

# **Female Foeticide, Coerced Marriage & Bonded Labour in Haryana and Punjab; A Situational Report.**

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## **shakti vahini**

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## **ACKNOWLEDGEMENT**

This report is a small attempt to highlight the sufferings and plights of the numerous innocent victims of Human Trafficking, with especial focus on trades of bride in the states of Haryana and Punjab. The report deals with the problem and throws light on how the absence of effective definition and law, to deal with trade in 'Human Misery' is proving handicap in protecting the Constitutional and Human Rights of the individuals and that the already marginalised sections of the society are the most affected.

The report is a clear indication of how the unequal status of women in our society can lead to atrocities, exploitation & innumerable assault on her body, mind and soul, in each and every stage of their lives beginning from womb to helpless old age. The female foeticide in Haryana and Punjab; on one hand, if it is killing several innocent lives before they open the eyes on the other is causing serious gender imbalance which finally is devastating the lives of equally other who have been lucky enough to see this world. Like breeds the like, the evil of killing females in womb is giving rise to a chain of several other social evils of which the female gender is at the receiving end.

If the lack of law is a problem, non implementation of the existing legal instruments and administrative apathy is a greater one.

The report would be incomplete without acknowledging the dedicated efforts of several 'Shakti Vahini' volunteers. Who, assisted the field team in its works especially, in the light of threats & opposition they faced not only from the villagers and the people involved in the trade but also from the callous administrative and police machinery. Also, the report would have remained one sided without the ground study and observation at grass root level in Assam, which would have been very difficult if it was not for the help provided by 'Divya Jyoti Jan Kalyan Samiti Assam'.

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Finally we acknowledge the contributions of Ms Kuntla Sharma, who not only provided us with the case of missing girl 'Kanika' and extended all possible help in trying to trace her out. Kanika still remains missing despite several inquiries but it opened the gate where we came across several other 'Kanika's', waiting for help, care and protection.

Date 10-12-2003

Ravi Kant  
(Executive Director)

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## **Introduction**

The present report is a result in response to efforts made to trace a missing minor girl Kanika, of Assam who was lured into Haryana in pretext of Job & Marriage with a rich land lord and the number of rescues of minor girls from the village of Haryana and Punjab, who were sold into coerced marriages and for domestic work and is proposed at identifying the causes and magnitude of the problem and accessing the government's reaction and responses in lieu to the several media reporting at local, national and international level both in print and electronic media, about the ongoing large scale trafficking of women and children in the above states.

The information gathered is mainly based on interceptions, media reporting, as provided by the local people, the buyers and their families, the victims and their families and a few of the agents who have been bringing the girls to sell them. The experiences and the stories of the rescued girls and a large number of women waiting to be rescued helped in getting the first hand information of the problem and its dimensions.

It is an irony that despite trafficking of women and children, at least for past ten years, being a forefront issue for several Government and Non-government Agencies; the states of Haryana and Punjab where tens of thousands of women are being traded as cattle for coerced marriage and domestic labour and even at some places market for the purpose have come into existence, were not even in the "Trafficking Map" of India, till recently. But once the cases started coming up there was no end to it. There are thousands of women including minors who are forced to live under all kinds of exploitation, being sold and resold every day and waiting to be rescued and looking at some one who can come forward for their care and protection. But due to government apathy, non implementation of relevant legal instruments and non existence of the required infrastructure any attempt to rescue them is conditioned with two options, both vice - one to leave them in their situation and the another put them in Nari Niketan for indefinite period of time.

Shakti Vahini's experience in working with the 'victims of trafficking for commercial sexual exploitation' at G.B. road also proved of great help and importance, as the causes of the victims being trafficked into coerced marriage in Haryana and Punjab and for domestic work in Delhi and Punjab are very much same and the plight of the victims similar to those in the brothel based sexual exploitation.

