

TRAFFICKING IN INDIA REPORT-2004



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Human Trafficking has been identified as the third largest source of profit for organized crime, following weapons/ arms and drug trafficking, generating billions of dollars annually. The types of work that use trafficked labor usually involve exploitative working conditions that are gross violations of human rights and labor standards.

Trafficking thrives on the tremendous profits it generates and on the climate of fear that leaves many victims feeling that they have no options.

Children, particularly girl children, are at greater risk of being trafficked than adults. A central characteristic of human trafficking is that victims are held under the control of the perpetrator in order to facilitate their exploitation.

Thousands of Children are trapped in exploitative situations of Bonded Labour & Slavery, Lakhs of Women and children standing in the Red Light Areas of the Country as Sex Workers, Thriving Prostitution Rackets, Call Girl Trade, Massage Parlours, Mutta Marriages, Forced marriages for Sexual Slavery and bondage, which are a blot on our Country, that has ratified and signed almost all laws, treaties, conventions to protect the Human Rights of innocent Women and Children.

It is also a violation of the rights and liberties enshrined in our Constitution.

Trafficking primarily results from uneven development leading to large-scale migration and the widening gap between the rich & the poor (Economic disparities). Hunger Deaths, Suicide by farmers, large no of people living below the Poverty line are the facts that glare at us.

To combat this menace and to protect the rights of our women and children a multi pronged effort is required. On one hand we have to make the institutional machinery stronger and on the other hand urge the government to tackle uneven development and economic disparities. This also requires the Highest Political commitment which we the civil society have to ensure.

The report will be an annual feature, which will highlight the success and failures of the State in combating Trafficking in persons and protecting the rights of the innocent women and children.

The Trafficking in India Report 2004 is a fruit of hard work put in by hundreds of volunteers of Shakti Vahini. I would like to mention the contribution of Shri Rishi Kant, Press Spokesman and Programme Manager

(Anti Trafficking), Shakti Vahini who has been tirelessly putting in his efforts to protect the rights of Women and Children in such exploitative situations. He has also been actively pursuing the Public Interest Litigation in the Supreme Court on this issue. (Shakti Vahini vs. Union of India).

Shri Kamal Kumar Pandey, Secretary, Shakti Vahini who has been undertaking research and collected the data and very meticulously compiled it into this present Report.

I would like to thank the various NGOs, National and International agencies and the Media who have supported us in this campaign.

Finally we salute the Hundreds of journalist spread all across the country who have been continuously covering and reporting the Plight of the innocent victims and bringing a national awareness on Trafficking for the Civil Society and the Government to act upon.

Ravi Kant
(Executive Director)

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Introduction.

Trafficking in Human Beings for variety of purposes, in India has gone truly international and global in the post liberalisation period. In recent years it has been growing in proportions and magnitude and hardly any section of the society is left untouched.

New dimensions of employment, migration, right of the individual to make informed decisions etc. had further complicated the issue.

Multitudes of factors directly force or circumstantially compel the individuals to become a victim of gross, inhumane, unethical and unsociable exploitation and abuse. The compelling factors like poverty, want of material resources or a desire to improve the luxuries of the life may be real or perceptual. Growing preference for materialistic mode of life is generating a rat race competition, making more and more people perceptual poor and whole atmosphere of the society completely vulnerable. It provides an opportunity to traffickers to establish their networks and flourish and automatically, majority of the less privileged or of tender age or of innocent understanding becomes unsafe and vulnerable to both brutal and refined form of abuse and exploitation.

In India ITPA, makes commercial sex illegal and provides punishment for anyone who lives on the earning of such activities or forces any one into it. But the Act failed to address the causes, which leads to such victimization. At large the Act remains restrictive and punitive but not progressive and reformative. It also remained unbalanced in the sense that where it attempted to restrict the supply it failed to address the forces those create demand. To a certain extent the reformative and rehabilitative part was left unattended in the Act due the limitation of resources, that was felt at the time of enactment. The Act also remained discriminatory by criminalising the victim under the misconceived and little understood notion that victims were into it by culture, tradition or well-informed choice.

Fifty years back the Act would not have been so obsolete and misfit as it had become in the light of changed international view upon human and individual Rights. Our lawmakers and enforcers failed to perceive the required and much wanted change as well as the need for effective and consensual rehabilitation. Also the law did nothing to remove the stigma from the exploited, rather it stigmatized the victim and therefore, failed to bring the required change in society which is an integral part of reintegration.

Most of the subjects required to address the multitude of the causes belong to ' Directive Principals of the State Policy' of our constitution, which due to some very obvious reasons are not enforceable as a matter of Right. Due to this very reason 'Directive Principles' have remained one of the most neglected part of our constitution in terms of implementation true to the words and spirit. Taking proactive steps Indian Judiciary has been making efforts to bring various subjects of this part within the ambit of the Fundamental Rights. Equality, equal opportunity, non discrimination, prohibition on bonded labours and child labour etc were already guaranteed in the constitution and by judicial activism compulsory education, Right to nutrition, Right to meaningful life having opportunities for development, Right to healthy atmosphere etc. have been declared Fundamental Rights by the Courts.

Given constitutional provisions and various legal instruments legislated accordingly; fighting and combating trafficking would not have been a major problem if there would have been a will, sincere efforts and concern for the Rights of the individuals on the part of our ruling and administrative class. But under the deep rooted corruption, bureaucratic red-tapism, prevalent disregards towards duty and vested interests of the political, ruling and influential class, non implementation of the constitutional and legal instruments, of existing schemes, plans and policies is one of the most serious problem in our country.

Even before the legal instruments are implemented in words and spirit, it requires the essential official/ administrative structure and infrastructure to be put in place, lack of which again has been a major bottleneck in bringing the desired changes the lives of millions.

Recently TIP Report of US released by Collin Powel on 14th of June had for the second year kept India in Tier 2 (watch list). We at Shakti Vahini felt that a similar categorisation of Indian states in regards to efforts made, legal instruments, policies and plans implemented, must be done with a view to high light the efforts and failures of the State Governments.

This report is a result of such feeling and we hope that it will be of some help to those who are really concerned about and wish to enforce the official machinery to undertake proactive measures towards stopping the blatant abuse of human existence.

Kamal Kumar Pandey

30.06.04

ABOUT THE REPORT

Art. 23 (1) of Indian Constitution states “Traffic in human being and *begar* and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law.” ITPA was legislated in 1956, which made commercial sexual exploitation an illegal activity. It was further amended in 1986. Juvenile Justice Act was amended in 2000 to make it Juvenile Justice (Care and Protection) Act. Several sections of IPC make almost every activity in relation to trafficking a crime. There are other wide range of other relevant Acts viz. Child Marriage Act, Dowry Act, SC/ST prevention of atrocities Act, Organ Transplant Act, Child Labour Act etc. India had also signed/ratified/acceded to, several relevant International conventions viz. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949 Convention) - Ratified, Slavery Convention - Signed, Supplementary Convention on the Abolition of Slavery - Ratified, International Covenant on Civil and Political Rights - Acceded, International Covenant on Economic, Social and Cultural Rights-Acceded, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)-Ratified, Convention on the Rights of the Child (CRC)-Acceded, Forced Labour Convention, 1930 (No. 29)-Ratified, Abolition of Forced Labour Convention, 1957 (No. 105)-Ratified, Discrimination (Employment and Occupation) Convention, 1958 (No. 111)-Ratified, Equal Remuneration Convention, 1951 (No. 100)- Ratified. It has also signed SAARC CONVENTION ON PREVENTING AND COMBATING TRAFFICKING IN WOMEN AND CHILDREN FOR PROSTITUTION.

Apart from the above legal instruments there have been various directives of High Courts and Supreme Court making provisions for administrative machinery and infrastructure to protect women, combat trafficking, rescue and rehabilitation of the victims. In the cases of Vishakha, Vishal Jeet and Gaurav Jain courts gave landmark Judgements. In consequence to Gaurav Jain case Union Government came up a National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children in 1998.

But once again lack of implementation is proving bottleneck and little has changed in 6 years of existence of the Plan of Action. Most of the administrative machinery and infrastructure had not been set up in the states. Various committees formed or officers are either appointed not or exist in papers. There have been no activities on part of them. No state had any policy or plans of action at state level except for Andhra which under the pressure of court and NGOs had come up with Plan of Action in 2003. The lack of any policy for the welfare of the victims or their rehabilitation and the administrative nexus with traffickers had led to loss in faith to an extent that the problem of commercial sexual exploitation or trafficking is considered insolvable. Therefore, in past few years there had been demand coming up for legalization of commercial sexual exploitation and recognition of it as a work. As if that is not the end there have been some support coming for it even from the ruling class. Recently on the eve of the elections Mayor of Calcutta announced that the profession would be legalised in the city. Similarly minister of state Kanti Singh announced in a press conference in Bihar that government would take step to stop exploitation and legalize commercial sex.

There have been serious violations of the Laws and directives of the Supreme Court in these regards. None of the states except for one or two have under taken even studies to identify the problem. Juvenile Committees and boards do not exist in majority of the states. Special police officers under ITPA have either not been notified or if notified they are not even aware of their

status. Same is the case with committees for Juveniles even the chairpersons are ignorant about them. Even the departments are not aware of their roles and responsibilities. Legal awareness is in a pitiable state.

The Source or information

The facts and data given and the information about state status had been gathered from the following sources-

- Ground level visit and investigations under taken by Shakti Vahini.
- Experiences and information gathered through NGOs working in various states.
- Study and reports published by different International Bodies, National Bodies and NGOs.
- Replies filed by states in Supreme Court in Public Interest litigation Shakti Vahini vs. Union of India (Civil-190 of 2002.).

The Criteria

In this report Indian states had been classified into 4 categories, on the basis of three basic criteria.

1. The magnitude of trafficking in the state. Concern for Human Rights in general and of women and children especially. Crime against women and children in state.
2. Existence of Legal/ Administrative frame work and Infrastructure in state.
3. Implementation level of the existing laws and policies.

The Categories

1. **Category One**- State of this category are those where
 - The concern level for Human Rights, Women and Child Rights is generally high.
 - Crime level is low.
 - Magnitude of trafficking is nil or negligible.
 - Legal and Administrative frame works exist properly in the state and
 - The proper implementation of the legal instruments is done in the state.
2. **Category Two**- State of this category are those where
 - The concern level for Human Rights, Women and Child Rights is generally high or moderate.
 - Crime level is low or moderate.
 - Magnitude of trafficking is moderate.
 - Legal and Administrative frame works exist to certain extent.
 - The some implementation of the legal instruments is done in the state.
3. **Category Three** -State of this category are those where
 - The concern level for Human Rights, Women and Child Rights is moderate or low.
 - Crime level is high.
 - Magnitude of trafficking is Medium or High.
 - Legal and Administrative frame works exist properly or to some extent in the state and
 - The proper implementation of the legal instruments is not done in the state.
4. **Category Four** -State of this category are those where

- The concern level for Human Rights, Women and Child Rights is very low.
- Crime level is very high.
- Magnitude of trafficking is High.
- Legal and Administrative frame works do not exist properly in the state and
- The proper implementation of the legal instruments is not done in the state.

The Approach-

Flexible, not rigid approach had been adopted in applying the criteria to states, with a view to keep the state in most justifying category. Not all the criteria have been applied strictly to not lose the touch with ground reality. For e.g. It would not have been justified to not put Sikkim in category one due to non existence of most of the legal/Administrative instruments required under Laws, Plan of Action and Directives of Supreme Court, when there is almost nil trafficking in the state. In such a situation aware alertness within the existing framework and infrastructure can be sufficient. Similarly as in the case of Andhra it would not have been justified to not consider the efforts made in state, and only take into account the huge amount of trafficking from state, which again could be due to multitude of factors those can not be remedied in a short time. Also, care had been taken that actions taken in one respect must not compensate for the negligence on other areas, as in Madhya Pradesh where the good efforts made through 'Jabali' scheme, do not compensate for the limitations of the scheme and negligence of mass scale child marriages in the State, depriving the girl child of education and thus opportunity to improve her status in society. Similarly, the existence of the legal and administrative framework mere on papers do not compensate for the serious lack of implementation, as is the case with Uttar Pradesh.

(**Note**-The categorisation does not covers the Union of India, it had been applied only on the states and Union Territories.)

Category One states

1. Sikkim
2. Meghalaya.

Category Two states

1. Andhra Pradesh
2. Chandigarh.
3. Dadra & Nagar Haveli.
4. Delhi
5. Goa
6. Mizoram.
7. Pondicherry

Category Three states

1. Assam
2. Chattisgarh
3. Gujarat
4. Jharkhand

5. Karnataka
6. Kerala
7. Madhya Pradesh
8. Maharashtra
9. Orissa
10. Rajasthan.
11. Tamil Nadu
12. Uttaranchal.
- 13.** West Bengal
- 14.** Manipur

Category Four states

1. Bihar
2. Haryana.
3. Nagaland
4. Punjab
5. Tripura.
6. Uttar Pradesh.

NOTE- The report does not covers the states of Arunachal Pradesh, Himanchal Pradesh, Jammu & Kashmir, and the Union territories of, Lakshdeep, Andaman- Nicobar and Daman - Diu due to unavailability of the essential information.

INDIA



Fireworks and Match Production - 50,000 to 100,000 children employed in matches and fireworks industries of Sivakasi. (US Dept of Labor, [Sweat and Toil of Children, 1994](#), citing Rural Labour Cell, [Children of Darkness, 1988](#))

Fireworks and Match Production - 45,000-50,000 children work in the fireworks and match industry in Tamil Nadu. (ICFTU, [No Time to Play, 1996](#))

The problem of trafficking and prostitution is acute in Andhra Pradesh, Karnataka, Maharashtra, Tamil Nadu, Rajasthan, Uttar Pradesh and West Bengal. The states where also live the communities originally with Mongolian faces like Sikkim Manipur, Arunachal Pradesh, Tripura, Mizoram, Nagaland and others like Punjab, Haryana,

Jammu and Kashmir, Andaman and Nicobar, Chandigarh, Daman and Diu, and Nagar Haveli are reported with minimal problems related to trafficking and prostitution (Mukherjee, 1997:17).

A survey in India, noted that 17% of domestic workers were under 15 years old and also reported that girls aged 12 to 15 were the preferred choice of 90% of employing households. (UNICEF, [State of the World's Children, 1997](#))

Carpet Industry - Based on a recent survey, the ILO estimates that at least 130,000 children are employed in India's hand-knotting carpet industry. (US Dept of Labor, [Sweat and Toil of Children: Consumer Labels and Child Labor, 1997](#))

Diamond and Gemstone Industry - In Trichy, Tamil Nadu, there are 10,000 children out of the total work force of 60,000 in the gem industry. (ICFTU, "Union Investigation Reveals Dirty End of the Diamond and Precious Stone Business", 1997)

Leather Tanning - Evidence suggests that thousands of children may be employed in leather tanneries in Tamil Nadu. Some estimate that in the town of Dindigul alone, 30% of the tannery labour force is children. (US Dept of Labor, [Sweat and Toil of Children: Consumer Labels and Child Labor](#), 1997)

Diamond and Gemstone Industry - De Beers maintains the prevalence of child labour in Indian Diamond cutting is slightly over 3% of the total work force (around 24,000 children). Trade Union officials in Surat city, where the problem is most serious estimate a much higher prevalence level of child labour as high as 25%. (ICFTU, "Union Investigation Reveals Dirty End of the Diamond and Precious Stone Business", 1997)

Naxalites have "reportedly begun recruiting boys aged between 8 and 15 years. Boys are recruited to the Bala Sangham, a militant children's organisation based in district towns such as North Telengana " There are reportedly around 75 Bala Sanghams in Andhra Pradesh with over 800 children in their ranks. The People's War Group (PWG) founded the Bala Sanghams believing that they could train children more effectively to resist police interrogation. Tribal girls are reportedly used as couriers in areas of Adilabad and Dandakarnya. Organisations such as the PWG also reportedly use children to provide food and to deliver ransom notes without arousing police suspicion." (CSUCS, [Asia Report](#), July 2000, citing Amnesty International, [Children in South Asia Securing their Rights](#), 1 April 1998)

30-40% children in the match and fireworks industry are bonded. (ILO-IPEC, [Mainstreaming Gender in IPEC Activities](#), 1999)

Some NGOs estimate that the number of bonded labourers is 5 million persons. However, in a report released during the year, Human Rights Watch estimated that 40 million persons, including 15 million children, are bonded labourers. The report notes that the majority of bonded labourers are Dalits, and that bondage is passed from one generation to the next. (US Dept of State, [Country Reports on Human Rights Practices - 1999](#), 25 February 2000)

Domestic media reported that child labourers were being sold in an organised ring at the annual Sonepur cattle fair in Bihar. (US Dept of State, [Country Reports on Human Rights Practices - 1999](#), 25 February 2000)

Persons sometimes are sold into virtual slavery. Many boys, some of whom are as young as 4, end up as riders in camel races in West Asia and the Gulf States, especially in the United Arab Emirates, or begging during the Haj. Girls and women end up either as domestic workers or sex workers. (US Dept of State, [Country Reports on Human Rights Practices - 1999](#), 25 February 2000)

428,305 child labourers in hazardous industries were found. (US Dept of State, [Country Reports on Human Rights Practices - 1999](#), 25 February 2000)

Street Children - The Law Minister said that the country has 2 million street children. ("[Laws alone cannot tackle child labour](#)", Indian Express, 5 February 2000)

Street Children - Child welfare organisations estimate that there are 500,000 street

children nation-wide. ([US Dept of State, Country Reports on Human Rights Practices - 1999, 25 February 2000](#))

South Africa is a transit point for a large trafficking network operating between developing countries and Europe, United States, and Canada. Migrants from foreign countries, particularly China, India, the Middle East, former Eastern Bloc countries and other African countries, are lured to South Africa. ([US Dept of State, Country Reports on Human Rights Practices - 1999, 25 February 2000](#))

According to an ILO estimate, 15% of the country's estimated 2.3 million prostitutes are children. The traffic is controlled largely by organised crime. ([US Dept of State, Country Reports on Human Rights Practices - 2000, February 2001](#))

Women and children from India are sent to nations of the Middle East daily. ([CATW Fact Book, citing SANLAAP India, Indrani Sinha, "Paper on Globalization & Human Rights"](#))

There are child-soldiers in every insurgent group in Manipur, including, apparently, children under 15 years of age. The lowest age recorded is 11 years. It is estimated that the number of child soldiers is between 6,000 and 7,500, which is equivalent to around 50% of the total group membership. It is further claimed that the recent trend is to

induct more and more girls into insurgency movement in order to avoid suspicion on the hard core activists. The number of girl soldiers is said to be between 900 and 1,000, i.e., 6-7% of child soldiers. ([CSUCS, Asia Report, July 2000, citing a local research project quoted by Radda Barnen](#))

In the Assam insurgency approximately 9-10% of soldiers are girls, numbering 3,000-4,000, with the lowest recorded age at 12 years. ([Radda Barnen, Childwar database](#))

There are child soldiers in every militant group in Assam viz, Bodoland Liberation Tiger Force, Bodo Security Force and United Liberation Front of Assam. Approximately 50% of all these are children. ([Radda Barnen, Childwar database](#))

The Nagaland Insurgents which has a strength of 18,000-20,000, has 50-55% of the soldiers below 18 years. The recent trend is to induct more and more girls into insurgency movement in order to avoid suspicion on the hardcore activists. ([Radda Barnen, Childwar database](#))

There are child soldiers in every insurgent group in Tripura, including children below 15 years. It is estimated that children make up to 50%, i.e. 7,000-8,000, of the total insurgent strength. ([Radda Barnen, Childwar database](#))

THE UNION

The Union Government had failed to take following measure to effectively check the trafficking.

- Amendment of ITPA.
- Compulsory registration of marriage.
- Amendment of all customary Marriage laws for uniform age of marriage.
- Comprehensive and single law to deal with all kinds of trafficking and crimes involved in the process.
- A nodal agency for trafficking in line with narcotics bureau of India.
- Educate monitoring to enforce effective and responsive implementation of 'National Plan of Action'.
- National data bank of trafficked and missing persons.
- A Uniform National Policy, Mechanism & Clear Guide Lines for proper Coordination and cooperation among the various States and Union Forces in cases of trafficking.
- Bilateral treaties with Nepal & Bangladesh as per SAARC Convention.
- National policy for effective rehabilitation and repatriation of trafficked victims.
- National Rehabilitation Fund for victims of trafficking.
- Regularization and registration of inter state migration.
- Amendments in the Labour Laws, with a view to protect from exploitation in any kind of work especially those of women and children.

THE STATES

ANDHRA PRADESH (Category Two)



Among the 23 districts of Andhra Pradesh, 16 district (1. Nizamabad, 2. Karimnagar, 3. Warrangal, 4. Khamman, 5. Vizianagaram, 6. Vishakhapatanam, 7. East Godavari, 8. West Godavari, 9. Hyderabad, 10. Krishna, 11. Guntur, 12. Kurnool, 13. Prakasam 14. Annantpur, 15. Cuddapah, 16. Chittor) are affected by the phenomenon of trafficking of women and girls to other states for the purpose of commercial sexual exploitation. Also a large number of women and girls are engaged in commercial activities with in the state it self in small brothels, highways, hutments and in cities like Hyderabad.

Apart form the large number of women trafficked out side the state and forced to be engaged in the commercial sexual activities with in the state itself. There are also a large number of women being dedicated to local deities temples and communities for sexual exploitation under the tradition of Devdasis, Jogins, Posiva, Parvathi, Mathammas, Basavi, Bogum, Kalavanthulu, Sani, Nagavasulu, Kurmapulu etc., mainly in the districts of Nizamabad, Kurnool, Ananthapur, Mahaboobnagar, Warangal, Karimnagar. In the districts adjoining the states of Orrisa and Chattisgarh the tribal communities are cheated through fake marriages and trafficked for Commercial

sexual activities. In Hyderabad and Muslim dominating areas 'contract marriages' is one of the common mode of trafficking adopted. Adoption through and for 'adoption', of boys for begging in Arab countries and sexual exploitation (tourism) in Goa is also prevalent in Andhra.

Andhra Pradesh is a state, which contributes to the maximum number of victims coming from any Indian state, to the big and small brothels in various states and cities in India. In Goa 80%, Delhi 45%, Mumbai 28% and Kolkata 3% of total women are from Andhra Pradesh ([Prajwala – Shattered Innocence - 2002](#)). Andhra Women are also trafficked to Bangalore in good numbers, apart from those who are found in small numbers in small red light areas of Maharashtra, Uttar Pradesh, Bihar and Orissa.

Andhra Pradesh has 1.662,000-child labourers, the highest in the country, with the problem being very acute in Mahboobnagar, Kurnool and Prakasam districts. (["Andhra Pradesh has Highest Number of Child Labourers", Press Trust of India, 12 September 2000](#))

Large scale migration, religious and community accepted vices/promiscuity, indebtedness, poverty, illiteracy, natural calamity, tribal backwardness, naxal violence, underdevelopment are some of the main socio-cultural factors behind the large scale human trafficking. More than 90% of the total women and girls trafficked or engaged in commercial sexual activities belong to impoverished, schedule castes, scheduled tribes & other backwards castes. Majority of the victim population comes from the drought prone areas where even the well to do farmers have been committing suicides, coastal areas where the migration is high and natural disasters are common, and tribal areas where socio-religious

causes dominate. Above 60% trafficked victims are minors.

The state government response to the problem has remained of a mixed one. While the Andhra Pradesh Devdasis (Prohibition of Dedication) Act, was brought in 1988 to address the problem of traditional forms of sexual exploitation for more than a decade no specific efforts were made to address the large scale inter-state trafficking. The Act though brought a drastic reduction in the number of girls dedicated but the same increased the numbers of girls being put into Commercial Sexual Exploitation due to lack of state efforts to address the other forms of trafficking.

Social Welfare Department in 1987-88, conducted a survey which, identified 16,674 Jogins, 80% belongs to SCs. The Andhra Pradesh Devdasi (Prohibition Dedication) Act, 1989 was enacted on 31.3.1988. Under this Act, whoever performs, promotes, abets, takes part in dedication ceremony is liable to punishment with imprisonment which may extend up to 3 years but shall not be less than 2 years and with fine which may extend up Rs. 3000/- but shall not be less than Rs. 2000/- In case of parents and relatives it can extend up to 5 years but not less than 2 years and with fine up to Rs. 5000/- not be less than Rs. 3000/- A propagator shall be punished up to 3 years but not less than 1 year and with fine up to Rs. 5000/- but not less than Rs.2000/-

The state govt. rehabilitation measures includes.

- Economic package Rs 10,000/- in fixed deposit with monthly interest payment to the Jogins towards subsistence.
- A house under weaker section housing under I.A.Y.
- Admission of children in social welfare schools and hostels,

- Provision of white ration cards
- Providing economic supports schemes under land purchase scheme Milch cattle and other petty business through DRDA.

During the year 1987-88 survey for identification of jogins women in the state identified 16,624 jogins of these the govt. claims to have rehabilitated 16575 till 2002. In 2003 there was plan to rehabilitate further 2742. ([State Govt. reply to Supreme Court in Shakti Vahini vs. Union of India, writ pt. 190 Civil 2002](#)). The above facts show some discrepancies in the number of women identified and rehabilitated. While it displays the continuance of increase in number of women to be rehabilitated, it also calls for a new survey for identification, which could reflect the number in greater realistic terms.

Following the Supreme Court directives in Vishal Jeet Case in 1990, It took 4 years for govt. to constitute a State Advisory Committee on Child Prostitution in 1994. No other specific efforts were made by the govt., till the issuance of new directives by Supreme Court in the Gaurav Jain Case 1997 and National Plan of Action 1998 by Union Govt. in pursuance to the Court order.

In the light of Writ Petition No. 90 Civil 2002 – Shakti Vahini vs. Union of India for non-implementation of the Directives of the Supreme Court and Nation Plan of Action 1998, a state policy and plan of action similar to the National Plan of Action has been made by the State Govt. in 2002. Operational Guidelines for the same were sent to different departments in January 2003. There is also a proposal for amendment of the ITPA with consent of Union as the subject belongs to Concurrent list. Formation of two Night Courts is proposed presently but yet not materialised.

