

CHAPTER -3

ROLE OF POLICE ADMINISTRATION (POLICE/ GRPF/RPF) TO CONTROL WOMEN TRAFFICKING IN DARJEELING HILLS IN DARJEELING HILLS

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3.1 Introduction

Law enforcement in India is performed by numerous law enforcement agencies. Like many federal nations, the nature of the Constitution of India mandates law and order as a subject of the state. Therefore, the bulk of the policing lies with the respective states and territories of India. Police administration includes police officers whose role is to manage and supervise police agencies; they have a large amount of control and responsibility for society. People usually look up to the law enforcement department for their security. The department of home of the state government controls the authority of the state police force. Police Department is responsible for maintaining law and order in townships and the rural areas of the state. They work with other agencies in enforcing laws to apprehend criminals suspected of committing crimes and other illegal activities in the society.

Police administrators have numerous roles to play; they are responsible for developing relationships with people in the community in order to curb crime and deviances. They are responsible for maintaining public order and safety, enforcing the law and preventing, detecting and investigating criminal and illegal activities. Human trafficking is one of the illegal activities which is taking place in society. The present research study deals with women trafficking in Darjeeling hills, so through the information gathered from the police personnel, we can understand the roles they play and measures that have been implemented to prevent the trafficking of women in Darjeeling Hills.

Trafficking of women in Darjeeling Hills is the main focus area for the existing study, so the researcher has collected information from the Police Departments/stations located in the Darjeeling and Kalimpong districts namely from the Darjeeling Police Station, Kalimpong Police Station, Kurseong Police Station, Mirik Police Station and Siliguri Police Stations. The Sub-Inspectors, the Circle Inspectors and the Officers-in-Charge were approached for relevant

information and were interviewed. They acted as the primary source of data collection since the data were gathered as first-hand information with face-to-face interviews. The researcher had approached and interviewed the police officials with a set of 16 open-ended questions.

The first question asked by the researcher was to identify the major causes leading to human trafficking. To this enquiry majority of the police officials answered that unemployment, poverty, broken families, illiteracy and ignorance are the major causes. Sri Dawa Sherpa who is the Sub-Inspector (SI) from Kalimpong stated that children from single parent/s are mostly targeted by the traffickers as they are more vulnerable and can be easily convinced, lured and then trafficked. Sri Sujit Lama, the Officer-in-Charge (OC) from Mirik, spoke about the school dropouts who can be easy targets for traffickers by promising them to give jobs. Other causes as pointed out were too many members in the household also acting as breeding grounds for trafficking as hardly attention is given to the children in such big families. The peer pressure encourages children to move out to other new places for fun. The simplicity and innocence of the rural people is another cause of trafficking. Three minor girls of Anand Tea Estate of Darjeeling belonging to broken families had run away from their homes situated in rural areas to the town area out of curiosity. Luckily they were recovered within Darjeeling town stated by Sri Rohita Lama, sub-inspector of Darjeeling police station. Lack of awareness, fake marriages, habituated beliefs, alcoholism, social networking sites, misuse of mobile phones; the desire to live a luxurious lifestyle, often lead to undesirable traits like cheating and unsafe migration from slum areas. The closing down of tea gardens has been a major cause of human trafficking in these parts.

The second question put forward by the researcher to the police officials was on the type of cases getting registered and handled. To this, the majority of the officers replied that they are the law enforcers, abiding with the legal processes and steps. They have to work hand in hand with the NGOs in order to rescue victims of trafficking. According to law when anyone below 18 years of age, a male or a female goes missing, it is registered as a kidnapping case under 366A that states as procurement of a minor girl, whoever by any means whatsoever induces any minor girl under the age of 18 years to go from any place or to do any act with the intent that such girl might be, or knowingly that is likely that she will be forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years, and shall also be

liable to fine along with ITPA (Immoral Trafficking Prevention Act). Before, this was not taken seriously. In case a missing complaint was filed it had to be kept under observance for 48 hours and then the Police would act, but nowadays, immediate action is taken once the missing report is filed. Be it major or minor, both cases are taken without any delay, it is then sent to all the police stations along with descriptions and proper information so in case of recovery the main police station is informed. Sometimes, missing case for major is kept waiting for at least 24 hours because it has happened that the cases were of elopement. In case if a girl has been taken under the pretext of false marriage, an offence under Section 366 under the Indian Penal Code will be implemented. When a missing case is filed first it starts with 370 under the IPC, followed by 363 and 366 under the IPC. When minors go missing the CWC (**Child Welfare Committee**) has to be alerted within 24 hours and the Child Welfare Officer has to be updated about the case. Likewise, Anti Trafficking Cell has been set up in each district as well.

The third question asked to the police officials was to specify the areas with acute social problems. To this the majority replied that human trafficking especially women trafficking has been an acute social problem in North Bengal and as Siliguri is the junction or a gateway for the Northeastern states; the Darjeeling Hills are very much affected by this serious problem. The rural areas are the targeted areas. Sub-Inspector Rohita Lama of Darjeeling Police Station stated that people of Badamtam Tea Garden area of Darjeeling who are from BPL backgrounds have been easy targets as it is easy to lure the simple and innocent people from the villages where most of them are poor.

The fourth question asked was on the actions that have been taken by the Police against the traffickers. To this, the officials replied that strict legal action is taken as according to the law it ensures the punishment to the culprit. In case of missing, it starts with 370 under the IPC followed by 363 and 366. Section 370 is applied on a trafficker.

