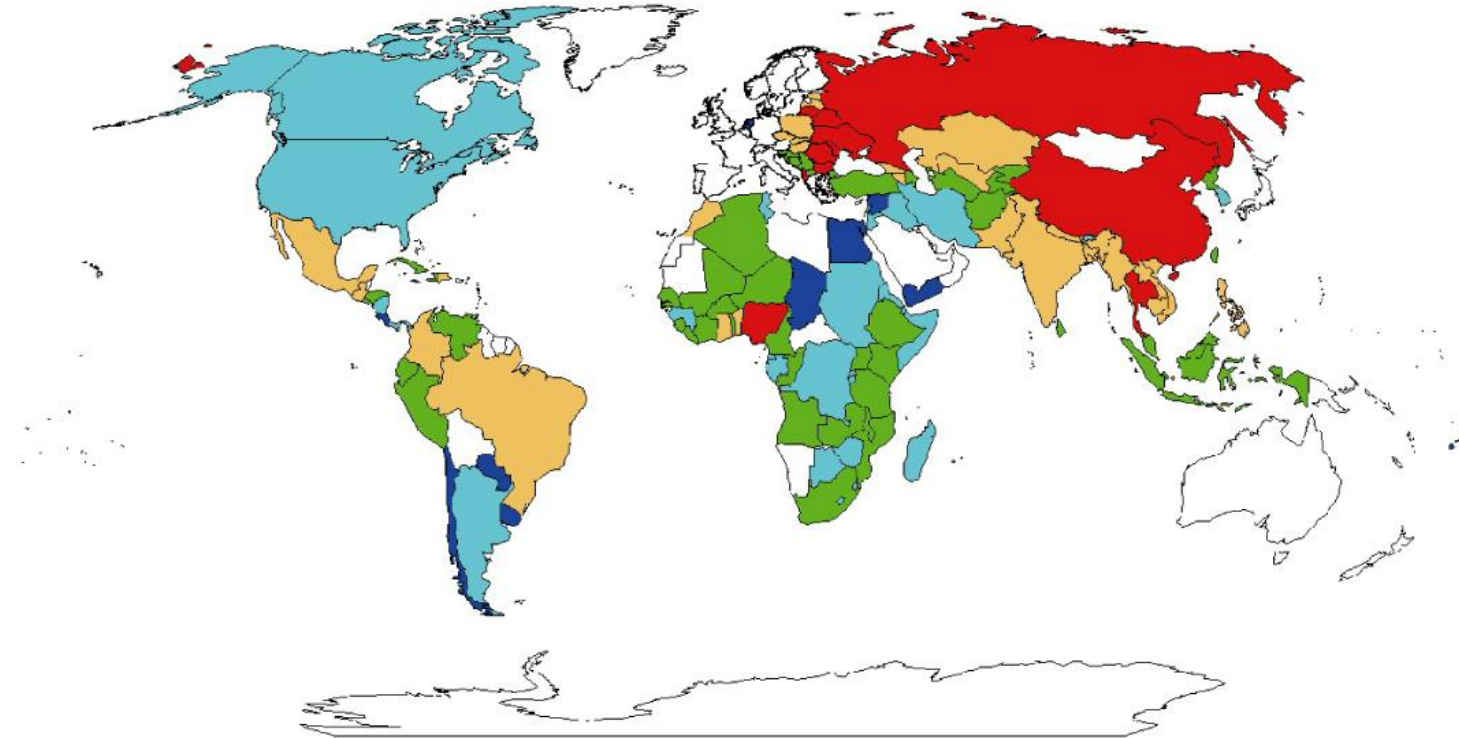
**UN Protocol against prevent, suppress, punish trafficking women & children**

# Why trafficking?

- Laws of demand and supply are main motivators
- Migration
- Vulnerability due to poverty, natural calamity
- **Human smuggling & human trafficking** in Middle East countries, Canada, USA
- Normalization of exploitation
- Stockholm syndrome

