UNIT 17  IMPACT OF SYNERGY

Structure
17.1  Introduction
17.2  Objectives
17.3  Few Instances
   17.3.1  University Professor Convicted for Procuring Minor for Prostitution in Andhra Pradesh
   17.3.2  Police NGO Synergy in Law Enforcement: Child Traffickers Convicted in Andhra Pradesh
   17.3.3  Closing down Places of Commercial and Sexual Exploitation: An Effective Tool in Law Enforcement against Traffickers, Enforcing the Stringent Provision of Law Hitherto Unused
   17.3.4  Minor Victim’s Information in Khamman Dist. of Andhra Pradesh Leading to Rescue of 41 Girls from A.P. and Maharashtra: A Case of Synergy in Police Working Across the State Boundaries and NGOs
   17.3.5  Trafficking of a Tribal Girl for Forced Labour: Synergy amongst Police, NGO and Labour Department
17.4  Summary
17.5  Terminal Questions
17.6  Answers and Hints
17.7  Glossary
17.8  References and suggested Reading

17.1  INTRODUCTION

A major survey reports that India was identified as a major source, transit and destination. Half the districts is India are affected by human trafficking around 30,000 women and children trafficked every year in India there were 2.8 million prostitutes are there in India and over 43% of then enter this flesh trade in their minor ages. Are not we ashamed of this? In this 21 century, a lot of advancement is prevailed in every field but what is happening to the human being? We read stories of Martin Luther King Junior, Booker T. Washington and finally Abraham Lincoln who that they fought against slavery and brought the Law of abolition of slavery and freed all the Negros. But now is there any freedom for these victims of human trafficking?

Certainly it can be achieved with the synergy of Government and non Government functionaries. Let me reiterate the Government functionaries are Police, Revenue, WCD, DRDA, Education, Health, Public representatives and Panchayat Raj. Where as the non Government functionaries are anti trafficking NGO’s and Corporate sectors

17.2  OBJECTIVES

After reading this unit, you should be able to:

  1. discuss the impact of synergy;
Impact of Synergy

analyse incidence of synergy amongst police & NGO; and
describe the role a NGO can play in victim and witness protection.

17.3 FEW INSTANCES

17.3.1 University Professor Convicted for Human Trafficking in Andhra Pradesh

Commercial and sexual exploitation at famous religious center Tirupati. University professor running the racket: Effective investigation leading to conviction.

In a sensational sex trafficking case allegedly involving a Professor of University, Mrs. V, the Assistant Sessions Judge, Tirupati, has sentenced the accused for seven years Rigorus Imprisonment and also levied a penalty of Rs.22,000 on 21/8/2007.

Brief fact of the case is that, on 2/8/2005 Tirupati Police in Chittur District of Andhra Pradesh busted a well-networked prostitution racket with the arrest of a woman professor Mrs. V working in Adult Education department of University.

One of the two girls, whom the professor roped into the flesh trade, tipped off the police. The Kakinada police alerted their Tirupati counterparts who in turn stormed a 4-storey building in the posh Balaji Colony area of Tirupati on 2/8/2005 and found 2 girls including one minor with one Customer in the pent-house. The professor initially resisted the police entering her premises saying that she was only running a chit Fund Company and insisted on the police showing her the arrest warrant. The police ignored her protests and clambered up the staircase and swooped down on the two couples in the pent-house. Police rescued two victims native of Kakinada & Vijayawada respectively further on the same day arrested Prof. V for running the brothel, trafficker Mr. T who sold one of the minor girl to Prof. V & one customer. Police also seized incriminating evidence like cell phones, liquor bottles, porn literature and condoms from the pent house of Prof. V’s residence. NGO activist of organization RISE & Sthree Sangathan assisted police in victim care and protection immediately after rescue and during the trial period. A case was registered in Tirupati West Police station vide F.I.R. No. 83/2005 under section 372,373 IPC & Sections 3,4,5 & 6 of ITP act, 1956.

Rescued minor victim girl was sent for age determination at SVRRGG Hospital where Dental assistant Surgeon certified that victim is a minor of aged between 14-16 years. 164 Cr.P.C. statements of victims and important witnesses were recorded by 1st additional junior Civil Judge Tirupati.

University placed under suspension the Professor of its Department of Adult Education, Mrs. V. who was arrested for running a sex racket in the posh Balaji Colony area in the temple city.