The fifth question asked was on the appropriate number of victims trafficked every year. To this, the answers were that the exact number in this case cannot be determined. As reported by SI Sujit Lama, the yearly missing cases are near about 15 out of which three to four cases are generally related with minors. Missing cases do not get reported so they cannot tell that they were trafficked and the information has to be kept confidential also. SI Dawa Sherpa of

Kalimpong PS informed that a few recovered cases were of elopement which was handed over to the Bal Suraksha NGO of Kalimpong.

The sixth question was on how a trafficker gains access to the victims. The answers provided by them were that traffickers first understand the family background and try to developing trust with the family. Knowing that their financial condition is not stable, the traffickers act as well-wishers by providing monetary assistance, even buying mobiles for the young girls, putting recharge vouchers for them and then convincing them as well as their parents to build a strong faith in those individuals and then those girls are trafficked. In some cases traffickers are very much known to the family - they can either be a relative, a family friend, a neighbour or sometimes people who lure by offering good jobs in the cities. The accessing of social networking sites helps them in learning about the victims. SI Rohita Lama stated that lady traffickers can easily build trust within the family; the mentality is such that a woman easily relies on another woman, more than a man and even allows the children to accompany her. In the hills, there are hardly any queries made once the children have left their homes neither any type of contact is established by the parents, unlike other communities where they have a lot of questioning and when things are not clear, parents too accompany their children.

The seventh question put forward to them was on whether the police influenced by the political leaders/parties. To this question majority of them answered that there was no political pressure though few of them did mention that there was pressure from the political parties so they have to act according to the demands made by the political parties while some stated that in spite of the outward pressure they do what has to be done.

The eighth question was on whether it has happened in any case that the officer in charge has been transferred. To this all the officials answered that that such case has not happened.

The ninth question put forward was on how willing the police are to take up cases coming from the NGOs. To this, all replied they act accordingly to the cases put up by the NGOs and they are willing to help and cooperate with them.

The tenth question put forward was on whether there is any pressure coming from the higher authorities to give up on a case, to this, all officials answered that there was no such pressure so far.

The eleventh question presented was on how they get information about the whereabouts of the trafficked victims. To this majority of them answered that NGOs provide them with the required information, sometimes they get information from parents, Samaj (committees) or police sources.

The twelfth question on the type of difficulty they face while rescuing victims and to this question some stated that occasionally reported cases are false alarms which consume their time. In another case, if a victim is located, police have to bear all the expenses. Some issues like non-cooperation from the public at times, some police at the grass-root tend to take bribes which bring disgrace to the profession and building trust with the exploited and abused becomes challenging. The victims change their statements once brought to the police station which makes the situation for them difficult.

The thirteenth question raised was on whether there is any specific amount of fund allotted for combating human trafficking. To this all answered that they do not get separate funds for this mission.

The fourteenth question was on whether they organized outreach programmes and if so then how often. To this everyone answered that they organize outreach programmes, sometimes in association with NGOs. Dawa Sherpa, SI of Kalimpong PS stated that they organize once in three or four months or sometimes twice or thrice in a year. Rohita Lama, SI of Darjeeling PS also stated that it is held twice or thrice a year usually in the rural areas, tea gardens etc.

The fifteenth question was on the type of link they develop with city police as well as NGOs. To this everyone stated that they have developed a good relationship and there was an exchange of help among them whenever needed.

The sixteenth question asked was on the region which has the highest rate of victims trafficked. To this, some of them answered Darjeeling and Kalimpong districts (North Bengal), others stated West Bengal, North-East region and Nepal. Police officials are alerted on a missing case either

from their parents, police sources, mobile networks, NGOs and other complainants. Presently, West Bengal Police Departments have started taking initiatives in the Darjeeling Hills to curb human trafficking/women trafficking but not much has been done so far.

3.1.1 Information Collected from Dawa Sherpa, Sub-Inspector, Kalimpong Police Station

Dawa Sherpa, Sub Inspector at Kalimpong Police Station stated that there are a lot of factors leading to human trafficking/women trafficking. Traffickers mainly target children of single parents as they do not have a stable economic background and can be easily convinced and lured. The use of mobile phones, nowadays also attract young children to fall prey and traffickers try providing monetary assistance, even buying mobile phones or putting recharge vouchers for young girls and convincing them as well as their parents to send them away for better job opportunities. Parents too build a strong faith in these individuals and then they easily trust their children with the traffickers.

He stated that police take the missing report filed very seriously be it of a major or a minor, which did not happen before, a proper investigation is carried out, and the missing details are forwarded to the other police stations as well. The NGOs have been informing the Police in this respect. Hill Social Welfare Society and Bal Suraksha Abhiyan are the NGOs from Kalimpong which inform missing cases of both majors and minors.

Most targeted areas are the rural areas where people are simple, and it becomes easy to convince the village people. The appropriate number of trafficked victims is difficult to determine as in many minor cases it was due to love affairs. Some parents also take back their cases as it involves court hearings once the statement is recorded, so cases get dissolved and cannot be termed under trafficking. In the villages, people can be easily lured as they quickly build trust in anyone. Traffickers take advantage of fitting in their families as one of their members and winning over their trust, some also provide the monetary assistance which allows them to blindly give their daughters to the traffickers.