State Coordination Committee on Trafficking was formed in 2003.

There is no concrete information with the state govt. to verify the appointment of Special Police Officers as per ITPA section 13(1).

No task forces have been formed as per the National Plan of Action 1998, in high prone and transit areas.

Advisory body of Social workers to help the Special Police Officer as per section ITPA Section 13 .2.(b), formed only in 13 districts.

Only the district of Ananthpur, 21 self help groups of victims are reported and 8 are assisted by the Revolving Fund for the purpose. 51 victims have been assisted under SGSY in Cuddapah dist.

A Rehabilitation and Relief fund for rescued victims with Rs. 50 lakhs has been created for 2003-04. It entitles the rescued victim, an immediate relief of Rs. 5000 to facilitate their repatriation, travel expenses, food, clothes etc.

SWADHAR, scheme had yet not started despite the fund made available by Union govt.

White cards under separate category to integrate the victims in the formal PDS System.

Statewide Campaign was under taken from 21.4.03 to 30.4.03 with help of UNICEF and NGOs.

Community Awareness was under taken from 1.7.03 to 10.7.03 under Mahila Janambhoomi programme.

Conclusion

From the ground level surveys, reply filed by Andhra Govt. in Supreme Court and NGO reports, it could be concluded that though the state response to the problem of trafficking had been very poor except for the

traditional sexual abuse, it has taken some aggressive steps in the post PIL period.

The landmark Devdasi Prohibition Act has been effective in addressing the problem of traditional dedication but it has turned the same vulnerable population into other form of trafficking to earn living i.e. Commercial Sexual exploitation. It does not addresses the prostitution becoming increasingly prevalent and acceptable among the Scheduled Castes.

Further the state advisory committee and the Coordination committee deal with only child prostitution and children of prostitutes it does little to address the problem of those who have attained majority. There is no specific scheme to address the problem of those who have attained the majority or any mechanism to effectively integrate them in the mainstream schemes with ordinary citizens.

Also no special attempts are being made to address the problem of trafficking for other purposes than that for commercial sexual exploitation, like child labour, begging, Mutta marriages, fake tribal marriages, adoption etc. which ultimately leads to sexual exploitation and victimisation.

Though a part of administrative machinery provisioned by the National Plan of Action and various existing laws had been put in place but yet it is to be made functional at full scale.

Despite that Andhra is the only state that had formed the State Plan of Action and a considerable amount of work had been done in rehabilitation of the Devdasi the huge amount of trafficking occurring from the state does not makes it fit for the Category one. Much more focused and proactive steps are required on part of state. The implementation part of the Plan of Action needs to wait and watch.

BIHAR (Category Four)



West Bengal, Uttar Pradesh, Uttranchal and Bihar are the main transit states in India through which trafficked women and children pass. West Bengal shares the border with Bangladesh, and Uttar Pradesh, Bihar and Uttranchal share the border with Nepal. (ADB, RETA Report). Entry points in the State of Bihar are Raxaoul, Bairgania, Motihari, Sitamarhi, Narkatraganj, Madhuvani, Sonbarsha, Jogbani, Kakarbita. Last exit points from Nepal side are Hetauda, Birganj, Jankpur, Jhapa. (STOP, 2002, Excerpts from: *Analyzing the Dimensions: "Trafficking and HIV/AIDS in South Asia"*)

In Bihar Muzaffarpur, Gaya, Saharsa, Munger, Begusarai, Katihar, Purnea, Araria, Kishanganj, Bhagalpur, Champaran, Gopalganj, Siwan, Buxar, Jhanabad, Patna,

Madhubani West Champaran, East Champaran, Sitamarhi, Supal, Madhepura, Khagaria, Darbhanga are the most affected districts from trafficking.

Informal Estimation 1996 estimates the number of Nepali women and child victims as 4000 in Patna alone. "There are over 3,250 sex workers in 24 brothels spread over 11 districts of Kishanganj, Katihar, Purnia, Araria, Saharsa, Supaul, Madhepura, Khagaria, Madhubani, Darbhanga and Begusarai. These brothels, in fact, have developed as "transit points for girl trafficking". (Survey by Bhoomika Vihar). It is estimated that there are around 20 red light areas in the region of North Bihar alone with around 3000 women. Bihar is also conspicuous as transit point for girls being trafficked from Nepal, Bangladesh, West

Bengal, Orissa and Assam. ([Shakti Vahini-Female Foeticide, Coerced marriage and Bonded Labour in Haryana & Punjab](#))

In North Bihar, "While 45 per cent of sex workers are between 13-18 years, 40 per cent are between 19-22 and 15 per cent in 22-32 age group. Roughly 400 women and girls are in mobile brothel business"(Survey report by Bhoomika Vihar).

Trafficking operations in Bihar are not much in focus because of the 'creative' nature of trafficking of the girls right through the year in the bordering villages of Bihar. Raxual in East Champaran and Jayanagar in Madhubani districts are supposed to be the trafficking points. Most policing is done in the area to prevent it. The other districts, which are equally vulnerable, are ignored. i.e. West Champaran, East Champaran, Sitamarhi, Madhubani, Supal, Araria, Kishanganj and Purnea districts etc are all equally vulnerable areas [Source: Aditi RETA commissioned report, Bihar, 2002.](#)

While the maximum number of girls being trafficked from Bihar into coerced marriage and forced prostitution come from border districts of Katihar, Purnea, Araria, Kishanganj and Bhagalpur, it is also in prevalence in districts of Champaran, Gopalganj, Muzaffarpur, Siwan, Buxar, Jhanabad, Patna and Gaya. ([Shakti Vahini-Female Foeticide, Coerced marriage and Bonded Labour in Haryana & Punjab](#))

"Child sex workers are not confined to big cities. A survey in Bihar revealed that roadside brothels for truck drivers in the Aurangabad and Sasaram districts offered sex workers aged between 6 and 18 years". ([CHILD PROSTITUTION IN INDIA -"Child prostitution is the ultimate denial of the rights of the child."](#) Dr Jon E Rhode, UNICEF representative in India).

Hundreds of young girls from Bihar are being sold and forcibly taken away to cities like Chandigarh, Agra and Meerut to work as maids. Thousands of poor and illiterate Bihari villagers are forced to work as bonded labourers in the countryside of Punjab. Girls, are sold by their father to agents and single boys to land them in big cities where they power the household and farm requirements. -----In the meantime, there are reports of girls being sold and sent forcibly to Punjab and Delhi. It has been learnt that those who migrate to other states are not given daughters in marriage in Bihar. A number of such incidents was reported from Giridih district. The scare of distance desists them from marrying their daughters. These boys have to buy the girls by paying a hefty amount to the poor fathers who oblige. Some Bihari men work as agents for these elements and pose as eligible bridegrooms and buy the girls. They then sell them to the dubious elements and they take them to states where the girls are either forced to work as maids or land in the brothels. The Ranchi police had recently busted such a racket when they stopped a group of 100 tribal girls at the railway station en route to New Delhi. They said they were going there in search of work and better future. ([Bihari girls sold to work in Punjab, From Santosh Jha, PATNA, Oct 15](#))

Domestic media reported that child labourers were being sold in an organised ring at the annual Sonapur cattle fair in Bihar. ([US Dept of State, Country Reports on Human Rights Practices - 1999, 25 February 2000](#))

"Taking a cue from the string of jailbreaks in Bihar recently, 88 juvenile delinquents escaped from remand homes in Patna and Ara last night. A protest in the home at Gayaghat in Patna, housing 131 inmates, flared into a revolt when 76 boys reportedly snatched the keys from a caretaker last

night and escaped after beating up several officials and guards. About 60 km away in Ara, 12 other boys of the local remand home fled the same night. The inmates of the Patna institution were protesting for two days against the removal of the home guards and deployment of the district armed force on duty at the home. The change was being made in response to directives of the Patna High Court chief justice, who took cognizance of the poor state of Bihar's remand homes some years ago and was monitoring their overall improvement with the help of a team of activists and professionals. Recently he visited the homes and ordered the state police chief to provide better security. Accordingly, the director-general removed the home guards and entrusted security to retired army personnel. "Senior inmates of the boys' home have a dreaded history of getting all sorts of drugs with the help of home guards," said high court advocate Ashok Priyadarshi, a member of the monitoring team. The high court had intervened in the functioning of both institutions not only because of the messy state of affairs, but also illegal practices there. Two weeks ago, four girls from a home surrendered before a magistrate and accused the home authorities of forcible engaging them in prostitution. "The authorities, with the help of security, were taking us out regularly in the night to various people; and finally they made us run away. We have surrendered after hearing from papers that arrest warrants have been issued against us," the girls had confessed. Priyadarshi added that before the team started visiting the homes, the situation was really messy. "Food, sanitation, discipline — everything was quite bad; things have changed a lot," he said. The Bihar government has neither fully implemented the juvenile justice act, nor

created a juvenile board as ordained by the act. "Unfortunately, no real effort is being made to rehabilitate the inmates". ([The Telegraph; Sunday March 14, 88 boys flee Bihar remand homes, By K.C. Philip](#))

The **state response** to the issue is that trafficking yet is not a issue for government or society in Bihar, except for the few NGOs like ADITHI, Bhoomika Vihar etc. who on there own are continuing with there good work with little protection and support from the government. The State Advisory Committee, under ITPA and Supreme Court directives in 1990 is yet to be formed. No special Police officers have been nominated under ITPA 13 (1). No Anti trafficking and prevention cells and Task Forces in Red Light/High Risk Areas have been formed. The advisory committees of NGOs to assist the Special Police officers have not been formed.

There is no Plan of Action in state to combat trafficking, neither is there any policy for rehabilitation of the victims. Nodal agency to coordinate and implement the legal and administrative instruments had not been identified by the government and the Coordination Committee as provisioned in national Plan of Action had not been formed. No efforts have been made ever by the government to coordinate with BSF with a view to stop cross border trafficking from Nepal. The provisions of the Juvenile Justice (Care and protection) Act 2000 have yet not been implemented in the state and the administrative structure viz. Juvenile Boards and Committees, involvement of NGOs had not materialised till date.

There is no health scheme for the vulnerable and victim population except for the projects of BSACS. There is not a single home in state for the terminally ill and HIV infected victims. There are 2 Help Lines, 33 family counseling centres and 33 short stay homes

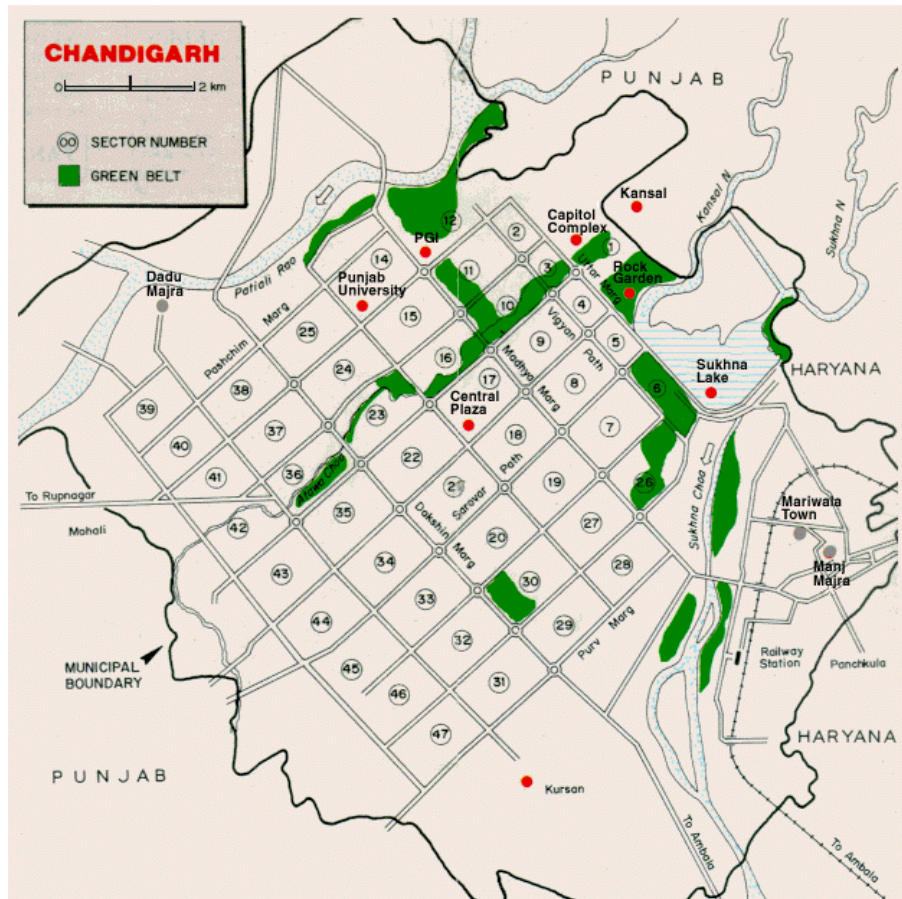
in state run by government or by NGOs. Four short stay homes are in high supply areas. There are 13 Juvenile homes in the state.

Conclusion-

The Criminal- politico nexus in Bihar had its own vested interest in trafficking of women and children and the government does

seems to be concerned about changing the statuesque. There have been several incidents of elimination of the social workers how have sought to alter the situation. Powerful criminals and politicians patronize well-established networks of call girl rackets. There seems to be a sort of total anarchy in state in this regard and state it self is transformed in to a predator preying upon innocent and helpless women and children.

Chandigarh (Category Two)



Though there are no red light area within the Union territory of Chandigarh but commercial sex through call girl rackets, massage and beauty parlours, escort service, in hotels and colonies are not uncommon and are exposed from time to time.

Problem of trafficking is not grave in the UT but either it is not untouched. Trafficking rackets have been exposed from time to time. A couple of years back a girl from Pune was rescued when she was being trafficked to UAE and a trafficker of Uttar Pradesh based at Delhi and Chandigarh was arrested.

In 2003 a 9 years old minor girl of Varanasi, rescued by Shakti Vahini was trafficked by a couple of Chandigarh from Haridwar.

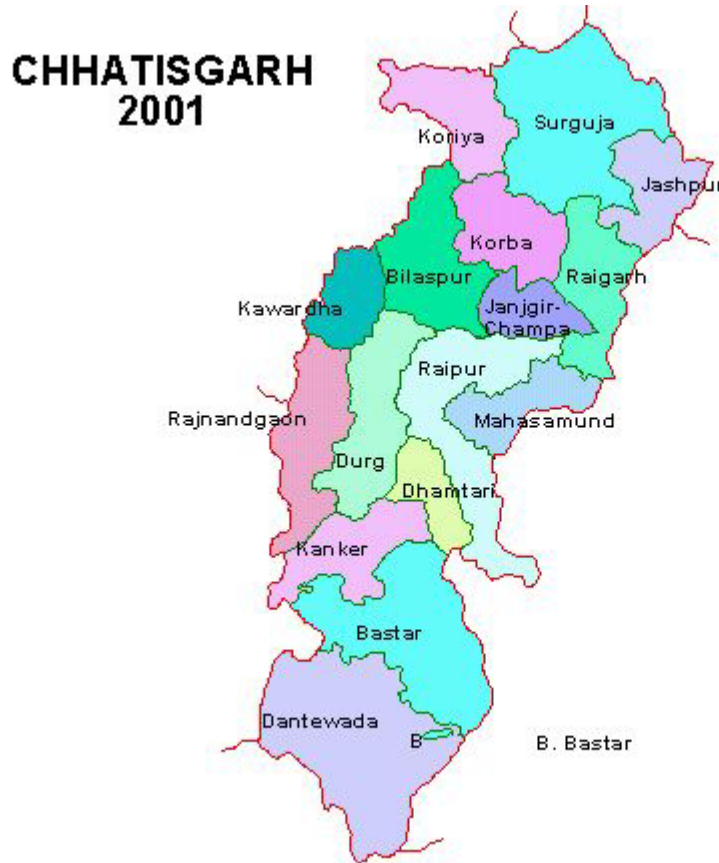
State Response

A state advisory committee was constituted in 1994. Police Officers of the rank DSP and above are notified Special police Officer. Advisory committee of social workers has been formed. No coordination Committee or task Force had been formed. One Crime against Women Cell had been formed.

Women Help Line is being run in the UT.

Nari Niketan situated at Sector 26 had been declared as Observation Home, Children Home as well as Special Home for the purpose of JJ Act 2000.

Chattisgarh (Category Three)



The state of Chattisgarh was formed in Sep. 2000 by separating from Madhya Pradesh, 16 districts having Tribal identity. Though there have been no reports of trafficking networks in the state but there have been cases of bonded labour. In addition the factors like poverty, widespread illiteracy, underdevelopment, low position of women in society, domestic and sexual violence, rigid caste/clan structure, feudalistic setups etc which are the major cause behind the trafficking of women and children and make them vulnerable are all present in the state.

In several in Chattisgarh like Sarguja, Jaspur, Rajgarh, Kawardha prevalence of Child Marriage is very high and mass marriages consisting of children as young as 4 are performed on auspicious dates such as Akshya tratiya or Akha Teej. Child marriage is practiced by both the tribes like

Kanwars, Baiga, Marrar and the upper castes especially thakurs, and rajputs.

In May 2003 notice was issued to 10 states including Chattisgarh, by Supreme Court for not checking prevalence of child marriage. The petition was filed by Raipur-based NGO "Forum for Fact-Finding Documentation and Advocacy". The petition stated that "the practice of child marriage was resulting in the girl's sexual abuse, rape and servitude. The effect of child marriage on the girl is particularly harsh. The age of marriage is about 12 years and often the boy's family does not wait for the girl to reach puberty. She is taken out of the schools and is used as a bonded labourer by the boy's family. Sexual abuse and rape is common as the girl is used by the males of the boy's family. She gives birth to a child very early while still

a minor and has many children. She then dies young".

Among the 'Bhil' Tribe, there have been reported cases of auctioning of women, by 'Panchganga' (tribal Panchayat) for marrying outside the tribe or similar kind of other acts which are not permitted by the Tribal tradition.

In some districts especially Vilaspur there are tribes like Kisvin, Harijan Satnami and Tholia whose women are engaged in Commercial sex, which remains the main profession of sustaining the families.

Migration to the cities like Delhi for search of job and domestic services is also becoming very common among the tribal communities especially girls. These women remain highly vulnerable to mental, physical, economical and sexual abuse and exploitations. Several men and women from the state also travel to the state of Madhya Pradesh in search of work and are trapped into bonded labour in states like Uttar Pradesh.

Chattisgarh is rich in resources and the industrialization had also adversely affected the illiterate tribal population. Women in the area have been alienated from their traditional roles and are engaged in daily labour work where they become highly vulnerable and therefore, are harassed and exploited. Several women in such area have taken to commercial sex for earning.

Due to prevalent backwardness and underdevelopment, poverty, illiteracy is very high and the state lacks in basic infrastructure too. Coupled with illiteracy, underdevelopment and poverty, industrialization has also created the problem child labour.

The state response

A state coordination committee has been setup under the Principal secretary (Home)

in 2001, which is to also function as State advisory Committee as provided in Supreme Court Directives in 1990 in Vishal Jeet vs. Union of India. The Committee has been holding meetings almost regularly. In August 2002, selected areas falling under the municipal corporations of Raipur, Bilaspur, Durg, Bhilai, Rajnandgaon and Korba had been notified as prohibited area under Section 7(3) of ITPA. Orders have been issued in regards to appointing a nodal officer at police headquarters of the rank of DIG for the trafficking purpose, no reply to the coordination committee had been communicated by concerned department in this reference. Advisory Board of social workers to help the special police officers have been formed in two districts in 2002. 4 CSP, 1 SDPO, 10 inspectors have been appointed special police officers under ITPA Section 13 (3). On the recommendations of NCW to appoint a IAS officer at state level to coordinate with the various Juvenile Boards and Juvenile committees at district level, it was decided as not feasible and the responsibility was entrusted with Secretary women and child.

Orders were issued to include gender curriculum in the training syllabus of the police personals in 2003 the action in this ref. is awaited, with no reply from the concerned department. Police departments have been entrusted with the responsibility to collect database, identify NGOs, and prepare a scheme at local level with regards to the problem. The recommendation of NCW to maintain separate registers in Police station, in relation to crimes related to women and children was not feasible by the Coordination Committee and it was decided to keep the practice restricted to police station notified under ITPA.

There are only three Nari Niketans in the state one each at Durg, Raipur and Dantewara. Coordination Committee in 2003 ordered to convert Nari Niketan at Durg into Mahila Uddhargraha and the remaining

two into Nari Niketan cum Orphanage homes.

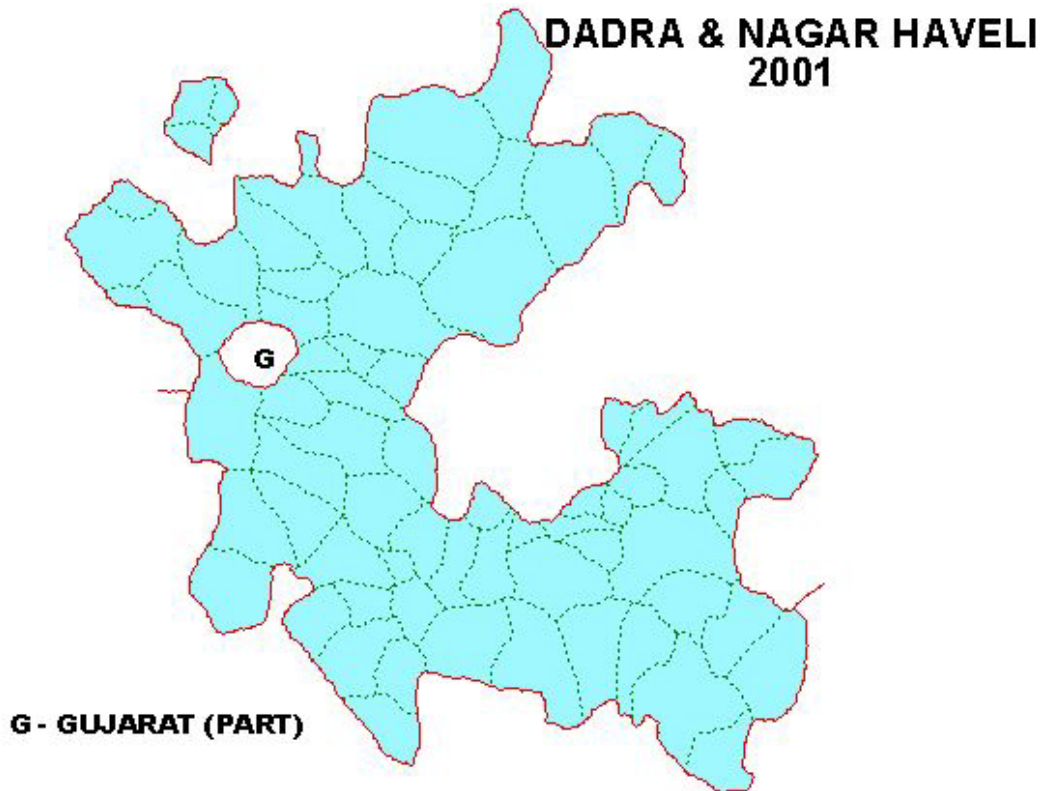
The administrative structure required by the J.J. Act 2000, has not come into existence in the state. There are no Juvenile homes, Care homes, short stay homes, rehabilitation homes, Women hostels, Women and Child Help Lines, Family Counseling Centres in the state.

Conclusion-

Lack of Infrastructure reflects the non-serious approach of the state government

towards the Rights of women and children in state. This can be attributed as grave violations of the laws of the country. Entrusting most of the responsibilities to Police and at the same time neglecting the Department of Women and Child and Social Welfare in giving the major responsibilities clearly displays not only the lack of understanding of the issue by the state authorities but also their love towards police power. In between there seems no scheme to involve the communities and peoples participation.

Union territory of Dadra & Nagar Haveli. (Category Two)



Commercial sexual exploitation and trafficking of women and children is not prevalent in Dadra & Nagar Haveli.

State response

Advisory committee consisting of official and Non- Official members to suggest measures

for prevention of child prostitution and programme for care protection and rehabilitation of victims was formed in 1994. Complaints Committee for the redress of sexual harassment of women worker at working place had been constituted in 2003.

Delhi (Category Two)



Delhi is a major Destination State as far as trafficking of women and children is concerned. Delhi despite being the National Capital has the third largest red light area in India. There are around 4000 women in around 90 brothels at G.B. Road. Women and girls are trafficked to Delhi from almost all the states of the country and Nepal & Bangladesh. Delhi State AIDS Control Society had identified more than 50 locations within the city where women are engaged in commercial sex. Apart from the stationary brothels there are hundreds of mobile brothels too functioning in the metro.

In recent years Delhi's flesh trade had truly gone global and it is not restricted only to Nepal and Bangladesh. Women are trafficked from all over the globe Russia, Africa, Europe for the purpose of commercial sex through international trafficking networks and in the form of escort service women can be attained anywhere

within the country or even across the border through these networks. Call girl rackets, Beauty Parlours, friendship clubs, modeling, Music Videos etc are other means through which women engage themselves in commercial sex.

Apart from commercial sex, women and children are also trafficked in Delhi for domestic service, construction works, coerced marriages, begging, pick pockets etc.