# Global Perspective – 2nd largest organized crime after Drugs trade..

Trafficking Victims: Countries of Origin



Reported Trafficking Origins  
according to the Citation Index


 very high

 high

 medium

 low

 very low

 not reported

# The cost of human trafficking

Every year, human traffickers make profit from the trade

**\$150bn**

Women and girls

 **71%**

Men and boys

**29%** 

**21** million victims worldwide

**54%** sexual exploitation

**38%** forced labour

**8%** other purposes, including organ trafficking

- 14,500 to 17,500 trafficked every year in U.S alone
- 50% of them trafficked in USA are children
- East Asia and Pacific region contribute maximum to



# How to stop trafficking?

- Diligent Rescue operations with 5R's
  - Rescue, Rehabilitation, Restoration, Repatriation and Reintegration
- 3P's Strategy
  - Prevention, Protection and Prosecution



Source

Transit

Destinati  
on



# Stake holder synergy for multi-disciplinary approach

- Law enforcement
- Prosecutors
- Judiciary
- Women & Child welfare
- Civil Society



**TOGETHER WE CAN COMBAT TRAFFIC**

# Implementation of strict Legal Provisions (Basket of crime concept)

- ITP Act, 1986 - Sec. 3, 4, 5, 6, 7, 9  
discard use of section 8
- Indian Penal Code Sec 366 A/B,  
370(a), 372, 373, 376
- Protection of children from sexual  
offences Act, 2012
- Juvenile justice care and protection  
amendment Act, 2015
- Child Labour Act 1986
- Bonded labor Act, 1976

# Laws available to protect victim's identity

- Rape victim – 228 A IPC
- POCSO act
- Juvenile Justice care protection amendment act 2015
- Revictimising victim to prevent
- Nirbhaya case – Union Home Minister

# Demand reduction

- By prosecuting clientele U/S 5 (1) (d) , Sec 7 ITPA. In case of minors customers can be booked under POCSO act, 376 Rape sections
- By **better Economic – Social opportunity**
  - **Circumstances Vulnerability**
- **Sweden Model-** Educate all stake holders, legal amendment, heavy punishment for clientele / customers
- Rule of Law like TVPA 2000 of USA (Laki Reddy Bal Reddy case)

# Anti-sex trafficking - Pilot Project of Ministry of Home Affairs –India & UNODC S16 ( 2006-2009)

- 5 states of India
- Training and capacity building of Law enforcement officers.
- Synergy amongst stake holders
- Victim centric approach (attitudinal change)
- Diligent rescue operations (STD)
- Organized crime approach from source to destination
- Legal Instruments during search operations 93,97,98 Cr Pc warrants of search
- Trial monitoring for convictions

# Ex: Trafficking networks of Telangana & A.P.

- **Intrastate**: within the state, from villages to cities & city to city, viz., Hyderabad, Tirupati, Vijayawada, Visakhapatnam are destinations
- **Interstate**: from Telangana, Andhra Pradesh to Delhi, Maharashtra, Tamil Nadu, Karnataka, Goa etc.
- **Inter-country**: to Gulf countries, Singapore, Malaysia, USA
  - *(Lakki Reddy Bal Reddy case)*

# Law enforcement by Revenue & Police authority

- Closure of 100 brothels & eviction of offenders in Andhra Pradesh & Telangana - (*Red light areas*)
- *18 (1) ITPA, 18 (2) ITPA & 133 (1) (b) Cr Pc*
- Preventive detention of traffickers
- 100 plus brothels closed in Rachakonda



# Yadagirigutta Operation

- 30<sup>th</sup> July 2018 She Teams, Child line staff, Yadgirigutta Police raid on Yadgirigutta Brothels
- Rescued 34 Minor Girls & 3 Major Girls, arrested 42 organizers ( 32 Female, 10 male). 22 cases of Yadgirigutta PS, 1 case of Abdullapurmet.
- FIR U/S 366 A, 370(1) (5), 376 r/w 114. 372, 373 IPC, Section 17 of POCSO act, Section 3,4,5,6,7,9 ITPA
- In 22 cases DNA conducted.
- 20 Brothel houses sealed for 3 years under 18 (1) ITPA by orders of RDO
- Rescued victims in Prajwala Home Amangal & Shishu Vihar Nalgonda
- High Court PIL



