

# SKILLS FOR FREEDOM

Newsletter from India

No: 19

November: 2016

This electronic newsletter from **PEACE TRUST, INDIA** is addressed to NGO's, Social Activists, Media, Opinion makers, Leaders and Bureaucrats for improving their understanding on skilling the youth for gainful employment and addressing social issues like modern slavery, child labour, migrant labour, un-employability of youth. We also send this to people who we believe are involved in improving the migrant worker's conditions. You are welcome to unsubscribe yourself, if you so choose.

-EDITOR

Peace Trust is a Non Government Organization working on Child Labour and Bonded Labour issues since 1984. It has also focused on Migrant workers rights issue since 1999.

- o Peace Trust's Skills for Freedom is the only solution to end Modern Slavery in Tamil Nadu. It is a joint effort for enhancing the employment opportunities of rural youth in Dindigul, Karur, Tiruppur Districts.
- o Reduce the risk for Young Workers - Beginning of this month Peace Trust has launched a new Initiative to "Support School Education, Health Protection, Livelihood Development and Skill Training for Gainful Employment among Vulnerable Young Population in Dindigul District".
- o SPSC Vocational Education & Employment Facilitation Centre provides access to vocational education and employment facilitation for rural poor youth in Nagapattinam, Thiruvavur District Tamil Nadu and Karaikal District, Puducherry.
- o Peace Trust also provides training for Quality Teacher Education and gainful employment to young women from resource poor families in Dindigul and Karur District.

The views expressed are not of the donors but a compilation of field realities for the purpose of sharing and action.

The Skills for Freedom e-newsletter is published by:



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## **REAL BUSINESS OPPORTUNITY IN AGRICULTURE ... CAN BE GENERATOR OF JOBS IN INDIA**

Ending hunger through sustainable agricultural practices is one of UN's 17 Sustainable Development Goals (SDGs), a plan adopted last year to deal with global development challenges. Business and Sustainable Development Commission, which brings together private sector and civil society groups worldwide, pointed out in its recently-published 2017 report that adopting sustainable business models in agriculture could generate 22 million new jobs in India and 80 million worldwide by 2030. Fraser Thompson, director, AlphaBeta, and author of the report spoke to Sanjiv Shankaran about the way ahead.

### **What is the context of the report?**

The reason we did this report is that SDGs have been perceived in some areas as additional headwinds to business or maybe irrelevant to business and just a public sector responsibility. What we want to show is that there is a real business opportunity that comes with SDGs that requires a significant shift in how businesses and investors operate.

### **Which strand of innovation in agriculture holds most promise?**

There's two main sources of innovation when it comes to yields. You need to break it down by size: large farms above 2 hectares and small farms below 2 hectares. For small holders one innovation has been around the mobile internet. Telling farmers by text messages when to plant seeds and informing them of crop prices in the market have been enormous drivers of productivity gains among small farmers. When it comes to large farms there's a range of different technologies we are seeing, from drones in farming to precision farming techniques on application of fertilizers. What I am particularly excited by are improvements that can be done around soil health. There's a range of innovations taking place to think through how we can restore soil balance.

### **What about GM technology?**

It is a really contentious one. We don't think it makes sense to treat it in isolation. Rather it is part of a package of things that need to be done for small scale and particularly for large scale farms. There is a huge amount of debate about GM. We have seen in the markets it is operating it has tremendous potential impact on yields if used with appropriate safeguards. Without GM we need another 175-225 million hectares of farmland.

If you look at the numbers there is enough land out there to bring 225 million hectares of additional cropland into supply. The devil is in the details. Most of the land is either inaccessible so we would need quite significant infrastructure spend or they are in places which have pretty weak rule of law, which makes it quite tough to increase supply. It would probably increase deforestation as a result.

China, on demand side, is trying to nudge its population towards a more vegetarian diet. One of the levers you look at is behavioural change. When it comes to dietary shifts that is significant behavioural change. But we are seeing cases where this is starting to happen. It starts with better education of consumers and making them understand the benefits of a well-balanced diet. As a result we see in many countries an increasing shift to diets that are less based on animal consumption and have a greater variety.

**Your report suggests that regulation to deal with pricing of natural resources such as water has to be part of the solution. Please elaborate.**

Our numbers did not include subsidy reform or putting a price on carbon. We did that to be relatively conservative. Water is particularly important not only because of scarcity but huge hidden subsidies. The reality is water has huge hidden subsidies around the world. It is important to stress that if we included subsidy reform and carbon taxes the value of these would increase significantly.

**Your research identifies additional jobs possible through sustainable approaches, with India leading in terms of 22 million jobs.**

From the context of India, we see large opportunities in improving productivity in the value chain. If you look at the top three opportunities, in India we found that low income food markets is number one, food waste and value chain is number two and technology in small farms is number three. All three of those sources plus improving productivity could be a significant generator of jobs.

**The investment requirement for all this – globally \$320 billion a year – seems high.**

We are quite optimistic in this report about investment opportunities in this space. Yes, it is a large sum of money but when you compare it with the amounts of money getting poured into renewable energy at the moment, it is less.

## **LACK OF SKILLED MAN POWER STILL PLAGUES INDIAN LABOUR MARKET**

India enjoys a demographic dividend where more than 60 percent of its population is in the working age group. The youth bulge presents an opportunity to enhance growth and supply skilled manpower to the rest of the world. According to a World Bank Report, this is because its working age population will be more than dependent population for at least three decades till 2040. The National Higher Education Commission, estimated that average age of population by 2020 would be 29 years against 40 in USA, 46 in Europe and 47 in Japan. It is also estimated that in the next 20 years, labour force in the industrial world will decline by 4 per cent, while in India it will increase by 32 per cent.



However, the country is facing a paradoxical situation. On one hand, young men and women entering the labour market are looking for jobs; on the other, industries are complaining of lack of appropriately skilled manpower. This reflects the criticality of skill development to enhance employability and gear-up the economy to realise faster, inclusive growth. However, keeping in view the heterogeneity of the labour market and preponderance of the unorganised sector; designing a model which benefits key players --, employer, training providers, trainee and the government is a challenging task.

93% of the total labour force is in the unorganised sector. The major challenge is also address the needs of a vast population by providing them skills which would make them employable and enable them to secure decent work.

The National Policy for Skill Development and Entrepreneurship 2015 supersedes the policy of 2009. This primarily aims at meeting the challenge of skilling at scale with speed, standards (quality) and sustainability. According to India Labour Report 2012, 12.8 million new persons join the labour market annually vis-à-vis the current capacity of skill development which is 3.1 million.

Incremental HR requirement for skill development in the period 2012 to 2022 for the whole country is 12.03 crore. Hence there is pressing need to expand infrastructure for many fold to cater to the target, more than four times present capacity. As mid-term strategy, 104.62 million fresh entrants to the labour force between 2015 to 2022 would be required to be skilled/provided vocational education. At present 21 Ministries/Departments of Government of India are engaged in skill development programme.

There are several challenges. For instance, increasing capacity of the existing system to ensure equitable access for all and at the same time maintaining quality and relevance is a big challenge. This involves strong and effective linkages between industry and trainer institutes with adequate provisions for constant knowledge upgrading of trainers. Creating effective convergence between school education and governmental efforts in the area need to be reworked. All this has to be in consonance with Labour Market Information System. Other

challenges include creation of institutional mechanism for research development, quality assurance, examination, certification, affiliation and accreditation. Needless to say, efforts should be on making skill development attractive and productive to motivate youth.

Addressing the above challenges, government has taken some concrete steps which include dovetailing and rationalization of Central Government Schemes to achieve maximum convergence and making skill development an integral part of all Government of India schemes. Skill gap studies conducted by NSDC for 21 high growth sectors of the country will project human resource requirement in those sectors by 2022.

Monitoring and evaluation is the spine of any development plan. Since National Policy for Skill Development and Entrepreneurship has been structured as an outcome oriented policy, it has been decided to set up a Policy Implementation Unit (PIU) for reviewing implementation.