The Tirupati Town circle Inspector investigated the case with the assistance of Tirupati West Police under the supervision of the DSP, Tirupati. Entire investigation revealed that Prof. V being the owner of brothel house indulged in trafficking with the minor girls and adult victims taking assistance from other 15 co accused. Further she also procured women and children to carry on prostitution with male customers for commercial purpose.

During course of investigation police established that accused T was running a brothel in a rented accommodation and was procuring girls as well as further supplying them to Prof. V for commercial and sexual exploitation.
Synergy–Response to Human Trafficking

Police arrested 11 out of 16 accused. Prof. V was in judicial remand from 14/8/2005 to 9/11/2005 and accused T was in judicial custody from 14/8/2005 to 7/1/2006.

Charge sheet was filed against 16 accused showing 5 of them absconding u/s 373 IPC and Sec. 3(1), 4(1), 5(1) (ii) of ITP Act, 1956 on 5/11/2005 vide S.C. Number 68/06 of Additional assistant Session Judge Court, Tirupati. During the trial, victims were in care and protection of NGO Sthree Sangathan and NGO RISE. Both NGO activists also participated in raid on the house of Prof. V and their evidence helped the prosecution.

Additional Public Prosecutor has refreshed the memory of all the witnesses and strongly contested the prosecution case.

Conviction particulars

Hon’ble Additional Assistant Session has pronounced the judgment on 21st August, 2007. Accused Prof. V, age 48 years, was convicted under section 373 IPC sentenced to Rigorous Imprisonment for a period of 7 years and fine of Rs. 10,000/- in the default Simple Imprisonment for one year and fine Rs. 2000-00 for the offence under Sec.3 of ITP; Rigorous Imprisonment for 2 years for the offence u/s 4 of ITP Act and Rigorous Imprisonment for a period of 7 years u/s 6 of ITPA. The entire above sentence shall run concurrently.

Accused T was convicted under section 372 IPC sentenced to 7(Seven) years and fine of Rs. 10,000/- in default of payment of fine Simple Imprisonment for 1 year and Rigorous Imprisonment for 2 years u/s 4 of ITP Act and Rigorous Imprisonment for a period of 7 years u/s 5 (1) (ii) of ITP and fine of Rs. 10,000/- in default Simple Imprisonment for one year. The entire above sentence shall run concurrently.

For both the accused remand period under gone has been set off u/s 428 Cr.P.C.

Highlights

Unique case where a lady Prof. V, a professor in the department of Adult Education in University, has been arrested for running a brothel in her 4 storied house. She was later on suspended by an embarrassed administration

Judge found the accused Prof. V guilty under Section 373 of the Indian Penal Code (IPC) i.e. buying minor for purpose of prostitution. There is a punishment up to 10 years u/s 373 IPC and the offence is cognizable, non-bailable, non-compoundable and triable by the Court of Session.

In spite of High profile accused, Prosecution has not yielded to any pressure and successfully brought the evidence on record.

Local NGO’s, RISE & Sthree Shakti Sangathan has played a major role from pre rescue to trial stage.

The incident has shocked the town, Women’s and student organizations have demanded that police arrest other powerful people allegedly involved in the racket.

During age assessment of minors its better to corroborate Medical Certificate with a documentary evidence of birth registration Certificate or school certificate.

Learning Points

As per section 13 of Immoral Traffic Prevention Act, 1956, appointment of Special Police Officer of the rank of Inspector and above is compulsory. If S.I. is deputed for raid written orders from Inspector/Dy.Sp./ACP should be taken before going out for raids and it should be documented in a case diary too.
When ever specific input about forcing minor into sex trade is there, it is advisable to take help of committed NGO activist /Social worker, right from the pre rescue stage.

Sensitization of Judiciary, Prosecution and Police agency on trafficking will help in delivering quick justice to the victims of sex trafficking.

If any information about trafficker is there it’s better to keep him under surveillance and at the right time collecting enough evidence, conduct a raid following standard operating Procedure, without giving any chance to the accused.

Victim as well as witness to be protected to ensure that they will not get wean over by the accused and to avoid deviation from the earlier statement.

Not to expose rescued victims to Media. Sec 21 of Juvenile Justice (Care & protection) Act, 2000 identity of minor victims to be with held. Name and photographs should not appear in any media Punishment of Fine up to Rs. 25,000/-. Sec. 228 -A of IPC prohibits disclosure of identity of rape victims and punishment of 2 years of rigorous imprisonment is there.

### Self Assessment Questions
1. a) What is a punishment for selling a minor girl for prostitution & section of IPC?
   
   b) What is a punishment for buying a minor girl for prostitution & section of IPC?
   
   c) What role NGO’s played in this case study?
   
   d) How will you corroborate age assessment of a minor?