# CASE STUDIES ..

## **Conviction of University professor for Sex trafficking**

- On 2/8/2005 Tirupati police in Chittoor district
  - Busted a trafficking network with the arrest of a woman Professor and rescue of minors
- Case ended in 7 years conviction

## **10 years conviction for inducing Indian girl for sex trafficking to Singapore**

- Trafficking from A.P. state, India to Gaylang, Red light area of Singapore
  - Promise of Nursing school admission victims was lured.
  - Accused was earlier brothel keeper at Singapore.
- 2 traffickers got convicted for 10 years imprisonment under Section 5 of ITPA.
- Training of I.O. , victim & witness protection and trial monitoring has ensured conviction

## CASE STUDIES contd..

### **Nepal network-Trial through video conference case**

- 2009 case of Nagpada P.S. of Mumbai, Maharashtra. Victim rescued from a brothel in Kamathipura and repatriated to Nepal by Rescue Foundation NGO
- Victims presence in trial was an issue
- Through Skype video conferencing trial was done at Special Court.
- Case ended in conviction for 3 years.

## CASE STUDY ..

### South India to Dubai network of human smuggling turning into human trafficking

- Trafficking of young women to Dubai in the guise of domestic help
- Rescued victims of flesh trade in Dubai
  - Repatriated to their native place
  - 7 accused from India were arrested
- Impounding Passport
  - Joint Secretary, External affairs ministry and Dubai consulate worked together
- King pin of racket from India deported back from Dubai
  - (RCN, extradition are time consuming) and arrested on arrival at Mumbai

# CASE STUDY ..

## On line sex racket run by traffickers of Tanzania busted in Hyderabad, India

- Perpetrators uploaded photos on the website [locanto.com](http://locanto.com) for online soliciting
  - *New US Law against on line sex advertisement*
- Registered a case against the trio for Immoral Traffic (Prevention) Act and Foreigners Act.

# Challenges

- On line sex rackets –servers in foreign countries is new trend in sex trafficking
- Sex offenders registration & repository not yet done in many countries
- Priority to human trafficking subjects

# CASE STUDY

## Gang rape case of a minor girl

### Case Study of Kottagudem

- The incident of gang Rape on minor girl occurred on 17-02-2007 but it was reported on 5-01-2009 only as victim was threatened for not to reveal and accused prepared a Video CD of Rape and circulated it on City cable Channel at Kottagudem Town of Khammam District.
- Based on report gang rape & further blackmailing through circulation of obscene photographs of Rape, Kottagudem 2 Town Police of Khammam District in Telangana registered a case.
- SDPO Kottagudem has investigated the case & filed charge sheet under sections of gang Rape, procurement of minor girl, Information Technology act and indecent representation of women act. A separate case was registered against City Cable for telecasting obscene film.

- **Highlights**
- 1) All 14 accused were arrested immediately within 24 hours after reporting of Crime and were exposed to community by taking them on feet from Police station to Court at the time of remand. Rowdy sheets are opened against all of them. They are inside the jail since the date of remand
- 2) A separate case registered against City Cable channel operators for broadcasting obscene photos of rape victims.
- 3) Victims identity was not revealed to visual and print Media and protection was given to her. (228A IPC)

- 4) Criminal case was transferred to Fast Track Court on the orders of District judge Sri Jagannath Reddy and in camera trial conducted within 1 year following Sec. 327 Cr.Pc and Supreme Court Judgment in Sakshi vs. Union of India
- 5) Medical reports about gang rape, Forensic lab report on originality of obscene pictures (not morphed one ), mock trial & due briefing to witnesses by Public prosecutor helped in getting case convicted



- **Rehabilitation of Victim-**
- 1) Victim girls received Rs. 1 lakh relief from District Collector Smt. Usha Rani IAS following GO MS NO. 28 /2003 of Women and Child Development of Government of Andhra Pradesh.
- 2) Dr. Sunita Krishnan of Prajwala NGO has done psychosocial counseling to victim to pursue higher studies
- 3) As per Andhra Pradesh Government's order for rehabilitation of victims of Rape, victim girl got admission to study Diploma course in Durgabai Deshmukh Polytechnic College , Hyderabad and currently pursuing her studies.