Delhi is also a major transit state for trafficking of women to brothels of various states. "Delhi in recent times has emerged not only as a major destination but also as a major transit point for the trafficking of girls from the North Eastern states and Eastern states. The supply states in North East are mainly Assam, and Nagaland and to some extent Sikkim. Among the Eastern State the major supply states are West Bengal,

Jharkhand, Orrisa and some parts of Bihar. Some amount of trafficking to Delhi as a destination and a transit point and then to other destinations such as Bombay, Haryana and Punjab is also visible from states of Madhya Pradesh and Uttar Pradesh. The trafficking of North East girls directly into brothels and call girl rackets is mainly for Bombay in sense that the maximum number of girls finally land up there in course of time. This takes place through the two major routes first the eastern route, which passes through eastern Bihar, West Bengal and to Bombay. The Second route is the Northern route where the girls are brought first to Delhi where a part of the trafficked population is absorbed in the metropolis itself and the other part is re-routed to Bombay. Even for those who are taken to Bombay directly, the preferred route is via Delhi as a transit point. From North East region the girls trafficked into coerced marriage in Haryana and Punjab come from Assam and are brought mainly through the Northern Route. While the maximum number of girls for both the destination States is brought by train, girls are also brought by trucks, especially in Haryana and the areas of Punjab adjoining Haryana. Some percent of Assamese girls are also brought first through the eastern route to Bihar, West Bengal and Jharkhand and then to Delhi and forward. While the maximum number of these girls are brought directly to Delhi some are absorbed in Bihar and West Bengal for time being or permanently. From the Eastern States of West Bengal girls are trafficked both for prostitution and coerced marriage. The girls trafficked directly into prostitution are taken to both Delhi and Bombay and a small number are also trafficked to deep southern states such as Karnataka (Banglore), Tamil Nadu and Kerala. The girls being brought to Delhi from West Bengal may not land up directly into the city but may be forced to stay in Bihar or other states in small brothel before moving to the big places such as

Delhi and Bombay. One of the major reasons for this is low risk involved in smaller places. But for the forced marriage into Haryana and Punjab the route mainly remains through Delhi either as a passing point or as a first destination. The girls being trafficked from Orrisa rarely land directly in the final destination place, in case of direct prostitution. For the purpose of coerced marriage majority are apprehended directly, by their buyers at first time through dalals. The modus operandi is of both kind, the buyer going along with the 'dalal' to the girls locality and the girl brought to buyers locality by dalals. The majority of girls trafficked from Orrisa are for prostitution mainly in smaller cities. For coerced marriage girls from Orrisa are taken to Bihar, Uttar Pradesh, Haryana and Punjab. Girls from Orrisa are also trafficked for labour purposes in brick kilns, and construction work who are subjected to all sort of physical, economical, moral exploitation including sexual and prostitution. From the state of Jharkhand the girls are brought to Delhi and Punjab mainly for the purpose of prostitution and daily labour. In Delhi mostly the girls are doubled as domestic servants in the day and function as prostitutes in the night. In Punjab too mostly the girls from Jharkhand are trafficked for home and land workers and are used as sex slaves in the nights and for prostitution in some cases. A small percentage of the total migrating women from the Jharkhand are also sold into coerced marriage. Another aspect of girls being brought to Delhi from Jharkhand, Bihar, Orrisa is for domestic work. A great number of these women are brought and then sold to the brothels and send to other places. The other are sexually exploited as sex slaves and forced to prostitution in form of unorganized and movable brothels." (Shakti Vahini 2003, [Female Foeticide, Bonded Labour and Coerced marriage in Haryana & Punjab](#))

State response

State Advisory Committee as per the Supreme Court Directives in Vishal Jeet case was formed in 1990. All ASP at Subdivisions, all SHOs, all Asst. Commissioners crime branch, IGI Airport and railways are notified Special Police officers for the purpose of ITPA. Formation of Advisory Committees of social workers under ITPA is under process. State level Coordination committee was created under Chief Secretary in 2001 as per the Nation Plan of Action. Anti trafficking cells had been formed in High risk/red light areas. There is no separate plan of Action for the state and state level task force had not been set up.

Government had identified 11 colonies, 11 Clusters, one specified location and two other areas as the place where Commercial sex is being undertaken and are vulnerable areas.

As result of High Court directives in 2002 to open rescue cells and to take measures to stop trafficking vigorous awareness generation was done in that year through Electronic display Boards, hoardings and posters, Nukad natak, massage on DTC buses, documentary films, News Papers, Cinema halls, Stree Shakti camps. But the drive faded with time. In 5 phases 98,154 people have benefited from Stree Shakti Camps. Sensitization of police, Educational institutes, NGOs and anganwadis had been carried out from time to time.

As a result of High Court directives in 2002 one NGO was entrusted with the rescue

work from red light area. 204 girls and 89 women were rescued 90 have been sent back to their respective states. Rehabilitation is limited to training an skill development. 600 victims are receiving training through Nari Niketans and Children Homes.

There are 3 Juvenile Homes for girls, 5 Shelter Homes, and one Nari Niketan. A new shelter home is being constructed in Rohini for rehabilitation of the victims. Child Help line 1098 had been setup and popularized. Four gender resource centres have been setup to serve as single window centre on education, training and skill development, legal awareness, health and nutrition, employment guidance to women. Anganwadis are proposed for the red light areas. Children of victims rescued are kept in village cottage homes until age of 12 before being brought in children homes.

Some efforts where made to coordinate with the supply state Rajasthan on the matter.

Orders have been issued in regards to not insist for the name of the father in educational institutes. No seats have been reserved in the private institutions for the children of victims and there is no scheme for compulsorily institutionalizing the victim's children.

Names of the victims had been enrolled in the electoral rolls and photo I card for the purpose had been issued. But Ration Cards as separate illegible category under PDS had not been issued.

Gujarat (Category Three)



State of Gujarat does not come among the high Prevalence State for trafficking of Women and children. But it is neither totally free from the vice. Thousands of women are engaged in commercial sex in Surat, Sabarkantha, Rajkot, Anand, Junagarh, Vadodara,, Gandhidham, Ahmedabad, Dahod and areas along the highways especially Highway No 8. There are more than 800 women in the brothels of Surat alone. Women from Nepal, Maharastra, Andhra Pradesh, West Bengal, Karnataka, Uttar Pradesh, Rajasthan, Madhya Pradesh and Gujarat are found in the brothels of Gujarat. Around 70 percent of women come from Nepal and Andhra Pradesh. Also networks of call girl rackets run through various hotel and guesthouses keep on being exposed and reported. Surat is a port

town and sailors and traders from several countries congregate and engage themselves for fun and fare before embarking on another several months long sea journey. In 1999, the then city police commissioner Kuldip Sharma issued a notification to all the inhabitants of the Chakla Bazaar engaged in commercial sex to stop their trade. Forces were reportedly put in use and all the sex workers, estimated around 800 in number, left the place due to fear of police brutality. Without any positive approach on the part of authorities for alternative means of livelihood the battle was taken to the Gujarat High Court challenging the notification. National Human Rights Commission too visited the area and the district authorities were asked to ensure rehabilitation measures for the displaced sex workers. But little has changed since then as

Administration failed to provide alternatives and proper rehabilitation.

A marked amount of migration from the Northern States of Uttar Pradesh, Bihar, Madhya Pradesh, West Bengal, Orissa etc takes place to Gujarat for labour purpose. This migrating population includes children as well. The state has thousands of child workers at construction sites and garment units all over Gujarat, silver and gold jewelry units in Ahmedabad, bidi and agarbatti units in the eastern belt, carpet and power loom units in south Gujarat and ceramics units in Saurashtra. Post-quake, the incidence of child workers has gone up.

State Response to the problem of trafficking and commercial sexual exploitation has been in setting a State level Coordination committee under Chief Secretary Home in 2002. State level Committee was constituted with district units for prevention of atrocities against women. Officers of the rank of Dy. SP. have been notified special police officer under ITPA. Orders, have been issued by the State authorities, to not insist upon the name of the father. No efforts had been made to reserve some seats in the private institutions as required by the National plan of Action. The advisory Committees of the social worker under the ITPA have not been formed. The task force as envisaged in National Plan of Action has not been

formed. Anti Trafficking and prevention cells in the High Risk/ Red Light areas have not been constituted. There is no Mechanism for interstate coordination to stop trafficking from other states and for rehabilitation of the victims. There is no Plan of Action to combat the trafficking. There is no special scheme to integrate the victims into the mainstream government welfare schemes. No scheme to integrate the victims and their children with the general health services available in state and there is no special scheme for the victims. There is no scheme for victims who are terminally ill suffering from HIV infection. There is no special scheme for the education of the children of the victims, neither there is any special scheme to some how compulsorily engage them in the state educational setup.

Only one survey covering 108 victims in Surat was conducted in 2001 by Preventive and Social Medicine department. Targeted Interventions for HIV/AIDS are being run among the victims of Surat, Sabarkantha, Rajkot, Anand, Juna garh, Vadodhra, Gandhidham, Ahmedabad, Dahod.

There are 11 Women Homes, 10 prevention and rescue institutions, 53 children homes under J.J.Act, 7 Short Stay homes under ITPA in the state.

Goa (Category Two)



Goa is a major tourist destination in India. Drug trafficking along with Human trafficking is very high. In 1991 for first time International racket of Pedophiles was exposed having connections with New Zealand, Australia, Sweden, Bangkok, Germany and France. 10,000 Bangladeshi children in prostitution in Bombay and Goa India (CATW 1999). There are estimates that more than 500 children are sexually exploited in Goa for commercial reasons. During the tourist seasons there starts a sudden flux of young girls and boys arriving to Goa at the average of estimate 50 per day. Child pornography is also high.

Various sources estimate 2000-5000 women in the red light area of Goa. Also there are mobile brothels engaging women in commercial sex in thousands. Majorities of

the victims in Goa are from Andhra and Karnataka.

The crime rate against children and young girls, especially sexual crime is high. Children are also trafficked for begging in the state.

The state response to the problem consists in forming the state advisory committee as per the directives of Supreme Court in 1990. S.P. North & South appointed a special police officer under ITP act 1956. Advisory Committees of Social workers under ITPA have not been formed. In all 5 subdivisions police officers, Panaji, Margao, Vasco, Mapusa, Ponda have been appointed a special anti trafficking police officer's along with subordinates staff of the rank of PI. There is one protective home cum reception centre set up by the state government. Coordination Committee had not been formed.

Act against pedophilia had been passed in Goa in 2003. The legislation has specifically made any such case of abuse a non-bailable offence under section 2 (a) of the Criminal Procedure Code, 1973. The fines and jail terms are also severe -- Rs 100,000 with imprisonment between one to three years for sexual assault and incest and Rs 200,000 with seven to 10 years jail term in case of a grave sexual assault. "All persons, who keep with them or reside wholly, partly or in any form with one or more child or children who are not related to them by blood, shall inform this fact immediately to the Director of Women and Child Development," states the bill. Under the new legislation the owner and manager of a hotel or other establishment will be held solely responsible for the safety of the child in the premises as well as all adjoining beaches, parks, and if any child is allowed to enter the room without registration. The act also prohibits the children from accessing objectionable material inside hotels and other establishments from Internet facilities that are not fitted with filters or through film or videos, disc-players, cable or any other medium. It provides for strong action against making children available to the adults for commercial exploitation including posing obscenely, selling or abetting sale of children even under the garb of adoption and even dedicating a girl child as *devadasi* (servant). The police and airport authorities can now detain any adult, accompanied by a child, who is suspected to be involved in child trafficking or abuse. It also proposes sensitisation of the police personnel on the issue of child abuse and even making it a part of police training curriculum. Setting up

of the victim assessment units and evolving child-friendly tourism code have also been proposed. The government is now empowered to appoint persons to go undercover and pose as a prospective client for child prostitutes to nab them.

One juvenile home at Mercas. One Juvenile complex is under construction, Health centres have been set up in Baina Area at Vascodigama.⁵ NGOs are running short stay homes. There is a family education-counseling centre at Panaji. No help lines are established so far. A NGO "ASHA SEVA SADAN" Functioning in the red light area of Baina is providing boarding homes etc. for the victims.

No specific schemes are formulated and no plan of Action had been prepared for the state.

Last year, the Panaji bench of the Bombay High Court had instructed the South Goa District Magistrate and the National Commission for Women (NCW) about presenting a compliance report regarding rehabilitation of the commercial sex workers in the Baina red-light area, by April 2004. In pursuance to this in 2004 there had been some hushed up efforts to evacuate the victims and rehabilitate. In this effort state had coordinated with Karnataka but in lack of any well formulated rehabilitation scheme the success of the efforts yet remains to be watched. While the Karnataka government is cooperating the other state government had not taken equal interest.

Haryana (Category Four)



Though there are no Red light areas in Haryana., but mobile sex workers are common to be found in the districts along the Highways and in the cities like Faridabad, Gurgaon, Panipat, Sonapat, Ambala etc. Commercial sexual exploitation is also done through the call girl rackets, massage and beauty parlours.

Other form of trafficking in Haryana is for bonded labour in Brick Kilns, Stone quarries and agricultural labour.

The most severe form of trafficking in Haryana is for Coerced marriages. "The shortage of brides in villages and towns of Haryana and Punjab is being addressed by buying and trafficking of women from distant and poverty-ridden states like Assam, West Bengal Jharkhand, Bihar and Orrisa. In Haryana and its surrounding areas in

Punjab, the buying of women for marriage is directly fueled by and result of adverse sex ratio. The widespread unemployment especially in Haryana and the discriminated status of women in above states have only added to the problem. There are about 5-10 thousands women forced into marriage by coercion or trade in Rewari and Faridabad district alone in Haryana. Though all over in Haryana and Punjab there are women and minor girls from all the source states i.e. Assam, West Bengal, Bihar, Jharkhand, Orrisa, Madhya Pradesh & Uttar Pradesh there is a marked change in their proportion in different region of destination states and with the purpose of trafficking. In Mewat region of Haryana there are about 10,000 women, maximum number of these women are from Assam and West Bengal, the proportion of West Bengal women increases moving towards the surrounding areas of

Mewat though the number of West Bengal girls in total remains less than those from Assam. Moving towards Punjab in the districts adjoining Haryana the numbers of girls from West Bengal surpasses the number of girls from Assam. A great number of these women are sold and resold to several persons successively and only few are lucky enough to enter into settled marital life permanently. There are cases where the girls have been sold to several persons commonly to be a sexual slave for them. Even of those, who are settled at a point of time no valid marriage has taken place and they are not only always at the mercy of their “buyers”, at any point of time and can be rejected and thrown out, but socially too they are looked down as “Kept or Rakhels” and have to bear the stigma. Having children is no guarantee for such women forced into coerced marriage that she will not be sold further. There are cases where mother of three children have been sold with children not once but many times to different persons. While having children does not imply security and safety for the women, the life of children comes to at risk because the buyer may not be willing to accept liabilities of the children. Such children become highly vulnerable for trafficking, abuse and exploitation. Costing less than cattle, no one cares for them if they are sick and in need of treatment and medication, because it makes better economic sense to buy a new virile

girl than to spend on sick, exploited and weak woman. There are cases where minor girls have died out of pregnancy related problems unattended by any medical professional.” ([Female Foeticide, Coerced marriage and bonded labour In haryana & Punjab, Shakti Vahini - 2003](#))

State response

State Advisory Committee was formed in 1994, which never met since then. State level Advisory Board had been constituted but there is no record of its activities available. Juvenile Justice Fund has been created. Though the Juvenile Justice Act 2000 came to effect in state in 2002 but none of the cases were dealt under it till late 2003. 4 Juvenile Boards were constituted at division level in 2003. The Juvenile Committees till end of the 2003 existed only on papers.

There is one Juvenile Home at Chchachhrauli, Rewari. One Special Home at Sonapat. Two Observation Homes, one After Care Home. One shelter home at Gurgaon with capacity of 100.

There are no Advisory committees of Social workers, no special Police officers, no task force, no anti trafficking cells, no coordination Committee, no Help Lines in the state.

Jharkhand (Category Three)



The new state of Jharkhand, which came into existence in Nov. 2000, is increasingly emerging as a major source area for trafficking of women and children. The innocent, illiterate, landless and poor tribal communities which constitutes the majority of its population are easy prey to the organised Networks of traffickers, who mostly operate through the local agents and lure the victims in pretext of job, marriage etc. According to Jharkhand activist Dayamani Barla, who rescued 21 girls by posing as an agent, 20,000 tribal girls are listed with unregistered agencies as potential domestic helps in Delhi. "The police and local politicians have a nexus with these gangs," she says. ([The Telegraph 12/8/02](#) [Flesh pirates plunders arid heartland- Spurt in trafficking of girls from endangered tribes in Santhal Pargana](#) GAUTAM SARKAR). Due to lack of

agriculture and employment opportunities migration of the indigenous population is very high. Young boys and girls are trafficked to Delhi, Punjab, Haryana, West Bengal for domestic and agricultural labour, work in stone quarries, brick kiln, beggary, pickpockets, forced marriage and commercial sexual exploitation. According to a survey conducted by People's Awakening for Traditional Revival and Advancement (PATRA), 'there are at least 2,500 to 3,000 tribal girls from all over Jharkhand who migrate to metropolitan cities every year. Poverty is a conspicuous cause for most who leave their families to go and look for jobs in big cities that offer more opportunities. Brokers who make tall claims lure some into leaving their homes, and the girls don't have an option but to take up petty jobs. Trafficking of tribal girls has also resulted in forced prostitution. Most victims

in such cases are from Ranchi, Gumla, Lohardagga and Hazaribagh'.

Child labour within the state itself is very high. Children comprise 50% of Jharkhand's workforce. (Source: - [The Daily Pioneer, June 11, 2002](#)). Ranchi topped the list in child labour according to '1996 child labour survey report'. According to the survey conducted, in industries like beedi making factory, brick kiln, agriculture fields, hotels, domestic help and other places by an NGO Sampuran Gram Vikas Kendra, 'Child labour is rampant in the newly formed State of Jharkhand, with nearly 50 percent of the workforce comprising of children below 14 years. Most children below 14 years are involved in hotels and houses. Also these children are paid much below the prescribed wages. They are given a meagre amount of Rs 10 to 15 per day, which is much less than the fixed wages. 92% of the working children were from the ex-untouchable communities and tribes. 37% of the working children were from the single parented families. 89% of the children and 93% of their parents were illiterates.' As many as 3,570 children were found working in hazardous units while 6,375 children are employed in non hazardous areas in a survey conducted between April and December 2001, by the Labour Department at the directive of the Jharkhand High Court. While children are employed in all types of activities in the unorganized sector, the problem of domestic child labour, which comes very close to slavery is one of the most exploitative forms of child labour in Jharkhand.

In several areas around Ranchi 40 - 50% of the population migrates during the lean season (6 months) to far off brick factories (ADB RETA). 'Deep in Punjab, in the doaba region the maximum numbers of girls are from Jharkhand while there are also girls from Bihar, West Bengal, Assam, Orrisa,

Madhya Pradesh and Uttar Pradesh.----- maximum number of girls and women trafficked for domestic work, bonded labour like condition and slavery, are from Jharkhand, Bihar, Orrisa, M.P. & U.P. ---- The shortage of brides in villages and towns of Haryana and Punjab is being addressed by buying and trafficking of women from distant and poverty-ridden states like Assam, West Bengal Jharkhand, Bihar and Orrisa. ---- From the state of Jharkhand the girls are brought to Delhi and Punjab mainly for the purpose of prostitution and daily labour. In Delhi mostly the girls are doubled as domestic servants in the day and function as prostitutes in the night. In Punjab too mostly the girls from Jharkhand are trafficked for home and land workers and are used as sex slaves in the nights and for prostitution in some cases. A small percentage of the total migrating women from the Jharkhand are also sold into coerced marriage. Another aspect of girls being brought to Delhi from Jharkhand, Bihar, Orrisa is for domestic work. A great number of these women are brought and then sold to the brothels and send to other places. The other are sexually exploited as sex slaves and forced to prostitution in form of unorganized and movable brothels. The trafficking from West Bengal, Jharkhand and Bihar is mainly through train route and only a small percentage is through other means. The most infamous Tata Moorie Express, alone brings around fifty girls per week to Punjab alone and many times of it to Delhi.' ([Shakti Vahini- Female foeticide, Coerced marriage and Bonded labour in Haryana and Punjab 2003](#))

Trafficking of children for the carpet industry in Uttar Pradesh is also very high. Majorities of the children working in the carpet sector, be it in U.P or in Jharkhand are migrant child

labourers from Palamau and Garwa district in Jharkhand. These districts are the prime catchment area for child labours especially Garhwa. In any village in the district there is hardly any home where child labour does not exist. Estimates are that there are 11000 in Garhwa alone who are child labourers within the carpet industry. There are two kinds of child labour in this sector, child labour involving the forced migration of children to UP where they stay and work with their masters, and child labour whereby children work in the looms in their own villages. These children lead a life of bondage and slavery. Parents pledge their children for petty loans of Rs.300 - 500 to the middlemen. The children are packed off to dark, dingy prison under the guise of loom houses, where they will live and work. Some lucky ones do manage to escape but their freedom is usually temporary. Most parents do not welcome the return of prodigal son if he is empty-handed and he is soon forced back to work. Although carpet-weaving employment exists in their villages, the wage rates in Garwa, Jharkhand are much lower than in neighbouring U.P. However, the work is so dire that many children run away before their advance contract has been fulfilled, so they never actually earn a regular wage. The main factors responsible for the migration of child are the advance payment systems and the active role of the agents or middleman. Occupational health hazards such as asthma, and lung diseases-caused by dust and fibers – tuberculosis, skin allergies, poisoning by dyes, scabies, back pain, hip pain, limb pain and severe strain in the fingers are common. Cuts and injuries while using sharp knives and tools are a regular occurrence.

According Monica Roy, to an activist from Jharkhand, 'Women are allegedly burnt alive

in Jharkhand, because they are branded witches. . Young widows are labeled witches and the men of the village try to have an illicit relationship with her. When she resists, she is defamed, tainted and usually beaten or burnt to death'. There have been cases of women being beaten and paraded naked because the villagers thought she was a witch.

Red Light areas exist in the districts of Dhanbad, Bokaro and Hazaribag. The trafficking affected districts include Garwah, Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Ranchi, Palamu, Hazaribag, Dhanbad, Bokara, Girdih, Kodarma. Lohardagga. Most of the women trafficked from Jharkhand belong to Oran, Munda, Santhal (including endangered Pahariya) and Gond tribes, out of which maximum are from Oran and Munda.

State response-

In almost 4 years of its existence there has been little efforts by the state to put the administrative and legal machinery in place despite regular rise in the number of cases of trafficking. A survey was conducted in three districts of Dhanbad, Bokaro and Hazaribag, consisting of red light areas with a view to identify the women engaged in commercial sex. State Committee as per the directives of Supreme Court in Visakha Case was constituted in 200 for Prevention of Sexual exploitation of Women at Work place. In 2002 order was issued for the same in District and Block levels.

In the light of issuance of Notice by Supreme Court in Shakti Vahini vs. Union of India for non implementation of earlier directives of the Honorable Court and national plan of action, 7 Hostels for working women has been sanction in years 2002-2004. Budget provision has been made for yet to be established Women helpline. Similarly budgetary provision had been

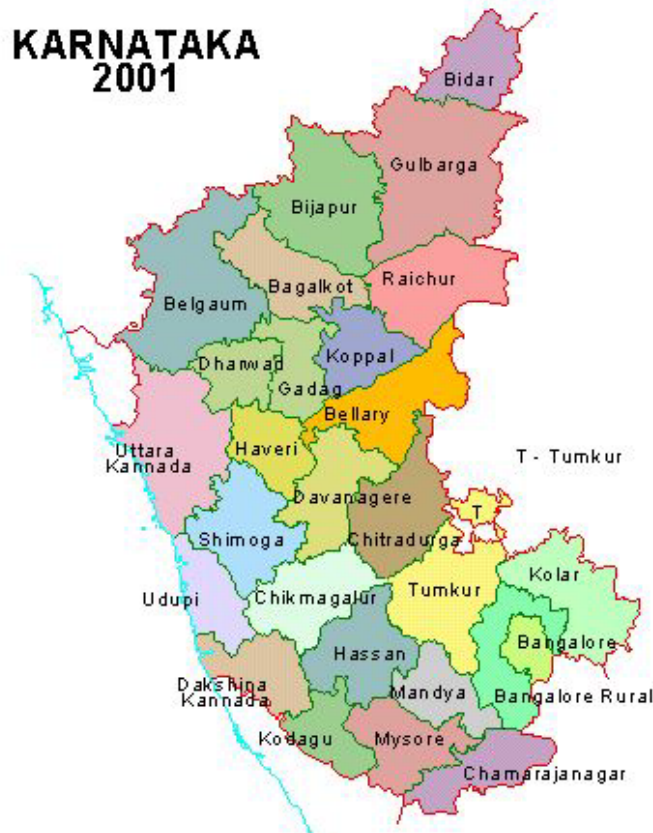
made this year for setting up of orphanage and other homes for children, Nari Niketans, remand homes. Also budgetary provisions have been made in reference to Awareness Generation, vocational training etc. Rules have been approved for implementation of the J. J. Act 2000.

Administrative Machinery, infrastructure, and instruments required under the ITPA and National plan of action and J. J. Act Viz. State advisory Committees, Special Police officers, Advisory bodies of social workers, Task Force, State coordination Committee,

Anti Trafficking Prevention Cells, Juvenile Boards and committes, Juvenile Homes, Short Stay Homes, State plan of action, Care homes for victims, Care and Protection Homes for Juvenile Victims etc are yet not in existence in the state.

Some spordiac efforts have been made occassionally to implement the Labour laws and Garwah, Sahibganj, Dumka, Pakur, West Singhbhum(Chaibasa) districts have been covered under National child Labour projects. 114 specialised schools are being run for child labourers.

KARNATAKA (Category Three)



US TIP report 2003, identifies Karnataka as one of the major Supply State in India. In India, Karnataka, Andhra Pradesh, Maharashtra, and Tamil Nadu are considered "high supply zones" for women in prostitution. (CATW Fact Book, citing Meena Menon, "Women in India's Trafficking Belt", 30 March 1998, citing the Central Social Welfare Board).

"It is a fact that more than two lakh girls from Karnataka can be found in the brothels Mumbai, Delhi and Kolkata today. There are twenty-seven districts in the state of Karnataka. The traffickers' network is active throughout the state with the rural Dalit population being the most affected. Trafficking in person, especially amongst minors and the young girls are increasing

enormously all over Karnataka. The trafficking is not only limited to prostitution alone but also for the purposes like forced labour, commercial gay and lesbian relationships to hire the wombs and for illegal marriages, domestic slavery, organs transplantation, for begging, for camel races." (ODANADI). According to NHRC member V S Malimath, about 80 per cent of prostitutes in Mumbai and Goa came from Karnataka. Most bar-girls in Goa are from Karnataka. The majority of the above 2000 women engaged in commercial sex in Goa, come from the states of Karnataka and Andhra Pradesh. Bangalore city Police busted a prostitution ring involving women from Africa and the Middle East and arrested six people. (US TIP REPORT 2003).