For bringing improvements in the scheme through feedback, provision has also been made to facilitate constant consultation with stakeholders. To ensure desired results, it is necessary that along with monitoring, a quick evaluation of the Programme is undertaken at the earliest possible. Based on evaluation findings, we would be able to take effective measures and breach all the gaps in the implementation process.

\*Author is an independent researcher and writes on socio-economic issues. He is the former Joint Adviser of Niti Aayog, Govt of India. these are his views alone. (PIB)

## **TN TO IMPLEMENT NATIONAL FOOD SECURITY ACT FROM NOV 1**

Tamil Nadu government, which had for long been resisting the implementation of National Food Security Act, on Thursday announced that it would implement the Act from November 1.

However, the State government would also continue with its Universal Public Distribution System and hence rice provided to ration card holders through the Public Distribution System, would continue to be provided free of cost, an official release stated late on Thursday. The implementation of National Food Security Act and continuing with the free of cost rice would cost the exchequer an additional Rs. 1,193.30 crore per annum.

The decision to implement the Act in Tamil Nadu was taken in a Cabinet meeting on the “advice of Chief Minister Jayalalithaa” for the welfare of the people and the Act would be implemented though it would put an additional financial burden on the State Exchequer, the release stated.

The decision to implement the Food Security Act followed a communication from the Centre that if Tamil Nadu didn't implement the Act immediately, the Centre would be forced to provide rice for Above Poverty Line (APL) families only at Rs. 22.54 per kg instead of Rs. 8.30 per kg. The Hindu was the first to have reported about this earlier this month.

Though as per the FSA, one-person and two-person families are entitled only for 5 kg and 10 kg rice per month respectively, the Tamil Nadu government would continue to give existing ration of 12 kg rice and 16 kg rice to these families respectively.

Replacing the ration of 20 kg rice for every ration card, every member in the card would be entitled for 5 kg rice per month. For instance, in a family of seven persons, who were entitled

to only 20 kg of rice for their ration card, they would now be entitled to 5 kg per person and thus would get a total of 35 kg of rice instead of the existing 20 kg per ration card per month. The Antyodaya Anna Yojana cards would continue to get 35 kg of rice per month.

## **DISASTER MANAGEMENT SYSTEM STEPPED UP**

Stepping up the disaster management system, ahead of the north east monsoon, the District administration has formed zonal level teams, constituted village level committees and identified more than 200 private buildings and educational institutions to accommodate people in the event of emergency. Talking to reporters here on Wednesday, Collector S. Natarajan said they have identified 38 moderate vulnerable and 19 low lying areas and fully geared to meet any eventuality during the monsoon period and ensure that there was no loss of life or property. All the moderate vulnerable places and low lying areas would be under the direct control of 15 zonal teams, headed by Tahsildars, he said adding each team would have 16 officials and they would keep a close vigil in these areas.

## **HOW TAMIL NADU FELL IN LINE ON FOOD SECURITY ACT**



*The fundamental difference between the State government and the Centre is that the former favours the universal PDS, whereas the latter, targeted PDS*

The Tamil Nadu government had faced Hobson's choice before it decided to implement the National Food Security Act (NFSA).

A few weeks ago, the government was administered a shock when it got a letter from the Union Ministry of Consumer Affairs, Food and Public Distribution, stating that with effect from November, the State would no longer get about 1.26 lakh tonnes of rice at Rs. 8.3 per kg. Besides, additional allocation of rice would be stopped. The reason cited was simple: non-implementation of the NFSA. In monetary terms, the decisions meant that the State

government would have to bear about Rs.2,730 crore more annually. Originally, rice subsidy was estimated to cost around Rs. 2,393 crore for the current year.

In Tamil Nadu, where the politics of rice has always dominated the public discourse, the State government had its own reasons for not implementing the law for over three years. Apart from various reasons, the fundamental difference between the Tamil Nadu government and the Centre is that the former favours the universal PDS, whereas the latter, targeted PDS. Neither side has budged from its position.

As part of the NFSA, only 50.55 per cent of the State's population — around 3.6 crore out of 7.2 crore — is eligible to be given rice at a subsidised price. Each person is entitled to five kg per month. So, if a family card has 10 beneficiaries, it will get 50 kg a month. Those who are eligible are called priority households and those who are not, non-priority households. Under its scheme, the State government has, so far, been providing rice free of cost virtually to all family card holders, irrespective of economic background. Till now, around 1.92 crore card holders have been getting rice free and the maximum quantity is 20 kg per card per month. If one were to go by stipulations of the NFSA strictly, the present coverage would undergo drastic changes, a scenario those in power can ill afford.

This is why the State government has chosen to combine the essential provisions of the Act with some of its traditional practices, explains a senior official. While keeping the minimum entitlement at 12 kg per card per month, it has removed the ceiling on the quantity of rice to be provided. If a card has only one beneficiary, it will fetch 12 kg. If there are two beneficiaries, such a card will get 16 kg and for three, 20 kg. In respect of those cards having four or more beneficiaries, the entitlement of five kg per person will operate. Consequently, a total of eight lakh tonnes more will be required annually, taking the total requirement to 44 lakh tonnes. This means that the additional financial commitment will be at least Rs. 1,193 crore.

The State government's various demands, such as a legally binding assurance on the issue price for the non-priority households and 75 per cent coverage of urban population, have not been met with.

Confirming this, an official in the Union Ministry points out that the Centre has issued an order to the State on rice allotment as per the NFSA. For the category of priority households, the annual allotment is 24.24 lakh tonnes at an issue price of Rs. 3 per kg and for the other, 12.52 lakh tonnes at Rs. 8.3 per kg.

## **PROF DESIGNS PORTABLE TOILET FOR DEEP SEA FISHING BOATS**

A portable toilet which could be used by deep sea fishermen, ensuring their safety and also hygiene, has been designed and patented by professor P Jeyakumar of Kalasalingam University in Srivilliputtur.

Jeyakumar said fishermen who go for deep sea fishing spend many days in deep sea in small trawlers which lack toilet facilities.

Fishermen answer the nature's call on these trawlers by sitting on the edge of the boat while clinging on to a handle. This practice poses risks to the fishermen's lives as there is a danger of falling into the sea.

Jeyakumar, while researching on this innovative toilet, spent several days aboard these fishing vessels.

He said fishermen also use a plank fixed outside the boat to answer nature's call, to maintain hygiene on board.

"They do so to avoid contaminating the fish caught and kept inside the boat," he said.

The portable toilet designed by Jeyakumar can be carried like a trolley and fixed to a corner of the vessel temporarily. The size of the toilet is roughly 2x3 feet.

It also has a sludge tank where the solid waste can be collected and turned into manure when the vessel returns. Liquid waste will be discharged directly into the sea. The toilet is made of non-corrosive fibre material. Unit cost of this toilet is ₹15,000.

### **SURVEY: TEACHERS CLUELESS ABOUT CBSE ASSESSMENT**

Releasing some of the key findings of the qualitative analysis, Chrysalis director Ganesh Subramanian said that only two per cent of the teachers mentioned "feedback and improvement" in their response which was the actual purpose of assessment in schools. The qualitative analysis was conducted after interacting with 800 odd teachers from 123 schools across the country which included eight mostly CBSE schools from Trichy.

Close to 71% teachers did not perceive 'formative assessment' as a process of gathering information to improve teaching-learning process. Besides this, 77% of teachers felt that continuous and comprehensive evaluation (CCE) method was associated with high number of tests but its actual purpose was enabling learning among students than assessing.

The CCE method adopted by central schools in 2009-10 and followed by states in 2013-14 was aimed at promoting learning among students. Though CCE was introduced by the union government in its true spirit to bring in reform in higher education it didn't serve its purpose due to lack of proper implementation at the ground level, said Ganesh. The purpose of reforms introduced by the government in education was to reduce stress but it has only increased its level among teachers, students and parents, he said.