- **Conviction Particulars**
- On 15/04/2010 Hon'ble Additional Session Judge of Kottagudem Fast track Court Smt. Vijayalakshmi has pronounced Judgment awarding punishment of Life imprisonment to 9 accused
- Accused A1 to A9 **convicted for life imprisonment under the offences Sec. 366 (A), 376 (2) (g), 294(b), 292 IPC Sec. 66 of the Information Technology Act-2000.**

- A10 convicted for 10years R.I for 366(A), 376 (2) (g) R/w. 109 IPC
- A11 to A14 convicted for 5 years R.I. under 66 & 67 of the Information Technology Act-2000 & Sec. 6 of Indecent Representation of Women Act, 1986
- As a Superintendent of Police of Khammam District (Oct.2008 to July 2009) I have directly supervised the investigation of case till filing of Charge sheet and monitoring of trial done by my successor Mr. Anil Kumar (present FRRO )

# Child Labour

- As per Census 2011, 10.1 million (3.9% of total child population) children in the age group 5-14 are working, either as 'main worker' or as 'marginal worker'
- Overall, in age group 5-18 years, 1 in every 11 children is working as a child labourer
- Incidence of child labour has decreased in India by 2.6 million between 2001 and 2011. However the decline has been concentrated in rural areas and prevalence of child labour is increasing in urban areas (ILO, 2017)
- ● Five percent of children under age 18 years are orphans with one or both parents who have died. The Northeast region has the highest percentage of children who are orphans (6% or more in every state except Tripura). (National Family Health Survey, 2015-16).

# Prevention

- Ensure local authorities maintain records of all children from birth to 18 years in their respective jurisdictions
- Prepare a roadmap cum action plan to prevent child and adolescent labour as per Child Labour Prevention Act, 1986 ('CLPR')
- Prepare an action plan to mainstream all non-school going and dropout children under Right of Children to Free and Compulsory Education Act, 2009 ('RTE')

- Monitor shops and establishments in the jurisdictional area, conduct surprise checks to see which places are employing child labour
- Issue directives to shops and establishments; make public announcements/disseminate pamphlets/circulars warning them that the employment of children in occupations prohibited by law will be a punishable offence.

- Posters publishing. PSA exhibiting in movie theatres regarding ban on child labour & strict punishment also Compulsory education for children under RTE Act.
- Physical protection to home where rescued children are kept to ensure they are not running away or traffickers are not indulging in such activities of re-trafficking them.

- Book a case against the garage owner with relevant provisions for violation of the law and file an FIR under 370 (1), 374 IPC, Juvenile justice care & protection amendment act 2015 & Child labour act 1986. Ensure speedy trial, do trail monitoring & conviction to offender.
- Twice a year operation smile conducted by ministry of Home Affairs for all stake holders like Revenue, Police, labour etc Participate in it



# Worksite school model

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- **BEST PRACTICE:-** Worksite school model of commissioner of police Rachakonda Mahesh Bhagwat for migrant Odisha state children rescued from Brick kilns at Hyderabad. IAS, IPS partnered with civil societies, brick kiln owners association, Education, Labour dept. has ensured continuous education of children in their mother tongue Oriya & extended Government schemes like Midday meal scheme for them. 2018 IACP, USA award of leadership in civil & human rights individual category received by CP Rachakonda for this

# FORCED LABOR ..

- Operation Smile
  - 370 children from Orissa working in hazardous condition in Brick Kilns rescued and traffickers arrested
- As a part of rehabilitation:
  - Oriya language schools started for rescued children in PPP(Public Private Partnership) mode.
  - Mid day meal scheme launched by District Collectors. Rs 1 (\$0.015) per KG Rice scheme to parents in partnership with NGO.