The heartening aspect of the problem of trade of women in Punjab and Haryana, into coerced or forced marriage is that while in the case of victims of trafficking into the brothel based exploitation such victims after a certain period of time become a part of the system and they rise within the hierarchy of the system and their exploitation to some extent is reduced, (though they remain option less as ever and the reduction in exploitation is only at the cost of exploitation of others) in the trafficking, that is on going in the Haryana and Punjab, these victims of trafficking into coerced marriage never become the part of the society ( They remain "Paro" or the "Bought" or "Kept" and their children " Children of Paro" ), and are sold several times in the life. Living for a period of time as a wife and bearing children does not guarantees them any security. There are cases of women with three children being sold along with children. She at times also is separated from her children when sold, at times the buyer may not be willing to take the children along. There are also cases of a single women being sold commonly to as much as six person, who where not getting married and contributed to her cost commonly, as result obviously she couldn't survive the assaults of sex starved beasts even in drugged state and died unattended by any medical practitioner.

The victims in brothels after a period of time gain freedom to movement though they may not leave the profession in lack of options and confidence, but the victims of coerced marriages are kept in bondage for whole life with only movement when she is resold to another person. These victims of coerced marriages are being forced to live life very akin to medieval sex slavery and are doubled as labour for domestic and agricultural works.

The victims in brothels are money spinning machines for their Madams, thus have some value but here the victims are merely cheap labour and sex slave, even her medicinal expenses cost more than her real cost and thus have to die early inflicted by various kinds of diseases and infections for want of any medication.

Kamal Kumar Pandey

Date 10.12.03

## CHAPTER - 1.

### **The Concern: Trafficking of women and children**

“The Child shall be protected against all forms of neglect, cruelty and exploitation. He/She shall not be the subject of traffic, in any form “

***Principle 9 of the Declaration of the Rights of the Child proclaimed by the United Nations General Assembly on November 20, 1959 : Resolution 1386 (XIV)***

“Once we perceive, question and challenge the existence of the sexual abuse of children, we have taken the first crucial step towards the elimination of the degradation, humiliation and corrosion of our most valuable human resource — our young” (***Florence Rush 1980***).

“... The exploitation of childhood constitutes the evil the most hideous, the most unbearable to the human heart...” (***Albert Thomas, first Director of the ILO***)

“The trafficking of human beings is unacceptable under any circumstances, but the trafficking of vulnerable children and young people is a violation of their rights to protection from exploitation, to play, to an education and to health, and to family life. The trafficking of children is not new; it has existed for many years and continues to grow across all continents and all cultures.”

***[Frans Röselaers Director International Programme on the Elimination of Child Labour (IPEC)]***

“India is a country of destination, origin and transit for trafficking of women and children. In addition, there are several indications of internal trafficking. Of the 74 million south Asian women reported as missing, 20 million are said to be working in Indian brothels. An estimated 25 percent of women trafficked to India are under 18 years of age. ....Young women from remote parts of India also are trafficked ..... for purposes of sexual exploitation.”

**(A Human Rights Report on Trafficking of Persons, Especially Women and Children)**

Article 3(a) of the *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* defines trafficking as “...the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” The Protocol points out that, *as far as children are concerned*, “recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered ‘trafficking in persons’ even if this does not involve any of the means set forth in the definition”.

Trafficking is not an event causing any particular Human Rights violation of an individual at a particular point of time rather it consists of a combination of events occurring in a series of steps, taking place in the home community, at transit points and at final destinations and resulting in life long exploitation, abuse and violations of multiple or ultimately almost all the Human Rights of any individual, recognised by the civil society in a democratic set up of polity. It is not only a problem involving crime, but also a social, developmental and economical problem. While the economical gains involved is the reason behind people taking up this crime, non implementation of legal instruments, failure of governments to bring adequate legislations and corruption causes the big rackets to develop and flourish. The social divide of rich and poor, lack of development, increasing army of unemployed and

finally the gender discrimination inherent in the society and cultural setup leads poor innocent to become victim of trafficking and exploitation.

While the purpose may vary, it is relatively common for women and children from rural areas and from poor and backward states to be trafficked for exploitation in urban centres and in wealthier neighbouring and distant states. Many different actors are involved in the trafficking process, including recruiters, intermediaries, transporters, employers, brothel operators, and even friends and family members. Various means are used to entrap the victims, including persuasion, deception, threats and coercion. The essential ingredient in the process of trafficking is the exploitation of the child or adult being relocated, whether that exploitation occurs at the beginning, during or at the end of the trafficking process or whether it involves the consent of the victim in part or in whole.