Some difficulties which police face during their operations are: political influences do exist but when it comes to cases like rape, trafficking then it will not be given heed. The Police will act according to what has to be done without outward pressure. During the time of rescue, the NGOs of the other places also have to help the police or else it becomes very difficult to operate. There

is no fund given to the Police Force in the case of Human Trafficking but the NGOs working and rescuing gets the fund as to their expenses. Outreach programmes are held along with the NGOs, it is held once in three or four months. The recent one was in Munsong. The relationship between the police and the NGOs is very good as they cooperate and provide help where necessary.

In 2014, 14-18 girls were missing, major girls who were missing were recovered as cases of elopement and a few minor cases were there which were handed over to Bal Suraksha, thereafter regular counseling helped them reintegrate with their families.

3.1.2 Information given by Shiksha Singh Sarki, SI of Pradhannagar PS, Siliguri

Shiksha Singh Sarki finds out the causes leading to trafficking of women and girls are the closing down of tea gardens, unsafe migration, social networking sites, single parents, family pressure, peer pressure etc. As stated by her, when missing cases are reported in the police station, if it is a case of a missing minor, the case is immediately registered but when it is a major, the police waits for at least 24 hours because majors are those whose ages are 18 years and above. Many a time the missing cases of majors reported were of elopement. So the Police does not act promptly for majors. There were missing cases which did not get registered as parents from the tea gardens, out of their own willingness had sent their children to bigger towns and cities for work so as a result they could not even file a complaint against the person who had lured them out from their villages. She also specified that since Siliguri is the interception point, cases from Darjeeling, Kalimpong, Kurseong, Mirik, Doars, Jalpaiguri are reported. She cited a case from Wasabari Tea Garden, located in Mal Tehsil of Jalpaiguri district in West Bengal, the girls were brought from the tea garden and were on the verge of being trafficked, but the trafficker was arrested at Siliguri Junction. According to her, traffickers use agents most of the time, agents like uncles, aunties from the same village who can easily be trusted by the victims so traffickers do not reveal their actual self. Nowadays with the use of mobiles, social networking sites like-Facebook, it is the known associates or agents who acts according to the will of the traffickers. When NGOs bring in cases, the police are very helpful and cooperative.

At times, there are political pressures so the police have to act in accordance to the demands made by the political parties. As for them, they have not busted any bigger rackets so that pressure has not come. Social media too puts pressure on the administration.

Outreach programmes are a must especially in the rural areas, tea gardens etc. Police have been organizing awareness programmes once in a while. They organized an awareness programme in collaboration with MARG NGO at Salbari, Siliguri. In Nepali Paramata School, Salbari another programme was organized by the Police team on Cyber Crime and on technology trend awareness. CINI a shelter home too organize seminars in the tea garden areas to create awareness on trafficking.

There are a lot of difficulties faced by the Police- firstly there is no cooperation from the public while collecting information from them. The public demands quick action which becomes difficult for the police as they lack many facilities so to act promptly like when police are called in to check on a murder case, trafficking case and an accident case at the same time, the police have to decide as to which case is more serious because vehicles provided to them are only two. When they get to the trafficking case after the crime and accident case, public starts scolding as to why they have reached so late. Though Government gives requisition, but it takes a very long time to reach. The Police do not have proper equipment which could be helpful for investigation. These are the difficulties faced by the police. The government does not give any extra fund to trafficking.

Shiksha Singh Sarki has dealt with three cases related to trafficking, apart from the missing ones from 2015-2017. The girls were from schedule tribe category one minor was of 13years, and two majors were of 18 and 20 years old from Wasabari tea estate, Jalpaiguri district, both of them had been lured to go out for work. According to her, age groups from 13-30 years are trafficked more. NGOs like Kanchanjunga Udhar Kendra, Tiny Hands and CINI provides a lot of information to the police. She says that the acceptance of the victims in society is very difficult. Even though the police counsels them sometimes the police personnel are scolded back by the victims as they do not want to be rescued, since they have already been adjusted to the environment there. North Bengal has a very high rate of trafficking as stated by her.

3.1.3 Information given by Rohita Lama, SI of Darjeeling PS

Rohita Lama mentioned that the causes of women trafficking are mostly due to broken families, big families, unemployment, illiteracy, poverty, simplicity, ignorance of the rural people and peer pressure. Rural areas are more prone to trafficking as most of the people live below poverty

level, so they become easy targets for the traffickers. Their day-to-day activities are observed and recorded by the traffickers. In Darjeeling, Badamtam tea garden, people from BPL backgrounds too have been targeted. Missing cases from both rich and poor classes have been reported. Though, missing cases reported from the rich classes were mostly of elopement. She narrated a case from Anand tea estate in Darjeeling where three minor girls from broken families had run away from their homes out of curiosity but luckily, they were recovered from Darjeeling before being trafficked.

