

## A Report on

# “Workshop to Introduce IMMORAL TRAFFIC (PREVENTION) ACT, 1956 within the curriculum of Law”

Venue: Channakya National Law University

Date: 7<sup>th</sup> November 2010

Time: 10 am to 4 pm.

***A JOINT INITIATIVE OF***



## ***Introduction:***

Every year, millions of men, women and children are trafficked worldwide into conditions amounting to slavery. Among this many thousand are young women and girls lured, abducted or sold into forced prostitution and other forms of sexual servitude. It has been estimated that up to 8,00,000 people, all round the world each year Trafficking is undoubtedly an egregious and profound human rights abuse, a form of “ modern day slavery and a particular form of violence against humanity”.

India is a major hub of human trafficking in forced labour and sexual exploitation, especially of children, noted the U.N State Department in a report released recently. India’s major cities and towns with tourist attractions- including religious pilgrimage centers- continue to be focal points for sex tourism.

Each year, about 1.2 children are victims of human trafficking and prostitution. More than 100 million people are forced to work in slave-like conditions. Sex tourism continues to be highly profitable. A fair-skinned eight year old girl can fetch US \$ 2,500 a night. Underage female prostitution is now become a billion –dollar industry.

To combat this (Human Trafficking) malpractice from society ATSEC-Bihar, a nodal NGO of ATSEC NATIONAL CHAPTER working a lot since last 3 years. However deficiency in legal infrastructure and lack of training & orientation among law enforcement bodies regarding with trafficked victims are the areas yet to redressed, upon which the intervention is continued and is being looked very closely. This issue is being kept in mind ATSEC BIHAR, SAVE THE CHILDREN and Chanakya National Law University, Mithapur, Patna, organized a one day orientation workshop on Chanakya National Law University campus on 7<sup>th</sup> November 2010.

## ***Background of the organization:***

ATSEC (Action against Trafficking and Sexual Exploitation of Children and Women) an international network started in Dhaka, Bangladesh. Presently it is being implemented in different countries of South East Asia like India, Nepal, Bangladesh, Pakistan, Afghanistan and Sri Lanka. The office of national chapter of ATSEC for India is situated at Kolkata. Out of 26 state chapters in India including Bihar Chapter, ATSEC- Bihar is the state chapter of Bihar which was initiated in November 2001. ATSEC, Bihar, a network of NGOs working in all 38 districts of Bihar is taking steps forward to crusade against unprecedented increase in human trafficking in partnership with government, judiciaries, police, PRI representatives, opinion makers and community. In Bihar,

ATSEC chapter is focusing to curb illicit and clandestine movement of persons across national and international borders in name of trafficking. We do this by **resource mobilization, information dissemination, skill development and organizational effectiveness of our partner organizations.**

**ATSEC- Bihar has a mission by year 2020 i.e. “CHILDREN & WOMEN TRAFFICKING AND EXPLOITATION FREE SOCIETY.”**

***Objective of the workshop:***

The issue kept in mind ATSEC Bihar, Save the children and CNLU, Patna was going to organize a orientation workshop on ITPA (Immoral Traffic Prevention Act, 1956). The objective of this workshop is to aware and build up knowledge of ITPA among the law students of CNLU and it also include within their course curriculum, so that in future they can handle these type of cases more efficiently and victims can get right judgments in a right manner. For this context, after round of meetings between representatives of ATSEC Bihar and CNLU, VC of CNLU agreed that it would be very beneficial for the students if there course curriculum include ITPA, 1956.