The practice of religious prostitution in the form of Devdasi or Basavi is prevalent in Karnataka particularly Northern Districts despite it being made illegal by Devdasi Prohibition Act of 1982. In the Bijapur district of Karnataka, girls are given to the Monkey God (Hanuman, Maruti), and known as Basvi. In the Shimoga District of Karnataka, the girls are handed over to the goddess Renuka Devi, and in Hospet, to the goddess Hulganga Devi.

Mysore, Bangalore, Raichur, Ananthapur, Raichur, Gulbarga, Bijapur, Bellary, Shimoga, Haveri, Meruj, Coorg, Mandya, Tumkur, Hassan and Chamarajanagar are the areas most affected by trafficking of women and children.

Scavenging - In Bombay and Bangalore more than 100,000 children work as rag-pickers. (CWA, Steve Brace and Rebecca Dodd, Action Aid, "Recycling for Life, not Life-Style", Child Workers in Asia, Vol. 9 No. 4, October - December, 1993)

There are at least 18 million children living on the streets in India. In a number of joint studies conducted by UNICEF and the Ministry of Labour, 75% of the children reported treatment by staff as bad and 91.7% reported provisions of necessities as bad, Bangalore.

The labour commissioner estimated that there were 3,000 bonded child labourers in the Magadi silk twining factories in Karnataka. (US Dept of State, Country Reports on Human Rights Practices - 1999, 25 February 2000)

25,000 children are employed in footwear industry and approximately 5,000 children in silk thread industry in southern Karnataka. (US Dept of Labor, Sweat and Toil of Children, 1994, citing ILRF, Trading Away the Future, 1994)

In 1999, the State contributed 4.1 percent to the All India total of crimes against women and ranked 18th among all States. "What is more disturbing is the decline in the ratio from 963 in 1981 to 960 in 1991. In nine districts, the ratio fell in the eighties; even the best district of Dakshina Kannada has a declining ratio. This is despite the improvement in health facilities and bed population ratios. 'Going by registrations alone, rape cases constitute 5% of the crimes in Karnataka. The actual number of the cases is probably higher given the reluctance of women to register complaints, dissuasion by relatives and friends and threats from the perpetrators as well as the hostility of the police and the judiciary.' (HDK 1999).

In 2003 Former 'Miss Bangalore' was held in high profile prostitution racket by Delhi Police. "The onslaught of the consumerist culture spawned by globalisation and liberalisation, which is luring young women into prostitution. There is also a steady rise in incidence of sexual harassment and molestation of young girls, a phenomenon more noticeable in urban areas. Now this form of violating woman's dignity, is increasingly reported in the rural areas as well." (Support Services to Counter 'Violence against Women' in Karnataka A Resource Directory by National Institute of Advanced Studies 2002)

The **state response** to the problem has been of passing of Devdasi Prohibition ACT 1982, but the heinous practice is continues in the state. Although organisations working to eradicate the problem have managed to rehabilitate more than 3,000 women and lodged as many cases with the police, not a single conviction has been achieved. This is because the Karnataka Devdasi Prohibition Act of 1982 requires photographic or videographic evidence which, considering the covert and secretive nature of the tradition, is virtually impossible.

The State Advisory Committee was constituted in 1993 in pursuance to Supreme Court Directives in 1991 in Vishal Jeet case, which held its meeting on 2001. As per Sec. 13 (1) (2) of the ITPA 1956 Officers of the rank of Inspector of Police and above are designated as Special Officers to deal with offences under the Act. Women Police stations have been established in the cities of Manglore and Bangalore. In district H.Q. there are grievances cell under the S.P. to look into the cases of harassment of women.

Coordination committee to work for the prevention of trafficking of women and children was announced in 2001 under ITPA. No State Nodal agency had been identified to deal with the issue of trafficking and no State Plan of Action is in existence even after six years of Nation Plan of Action. Anti Trafficking and Prevention Cells in accordance to National Plan of Action in Red Light/High Risk Areas had not been formed. Task force in all major cities to effectively coordinate activities for the prevention, suppression, rescue Rehabilitation and reintegration for cases of Commercial Sexual Exploitation had yet not formed as envisaged in Nation Plan Of Action.

Advisory body of Social workers, to help the Special Police Officer in the Red Light/High Risk areas as per section ITPA Section 13 .2. (b) have not been formed. There is a dearth of good NGO pilots on holistic rehabilitation, reintegration and work in source areas with a few exceptions, such as Samskar, Sthree etc. Rehabilitation requires higher level of higher funding (ADB REPORT).

The Govt. of India had sanctioned two projects for the trafficked women to NGO OSANADI Sewa Samthe under the Swadhar. There are Women help lines in 26 Districts and 18 taluks. One protective

home, 8 State homes for women and 11 reception centres, 8 Juvenile Homes for girls are being run by the state. There are 35 STD clinics covering all the districts in state.

Survey has been done with help of NGOs in 9 Districts to identify child prostitution and Devdasi tradition. The Devdasi rehabilitation scheme of the Karnataka Govt. being implemented in 6 districts consists of four components. First, training in skill development to able bodies Devdasis in the age group of 18-25 years and subsequently linking with marketing centres after the formation of Industrial Cooperatives Unit. Second, imparting of social and moral education. The other components are for the health care & residential schools to admit children of Devdasi. The scheme covers only those who are victim of Devdasi or similar tradition but does not cover the victims of other forms of trafficking. There is no rehabilitation policy for other women and children.

Stree Shakti (Women Power) is the state government of Karnataka's movement to empower rural women below the poverty line to achieve financial independence through income-generating activities such as agriculture and farming. The plan has over 7,500 self-help groups with savings amounting to \$1.8 million. In an effort to bring children back to school, the Karnataka State Education Department launched a massive public awareness campaign called "From Labor to Learning" to raise awareness about the legal implications of child labor among employers and parents. (US TIP REPORT 2003). The best scheme implemented for Devadasis is in Karnataka through the Women's Development Corporation (WDC) (especially organization of women SHGs, micro-finance and civil society partnerships). SC-ST Development Corporations are also implementing similar schemes. (ADB REPORT)

Conclusion –

The state government has been completely lacking in its will to make any serious efforts to tackle the problem. Though the ACT prohibiting the religious form of dedication was passed back in 1982 even after 22 years the tradition prevails in the state. No convictions have happened under the act for initiating a girl as Devdasi and it never occurred to government to make amendments. Most of the provisions of the laws like ITPA, JJ Act, National Plan of

Action and directives of the Supreme Court in two land mark judgements in Vishal Jeet and Gaurav Jain cases have not been implemented in the state.

Though there have been some remarkable efforts on part of NGOs to rehabilitate the victims of Devdasi in cooperation with different state bodies but the rehabilitation police lacks the punch required for succeeding in a remarkable way.

KERALA (Category Three)



Though there is no red light area but still there are well identified locations where the commercial sexual activities are prevalent through mobile groups of women and along the Highways, in the vicinity to the tourists' destinations.

Being one of the major tourists attracting state in India it is also suffering from the problem of pedophilic tourism along with the states of Maharashtra, Goa, Karnataka, Orissa and West Bengal. The rise in the demand of children for the purpose has been increasingly reported in recent years.

Kerala also remains a state from where a lot of trafficking is taking place to Gulf countries for the staff nurses and home maids who are forced into brothels or sexually abused by the employers. There has been an increasing number of women get HIV infected and

coming back posing an additional danger as most of these victims remain unaware of their positive status. It is also reported that many recruiting agents who bring housemaids to the Gulf region force them to take anti-pregnancy capsules before they start working with any Arab families. In some cases, the girls are given contraceptive pills without their knowledge. It is learned from reliable sources that taking contraceptive pills regularly is a routine affair for housemaids working in the Gulf. Because of this, they often do not follow other safety measures like using condoms putting them at high risk of HIV infection. The rackets involved in trafficking to Gulf states are well organised in Kerala.

Also huge out migration within the country takes place for Nursing Staff, body massagers, home maids etc. in various

metro cities and states. A large section of these women are always vulnerable to sexual exploitation.

Women from adjoining states of Karnataka and Tamil Nadu also enter Kerala as labourers in kilns, matchstick industries etc. and engage themselves in Commercial sexual activities. Also a large number of children are employed in automobile workshops, match box factories, hotels etc. who are always at high risk of being abused and sexually exploited.

According to 'ADB Report 2002', "In Kerala, the general age of peak income earning capacity is 18-25 years of age. Most CSWs are deserted/divorced/unprotected women. The brothels are rotating from six months to one year in one place. Three to four women operate, controlled by a man or a woman. Some of these women in Trivandrum and other cities are from Karnataka, (especially Bangalore), particularly, middle-upper class women. On the other hand, 90% of sex workers are street based. The categories of CSW are the following :-

- (i) Homeless women sweeping in the railway station, but active in the train station at night;
- (ii) Some have a home but are staying with some other women; not really the poorest and going out at night/day
- (iii) Those still living with their families, operate more in the streets and operate only in the daytime up to 5 pm. The poorest women also operating in the streets but are controlled by pimps, middlemen etc. Another groups operating from their homes are on call approached by middle class clients and come from better off homes, offices or colleges.
- (iv) The hotel/lodge-based child prostitutes between 15-18 years who are controlled by pimps. (ACS 2001).
- (v) In the cases of children living in slums and on the streets they are exploited in open spaces and sometimes taken to houses.

It is also noted in the Kerala micro study on child prostitution (WHI, 2001) that sexual abuse is an important source of vulnerability and bringing children into the control of traffickers." Further, "The intermediaries that coerce victims into commercial sex work are a separate set of actors who in some cases link up to large mafia networks controlling the whole system. There are syndicates operating through Mangalore that supply girls to hotels for Cabarets rotating the girls to Ernakulum/Trivandrum. They are well organized in small groups and may also travel up to the Gulf countries. In Ernakulum, an interview with CSWs revealed that 20 of them had mobile phones and were always on demand and were linked to mafia networks organizing girls of 10-12 years of age. In Kovallam beach it is said that most of the girls are from AP/Karnataka."

The Asian Development Report 2002 mentions following some of the causes behind the trafficking "In Kerala, the impact of WTO trade regulations and international fluctuations in market prices in the rubber, coconut and coir industries has led to deepening economic crisis. Two transitions have been particularly important: the move from paddy cultivation to cash crops and decreasing cash crop wage earnings. Women from landless and marginal farmer families, most of whom struggle to make sufficient wages through cash crop labor, have been particularly vulnerable to trafficking. Livelihood loss is directly linked to vulnerability to trafficking. There has been substantial livelihood loss in the fishing, weaving, tobacco and cotton sectors in India, which has contributed to increased vulnerability. In the fishing sector, the depletion of resources and non-implementation of the Marine Fishing Regulation Act and Aquaculture Bill have facilitated conglomerate takeovers in the industry, forcing many men to seek wage labour on the roads and women seeking income from whatever means available

(NATSAP, 2001). In northern Kerala, coastal areas have seen fisher women migrating, in search of work, to prawn processing areas in south Gujarat and Maharashtra. Kerala has also experienced the export of housemaids to Gulf countries, women who were coerced into the situation and sexually exploited. In Kerala, combating trafficking is a misnomer primarily as vulnerability to trafficking does not stem from poverty per se. Educated poor, export orientation dependent on international economy, out migration, perceived high status of women, decentralization, unionization has created new types of outcomes. With falling prices of export products, migrant cash crop workers tend to be trafficked. (as testified by NGOs in the last few months). In several cases in earlier years, agricultural workers too (paddy production) were forced to move into prostitution during shift to cash crops (Kuttanad area). Changes in the matrilineal reform by well meaning jurists (patriarchal, British law) have also in fact lowered the status of women. Three new sets of groups found in Kerala are more vulnerable to trafficking but not evident in the rest of India (a) women left behind by out migration workers in Gulf or other countries. Point of coercion is often within the family or tempted through seeking an outlet for sexual frustration (several years of separation from husbands / partners) (b) Housemaids exported to the Gulf countries (c) Coastal area fisher women moving to Gujarat/Maharashtra for prawn processing.”

In the past, the **State Response** to the directives of Supreme Court in two cases in 1990 and 1997 respectively and to the Nation Plan of Action has not been very encouraging and had mostly been limited to the cosmetic make ups of administrative set up.

The State Advisory Committee constituted in 1993, in pursuance to Vishal Jeet judgement of Supreme Court. State Level Coordination

Committee was formed in Oct. 2001 to review the implementation of the Plan of Action and provisions of ITPA. It first met on Jan. 2003 in pursuance to Supreme Court PIL Shakti Vahini vs. Union of India. The new review committee headed by chief secretary replacing previous one in 2003 its first meeting took place in July 2003. The committee directed to prepare a Plan of Action for state, work out a viable comprehensive scheme and identify various schemes of different departments and to integrate them with the main scheme.

While the law and the Nation Plan of Action envisages separate Advisory Committee and Task force, the two have been merged into one and such state level task force under Chief Secretary of State had been constituted in 2001. Its first meeting took in Jan. 2003. In 2002, Dy. S.P at Sub-Divisions level and 188 Circle officers have been notified as Special Police officers under ITPA. Social welfare department has been recognized as the nodal agency in the state for the issue of trafficking, prostitution and child prostitution.

The Action Plan had clearly mentioned that in the high prone areas the State Govt should form Anti Trafficking and Prevention Cells (under the State Police) and its officer to be notified as Special Police Officer no need has been felt by the state to form such cells.

Despite ITPA being in concurrent list no effort by state govt. to make its own amendments as per the state specific requirements with assent of centre. Yet there is no system to classify or separate documentation of the trafficking cases. Formation of Advisory body of Social workers to help the Special Police Officer in the Red Light area, as per section ITPA Section 13 .2. (b) had yet not materialized. First preliminary meeting for coordination with NGO's took place in Jan 2003. The

state is taking some sensitisation programmes for police department. With the help of High Court, state Judiciary too is being sensitized. Some awareness programmes with communities is being undertaken with help of NGOs

No scheme for Rehabilitation and Reintegration of the victim in the mainstream society and there is no state fund for the same. Recently, Govt. has introduced a general victim compensation scheme for income below Rs. 24,000/, which provision Maximum compensation of Rs. 10,000 however in deserving cases it may be increased. The scheme is limited to the victims who are residents of Kerala. It also makes provision for treatment in private hospitals at state expenses where state hospitals are not in existence. The formation of district rehabilitation committees has also been ordered. The general scheme for compensation though a very positive step but discriminates against those who have been forcibly exploited in Kerala but are not original residents of the state. The state govt. also envisages to build a core of committed public officials to improve government system and procedure though it accepts that it is easier said than done. Recently it has introduced a new school scheme of residential schools for the children of Juvenile Homes up to VIIIth and then admitting to High School, Higher studies or vocational trainings in accordance to their progress and aptitude

Kudumshree Scheme for empowerment and promoting local self-govt. has been

successful though not equally in whole geographical area of state.

53 targeted Interventions, 49 of them with victims of Commercial sexual activities are underway for HIV/AIDS protection. But there is no care home for terminally ill HIV infected as envisaged in National Plan of Action.

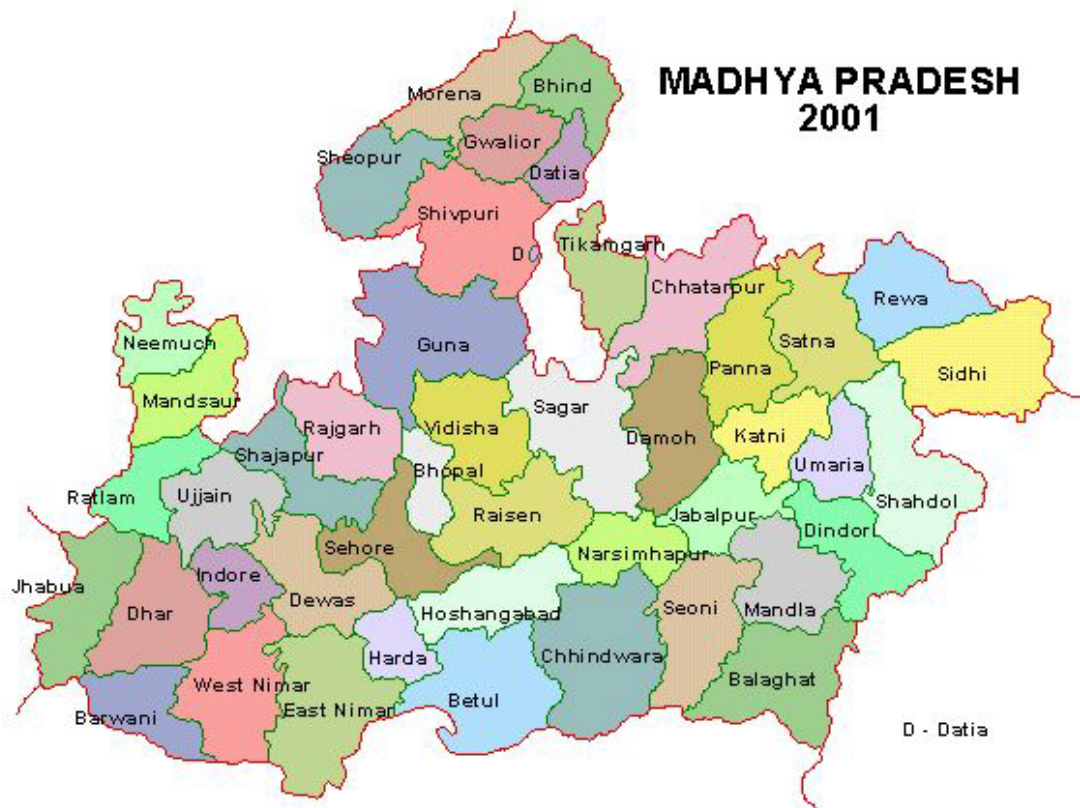
In the State there are 10 Abala mandirs, 2 Rescue Homes and 1 After Care Homes. Besides, there are 2 Special Homes under the Juvenile Justice Act, where young girls are given protection. Also there are 35 Family counseling centres in the state. There are two women Help Lines run by NGOs. A women help line number 1098 had been provided by telecom department in Tiruvanthpuram

Conclusion

In the light of recent notice to state government by Supreme Court in Shakti Vahini vs. Union of India, asking for the progress report and action taken report there have been made some hurried efforts to put the system in place. Any positive impact in tackling the problem and in the lives of the exploited victims can be expected only when the words of the provisions of various legal instruments and policies are followed in spirit too.

Some efforts made in the direction of economic empowerment and general compensation scheme qualifies it to category three.

MADHYA PRADESH (Category Three)



“Several sources indicate that “high supply states” in India as Andhra Pradesh, Karnataka, Tamil Nadu, Maharashtra, West Bengal and Madhya Pradesh”. (ADB, RETA). Though most of the brothel or red light areas have disappeared from the state but the traditional form of prostitution is still at prevalence in large in Madhya Pradesh. The traditional brothels have been replaced by rural hutment’s in villages and along the High Ways. “A major demand for commercial sex workers is from those who work (35 lakh 42 truckers work for private / public companies), and travel along highways. Road traffic has increased over recent years in India, and now accounts for 55% of freight and 80 % of passenger traffic, whereas rail traffic has decreased to about 40% of freight and 20% of passenger traffic. This has resulted in a range of impacts for those living and doing business along the

highways. It can be presumed that as the demand for CSWs increases traffickers and organized crime syndicates will bring children and young women to meet this demand. In Mandla district of Madhya Pradesh, for example, several scheduled-tribe villages are located on the Mandla-Raipur national highway which are centers for organized trafficking of adolescent girls. There are also grave concerns about the links between highway routes, mobile populations and the spread of HIV/AIDS” (ADB, RETA Report.)

Women from castes of Bedias, Bachchara, Sansui, Deredar, Nat & Kanjars are still being forced into prostitution and sold or trafficked to other states like Uttar Pradesh and in the red light areas of cities like Mumbai, Pune, Nagpur, Surat, Delhi, Agra, Meerut, Allahabad, Aligarh etc. A large

women trafficking network is active in the districts of Shajapur, Rajgarh, Guna, Sagar, Sheopur, Morena, Shivpuri, Sagar and Vidisha. Thousands of Bédias spread in 16 districts constitute the mainstay of this traffic. The districts of Morena, Shivpuri, Bhind, Sheopur, Guna and those and around the Chambal region - have turned to be the epicentre of this activity. "Bhedias or Sansui in M.P. illustrate this nexus between gender and ethnicity. Parents from certain scheduled tribes (who have traditionally been discouraged from owning any land, have low literacy rates and are typically poor) marry girls to a deity or a temple. The marriage usually occurs before the girl reaches puberty and requires the girl to provide sexual services for upper-caste community members from the temple. ----- They are forbidden to enter into a real marriage". ----- "A study for the National Commission for Women indicated that 62% of women CSWs belong to the scheduled castes, and 30% to scheduled tribe groups." *Source: Mukerjee K.K 1997. Paper presented to Joint Women's Programme(JWP) Seminar, Delhi*

"In the Ratlam district of the central Indian state of Madhya Pradesh, when a first-born daughter of the Banchhara tribe turns 12, her father organizes a ceremony where she makes known her intentions to work as a prostitute. After this declaration, her father takes her to her first customer, who waits in a room in her family's house reserved for this purpose.---- Fathers and brothers live off the earnings of their daughters and sisters, who make between \$10 and \$100 each day, according to the Madhya Pradesh Human Rights Commission, an affiliate of India's National Human Rights Commission. ---- The agency submitted recommendations last year to government officials about ending the practice. Since Indian law prohibits prostitution, the industry is unregulated by health or business officials, and more than 90 percent of these pre-teen

prostitutes become pregnant. Many others are infected with sexually transmitted diseases, including AIDS, the commission found. ---- When the state government's representative in Ratlam conducted a health survey in 2000, almost 50 percent of the women were found to have sexually transmitted diseases. The survey also found that 14 percent of the Banchhara women had symptoms of AIDS. In its house-to-house survey, the Madhya Pradesh Human Rights Commission corroborated these findings, and discovered that many of the girls, ranging in age from 12 to 16, were being sent to West Asian countries despite Indian laws prohibiting trafficking and prostitution of women. -----Madhya Pradesh officials say that local politicians often stymie their efforts. When the state government launched a drive two years ago to crack down on the flourishing flesh trade, some local officials termed the effort "anti-human." ---- In a letter to Madhya Pradesh Chief Minister Digvijay Singh in 1999, one of his Congress Party colleagues contended that eradication of prostitution would "create a threat to our women, as they would then become targets of sexual abuse." ([Preteens in Indian Caste Forced Into Prostitution Run Date: 04/29/02 By Swapna Majumdar, WEnews correspondent](#)).

"Prostitution in the Banchhara and Bedia communities is not an economic necessity but a social compulsion, forced by males of the caste groups, said the recent report prepared by the Madhya Pradesh State Human Rights Commission. According to the report their (Banchhara) total population is 5,775, including 3,113 females. There are 1,212 unmarried girls in the community of whom 45 percent are engaged in prostitution. -----The 'Khelawadis' conduct their business in small huts situated near highways as most of the customers are truckers. The fathers and brothers act as pimps. ---The Bédias do not operate from their homes and instead prefer to sell the

girls in far-off places. The Bedia are estimated to number about 16,800, including 8,348 females. Of the females, 2,993 were never married and provided the base for prostitution, primarily in the three districts of the Chambal region. --- Over the years, Bedia men have found it more profitable to send their minor daughters to Mumbai and the Middle East. According to the MPHRC, the sex trade amongst the Bedia of Morena, Gwalior and Sheopuri districts has become organized and is controlled by the underworld." (No Choice About Prostitution For Young Women In Madhya Pradesh. By Shuriah Niazi, August 2001). The trafficking for commercial sexual exploitation is prevalent in the districts are Guna, Panna, Shivpuri, Vidisha, Shajapur, Rajgarh, Morena, Sagar, Raisen, Ujjain and Chhatarpur, Bhind, Chattarpur, Gwalior, Jabalpur, ujjain, satana, Vidisha, Ratlam, Mandsaur Neemach.

The High Court in 1991 pulled up the State government for ignoring the immoral trade. The court, asked the government to act on both fronts: First, clamping down the trafficking network by enforcing Suppression of Immoral Traffic Act (SITA) at all vulnerable zones and appointing special police officers to implement the same. Second, designing a scheme to abolish socially sanctioned prostitution on Banchada and Bedia and rehabilitate the prostitutes apprehended. Initially the entire administration was stirred up, followed by some hectic activity. But that is the end of the story. Action taken on immoral traffic act is almost nil or negligible. The potential redlight or trafficking zones are identified and special officers are appointed in places, but only on paper.

Apart from the traditional communities engaged in commercial sex, trafficking for the bonded labour is also prevalent in Madhya Pradesh. 'In Panna district several

thousand tribals are employed in stonequarries and live in migrant shanties near the quarry sites.' (*Contractors and other Sources: Interviews by RETA team, Action Aid Report 2001, NATSAP Report*). Leather Tanning - Reports of children involved in leather tanning industry, particularly in Rajasthan, Madhya Pradesh, Andhra Pradesh and Tamil Nadu. (US Dept of Labor, Sweat and Toil of Children: Consumer Labels and Child Labor, 1997, citing "The Status and Problems of Leather Workers"). According to a national survey conducted in 1981, Madhya Pradesh headed the list of bonded labourers with a record number of 500,000. Of the total agricultural labourers in Madhya Pradesh, 11.8% were in bondage. Among the total identified bonded labourers in the state, 5.5% were adivasis and 3.1% dalits.

Thousands of Children few as young as 5 are being married every year in Madhya Pradesh. The most affected areas are Mandsaur, Neemuch, Shajapur, Rajgarh, Guna and other areas bordering Rajasthan. Most child marriages take place in Tawar Rajput community, which includes several sects of backward Rajput clans like Sondhiyas, Dangis and Lodhas. Child marriages among Gujjars and Yadavs are also common.