### 17.3.2 Police NGO Synergy in Law Enforcement: Child Traffickers Convicted in Andhra Pradesh

**Landmark judgment,**

**House maid forced into prostitution,**

**NGO helps girl in pursuing the case,**

**Officials of CID supervise probe.**

In a landmark judgment given in 5th Addl Metropolitan Session Judge Court, Hyderabad, two traffickers were convicted in Andhra Pradesh in a child trafficking case.

Based on the testimony of a minor victim from Hyderabad city by name X, Prajwala an anti trafficking NGO based in Hyderabad filed a complaint with Gopalpuram Police station. on 10/10/2007. The SHO of Gopalpuram P.S. after hearing to the minor victim’s version lodged a FIR (Cr No 297 of 2006 U/S 366 A, 376 IPC and Sec 3, 4, 5 of ITPA).

**Brief of the complaint- Complaint on sex trafficking:** It is stated about case of X d/O y aged 16-17 years R/O Yakutpura colony, Hyderabad. In her childhood itself X’s father died. Her mother used to beat her up constantly. One day she burnt X’s leg with burning rod. Unable to bear this harassment X ran away from Home and reached Secunderabad station in January 2006. At the station woman namely Sapna approached her and promised her a good job with another person. She took X to a person called Mr.S who was standing near Secunderabad bus stand. Mr.S gave Ms. S Rs. 400/- and took victim X away to Chilka nagar, Uppal. He then promised her better living and
Synergy–Response to Human Trafficking

forced her to do prostitution. Mr. S also used her as his keep and sent her to 4-5 customers a day. One day by taking a chance, X escaped from the clutches of trafficker and approached the voluntary organization Prajwala. As the victim was a minor girl it was requested to book a case of Rape and trafficking under the relevant laws against Mr. S & Ms. S

On 12/10/2006 medical examination of victim related to the offence of Rape and age determination was done. Civil Asst. Surgeon of Department of Forensic Medicine, Gandhi Medical College, Hyderabad examined the victim and furnished his opinion that victim is aged about 17 years. Accused Mr. S was also sent for medical examination. Accused A1- Ms. S & A2- Mr. S was arrested on 17/10/2006. The Investigating officer has recorded separate confessional statement of A1 & A2 before the panchas. Both of the accused confessed the guilt while A2 also disclosed that he forcibly had sex with victim at his residence about one month back while she was in his illegal custody.

On 03/11/2006 victim’s 164 Cr.P.C. statements was recorded by XIth Adll. Chief Metropolitan Magistrate.

As the victim was pregnant at the time of rescue and there was a lot of threats to her life with the joint efforts of the police and very specially the CID the victim was sheltered in a safe place.

On 25/12/2006 charge sheet was filed vide S.C. No. 112/2007 under section 366(a), 376 IPC and 3, 4 and 5 ITP Act. From the facts and evidence collected during the course of investigation it was fully established that A1 kidnapped a minor girl and handed over to A2. Both A1 & A2 landed her in sex trade and both were living on her earnings as prostitute. Further A2 had forcibly intercourse with her at his house against her consent knowing that she is a minor.

**Trial & Justice delivery**

The trail began in May 2007 in the court of Vth Additional Metropolitan Session Judge (Mahila court). Before the trial the victim was prepared for the court room environment and also on the nature of questions that would be asked ((Mock trial). In one such session the public prosecutor also participated. Both victim and Director Prajwala were prime witnesses for the case.

In spite of hostile environment in the court the victim witness was very powerful. This was largely due to pre-trail preparations. Based on the material on record and the arguments extended on either side the court framed following points for determination.

Whether the testimony of prosecutrix inspired total confidence in the court. 2) Whether the guilt of accused for the offence punishable under section 3 of the immoral traffic (Prevention) Act is proved. 3) Whether the prosecution could prove the guilt of accused for the offences punishable u/s 4 & 5 of Immoral Traffic (Prevention) Act. 4) Whether the guilt of the accused No.2 for the offence punishable u/s 376 IPC is proved. 5) Whether the prosecution could prove the guilt of the accused for the offences with which they are charged beyond the reasonable doubt. 6) To what result.