***Rational:***

In our country countless women and children trafficked for commercial sexual exploitation (CSE), they face the gravest violations of human rights. The response systems are unable to address or redress their grievances and often exacerbate the harm and sufferings these women and children. This is happening mostly due to:

- a) Inadequate knowledge of law, procedure and protocols**
- b) Inappropriate understanding of issues and concept**
- C) Want of genuine sensitivity to the issues and**
- d) The mindset and prejudices which dictate the decision making process.**

**IMMORAL TRAFFIC PREVENTION ACT, 1956** is a vital contribution on trafficking in India. It has immense usage for the entire development of the community and helps those people who are working on trafficking among women and children in India. ITPA, 1956 covers the following contents; they are as follows;

- Clarifying concept of human trafficking
- Knowledge about criminal Acts and violations of rights for the trafficked person

- The strengths of ITPA for the well shake of victim and how best to use the legal arrangements under ITPA
- Roles of law enforcement agencies towards trafficking in women and children : Dos and Don'ts
- Prosecution of trafficking cases : Dos and Don'ts
- Association and alliance building with NGOs and law enforcement
- Intelligence gathering and dissemination.

### ***Process:***

To discuss on current situation of human trafficking especially child and women trafficking in Bihar, ATSEC- Bihar; a voluntary network of civil society vibrant organizations working for the welfare of children, women and community, with the support of Save the Children and CNLU, Patna had organized a One Day workshop to Strengthen knowledge about ITPA and how it correlates with human Trafficking.



### ***Proceedings of workshop:***

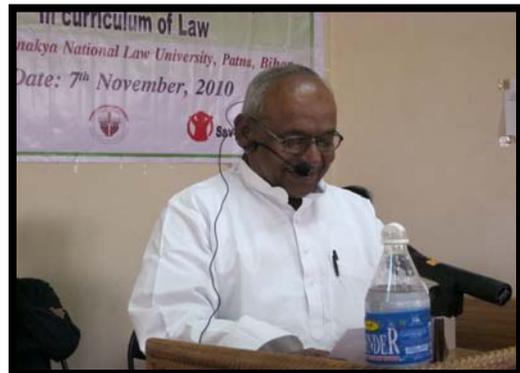
Before discussion, to follow the Indian culture, this meet was started with lighting of the lamp so that we could also have light of knowledge. In the active presence of different participants from different departments of Governments, police



officials as well International and national civil society organizations of the state, the workshop was inaugurated by Mr. S.N Jha, Chairman, SHRC, Bihar, with influence presence of Mr. P.M. Nair, IPS, ADGP,CRPF (operations), Mr. Rajyavardhan Sharma

ADGP, CID, Mrs. Nisha Jha, Chairperson, State child Right Commission, GoB., Mr. Ramdeo Prasad, Chairman, Child Labour Commission, Mr. Balraj Singh Chauhan, VC, Ram Mohan Lohia National Law University, Lucknow, UP, Mr. Manbendra Mandal, advocate SCI cum High Court, Kolkata, National Convener, ATSEC- India, Mr. Abhijeet Nirmal, PC, Save the Children, Mr. Sanjay Mishra, State Convener, ATSEC Jharkhand by lightening of holy lamp.

Hon'ble chairman **Mr. Ramdeo Prasad** to spoke something about the matter. He started with welcome greetings to all participants and gave emphasis on different serious problems of human society. He said about child need and child rights, and how child Rights are diminished by human trafficking and afterwards sexual



exploitation. He also pointed out the loop holes of govt. functionaries and drawback of law enforcement bodies, so he suggested that the actual implementation of law.

The next dignitary **Mrs. Nisha Jha**, requested to upcoming law students to study not for the good job or big salary but also to gather actual knowledge and take right decision and genuine judgment afterwards. She shared her views on trafficking and the main reasons of trafficking. In her point of views illiteracy and poverty are the main grounds of trafficking, a healthy and educated child never get trapped. She also shared her personal experience in her

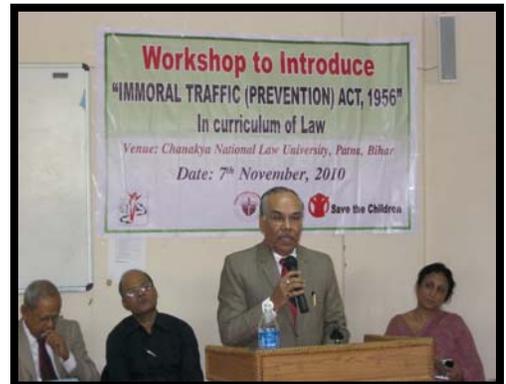


working field. She also promised to all that she will try her best to reduce this malpractice from society as much as she can.