# Schools for kids of brick kiln workers

CITY BUREAU

Hyderabad

Several hundreds of miles away from their homes, nearly 400 children from Odisha whose parents work in brick kilns here, can now get enrolled at schools where they will be tutored in Oriya language. The Rachakonda police, along with the local district administration, are opening two schools for the children. Close to 370 children were rescued by the police along with the district administration last month.

“All the children had come along with their parents to work in brick kilns. We have counseled the parents and asked them to enroll their children at the school where they will be taught in Oriya language,” said Mahesh M Bhagwat,



*NOBLE ACT: Rachakonda Commissioner Mahesh M Bhagwat along with children who were rescued from brick kilns.*

Commissioner of Rachakonda. One school was opened on Saturday at Chikatimamidi village in Bommaramaram mandal of Bhuvangir district. Around 170 children are enrolled at the school. One

more school will be opened at Chotuppal or another 200 children were rescued from brick kilns.

The district administration is providing accommodation, food and other articles like slates, chalks and

books. Two teachers familiar with Oriya language are now teaching them. “We wanted the children to study in Oriya so that they continue their education when they go back to their native places after six months or so. Again when they are here, they will continue their education,” Bhagwat told Telangana Today.

Another eight teachers will join the schools in the next few days. “I had personally contacted a local NGO in Odisha and they arranged the teachers. The teachers will be paid salaries by the district administration,” he said.

The owners of brick kilns, too have come forward to support the education of the children. They are contributing whatever possible in the form of books and clothes to the children.

## MAHESH BHAGWAT / INDIA



Mahesh Muralidhar Bhagwat, who currently serves as the first Commissioner of Police of Rachakonda, a police commissionerate in India's Telangana state that covers more than four million residents, has demonstrated remarkable commitment to the fight against human trafficking for the last 13 years. He has participated in anti-trafficking operations that have removed hundreds of victims from situations of trafficking and, with the help of other government departments and civil society organizations, has ensured their placement in support programs.

Mr. Bhagwat's dedication to the fight against human trafficking is exemplified by his innovative and highly effective approach to investigating cases and his success in dismantling trafficking operations within his command areas. He has pioneered the use of legal provisions to close sites where human trafficking is known to occur. Under his command, Rachakonda police closed 25 brothels—five hotels and 20 residential apartments—in less than a year and participated in one of the largest crackdowns on labor trafficking in the country, which led to the identification and removal of more than 350 children forced to work in brick kilns.

In addition to being a central figure in trafficking deterrence efforts, Mr. Bhagwat also constantly pushes for human trafficking to be a top priority for the Telangana state of India.

# 2017 TIP Report Hero



August 7, 2018

Mahesh Muralidhar Bhagwat  
Commissioner of Police Rachakonda  
Rachakonda Police Commissionerate,  
Telangana State Police  
Telangana, India

Dear Commissioner Bhagwat,

Congratulations, you have been selected as the 2018 IACP Leadership in Human and Civil Rights Individual Award Winner! You are part of an elite group of leaders in the field of Human and Civil Rights.

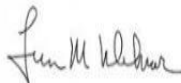
As a winner, you will be recognized during IACP's Annual Banquet, which takes place at the close of the 2018 IACP Annual Conference and Exposition. All winners will receive one (1) travel expenses (airfare up to \$500) to the conference, one (1) complimentary full registration to the conference, and three (3) nights' stay at a designated hotel, and four complimentary tickets to the Annual Banquet.

IACP's Annual Banquet will be held in the Valencia Ballroom of the Orange County Convention Center West Building on Tuesday, October 9, 2018, from 6:00 p.m. until 11:00 p.m.

Please complete the attached survey which includes travel, hotel, and conference information by **August 13, 2018**. Any questions or concerns should be directed to the Member Engagement Team at [awards@theiacp.org](mailto:awards@theiacp.org).

On behalf of the IACP, I thank you for your service and congratulate you on this recognition.

