

One minor girl was trafficked, nexus with police, inaction. Complaint under threat. Please help

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To

26 March 2022

The Chairman

National Human Rights Commission

Manav Adhikar Bhavan

Block-C, GPO Complex, INA

New Delhi-110023

Respected Sir,

I am writing this to inform you about a case of illegal trafficking and profuse police inaction following the trafficking of a minor girl named Nalini Sarkar (Name changed), aged 16 years, a resident of Manoharpur village, PO- Baneshwarpur, under Bagda Police station, District-North 24 Parganas. The victim is a student of 11th standard in Helencha Girls High School and completed her secondary board examination from Ranghat Anchal High School last year. She belongs to a poor marginalized community with meagre means of income as her father, Mr. Haripada Sarkar is a daily laborer and works as the supervisor of MGNREGA works.

Since her school was closed, she visited her aunt's house at Asharu village, which falls under Bagda Police station. On 30th of January, 2022, at around 5 am, she went missing from her aunt's house in Asharu. Her family members and relatives immediately initiated a search in the locality and figured out that one Prabir Sarkar, Son of Parikkshit Sarkar have taken Nalini along with him. When they asked Prabir's relatives regarding the incident, they came to know that Prabir and Nalini had prior acquaintances. Prabir's relatives also asked Nalini's parents to reconcile the matter.

After they couldn't trace Nalini, her father lodged a complaint in Bagda police station on 30.01.22 night against the perpetrators, namely Prabir Sarkar, Nidubala Sarkar, wife of Parikkshit Sarkar, Milan Sarkar wife of Sailen Sarkar and Sagar Sarkar, son of Sailen Sarkar, who according to Mr. Haripada Sarkar, are involved in the conspiracy of kidnapping and trafficking her daughter. However, the Bagdah police did not register the complaint. On noticing the carelessness of the police, the victim's father lodged a written complaint to the Superintendent of Police of Bongaon Police District on 02.02.2022. Thereafter the Bagdah police registered a complaint, a month after the occurrence of the incident but didn't take any positive action to find her daughter.

Though the accused have been roaming around in the same area for 15-16 days at a stretch, yet no action was taken against them. It has been evident that the accused, who are now absconded, have formed a nexus with the police and perhaps even worked in collaboration in this incident. On 12.02.2022, when the victim's father went to the police station to seek a copy of the FIR, the Investigating Officer of the case, Sub-Inspector, Mr. Ashim Babu of Bagda police station was present. He behaved rudely with the victim's father and insulted him. He accused, Mr. Haripada Sarkar of having sold his daughter and then registering a missing complaint. Furthermore, he also threatened to put false charges on the victim's father to the extent that he is booked in the prison for a lifetime. He refused to provide a copy of the FIR to him.

This incident shook the victim's father and he has been scared to visit the police station ever since. Since then, the police have not taken any action in the case of trafficking of Nalini Sarkar. The perpetrators are migratory workers and stays in different states for most of the year. Till date the police have not taken any action pertaining to this case except registering the FIR. This is a gross violation of Article 23(1) of the Indian Constitution, which prohibits the trafficking of human beings and forced labour. We are apprehending that sections of Immoral Trafficking Prevention Act (ITPA) may not be charged against the accused. As police of Bagdah PS did not provide the copy of FIR to the complainant and as FIRs registered at Bagdah PS are not in website; it is very hard to us to say about the complaint registered by police of Bagdah. We are also in a dark whether Bagdah police registered the case with sections 366A and 372 of Indian Penal code or not. The inaction of the police by