**Mr. R.B Sharma**, the next eminent speaker, started his speech by given thanks to Gautam jee and told about how ITPA related with Human trafficking .He emphasized to change the mentality of human being otherwise this problem will never be eradicated from the society. He extended his speech by telling that how much ITPA is important for the law students. He also discussed about the functions of law enforcements bodies and child rights.



After the valuable speech of Mr. R. B sharma, **Justice S.N Jha** delivered his speech. He said that ITPA is not only need for the lawyers but also need to know the entire society members who possess sensible and logical mind. Relating this he also said about human rights and suggested students to do some research work on this topic, in this way they also get involved in the issue and will understand the actual cause & consequence of this crime.



The next prominent speaker, **Mr. P.M Nair** started his speech with the definition and concept of human trafficking. He told that it is a vast range of crime and it violates human dignity. Being police personnel, he don't suppress the fact that 95% of the police in India do not know the actual meaning of human trafficking and they often took trafficked victims



as a prostitute or sex worker. So that the victims never get the right judgments and their life has become more pathetic and horrible. To prevent such type of evil practice he suggested everybody specially police personals should know what is human trafficking

actually and what would be the impact of it on the society. He shared different cases regarding the matter and recommended that like ITPA, JJA should also include within the syllabus of law. He expressed his views about NGOs in his speech and told that, NGOs having legal power to control the activity of police also. Then he said about the different reasons of human trafficking and his point of view demand is the essence of trafficking, huge money can create demand which violates human rights. In addition to this he converse about the situational analysis of trafficking and said the 44,000 children were missing every year in India, from them 11,000 children were not came. This is the true story of India. Mr. Ramdeo Prasad asked Mr. Nair that how to stop the demand. To answer his question Mr. Nair suggested creating sensitization among the community and making sensible each person about human rights. At the end of his speech he gave warm regards and thanks to all.

The next well-known spokesperson **Mr. Balraj Singh Chauhan** had starting his lecture

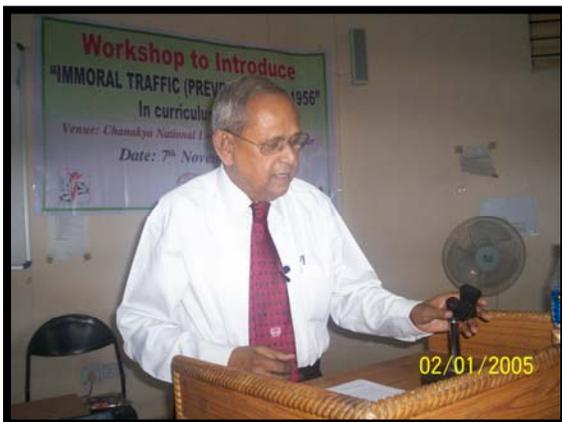
by thanks giving to ATSEC Bihar, CNLU and Save the Children. In 35 years of experience in this field of child rights and human rights he pointed out the fundamental rights of human being and after that, he discussed about human trafficking. How India has become a potent source and destination points of human



trafficking Mr. Chauhan has discuss about it a lot. He also find many loopholes of law enforcement bodies ,relating this he said that there are various laws to combat such type of malpractice but less implementation of these laws fail to control this situation. He emphasized on the basic need or fundamental requirement fulfillment of every child. Relating this he told about a recent film Pepli live. He extends his speech by telling the difference between law and morality and how to build up psychological and morale development. In addition this he discussed about the different sections of ITPA and their implementations. Mr. Chauhan also opined about the current status of trafficking in