On 26-6-07 the Honourable Vth Addl. Metropolitan Session Judge (Mahila Court) Hyderabad has pronounced her verdict.
**Conviction Particulars**

For accused number 2, Mr. S, punishment of 7 years of Rigorous Imprisonment and Rupees 2000 fine under Sec 376 of Indian Penal Code, 2 years of Rigorous Imprisonment & Rupees 2000 fine U/S 4 of ITPA & 5 yrs RI & Rupees 2000 fine U/S 5 ITPA;

To accuse number 1, Ms. S, punishment of the Immoral Traffic (Prevention) Act and Sec. 366-A IPC but they are found guilty for the offence punishable U/S 4 & 5 of the immoral traffic (Prevention) Act. A2 is found guilty for the offence punishable under 376 IPC. And they are convicted for the said offence U/S 235 (2) Cr.P.C.

The sentence against both the accused for the above offence shall run concurrently. The remand period of any is ordered to be set of.

**Highlights**

1. Mock trial of the victim, organized by NGO Prajwala with the help of Addl. Public Prosecutor has helped victim, in deposing firmly before the Magistrate

1. In the judgment there is special mention that the ‘prosecution could prove the guilt of A1 and A2 for the offences punishable u/s 4 & 5 I.T.P. Act and A2 for the offence u/s 376 IPC.’

1. This case is a testimony of the paradigm shift in the minds of enforcement agencies.

1. Court constable Mr. Subba Rao was a great source of support in ensuring victim witness protection and he is being suitably rewarded.

1. Police NGO partnership has been the bottom line in the speedy delivery of Justice. Initiative by Prajwala is commendable and indeed a case of best practice shows that committed NGO can, and do make a difference.

1. Committed officers made a difference. Md Ismail the Inspector and I.O. of the case, who was empowered in anti trafficking by UNODC during training at A.P. Police Academy, has done a commendable job.

1. A team work of official and effective supervision as well as systematic trial monitoring that ensured a speedy delivery of justice. Sri. Ch. Sheshi Reddy the Addl. Public Prosecutor, Mr Bhaskar, Director of Prosecution, Mr. Ratan, Addl. DGP CID, Mr Umapati, IGCID and Mr. Mahesh Bhagwat, S.P. Women Protection Cell, CID made tireless efforts.

**Points to learn**

1. In case of minor victims of trafficking rescued from the clutches of traffickers, FIR should be registered under following non bailable, Session triable sections of Indian Penal Code along with the relevant sections of Immoral Traffic Prevention Act, 1956.

1. Sec.366 (A) IPC- Procuration of minor girl, punishment of up to 10 years of R.I.

1. 366-B Importation of girl from foreign country (girl under 21 years of age from Jammu & Kashmir or any country out side India),

1. 367 IPC Kidnapping or abducting in order to subject person to slavery, grievous hurt or unnatural lust of another person etc.

1. 372 IPC Selling minor for purposes of prostitution,

1. 373 IPC Buying minor for purposes of prostitution

1. Run away victim mostly comes to the Railway station or Bus stops where profes-
ional traffickers are luring them and inducting them in to prostitution or begging or forced labour. Concern Police agencies should identify the professional trafficking gang members, and open their suspect sheet to keep a close watch on them. NGO interface in identification, care and protection of run away children will help in prevention of trafficking.

1. Charge sheet should be vetted by Public Prosecutor to ensure that investigation is on proper lines and prosecution has gathered enough evidence to bring home the guilt of accused.

2. By any chance trafficker should not have any access to intimidate victim right from rescue stage.

3. Witnesses to be protected during the trial

<table>
<thead>
<tr>
<th>Self Assessment Questions</th>
</tr>
</thead>
<tbody>
<tr>
<td>2) a) What do you mean by mock trial?</td>
</tr>
<tr>
<td>b) Buying sex from minor amounts to crime of ———— under IPC?</td>
</tr>
<tr>
<td>c) How the witnesses &amp; victim were protected during trial &amp; pretrial?</td>
</tr>
<tr>
<td>d) How you can prevent run away children from getting trafficked?</td>
</tr>
</tbody>
</table>

17.3.3 Closing down Places of Commercial and Sexual Exploitation: An Effective Tool in Law Enforcement Against Traffickers, Enforcing the Stringent Provision of Law Hitherto Unused

Traditional law enforcement techniques are not successful in breaking the vicious circle of Sex trade. Rescued victims getting re trafficked and soliciting at that brothel where earlier they were or arrested traffickers restarting their nefarious activities is not un common. There are stringent provisions in Immoral Traffic (Prevention) act, 1956 which enables law enforcement in permanent eviction and closure of brothels and order in this regard is not challengeable in any Civil or Criminal Court of India. Further Section 7 of ITPA pertains to prevention of Prostitution in or in the vicinity of public place says if the public place or premises happen to be a hotel, the license for carrying on the business of such hotel under any law for the time being in force shall also be liable to be suspended for a period of not less than three months but which may extend to one year: Provided that if an offence committed under this sub-section is in respect of a child in a hotel, such license shall also be liable to be cancelled.

