

Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018

Why in news?

\n\n

The Union Cabinet has recently approved the Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2018 for introduction.

\n\n

What are the key provisions?

\n\n

\n

- **Coverage** - The Bill covers a wide range of forms of trafficking which includes:

\n

\n\n

\n

- i. trafficking for the purpose of forced labour, begging
- ii. trafficking by administering chemical substance or hormones on a person for the purpose of early sexual maturity
- iii. trafficking of a woman or child for the purpose of marriage or under the pretext of marriage or after marriage, etc

\n

\n\n

\n

- In particular, the Bill comprehensively addresses the transnational nature of the crime.

\n

\n\n

\n

- **Punishment** - It specifies punishment for promoting or facilitating trafficking of person.

\n

- The activities may include

\n

\n\n

\n

- i. producing, printing, issuing or distributing unissued, tampered or fake certificates
- ii. registration or stickers as proof of compliance with Government requirements
- iii. procuring or facilitating the acquisition of clearances and necessary documents from Government agencies fraudulently

\n

\n\n

\n

- Punishment ranges from rigorous imprisonment for minimum of 10 years to life, and fine of not less than Rs. 1 lakh.
- Besides, the Bill provides for the attachment and forfeiture of property and also the proceeds of crime.
- This is to break the organized nexus, both at the national and international level.

\n

\n\n

\n

- **Relief** - The Bill provides for immediate protection of rescued victims and their rehabilitation.
- The Victims are entitled to interim relief immediately within 30 days to address their physical, mental trauma etc.
- Further appropriate relief within 60 days from the date of filing of charge sheet is also provided for.
- **Rehabilitation** - Rehabilitation is irrespective of criminal proceedings initiated against the accused or the outcome thereof.
- A specific Rehabilitation Fund for this purpose is created for the first time.
- This will be used for the physical, psychological and social well-being of the

\n

victim.

\n

- It also for education, skill development, health care/psychological support, legal aid, safe accommodation, etc.

\n

- **Confidentiality** - The confidentiality of victims/witnesses and complainants must be ensured by not disclosing their identity.

\n

- Further the confidentiality of the victims is maintained by recording their statement through video conferencing.

\n

- This also helps in trans-border and inter-State crimes.

\n

- Time bound trial and repatriation of the victims, within a period of one year from taking into cognizance, is mandated.

\n

- **Mechanism** - The Bill provides for designated courts in each district for the speedy trial of the cases.

\n

- It creates dedicated institutional mechanisms at District, State and Central level.

\n

- These will be responsible for prevention, protection, investigation and rehabilitation work related to trafficking.

\n

- National Investigation Agency (NIA) will perform the tasks of Anti-Trafficking Bureau at the national level present under the MHA.

\n

- The National Anti-Trafficking Bureau will -

\n

\n\n

\n

- i. perform the functions of international coordination with authorities in foreign countries and international organizations

\n

- ii. take up international assistance in investigation

\n

- iii. facilitate inter-State and trans-border transfer of evidence and materials, witnesses and others for expediting prosecution

\n

- iv. facilitate inter-state and international video conferencing in judicial proceedings, etc

\n

\n\n

What is the significance?

\n\n

- \n
 - Trafficking in human beings is the third largest organized crime violating basic human rights.
- \n
 - It is a global concern, also affecting a number of South Asian nations.
- \n
 - But notably there is no specific law so far to deal with this crime.
- \n
 - The Bill thus addresses a pervasive yet invisible crime affecting the vulnerable persons especially women and children.
- \n
 - The new law will make India a pioneer in formulating a comprehensive legislation to combat trafficking.

\n\n

\n\n

Source: PIB

\n