regards to ITPA. He acknowledged the growing link between human trafficking and organized crime. He told instances where criminal groups are not directly responsible for trafficking people; they often provide security or protection for the operations. The involvement of “Mafia” dramatically increases the risk and challenges for those seeking to combat trafficking. So he suggested the law enforcement bodies to control the workings of Mafias. He ended his speech by telling his great anticipation about the cooperation of different Governmental departments and other non Governmental organizations to work jointly in this issue, otherwise it will never combat. He also requested the govt. officials to take some students of law as a paid intern to do research work in this field.

**Mr. M.N Mandal** had started his speech by telling about the good practices under ITPA at present scenario, regarding this he also shared different case studies. He stated different workings of ATSEC to combat human trafficking and sexual exploitation not



only in Bihar but entire India. In addition to this he said about AHTU, Astitva Action plan, Balmikinagar workshop – the machineries to fight against trafficking. Mr. Mandal highlighted the current status of child and women prostitution, and now the number of women prostitution has become approximately 3 million in our country. Referring this he

extends his speech by telling the numerous issues of women and girl child trafficking relating to women’s rights and the position of women in society. He also quoted that majority of the persons trafficked into sweat shops and brothel are women and girls. Trafficking in human being is a multinational crime problem of ever growing proportion. Weak institutes and inadequate legislation limit the capacity of Governments to suppress criminal activity and to prosecute offenders. At the end of his speech, he requested to all to come forward and work jointly in each and every level to combat this crime of humanity.

**Mr. Sanjay Mishra** shared his thoughts about human trafficking and how to prevent it. He said about the Do's and Don'ts of ITPA. He discussed differed case studies regarding human trafficking and the implementing part of ITPA. He also shared the current situation of Jharkhand on the basis of trafficking. He remembered that civil society also plays a



central role in the effort to combat trafficking. Relating this he gave the example of the role of NGOs, they have played a vital role in raising awareness, lobbying national governments and providing much needed assistance to individual victims. He again stressed social and economic inequalities that exist in society were perhaps the most important cause of human trafficking. High rates of poverty, unemployment or under employment, low pay, discriminatory labour practices, violence, social structure and lack of social supports for single mother all are the reasons of human trafficking, he suggested.

**Mr. Abhijit Nirmal** said about the relevance of ITPA for law students. He also shared



several case studies about the topic and presented a power point presentation. Where he expressed his views with the shocking truth, that, at about 44,000 children reportedly missing annually in India from which only 25 percent get traced. At conservative estimate, about 200 girls and women are forced to enter prostitution daily, among them 20% are below 15 years of age. He also quoted a comprehensive idea about the critical elements of human trafficking, the meaning of exploitation and consent. The eminent speaker was extended his speech by telling the different protocol of child trafficking. Relating this he also gave a brief message about the work policy of their organization "Save the Children". In addition this he stated about their approaches to balance between national level work and grass root level implementation.

## **Conclusion**

**Mr. Y.K Gautam**, State Convener, ATSEC Bihar, gave vote of thanks to all participants. He thanked MR S.P Singh, Registrar, CNLU and Save the Children for their wholehearted support. Then he said the pathetic truth of human trafficking and afterwards bitter agony of victims. He first requested law students to become a good human being and make proud to our nation. He also



stated his unanimous and continuing endeavors to combat trafficking over the last several years along with his co-workers. Referring this he said the different plans and policies of ATSEC Bihar regarding the anti trafficking. Relating this he said that the victims and their families are vital stakeholders in the fight against trafficking. The main function of NGOs to mobilizes that part of society and fight for their well being. Concerning this he added that Governments need to periodically reassess their anti trafficking strategies and programs to ensure they remain effective to counter new methods and approaches by traffickers.

