

GOA HUMAN RIGHTS COMMISSION

PANAJI – GOA

Proceeding No. 172/2013

Proceeding No.261/2013

INQUIRY REPORT

By this common order we propose to deal with both the proceedings mentioned above as the subject matter of both the proceedings is essentially similar in nature.

2. The proceeding No.172/2013 relates to the complaint dated 12/08/2013 filed by Shri R. S. Chaurasia, Chairperson of Bachpan Bachao Andolan, L-6, Kalkaji, New Delhi which has been addressed to the Chief Minister of Goa and a copy of which has been endorsed to this Commission alleging human trafficking particularly child trafficking in tourism industry in Goa. It is alleged that the victims are forced into sex trade to Goa from across the nation as well as in international borders and the major influx is from Nepal and North Eastern States of India. The Commission forwarded the said complaint to the Superintendent of Police, Crime Branch, Panaji – Goa and he was called upon to furnish his comments and suggestions for taking remedial steps.

3. In proceeding No.261/2013, this Commission took Suo Motu cognizance of the matter on the basis of news item which appeared in the Times of India dated 27/11/2013 under the heading “Tourist was offered child for sex for Rs.50/- on Goa beach” and issued notices to the Secretary (Home), Government of Goa, Secretariat, Porvorim – Goa and Director General of Police, Panaji – Goa.

4. In pursuance to the notices, the Respondents have filed replies in both the proceedings. In proceeding No.172/2013, the Respondent has stated that in pursuance of the directions of Hon’ble Supreme Court of India in Writ Petition No.75/2012 (Bachpan Bachao Andolan v/s Union of India and Others), the Ministry of Home Affairs, New Delhi had issued Advisory Note on 25/06/2013. The Respondent has also indicated various steps taken by the Goa Police for curbing human trafficking. In proceeding No.261/2013, the Respondents in their reply have stated that the inquiry by Superintendent of Police (North) revealed that no such incident was reported at the Police Stations in North Goa District. It is further stated that the inquiry by Superintendent of Police (South)

about the news item was verified through Incharge of Police Stations in South Goa District and it was revealed that no such activities in Coastal Belt/beaches of their Police Station have been noticed.

5. We have perused the records of this proceeding. We have also heard the Respondents. The Complainant in proceeding No.172/2013 did not appear before the Commission after filing the complaint.

6. On the basis of the reply filed by the Respondent in proceeding No.172/2013 it appears that the Goa Police have issued several Circulars and Standing Orders for curbing human trafficking. Even though such Circulars and Standing Orders are issued by Goa Police, the crimes against children and women are being reported from time to time. It appears that there is no effective control by the State Police to curtail the crimes against human trafficking of children and women.

7. In the facts and circumstances of these cases, the Commission feels it appropriate to make following recommendations:

- (i) *Once the complaint is received by the Police relating to commission of any offence against children or women, the police shall register FIR forthwith and investigate the matter in right perspective.*
- (ii) *In case missing report is filed in respect of children or women , the police shall conduct preliminary inquiry into the matter and in case the child or woman is not traced within four weeks, the police shall register FIR and conduct investigation and take the same to its logical end.*
- (iii) *The Investigation Agency shall publish photographs of missing persons in the news-paper; telecast on the television within one week. The photographs of missing persons shall be given wide publicity at prominent outlets of the city. However, in case of minor/child such photographs shall not be published without written consent of the parents/guardians.*
- (iv) *The Investigation Agency shall conduct inquiry into the whereabouts from the “extended family of relatives, neighbours, etc.”*
- (v) *The State Police shall establish Anti-Human Trafficking Unit to deal with the cases of human trafficking exclusively.*

- (vi) In case missing child is not recovered within four months from the date of filing FIR, the matter may be forwarded to Anti-Human Trafficking Unit in order to enable the said Unit to take up more intensive investigation regarding the missing child.*
- (vii) Once the child is recovered, the Police Authorities shall carry out further investigation to find out whether there is an involvement of any trafficking by which the child was missing and if, on investigation such links are found, the police shall take appropriate action*
- (viii) An Officer not below the rank of DIG should be deployed as Nodal Officer for the State for handling the cases of missing children.*
- (ix) Department of Women & Child Development may establish a child helpline through NGOs or other agencies with necessary support from Government in the Districts.*

Date: 18/08/2015

Place: Panaji

Sd/-
(Justice P. K. Misra)
Chairperson
Goa Human Rights Commission

Sd/-
(A. D. Salkar)
Member
Goa Human Rights Commission

Sd/-
(J. A. Keny)
Member
Goa Human Rights Commission