According to her, as soon as a missing complaint is filed for a minor it is tagged along with kidnapping case. Though, most of the cases registered have been of rape and molestation but not of trafficking. Missing cases cannot be determined under trafficking. Traffickers study and understand the family background first and then try developing trust with the family members. Sometimes the traffickers could be the relatives, friends, neighbours etc. In the villages, a woman easily trusts a woman and even allows their children to accompany them. Lady traffickers are easily trusted by the innocent victims as they are very good at convincing the parents. So, once they build the trust, parents do not even question as to where they would be heading to or who all would be going or when they would be returning. Parents hardly question the traffickers, whereas in other communities there is a lot of questioning and in case things are unclear, parents too accompany them. Women as much as they are victims are also facilitators of this human trade. Women exploit other women and young girls in servitude. In many places, women who are aged prostitutes lure and recruit the younger generation of trafficked victims. Women often train the trafficked victims to run the brothels along with them, when they start relying on them. According to her, there has been no political pressure in the work and police take a lot of initiative to provide help to the NGOs as well as the general public. Information is shared from police sources, parents, NGOs and complainants. They hold outreach programmes twice or thrice in a year in the rural areas, a recent one was held in Chowrasta and also in Hayden Hall (Darjeeling).

Police face a lot of difficulties, sometimes, the case brought in by the NGOs are false cases in the sense they tell the police that it is a trafficking case but later the police find out that it is not a trafficking case. An NGO had brought in a case of a missing girl, studying in class XII, her father was blamed but later the truth was that the girl was in the wrong company and was taking

substances (drugs) and had gone somewhere with her friends. There was a false alarm raised by the organization, so confirmation is very much needed to differentiate if a case is a missing case or a trafficked case. Police also has to bear all the expenditures. For example, if a missing girl has been located, a team is sent for her rescue, the head police have to meet all the expenses of the constables as well as the rescued girl, so it becomes very difficult for the police.

Transport Allowances are given but other expenses are not given. Even at times, parents of the victims accompany the police, if they are from poor backgrounds the police have to bear their expenses as well. Going to a far-off place is not very easy as accommodation is another problem, police quarters are not available so hotels have to be arranged that becomes an extra added expenditure.

No fund is given to the police force in the case of human trafficking/women trafficking. West Bengal accounts for a high rate of trafficking cases as compared to other states. Trafficking cases has not been registered in Darjeeling. 10-15 cases have been reported as missing cases but not of trafficking.

3.1.4 Information given by Sujit Lama, Officer-in-Charge of Mirik PS

Sujit Lama said that the factors for human trafficking are unemployment, fashion, fraud, cheating, desire to live a luxurious lifestyle etc. Regarding a missing case, it gets registered as soon as the complaint is filed. According to him, rural areas are more targeted than the urban areas. Traffickers find easy access through social networking sites like Facebook and WhatsApp; it becomes easy access for them to understand the victims. School dropouts can be easily lured by the traffickers who promise them good jobs in the bigger cities.

Information is shared from police sources, parents, mobile networks and NGOs. Once information is shared, missing cases are registered. There has been no political pressure so far in work. Police have not faced any type of difficulty for human trafficking/women trafficking.

Outreach programmes are held once or twice a year in rural areas, schools, hotels and also with local taxi drivers. Most of the targeted areas are Darjeeling, Gorubathan and Jaldhaka of Kalimpong District.

According to Sujit Lama, the yearly missing cases were 15, where three to four were minors. The age vulnerability for trafficking ranges from 14- 25 years, the major reason being poor economic condition. Before being posted in Mirik, Mr. Sujit Lama was in Ghoom Jorebunglow police station where he had rescued two major girls. One was from Ghoom, 23 years old, she had been rescued from Bangalore where she had been taken to work in a beauty parlour but there she was exploited. The other was a 24years old, who was rescued from Dubai with the help of the Indian embassy there. These were the two cases handled by him in 2012.

3.1.5 Information given by Suraj Thapa, SI of Kurseong Police Station

According to Suraj Thapa, the factors for women trafficking are poverty, illiteracy, overexposure to electronic media, movies depicting modern lifestyles and serial etc. Victims are lured by the glamorous city life so the traffickers tempt them by promising good jobs in the cities. He too stated that rural areas and tea gardens are more targeted compared to other areas. He stated that if there is a case of a missing minor, the case gets registered immediately but if it is a major then a concrete allegation is required for the case to be lodged and then only the case can start. Without concrete evidence, it becomes difficult to register a missing case for a major as sometimes it might be a case of elopement.

According to him, traffickers gain easy access to the victims as they tempt them with good job opportunities. Police derive information from the NGOs. So far, there has been no political pressure on the work. Police are willing to work along with the NGOs as well as the public. There is no fund given to the police force in the case of women trafficking.

Outreach programmes are held along with the NGOs. According to him the exact figure of trafficking cases cannot be determined and even the information has to be kept confidential. North Eastern regions and Nepal have more cases of trafficking.

3.1.6 Information given by Sarita Pariyar, Circle Inspector, Siliguri Police Station

Sarita Pariyar informed that fake marriages, habituated beliefs, consumption of excess liquor and ignorance have led to human trafficking/women trafficking. Though the Government has passed laws like the ITPA, Bonded Labour Act, Child Marriage Act, Child Labour Act, Organ Transplantation Act and also has set Anti Human Trafficking Cell in each district, the menace

continues unabated. According to the 370 IPC (A), the section is amended to include cases concerning kidnapping, rape, and trafficking. Approximately 60 cases so far were reported where it included the majors and the minors. There is the fast-track court ACJM, Session court which checks on the heinous crime of trafficking. Within 90 days, the trial period has to start, firstly, the camera trial, meaning the statements are recorded with the help of camera recording. At times, lawyers come over for negotiation of the trafficker which is denied and sometimes the convict changes the statement. Once the case is registered police takes the matter seriously be it a minor or a major. Many communities/Samajs like Rai Samaj, Limbu Samaj etc come forward and report missing cases along with the NGOs.