Sincerely,

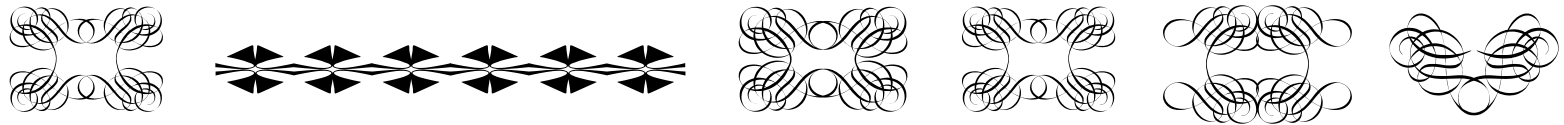
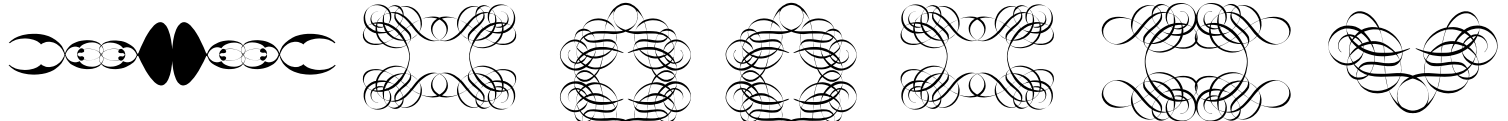


Louis M. Dekmar  
IACP President

## 2018 IACP Leadership Award in Human and Civil Rights







Every hours 5 children are missing in India. Some of them are trafficked





# **Supreme Court of India delivers a landmark judgment on missing children**

## ***May 10, 2013, New Delhi***

- In a petition filed by Bachpan Bachav Andolan (BBA), the Hon'ble Supreme Court of India passed a landmark judgment in the issue of missing children.
- The bench headed by Hon'ble Chief Justice of India Mr. Justice Altamas Kabir comprising of Hon'ble Mr. Justice Vikramajit Sen and Hon'ble Mr. Justice Sharad Arvind Bobde has taken the issue of missing children very seriously in the light of the facts presented before it by Bachpan Bachao Adolan.
- The Hon'ble Court took into cognizance that in 2011 alone 90,654 children went missing with 34,406 children still remaining untraced. However only 15,284 FIRs were registered and investigations were launched.

The Hon'ble Supreme Court issued the following  
directions:-

- ❑ Compulsory registration of cases by police of missing children with the assumption that they are victims of kidnapping & trafficking.
- ❑ Compulsory registration of cases by police of all those children who are still untraced (in 2011 alone 34,406 children were still untraced).
- ❑ Police will prepare standard operating procedures in all the states to deal with the cases of missing children.

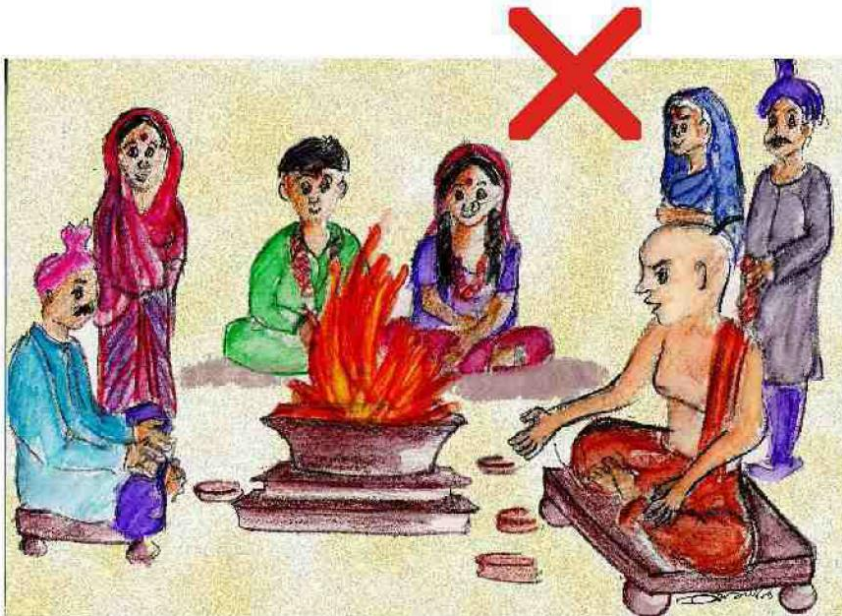
# Use of technology in detecting missing children cases