It is one of the greatest ironies of India that while it has achieved progress in terms of economic growth and advancement in the standards of human rights, at the same time persistently we see the continuance and increase of practices, attitudes and behaviour that continue to subordinate, discriminate and oppress human beings especially women and children.

While lot is said and boasted of the Fundamental Rights enshrined in our Constitution and the respect and regards for Human Rights in our vibrant democracy, thousands of poor women, minor girls and innocent children in Punjab and Haryana, trafficked or sold from the States of Assam, Jharkhand, West Bengal, Orissa are being forced to live an almost bonded and slave like life in utter disregard to all the legislations meant to protect their rights and to make them live a meaningful and dignified life.

Art. 23 (1) of Indian Constitution explicitly prohibits, “**traffic in human beings** and forced labour and makes it “an **offence punishable in accordance with law**”, but it is a sad irony that despite India being signatory to the ‘**UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children**’, we yet don’t have any specific and comprehensive law to deal with the trafficking in human beings and no definition of the words ‘Trafficking in Human Beings’. The only specific law that we have is ‘Prevention of Immoral Trafficking Act 1956’, which even after two Amendments, as the very name reflects is impregnated with moralistic overtones of early 20<sup>th</sup> century, unsuitable to the contemporary socio-political consciousness and stands discriminatory and criminalises the victim instead of providing care and protection. Further ITPA only deals with Commercial Sexual Exploitation when done in brothel or in public place and leaves all other purposes for which the Human Beings can be and are being trafficked.

Today the whole of the India is affected; this criminal violation of women & children’s rights goes unabated and is flourishing taking new forms, in the northern India inflicted by serious gap of income, education and gender inequality. The vulnerable to abuse and exploitation victims, traumatized by this accumulation of denied rights, and separated from their families communities and cultures, end up in prostitution, sex slavery, coerced marriage and other exploitative forms of work, such as agriculture, mining, manufacturing, begging and domestic service.

## CHAPTER - 2.

### **Coerced Marriage, Sexual Slavery and Bonded Labour in Haryana & Punjab**

For the past few years, media and voluntary organisations have increasingly been reporting about the increasing number of girls getting sold & being trafficked from other far away and poverty ridden states to Haryana, Punjab and Delhi region. Assam, Jharkhand, West Bengal, Orrisa, Bihar, Madhya Pradesh, Uttar Pradesh & Himanchal Pradesh are such prime states from where the trafficking in guise of migration for coerced or forceful marriage, domestic servants and agricultural labour is taking place and the maximum numbers of such girls come from Assam, Jharkhand and West Bengal.

Every year, thousands of young women and girls in northern India are lured or sold into involuntary marriage. They are bartered at prices that vary depending on their age, beauty and virginity, and exploited under conditions that amounts to a modern form of slavery.

Any village the teams of Shakti Vahini visited in the Faridabad, Hissar, Rewari, Karnal, Rohtak, Kurukshetra of Haryana and Mansa, Nawashehr, Jalandhar, Gurdaspur, Bhatinda of Punjab, there are women from the Assam, West Bengal, Jharkhand, Orrisa, Bihar, Madhya Pradesh, Uttar Pradesh, Uttaranchal, Himanchal Pradesh who have been lured through deceit for a better living or have been bought through the traffickers or sold by their poor parents. Although trafficking in women and girls has become a lucrative and expanding trade in these regions, it routinely escapes effective administrative and social sanctions and the general response is to outrightly deny the existence of any such problem. Only after a persistent effort for years made by the Shakti Vahini, the local as well as national print and electronic media and the interventions made by judicial bodies such as NHRC and State Human Right Commissions, the problem has been accepted by the governments and yet all the attempts being made by government and administrative agencies are either in a way to protect the committers of the crime or to not disturb the existing so called peaceful atmosphere due to fear of giving rise to a serious law and order problem as the number of trafficked victim in the states of Haryana and Punjab is enormous.

While the magnitude of the problem of trafficking into coerced marriage and labour exploitation is enormous in the area and depends upon the various socio-economic, political and cultural factors such as family and community hierarchies, cultural, traditions and values that encourage gender discrimination and a disregard for children's rights, 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.