According to her, there was a case from the tea garden in Doars where a love affair led to elopement and which was followed by trafficking. When minors are reported missing, the CWC (Child Welfare Committee) is informed within 24 hours, and the Child Welfare Officers are updated on the missing case. There are a lot of outreach programmes taking place, especially in the tea gardens, along with speeches and power point presentations. Schools and colleges are also being exposed to the issues related to trafficking. One such awareness campaign was held in Venus more along with NGOs. There are ladies police personnel dressed in plain clothes, they have been trained (in Kolkata) to check on these issues as well.

3.2 Difficulties faced by the Police

Firstly, during the time of rescue from the destination place, that is other towns and cities to which the victims have been taken from the place of origin that is their actual hometown, assistance from the NGOs of those areas are equally needed. If the same is not there then it proves to be very difficult.

Secondly, according to the police, there is not much cooperation seen from the public when it comes to giving out information, could be out of fear and also avoiding the long ongoing court cases where the person has to be present every time when called upon.

Thirdly, the public demands quick action from the Police.

Fourthly, Police do not have proper and enough equipment which could be helpful for investigation.

Fifthly, sometimes cases are brought in by the NGOs which become false cases, meaning they inform the Police that it is a case of trafficking but which is not so in reality. Hence, confirmation is very much needed to differentiate a missing case and a trafficked case.

Sixthly, the Police have to bear all the expenditures as funds are not given T.A. (Travel Allowance) is given but other expenses are not given. At times, the parents of the victims accompany the police. If they are from a poor background, the police have to bear their expenses as well. Going to a far-off place is not very easy especially with accommodation issues. Police quarters are not available and staying in a hotel becomes expensive.

Seventhly, Police face major problems when at times lawyers come over for the negotiation of the trafficker, where even the victims change their statement. Once registered the Police takes the matter very seriously but sometimes it becomes very difficult especially when the victims change their statement.

Eighthly, girls in the brothels have already been abused mentally, physically and they have no trust in anyone. It becomes very difficult for the Police to rescue them from the brothels into which they have been sold. Police have also noted that as soon as a girl is rescued, she has to be separated immediately so that she is not influenced again.

In case there is any political pressure it becomes difficult for the police to act and cases will be left pending.

After the rescue, the victim has to be separated immediately but since police have only one car it becomes difficult and within that short span of time the statement of the victim gets changed. The victims are threatened by the traffickers as both the trafficker and the victim are brought in the same car.

3.3 Police Report

In 2014, 14-18 girls were missing, major girls who were missing were recovered as cases of elopement and a few minor cases were handed over to Bal Suraksha who after counseling helped them reintegrate with their families as was reported by SI Dawa Sherpa, from Kalimpong Police Station.

Sarita Pariyar, Circle Inspector of Siliguri Police Station informed that many girls from Nepal were rescued from Pune who had been trafficked and sold in the red light areas. Most cases were of minors below 18 years of age.

SI of Darjeeling Police Station, Rohita Lama stated that missing cases have been registered along with rape and molestation but trafficking as such has not been registered.

According to Sujit Lama from Mirik, the exact figure of trafficking cannot be determined but the missing cases reported are 15 and 3-4 case were related with minors but cannot say that they were trafficked. Usually, the vulnerable age for trafficking is from 14-25 years, before being posted in Mirik he was in Ghoom Jorebunglow Police Station where he had rescued two major girls, one was from Ghoom aged 23 years, who was rescued from Bengaluru, the other girl was also a major 24 years old who was rescued from Dubai with the help of the Indian Embassy there. These were two cases handled by him in 2012.

Sub Inspector, Suraj Thapa from Kurseong Police Station stated that the exact number cannot be determined and the information has to be kept confidential also.

According to SI, Shiksha Singh Sarki, Pradhannagar Police station, Siliguri has dealt with three cases related to trafficking, apart from the missing ones from 2015- till March 2017, the girls were of schedule tribe category from Wasabari. According to her, the age group from 13-30 years are trafficked more.

Table 1: Cases Rescued by Police from Trafficking (2011-2017)

Year	Name of the Police	Cases rescued from/Ps	Major/Minor	Convicted	Reintegrated or Not
2011	Sarita Pariyar, Inspector of Police, Thana More, Siliguri.	05 (Pune) from Siliguri PS, Thana More	Minor	No	Since girls were rescued from Nepal, they were sent back home.
2012	Sujit Lama, OC Mirik PS	02 (1 from Bengaluru & 1 from Dubai) Jorebunglow Ghoom PS	Major	No	Yes (Both the girls were from Darjeeling with the help of Indian Embassy, the girl from Dubai was rescued and reintegrated.
2013				No	
2014	Dawa Sherpa, SP of Kalimpong PS	02 From Haryana Kalimpong PS	Minor	No	Rescued with the help of Bal Suraksha Abhiyan, NGO in Kalimpong district.
2015	Shiksha Singh Sarki, SI, Siliguri, Pradhannagar PS	03 From Siliguri Siliguri, Pradhan Nagar PS	1 Minor, 2 Major	No	Girls were from Wasabari Tea Estate, with the help of NGOs CINI And KUK
2016				No	
2017				No	

Source: Fieldwork.

Rohita Lama (SI of Darjeeling PS) stated that in 2016 a missing case was brought by an NGO. The missing girl was a class XII student, but the police found out that it was a false alarm raised by the organization.