## **Outcome:**

- Build up knowledge among law students about ITPA properly and thoroughly.
- Cases will be solved with more clarity with the help of ITPA and for more wellbeing of the victims.
- To introduce ITPA, 1956 within the syllabus of law, it will immensely help the law students dealing with such type of cases in a right way with a right manner so that the victims get relief and right judgment
- Idea of human trafficking would be more clear and concise.
- Proper implementation of ITPA.

- Work together to combat trafficking by sharing and supporting.

**List of participants:**

<b>S.N</b>	<b>Name</b>	<b>Designation/ Profession</b>	<b>Contact No.</b>
1.	Dr. kamaluddin Khan	Asstt. Professor, Malvaraja law college, V.K.S University, Ara	09708772219
2.	Dr. S P Singh	Registrar, CNLU	9431622508
3.	Dr. P P Rao	Lecturer, CNLU	8084907602
4.	K.K Dwivedi	Asstt. Professor Law, CNLU, Patna	9934333537
5.	Manoranjan Kumar	Lecturer, CNLU, Patna	9709475958
6.	Sumit Kumar	Student, CNLU, Patna	9939028579
7.	Ajay Kumar	Student, CNLU, Patna	
8.	Kamaljeet Singh	Student, CNLU, Patna	
9.	Dr. S.C Roy	CNLU, Patna	
10.	Ramsankar Sharma	Secretary, Gram SSwarajja Samiti, Jehanabad	9431828306
11.	Pallavi	Student, CNLU, Patna	
12.	Shailesh Kumar	Student, CNLU, Patna	
13.	Pushkar Anand	Student, CNLU, Patna	
14.	Aklavya Anand	Student, CNLU, Patna	
15.	Shrehan Siddhartha	Student, CNLU, Patna	
16.	Sunil Kumar	Student, CNLU, Patna	
17.	Pragya Aishwarya	Student, CNLU, Patna	
18.	Himanshu Shekhar	Student, CNLU, Patna	
19.	Gurujapoti Kaushol	Student, CNLU, Patna	

20.	Supriti Roy	Student, CNLU, Patna	
21.	Akanksha	Student, CNLU, Patna	
22.	Amar Kumar		
23.	Abhyadaya Sharma	Student, CNLU, Patna	
24.	Kajeev Kumar	Student, CNLU, Patna	
25.	Kavita Kumari	Student, CNLU, Patna	
26.	Kumari Sukriti	Student, CNLU, Patna	
27.	Vijay Kumar		
28.	Vani Bhushan		
29.	Prabhanshu	Student, CNLU, Patna	
30.	Maryada Sharma	Student, CNLU, Patna	
31.	Brijen Kumar	Student, CNLU, Patna	
32.	Rohit Raj	Student, CNLU, Patna	
33.	Vikash Kumar Ranjan	Student, CNLU, Patna	
34.	Dr. B. R.N Sarma	Asstt. Professor CNLU, Patna	
35.	Mukhtarul Haque	State Convener, Bachanpan Bachao Andolan, Bihar	9905704786
36.	Sushant Kumar		
37.	Pritam Joshi	Student, CNLU, Patna	
38.	Sonali Soni	Student	
39.	Puja	Student	
40.	Ajay Kumar	UNICEF	
41.	Nibha Anand	Student	