Though as per the findings and from locally available information there are about 5-10 thousands women forced into marriage by coercion or trade in Rewari and Faridabad district alone in Haryana and about 4-5 thousand women in Mansa district of Punjab alone, the clandestine character of trafficking makes it very difficult to establish definite figures as many trafficked women and girls are kept in captivity, bonded like condition and sexual slavery. Those who can be identified and located generally are not willing to tell their stories due to fear of those who hold control over them, stigmatization, backlash and lack of any hope or help coming for a dignified and secure future. With no support services and programs, presence of gender insensitive laws, poor law enforcement and apathy of welfare officials meant to assist them in their time of crisis, the victims are not willing to report such cases.

In the economically prosperous 'Doaba' region of Punjab including Nawashehr, the problem of trafficking and exploitation is equally grave and the magnitude here is comparatively



greater in number, but though here too girls are being trafficked into coerced marriage, the major purpose behind the cause here in the region, is altogether different from that in the State of Haryana and districts of Punjab adjoining Haryana.

While in Haryana and the districts of Punjab adjoining Haryana such as Mansa the major purpose behind the trafficking is coerced marriage due to adverse sex ratio and other socio-economical, cultural factors; in the economically prosperous districts of Doaba region in Punjab, it's the demand for cheap labour in agriculture, animal rearing, domestic services, brick kilns, stone cutting/ policing, dhabas, training into pick pockets/thieves and begging. The disproportionate development of the region in comparison to poor source states, based on large land holdings, mechanised farming and foreign money pumped by large chunk of population migrating to developed nations of Europe and America, is creating environment which is causing trafficking of women and children. The migration of local population to developed countries has created a vacuum for work force in the region which in turn is attracting the work force from the less or under developed states of the country.

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. 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. In the Mansa and surrounding region of Punjab alone there are more than 5000 women who have been trafficked and forced into coerced marriage.

The change in the proportions of the girls from various states is directly related to the purpose of trafficking and to an extent reflects cultural factors apart from poverty of the source states which make them vulnerable for trafficking. While the maximum numbers of women put into coerced marriage are from Assam and West Bengal, 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.

As the whole process of this bridal migration is increasingly gaining momentum the sale and trafficking aspects involved in it needs immediate attention. 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. Shakti Vahini has even come across women from Bangladesh and we estimate that most villages in Haryana and Punjab now have a handful of women brought in from other states. Many of these "imported" women are treated as slaves, subjected to sexual and physical abuse. If the under 6 years sex ratio data from 'Census of India 2001' is any indication the importation trend will increase manifolds in coming years and more and more youths will be buying a bride for them selves. It is time that the central and state governments step in and enforce existing laws & put up a mechanism to prevent a social tragedy of colossal proportions that is in the making in these states.

As the findings show generally money in exchange is involved in almost all the cases and the links for it are provided by agents and sub agents who himself / herself makes a part of fortune out of it. The monetary exchanges are not limited to one time payment and traffickers periodically try to extract money from the person for self as well as on behalf of the family of the girl, and in such cases where money is taken in the name of the family in most cases it is not delivered to their parents. It is very difficult for such victims of trafficking to confirm or find out about it because most of them never visit their homes and are totally dependent on the person having control on them at the time. Further, most of these girls are illiterate or very less educated and can not write or read and have to depend on others even for procuring a letter, writing and posting them. Such kind of economic exploitation is done both through cheating and by forcibly.

While a very small percentage of the “sold for marriage” women are found to be living a married life, there are majority of others who are missing and are untraceable or are forced to live a life of sexual slave and duplicate as domestic servant or kept women. Most of these women and girls forced into coerced marriage are minors or were so at the time of being trafficked and majority of them were sexually abused by the person, who trafficked them. There are also instances of girl being resold to other persons after living a married life for short period. There are also information's and instances of selling girls to brothels or engaging them in call girl racket or other kind of activities for providing sex services.

A great number of these women are sold and resold to several persons successively and only few are lucky enough to enter into settled martial 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 or others who were taken to hospitals only when they became terminally ill and there was pressure to do so due to various forces.