The Police forces have been working together with the NGOs as well as the railway forces, which are classified under two categories: Railway Protection Force (RPF) and the Government Railway Police Force (GRPF) The Railway Protection Force (RPF) and the Government Railway Police (GRPF) have different functions. The RPF is a security force directly under the union government's Ministry of Railways and its primary responsibility is to safeguard and protect railway property including rolling stock, and station or yard premises from damage or sabotage,

and to investigate incidents of vandalism, theft etc. of Indian Railways assets and property entrusted to it.

3.4 Information obtained from Railway Protection Force

Railway Protection Force (RPF) and the Government Railway Police (GRPF) are the forces that do monitoring at different railway stations and check posts. Along with the city police, they equally play a vital role in combating trafficking. There are some very easy transit points in the cross border areas where there is hardly any questioning about people entering or exiting from one nation to the other like from Nepal into India or from India to Bangladesh or even from Bhutan to India. This automatically increases the risk of women and girls trafficking.

Some interviews were conducted with the Police Personnel of Railway Stations of Ghoom-Darjeeling Police Station, Police Station of Siliguri Railway Junction and also the Police Station of New Jalpaiguri Railway Station. According to the Railway Police Personnel's, the main causes of human trafficking/women trafficking are migration, where some are taken as maids and baby sitters and often abused, exploited and trafficked. Unemployment, illiteracy, ignorance, poverty, fake marriages, big families, closing of tea gardens all contribute towards the menace.

In case they come to know about some suspected traffickers and victims, they interrogate and they stop them from travelling. NGOs are called and in case if the trafficker is caught, section 359,373,370,370 (A) will be implemented on the trafficker. Railway ASI, Kishore Kumar Sarkar, from Darjeeling, Inspector Ranjan Kumar Shil from Siliguri Junction, ASI Dhruv Lama from Siliguri Junction, ASI Dibyendu Chakraborty (GRP) from New Jalpaiguri Station and Inspector Biplab Majumder(RPF) from New Jalpaiguri were interviewed.

3.4.1 ASI, Kishore Kumar Sarkar, Darjeeling Railway Police Force (RPF)

According to ASI, Kishore Kumar, from Darjeeling Railway Station, human trafficking/women trafficking is caused due to some factors like poverty, illiteracy, fake marriages and backwardness. There has been no case of trafficking in connection with the toy train, Darjeeling's heritage but they make sure that the passenger's safety is their main priority, so even the rail staffs accompanies them especially when there are only ladies in the train for security reasons. If in case they know about a trafficker they will definitely intercept and inform

their higher authorities in Katihar North Front Division where the case gets registered and then the Police and NGOs too will be informed. CINI an NGO had come from Siliguri to Darjeeling for an awareness programme, so upon request RPF gave full co-operation to organize the programme.

In case of any problem, they are ready to approach the city police as well and other NGOs working for the cause. He stated that West Bengal has the highest number of trafficking cases. Trafficking needs to be uprooted as it disturbs the equilibrium of the society.

3.4.2 Inspector Biplab Majumder, New Jalpaiguri Railway Station (RPF)

According to RPF Inspector, Biplab Majumder, the RPF have very limited powers in comparison to the GRP. In case they suspect a case of trafficking they have to inform GRP, as they cannot take action by themselves. They can just observe and wait for the arrival of GRP personnel. RPF does not have any record and neither any missing reports as the major action and activity is played by the GRP. He stated that the tribal girls are mostly targeted due to the closure of many tea gardens. The age group 16-18 years is the most vulnerable. He also stated that Bodo girls and women are beautiful as well as have great physiques, they are either taken as domestic maids or exploited or sometimes even become victims of fake marriages. CONCERN is another NGO that is working against women trafficking.

According to the Railway Force, they get information from the NGOs sometimes, and even from the public. To make the people aware stickers are pasted in different train compartments about human trafficking and even the Police helpline numbers are displayed there. So in case, the passengers feel something unusual they immediately call and report. They have a good relationship with the city police, so in case of any help needed they immediately contact them.

3.5 Information obtained from Government Railway Police Force (GRPF)

The GRP on the other hand is a police organization under the control of the state government in each state and its primary mission is the maintenance of law and order and ensuring passengers 'safety on board trains and on IR property. Thus, the GRP concerns itself with robberies or other criminal incidents on board trains or on railway premises, missing persons, injuries or deaths in connection with the railways and has police powers in each state to arrest persons, register

criminal cases etc. Such police powers for enforcing local law and order are constitutionally not available to any body acting under the control of the union government.

3.5 Information obtained from Government Railway Force

3.5.1 Inspector Ranjan Kumar Shil, Siliguri Junction (GRPF)

According to him the main factors for trafficking are poverty, illiteracy, unemployment, closure of tea gardens etc. In case they suspect any person as a trafficker, they interrogate and stop them. The trafficker will be charged with section 359,373,370,370(A) under the IPC Act. Information is derived from various sources where people do come forward and report. Stickers on human trafficking awareness and police helpline numbers are pasted in different train compartments. In case passengers suspect something unusual they call and report. If needed, they seek the assistance of the city police. So far there have been no trafficking cases because in case suspicion arises, interrogation is carried out and through the NGOs they are handed over to their parents and family members before being trafficked like minors are taken by CWC (Child Welfare Committee). There are shelter homes in and around Siliguri like Korak Home in Jalpaiguri, Anandabhawan in Berhampore (Murshidabad district) and Shubhalaya in Balurghat (Dakhin Dinajpur) where the girls are kept, counseled and later rehabilitated. There have been a lot of missing cases where girls have been rescued by the NGOs. West Bengal is the state having high rate of trafficked victims.