While government introduced CCE, it didn't make it mandatory for teachers and principals to undergo CCE training which was also observed as a reason for the improper implementation. He said teachers had been focusing more on summative assessment which served administrative and academic interests.

### **TN FISHERMEN RETURN HOME AFTER MONTHS OF STRUGGLE IN DISTANT LAND**

CHENNAI: After languishing for months without money or travel documents which got them stuck in a land foreign, three fishermen from the southern districts of Tamil Nadu finally managed to return home on Sunday morning.

John Kimal, Aneesh Berkumarse and Sibin Mariadhas are part of a group of 11 fishermen, 10 from Kanniyakumari and one from Kerala, who had gone to Kuwait last July.

All are from traditional fishing families, who took the journey to the foreign land in search of better fortunes. It, however, soon turned sour after the sponsors, the owners of the boats who



took them there, allegedly made them work but refused to pay their share from the catch as per the agreement.

"The wages due to us were denied, and passports were seized. Let alone sending money to support families back home, we struggling to even survive," recalled Aneesh. When they demanded salary and passports, they were asked to sign on a paper written in Arabic. "We later realised the document made us liable to pay 2000 Kuwaiti Dinar," Aneesh said.

Sibin added they were subsequently detained by the local police on a foisted case based on a complaint by the sponsors. "Finally after several negotiations, we arranged Rs one lakh to be paid to them and got our passports back," Sibin said.

The Indian Embassy in Kuwait arranged return tickets for the three, who landed in Chennai on Sunday morning.

This was the second batch of fishermen repatriated after a batch of six returned to the country some time back.

After petitions from the families, Tamil Nadu Chief Minister J Jayalalithaa had written to Prime Minister Narendra Modi in March, urging him to direct the External Affairs Ministry to take immediate steps to repatriate fishermen stuck in the Gulf country.

She charged the sponsors, two individuals, Hussain Rasheed and Mohamed Rasheed, of not fulfilling the terms of employment.

## **7 MILLION JOBS CAN DISAPPEAR BY 2050, SAYS A STUDY**

### **HIGHLIGHTS**

- As many as 550 jobs have disappeared every day in last four year, a study has claimed
- India created only 1.35 lakh jobs in 2015 in comparison to 4.19 lakh in 2013 and 9 lakh in 2011
- The data clearly points to the fact that job creation in India is successively slowing down



NEW DELHI: As many as 550 jobs have disappeared every day in last four years and if this trend continues, employment would shrink by 7 million by 2050 in the country, a study has claimed.

Farmers, petty retail vendors, contract labourers and construction workers are the most vulnerable sections facing never before livelihood threats in India today, the study by Delhi-based civil society group PRAHAR has said.

As per the data released by Labour Bureau early 2016, India created only 1.35 lakh jobs in 2015 in comparison to 4.19 lakh in 2013 and 9 lakh in 2011, the group said in a statement.

"A deeper analysis of the data reveals a rather scary picture. Instead of growing, livelihoods are being lost in India on a daily basis. As many as 550 jobs are lost in India every day (in last four year as per Labour Bureau data) which means that by 2050, jobs in India would have got reduced by 7 million, while population would have grown by 600 million," the statement said.

The data clearly points to the fact that job creation in India is successively slowing down, which is very alarming, it pointed out. "This (rise in unemployment) is because sectors which are the largest contributor of jobs are worst-affected. Agriculture contributes to 50 per cent of employment in India followed by SME sector which employs 40 per cent of the workforce of the country," the statement said.

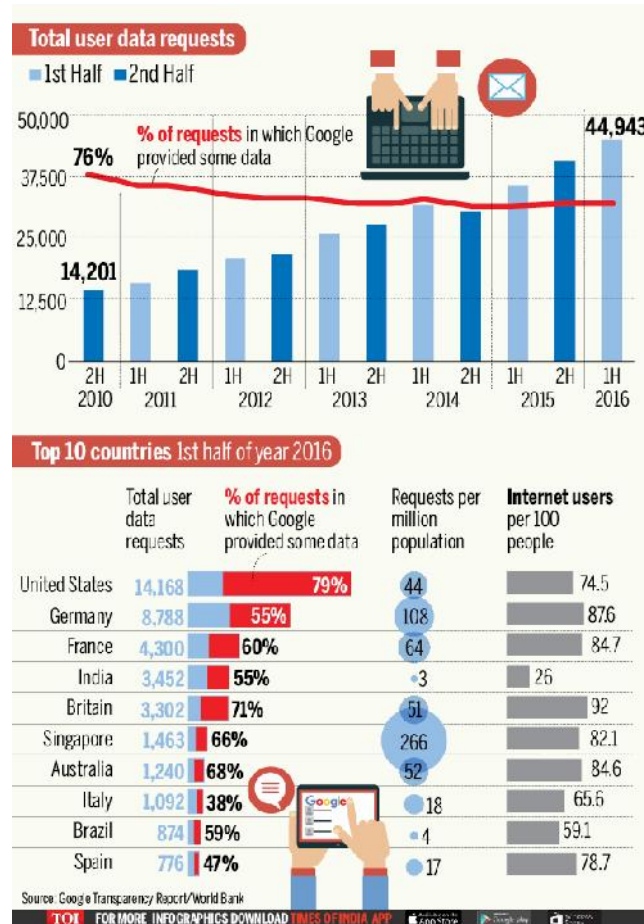
The organised sector actually only contributes a minuscule less than 1 percentage of employment in India. India has only about 30 million jobs in the organised sector and nearly 440 million in the unorganised sector. According to the World Bank data, percentage of employment in agriculture out of total employment in India has come down to 50 per cent in 2013 from 60 per cent in 1994.

It said that the labour intensity of small and medium enterprises is four times higher than that of large firms. It further said that the multinationals are particularly capitalistic a fact vindicated during investment commitments of USD 225 million made for the next five years during the Make in India Week in February 2016.

However, what went unnoticed is that these investments would translate into creation of only 6 million jobs, it said. "India needs to go back to the basics and protect sectors like farming, unorganized retail, micro and small enterprises which contribute to 99 per cent of current livelihoods in the country. These sectors need support from the Government not regulation. India needs smart villages and not smart cities in the 21st century," it added.

## INDIA AMONG TOP-5 COUNTRIES SEEKING USER INFO FROM GOOGLE

Google says requests for user data from governments around the world hit a record high in the first half of 2016. Here's how the numbers shape up.



## MIGRANTS

### MEDITERRANEAN MIGRANT DEATHS IN 2016 HIT RECORD 3,800: UN

GENEVA: At least 3,800 migrants and refugees have perished this year while trying to cross the Mediterranean to reach Europe, the highest ever toll ever on the perilous route, the UN said on Wednesday.

"We can confirm that at least 3,800 people have been reported dead or missing in the Mediterranean Sea so far this year, making the death toll in 2016 the highest ever recorded," UN refugee agency spokesman William Spindler told AFP in an email, as the figures passed last year's mark of 3,771.

The sombre milestone was reached despite a significant decline in migrant crossing this year compared to 2015.

Last year, more than a million people reached Europe via the Mediterranean, but crossings so far this year remain below 330,000.

Numbers began dropping dramatically following a March deal between Turkey and the European Union to stem the migrant tide on the Greek islands.

The most dangerous route has been between Libya and Italy, where the United Nations has recorded one death for every 47 arrivals this year.

### **FRANCE MOVING MORE THAN 6,000 MIGRANTS, DESTROYING HUGE CAMP**

CALAIS: Lines of migrants with their lives in small bags walked to a registration center in the French port city of Calais on Monday, the first day of the mass evacuation and destruction of the filthy camp they called home.

French authorities are beginning a complex operation, unprecedented in Europe, to shut down the makeshift camp, uprooting thousands who made treacherous journeys to escape wars, dictators or grinding poverty and dreamed of making a life in Britain. Under the eye of more than 1,200 police, the first of hundreds of buses were arriving to begin transferring migrants to reception centers around France where they can apply for asylum, and level the camp in a weeklong operation. Hotels and even castles are among the hundreds of centers officials have been converting to migrant housing ahead of the big move.