It is only through an empowerment of Law enforcement officers under UNODC training programme officers are sensitized about the stringent provisions under ITP act, 1956. Guntur District police had seized eight lodges in Guntur Town on 29th May 2007 U/S 18(1) of ITPA, for organizing the prostitution and also for keeping trafficked victims and for continuing the business with them.

Impact

For the first time in A.P. state, 8 Lodges has been sealed by Police using the provision of Sec.18 (1) of ITPA, 1956. There is tremendous impact of closure and eviction of Lodges on the prostitution activities of Guntur Town and surroundings. It is a lesson for other Lodges and Hotel owners for not letting their premises for any illegal activities. Guntur was the hub of prostitution and inter country and interstate trafficking rackets were busted by Police but that was not having any lasting impact as observed in the instant.
Case. Sec.18. of Immoral Traffic Prevention act -Closure of brothel and eviction of offenders from the premises.-

(1) A Magistrate may, on receipt of information from the police or otherwise, that any house, room, place or any portion thereof within a distance of two hundred meters of any public place referred to in sub-section (1) of Section 7 is being run or used as a brothel by any person, or is being used by prostitutes for carrying on their trade, issue notice on the owner, lessor or landlord or such house, room, place or portion or the agent of the owner, lessor or landlord or on the tenant, lessee, occupier of, or any other person in charge of such house, room, place, or portion, to show cause within seven days of the receipt of the notice why the same should not be attached for improper use thereof, and if, after hearing the person concerned, the Magistrate is satisfied that the house, room, place or portion is being used as a brothel or for carrying on prostitution, then the Magistrate may pass orders:

(a) Directing eviction of the occupier within seven days of the passing of the order from the house, room, place, or portion;

(b) Directing that before letting it out during the period of one year or in a case where a child has been found in such house, room, place or portion during a search under Section 15, during the period of three years, immediately after the passing of the order, the owner, lessor or landlord or the agent of the owner, lessor or landlord shall obtain the previous approval of the Magistrate; Provided that, if the Magistrate finds that the owner, lessor or landlord as well as the agent of the owner, lessor or landlord, was innocent of the improper user of the house, room, place, or portion, he may cause the same to be restored to the owner, lessor or landlord or the agent of the owner, lessor or landlord, with a direction that the house, room, place or portion shall not be leased out, or otherwise given possession of, to or for the benefit of the person who was allowing the improper use therein.

(2) Orders passed by the Magistrate or court under sub-section (1) or sub-section (2), shall not be subject to appeal and shall not be stayed or set aside by the order of any court, civil or criminal, and the said orders shall cease to have validity after the expiry of one year or three years, as the case may be: Provided that where a conviction under Section 3 or Section 7 is set aside on an appeal on the ground that such house, room, place, or any portion thereof is not being run or used as a brothel or is not being used by Prostitutes for carrying on their trade, any order passed by the trial court under sub-section (1) shall also be set aside.

PROCEEDINGS OF THE REVENUE DIVISIONAL OFFICER SUB DIVISIONAL MAGISTRATE GUNTUR

Rc.No. 275/07B Dated 8/5/2007
Sub: IT9p) act 1986- Guntur City-illegal activities going on in lodges with the involve ment of management/owners of the lodges-Cancellation of licenses-Orders issued.

Ref: 1) C.No.181/SDPO-GT/07 Dt.11/02/07 Sub divisional police Officer Guntur
2) This offices Notices U/S 18(1) of IT (p) act 1986, Dt.02/03/2007

ORDER:
The Sub Divisional Police Officer, Guntur (T) has reported that illegal activities like organized prostitution is going on with the active collusion of the Managers/Owners of the following lodges in Guntur City and living on the earnings of the innocent women.
Synergy—Response to Human Trafficking

It is also reported that lodges are situated surrounding good number of hospitals and educational institutions and due to these illegal activities going on in lodges, the patients and the students and other public moving in that areas are facing many difficulties. The Sub Divisional police Officer Guntur Town requested to take necessary step to prevent the illegal activities U/S 18(3) of IT (p) 1986 and the subsequent eviction of the premises.