3.5.2 ASI, Dhruv Lama, Siliguri Junction (GRPF)

According to ASI Dhruv Lama the causes of trafficking are migration, unemployment, poor background, poverty etc. If a trafficker is suspected, he is immediately interrogated and if minors are present then Childline is called. In case of major, it is reported to the NGOs who call in the parents and hand over the ward. Sections 370A, 372, 373 under IPC are implemented on the trafficker. Stickers pasted on the train compartments have been very helpful as people can call in case of any suspected behaviour of individuals around them or any disturbing problem arising in the compartments.

According to him, Siliguri district actually for railways extend from Malda till Coochbehar so the exact figure cannot be determined but sometimes four to five cases occur and sometimes it is nil, but these cases too cannot be stated as trafficking, like some suspected to be trafficked were interrogated and handed over to their parents and mostly in case of minors the CWC (Child Welfare Committee) is contacted. If the victims are majors then NGOs contact the parents and hand them over.

There has been good cooperation so far from the city police as well as from the NGOs. Sometimes, 4-5 cases come but are rescued at the earliest mostly in the case of minors. From West Bengal it is mostly the tribal community and also the Muslim community who are easily targeted. The vulnerable age groups are from 10-18 years.

3.5.3 ASI, Dibyendu Chakraborty, New Jalpaiguri Railway Station (GRPF)

He stated that the factors of human trafficking/women trafficking are illegal gains, where people get entangled in fraud, cheating for easy and quick money. In case of any suspicion related to trafficking of an individual or group, they are interrogated. Information can come from various sources like common people, sometimes photos are circulated, through WhatsApp (social media) and even NGOs inform the police. So far, city police have not informed such matters, but if the need arises where their assistance is required, then definitely help will be taken from them.

Many a times, even when there is a trafficker, people fail to give their verdict for the fear of court cases which is a prolonged ordeal. They dismiss it then and there, so hardly any case has come up regarding trafficking. Sometimes, those rescued cases are sent to shelter homes for safe custody till the arrival of their parents and then they are handed over. Most of the cases seen are from Bihar and Nepal via Siliguri and Jalpaiguri. In case minors are found they are handed to the CWC (Child Welfare Committee). Legal procedures take a long time, so people fail or ignore to register or to lodge a complaint against the trafficker.

According to Dibyendu Chakraborty, there is no case of registration in regard to trafficking, as in case of any suspicion, they interrogate and try finding out the cause of their travel. They try to find out destination place as well as their place of origin if minor their families are informed so they come and take their wards. Sometimes, when there is no response shown from the families the NGOs and CWC take the children for counselling. In most cases, parents refuse to lodge a

complaint, they do not want to be involved in long delaying court cases, so in no time the case is dismissed. Minors are kept in CINI shelter homes. In case if major is suspected to be trafficked, there is interrogation done but in case if they say that it is on their own will that they are travelling then GRP cannot do anything. According to him, the most targeted state is Bihar, and the targeted nation is Nepal.

There were no case reports from the Railway Protection Force or from the Governmental Railway Police Force. According to the interviews it was stated that if they sense trafficking of women and girls from these railway stations both the Police Protection Forces would interrogate and rescue them along with the NGOs and hand them either to their parents or to the shelter homes located in Siliguri and Jalpaiguri.

Data collected from DCRB (District Crime Record Bureau) Darjeeling

Table 2. Statistical Record of Missing Women and Girls

	Police Station	Female Adult (Above 18 Years)		Female Minor (Below 18 Years)		Total			
		Missing	Recovery	Missing	Recovery	Missing	%	Recovery	%
Darjeeling	Sadar P.S.	0	0	0	0	0	0	0	0
	Pulbazar P.S.	9	4	3	2	12	4%	6	5%
	Rangli Rangliot P.S.	11	13	2	0	13	4%	13	10%
	Lodhoma P.S.	5	5	0	0	5	1%	5	4%
	Mirik P.S.	27	10	0	0	27	8%	10	7%
	Sukhia Pokhari P.S.	16	2	3	2	19	6%	4	3%
	Kurseong P.S.	34	10	10	7	44	13%	17	13%
	Jorebunglow P.S.	35	26	10	9	45	14%	35	27%
	Naxalbari P.S.	17	5	1	0	18	5%	5	4%
	Kharibari P.S.	34	4	0	0	34	10%	4	3%
	Phansi Dewa P.S.	21	6	8	6	29	9%	12	9%
Kail	Kalimpong P.S.	63	13	6	1	69	21%	14	11%
	Gorubathan P.S.	10	5	2	0	12	4%	5	4%
	Jaldhaka P.S.	1	0	2	0	3	1%	0	0
Total		283	103	47	27	330	100%	130	100%

(Source: District Crime Record Bureau 2016)

The table shows that the highest percentage of missing cases from Darjeeling District, (Both major and minors) were reported from Jorebunglow Police Station with a percentage of 13.6% followed by Kurseong Police station 13.3% and Kharibari Police Station with 10.3%. The highest recovery of cases reported were seen from Jorebunglow with 26.9%, Kurseong 13.0% and Rangli-Rangliot 10.0%.