Unaccompanied minors, many with family members in Britain, were to be housed on-site in containers set up earlier this year as their files are studied in London to see if they qualify for a transfer across the English Channel. The humanitarian organization France Terre d'Asile, says 1,291 unaccompanied minors live in the camp. Authorities say the camp, known as the jungle, holds nearly 6,500 migrants who are seeking to get to Britain. Fourteen migrants have died this year in the Calais area.

Officials were expected to begin dismantling hundreds of tents and shelters as their occupants depart, gradually closing down the camp that sprung up behind an official shelter housing women and providing showers and daily meals.

## **MIGRANTS IN PERUMBAVOOR TO ATTEND MALAYALAM CLASSES**

KOCHI: The Kerala Literacy Mission has decided to launch equivalency course programme in Malayalam for migrant labourers in Perumbavoor in December. The programme will begin with a survey among the workers to understand their interest in studies and estimate their population.

The workshop for officials and ground-level preraks will be held in November, when the programme is finalized.

P S Sreekala, director of the Mission, said education minister C Raveendranath has given them the go ahead. "The programme will be launched either by the chief minister or the education minister in December in Perumbavoor. We will extend the project to other parts of the state only if the pilot programme in Perumbavoor is successful," she said.

Though migrant workers are present in all parts of Kerala, the mission officials selected Perumbavoor because the area is considered their hub. Before launching the programme, Mission officials will visit Perumbavoor to meet migrant workers. Besides, a cultural procession with placards written in different languages on the equivalency course programme will be taken out to popularize the programme.

"Earlier, surveys by students as part of their project work had showed that migrant workers want to learn regional language and mingle with the society. We believe the programme will be successful," Sreekala said. They were planning to train instructors, but to their surprise teachers with knowledge of Hindi and other languages expressed willingness to teach migrant labourers.

V V Mathew, Ernakulam district coordinator of the Mission and who taught migrant workers in Kottayam district jail, said many are eager to learn the language. "As many of them living in Kerala work in construction, we taught them words related to the sector. They were interested in learning Malayalam," he said.

There are around 25 lakh migrant workers in Kerala.

The lack of knowledge in local language has resulted in exploitation of migrant labourers, Mathew said. The Mission is planning to hold classes in Malayalam on evenings and Sundays. Continuing Education Centers (CEC) under the Literacy Mission, schools and libraries around Perumbavoor market would be utilised for conducting classes for migrant workers.

## **NINE MIGRANTS DROWNED,1000 RESCUED OFF LIBYA: RESCUERS**

ROME: At least nine migrants drowned and 10 others, including four children, were missing after a tense series of rescues on Saturday in the Mediterranean that saved over 1,000 people, rescuers said.

Survivors saved from a sinking rubber boat before dawn said six adults and four children were missing, while nine bodies were found later in the day on another vessel.

## **NEPAL LIFTS BAN ON ALLOWING MIGRANT WORKERS TO AFGHANISTAN**

KATHMANDU: Nepal will allow its nationals to go to war-torn Afghanistan for work, a labour ministry official said on Thursday, ending an almost four-month ban imposed after 13 Nepali security guards were killed by a Taliban suicide bomber in the Afghan capital.

Labour Ministry spokesperson Govinda Mani Bhurtel said employers would have to make adequate security arrangements for their stay, travel and work before Nepali nationals were given a work permit by the government to leave Nepal.

"We'll allow our people to go to Afghanistan to work only with foreign missions and international companies located inside the Green Zone which is considered safe," Bhurtel told the Thomson Reuters Foundation.

"Their security and safety must be ensured by the employers," he said, adding the organisations included UN agencies and embassies of the United States, Britain and Canada. Nepalis are still banned from working in other conflict hotspots such as Iraq, Libya and Syria, Bhurtel said.

The impoverished Himalayan nation, which relies heavily on remittances from its migrant workers, imposed the ban after 13 Nepalis and two Indians who were security guards at the Canadian Embassy in Kabul were killed while on a bus on June 23.

Nepal, one of the world's 10 poorest countries, is still reeling from two devastating earthquakes in 2015 that killed nearly 9,000 people.

Political instability since a decade-long civil conflict ended in 2006 has discouraged investment, stunted growth and curtailed job creation -- forcing hundreds of thousands of Nepalis to migrate overseas in search of work.

More than four million of the country's 28 million population are working mainly in the Middle East, South Korea and Malaysia as guards, drivers, construction workers or domestic

staff -- sending home remittances which make up nearly 30 percent of the country's annual gross domestic product.

But many also face abuses such as a lack of freedom of movement, long working hours, unsafe working conditions and withholding of their salaries, activists say, adding that many are trafficked through India and then onward to these countries.

Bhurtel said it was imperative that employers take full responsibility for their overseas workers and ensure all provisions are made to ensure their safety.

"If there is an accident or attack on workers the employing company must pay compensation and make arrangements for their evacuation to Nepal during emergencies," said Bhurtel.

### **USGAO VILLAGERS OUTRAGED BY MIGRANT THREATS, OBSERVE BANDH**

Ponda: The village bazaar of Usgao, Ponda, observed a total bandh on Tuesday following protests from local villagers against the threats they had received from migrants, residing in the area, on Saturday.

Villagers from Usgao have warned the migrants not to try their patience and said they should not try to dominate the locals just because Goans are hospitable.

The locals called the bandh to express solidarity. All establishments, except clinics and pharmacies, were closed.

On Saturday, a group of migrants first threatened the local residents with swords after a petty incident that escalated into clashes between the two parties. Later, the locals ransacked and burnt the residences of the migrants.

A public meeting and a rally was organized on Tuesday. Nearly thousand villagers participated in the meeting and rally. Besides Usgao, Dharbandora and Sacorda villagers also supported the move.

Speakers at the public meeting criticized the incident and warned the migrants not to get involved in hooliganism. Dharbandora sarpanch Balaji Gawas demanded that the group of the migrants be arrested by the police and expelled from the village.

Dnyaneshwar Naik, Usgao ZP, said the group in its complaint to Ponda police, has named several people from Usgao and Dharbandora villages who were involved in ransacking their residences and attacking their women.

## **TEAM TO VISIT GULF SOON TO MEET MIGRANT WORKERS**

VIJAYAWADA: Promising full support to migrant labourers in Gulf countries, minister for NRI affairs Palle Raghunatha Reddy said that a high-level government team will visit the Gulf to take a first-hand account of the plight of Telugu people there.

He said chief minister Chandrababu Naidu had requested the Centre to help out all Indians stuck in the Gulf nations. Speaking to reporters here on Monday, Reddy said the crisis in fuel companies in the Gulf had rendered thousands of migrant labourers jobless. "We are writing another letter to the Centre seeking immediate intervention to provide relief to the struggling migrant workers. We came to know that many of the workers were facing trouble either due to loss of job or illegal immigration. We will go deep into all issues," said Reddy.

As per official records, more than 30 lakh Indians are working in the Gulf countries, and a majority of the migrant labourers are from AP and Telangana. The minister said the chief minister had assured the officials that there is no dearth of funds to provide relief to the migrant workers.

The minister said officials have been directed to bring back the body of Gaffoor, from Visakhapatnam, who hanged himself in Dubai last week. He said they were considering legal action against the firm which duped Gaffoor by not paying him the salary.

## **HIV CAMPS FOR MIGRANTS PLANNED ACROSS STATE**

JAIPUR: Ahead of Diwali, the Rajasthan State Aids Control Society (RSACS) will organise HIV screenings for those who migrate to other states in districts that have high concentration of such people.

These voluntary health camps will be held from October 21 to 27. According to RSACS, the migrating population - local residents working elsewhere and returning home for holidays - is one of the sections vulnerable to HIV. In such camps, organised last year during Diwali, RSACS found that the prevalence of HIV was almost double in villages with high concentration of migrants.