1. M/S Dwaraka Lodge, Opp. RTC Bus stand, Guntur.
4. M/S Nandini Lodge, Old Club Road, Kothapet, Guntur.
5. M/S Friends Rest House, Railpet, Guntur.
7. M/S Vijetha Lodge, 7th Line, Guntur Vaari Thota, Guntur.
8. M/S Srinivasa Lodge, Rajagari Thota, Guntur.

In the reference 2nd read above a notices U/S 18(1) of IT (p) act 1986 were issued to all Managers/Proprietors directing them to show cause within 7 days from the date of receipt of notices as to why action should not be initiated against the Managements u/ S 7(2) & 18(1) of IT (p) Act, 1986, the powers are vested to me to issue order for closure of Brothel and eviction of offenders from the premises. As to prevent the prostitution and in the interest of public and Government I hereby ordered to eviction i.e. closure of the lodges for a period of 6 months within 7 days from the date of receipt of this order.

Sd/-
Revenue Divisional Officer &
Sub divisional Magistrate
Guntur

To
All the Managers/Proprietors of the above lodges in Guntur Town through the S.I. of Police Kothapet (L & O) police station, Guntur for service and resubmit the served Copy.

Copy to the Sub divisional police Officer, Guntur Town with a direction to execute the eviction orders after expiry of 7 days of order and report compliance

Self Assessment Questions

3) a) Places of commercial and sexual exploitation can be closed by Executive Magistrates under which law?

b) is there any appeal to order issued by Executive Magistrate for closure of brothel and eviction of offender in any Civil and Criminal court?

c) How many days time limit to be given by Magistrate to submit a reply to show cause notice issued for closure & eviction?
17.3.4 Minor victim’s information in Khammam dist. of A.P. Leading to Rescue of 41 Girls from A.P. and Maharashtra: A Case of Synergy in Police Working Across the State Boundaries and NGO’s.

In a major anti trafficking rescue operation by the team of Women Protection Cell, CID, Hyderabad, Khammam Dist. Police in A.P. and Yeotmal Dist. Police of Maharashtra state conducted on 25/26th January, 2007 at Wani of Yeotmal district in Maharashtra 41 girls from the Maharashtra and Andhra Pradesh State are rescued following the lead given by one victim of child trafficking. This flesh trade racket is busted with the information furnished by a minor girl, X from Palvancha town of Khammam district who was trafficked from Palvancha to Wani via Hyderabad by one Y (a friend of her sister) & sold to one Z a brothel keeper at Wani. From Wani, X was sold by one H to to a Nepali brothel keeper running a brothel house in Budhvar pet area of Pune. It was on 27th March, 2006, Pune City Police with the help of Rescue foundation (an anti trafficking NGO based in Mumbai) conducted a raid on brothel house located at Budhvar Pet and rescued X. The then Superintendent of Police Woman Protection Cell, CID A.P. came across X during a visit to Rescue foundation home for trafficking victims and forwarded information to Khammam Superintendent of Police. Subsequently a team of Khammam Police visited Mumbai and X was restored with her parents at Palvancha. On a statement of X, a case in Crime No. 8/2006 u/s 366(a), 372, 373, 376(g) IPC & 3, 4, 5 of ITP act was registered in Palvancha town Police station of Khammam District against Y & others traffickers.

Out of 41 rescued victims, four girls who belonged to Maharashtra were handed over to the Yeotmal Police. Out of 37 rescued victims from A.P., Seventeen were from Khammam district alone while others hails from Kurnool, Guntur, Krishna, Nalgonda, Nizamabad, Ranga Reddy and Adilabad districts. Five of the rescued girls were minors.

In total Nine traffickers were arrested in the raids by Andhra Pradesh and Maharashtra Police for buying & selling minors for prostitution and procuration of minor for commercial and sexual exploitation. (5 by Khammam Police & 4 by Yeotmal Police in a separate case registered). Immediately after rescue the victims were provided with medical aid and rehabilitation.

Charge sheet has been filed against the accused and Case is pending trial.

Highlights

1. There was an excellent inter state cooperation between the Andhra Pradesh state and Maharashtra state police.

2. A.P. Officers who participated in this operation were empowered under UNODC training programme and with a commitment they have done a good job. A special dedicated team deputed by the then Yeotmal district S.P. has done a wonderful job in maintenance of law & order.

3. Help rendered by bordering the then Adilabad District S.P. in providing Marathi language knowing Head Constable was important in communication with locals and collection of advance intelligence about minors in brothels.