The highest missing cases (both major and minor) reported from Kalimpong District was from Kalimpong Police station 21%, followed by Gorubathan Police station 3.6% and Jaldhaka Police station with 3%. The recovery record shows that the highest recovery cases were recovered from Kalimpong P.S. with 10.7% followed by Gorubathan Police station with 3.8%.

Data collected from DCRB (District Crime Record Bureau) Darjeeling

Table 3. Statistical Record of Missing Women and Girls.

	Police Station	Female Adult (Above 18 Years)		Female Minor (Below 18 Years)		Total			
		Missing	Recovery	Missing	Recovery	Missing	%	Recovery	%
Darjeeling District	Sadar P.S.	43	0	7	0	50	19%	0	0
	Pulbazar P.S.	20	6	2	0	22	9%	6	9%
	Rangli Rangliot P.S.	9	7	0	0	9	3.5%	7	10.2%
	Sukhia Pokhari P.S.	6	5	1	0	7	3%	5	7.3%
	Lodhoma P.S.	6	2	0	0	6	2%	2	3%
	Jorebunglow P.S.	23	15	0	0	23	9%	15	22%
	Kurseong P.S.	28	8	5	3	33	13%	11	16.1%
	Mirik P.S.	14	4	1	1	15	6%	5	7.3%
	Kharibari P.S.	32	5	1	0	33	13%	5	7.3%
	Naxalbari P.S.	27	6	1	0	28	11%	6	9%
	Phansi Dewa P.S.	18	3	1	0	19	7%	3	4.4%
Kalimpong	Kalimpong P.S.	8	1	0	0	8	3%	1	1.4%
	Gorubathan P.S.	4	2	0	0	4	1.5%	2	3%
	Jaldhaka P.S.	0	0	0	0	0	0	0	0
	Total	238	64	19	4	257	100%	68	100%

Source: District Crime Record Bureau (2017)

The table shows that the highest percentage of missing cases from Darjeeling District, (both majors and minors) were reported from Sadar Police Station with a percentage of 19.4% followed by Kurseong Police station 13.3% and Kharibari Police Station with 13.3%. The

highest recovery of cases reported were seen from Jorebunglow with 26.9%, Kurseong 13% and Rangli Rangliot 10%.

The highest missing cases (both major and minor) reported from Kalimpong District was from Kalimpong Police station 21%, followed by Gorubathan Police Station 3.6% and Jaldhaka Police Station with 3%. The recovery record shows that the highest recovery cases were recovered from Kalimpong Police Station with 10.7% followed by Gorubathan Police Station with 3.8%.

Data collected from DCRB (District Crime Record Bureau) Darjeeling

Table 4. Statistical Record of Missing Women and Girls

	Police Station	Female Adult (Above 18 Years)		Female Minor (Below 18 Years)		Total			
		Missing	Recovery	Missing	Recovery	Missing	%	Recovery	%
Darjeeling District	Sadar P.S.	0	0	0	0	0		0	%
	Pulbazar P.S.	17	5	0	1	17	6.8%	6	6%
	Sukhia Pokhari P.S.	21	9	1	0	22	8.7%	9	9%
	Rangli Rangliot P.S.	16	5	2	2	18	7.1%	7	7%
	Lodhoma P.S.	8	1	0	0	8	3.1%	1	1%
	Jorebunglow P.S.	39	26	0	0	39	15.4%	26	26%
	Mirik P.S.	10	4	1	0	11	4.3%	4	4%
	Kurseong P.S.	29	6	7	5	36	14.2%	11	11%
	Naxalbari P.S.	38	12	4	1	42	16.7%	13	13%
	Phansi Dewa P.S.	21	8	1	1	22	8.8%	9	9%
	Kharibari P.S.	32	14	6	0	38	15.1%	14	14%
	Kalimpong District	Kalimpong P.S.	0	0	0	0	0	0%	0
Gorubathan P.S.		0	0	0	0	0	0%	0	0%
Jaldhaka P.S.		0	0	0	0	0	0%	0	0%
Total		231	90	22	10	253	100%	100	100%

Source: District Crime Record Bureau (2018)

The table shows that the highest percentage of missing cases from Darjeeling District (both majors and minors) were reported from Naxalbari Police Station with a percentage of 16.7% followed by Jorebunglow Police Station 15.4% and Khari Bari Police Station with 15.1%. The highest recovery of cases reported were seen from Jorebunglow with 26.0%, Kharibari 14.0% and Kurseong 11.0%. There was no record of cases reported neither recovery cases from Kalimpong District.

3.6 Conclusion

In conclusion, the role of police administration for controlling women trafficking in Darjeeling Hills remains a pivotal one. The different engagements include maintaining public order and safety, enforcing the law and preventing, detecting and investigating criminal and illegal activities. The law enforcement authorities have been trying their best to rescue human trafficking victims and prevent possible cases of such trafficking. However, myriad challenges make their mission difficult to be fulfilled. Situations are different at different parts of Darjeeling Hills with respect to possible cases of trafficking. The socio-economic conditions prevailing at the particular places influence the extent to which the law enforcement authorities are able to address the situation. Much more is yet to be done at the police department's end to implement strategies that are aligned with the changing nature of the human trafficking practice. The government must be providing all the support needed to the law enforcement authorities to alleviate this pressing human rights violation practice.