The Lower status of women in state also reflects in the wide spread illiteracy and female infanticide and feticide prevalent in state, which makes the over all atmosphere for trafficking very vulnerable, with little hope for reform or reaction. "In a survey in Bhind & Morena, conducted in 1994, on the research project on adverse sex ratio in Madhya Pradesh it was report, " -----. The above description also indicates that the practice of female infanticide was largely prevalent among Bhadauria, Kachwaha, Shekhawat, Tonwar, Bhatti (or Bhati), and Jadeja Rajputs and Gurjars. According to the district administration, Bhind has a high

proportion of Bhadaurias in Ater block, Kachwahas in Lahar block and Gurjars in Gohad block. In Gohad block we found that Yadavs have also been practicing female infanticide. In fact, our data from the 10 villages of Gohad block indicate a sex ratio of only 392 among the Gurjars, 400 among the Yadavs, 417 among the Rajputs (essentially Rathors), 583 among the Jats, and 714 among the Brahmins, in children below the age of 7 years. Tonwar Thakurs have been a major caste group in Morena, and villages inhabited by them show a considerably low proportion of females among children aged 0-6. ----. The possibility of female infanticide in many of these villages cannot be ruled out, as there does not seem to be a biological possibility of a sex ratio at birth of more than 115 males per 100 females.----- Unstructured interviews with women in Madhya Pradesh indicate very clearly that the practice of female infanticide still continues among these communities (Yadavs, Gurjars and Rajputs) and we have oral records of quite a few recent incidents. Our analysis confirms our proposition that female infanticide is community-specific. Thus, in Madhya Pradesh, the Gurjar, the Yadav (Ahir) and the Rajput communities have particularly low child sex ratios and, as indicated by direct and indirect evidence, the practice of female infanticide is widespread among them. Among these communities (Gurjar and Rajput), female infanticide is widely practiced even now. ----- When the Village Death Registers of several villages other than the sample villages (for the month of April 1994) in Madhya Pradesh were examined, it was found that, out of 43 infant deaths, 36 were of female babies. Among these female infant deaths, as many as 21 died within two days and 7 died within a week of birth. Altogether, about 78 percent of female infant deaths occurred within a week of birth (Village Death Registers 1994). Age reporting may be dubious and it is possible that these deaths were

instantaneous. Similarly, in another village in Gohad block, the death records kept by the ANM indicated several deaths of girls on the first or second day of birth. Typically, in most such cases, the reason for death was given as pneumonia (even if the infant died within a day of birth) or that the baby girl turned pale, blue, green, or that her body became stiff. All such cases with inexplicable reasons for death seem to be suspected infanticides. ----. A government doctor's statement in Gohad in Bhind district is of significance. According to the doctor, when a male child is born, the woman is kept in the hospital for two to three days, but when a girl child is born the villagers take the woman home immediately, even at odd hours, so that the child can be put to rest by feeding her tobacco (personal communication 1994). ----Killing generally takes place immediately after the birth. 2. According to the men, the reason is that once the mother feeds the child, some sort of bond gets established between the two and then it may be difficult to sever that bond. -----We were told in Gohad block that, when a child is being born, the men collect in one room and the women in another. If the child is a boy, they bang a *thali* (metal plate) or fire in the air to announce his birth. If a girl is born, an elderly woman of the house goes to male members and asks *baarat rakhni hai ya lautaani hai* (do you want to welcome the marriage procession or shall we bid them to return?) If the reply is *lautaani hai*, every woman leaves and the mother of the newly born is asked to put tobacco in the girl's mouth. There is no question of resistance as it would mean that the mother herself is at risk of either being killed or thrown out of the house." ([Born to Die: Female Infanticide in Madhya Pradesh. Mahendra K. Premi and Saraswati Raju . July-Sept 1998.](#))

The state response-

Little has changed despite the High Court Directives to check traditional form of prostitution and trafficking and the same petitioner has gone back to high court for not implementation of the directives. Supreme Court issued notice to 10 states including Madhya Pradesh for failing to stop child marriages taking place in mass level. In pursuance to Supreme court Directives in 1990 in Vishal Jeet case the State Advisory Committee was constituted in the state under ITPA and State Govt has appointed Special Police Officer in 1998-99.

The Jabali scheme in M.P. was announced in 1992 addresses the Bhedia, Bhancadara and Sansui Tribes and has a holistic conceptualization to programming for children of victims. The scheme included: Separation of children in 6-12 age group and providing them primary education in special residential schools. Imparting higher education or vocational training to girls in the age group 12-25, in order to wean them from prostitution. Also, ensuring health care and AIDS awareness among the population at large. "In Madhya Pradesh, a highly evolved policy for women with criteria/stipulations for accelerating women's participation in programming has been pronounced. This is converged fairly effectively with the Panchayat Raj system; micro – level planning decentralized allocations. (Yet no special component plan for women exists like in Kerala). The Jabali Scheme for children from Bedias, Banchhara tribes in MP is a comprehensive scheme intended to cover 16 districts. As resources are limited, this scheme will be initiated only in few districts (Attention: ADB) (8 districts Morena, Sagar, Rajgarh, Raisen, Bhind, Guna, Vidisha & Ujjain). The scheme also envisages and embraces enforcement agencies as part of the convergent action to legally combat the issue apart from social/economic program rehabilitation and

source area prevention i.e. Development agencies. The conceptualization of the Jabali' scheme is comprehensive and practical at the rural, tribal level where combined action is required". (ADB Report). The scheme "Jabali Yojna" failed as the sex workers continued indulging in the flesh trade even while extracting benefits under the rehabilitation package. A scheme called "Nirmal Yojna" was later launched in Mandsaur district. That too fizzled out. ([No Choice About Prostitution For Young Women In Madhya Pradesh. By Shuriah Niazi, August 2001](#)).

'Rehabilitation training program for women in distress' is being implemented by 14 organizations, out of which 3 are in Gwalior, 2 in Bhind, 2 in Sidhi, 2 in Bhopal, 2 in Guna, 1 in Morena, 1 in Indore and 1 in Dhar. Under 'Jawahar Bal Vikas Kendra' for ST children the only center is situated in Jobat town of Jhabua dist. with a capacity of 100 children. Ten Short Stay Homes for Women & Girls with a capacity of 500 are in operation in the state. 'Anganwadi cum crèche Centre' is conducted in two districts of the state, Bhopal & Dhar. There are 2 centres in Bhopal & 5 in Dhar. 'General Creche Centre' are functional in Bhopal, Gwalior, Ratlam, Bhind, Rewa, Rajgarh, Shivpuri, Datia, Indore, Morena, Guna, Jabalpur Raisen, Ujjain, Dhar, Mandla and Mandsaur districts. 57 'Working Women's Hostel' have been sanctioned by the govt. of India. To provide with the transparency in matters of women and child developments Right to Information has come in to effect in women and child development dept on 25th Aug-1997.

State Advisory Committee as per Honourable Supreme Court Judgement in Vishal Jeet Vs Union of India dated 02.05.1990 has been formed but it has remained non-functional for most of the part. Special Police Officer as per ITPA section 13(1) has been notified in steps but their has

been almost no activities on record on part of these officers. Anti Trafficking and Prevention Cells as per the provisions of the Nation Plan of Action have not been formed. Advisory body of Social workers to help the Special Police Officer in the Red Light area as per section ITPA Section 13 .2.(b) have not been formed in the state. Task force in the High Risk Area as per the National plan of Action had not been formed. State coordination Committee to implement the Plan of Action was formed recently in 2003. A detailed survey on the three major prostituting communities have done and a Advisory Board for the purpose was formed under the name of 'Bedia, Bachchara and 'Sansi Jati Vikas Mandal' in 1998. There are three short stay homes of children from these communities run by the government. In 2000 a child welfare officer was appointed in each police station and Special Juvenile police Cells were created. A Plan of Action for eradication of prostitution among Bedia,

Bachchara and Sansi was prepared in 1999 and financial assistance was asked from Union Government, the plan had yet not become functional.

Conclusion-

Under various kinds of pressures from the judiciary certain administrative instruments have been put in place by the state government but they have remained almost inactive and in fact have existed only on papers. The 'Jabali Scheme' though holistic in its approach and objective, had been of only little success due to it being limited in extent. Yet only the children care and welfare part of it is under implementation that too in very limited districts and covering very limited number of children. For most of the organizations, which are running the homes under the scheme, it is being difficult to run due to very limited and unrealistic financial assistance.

MAHARASTRA (Category Three)



Mumbai's Kamathipura, in Maharashtra is infamous for being the biggest red-light area of Asia. Mumbai along with Delhi, Calcutta attracts a large scale trafficking of women and children from various parts of the country as well as across the border from Nepal and Bangladesh making South Asia one of the busiest trafficking zone in world. *The trafficking of girls from Nepal into India for the purpose of prostitution is probably the busiest 'slave traffic' of its kind anywhere in the world. (CATW Fact Book, citing Tim McGirk, "Nepal's Lost Daughters", 27 January 1997). Various reports quote about 100,000 women in Mumbai in flesh trade. * Half of 100,000 girl prostitutes between 10-14 in Bombay are from Nepal and kept in brothels against their will. (Penelope Saunders, "Sexual Trafficking and Forced Prostitution of Children", 29 October 1998)

In Bombay, India, at least half of the city's 100,000 prostitutes are believed to be Nepalese girls. (ILO-IPEC, Usha D. Acharya, Country Report: Nepal, October 1998). Dr. I.S. Gilada, General Secretary of the Indian Health Organisation(IHO), estimated in various studies conducted between 1985 and 1994 that there were between 70,000 and 100,000 prostitutes in Bombay, 40,000 in Pune, and 13,000 in Nagpur. (Human Rights Watch/Asia, Rape and Profit, June 1995).

In Mumbai about 30% of the female sex workers are under 18 years of age. The trafficking in recent years had been going further global and women from other continents and especially from the Egypt, Brazil, Mexico, Azerbaijan, Russia and its

breakaway states, several European nations etc. are easily imported in India including Mumbai for the purpose of commercial sex. In Mumbai a majority of the girls are from Nepal. Apart from Kamathipura there are scores of brothels in the capital city of Mumbai alone, Pathe, Bapurao Marg, Grant Road, Nagpada, VP Road, Worli, Ghatkopar and Bhandup Pandharpur etc. to name a few.

The dancing bars have well flourished in Mumbai and Pune is last few years which has created a fresh demand for girls and women from all over the country and abroad. There are also some well-known pockets of prostitution in other districts and cities like Nagpur, Satara, Sangli, Belgaum, Bijapur, and Kolhapur are some of the common districts from which women are trafficked through organised networks into flesh trade. Central Social Welfare Board lists Karnataka, Andhra Pradesh, Maharashtra, Tamil Nadu and Uttar Pradesh as the high-supply zones of women in prostitution. Mumbai along with Goa had made India a favoured destination for pedophilic tourists from Europe and USA. According to WISE general secretary Vipula Kadri, prevalence of child trafficking is "extremely high in Maharashtra, especially Mumbai, where the annual figure of child abuse is as high as approximately 70,000".

The religious subjugation of women into community sexual services and sexual exploitation in the form of Matangi, Jogin etc. is also prevalent in Maharashtra as in Andhra, and Karnataka. Government has identified around 6000 Devdasis in the districts of Mumbai, Pune, Solapur, Kolhapur, Sangli, Satara, Osmanabad, Dindhurg and Nanded. Large-scale child labour and huge army of street children too infests the state.

The **Governments response**, to some extent reflects in the happenings of one of the biggest raid in country ever, in 1996 under the order of the High Court. Bombay High Court recognizing the gravity of the situation directed the State of Maharashtra and the Police to carry out raids in Kamathipura and other areas of Mumbai where the sex trade flourishes. The intent of these raids was to "rescue" children and sex workers forced into this trade. About 450 girls were picked from red light areas. Chief Justice of the High Court, who ordered the raids has gone on record to state that State authorities were not providing the necessary infrastructure to house and rehabilitate rescued sex workers. A paltry sum of Rs. 500/- per month was allocated for the care and treatment of each "rescued" sex worker which being grossly insufficient had to be increased to Rs. 1,000 per month under an Order of the Court. The authorities deported the "rescued" sex workers, both major and minor, to their respective States without any detailed case studies. The absence of a rehabilitation plan led to despondency and loss of trust in the government among the victims. There existed no coordination between Police, Social Welfare Ministry and the Children's home and the existing rehabilitation scheme though not sufficiently comprehensive and well thought-of was not in functional state. The Bombay High Court had also directed that the raids be a regular feature. As per the govt. so far 200 Nepali girls/women have been rescued /taken charge and sent back to Nepal. In last 4 years 580 minors girls have been rescued from brothels.

After the caught unawake episode in raids the state advisory committee was constituted. In the light of notice by Supreme Court in Shakti Vahini vs. Union of India, the state advisory committee has submitted its report in 2002. The State Advisory

Committee under Section 13 (B) of ITPA is yet not appointed. In pursuance to directives of Supreme Court in Vishal Jeet Case 1990 Special Police officer under Section 13 (1), (2) were notified in 1992. Tourist Police Squad also has been created. District Committees for protection of rights of women and their empowerment were set up under chairmanship of distt collector in 2001. Anti Trafficking and Prevention Cells in High Risk areas have not been formed in accordance to National plan of Action. Formation of Advisory body of Social workers to help the Special Police Officer in the Red Light area as per section ITPA Section 13 .2.(b) has not materialized even after almost two decades of the law and several directives of Supreme Court. Task force in all major cities to effectively coordinate activities for the prevention, suppression, rescue Rehabilitation and reintegration for cases of Commercial Sexual Exploitation have not been formed as provided in National Plan of Action.

There is no State plan of Action but govt. had come up with a New Child Development Policy in 2002 para 4 of which has a mention regarding sexual exploitation and trafficking. There is no scheme for the education of the children of the victims, outside the formal structure.

There is no specific law like Andhra Pradesh to address the problem of Devdasi or to make it an illegal activity. However, following schemes are in force - Pension @ Rs. 300 P.M. to those Devdasi above 40 years age & income below 15000P.M, Rs 10,000/- financial assistance for marriage of unmarried Devdasi or Devdasi daughter, There is proposal to start training centre for economic rehabilitation, Hostel for children of Devdasi GIA of Rs 500/- per month per child, Free school education and free uniform for children of Devdasi, 25% seed

capital for entrepreneurs on the bank lone up to 35,000.

Three Child Lines 1098 are run in children in Mumbai, Pune and Nagpur. There are 51 family counseling centre all over the state, out of which 6 centre are in high supply area of Marathwada region. There are 8 short stay homes in High Supply Areas. There are 146 children Homes in State for mentally retarded and rescued victims. Also there are 17 orphanages, 54 destitutes homes and 178 bal sadans. There are also two protection Homes for women in Mumbai and Nagpur and one special home for children at Deonar, Mumbai. A monitoring Committee at State level under the chairmanship of Justice Hosbet Suresh to monitor the working of children homes had been set up under the order of Mumbai High Court. A 400 bedded shelter home for rescued victims of trafficking has been recently sanctioned with grant of State govt. and DWCD, GOI at the total estimated cost of about 5 crores. It will be located at Demar in Mumbai-Pune road.

There are 12 such Targeted Intervention projects in the state exclusively for Commercial Sex Workers (CSW's) but there is no Care home for the terminally ill positive victim as provisioned in the national Plan of Action.

Recently orders were issued to start Anganwadis in Red Light area of Mumbai and 73 Anganwadis is sanctioned. Separate ration cards as a different category are not yet issued in accordance to national plan of action. Yet the scheme of economic empowerment through Self-Help Groups had not brought the victims under its umbrella.

A project to rehabilitate the rescued girls via use of theater, fine arts as a medium to change the acquired body language, mannerisms has been sanctioned to the

Mumbai based organisation, Mandala for 50 girls by the G.O.I.

A few Awareness generation camps have been under taken by state govt. through camps and Maharastra state women commission held few workshops in recent years.

Conclusion-

Despite being caught unaware and number of cases in both Supreme court and High Court, state govt. seems to have learned little and have shown little care and concern

towards its responsibility with regards to blatant abuse and exploitation of Human Rights of the innocent children and helpless victims. Any administrative structure setup had been only under the pressures from the courts. No initiative had ever been take by the state government on its own. All the recommendations of various national level bodies such as NCW, NHRC have been waiting government's attention for implementation. National Plan of Action has generated no interest in the state government.

ORISSA (Category Three)



Orissa is a major source state for Trafficking of Women for commercial sexual exploitation. Under the grave poverty women taking to commercial sex is not new in Orissa. According to Lalitha, a social activist, child trafficking in Orissa is an open secret. According to her, families, irrespective of their caste, sell their children for mere Rs 100 so they can get their next meal. The children are either married off to old men or they work as bonded labour. The incidents of child trafficking increased after multinational companies took over large areas of fertile land for mining and to set up other industries. In other cases of sexual abuse, harassment at work places to incidents of acid throwing on women is common.

Disaster struck states such as Orissa, Maharashtra are also catchment areas for trafficking, especially for children. (ADB, RETA). "It is estimated that 80,000 to 100,000 people from drought prone areas have left to work in Upal, Potangcheru, Dundigal, Tukuguda, Kisra and Bularam, as well as suburbs of Hyderabad for a handful of broken rice. A process, which began almost 10 years back, is stronger by the day. Now, each village boasts of a labor contractor, often without licenses. The conditions of work are severe and wages are very low; for nearly 6 months the laborers in these kilns mainly depend on broken rice or 'kanki'... Cases of missing people and death are high." (Sources: Interviews by RETA team, Action Aid Report 2001, NATSAP Report). "In the wake of the Orissa disaster, NGOs took the issue to the

legislature. The House Committee on Women and Child Welfare (1999-2000) of the Orissa Assembly formally acknowledged that immoral trafficking of girls by brokers or agencies, on the pretext of providing employment as well as arranging marriage, has been rampant in the Kalahandi, Bolangir, Mayurbhanj and Balasore districts. As a remedial measure, the House Committee recommended that stringent penal provisions be made to prosecute the offenders.” (ADB, RETA)

Action Aid in western Orissa on the basis of a micro study of migration from Bolangir noted that approximately one lakh workers, migrate each year to the brick kilns of Hyderabad, periods wherein livelihood options were unavailable that led to distress migration. A study by the Tata Institute of Social Sciences (TISS), Mumbai, in 1999 estimated that Orissa had 1,15,333 commercial sex workers. The TFWV study found that people living within the community are the first links in the chain that takes the recruits to the sex trade. They know exactly which families to target. The TFWV study found a clear involvement of the police and politicians in trafficking. Recently a senior police official in charge of Motu police station, in Malkangiri district was arrested for providing protection to a flesh trade ring. Several influential people, including rich businessmen and contractors patronised the prostitution ring in Malkangiri. In June 2002, the lynchpin of a busted sex racket in Rourkela (Orissa), Kalpana Panda, named three policemen who were in cahoots with her. A study by the Institute for Socio-Economic Development (ISED), an NGO in Orissa, says 80 per cent of the victim families are landless; and 70 per cent of those trafficked are illiterate. Dowry-related problems lead more and more poor girls into getting duped by false promises to marry; 49 per cent of the women victims were deserted by men after being sexually used. Families refuse to take them back for

fear of social approbation and spoiling the marriage prospects of younger sisters. Unscrupulous railway policemen too, the study says, get Rs 500 to 1,000 for ensuring safe passage or looking the other way. Investigating trafficking reports after the 1999 super-cyclone, the Orissa State Commission for Women found that in five coastal districts, each had its own established marketing destinations, determined by road and rail connections.

The trafficking for Orissa, is mostly to the states of Uttar Pradesh (Brothels, coerced marriages, brick kilns), Madhya Pradesh (coerced marriages, brick kilns), Punjab (coerced marriages, bonded labour in agriculture and domestic maids), Haryana (coerced marriages, bonded labour in agriculture, stone quarries, brick kilns), Chhattisgarh (coerced marriages, brick kilns), Andhra (Brick Kilns, Chilly farms), metropolises of Mumbai, Delhi or Calcutta (Brothels and domestic services).

“The girls being trafficked from Orissa rarely land directly in the final destination place, in case of direct prostitution. For the purpose of coerced marriage majority are apprehended directly, by their buyers at first time through dalals. The modus operandi is of both kind, the buyer going along with the 'dalal' to the girls locality and the girl brought to buyers locality by dalals. The majority of girls trafficked from Orissa are for prostitution mainly in smaller cities. For coerced marriage girls from Orissa are taken to Bihar, Uttar Pradesh, Haryana and Punjab. Girls from Orissa are also trafficked for labour purposes in brick kilns, and construction work who are subjected to all sort of physical, economical, moral exploitation including sexual and prostitution. The trafficking in Orissa is directly related to the overall backwardness of the state both economically and socially. The most effected districts are Balasore, Malkangiri, Nayagarh, Kendrapara, Nabaranpur,

Nuapada, Korapat, Rayagada, Ganjam and Puri". ([Shakti Vahini- Female Foeticide, Coerced Marriage and Bonded Labour in Haryana and Punjab 2003](#))

Trafficking in the form of selling children in the grab of adoption is also thriving in Orrisa and traffickers are well networked with similar traffickers in other states like Andhra. Such Racket have been exposed in Cuttack and Phulbani and their linkages traced to Andra and Karnatka.

In Orrisa women and children are not only trafficked to other states, a study done by CENDERET in 1997 reveals a lot of intrastate trafficking into prostitution. Red light areas exist in several districts of Orissa including Puri, Bhubaneshwar, [Cuttack](#), Khurda, Balapara, Bolangir etc Modernized form of commercial sexual exploitation in grab of Beauty parlours, Call girl rackets, escort services run unregulated in the capital and tourist cities.

As reported by the Sample Registration Survey (SRS) 1998, approximately 86,000 infants die in the state each year making Orissa's infant mortality rate (IMR) 97/1000 live births, highest in the country. This is much higher than the national average of 71/1000 live births. Orissa abounds in child labour. In year 1999 where the state labour department puts the number at 2 lakhs, Ngos put the same at voluminous 65 lakhs. Nearly 70 percent of the female in six districts out of 30 in Orissa, namely Malkangiri, Koraput, Nawarangpur, Rayagada, Kalahandi and Nuapada population is illiterate as per the provisional census report of 2001. Reported cases of rape in the state increased three-fold during the period, i.e. from 250 in 1990 to 753 in 2000. The reported cases of dowry homicide rose dramatically from 80 in 1990 to 448 in 2000. There has not been a discernible rise in the cases of immoral trafficking, eve teasing and kidnapping/abduction of women in the state.

A steady rise in the molestation cases during the period has also been marked. [Source: HRPC \(n.d\) and Crime Branch of Orissa \(2000\).](#)

"Today, 21 of the 30 districts in Orissa have been sucked into the criminal vortex. The sourcing districts now include the coastal districts of Bhadrak, Jagatsinghpur, Cuttack and Jajpur as well as tribal-dominated border districts of Koraput, Rayagada, Nuapada and Mayurbhanj." (Trafficking in Overdrive – Manipadma Jena, April 26, 2003)

Trafficking of victims from Bangladesh is also present to certain extent. "Having crossed the border, the trafficked victims are mainly kept in West Bengal, and in some cases also in the state of Orissa. They are sorted and graded and sent to different destinations such as Middle East, Delhi, Mumbai, and Agra. Often, they are sold to pimps who then sell them to brothel keepers in red light areas of Kolkata such as Sonagachi, Kalighat, Bowbazar. Some are sent to Bashirghat in the neighboring district of 24 Paraganas." [Prerna, 2002. Note On Indo-Nepal & Indo-Bangladesh Trafficking: The Maharashtra State Perspective,](#)

State response –

The State Commission for Women was constituted through the Orissa State Commission for Women Act, 1993. State advisory committee was constituted in 1994, in pursuance to Supreme Court Directives in Vishal Jeet case in 1990. All circle inspectors. Law Inspectors, Inspectors of Railway Police, Inspectors of DCRB & DIB, IICs of specified police Stations and all Inspectors of police state crime branch were notified as special police officers under section 13 of ITPA in 1986. Further in 1987 this was extended to all the inspectors in charge of police stations in the state. Advisory body of Social workers to help the

Special Police Officer as per section ITPA Section 13 .2.(b) have not been formed. Government had taken no steps to identify the High Risk? Red Light areas in the state and Anti Trafficking and Prevention Cells as provided in National Plan of Action have not been formed. There is no Plan of Action for state and no rehabilitation scheme for the victim. Task forces in all districts as provisioned in National Plan of Action have not been formed. State level coordination committee to combat trafficking and sexual exploitation of women has been constituted and its meeting was held in May 2001. The administrative Machinery and infrastructure as per the requisite of J.J. Act 2000 had not been setup. A complaint committee at the State secretariat and one such committee in each district has been set up to prevent sexual harassment to women at work places. Dowry prohibition Advisory Board has been set up in each sub division. Redressal cells have been opened in some districts.

The Orissa Mahila Vikas Samabaya Nigam (MVSN) (the State Women Development Corporation) as an Apex Cooperative society was established in 1991 with an authorised capital of Rs. 20 million. MVSN is the State Nodal agency for the empowerment of women, which functions under the administrative control of Women and Child. MVSN has a network of more than 195 affiliated women societies throughout the state.

A Mahila Police Station manned exclusively by women police was set up in 1994 in Cuttack. Subsequently, Mahila Police Stations having 10-12 women staff members have been set up in Sambalpur, Rourkela, Berhampur and Jeypore. Task Force on Women and Violence was setup in Bhubaneswar in the year 1994. Human Rights Protection Cell was constituted in all

32 Police Districts of the state in 2000 to function under the direct control of District Superintendent of Police. This has replaced the existing Protection of Civil Rights Cells and Grievance Cells. Investigation of crimes against women had been made one of the major functions of the District HRPC, Therefore, it has been made mandatory that two constables and one officer (either Inspector or Sub-Inspector or Assistant Sub-Inspector) of the District HRPC should be women. Dowry Prohibition Rules, were formulated in 2000 and provision was made for formation of Dowry Prohibition Advisory Board to implement the Dowry Act.

There are 13 family counseling centres, 27 Shot Stay Homes, 4 Juvenile Homes, 15 Observation Homes, 1 Protective Home No Help lines have been established.