- Facial recognition software. Darpan of Telangana Police, Khammam case study
- Social media monitoring – Face book, Instagram etc.
- Case studies – Punjab, Mumbai

# CHILD MARRIAGE PREVENTION

- 1.CHILD MARRIAGE RESTRAINT ACT 1929
- 2.COMPULSORY REGISTRATION OF MARRIAGE ACT  
of ANDHRA PRADESH 2003
- 3.PROHIBITION OF CHILD MARRIAGE ACT 2006

# Say no to child marriage



## CHILD MARRIAGE RESTRAINT ACT 1929

It is said that a shocked Mahatma Gandhi urged a member of the Central Legislative Council, Harbilas Sarada, to introduce a Bill restraining child marriages.

Thus was born the CMRA, popularly known as the Sarada Act.

It was amended in 1978, when the minimum age of marriage was fixed at 21 for boys and 18 for girls and

## THE PROHIBITION OF CHILD MARRIAGE ACT, 2006

- Punishment for solemnising a **child marriage**.
- Whoever performs, conducts, directs or abets any **child marriage** shall be punishable with rigorous imprisonment which may extend to **two years** and shall be liable to **fine** which may extend to **one lakh** rupees unless he proves that he had reasons to believe that the **marriage** was not a **child marriage**.
- including any member of an organisation or association of persons who does any **act** to promote the **marriage** or permits it to be solemnised, or negligently fails to prevent it from being solemnised, including attending or participating in a **child marriage**, shall be punishable with rigorous imprisonment which may extend to **two years** and shall also be liable to fine which may extend up to **one lakh rupees**:
- Provided that **no woman shall be punishable** with imprisonment.

## Nalgonda Succes story

- Child marriage prevention by Nalgonda District police in year 2005-06 in partnership with NGO's M.V. Foundation and Child Rights Protection Forum (CRPF).
- Vulnerable areas and communities practicing Child Marriages were identified
- 10,000 posters were pasted at conspicuous places in vulnerable areas.
- Community meetings and door to door campaign to create legal literacy by NGO volunteers with active support from Police.
- Police contact numbers were made public.



- Local vernacular Media played a key role in awareness.
- Direct access of S.P. to NGO volunteer or social worker.
- Counseling in advance to parents of bride and groom and village elders who were planning child marriages.
- 150 marriages prevented in a span of 1 year.
- Constraints- a) Threat to commit suicide by parents b) Some Marriages were performed secretly out side the jurisdiction. c) lack of hostel facility at Mandal level for girl students for continuing their education after SSC.

# Rachakonda Child marriages prevention

- 100 plus child marriages prevented
- Girl Anusha a victim of child marriage rescued has represented Telangana for national level school cricket tournament
- She Teams of Rachakonda specially focusing on prevention of child marriages

## Current forms of child online abuse and exploitation include:

- **Cyberbullying**: emotional harassment, defamation and social exposure, intimidation, social exclusion. SARHAH APP
- **Online sexual abuse**: distribution of sexually explicit and violent content, sexual harassment
- **Cyber extremism**: ideological indoctrination and recruitment, threats of extreme violence. Online radicalization.



# Internet Safety Tips for Kids and Teens

- ❶ Never send anything, which you would not say in real life
- ❷ Never give out Your address, phone number, school or your parent's names without permission
- ❸ Never send packages or pictures to people you have met online without your parent's permission
- ❹ Do not share your passwords with friends
- ❺ Never install programs on your computer without permission
- ❻ Never agree to meet someone you have met online in person
- ❼ If you find something online that makes you feel uncomfortable, talk to your parent

## Online Games and Social Addiction:

Games such as Online Poker, Online Ludo, PUBG is the ongoing trends which are causing the youngsters to lose money, get deviated from studies thus becoming addicted.



***'Be the change you want to see in the  
world'***

*- Mahatma Gandhi*

**You can create that change !!!!!!!**