The agency found that 0.59% of such population had HIV. All those who tested HIV positive during the screenings were advised to undergo second and third round of confirmatory tests.

As per official estimates, 20,037 persons were screened for HIV at 10-day camps organised in 100 villages of 11 districts last year. The villages were identified on the basis of large number of people migrating to other states for work and returning during the festive season.



District collector Pali Kumar Pal Gautam said that six places have been identified in Pali for voluntary health camps. These camps will also provide care for those suffering from other diseases.

He said that during Diwali people who had gone to other states for work returned to the district for the festival. The camps will also offer other healthcare facilities.

### **32 MIGRANT WORKERS FROM TELANGANA CAUGHT IN WAR TORN IRAQ**

**HYDERABAD:** From the dangerous war torn Libya, the two Professors belonging to Hyderabad recently returned safely but alarmingly the Consulate General of India in Iraq few days ago informed Prime Minister's Office, that there are atleast 32 migrant workers from Telangana state who are now stranded in Iraq and sword is hanging on them since Iraq government declared that they cannot return to India until they pay hefty penalty of \$ 800 for their illegal stay.

All the 32 migrant workers went to Iraq either on visiting or tourist visa for a month and first reached Kurdistan, later moved to other parts of the Iraq, where presently there is travel ban imposed by government of India due to the prevailing dangerous situation due to internal fighting, to work at the construction sites.

"In the past, some Indian workers did not extend/regularize their visas after the initial one month period was over. They used to work here for 2-3 years, and thereafter could exit Kurdistan by paying a penalty of US\$ 450. However, since March 2016, the Government of Kurdistan has enforced stricter residency rules. Now, this penalty has been revised upwards to US\$ 800 for each month of overstay. After this change, there are a number of workers who are left stranded because they cannot afford payment of such huge penalties," Consulate General of India in a reply to PMO, which inturn shared the details to Migrant Rights Council-India (MRC-India), an NGO in Mahaboobnagar.

The 32 workers contacted Indian consulate, which started functioning from the August, since it disbanded its services due to threat from terror outfits, to help them return to India. The number could be much higher as there are several persons from other states too.

"Majority of Indian migrant workers here are from Telangana region, who arrived on visit/tourist visas, usually of one-month validity," Counsulate General of India said.

Meanwhile, in the war raved countries like Afghanistan there are about 70 Indians working after obtaining emigration clearance, similarly in Sudan, Yemen there are about 29 members. In Middle East, Indonesia, Malaysia, Thailand as per Ministry of External Affairs (MEA)

reply to Right To Information (RTI) application there are 7.8 lakh migrants from India. It is learnt that atleast 3.5 lakh workers among the 7.8 could be from Telangana and Andhra Pradesh.

But members of Migrants Rights Council said that the number of persons from India actually residing in Middle East would be several times more than the official 7.8 lakh, since most of them go to those countries illegally.

"In countries like Iraq and other Middle East, maximum persons from Telangana go illegally and then face difficulty in returning back to India. Neither Telangana nor Andhra Pradesh did any survey to know the number of migrant workers residing abroad and hence there is no precise data. In Kerala, its government successfully did this exercise," P Narayana Swami, President MRC-India, told TOI.

From India, the maximum migration is from to Saudi Arabia (3 lakhs), followed by United Arab Emirates (2.25 lakhs).

#### **ABOUT 4,655 MIGRANTS SAVED, 28 BODIES FOUND IN RESCUES OFF ITALY**

ROME: About 4,655 migrants were saved on Tuesday and 28 bodies recovered in more than 30 rescue missions off the Libyan coast, Italy's coast guard said on Wednesday.

More than 10,000 refugees have been picked up in just two days, as people smugglers take advantage of calm weather to push boats to sea. Over the same period, at least 50 people have died trying to make the dangerous crossing.

The latest surge in new arrivals means at least 142,000 migrants have reached Italy since the start of the year and around 3,100 have died.

#### **ARMED MEN ATTACK MIGRANT BOAT OFF LIBYA, 4 DEAD, UP TO 25 MISSING: NGO**

ROME: Armed men have attacked an overcrowded dinghy carrying migrants off Libya, leaving at least four dead and up to 25 missing, the German NGO Sea-Watch said on Friday.

The group said the Italian coastguard had sent a Seawatch rescue ship and a diverted oil tanker to help a dinghy in distress in international waters, 14 nautical miles off Libya, early Friday.

As the operation was unfolding, assailants arrived aboard a vessel with Libyan coastguard insignia and tried to steal the dinghy's motor, a spokesperson for Sea-Watch said. The men,

who spoke only Arabic, beat some of the migrants with clubs, causing panic which caused most of them to fall into the sea, the spokesperson said.

Sea-Watch said it had rescued 120 out of the estimated 150 people onboard. Its team recovered four bodies but saw other corpses in the water that could not be retrieved. They estimate that between 15 and 25 are missing, the group said.

The Italian coastguard confirmed that the rescue vessel SeaWatch2 rescued 120 people before dawn on Friday, but gave no further details. According to the UN, at least 3,654 people have died trying to cross the Mediterranean this year.

Attempts at the dangerous crossing are continuing despite worsening weather as winter approaches, with more than 2,400 migrants rescued off Libya in total since Sunday.

The Italian interior ministry said on Tuesday that more than 145,000 migrants had landed in Italy so far this year, a figure similar to that of the previous two years.

## **CHILD LABOUR**

### **NGOS DEMAND BETTER METHODS TO IDENTIFY, ENROL OUT-OF-SCHOOL CHILDREN**

Non-government organisations (NGOs) working towards abolishing child labour wrote to the state government recently, demanding better mechanisms to identify out-of-school children and enrol them in schools.

They said that most children enrolled in schools after the previous surveys are not attending school. They said they were not even part of the competency tests conducted this year.

“The surveys were only token gestures. After enrolling children, the department has not checked their attendance in schools,” said Herambh Kulkarni, Pune-based educationist, who was part of the committee in charge of co-ordinating the survey but later resigned from it.

“NGOs working on the ground found these children started playing truant after attending school for a few days.”

The state school education department last year conducted two surveys to identify the number of children who never attended school or dropped out later. Around 74,000 such students were found through these surveys and officials said they were later enrolled in schools. Although Vinod Tawde, Education Minister, said that these surveys will continue throughout

the year, activists said that the government has stopped searching for more such children. No survey was conducted this year.

Kulkarni said that the number of students identified in the surveys is just a fifth of the total children estimated to be out of school. "None of these figures even come close to the surveys done by NGOs on the same subject,:" he said.

Tata Institute of Social Sciences (TISS), for instance, had found nearly 1.85 lakh children to be out of school. Among these, 38,000 children were identified to be from the city's streets. Besides, other surveys had found two to three lakh out-of-school children from 25 lakh families working in brick kilns.

Justifying the survey findings, officials from the education department said, "We are working on a system to keep a track of the students. A biometric system to allow online tracking is in the pipeline," said a senior official from the department.

## **THE PLIGHT OF CHILD LABOURERS IN SOUTH 24 PARGANAS' FIREWORKS FACTORIES**

KOLKATA: At least 5,000 children aged between ten and 14 years of age make fireworks for a living in factories in South 24 Parganas, sources said.

The conditions in these factories - in Chinar More in Champahati, Nungi, Chingripota and Barkantala - are deplorable. Many of them are not licensed, and don't take basic fire safety measures.

The children, most of whom are hired by brokers, barely earn enough to eat twice a day. They protect their faces from the chemical dust with half-torn clothes. If they die in an accident, their families - who depend on them for sustenance - aren't informed. No one claims their bodies. "Making firework(s) is a family business for most people in our area. Those who have big business, mostly hire labourers from outside,' says businessman Sumit Ghosh. And child labourers are cheap to hire.

"For preparing 100 chocolate crackers, I get paid Rs. 50. The money is less for other traditional fire crackers. But it takes less time to make them," says 12-year old Sirajul, who works in a factory in Champahati.