In response to the Order of High Court in a petition filed by Orissa Patita Uddhar Samiti an Identification of Victims of Commercial Sexual Exploitation with a purpose to integrate them with government welfare schemes was undertaken in 1998, in Bhuweneshwar, Malishai, Tikrapara, Keonjhar and Paradip. CRY is also implementing the Janata Personal Accident Insurance scheme among the victims of Malishahi and their children. A residential school for children of sex workers, to provide education from Class 1 to 10, with the help of Patita Udhhar Samitee had been started in 2002 in a rental premise with central assistance of Rs.400,000 for 30 children. State AIDS Cell has opened Health Care Center in Malisahi, Bhubaneswar Basti. Victims residing in Basti in Malisahi Bhubaneswar have been included in the electoral role and Ration cards have been issued to them. One Anganwadi centre has also been set up in Malisahi basti.

Punjab (Category Four)



Though there are no brothels and red light areas in Punjab as found in some other states, uncountable number of dhabas, hotels, guesthouses, farmhouses, beauty parlours, Massage centres, marriage bureaus are engaged in providing commercial sexual services. There are also areas like Mohali where women are involved in commercial sex though not through well recognised brothels. Similarly there are several groups of women who are engaged in commercial sex in Patiala and Ludhiyana. Several Inter state call girl rackets and escort services with connections through out the country have been exposed time to time in the past and continue to be exposed at short intervals in present.

Punjab had emerged as one of the major destinations for traffickers, who traffic women, children and men into the state for variety of purposes. Men women and children are trafficked in Punjab from Uttar Pradesh, Madhya Pradesh, Jharkhand, Bihar, Assam, West Bengal, and Orissa for Bonded labour, agricultural labour, domestic services, hotel industries, transport companies, brick kilns, stone industry, sport industries, coerced marriages and organ transplants.

Women in Punjab are saleable commodities and this trade is flourishing through marriage bureaus also there are certain places where informal markets of women function. While women and men are kept captive for bonded labour, under the pressure of skewed sex ratio Punjab has also become a big market

where brides are bought and sold. Every week there is some report of sold brides and state govt. seems to be unconcerned about there plights.

Along with modeling, blooming TV channels and Video album industry had become another field of sexual exploitation in Punjab. Several girls are sexually abused and made to do sexual services in lure of glamorous carrier.

Punjab is not only the destination state but there are also several rackets involved trafficking the persons internationally to various European countries, Canada and USA. There are married 'visa couples', where persons having foreign citizenship marry and traffic the spouse and gets divorced there once the purpose of attaining citizenship is fulfilled. Then there are hundreds of fortnight wives who have been married to local NRIs and waiting with a faint hope for them to return.

State Response-

State Advisory committee in Response to Supreme Court Directives in Gaurav Jain was formed in 1998. District Level Committees were formed in 1999 under District and Session Judge. Coordination

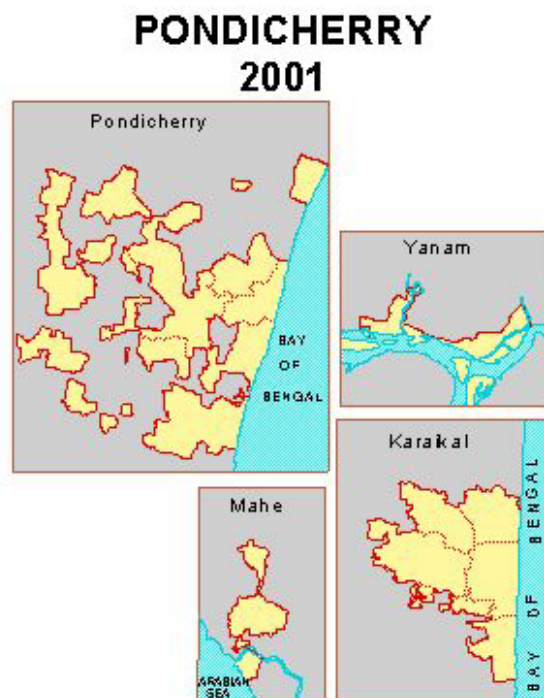
Committee had been formed in 2001. Women Commission has been working in the State. A women cell has been set up by Police Dept. at each Dist. headquarters. No advisory committees of the social workers have been created under ITPA. The Special Police officers under ITPA have not been notified. The Juvenile Boards and Juvenile Committees under the J.J.Act 2000 have not been constituted. There are no Anti Trafficking prevention Cells in the High Risk Areas and no task forces in major cities as provisioned by national Plan of Action.

No plan of Action or policy had been made by these committees to tackle the problem.

One Protective Home is functioning at Jalandhar. Two juvenile Homes have been set up. One SOS at Rajpura where orphans and unclaimed children are looked after. There are two observation Homes and 5 Children Homes in the state. Presently 349 Juvenile are admitted in observation homes etc.

Targeted Intervention for HIV/AIDS for commercial sex victims' are being run at Mohali (Ropar), Patiala, Ludhiana.

PONDICHERRY (Category Two)



There are no reports of Child prostitution but a woman involving in Commercial sex is not unknown. The crime records of the state reveal increase in kidnapping of women and women related sexual crimes.

The state response

The Advisory Committee was constituted vide order dated 6.6.92. Notification for the appointment of Special Police Officers under Section 13(1) of ITPA Issued. There are no advisory committee of social workers, coordination committee, anti trafficking cells, task force.

AMBAGAM INSTITUTE is the only protective rescue Home center in the UT. The institute provides shelter and care to girl and women who are in moral danger. SFDRT has created a database for NGOs who are working in Pondicherry in the field of child welfare, child health, sex workers

intervention, MSM activities HIV/AIDS, trafficking etc. Information related to the prevention of children from trafficking and referral mechanism was elucidated to them. A family-counseling centre is run by SFDRT. A Family Counseling Centre has been started by the NO ASHI (Association for Social Health in India) in 1985. A short stay Home is run by SFDRT for the trafficked women/children before repatriation or ending to a permanent shelter. SFDRT had established Temporary Shelter at Gorimedu, Pondicherry. VC Ts are done by SFDRT, he testing of blood is done by JIMPER.

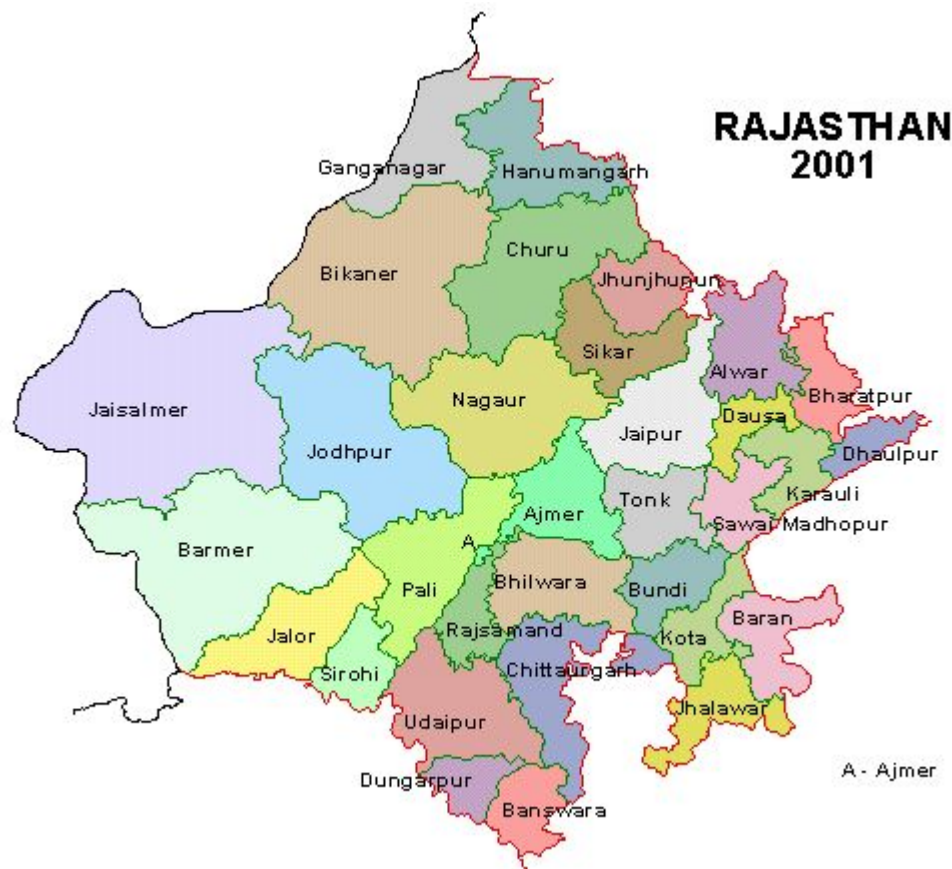
Short Stay Home called "Sagodari" was started in 99 under the aegis of the Association "ASHI". The "Idaya Shelter Home" is run for the victims who have deserted and come out of their families. Fund provisions had been made for a Rehabilitation Centre for the victims in the

Budget 2003-2004.and Rules are being framed for effective implementation.

Under the Juvenile Justice (Care and Protection) Act, 2000 an observation home,

one children's Home, One Special Home and a after Care Organisation are functioning at Arainkuppam by Social welfare department, Government of Pondicherry.

RAJASTHAN (Category Three)



Rajasthan is a major Source State to trafficking of women and girls for commercial sexual exploitation after Andhra and West Bengal. Out of 32 districts in Rajasthan, 27 districts (Alwar, Tonk, Dholpur, Sawaimadhopur, Bharatpur, Jaipur, Pali, Bundi, Chottirgarh, Udaipur, Jalore, Jodhpur, Hanumangarh, Dausa, Dungarpur, Bhilwara, Barmer, Rajasmand, Ajmer, Jhalawar, Nagaur, Banswara, Baran, Shriganganagar, Sirohi, Jaisalmer and Sikar) are infested with severe or less amount of prostitution, where are women are traditionally or circumstantially forced to under take Commercial Sexual Activities for the survival of their children and their families. A large number of women are forced and trafficked into commercial sex by pimps, communities, family members,

contractors etc. both within and out side the state.

Brothel based organised commercial sexual activities in eastern districts of Rajasthan along Highways and main roads. Scheduled castes such as Nat, Kanjar, Bediya, Santiya, Sansi, Banchchada. Major districts Alwar, Tonk, Dhauipur, Bharatpur Bhilwara, Chittorgarh, Bundi, Jhalawar and Sawaimadhopur.

In western districts of the state of Rajasthan Sikar, Nagpur, Jodhpur, Jaisalmer, Barmer, Churu, Jhunjhunun, Bikaner, Hanumangarh and Ganganagar women belonging to variuos castes such as Nayak, od, Baori, Damami, Sikhlingar, Mazhabi, are involved in prostitution individually or in unorganised

form. In Hunumangarh and Ganganagar traditional organised form of prostitution is also prevalent. Jagori women in Jodhpur are also involved in socially sanctioned commercial sexual activities.

In southern Rajasthan in the districts of Baran, Dungurpur, Udaipur, Banswara, and Jhalawar tribal women belonging to various tribes such as Bhil, Garasiya, Damor, Kulbeliya, Banjara, Jogi etc. perform commercial sexual activities to earn living.

Among the Women engaged in commercial sex, more than 35% move to Metro cities, more than 55% to other cities and towns and about 30% move to different villages locally in relation to their commercial activities. For out of state movement, with in the country most common identified destinations are Mumbai, Delhi, Pune, Calcutta, Allahabad, Ahemdabad, Nagpur, Aligarh, Kasganj, Indore, Mathura, Agra, Chennai, Badagaon (M.P.), Meerut, Basti, Neemach, Mandsaur, Ujjain, Hathras, Guna, Narsinghpura, Surat, few places in Bihar, Haryana, Punjab, Gujrat. Apart from this cross border trafficking to Behrin, Dubai, Saudi Arabia too takes place. In the recent developments, trafficking to Mumbai and Pune in Maharastra for Bar girls has emerged as a new phenomenon and maximum number of girls taken from Rajasthan land up in Maharastra directly or indirectly. 17% women in Delhi brothels come from Rajasthan.

“Rural Female Sex Worker in Rajasthan: A Mapping Study by Human Environment Action Research Society, Jaipur 2002” undertaken as the India- Canada Collaborative HIVAIDS Project had identified 62,204 rural females, 7570 households, 220 villages engaged in commercial sexual activities in Rajasthan.

Out of total number of women trafficked and engaged in commercial sexual activities 25

to 35 are of minor age. Among those enforced into it by tradition almost all are at the age of puberty when they enter.

Abject poverty, droughts, illiteracy, traditional vices, lower position of women in society, heavy out migration of male population, land-lessness and uneven development (involving rapid development in Highways, railways, industrialization and rapid increase in tourism with addressing the problems of tribals, scheduled & backward castes, traditional reforms, economic empowerment of the general and marginalised populations) are some of the major reasons behind women taking commercial sexual activities and continuance of this vices.

Apart from the large number of women and minor girls trafficked and forced into commercial sex there also occurs huge amount of trafficking of children for various economic activities who are sexually abused and exploited at one stage or other of their life. E.g. “Diamond and Gemstone Industry - In Jaipur, Rajasthan, there are around 20,000 children among the 200,000 gem workers.” (ICFTU, ["Union Investigation Reveals Dirty End of the Diamond and Precious Stone Business"](#), 1997). Similarly, (US Dept of Labor, [Sweat and Toil of Children: Consumer Labels and Child Labor](#), 1997, citing ["The Status and Problems of Leather Workers"](#)) reported the children involvement in leather and tanning industry in Rajasthan.

Government Response to the problem of trafficking and commercial sex has been akin to providing official sanction along with the prevalent traditional sanction. Never has any serious attempt made by the state govt. to undertake any study to identify the magnitude and dimensions of the problem with a view to tackle it. Recently a study ‘Rural Female Sex Worker in Rajasthan: A Mapping Study by Human Environment

Action Research Society, Jaipur 2002', was undertaken, under the India- Canada Collaborative HIVAIDS Project Jaipur.

Since the attainment of independence, none of the governments at state had legislated any law similar to Andhra or Madhya Pradesh for religious or traditional sexual exploitation or came out with any plan of action to deal with the problem or to remove the evil even after 5 years of National plan of Action 1998.

Even after the 'Union Plan of Action' the state govt. response has not been very encouraging and limited to doing away with the administrative and legal formalities.

Despite the huge number of women being trafficked and traditionally forced into commercial sex at the very tender age yet there is no scheme with the state govt. to rehabilitate the victims and reintegrate them within the main stream society.

Even for the existing central or state level schemes for the general population, there is no strategy with the state govt. to associate the victims, their families and vulnerable population effectively with these existing schemes and policies.

Advisory committee under ITPA was formed in 1994, almost after a decade of the amendment in the law and in pursuance to Supreme Court directives in Vishal Jeet Case in 1994.

Process of formation State & Dist. Levels Inspection/ Advisory committee in accordance with the provisions of JJ Act, 2000 is yet not complete.

No Anti Trafficking and prevention cells in Red light/ High Supply Areas have been formed as in ITPA or provisioned in National Plan of Action 1998 as a consequence to Supreme Court directives in Gaurav Jain

Case in 1997. Task Force to coordinate the activities of various agencies involved for prevention, suppression, rescue, rehabilitation and reintegration of victims, as provisioned in National Plan of Action has yet not been formed. Advisory bodies of Social workers to help the Special Police Officer in the Red Light area as per section ITPA Section 13 .2. (b) are still to be reconstituted despite the lapse of five years of National Plan of Action. There exists no training cum employment projects in Red light/High Supply areas as provided in the Plan of Action.

One women counseling and protection center was set up in Mahila Thana Gandhi Nagar, Jaipur in 2002 and order for 6 other one each at Range Headquarter has been issued on 1.3.2003.

There is no home for HIV infected victims as provided in National plan of Action.

Zila Mahila Sahayta Samities have been formed in each district to provide immediate and shelter to the women in need of care & protection but there are no data to reflect upon their functional status. In whole of the State there is only one Help Line run by Rajasthan University Women Association. There are 4 children homes for the boys & one for the girls and 32 destitute homes are also run through NGO's. There is only one rescue cum rehabilitation home namely Rajya Mahila Sadan located at Ghat KI Ghoomi at Jaipur. One Mahila Sadan for destitute women and victims of CSE is under construction at Sanganer Township of Jaipur under the proposed name 'Bharat Ratna Mother Teresa Mahila Sadan'. For the girls of 16 to 18 years, a rescue cum rehabilitation home Balika Grah is being run by the government. 12 counseling center are functioning in the state one each at Ajmer, Jhaiawar, Parat, Mawalapur, and Udaipur, two at Kota and the remaining 5 at Jaipur, out of these 8 are through central social

welfare board and remaining 4 are through state social welfare board. Also 8 short stay homes are being run through NGO's under the central govt scheme.

While Andhra govt. facing the similar problem has made provision for white ration cards as separate category of PDS scheme, even after provision to this effect Rajasthan govt. finds it not to be in its capacity to do this.

High supply areas are being targeted for economic empowerment through Kihori Balika Yojana, Kishori Shakti Yojana, Swayamsidha Yojana. Though as per the policy priority is given for admission of girl child of victims in hostels/boarding homes of education department but there is no clear picture regarding the number of beneficiaries.

Under Community Awareness 1058 Camps were organised by local bodies in the period of years 2001 to 2003. There are 90,000 SHGs in Rajasthan but these self help groups have failed to make any impact on the lives of the vulnerable population and victims due to lack of seriousness on part of govt. to utilise these groups in fighting

trafficking. Under ICDS Rajasthan has almost achieved universalisation in setting Aanganwaries but the effectiveness of functioning of these aanganwaries still remains questionable going into the available data and status of women health, child mortality, child nutrition, prevalent child marriages, mother mortality, literacy especially of female.

Conclusion may be drawn from the above facts that there exists serious gap in the state policy and priority. The Supreme Court directives in 1990 (Vishal Jeet) and in 1997 (Gaurav Jain) and the National Plan of Action had made little difference to the state government. The state government seems out rightly unconcerned with the violation of the constitutional rights of the SC, ST and backward sections of the society and the Human Rights of the victims. It is totally insensitive to the state obligations to protect the citizens.

High level of trafficking, low status of women, poor legal framework and infrastructure qualifies the state to be put in category four but consideration had been made in respect to self help groups formed and limited resources of the states.

Tamil Nadu (Category Three)



“In India, Karnataka, Andhra Pradesh, Maharashtra, and Tamil Nadu are considered “high supply zones” for women in prostitution.” (CATW Fact Book, citing Meena Menon, “Women in India’s Trafficking Belt”, 30 March 1998, citing the Central Social Welfare Board). In a international conference held in Britain in 1997- India, Sri Lanka, Thailand, Philippines, Brazil, Mexico, Argentina and some Arab countries were pointed out as “most favoured destinations of sex tourists” in the leaflets distribute by British Government.. The brochures specially mentions Goa, Kochi, Himanchal Pradesh, Rajasthan and parts of Tamil Nadu as well as whole of island nation of Sri Lanka where “sex tourism was rampant.

There are more than 6,000 women involved in commercial sex in the city of Chennai alone, who operate from various red light areas. The mobile brothel mode has fast developed in recent years. The NGOs working in the state have identified more than scores of such mobile operating units. Also there had emerged another mode of operation through renting short stay homes, where traffickers on an hourly basis rent normal houses of the city. ‘Assessment research of sex workers and their clients in Chennai’, conducted by the Indian Community Welfare Organisation (ICWO), showed that the trade was spread throughout the city and another showed that workers were brought to Chennai from as far as Nepal, Assam and Bangladesh. “Some areas in Andhra Pradesh, West Bengal, Tamil Nadu and Bihar are recruiting grounds

for children for the flesh trade," Joseph Gathia of the 'Centre of Concern for Child Labour'. In the districts like Pudukkottai located in the drought-prone area of Tamil Nadu prostitution is growing and becoming rampant due to rural womenfolk taking to it or becoming bonded laborers. The tourist spots like Kanya Kumari beaches and sculpture town such as Mammallapuram have gained infamous reputation of being a fleshpot for illicit weekend sex.

Chennai, Tiruvanna-malai, Kacheepuram, Tanjavur, Madurai, Theni, Tiruvarur, Villupuram, Nagapattinam, Salem, Namakkal, Kanya-kumari, Virudhunaga, Tuticorin, Tiruvallore, Dindugul, Vellore, Pudukkottai, Cuddalore, Tirunelveli are the districts where the commercial sex is rampant.

Trafficking with religious or community sanction (like Thevadiyar) is also prevalent in Tamil Nadu, though the magnitude of the problem is not so grave as in other Southern States of Andhra Pradesh, Maharashtra; Karnataka.

Female Infanticide is prevalent in some districts of the state particularly in Madurai, Salem but there is in fact an almost contiguous belt of female infanticide territory running from Madurai to North Arcot Ambedkar via Dindigul, Karur, Periyar, Salem, and Dharmapuri. Salem district has, in fact, the dubious distinction of having the lowest juvenile sex ratio among all the districts in the country. The State Action Plan for the Child in Tamil Nadu in 1994 listed elimination of female infanticide explicitly as a policy objective.

Child labour is very high in Tamil Nadu. Sundal-murkhs are sold on chennai beach by 3 to 5 years old. They don't get food if they don't do business for 100 Rs. All such boys are packed in a room in the group of 25 with bare minimum food and clothes. A

report by advocate Mohammed Siraj Sait and NGO activist Dr Felix Sugirtharaj submitted in the Supreme Court in February 1996 estimates that there are some 1 million bonded labourers in Tamil Nadu. Bonded labour was found to exist in substantial numbers in all the 23 districts of Tamil Nadu and in over 20 occupations. The largest proportion of those in bondage were adult men, with the largest single group working in agriculture and the next largest in stone quarries. It was found that the largest numbers of bonded children were in four industries: silk-weaving, growing flowers, silver work and rolling bidi (local cigars). In the age group below 15, accounting for almost 10% of all those in bondage, there were almost as many girls as boys. ([UN Working Group on Contemporary Forms of Slavery, June 1996](#)). "Of the 11,280 children below the age of 14 years involved in domestic chores for a wage in 19 towns of Tamil Nadu, around 3,000 children were employed in the homes of government servants". ([Ramya Kannan, "India: Study shows lack of follow-up action", The Hindu, 20 September, 2000, citing The 'preliminary assessment' of the prevalence of domestic child labour, by Peace Trust, and 15 other NGOs](#)). "Fireworks and Match Production - 45,000-50,000 children work in the fireworks and match industry in Tamil Nadu". (ICFTU, No Time to Play, 1996) "Diamond and Gemstone Industry - In Trichy, Tamil Nadu, there are 10,000 children out of the total work force of 60,000 in the gem industry". ([ICFTU, "Union Investigation Reveals Dirty End of the Diamond and Precious Stone Business", 1997](#)) "Leather Tanning - Evidence suggests that thousands of children may be employed in leather tanneries in Tamil Nadu. Some estimate that in the town of Dindigul alone, 30% of the tannery labour force is children". ([US Dept of Labor, Sweat and Toil of Children: Consumer Labels and Child Labor, 1997](#))

State Response

Madras Devdasi (Prevention) of Dedication Act was legislated in 1947. The state advisory committee was constituted in 1994 in pursuance to Supreme Court Order in 1990 in Vishal Jeet Case. State by notification in 2003, in official gazette has made Juvenile Justice Act, 2000 enforceable in the state. Separate juvenile units, are proposed to be designated to deal with children who go against the law. An announcement was made recently to set up anti-vice squad headed by an official in the rank of Deputy Superintendent of Police to investigate inter-state and international trafficking of women and children. Also sub-inspector-rank officials to be appointed as child welfare officers to counter trafficking of women, especially children for pedophilia. Coordination Committee as per the requirement of National Plan of Action of 1998 was formed in 2001 under the chairmanship of the Chief Secretary. The announcement was also made in the first meeting of the committee in 2003, to include in committee, secretaries to the departments of Social Welfare, finance, Home, Law departments apart from Director general of Police Commissioner of Social Welfare and Social Defence Director and NGO representatives as its member. No Plan of Action for the state has materialised yet. In Chennai city ANTI VICE SQUAD police station has been setup under Assistant Commissioner to enforce ITPA and Women police too have been deployed in it.

Special Police officers under ITPA have yet not been designated. Task force in the High Risk/Red Light Area as per the National Plan of Action has not been formed. Advisory Committees of Social workers to help the Special police officers have not been put into place. There is No State level Rehabilitation policy but some efforts as a part of Rehabilitation programme have been made through formation of self-help groups

and industrial co-operative societies in the Government Juvenile/Special Homes for girls in Chennai. There is no special tourist police force to check sex tourism and pedophiles.