42.	Tanya Patel	Student	
43.	Piyush Bhandari	Student	
44.	Manish Kr. Singh	Student	
45.	Jairam Choudhary	Sudent	
46.	Vijay Kumar	Student	
47.	Amrita	Student	
48.	Susil Prasad Singh	Student	
49.	Noratan Mal	Student	
50.	Amit Kumar	Student	
51.	R. Varun	Student	
52.	Ram Monohar	Student	
53.	Abhijeet Nirmal	PC, Save the Children	
54.	Prof. Balraj Chauhan	VC, RMLNU, Lucknow	
55.	Ramdeo Prasad	Chairman, state child Labour Commission, GoB	
56.	Justice S. N Jha	Chairman , SHRC, Bihar	06122215040
57.	Dr. P.M Nair, IPS	Addl DG, CRPF, New Delhi	9868857138/ 01124364437
58.	Manabendra Mandal	Advocate SCI cum High court, Kolkata, Regional Convener, ATSEC south-east Asia	9433454183/ 03324645430
59.	Rajyabardhan Sharma	ADG, CID, Bihar	9431820430/
60.	Sanjay Mishra	State Convener, ATSEC Jharkhand	9431114532
61.	Anurag	Student, CNLU, Patna	
62.	Vaibhav Kumar	Student, CNLU, Patna	
63.	Purusshottam Kumar	Student, CNLU, Patna	

64.	Ashutosh Ravi	Student, CNLU, Patna	
65.	Indra Nath Dey	Student, CNLU, Patna	
66.	Swati Bala	Student, CNLU, Patna	
67.	Devesh Shankaram	Student, CNLU, Patna	
68.	Amit Kumar	Rashtriya Sahara	
69.	Nevendu		
70.	Md. Shahid Jawed		
71.	Dhiraj Kumar	Student, CNLU, Patna	
72.	Aditi	Student	
73.	Smriti Churiwal	Student, CNLU, Patna	
74.	Mrs. Nisha Jha		
75.			
76.			
77.	Pratyaksha Jha	Student, CNLU, Patna	
78.	SHubha Keerti	Student, CNLU, Patna	
79.	Manisha	Student, CN:LU, Patna	
80.	Amrit Raj	Student, CN:LU, Patna	
81.	Kumaresh Singh	Student, CNLU, patna	
82.	Himanshu Bhushan	Student, CNLU,patna	
83.	Ramakanth reddy	Student, CNLU, Patna	
84.	Hemant Kumar	Student, CNLU, Patna	
85.	Karishma Kumari	Student,CNLU, Patna	
86.	Shivani Mohan	Asstt. Prof. Economics, CNLU, Patna	
87.	Dr. Suman Lal	Prayas Bharti Trust, Patna	9308368387

88.	Dr. Yogendra Kumar, Patna Law College		
90.	Dr. Anshuman		
91.	Avinash Chandra		
92.	K. Kiran Mayee	Student, CNLU, Patna	
93.	Anusha	Student, CNLU, Patna	
94.	Y K Gautam	State Convener, ATSEC Bihar	
95.	Praveen Chandra	PD, ATSEC Bihar	
96.	Mouli Gupta	PC, ATSEC Bihar	
97.	Satya Prakash	Accountant, ATSEC Bihar	

### Media Coverage:





**hindustantimes** HINDUSTAN TIMES, PATNA  
MONDAY, NOVEMBER 08, 2010

# Anti-trafficking law in CNLU curriculum

**HT Correspondent**  
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**PATNA:** To give the students a comprehensive view of immoral trafficking, the Chanakya National Law University (CNLU) will introduce the 'Immoral Traffic (Prevention) Act (ITPA), 1956' in its curriculum soon.

The decision in this regard has been taken at a workshop, which was jointly organised by the Action against Trafficking and Sexual Exploitation of Children (ATSEC), Bihar, Save the Children and the CNLU here on Sunday.

The experts, who participated in the workshop, stressed on the indispensability of ITPA, 1956, and said in view of the growing practices of immoral trafficking of girls and children in many parts of the state, the CNLU should include the Act in its curriculum.

"The inclusion becomes all the more indispensable when we see that most of the law uni-

versities of the country have already made it part of their curriculum. Because of the prevalence of such practices in the state, the students of CNLU must be armed with the knowledge of such Act so that they could adequately handle cases related to trafficking," said ADGP (Operations), CRPF, New Delhi, P M Nair. He also explained how Delhi police recently nabbed a trafficker, who trafficked several girls from Nepal, and sent him to Tihar jail. The regional convener, ATSEC, South East Asia, M N Mandal, spoke about the two homes being run at Murshidabad and Lita in West Bengal for the rehabilitation of such victims.