Cultural dimensions involved in the problem are no less serious. Innocent girls, under the grave poverty are being forced to move into a total different cultural setup unseen and unknown to them. The situation becomes more serious, especially when these marriage relationships remain a one time affair involving girls migration for once and forever, (As is the case in most of cases. The exceptions being only when same women turn to become links for traffickers to bring girls) and are not contributing to cultural and social integration to any extent. These women rooted from their culture and families have no other option but to depend on their masters and to submit to their demands and desires.

Linguistic dimensions add to the sufferings of the girls because they can not speak the local dialects and this reduces their capacity to communicate about their sufferings and search for help.

There are well established networks of traffickers in the source as well as the demand states. It does not require a deep investigation to find this trade in human beings and to see the

misery and plight of these poor women, yet there prevails a shrewd and mysterious administrative apathy towards the problem.

Its not only females, both major and minors, who are being trafficked but a great numbers of male children and minors too are being trafficked for various purposes and are being abused and exploited, especially in Delhi and Punjab..

Parents in poor and under developed areas also are a source of such procurements of minor girls as well as boy child. Conditioned by abject and absolute poverty and struggling to meet basic needs, parents often sell their children into some form of debt-bondage, either domestic labor, coerced marriages or prostitution. Majority of these women are employed as (domestic servants, farm labour, manufacturing, brick kilns, dhabas & hotels, coerced marriage, sexual slavery, and prostitution directly or by subversive ways catering sexual services) and exploited economically, mentally, physically and sexually. These women and children are subjected to abuse, harassment, rape, and torture. Among those sold and forced into coerced marriage, a great part of these minor girls are those who have been sold by their parents to "prospective grooms" in return for paltry sums, some times even without knowing or without having seen the person. The money received can be as low as Rs. 250/- only, with an extended hope that in future more financial help may be received from their daughters or their husbands or simply to get rid of the burden. Children in North India are vulnerable to trafficking due to uneven economic development. Many of these children who are as young as 12 to 14 years of age are procured, sold and purchased or trafficked into labour, begging or prostitution. Most trafficked children belong to families which are not in a position to provide care and support due to factors such as poverty, alcoholism, domestic violence.

Nearly half the children born in India remain unregistered and the condition in the above reported source states, is even worse. In many cases when a child goes missing, the case is not reported. Of those which get reported only a small percentage gets traced. Many are sold by their families.

Poverty and lack of equal opportunity reduce the status and quality of life for many girls in these source states. Although the customary practice of providing a dowry is now illegal but is in prevalence as ever and with the growing materialistic culture its effect has increasingly become more deep-rooted in traditional castes structure. The institution of marriage under growing materialistic influence is losing its moral grounds and ethicality; it is seen as an occasion to improve financial status and condition of the family by the money received in dowry. Due to demands of dowry the impoverished parents of a young girl are tempted to abandon or sell their daughter for fear that they will be unable to pay such a dowry. The same is one of the major factor behind female infanticide & foeticide and has lead to adverse sex ratios in the demand states.

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. This mostly happens due to inability of girl's parents to feed and marry their daughter. Similarly in all the above source states and in Haryana an early marriage in tender age is preferred due to various socio economic, cultural reasons all of which have their root in gender discrimination and adverse position of females in social and domestic structure.

Though poverty seems to be the major reason in first sight, the underlying gender discrimination, male dominance in societal structure and general insensitivity and apathy towards the sufferings of the women is also contributing at large for the dehumanization, commoditization and exploitation of women at homes as well as outside.

The burgeoning trade in women and girls is thus fundamentally linked to women's unequal status, poverty, lack of education, development and access to markets and essential services within the local social setup or government schemes.

Women and girls who have been trafficked can rarely escape or negotiate the conditions of their employment or marriage. It is found that many police officers and other local government officials facilitate and profit directly or indirectly from the trade in women and girls; they ignore abuses that occur in their jurisdictions; protect the traffickers, agents, subagents, buyers and recruiters from arrest; and serve as facilitator in the process. In some cases, police demand sexual services, threatening them with arrest if they do not comply. It is also true in case of minor boys being trafficked.

On the supply side, adverse socio-economic and cultural conditions in the states of Assam, Jharkhand, West Bengal, Orissa, Madhya Pradesh, and Uttar Pradesh increase the likelihood that women and children will be lured and fall prey to such situations which make them highly vulnerable to be abused and exploited.