4. Victim rescue protocol was followed by sight and sound. Traffickers were sent in different vehicle under the cover of escorts.
All the rescued victims were handed over Rs. 10,000/- immediate relief as per Go. M.S. No. 28 of 2006 of Department of Women and Child development. of Government of A.P. As a part of rehabilitation, rescued victim girls were sent to Prajwala NGO’s home and Government Home, Kukatpally, Hyderabad. At Prajwala home, rescued victims were trained by National Academy of Construction for 3 months in Construction trade and after training they are placed with one corporate group.

**Learning Points**

1. In any interstate rescue operation high level of coordination between interstate Police agencies is required prior to rescue.
2. Before rescue, advance intelligence collection through NGO partners or decoy customers will help in tracing the minors and planning of raid.
3. Victims should be separated from traffickers’ immediately after rescue and they should travel in different vehicles.
4. Minor children of victims should not be separated from their mothers.
5. Victim’s statement to be recorded only after trauma counseling.
6. Avoid participation of Media during the raid and rescue to maintain identity of victim.

**17.3.5 Trafficking of a Tribal Girl for Forced Labour: Synergy amongst Police, NGO and Labour Department**

Police and NGO rescued tribal girls Forced labour or exploitation of trafficked children at work place is a serious problem in country. The trafficked children are forced to work for long hours for meager wages and forced to horrendous physical and mental exploitation. Most of the time these victims have to work in the most difficult and unhygienic conditions and not permitted to leave the campus.

Five minor girls belonging to the Savara Tribal Community native of Vijayanagaram and Srikakulam Districts of Andhra Pradesh had been trafficked to Gudur of Nellore district and from there to Hyderabad by middle men named Mr.P during March 2007. Mr.P in the guise of a ‘good friend’ used to trap girls and young boys from the area and transporting them to various other places for jobs in Industries taking huge amount from the Industry management. In the same way he had befriended five girls during weekly shandy at Marripadu area in Vijayanagaram District. Believing the false promises of Mr.P five girls (A-14 yrs.; B-17 yrs.; C-14 yrs.; D-14 yrs.; E-18 yrs.) belonging to the Savara Tribe followed Mr.P in search of ‘good jobs’ in the city without informing their parents.

They were first taken to Gudur and then transported to Ongole and finally they were sent to Jeedimetala area of Hyderabad to work in a private company in Jeedimetala. Where they were made to work from 7AM to 7PM with meager food and water and confined in a small place within the premises of the company. Further they were never allowed to go out and meet anyone else outside the premises. There was no one to contact or tell their woes. Trafficker Mr.P never showed their face to the girls after receiving a good sum of amount from the owner of the company for bringing and handing over. Under these circumstances, two more young boys namely F- 15yrs and G- 14 yrs. from Srikakulam District also been transported to Hyderabad by another middle man called Mr.R for better jobs. When these two boys happen to join the 5 girls who
hailed from the same community, they realized that they have been cheated by the middle men and were illegally confined in the Company premises. However by taking a chance the two boys managed to escape and finally reached back to their parents. The escaped boys narrated the pathetic condition of the girls in Hyderabad based Pvt. Ltd. Company. By then the parents of missing girl had spent so much of money in search of their missing daughters.

Taking the address of their missing daughters from the escaped boys the parents reached Pvt. Ltd. Company Hyderabad and demanded that the employer should send their daughters back. But the Manager of Hyderabad based Private Ltd. Company Mr. M threatened them with dire consequences. They were asked to bring the middle man to get their daughters back. The employer has said they paid a lot of money to the middle man for bringing these girls. The employer also suggested the parents that they can return the money taken by middle man and take back their children. Finally the parents contacted anti trafficking NGO Ankuram a partner of Hyderabad AHTU to get their daughters back. Ankuram Director contacted Superintendent of Women Protection Cell & Hyderabad AHTU in charge for liaising with the local Police. He has contacted to SHO of Jeedimetala Police Station and sensitized him about the Labour trafficking going on in his jurisdiction and further directed the complainant to approach the SHO.

