

Office of the
Director General and
Inspector General of Police,
Karnataka State, Bangalore-01
Date : 30.9.04.

No : SMS(6)/25/04-05.

CIRCULAR

Sub : Trafficking of women and children –
instructions – reg

In a meeting convened by the Department of Women and Child Development Bangalore, on 6.8.2004 to discuss the subject of Trafficking of Women and Children in Karnataka, the following issues were discussed:

A. Karnataka was identified with Andhra Pradesh, Tamil Nadu, West Bengal and Goa as areas where trafficking of women and children is high

B. It was noted that most cases booked under ITP Act were against the victims/sex workers and not against the traffickers resulting in the revictimisation of the victims of commercial sexual exploitation.

C. Participants stressed the need to sensitise the police about their role in tackling the problem of trafficking and commercial sexual exploitation of women. Also, allegations of police connivance with traffickers were made.

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In the light of the above the following instructions in this regard are issued for strict compliance.

1. Sections 3, 4, 5, 6 of the Immoral Traffic (prevention) Act, 1956 provide punishments for keeping a brothel, living on the earnings of prostitution of another person, inducing or procuring for prostitution, or detaining a person for prostitution. They provide severe punishment where the offence is committed against a child or a minor. These sections can be used against traffickers, pimps and other agents and facilitators of commercial sexual exploitation of women and children. It has, however, been found that most cases are being booked against the victim women for soliciting under Sec 8 of the ITP Act. Unit officers should ensure that this anomalous enforcement of the Act is corrected and the available sections are used against traffickers and agents of prostitution and the role of the victim women shall be reviewed at the highest level sympathetically.

2. It should be ensured that in cases where a minor girl is the victim a case U/S 376 IPC is registered against the male customers, pimps and brothel keepers.

3. Section 13 of the ITP Act provides for the appointment of a Special Police Officer for dealing with these offences and also setting up

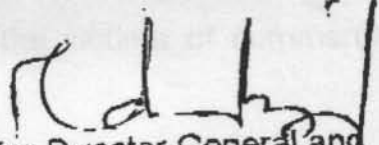
an Advisory Board to assist. Unit officers should endeavour to involve voluntary groups and other agencies to assist the police in enforcing this A.C.

4. Allegations of police harassment or connivance should be promptly enquired into and strict action taken against erring police officers and men by the unit officers and should be reported in their A.C.Rs.

Unit officers should ensure that the intention of the law is not defeated in the course of enforcement and issue, strict instructions and ensure compliance from officers and men at all levels.

Sd/-
(S.N.Borkar)
Director General and
Inspector General of Police

To,
All Unit Officers for needful action.


For Director General and
Inspector General of Police