Most notably in rural areas, women and girls have fewer educational and economic opportunities than males. The problem of trafficking is more in the suburban areas or the regions having frequent linkages to the comparatively developed urban areas, rather than in deep rural areas, in both the source as well as receiving states. The attraction of a big city, better-paying jobs, and a better life, cause women and girls with very few options at home to accept alleged job or marriage offers, far away from their native places. Moreover, even if the woman or girl herself is not tempted, the preference for sons in many societies and the promise of immediate payments often lead families to sell their daughters. Because many agents are local people familiar with local conditions, they strategically recruit in the lean period before harvests or target families with financial difficulties or relationship crisis. The recruiters' timing, coupled with the traditional responsibility of women to care for their families, make it difficult for them to resist the offers of employment or marriage.

On the demand side, quick profit involved in sale - resale and commercial sexual exploitation of these women, easy availability of women at minimal costs for sexual gratification, cheap labour, domestic servants and coerced marriage for those facing problem in getting married due to various reasons (such as relative poverty, land less ness, outcastes, socially boycotted, outlawed, widowers and old persons), unequal and discriminated status of women, preference for son provide the factors for flourishing of the trade.

Sex ratio in any society is a direct indicator of the status of women in that society and the treatment being met by women of that society. The lowest sex ratio of states in Haryana and Punjab, in country clearly reflects that it is of no surprise if even in 21<sup>st</sup> century women and girls are being deprived of their right to life and are bartered as lifeless commodities in prices lower than that of cattle's. It also, does not require any deep investigation to gauge the untold inhumane mental and physical torture these women may have to suffer in the absence of any protective safeguards and slackness in implementing the existing legal instruments. These helpless women face serious discrimination not only in respect to males but also in respect to the local women and thus are victims of unaccounted indignities they suffer.

Although there exists some variations in traffic in women and girls in different states but there exists a common general patterns through out this region. In a typical situation, a woman or girl is first recruited by an agent with promises of a good job in another state. For instance, in Assam, Jharkhand, West Bengal and Orissa and girls are promised the opportunity to escape poverty at home to the relative prosperity of Delhi, Punjab and Haryana. 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. In cases where parents do not agree or are not willing, girls themselves are lured to come against the wishes of the parents.

Once recruited or abducted, women trafficked or sold into forced marriage are held captive through financial obligations as well as their inability to take independent decisions due to various reasons. Distance from home, lack of familiarity with the local language and inability

to find supportive forces, further reinforce the women's and girls' dependence on the Buyers or "husbands."

These women and children are sexually abused and exploited in ways that can cause permanent physical and psychological harm. They are exposed to various kinds of physical as well as psychological abuse and health risks, especially sexually transmitted diseases (STDs) and HIV/AIDS, because most of them are subjected to sexual abuse by multiple persons in the chain of traffickers the agents, subagents, buyers etc and are not in a position to negotiate the terms of sex. Aside from risk of infection through sexual intercourse there always remains a strong possibility of pregnancy, which are ultimately terminated through very crude methods, dangerous medicines or by untrained and unequipped persons or practitioners, if it does not happens to be in wedlock.

Shunned by their own families and communities, for many of these women it becomes a compulsion to live a life dependent upon their exploiters, under go all sort of physical, mental and moral abuse and work in conditions akin to bonded slavery.

When forced into prostitution these women are scorned in the surroundings and face additional legal and moral isolation. When apprehended by the law enforcing agencies the same police and the agencies who facilitate the trade practices fail to distinguish between prostitutes and victims of forced trafficking, and treat these women as criminals rather than as persons who deserve immediate " care, support and maintenance".

Prostitution being illegal the law punishes women who engage in prostitution but not the men who operate and profit from prostitution rings and who patronize prostitutes, such discriminatory laws also provide the ground for enhance trafficking of women and generate confidence and encouragement to the traffickers.

Further, the absence of effective law enforcement and social services for the victims, and the prevalent discriminatory and insensitive attitudes toward these victims exacerbate the problem of trafficking. Out of fear of social ostracism, women are reluctant to speak about their experiences of abuse and thus to warn others who might also be vulnerable. Also taking advantage of it the administration gets the opportunity to refuse, neglect and hide the problem.