Some children even make banned crackers. And since the businessmen they work for are allegedly backed by political parties, the police normally have their hands tied. However, police are questioning two businessmen who were arrested on Monday for selling banned fireworks, in raids conducted by Baraipur's Sub-Divisional Police Officer Arka Banerjee.

## **SPSC VEEF - PROJECT REVIEW MEETING**

Project Progress Review Visit of SPSC VEEF was held for 3 days from 11th Oct. to 13th Oct., 2016. The team consists of Ms. Antje Kania - KKS, Germany, Mr. Mathew P Thomas, Project Coordinator Officer- KKS, India and Ms. Jeyalakshmi- Project Coordinator Officer- KKS, India visited SPSC VEEF at Velankanni and reviewed the progress of the project. The VEEF Team gave presentation on Progress along with Action Plan for the remaining period. Ms.Kania was so very happy about the progress and status of the project and gave fruitful suggestions and valuable guidance.



*Project Review Meet at SPSC - VEEF*



*SPSC Team with Ms.Antje Kania*

## **PEACE ITI**

### **SKILL DEVELOPMENT PROGRAMME IN THE TOPIC ON “ENHANCE IN MEMORY POWER AND ELOQUENCE IN COMMUNICATIVE ENGLISH**

A timely needed programme for students in the topic on “The Importance of enhancement techniques in memory power and eloquence in Communicative English” has been arranged by “SIGARAM FOUNDATION” and conducted by its director Mr. K.ARULPRABHU on 20.10.2016. All students and staff eagerly participated in the programme, in the presence of the Principal, Peace ITI.

The special invitee Mr. Arul Prabhu initially explained in general as everything around us is going through a process of change and transformation including communication of languages especially in English. He designed that special qualities are to be developed among the students by initiating the qualities of “have a clear understanding, be in belief yourself, develop positive thinking, avoid fearful feelings, inferiority complex and avoid negative attitude, then only the memory power and Communicative English will be

flourished further, he added that the situations for problems of Spoken English is that it is essential to know basic grammar, it is better to memorize fundamental words and have the habit of reading English newspapers, learn formation of sentences in English, always try to talk in English which will improve the fluency of English and maintaining a high-esteem is very crucial in school years. This plays a vital role in academic success and achievements by developing memory power and Communicative Skill.

This programme has really evoked a good response among the students and enlightened them to enhance and enrich their skill development in Memory power and communicative capacity in English.

## **Peace College of Education**

### **Blood Donation Camp:**

Blood donation awareness camp was organised involving B.Ed Trainees on 14<sup>th</sup> October 2016 in the Campus. Medical practitioners from Government Hospitals explained the need and procedures involved in becoming a Blood Donors. Many students came forward and enroll themselves as Donor.

### **Zero to Hero Motivation:**

A very enriching programme called 'Zero to Hero' was conducted at Peace College of Education on 20<sup>th</sup> October 2016. The trainees were motivated to aim high and come out of all their difficult situation and plan for the future.

The Sigaram Foundation Chennai collaborated with the College of the programme.

### **Ayutha Pooja**

In Tamil Nadu Saraswati puja is performed when special prayers are offered to goddess Saraswati is considered as the divine source of wisdom and enlightenment. Books and musical instruments are placed in the puja pedestal and worshipped. Also, tools are placed for the Ayudh puja. Even vehicles are washed and decorated, and puja performed for them on this occasion. As part of the Golu festival, Saraswati puja is performed as Ayudh puja. This is followed by the Vijayadashami celebrations at the culmination of the ten-day festivities. Apart from the [golu](#) pooja, Ayudah Puja has become very popular when business houses celebrate it ardently.

Peace College of Education has been celebrating Saraswati Puja as Ayutha Pooja every year and this year it was celebrated on 7<sup>th</sup> October in the Campus. Mrs.Prema, Vice Principal Coordinated the event along with faculty members and students.



### Peace Careers 2017

Peace Careers 2017 is now initiative to work with school and college students of Dindigul District. The trainer Mr.Ashok Kumar is visiting schools from October 2016 – March 2017 and speaks to a group of students IX standard to XII Standard on different Career options available at an affordable cost through different top entrance exams like JEE, NEET, AAIPMT, CLAT, AIEEA, NCHMCT, NIFT and others.

The varied career corners explained are Engineering, Medicine, Law, Agriculture, Commerce, Arts & Science, Hotel Management and other respective course.

The trainer also conducts Free Career Assessment Test and a Peace Career 2017. So far the Peace Careers 2017 has reached 10 Government High / Higher Secondary Schools in Dindigul District.

We plan to follow these trainees after March 2017 when they finish the qualifying exams of SSLC and HSC.

The programme is unique and welcomed by educational authorities, teachers, students and parents.



## Young Workers Project

### Village level Meeting

Young Workers Project of Peace Trust has organized village level awareness meeting in 10 project villages such as Veriyampatty, Adaikanur, Kosavapatty, Ottanagampatty, Lakshmanapatty Colony, Puliampatty, East Poothampatty and Athupatty. Overall 1523 general public, adolescent girls, youth and village leaders actively participated in the awareness meetings. Participants were made aware on problems mainly the occupational hazards faced by the mill workers and the consequences affecting the life of the mill workers.

Project staff members organized the awareness meeting and explained the community on the issues faced by the adolescent mill workers and the role of the young workers project for their rehabilitation. Project Manager Mr.Srinivasan explained them in detail the various components of the Young Workers Project such as community organizing and awareness training, educational support viz school support and skill training oppurtunities, livelihood development, life-skill training programme, health care support, legal support etc. to realize the rights of the Young Workers.

In all the awareness meeting a special talk on the Protection of Children from Sexual Offence Act (POCSO) 2012, participants were carefully observed the inputs of the session and interacted with the project team. Project team gave them detailed input on the POCSO Act 2012 such as.1) Penetrative sexual Assault, 2) Aggravated penetrative sexual Assault, 3) Sexual Assault, 4) Aggravated sexual Assault, 5) Sexual harassment, 6) Misusing for pornographic purpose 7) Taking Blue film and using for commercial purpose. These points were elaborated to the participants, adolescent mill workers who participated in the meetings were expressed their gratitude to the organizers for educating them on this important issue. In all the village meetings the young workers were encouraged to propose the vote of thanks. With support from Geneva Global / Freedom Fund the Yong Workers Project enters the second year making concrete visible changes in the life of Young Workers.





## Interim working Groups of Draft Bill on Trafficking of Persons

Some of us from TamilNadu including Dr.J.Paul Baskar met twice in June 2016 and October 2016 at Calcutta hosted by Change Mantra and discussed about various means in mobilizing support to the victims and offer effective legal remedy through the proposed New Bill.

The TamilNadu State Level Consultation aim to gather support from NGO's, Civil Society Organization, Opinion Makers to prevent, protect and rehabilitate the victims of Trafficking which includes both Trafficking for Labour and Sexual Exploitation. To be held ICSA, Pantheon Road, Opp.Egmore Museum, Chennai on 8<sup>th</sup> November 2016, Tuesday

# Policy Brief

## The Draft Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2016

### Introduction

The problem of human trafficking in India is growing from a chronic problem to an endemic one. All researches on the topic conducted by the Government of India, by NGOs and academic institutions, including the Global Slavery Index (a global measurement of slavery and bonded labour) and the GTIP (Global Trafficking in Persons) Report have commonly observed that children, women and men from marginalized and backward communities in India are trafficked for forced labour and sexual exploitation. It further says that investigation, prosecution and conviction are low in comparison to the scale of trafficking and the impact of laws and policies is remains unclear<sup>1</sup>. Although it is difficult to ascertain the number of trafficked victims, the estimates vary between 14 and 60 million victims of human trafficking (sex and labour trafficking).<sup>2</sup> Human trafficking therefore has grown to assume one of the largest political issues affecting Indian population today. Tamil Nadu is one of the most trafficking affected states given with high magnitude of domestic as well as international trafficking. It is both a destination and source states, wherein children and women from Tamil Nadu are trafficked to Maharashtra and Delhi for commercial sexual exploitation and the same from other states including Odisha, Jharkhand, Manipur and Assam as well as Bangladesh are trafficked for forced labour in mines, textile and spinning mills.