Vice-chancellor of Ram Manohar Lohiya National Law University, Lucknow, Balraj Singh Chauhan, emphasized on the utility of ITPA while referring different cases related to it. Some examples were also presented in which such victims, after proper training,

**POLICE RECENTLY NABBED A TRAFFICKER, WHO TRAFFICKED SEVERAL GIRLS FROM NEPAL**

were given jobs of security guards in Jharichand. State convener, ATSEC, Bihar, Y K Gautam, who conducted the proceedings, said some steps were also being taken in the state for the rehabilitation of such victims. Later, registrar of CNLU, S P Singh, said the ITPA, 1956, would soon be introduced in the syllabus of the university. Chairman of the State Human Rights Commission, Bihar, Justice S N Jha, inaugurated the workshop. Others present on the occasion included chairman of Child Labour Commission Ramdeo Prasad, ADGP, CID, R B Sharma, chairperson, State Child Rights Protection Commission, Nisha Jha and Abhijit Nirmla from Save the Children.

## मानव व्यापार की बुराई से अवगत हुए छात्र

पटना (एसएनबी)। स्वयं सेवी संस्था 'सेव द चिल्ड्रेन', चाणक्या राष्ट्रीय विधि महाविद्यालय व एटसेक बिहार की ओर से महाविद्यालय प्रांगण में 'अनैतिक मानव व्यापार (रोकथाम) कानून 1956 को निहित करने के लिए आयोजित किया गया। एक कार्यशाला का आयोजन रविवार को किया गया। कार्यशाला का उद्घाटन राज्य मानवाधिकार आयोग के चेयरमैन जस्टिस एसएन झा ने किया।

कार्यशाला के मुख्य बिंदुओं में सभी रिसेर्स पर्सन ने आईटीपीए 1956 को विधि के पाठ्यक्रम में शामिल करने एवं इसकी उपयोगिता को कार्यान्वित करने पर जोर दिया। साथ ही मानव व्यापार की बढ़ती प्रकाश डाला गया। इसके दुष्परिणाम से छात्रों को अवगत कराया गया। कार्यशाला को नई दिल्ली के सीआरपीएफ के एडीजी पीएम नायर, राम मनोहर लोहिया राष्ट्रीय विधि महाविद्यालय लखनऊ के कुलपति बलराज सिंह चौहान, सर्वोच्च न्यायालय के अधिवक्ता मानवेन्द्र मंडल व एटसेक झारखंड के राज्य संयोजक संजय मिश्रा ने मुख्य वक्ता के



विमर्श: कार्यशाला को संबोधित करतीं वक्ता। फोटो: एसएनबी

रूप में अपने विचार रखे। राज्य बाल अधिकार संरक्षण आयोग के चेयर परसन मिशा झा, राज्य बाल श्रमिक आयोग के चेयरमैन रामदेव प्रसाद,

एडीजी सीआईडी राज्यवर्धन शर्मा, वार्ड के गौतम, अधिजीत निर्मल समेत संस्था के कई लोग मौजूद थे।

## **CNLU workshop discusses trafficking**

TIMES NEWS NETWORK

**Patna:** A workshop was organized here on Sunday at Chanakya National Law University (CNLU) announcing the introduction of Immoral Traffic (Prevention) Act, (ITPA) 1956 in the LLB syllabus of the CNLU.

The workshop, which was organised jointly by the CNLU, Save the Children, Patna, and Action Against Trafficking and Sexual Exploitation of Children (ATSEC), Bihar, aimed at highlighting issues related to ITPA and human trafficking.

ADGP, CRPF, New Delhi, P M Nair on the occasion expressed his views on concept, definition and impact of human trafficking and how it is related with ITPA.