Girl Child Protection Scheme to promote family planning, to eradicate female infanticide and to discourage preference for male child was restructured in 2001. The scheme provides different levels of financial support ranging from deposit of Rs.22,200/- to Rs.15,200/- in the name of girl child. Rs 150 monthly is provided for education till 10th from the interest of deposited money and terminal benefit from the deposit with accrued interest to be given to the girl at the end of 20 years. To counter the menace of female infanticide in certain parts of Tamil Nadu "Cradle Baby Scheme" was launched in 1992. Under this scheme, cradles were placed in important places such as Hospitals, Primary Health Centres, Orphanages and Children Homes in order to enable the rescue of female children abandoned by their parents due to various social circumstances. Reception centres, were started in Salem, Madurai, Theni, Dindigul and Dharmapuri Districts. 18 Point Programme for Women and Children Welfare has been started in 2001-2002, with an objective to bring together the important Departments of Government like Department of Social Welfare, Education, Health, Rural Development, Municipal Administration and Water Supply, Labour and other concerned departments for the convergence of all services. State Level Committee, Heads of departments' level Committee and District Level Committee have been formed for implementation and Monitoring of the scheme. Government runs 25 orphanages in the State and a separate committee consisting of Social Workers have been formed to provide necessary guidance for better implementation of the scheme for the welfare of children in Government Orphanages. There are 23

licensed agencies to take up in-country adoption in Chennai, Coimbatore, Dharmapuri, Trichy, Tuticorin, Madurai, Salem, Cuddalore, Namakkal, Dindigul, Nagapattinam and Tirunelveli. Out of 23, 7 agencies are recognised to do inter-country adoption also. District Social Welfare Officers are the Nodal Officers for adoption programmes. To prevent children of working and ailing mothers from dropping out of school, the Tamil Nadu Social Welfare Board through selected Voluntary Organisations runs 150 crèches. The Government is also implementing various marriage assistance schemes. The Department of Social Welfare runs 6 Service Homes one each at Tambaram, Cuddalore, Salem, Thanjavur, Tirunelveli and Karaikudi to provide protection to such destitute women. Two Service Homes are run by Non-Governmental Organisations, one each at Gandhigram and Chennai. Government is running eight Working Women's Hostels, in the following places-2 in Chennai and one each in Cuddalore, Madurai, Pudukottai, Tuticorin, Trichy and Hosur. The monthly income ceiling for getting admission in the working women hostel is Rs.10,000/-. Rent @ Rs.200/- in Chennai and Rs.150/- in other places is collected from the inmates, Water, electricity charges and food charges are shared equally by the inmates. There are 20 Guidance bureau functioning in the Districts under the head of District Social Welfare Officers to create awareness and provide guidance to women about various schemes. Six Family Counselling Centres are run by Voluntary Organisations through Tamil Nadu Social Welfare Board at Namakkal, Karur, Erode, Villupuram, Perambalur and the Nilgiris. There are 9 Old Age Homes with the strength of 340. Tamil Nadu State Commission for Women reconstituted with effect from 8-3-2002 and headed by a

retired Vice-Chancellor as Chairperson and 9 members all of whom are part-time members. A questionnaire has been sent to the Prison Department by State Commission of Women, to collect data for preparing an exhaustive study of women prisoners in the state.

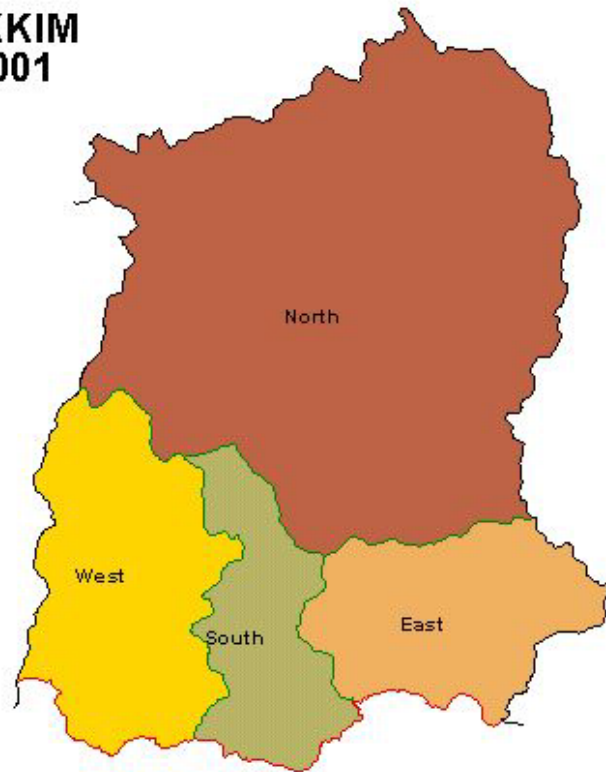
Conclusion

Though some progressive steps, like state policy on girl child, Industrial cooperatives for women below poverty line, anti-vice squads etc. have been taken by the state but the schemes have not proved result oriented in there effect because they are not universalized in approach and the implementation has remained an ineffective and Grey area. Further the governments attitude towards placing in the legal machinery required by various laws such as ITPA, JJAct etc. have been only under pressure from the Judiciary and therefore the machinery has remained idle on most of its part.

In terms of the State Governments, Tamilnadu has the highest registration of crimes against women especially trafficking (women and children) as well as highest level of police intervention. A study of the several schemes, policies in social welfare/social defense departments, Women Developments Corporation, urban planning, HIV/AIDS control (APAC case), and mass gender sensitization of police personnel as a campaign (20,000 police personnel), special programs for girl child, free compulsory education, mid-day meals for girls from BPL, point it out to be the most pro active state in programming in this area.

Sikkim (Category One)

**SIKKIM
2001**



Prostitution or child prostitution is not in prevalence in the state. It can also be said to be free from the vice of trafficking. There have been no reported cases except for few like those who migrate to metro falling in trap their or some of the girls migrating for domestic services from the West Bengal-Darjeeling who are exploited. But such cases are rare.

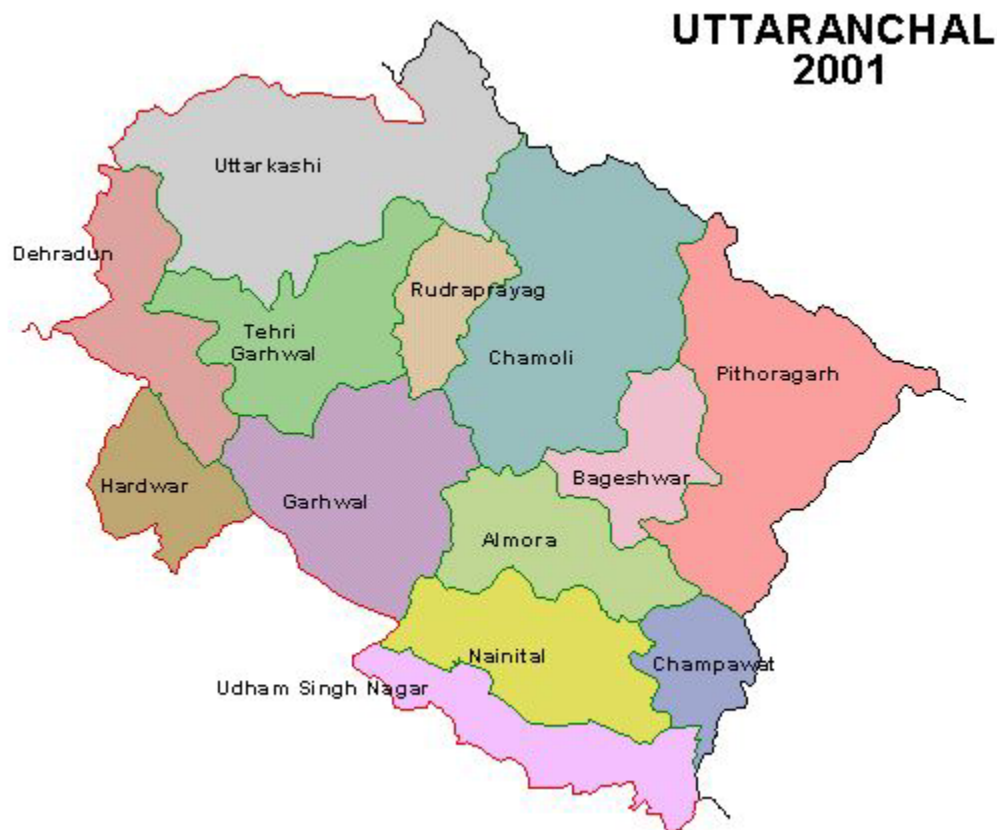
State Response

The state advisory committee was constituted vide order in 1994. SDPOs of four Districts have been appointed as the Special Police Officers. A Co-ordination Committee under the chairmanship of the Chief secretary has also been constituted.

Social Welfare Department (Women and Child Development Division) is the Nodal department and a Nodal Officer of the rank of deputy secretary has already been appointed to take care of cases relating to trafficking with the help of the Sikkim Police. In pursuance of the Honorable Supreme Court Order dated 9.7.1997 in Writ Petition © No. 824 of 1998 in the matter of Gaurav Jain vs. Union of India & Ors. A Coordination Committee under the Chairmanship of the Chief Secretary has been constituted in 2001

One juvenile Observation Home for boys with the capacity of 25 inmates is functional.

UTTARANCHAL (Category Three)



The State of Uttaranchal was formed in Nov. 2000. Uttaranchal is a supply as well transit State for trafficking of women and girls for commercial Sexual Exploitation.

Traditional form of Prostitution accepted among the community as a means to survive is common among the tribes of Jaunsar- bawar area constituting the districts of Dehradun, Tehri and Uttar Kashi. Bonded Labour and sexual exploitation of the women by the upper caste, rich and landlords is very rampant and accepted by the tribal communities as social norms. The system of bonded labour in lieu of debt taken continues for generations.

Women from these tribes are trafficked and also migrate under the poor economical and indebted conditions to Delhi, Meerut, Saharanpur, for commercial sex. Prevalence of Child marriage and Polyandry is still High

among the tribal communities. A commission for the rehabilitation of bonded labourers was established by the Government of India in 1976 which after working for nine years and spending over 55 million rupees declared 14,844 Kolta as having been fully rehabilitated. But the study "BONDED LABOUR AND TRAFFICKING OF GIRL-CHILD AMONG THE KOLTA: A CASE STUDY* 2002" by Kunwar Prasun & Sunil Kainthola contradict this, as considerable evidence of bonded labour and girl-child trafficking was gathered during the study. In 2002 the NGO Stop from Delhi rescued three minor girls adults can not be rescued as such. Investigations have revealed that government officials lend patronage to the lucrative trade. Village fairs particularly are a time when women involved sex work go back to their villages and help lure fresh recruits. And then it could be a matter of choice for the girls as find it much

better than being exploited by the Landlords and getting nothing in terms of money or freedom. According to Rekha Pant and P K Samal at the G B Pant Institute of Himalayan Environment and Development, Uttaranchal, who carried out studies on Jaunsaris, the tribes may be finally moving away from polyandry as a result of recent development and education programmes. But unless drastic changes are made in their occupational activity, and unless development activities go beyond road and communication networks, more trafficking in women can be expected from these parts in the coming years.

Not only tribal girls are trafficked, the well established networks prey on the girls of other sections of the society as well. A 9 year girl of Varanasi, Uttar Pradesh, trafficked from Haridwar, was rescued by Shakti Vahini from Chandigarh. Another minor girl of 13 from Haridwar was rescued from Haryana by same NGO. Girls are also trafficked for coerced marriage from the hilly state of Uttaranchal.

Apart from being the Source State, Uttaranchal is also a major transit state for the trafficking of girls from Nepal. Three

Bordering Districts remain the major transit points.

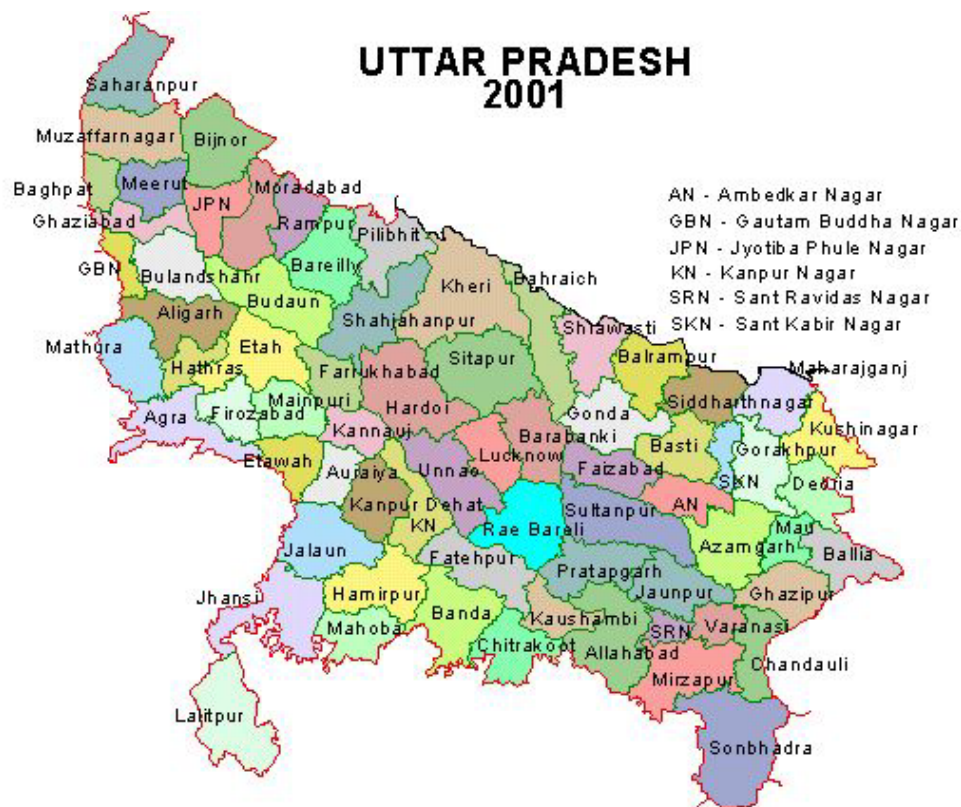
State response has been limited to setting up state level coordination Committee under Chief Secretary in 2001, as per the National Plan of Action. It held its meeting in 2004. A new post as Rescue Officer had been created and one each had been appointed in Kumaun and Garhwal.

No state level advisory Committee has been formed. No special Police officers have been notified under ITPA. No advisory committee of Social workers under ITPA has been formed. No task force at state level, anti trafficking cells in High Risk Areas, no district or block committees have been formed.

There are only 3 Protective Homes in the state and no short stay homes, nari niketans, women hostels, observation homes, rehabilitation homes, family-counseling centres, help lines.

There is no plan of action in the state to combat the vice. There is no scheme for education of the children of the victims or to provide them with health benefits. There is no scheme for economic assistance to the victims or for their economic empowerment.

UTTAR PRADESH (Category Four)



Uttar Pradesh is source, transit and destination area for the trafficking of women for commercial sex both within the country as well as across the border. Women and girls from the state are found in all the major brothels through out the country in Delhi, West Bengal, Maharastra, Gujarat, Bihar etc. There are more than scores of well identified red light areas where women and girls from the state, other states like Rajasthan, Maharastra, Madhya Pradesh, Orissa, West Bengal, Karnataka, Delhi as well as from Nepal and Bangladesh are trafficked and forced into commercial sex. The Indo-Nepal border is long and porous. There are only 14 legal entry points along the whole distance of the border. Three States of India, Uttranchal, Uttar Pradesh and Bihar are used as crossing points: In Uttar Pradesh the entry points are Rupedia, Balmikganj, Gaurifanta LakhimpurKheri, Bahraich, Sravasti, Maharjganj, Gorakhpur Sitapur, Dudhwa, Tetan and last exit points

from Nepal are Mahendra Nagar, Butawal, Sidhartanagar, Tulsipur.

According to the report (prepared by Manoj Agarwal, head of the department of STDs at Balrampur Hospital in Lucknow) as result of the UPSACS survey conducted in five border towns of the state -- Maharajganj, Lakhimpur Khiri, Pilibhit, Bahraich and Pithoragarh., 61 percent of the sex workers in the five towns are from Nepal while one percent is from Bangladesh. The rest are the Indians. According to Manoj Agarwal who prepared the report, "35 percent of Nepali sex workers cross over to India while seven percent of Indian women in the flesh trade go to Nepal". "The number of Nepalese girls and women engaged in prostitution in Calcutta exceeds 27,000, in Delhi it is more than 21,000, in Gorakhpur it is 4,700, and in Banaras it is 3,480". ([ILO-IPEC, Usha D. Acharya, Country Report: Nepal, October 1998](#))

Few communities like Nat, Bedia, Kolta, Kashmira, Deredar etc. are traditionally engaged in commercial sexual activities and girls from these communities are spread in the red light areas all over the country. These communities also operate from their villages and along the highways. In recent past there has been a drastic increase in women taking to commercial sex along the highways both from dhabas as well as villages. Call girl rackets and beauty and massage parlours have become common mode through out the state. This can be seen as change in dynamics of the trade with time and efforts to modernise the profession. Bhartiya Patit Udhhar Sabha estimates the number of women engaged in commercial sex throughout the State, to be over three lakhs.

Varanasi, Meerut, Maharajganj, Khiri, Kanpur, Baharaich, Basti, Aligarh, Hardoi, Azamgarh, Mau, Jaunpur, Banda, Agra, Bulandshehr, Eta, Balrampur, Balia, Chitrakoot, Feerozabad, Gazipur, Sonebhadra, Gonda, Etawa, Jaunpur, Pratapgarh, Siddhartha Nagar, Sultanpur, Allahabad are some of the districts where brothels exist or women are engaged in commercial sexual activities.

There is also good amount of trafficking through illegal marriages, where brides are bought from tribal areas of state and from M.P., Chattisgarh, Orissa, Jharkhand and West Bengal and then sold to brothels in big cities or in Haryana and Punjab, where there is a great demand of brides due to falling sex ratio.

Uttar Pradesh is also a state where large-scale migration for employment in agriculture and brick kilns takes place from neighbouring states like Madhya Pradesh, Chattisgarh, Orissa, Jharkhand and Bihar. Out migration in search of employment to various states like Delhi, Mumbai, Surat, Haryana, Punjab is also very high. Recently

a survey was done on the widows of Vrindavan, by government of West Bengal which revealed the trafficking of women from West Bengal and sexual exploitation of these Sevadasis both for commercial purpose and by religious heads & the tourists. 'The report stated there were less "visible institutions" apart from those providing a religious refuge to destitute women, which seemed to pursue trades that are illegal and exploitative. The more disturbing feature that struck the study team was the existence of "modern bhajan ashrams" where, along with old widows, there are also many young girls, both Bengali and non-Bengali. The team felt that it was not so much the influx of aged widows but that of young girls being brought here from West Bengal and other states by possible "trafficking agents". The presence of a large number of "thriving abortion clinics" in Mathura is yet another indicator of the exploitation of the womenfolk, the study mentioned. The team members came across unconfirmed reports of girls being brought from rural areas of Bengal, Orissa and Bangladesh and sold to men from certain local communities in Vrindavan. Of the 2910 women examined by the survey team, 2113 were from West Bengal, 297 from Bangladesh and the rest from other states. Over 500 of them were below the age of 30, while another 416 between 31 and 40 and over 400 from the 41-50 age group. Even after death, there is no institutional support for having their bodies cremated. Medical help depends on charity and is virtually non-existent'. ([Vrindavan Widows Are Still Sexually Exploited -- Study by Subrata Nagchoudhury, Indian Express Newspapers](#))

Child labour and Bonded labor is also very high in Uttar Pradesh. '15% of the 100,000 children working in the carpet industry of Uttar Pradesh are in debt-bondage'. ([ILO-IPEC, Mainstreaming Gender in IPEC Activities, 1999](#)). '70-80% of the 8,000 to

50,000 children in the glass industry in Ferozabad are bonded'. (ILO-IPEC, [Mainstreaming Gender in IPEC Activities, 1999](#)). 'CWIN's studies have revealed that Nepalese children are involved in different labour sectors in India. Most prominent is the carpet industry. CWIN estimates that there are 5,000-7,000 children working in Bhadohi and Mirzapur in Benaras, districts bordering Nepal'. (CWA, [Child Workers in Nepal \(CWIN\), "Nepal-India Cross Border Child Labour Migration", Child Workers in Asia, Vol. 13, Nos. 2 & 3, April - September 1997](#)). 'Brass Industry - 40,000 to 45,000 children work in the brass industry in Moradabad.(US Dept of Labor, [Sweat and Toil of Children, 1994, citing ILO/Asian Regional Team for Employment Promotion, January 1989](#)). 'Glass and Bangle Industry - In the glass bangle industry in Ferozabad, one quarter of the workforce - about 50,000 - are children under 14 years of age. (UNICEF, [State of the World's Children, 1997](#)). 'Leather Tanning - Children under 15 account for 40% of flayers, 34% of tanners, 39% of manufacturers and repairers, and 36% of wage earners in the leather units of Agra, Kanpur, Durg and Tonk towns. (US Dept of Labor, [Sweat and Toil of Children: Consumer Labels and Child Labor, 1997, citing The Status and Problems of Leather](#)).

State response to the problem has been setting of Advisory Committee under the Principal Secretary Home in 1993 in pursuance to the Vishal Jeet Judgement of Supreme Court in 1990. The committee in its reports mentions lack of in-depth study and data therefore, lack of coordination and effective campaign. It further speaks of need for structured plan of action. No efforts had been made to implement the suggestions of the committee. An order was issued in 1994 for Separate collection of data and records of crimes related to child prostitution but it has never been implemented. There was also suggestion for strict implementation of the child marriage prohibition act 1929 but

the data reveals that the order was never followed (Cases under child marriage prohibition act 1929: 2000 – 0, 2001 – 0, 2002- 2). In 1998, Survey and Identification of affected areas was by Tata institute of social sciences. All the officers of the level of Asstt. / Deputy Superintendent of Police & in charge of circles in districts have been notified Special police officer under ITPA Section 13 (1) in July 2003 as a consequence of notice of Supreme court in Shakti Vahini vs. Union of India. Advisory Committees of the NGOs under section 13 (2) of ITPA have not been formed. The Task Forces in the High Risk/ Red light area have not been formed. The Coordination Committee had not been formed in the state. The Quarterly, Half yearly and Biannual progress reports as required under the National Plan of Action to be send to Union had not been reported even once in 6 years. There are 6 short stay homes run by the government and 24 by NGOs in the state. The administrative structure and institutions required under the Juvenile Justice Act 2000 have not been put into place in the state yet. The state commission of women was disband and during its existence it did nothing in regards to the problem. There is only one care home in state at Lucknow for care and support of the terminally ill HIV/AIDS patients.

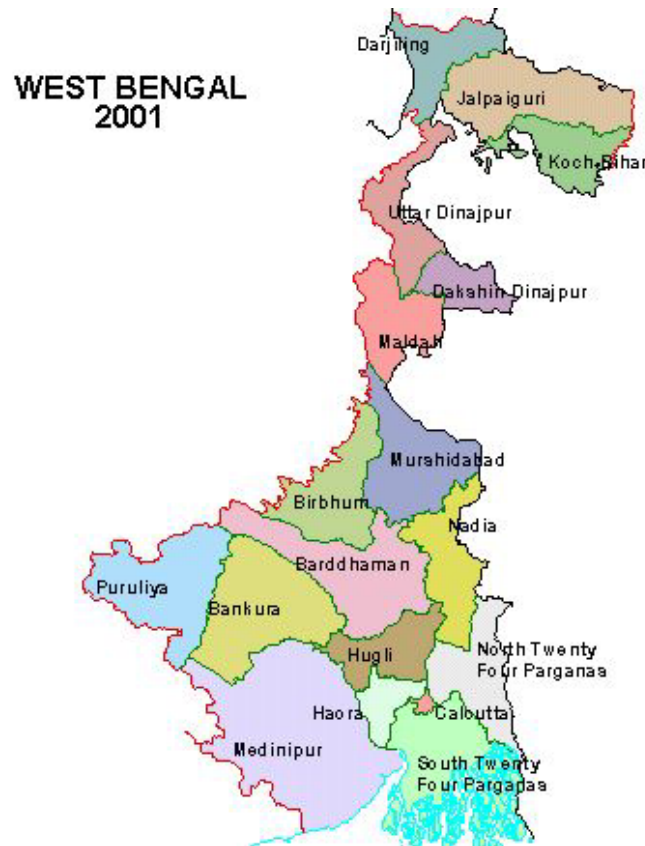
Conclusion

The problem of trafficking of women and children has been an area of little or no concern for the state. No plan of Action to combat and to rescue and rehabilitate the victim is in existence in the state. There has been no attempt ever to legislate any effective law on part of government. No policy or law on traditional prostituting communities had been ever made in the state. There is no attempt to establish Mahila Thanas in strategic places in accordance to National Plan of Action. Despite being a major entry point for

traffickers from Nepal there has been no attempts to coordinate with the Border Security Forces. There is no scheme to

integrate the vulnerable section with the existing schemes with a priority.

