Anti-Trafficking Bill, 2018

What is the issue?

- Lok Sabha recently passed the “Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill”, 2018.
- Notably, the bill was passed overlooking the demands of some MPs to get the bill reviewed by the “Parliamentary Standing Committee”.

What does the bill propose?

- The Bill lays down a stringent punishment of “from 10 years up to life imprisonment” for aggravated forms of trafficking.
- Trading of persons for ‘bonded labour’ or ‘bearing a child’, or administering harmful substances to the trafficked could attract severe punishment.
- The Bill proposes establishing a National Anti-Trafficking Bureau (NATB) for coordinating, monitoring and surveillance of trafficking cases.
- It also provides for a Relief and Rehabilitation Committee (RRC) and Rehabilitation Fund (RF) with an initial allocation of Rs. 10 crore.
- Further, it prescribes forfeiture of property used or likely to be used for the commission of an offence.

What are differing views?
Government - Trafficking is a borderless crime but investigative exercises are constrained by jurisdiction, thereby making it hard for law enforcement.

Hence, according to the government, the proposed National Anti-Trafficking Bureau (NATB) will help in effectively addressing this.

Opposition - Opposition members raised questions about the provisions for confiscation of properties, which they felt was likely to be misused.

The need for community-based rehabilitation for trafficking survivors as had been laid down by a Supreme Court (for sex workers) was also highlighted.

It was also felt that the proposed bill is conflating trafficking with sex work and might result in the harassment of sex workers who willingly engage in the job.

As the there were provisions of the bill that might be misused to harass transgender persons, specific protection for them was sought.

How does the future look?

Many opposition MPs have demanded that the bill should be sent to the Parliamentary Standing Committee for review.

But the Minister for Women & Child Development Ms. Menaka Gandhi, who piloted the government bill, has vouched against such a move.

She argued that if there were any lacunae in the bill, it would be addressed when the sub-rules that will be framed under the act.

Further, she stated that the bill was not intended to harass sex workers (who were victims) and was focused on curtailing the traffickers.
She further asserted that the provision for confiscation of property would mean hellholes like “Kamathipura and G.B.Road” (brothels) would vanish.

Notably, in a separate cabinet decision earlier, “National Investigation Agency” (NIA) has been envisioned as the nodal agency to probe trafficking cases.

Source: The Hindu