Basing on the complaint given by Mr. X father of one of the victim girl a case in Crime number 296/07 U/s 344, 506 IPC and Sec. 14 of Child Labour Prevention act was registered by SHO of Jeedimetala police Station and investigation entrusted to woman Sub inspector. A team of police personnel from Jeedimetala Police station along with two volunteers from Ankuram NGO, two local persons as panchas and the complainant proceeded to Company premises and rescued 5 minor tribal girls working as a forced labour. Police team arrested main trafficker Mr. P his associate Mr. R. who brought the victim girls for work knowing that the girls are minors, Managing Director of Pvt. Ltd Mr. A for vicarious liability and Manager of Pvt. Ltd. Mr. M for threatening the complainant when he came to visit his daughter. Victim girls were sent to Department of Forensic Medicine, Gandhi Hospital, Hyderabad for age determination where all of them found to be minors. Collector Hyderabad has sanctioned Rs. 10,000/- immediate relief to rescued victims. All the victims were restored to their parents through NGO Ankuram and case is charge sheeted and pending trial. SHO of Jeedimetala Police station has also informed matter to Factory Inspector of Labour Department to initiate action against the management for violation. The department of Labour has taken a serious note of it and initiated action against the company. A separate Case has been registered under Sec.68 of Factories Act against the Management of Hyderabad private Limited and its pending trial vides STC. No. 2026/2007.

**Highlights**

1. Five minor tribal girls working as forced labour are rescued from a factory in Hyderabad City
2. Managing Director of a Company and 3 others arrested
3. Labour department also initiated action against the Management for violation.
4. Hyderabad Anti Human Trafficking Unit supervised the operation

1 Places of commercial and sexual exploitation can be closed by Executive Magistrates under which law?
Self Assessment Questions

4) a) Traffickers to be separated from victims by sight & sound (True/False)
   b) What is the meaning of trafficking for forced labour?
   c) What is a role of Counselor after the rescue operation?

17.4 SUMMARY

In the study of impact of synergy we learnt about equality before the Law and equal application of Law. Even the high profile trafficker like a University Professor in a case study could not escaped from the clutches of law just due to synergy between Police, Prosecution, Judiciary & NGO working on anti trafficking.

Places of commercial and Sexual exploitation can be closed and offenders can be evicted by using the provision of Section 18 (1) of Immoral Traffic Prevention Act, 1986 on the orders of Sub Divisional Magistrates. Once Orders are issued by Magistrate using the provisions of Sec. 18 (1) there is no appeal in Civil and Criminal court as per Sec. 18 (3) of Immoral Traffic Prevention Act, 1956.

Victim and witness protection is a great tool to get conviction in pending trial cases. NGO’s plays leading role in protection of victim and preparing them mentally for Court room environment in pre trial counseling.

17.5 TERMINAL QUESTIONS

1) Police NGO synergy helped in securing conviction against a high profile trafficker who was a Professor of University. Write down salient features of case study.
2) What role NGO can play in victim and witness protection?
3) Is there any Law under which License of Hotel/ Resort at Public place used for prostitution can be permanently canceled?
4) Police, NGO & Labour Department synergy can help in prevention of trafficking for forced labour. Do you agree?

17.6 ANSWERS AND HINTS

Self Assessment Questions

1) a) 10 Years Rigorous Imprisonment
   b) 10 Years Rigorous Imprisonment
   c) NGO can do victim rescue, rehabilitation & protection
   d) Age determination by medical test can be corroborated by age certificate
2) a) Mental preparation of victim for court room environment
   b) Rape 376 IPC
   c) Shifting them to safe place, physical and financial protection through NGO interface
   d) Community vigilant group/ NGO’ alerting at bus stands, Railway stations and capacity building of Police in identification of traffickers and run away children
3) a) Section 18 (1) of Immoral Traffic Prevention Act 1956  
    b) No appeal in Civil or Criminal court Section 18(3) of ITPA 1956  
    c) 7 Days period  

4) a) True  
    b) Transporting, recruiting, harboring by force, coercion, deception,  
       abduction, cheating for working as labour in Hazardous industry, farm labour,  
       domestic servitude is forced labour  
    c) Counselor can do trauma and deaddiction counseling for victim

Terminal Questions
1) Refer to Sub-section 17.3.1.  
2) Refer to Sub-section 17.3.2.  
3) Yes. Under Immoral Traffic Prevention Act, 1956 section 7, License of a Hotel/  
   Resort at Public place can be permanently cancelled by licensing authorities if any  
   prostitution activities with minors are noticed.  
4) Refer to Sub-section 17.3.5.

17.7 GLOSARY
DRDA - District Rural Development Agency  
WCD - Woman and Child Development Department  
NGO - Non Government Organization  
GO - Government Order

17.8 REFERENCES AND SUGGESTED READINGS
1) Compendium on Best practices for Law enforcement published by UNODC  
3) Trafficking women and children for sexual exploitation by P.M. Nair