WEST BENGAL (Category Three)



West Bengal with Sonagachi in Kolkata is a major hub of trafficking activities and for forcing women and children in to commercial sexual exploitation not only within the state but also interstate and cross border. According to Informal estimation 1996 there are about 35,000 Nepali women and girls in commercial sex in Kolkata. 'The number of Nepalese girls and women engaged in prostitution in Calcutta exceeds 27,000' (ILO-IPEC, Usha D. Acharya, Country Report: Nepal, October 1998). About 40,000 Nepalese girls are in the brothels of Calcutta. (CATW Fact Book, citing UBINIG, Trafficking in Women and Children: The Cases of Bangladesh, 1995, citing women's groups in Nepal). Dr. I.S. Gilada, General Secretary of the Indian Health Organisation(IHO), estimated in various

studies conducted between 1985 and 1994 that there were between prostitutes 100,000 in Calcutta,. (Human Rights Watch/Asia, Rape and Profit, June 1995). Nearly 5,000 to 15,000 girls and women are smuggled every year from Bangladesh to West Bengal and then to other part of India and also to the middle-east. There are 29 red light areas in Kolkata including Sonagachi, Rambagan, Bowbazar, Kidderpore, Kalighat. According to Sanlaap 2002, over 70% of 1000 to 10,000 women trafficked from Bangladesh in duration of 5 years, were brought to red light areas of Kolkata. Reuters in 1997 quoted 30,000 as the number of Bangladeshi women in Kolkata brothels. Central Social Welfare Board in 1991 estimated that 2.7% of women in Kolkata brothels were from Bangladesh. Bangladesh India shares a

4,156 km border with that has 20 official check posts and out of its 32 districts, 30 districts are on the Indo-Bangladesh border. In Bangladesh, the collection points for trafficked women are usually far from border points. Women rescued in Dinajpur (north) were from Cox's Bazaar (south). Girls from the southern part of Bangladesh are usually trafficked across northern borders.²² Illegal migration, trafficking and smuggling exist in varying degrees along the border. UBINIG, 1995, *Trafficking in Women and Children: The Cases of Bangladesh*, Dhaka, p.19. Calcutta is one of the important transit points for the traffickers for Bombay and to Pakistan. 99% women are trafficked out of Bangladesh through land routes along the border areas of Bangladesh and India, such as Jessore, Satkhira, and Rajshahi. (*Trafficking in Women and Children: The Cases of Bangladesh*, pp.18 & 19, UBINIG, 1995)

West Bengal has nine districts adjoining the border with Bangladesh and crossing the border takes not more than Rs.50/- per person. At least 13 women are being trafficked every day *Ittefak*, October 1990, *Trafficking in Women and Children: The Cases of Bangladesh*, UBINIG, 1995, pp.19- Having crossed the border, the trafficked victims are mainly kept in West Bengal, and in some cases also in the state of Orissa. They are sorted and graded and sent to different destinations such as Middle East, Delhi, Mumbai, and Agra. Often, they are sold to pimps who then sell them to brothel keepers in red light areas of Kolkata such as Sonagachi, Kalighat, Bowbazar. Some are sent to Bashirghat in the neighboring district of 24 Parganas. Prerna, 2002. *Note On Indo-Nepal & Indo-Bangladesh Trafficking: The Maharashtra State Perspective*,

From West Bengal especially from the district of Murshidabad both boys and girls are trafficked to Makkah and Madina during Haj to be used as beggars. In Feb. 200

Bangladeshi Women and children were rescued in India while boys were being smuggled to become jockeys in camel races. Over the last decade, 200,000 Bangladeshi girls were lured under false circumstances and sold into the sex industry in nations including Pakistan, India and the Middle East. (Tabibul Islam, "Rape of Minors Worry Parents," *Inter Press Service*, 8 April 1998). "An estimated 1,000 to 1,500 Indian children are smuggled out every year to Saudi Arabia for begging during the Haj season. From Murshidabad alone, some 400 children accompanied by their chachas leave every year, and not all of them return home again. ("How to earn big bucks: Rent a child to Chacha", *The Asian Age*, 16 March 1997, cited in *Child Workers in Asia*, April-September 1997). "There are 5 child trading rings in and around Murshidabad in West Bengal, who operate by trafficking children to Mecca, says local police. (Swati Bhattacharjee, "New Measures Needed to Tackle Child Trafficking", *Child Newline*, May 1997). "76 children, mainly girls and some physically handicapped returned from Jeddah. They were sent to beg during the Haj. Within a month of the return of this group, 47 boys were trafficked for begging". (CWA, SANLAAP (A Woman's Rights Centre), "Children Sent to the Middle East to Beg", *Child Workers in Asia*, Vol. 13, Nos. 2 & 3, April - September 1997)

'In West Bengal, the organised traffic in illegal Bangladeshi immigrants is a source of bonded labour.' (US Dept of State, *Country Reports on Human Rights Practices - 1999*, 25 February 2000)

'49 men, women and children from Cox's Bazar were rescued and Savar Police arrested 2 traffickers. The people were sent to safe custody and the traffickers were placed under police remand for three days. Each person had paid the traffickers 3-4 thousand taka to assist them across the border via Godagari, Rajshahi, Benalope

and Jessore. Middle aged men and women would be taken to hospitals in Bombay and Madras, and their blood, kidneys, eyes, skin and hair would be sold to hospitals. The young girls would be sold to the brothels in Pakistan and India. Young men would be sold as bonded laborers. The traffickers prefer young girls and children. For each young girl (the traffickers) are paid 10-12 thousand taka and for each child they are paid 7-8 thousand taka'. (Ittefak report, 28 October 1993, [Trafficking in Women and Children: The Cases of Bangladesh](#), pp.32 & 33, Ittefak, 28 October 1993, UBINIG, 1995)

Not only the women and girls from across the border are trafficked in West Bengal, a huge number of West Bengal girls are also trafficked to Red light areas in Kolkata and other places and to various other states. It is common to find identifiable number of West Bengal girls in any red light area in the states of India including Delhi, Mumbai, Agra, Bangalore, Surat, Meerut.

In investigations by The Centre for Communication and Development's into the trafficking of teenaged girls from West Bengal to other Indian states for prostitution, it was found that well organized local racket of smugglers lure poor teenaged girls with promises of a better life if they marry men introduced to them. These girls are then forced into prostitution in other states.

A huge number of West Bengal women are being traded for coerced marriage in the state of Haryana and Punjab. Also there has been a drastic rise in the widows from West Bengal in the Vrindavan area of Uttar Pradesh. A recent study commissioned by the West Bengal government confirmed the sexual exploitation of these poor women dedicated as 'Sevadasis'. It was also found that there are organized trafficker networks importing girls to Vrindavan.

In West Bengal, apart from the capital city of

Kolkata the most affected districts from trafficking are Puruliya, Bardhaman, Birbhum, Murshidabad, Maldah, Dinajpur, Koch Bihar, Nadia and Hoogly, South Chaubis Pargana, North Chaubis Pargana.

State Response:

Pursuant to Supreme Court Order in 1990 In Vishal Jeet case state advisory committee was constituted in 94 and DIG of police and Commissioner of police have been instructed to take steps for implementing the provisions of ITPA. There is no record of any specific activity undertaken by the committee. All police officers of the rank of Inspector and above have been declared Special Police officers in 1996. Recently the Advisory Bodies under Section 13(3) of ITPA have been restructured in 2003. A circular for compliance with the Supreme Court order has been issued in 2003 to various police forces. One Women Grievance Cell at CID Hqrs. Kolkata has been opened with strength of 2 Inspectors, 4 SI including 2 women and 6 constables. A state level committee has been put in place recently with an objective to sensitise the officials belonging to various departments. There is a proposal underway to integrate issues related to women in the Foundation Courses and training schedules of police officials and personals. District Level advisory committee for Social welfare has been constituted under the Chairmanship of district magistrate of the concerned distt.

38 Juvenile homes 17 of government and 21 of NGOs are in existence in state. Two Juvenile Homes are exclusively for victim girls. There are 6 women help lines in Kolkata and 29 Family Counseling Centres in various districts. A home for children of prostitutes is also being run in Nadia. Several crèches are run by NGOs have been functioning in the red light areas in Calcutta for the children of prostitutes. 27 Short stay homes are running in the state. A

receiving center for women who are repatriated and a cottage scheme for destitute children are other initiatives taken up by the government.

The government to address rescue and rehabilitation programmes has identified 20 NGOs like Salaap, Bhagirathi, Silpashram nadin, WB Council for Child welfare, Development Dialogue.

Schools have been set up in certain Homes as well victim children are sent to Govt. schools. Steps have been taken in regards that the name of the father is not forced for children of prostitutes in any school or hostel. Five institutions are being run through NGOs for providing institutional services for children of sex workers. Assistance @ Rs. 60 p.m. is being provided by DWC & Social Welfare to the destitute children for regular education up to age of 18 in government recognized institutions. WB Women Development Undertaking has recently introduced a special Computer Course for sex workers.

The West Bengal Milk Federation Co-operative Society, Kolkata has launched income generating programmes under STEP scheme in the border district of Murshidabad and Nadia to prevent migration of destitute women from these areas to Calcutta. 58 Anganwadi centres have been setup in red light areas of Kolkata since 1998, 35 Anganwadi workers are from among the victims. NGO like Durbar mahila samanvaya samiti Jabala are helping the women victims to form cooperatives for future savings. Some Self-Help Groups are being run in 4 dist. under Svayamsiddha Scheme.

West Bengal state AIDS Prevention & Control Society with the aid of DFID is conducting a mapping study of the vulnerable groups including the commercial sex workers all over the State to estimate

the numbers and magnitude of the problem. Some effective steps had been taken in Sonagachi to make the health services accessible to the victims and their children. NGOs supported by the WB State AIDS Prevention & Control Society also provide health checkups, counseling and treatment of STDs of CSW. Private Practitioners working in and around red light areas, have also been trained in the syndromic management of STD by NGOs. Two homes one at Kolkata and another on east Baganda Hoogly are functioning for prostitute girls exclusively (with HIV).

No Plan of action had been prepared at state level. No Task Forces as envisaged in National Plan of Action. State Coordination committee has yet not materialised as per the provisions. Though there have been some efforts by the NGOs to integrate the victims with the existing schemes and infrastructure in health it has been limited to Kolkata and very small in scale. Similar has been the case with self-help group.

There is no law on repatriation for the victims trafficked from the other nations and similarly no coordinating efforts with the other states of the country where the West Bengal girls are trafficked to or brought from to the brothels in red light area of the state. No efforts ever had been made on part of the state government to start a productive dialogue with border forces in this regards, neither has there been any initiative to bring any legislation at state level despite the issue being related to concurrent list. Anti Trafficking and Prevention Cells in accordance with the National Plan of Action has not been formed yet. Advisory body of Social workers to help the Special Police Officer in the Red Light area as per section ITPA Section 13 .2.(b) has not been formed.

Conclusion:

Looking in to the extent and magnitude of the problem in the state it can be said that very little efforts whatever have occurred in the state had been due to the good work done by the NGOs. On governments part it has failed to come out with any comprehensive plan to eliminate the vice and check the trade in human misery. State failure to show concern and involvement of the state authorities, politicians and law enforcing agencies in exploitation of the

poor and help less victim had only led to faith lose in government machinery. It had forced the victims to organize themselves with the help of positive and helping social forces and to raise a demand for legalisation and recognition to commercial sexual activities as a work. Though the demand for legalisation itself goes against the spirit of our constitutional provisions but it is a clear demonstration of the consequences of failure of the state authorities to protect the constitutional and Human Rights of the citizens and individuals.

THE NORTH EAST

ASSAM (Category Three)



The trafficking Networks in Assam have got well established over the years and in present women and girls from Assam are trafficked to the brothels of Mumbai, Nagpur, Pune, Siliguri, Kolkata, Chappra and several other red light areas in Bihar and West Bengal. Women and Girls from Assam are also trafficked to Delhi for commercial sexual exploitations. The trafficking networks working in Assam have now got well organised and now they are targetting the victims from even other states or even across the border. There have been cases where the Girls from state of Jharkhand were trafficked by the persons belonging to Assam. Recently, in March 2004, a women trafficker of Assam was arrested while

trafficking 6 children including three girls from Nepal. "In course of one single night, Safia had become an illegal entrant into India's north-eastern state of Assam, just a stone's throw from Hamida Bua's home in Kurigram. ---There is also considerable irregular migration into adjacent India, mostly illegal, and undertaken with the help of middlemen in collusion with law enforcement agencies on both sides. ----. Thus, Bangladeshi touts build up powerful bases in the border districts of India in West Bengal and Assam. These women were repeatedly threatened by their bosses that they would be handed over to the Assam police on charges of being illegal immigrants if they failed to cooperate." (Anindita

Dasgupta, BANGLADESH: Dreams - and Hunger - Drive Trafficking into India, Inter Press Service - December 9, 2003)

The Bangladesi population residing in Assam and the Women and Girls of Bengali origin are the easy targets, though they are not the only group being trafficked. The village of a minor girl trafficked from Assam and rescued in Haryana in 2003 was actually traced to be in the region across the border. A few incidences of girls being trafficked to Bangladesh have also come to light.

With in the state women are increasingly taking up commercial sex in the districts of Guwahati, Nalbari, Silchar and in the regions along the Highways. Highways are also the main trafficking routes in Assam. "The trafficking of North East girls directly into brothels and call girl rackets is mainly for Bombay in sense that the maximum number of girls finally land up there in course of time. This takes place through the two major routes first the eastern route, which passes through eastern Bihar, West Bengal and to Bombay. The Second route is the Northern route where the girls are brought first to Delhi where a part of the trafficked population is absorbed in the metropolis itself and the other part is re-routed to Bombay. Even for those who are taken to Bombay directly, the preferred route is via Delhi as a transit point." (Shakti Vahini 2003-Female Foeticide, Coerced Marriage and Bonded Labour in Haryana & Punjab.)

Poverty and ethnic conflict, combined with the attraction of glamorous careers in modelling, are driving hundreds of girls from India's northeast into prostitution in Mumbai. The past year has seen at least 27 girls in the 14 to 19 age group rescued from various locations in Mumbai and three women traffickers arrested. This, activists working in the field warns, is only the tip of the iceberg. The Mumbai-northeast flesh trade racket

was discovered recently when the Shillong-based non-governmental organization Impulse NGO Network began networking with groups throughout India under the banner of ATSEC -- Action against Trafficking and Sexual Exploitation of Children. Impulse is the nodal agency for ATSEC in the northeast. Impulse President Hasina Kharbhih told *rediff* that the arrested traffickers, all based in Shillong, had informed the police that at least 300 girls from the northeast were lured into prostitution in the past six years. " Impulse rescued three girls last October while 24 girls -- 10 from Assam, 10 from Meghalaya, and four from Mizoram -- were rescued in May after a routine "alert" on the ASTEC network had tipped off Mumbai-based NGOs working in this area. Besides girls from the northeast, girls hailing from poor Bangladeshi families staying in India are also lured into prostitution, according to the police. "We have been getting information that some girls were also smuggled into Nepal and other neighbouring countries to ply the prostitution trade," said Kharbhih. "The northeast is turning into a big supply zone for such rackets involving the trafficking of teenaged girls." (The North East connection *The Rediff Special*/Syed Firdaus Ashraf)

Priti Patkar, a director at Prerna, an organization working on the issue of commercial sexual exploitation and trafficking and rehabilitation, said the girls were among the worst sufferers due to the ethnic wars. "One rescued girl told me that young girls were sometimes forced to have sex with the militants and therefore they felt that going to Mumbai would solve their problems. When they found out they were operating as sex workers, they were disappointed but were at least getting paid for it," she added. (The North East connection *The Rediff Special*/Syed Firdaus Ashraf)

“From North East region the girls trafficked into coerced marriage in Haryana and Punjab come from Assam and are brought mainly through the Northern Route. While train brings the maximum number of girls for both the Destination States, trucks also bring girls, especially in Haryana and the areas of Punjab adjoining Haryana. Some percent of Assamese girls are also brought first through the eastern route to Bihar, West Bengal and Jharkhand and then to Delhi and forward. While the maximum number of these girls are brought directly to Delhi some are absorbed in Bihar and West Bengal for time being or permanently.” (Shakti Vahini 2003- Female Foeticide, Coerced Marriage and Bonded Labour in Haryana & Punjab.)

“In Mewat region of Haryana there are about 10,000 women, maximum number of these women are from Assam and West Bengal.” (Shakti Vahini 2003- Female Foeticide, Coerced Marriage and Bonded Labour in Haryana & Punjab.)

“Yet another mode of recruitment is through false marriage offers, where the poor parents of the girls are persuaded, lured through false stories of riches and through offer of money to give their daughters to a rich person in other state for marriage.” “Although marrying a minor is an offense under Indian law, in Assam, girls as young as 11 are sold into marriage for petty sum of few hundred rupees to 45-year-old men who seek her to bear a son.” “In cases where parents do not agree or are not willing, girls themselves are lured to come against the wishes of the parents.” (Shakti Vahini 2003- Female Foeticide, Coerced Marriage and Bonded Labour in Haryana & Punjab)

In Assam the districts affected are Dhubri, Kokhrajar, Barpeta, Bongaigaon, Nalbari, Kamrup, and Guwahati. In Assam economically poorer *sar* areas of the State in Barpeta, Darrang, Dhubri, Goalpara, slum areas of Guwahati like Hatigaon, Pandu and

Barak Valley are the major places of trafficking. (Shakti Vahini 2003- Female Foeticide, Coerced Marriage and Bonded Labour in Haryana & Punjab)

Jorhat, Lakhimpur, Sibsagar, Karim Nagar, Marigaon are some of the other districts which are affected by the Trafficking of women and violence and crime against women and girl child, such as rape, murder, forceful kidnapping and abduction are very high.

State response –

Advisory Committee at state level was formed but it has not been meeting regularly and the committee had undertaken no policy initiatives. Anti Trafficking police officers have been appointed in all districts. Advisory Boards of Social worker under Section 13(3) have been formed in 9 districts. A special Police cell had been created at CID Hd. Qtrs. Under the IGP CID to coordinate the action on crime against women and ITPA. No task force had been formed in accordance with the National Plan of Action. No Committees at district and local levels to prevent the trafficking of women and children have been formed.

There are only 3 Juvenile Justice Boards in the state and 16 child welfare committees have been formed. There are Two Homes for women, 3 observation homes, 6 children homes and 1 special home. No separate Homes for rescued victims as provisioned in ITPA.

No studies and surveys to create reliable and relevant database of High Supply areas, routes, destination, causes and magnitude of the problem have been undertaken by the state. There is no specific scheme for Women and Child Victims to integrate them with the main stream schemes of employment, assistance and development and no specific family education counseling

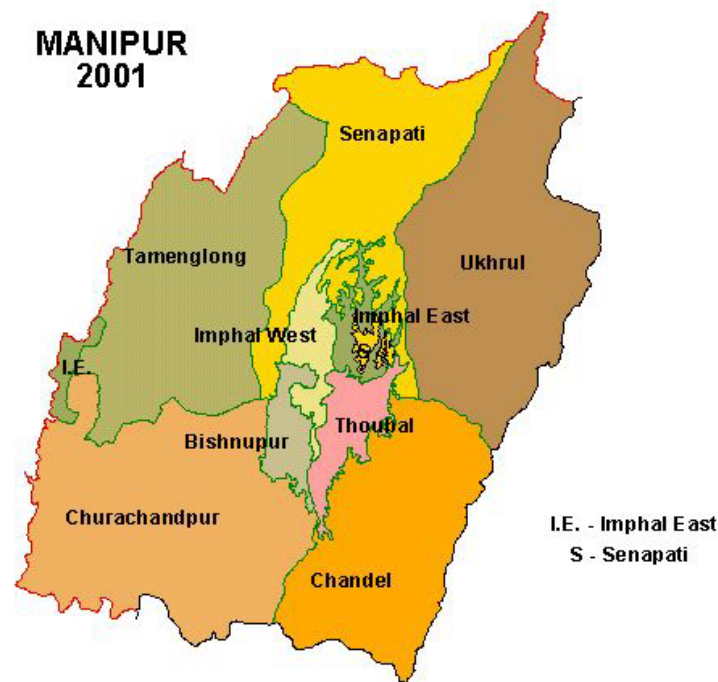
and short stay homes for victims of trafficking and commercial sexual exploitation.

There is no program for education and childcare for the victims and their children. No aanganwadi centres for Victims, no separate eligible category under PDS

system has been provide, no scheme for formation of self help groups of victims and no training cum employment programmes for victims

Targeted interventions for HIV/AIDS among victims of commercial sex are being run in Gauhati, Silchar, Nalabari.

Manipur (Category Three)



The state of Manipur in Northeast India is bordered by Myanmar (Burma) and the Indian states of Mizoram, Assam and Nagaland. The menace of drug trafficking is very high in Manipur through Myanmar. This makes the state vulnerable for trafficking. Due to the changes in patterns of economy more and more tribal women are taking up commercial sex and daily wagers where they are increasingly becoming vulnerable to abuse and exploitation.

There are thousands of women engaged in commercial sexual activities in Imphal East, Imphal West and Churachandpur. Earlier in a survey conducted by The Manipur State AIDS Control Society (MACS), 1063 commercial sex workers were found HIV positive.

The education level of women in Manipur is very low and this increases their vulnerability. The most vulnerable areas

include the border areas with Myanmar, and the regions along the Highways.

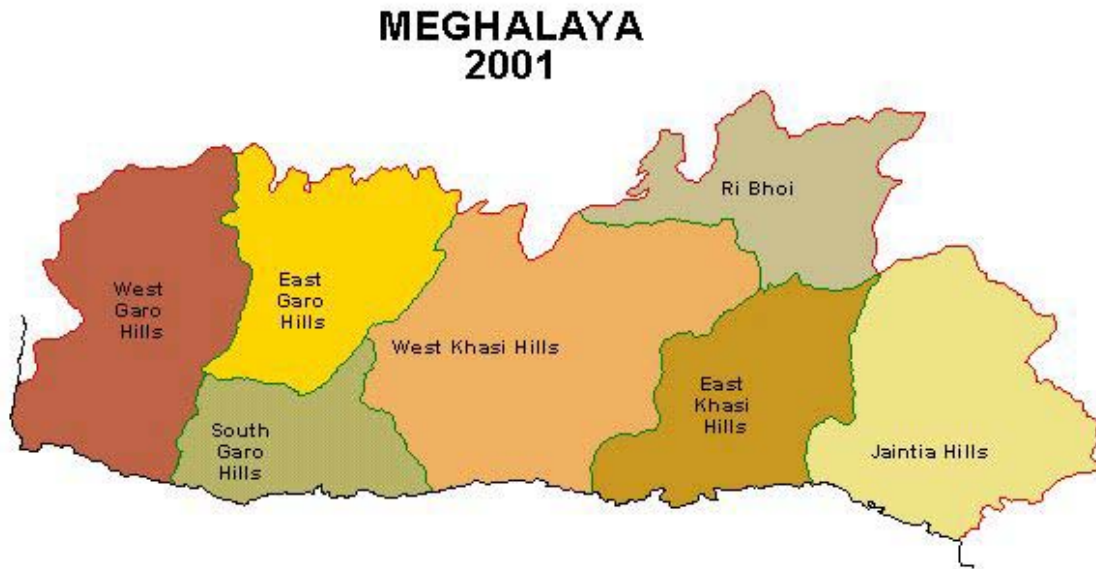
The State response-

The state advisory Committee constituted in 1994. All the Superintendents of Police of all districts in the State of Manipur have been appointed as Special Police Officers in 2003. State constituted an advisory body in each district of Manipur State in 2003, in pursuance of Sub- Section 3(b) of Section 13 of the Immoral traffic Prevention Act 1956. The state Advisory Committee, Coordination committee, Anti trafficking cells, Task force, Juvenile Boards, Juvenile Committees, plan of action had not been implemented by the state.

There is one Juvenile home run by the State Social Welfare Department, government of Manipur.

One project for AIDS affected/ trafficked women has been sanctioned under Swadhar scheme for a 100 bedded shelter home.

Meghalaya (Category One)



Meghalaya is not known for organised prostitution as no areas have been declared as Red light areas in any part of the state. But there have been some incidents in recent few years, which indicate the arising of the problem.

But North Eastern States being surrounded by the International boundaries is more vulnerable to trafficking. According to Hasina Kharbhih of Impulse the "Highway Syndrome", Highway Tea Stalls and Restaurant etc., were another major sources of supplier of young girls for Traffickers.

10 girls were rescued in 2002 from the brothels of Mumbai and three traffickers were arrested from Meghalaya. It is estimated that around 300 girls have been trafficked to Mumbai in past few years.

State response

The state advisory committee constituted under Supreme Courts Directive in 1994. In 2002 an NGO was also made a member of the above committee. The notification appointing Special Police Officers under Section 13 (1) under ITPA was issued 1991. 23 Inspector of Police were appointed as Special Police Officers for the purpose of the ITPA IGP, CID is appointed as NHRC State Nodal Officer on Trafficking issues. Advisory Board of Social Workers and NGOs had been constituted. A state level Coordination Committee under Commissioner & Secretary, Social Welfare was constituted in 2001. The committees at district and block level as provisioned in National plan of Action had not been formed. Orders to immigration officers and forces at transit place to keep vigil had not been issued.

Survey on the Girl Child Labour in Meghalaya- has been conducted by an NGO under the sponsorship of Save the Children India. Action Research on Trafficking of Women and Children sponsored by NHRC/UNIFEM is being carried out by an NGO.

Awareness generation Campaigns is being taken up by the NGOs in collaboration with State Govt. Education Campaigns about the risks of unprotected sex is being organised by the NGOs in collaboration with health Department and Meghalaya State Aids Control Society.

At present there is no Plan of Action for state and no specific schemes for the victim.

There is no scheme targeting the victims and their children to issue health cards. There is no scheme for education of the victims and their children. No initiatives have been taken for not insisting the name of the father in educational institutes, reserving seats in private institutes, institutionalization of children of 6 years of age, setting up of anganwadis. There have been no efforts to enroll the victims in electoral rolls, issuance of separate ration cards under PDS, preferential allotments of housing sites.

There is no family Counseling centre in the state. There is no helpline in the state. There are no shelter homes in the state. Recently one NGO has applied for financial assistance under the scheme Swadhar.

Mizoram (Category Two)



There are no red light Areas in Mizoram. And the incidents of trafficking are not high but recent rescue of Mizo girls by Impulse NGO of Meghalaya from Mumbai show that traffickers do have their networks in the state, though they might not be deep rooted.

Commercial Sex is not common in the state to the extent that when there was a spurt in minor rapes in 2003, the local activists even made an absurd demand of legalising prostitution in the state to avoid rapes.

However several groups working on HIV field have identified women engaged in

commercial sexual activities. SHALOM back in 1998 identified more than 900 women engaged in commercial sex.

The State Response

Advisory committee was constituted in 1994. All Sub – Divisional Police officers are appointed special Police Officers under the ITPA 1956.

A Protective Homes for rescued persons have been set up in the state.

Nagaland (Category Four)



Dimapur the commercial sex centre in Nagaland. Nagaland brothels are not isolated from the rest of the trafficking world even in this state women and girls from Uttar Pradesh, Nepal and Bangladesh can be found. Girls from Assam and other Northeast states are brought in the brothels of Nagaland by the traffickers. Girls from Bhutan too are trafficked and some willingly cross the border for commercial sexual activities. Young girls from nagaland are also trafficked to the brothels in Mumbai and West Bengal. Many of the girls are very young. There are small pockets in Dimapur where the flesh trade is concentrated and many of the women belonged to a floating population which travel to Assam and back and also to other states. According to a report by Prodigals' Home, red light areas in

Dimapur are only about 10 years old. Naga women have turned to prostitution only very recently. The army and CRPF (para-military) presence is adding to the increase in prostitution.

State response

Appointment of anti trafficking Police officer under ITPA has been done in all the Districts. There is no state advisory Committee, no advisory committees of social workers, no Coordination Committee, no plan of Action, no task force, no anti trafficking cells, no women/ child help line. At Dimapur NGO 'Abinbo Social Dimapur' is serving as short stay home and the Prodigal home Dimapur is presently working on street children.

Tripura (Category Four)



Tripura is a border state. The crime, militancy is very high. Crime against women and abuse of children is very high, especially rape, molestation, kidnapping. Presence of armed militants and security forces had made the situation further worse. Poverty is grave and women engaging in quick commercial sex is very common for as petty as Rs. 10. Across the common border

women cater to the sexual desires of both sides security forces and militants group.

State response can be categories as worst. Not a single case is registered under ITPA since several years. None of the bodies, or legal instruments/ infrastructure required under various laws and supreme court directives.