Trafficking in India has historically been associated with sex work and therefore with women and children. The Immoral Traffic (Prevention) Act, 1956 (ITPA) focussed on trafficking for commercial sexual exploitation and then the Indian Penal Code (IPC) was amended to expand the definition of trafficking to include bonded and child labour. However, the Justice Sikri Committee, which was mandated by the Supreme Court to study effectiveness of law and policy in India to address human trafficking observed deficiencies in the current laws and recommended legal reform. The MWCD then decided to form a comprehensive law to address all forms of human trafficking for any purpose, provisions for more robust investigation and prosecution to treat trafficking as an organised crime and that also provides for rescue and rehabilitation of its victims. This Draft Bill seeks to fill many of the gaps in the IPC and ITPA and address many of the specific concerns of Tamil Nadu (see Box 1).

#### Box 1: Strengths of the Draft Bill

How does the Bill address the gaps in IPC and ITPA?	How does the Bill benefit Tamil Nadu?
<ul style="list-style-type: none"><li>- Comprehensive. Includes preventive measures, investigative procedures, rescue and rehabilitation, decriminalization of victims, compensation. Not included in ITPA or IPC.</li><li>- Deterrent penalties - imprisonment for at least 10 years and above as well as a fine.</li><li>- IPC and ITPA do not penalise forced labour. This Bill</li></ul>	<ul style="list-style-type: none"><li>- Signals the seriousness of the crime. Benefits Tamil Nadu since the law and order situation would improve if it can tackle trafficking effectively.</li><li>- Likely to lower the crime rate for trafficking. Penalises child trafficking and trafficking for forced and bonded labour. Procedure for rescue and rehabilitation laid down clearly.</li><li>- Tamil Nadu is a destination for forced labour from</li></ul>

<sup>1</sup> US Trafficking in Persons Report 2016

<sup>2</sup> "India's Human Trafficking Laws and Policies and the UN Trafficking Protocol: Achieving Clarity," Policy Brief, Feb 2015, Jindal Global Law School, University of Chicago, Cornell Law School.

includes forced labour and penalizes both the employer and the contractor.

- Establishes a specialized agency (National Anti-Trafficking Bureau) at the centre to monitor, coordinate and investigate trafficking related crimes. Not included in ITPA or IPC.
- Recognises a trafficked person's right to defend himself before the state. Provides for independent legal counsel to shield him from forced institutionalisation, illegal detention, negligence in providing rehabilitation or protection services.
- Clearly lays out the relation of the Bill with other relevant laws such as the Child Labour Act, the Bonded Labour Act, the Child Marriage Prevention Act and the ITPA.
- Penalizes public servants and other officers for dereliction of duty. Not included in ITPA or IPC.
- Entitles victims of trafficking to compensation and interim relief measures. Not included in ITPA or IPC.

Odisha and illegal adoption rackets from the North-East. The Bill penalizes both types of trafficking.

- Trafficking is difficult for a state government to deal with it independently. NATB would facilitate inter-state and cross-border coordination and ensure that resources for training, capacity building and equipment are more readily available.
- Trafficked victims in the state would gain more trust in the criminal justice system if they have access to independent legal counsel and are able to represent themselves better.
- There would be better coordination among different agencies if roles and responsibilities are clearly defined.
- Provide necessary impetus for officials to perform their duties and help build a positive image of MPs in the state.
- The provision for decriminalisation and for repatriation of victims of cross-border trafficking would help in building good relations across the border.

## Background of the Bill

**2004:** Prajwala, an NGO based in Andhra Pradesh, filed a Public Interest Litigation (PIL) in the Supreme Court.<sup>i</sup> The PIL petitioned the government to create a 'victim protection protocol.' It also proposed the creation of a multi-disciplinary, national anti-trafficking Board on the lines of Narcotics Control Board, which would coordinate with all agencies, engaged in prevention, rescue, rehabilitation and re-integration of victims.

**July 2015:** In response to the PIL, on July 22, the Supreme Court, asked the National Legal Service Authority (NALSA), which provides free legal service, to recommend measures to curb child trafficking and prostitution and ensure the rehabilitation of victims.<sup>ii</sup>

**August 2015:** NALSA submitted its report to the court.<sup>iii</sup> Recommended setting up a nodal agency at the national and state levels and a district-level task force to tackle trafficking, rescue and rehabilitation of sex workers.

**September 2015:** NALSA's recommendations were discussed at the meeting of the Central Advisory Committee on Combating Trafficking (a body formed in 1994 under the Ministry of Women and Child Development with representatives of relevant agencies) on September 3.<sup>iv</sup> **At the CAC, Tamil Nadu submitted that it had watchdog committees at the state, district and village level. It claimed that AHTUs were in place and Standard Operating Procedures (SOPs) were drafted. Provision for victim relief fund was also in place. It further stated that the state government was running protective homes for children, implementing back to school programmes and was planning to track the data of all children going to anganwadis, schools and staying in case institutions. The Tamil Nadu government stated that it did not agree with some of the observations of the NALSA report.**

**December 2015:** On December 15, the Supreme Court set a deadline of December 1, 2016 for the central government to set up the Organised Crimes Investigating Agency (OCIA) for probing human trafficking cases. A bench comprising justices Anil R. Dave, Madan B. Lokur and Kurian Joseph also asked the centre to complete within six months the consultation process for bringing in a comprehensive law for the prevention of trafficking, and rescue and rehabilitation of victims of trafficking.<sup>3</sup>

**May 2016:** The Ministry of Women and Child Development formed an inter-ministerial council which released a draft Bill at the end of May.

**October 2016:** After multiple rounds of consultations and drafts, the Ministry has finalised the Draft Trafficking in Persons (Prevention, Protection and Rehabilitation) Bill, 2016. The Bill, after Cabinet approval, is likely to be introduced in the Parliament in the winter session of 2016.

## Highlights of the Draft Bill

The Draft Bill seeks to prevent trafficking in person, to provide care, protection and rehabilitation to the victims of trafficking, to prosecute offenders and to create a legal, economic, and social environment against trafficking of persons.

**Table 1 summarises the key provisions of the Bill.**

Clauses	Bill Provisions <sup>3</sup>
<b>Protection of trafficked victims</b>	
27(1),(2)	Provides that a victim of trafficking shall not be held criminally or administratively liable and shall not be penalised in any manner. A victim of trans-border trafficking shall not be arrested or charged for offences under the Foreigner's Act, 1946; the Immigration Act, 1990; and the Passport Act, 1967.
45	Enjoins the State to protect the victims, their dependents and witnesses against any kind of intimidation, coercion, violence or threats of violence. The victims should be treated with fairness, respect and dignity and the Special Courts have to ensure their protection, provide for maintenance expenses during investigation and trial and provide for rehabilitation.
46, 47	Provides for interim relief for victims of trafficking after they have been rescued. The District Legal Services Authority shall be responsible for providing appropriate compensation to the victim of trafficking at filing of FIR, filing of chargesheet and disposal of the case.
<b>Offences and Penalties</b>	
4,5,6,7,8, 9, 10, 11, 12, 13, 14	Penalises trafficking for forced, bonded and child labour, begging, marriage, surrogacy, child soldier and by administering of drugs, psychotropic substances, hormones, or alcohol. Also, penalises trafficking of a disabled or mentally ill person, pregnant woman or someone who became pregnant as a result of trafficking; if it causes life threatening illness.
15, 16, 17, 18	Penalises a person for facilitating trafficking, allowing premises to be used for exploitation of trafficked victims. Higher penalty for a person who has convicted for trafficking more than once.
54	Penalises a person for dereliction of duty with a fine of Rs 50,000 on the first conviction. Thereafter, the penalty is imprisonment for 1 year and Rs 1 lakh fine. In case of a public servant, the penal provisions under Section 166A of the Indian Penal Code shall apply.
<b>Key Authorities</b>	
19, 20, 21, 22, 28	Centre: National Anti-Trafficking Bureau (NATB); National Anti-Trafficking Relief and Rehabilitation Committee (NATRRC)

