Anti-Trafficking Bill, 2018

What is the issue?

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

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

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- **Government -** Trafficking is a borderless crime but investigative exercises are constrained by jurisdiction, thereby making it hard for law enforcement.
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- Hence, according to the government, the proposed National Anti-Trafficking Bureau (NATB) will help in effectively addressing this.
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- **Opposition -** Opposition members raised questions about the provisions for confiscation of properties, which they felt was likely to be misused.
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- The need for community-based rehabilitation for trafficking survivors as had been laid down by a Supreme Court (for sex workers) was also highlighted.
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- 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.
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- As the there were provisions of the bill that might be misused to harass transgender persons, specific protection for them was sought.
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How does the future look?

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- Many opposition MPs have demanded that the bill should be sent to the Parliamentary Standing Committee for review.
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- But the Minister for Women & Child Development Ms. Menaka Gandhi, who piloted the government bill, has vouched against such a move.
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- 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.
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- Further, she stated that the bill was not intended to harass sex workers (who were victims) and was focused on curtailing the traffickers.
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- She further asserted that the provision for confiscation of property would mean hellholes like “Kamathipura and G.B.Road” (brothels) would vanish.
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- Notably, in a separate cabinet decision earlier, “National Investigation Agency” (NIA) has been envisioned as the nodal agency to probe trafficking cases.
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Source: The Hindu

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