<sup>3</sup> Source: Draft Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2016

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	State: State Police Nodal Officers (Inspector General of Police or above); State Anti-Trafficking Committee
	District: District Police Nodal Officers; District Anti-Trafficking Committee; Anti Human Trafficking Unit (AHTU); Anti-Trafficking Police Officers

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**Prevention, Rescue, Investigation, Prosecution**

19(5)	The NATB shall coordinate and monitor surveillance and preventive efforts, coordinate among law enforcement agencies and across borders, strengthen intelligence apparatus and build capacity through training of relevant agencies. The NATB shall also develop and monitor a database on crimes related to trafficking, in co-ordination with the CCTNS, facilitate modern secure storage of evidence and protection of prosecution witnesses, victims and affected families.
33(1),(2)	The District and State Anti-Trafficking Committees shall design and implement plans to prevent trafficking in persons. The State Anti-Trafficking Committee shall also facilitate implementation of livelihood programmes for vulnerable communities, schemes of different ministries and make recommendations to the National Anti-Trafficking Bureau.
19, 20, 21, 22, 25, 26, 28, 29, 30, 31	The State Police Nodal Officer and District Police Nodal Officers shall monitor the state wide functioning of District Anti-trafficking Officers and the AHTUs whose function would be to prevent, rescue, investigate and protect the victims.
23, 24	Procedure for rescuing victims of trafficking: A magistrate may direct an Anti-Trafficking Police Officer or a police officer above the rank of a sub-inspector to enter a premise if trafficking is suspected, to rescue any trafficked victim and take action against the offenders.
40, 41, 42, 43, 44	All offences under this law shall be tried in Special Courts to be established by state governments. The Bill lays down the procedure of the trial in Special Courts and the appeal procedures.

**Rehabilitation measures**

28, 29, 30, 31	The NATRRC (chaired by Secretary, Ministry of Women and Child Development) shall provide relief and rehabilitation services to the victims of trafficking. There would be committees at the state and district levels to oversee the implementation of this Act, functioning of rehabilitation homes, and keeping a close check on vulnerable population.
34, 35, 36, 51	The appropriate government shall be responsible for setting up adequate number of protection homes and shelter homes which shall be registered under this Act.
32	The appropriate government shall create a Rehabilitation Fund, maintained and monitored by the NATRRC, for the welfare and rehabilitation of the victims of trafficking.

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### Importance of the Bill for Tamil Nadu

Tamil Nadu is a destination as well as source area for human trafficking. Trafficked victims from Bangladesh, Odisha, Manipur and Assam are brought to the state while young women and children from Tamil Nadu are trafficked to the red light areas of Mumbai and Delhi.<sup>vi</sup> Children from remote districts of the North East states are targeted by traffickers masquerading as evangelists and missionaries, promising a good education. While 1,096 children's homes, housing 3.5 lakh children are registered in the state, almost an equal number operate without registration, evading government scrutiny.<sup>vii</sup> There are reports of exploitation of women and girls working in textile mills where they are held in confinement.

Tamil Nadu has few reported cases of child trafficking but high number of cases of human trafficking (second only to West Bengal), according to the National Crime Records Bureau (NCRB). The Tamil Nadu government took a number of initiatives to tackle trafficking. It drafted an action plan to combat human trafficking and initiated a victim compensation scheme. It also

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formed a state - level coordination committee and a district level advisory committee to ensure convergence at different levels. About 1,250 Village Level Watch Dog Committees were constituted. It also decided to monitor all homes registered under the Juvenile Justice Act in 2012 and provide periodic orientation programmes to the staff of the protective homes and shelters. It has also conducted sensitisation programmes for the police. **Table 2: Measures to combat human trafficking: Source: UNODC Report 2013**

No. of Anti Human Trafficking Units (AHTU) (districts)	12
No. of District Child Protection Units	32
No. of Child Protection Homes	42
No. of Special Juvenile Police Units	9
No. of Child Welfare Committees	20
No. of Homes under Ujjawala Scheme	4
No. of Shelter Homes under Swadhar Scheme	14

However, trafficking is rampant and the law enforcement machinery is not geared to tackle the problem holistically. According to NGOs working in the area, labour trafficking remains largely under-reported. Although registered homes are monitored, the proliferation of unregistered homes has led to trafficking of children. Also, the availability and quality of shelter homes is inadequate. Lastly, there is hardly any mechanism for inter-state sharing of information.

How will this Draft Bill address these concerns as well as those expressed by MPs through parliamentary questions?

- First, trafficking is an organised crime with cross-border and inter-state ramifications. It is impossible for individual state governments to tackle the problem without any mechanism for making other states cooperate in the investigation. Therefore, there are few prosecutions, let alone convictions. Therefore, a central agency that would do surveillance of the traffickers in a systematic manner and ensure coordination among states during an investigation would go a long way in addressing the problem.
- Second, labour trafficking; which is rampant in Tamil Nadu is largely unreported. Since this Draft Bill penalises all kinds of forced labour and holds public officials responsible for dereliction of duty, it is likely that cases of labour trafficking will be investigated more seriously.
- Third, child trafficking is a major problem in Tamil Nadu, which needs concerted effort from all stakeholders to tackle the problem. This Draft Bill provides for deterrent penalty for child traffickers and lays down clear guidelines for the safety and protection of the victim and procedure for his rehabilitation. It also makes it mandatory for all homes providing institutional care and rehabilitation of victims to be registered with the appropriate authority.
- Fourth, rescue and rehabilitation of victims is undertaken in a piecemeal and haphazard manner, mostly with the help of local NGOs. The Draft Bill would make rehabilitation of victims a national responsibility with uniform procedures for rescue operations.
- Fifth, trafficking can only be curbed effectively if preventive measures are in place. The Draft Bill enumerates detailed preventive measure to curb trafficking. These include implementation of livelihood and education programmes as well as implementation of ministerial schemes and programmes.

<sup>1</sup> Prajwala vs union of India (<http://hrln.org/hrln/anti-trafficking/pils-a-cases/238-prajwala-v-union-of-india-.html>).

<sup>2</sup> "SC asks NALSA to file report on child trafficking," Business Standard, July 22, 2015 ([http://www.business-standard.com/article/pti-stories/sc-asks-nalsa-to-file-report-on-child-trafficking-115072201509\\_1.html](http://www.business-standard.com/article/pti-stories/sc-asks-nalsa-to-file-report-on-child-trafficking-115072201509_1.html)).

<sup>3</sup> "NALSA submits recommendation to Supreme Court for combating human trafficking," Shakti Vahini Press Release ([http://shaktivahini.org/press/national-legal-services-authority-submits-recommendations-to-supreme-court-for-combatting-human-trafficking-in-india/#\\_ftn1](http://shaktivahini.org/press/national-legal-services-authority-submits-recommendations-to-supreme-court-for-combatting-human-trafficking-in-india/#_ftn1)).

<sup>4</sup> <http://icds-wcd.nic.in/SchemeUjjawala/CAC%20minutes%20dt%203.9.2015.pdf>

<sup>5</sup> "Supreme Court deadline to govt over agency to probe trafficking cases," Live Mint, Dec 10, 2015 (<http://www.livemint.com/Politics/I7toZXHhZLJZd84ltESEYM/Supreme-Court-deadline-to-govt-over-agency-to-probe-traffick.html>).

<sup>6</sup> UNODC Report, 2013 ([http://www.unodc.org/documents/southasia/reports/Human\\_Trafficking-10-05-13.pdf](http://www.unodc.org/documents/southasia/reports/Human_Trafficking-10-05-13.pdf)).

<sup>7</sup> Ibid.