Despite ample evidence in the contrary, since both trafficking under cover of migration for job and coerced marriage mostly involve voluntary elements to some extent are largely dismissed as crime and are frequently mischaracterized as a voluntary act, presuming the women's consent, both by administrative officials and implementing agencies alike due to their utter lack of awareness, general apathy and insensitivity to the grave misery associated with trafficking. In the matters of coerced marriages, generally the time factor is transcended and the medieval is shame fully merged into modern and ugly & derogatory mixture is extended as arguments, justifying the suppression and sexual exploitation of women.

While the right to migrate must be respected and protected, forced migration under guise of marriage, jobs or under any kind of deceit must be checked.

Money involvement, middleman, no freedom to visit home, forced marriages, girls being handed to multiple mans subsequently or making them marry more than one persons after short intervals, bondage like conditions living & work conditions, less than minimum wages payments, sexual abuse & exploitation and cultural aspects of the problem make the whole environment very dehumanizing and simply intolerable.

Brushing of the matter just as cases of willful migration is not solving the problem for in majority of the cases minors are involved and today most of the trafficking in its first part is difficult to differentiate from willful migration. The trafficking aspects in majority cases enter into scene only after the first stage of willful migration has taken place. The so called migration in the above mentioned region involves minors, deceived, lured, kidnapped, false

promise for better living and job, middle man drawing material benefits, no knowledge to victims family, cultural alienation, sale as commodities, less than required payments, bondage like work conditions, sexual abuse, commercial sexual exploitation, debt bondages etc.

Trafficking of women and children in Doaba and prosperous regions of Punjab is mostly for the purpose of "labour" i.e. bonded labour, domestic work, construction work, agriculture, stone cutting, brick kilns, small and medium sized restaurants, dhabas on high ways, tea shops etc, "sexual exploitation" i.e. forced prostitution, socially sanctified sex slavery, sex tourism and pornography, "illegal activities" i.e. begging, drug peddling, organ trading, adoption trafficking, trafficking for and through marital alliances and entertainment.

There is tremendous abuse including physical, sexual and emotional abuse experienced by women migrants while on the gender specific jobs such as domestic workers, manual labours, entertainers or sex workers. These jobs are socially shunned, lowly paid which the women of local dominant population themselves will not take. Working conditions for women also deteriorate as the protections and benefits provided by law such as day care, maternity benefits are not available to them.

In many cases it is the victims themselves or their families who take the initiative to migrate and who approach recruiters. Generally they have no idea of the fate that awaits them. Even if they are aware that hardships lie ahead, they rarely understand the nature nor the duration of the suffering they will face. The desperation that often underlies a parent's willingness to surrender a child to traffickers is frequently compounded by a lack of understanding of what exactly this means. Undoubtedly, some families are aware that the child will be offered for commercial sexual transactions or will endure intolerable labour conditions. Returning adults and children report such experiences. But many families also believe that the child will be given child-friendly, light work in agriculture or in a hotel, for example. And, indeed, that may be the case in the first instance. Often, however, the child may be re-sold later and find him/herself in exploitative labour or commercial sex.

The exploitation of trafficked person can be progressive; those trafficked for work in factories, domestic service or restaurants, may be later forced into prostitution; or children trafficked for prostitution may be resold more than once.

Women and children are simply easier to abuse: they are less assertive and less able to claim their rights than adults; and they can be made to work longer hours with less food, poor accommodation and no benefits. By allowing exploiters to keep their costs down, these types of abuse fuel the demand for trafficked children.

The consequences of trafficking are always devastating on victims whatever their age or sex, but the consequences of women and child trafficking are especially pernicious and multiple, not least because in the case of children, the child may suffer the repercussions for the rest of his/her life.

The physical impact of trafficking is great on women and children. The journey involved can sometimes be hazardous, with the victim being confined to a restricted space. They may be required to perform hazardous work that can cause death or permanent physical damage. Trafficked victims are also often deprived of food and access to health services in addition to suffering the consequences of inadequate accommodation, sleep and free movement.

The psychological impact of isolation and domination on victim is grave and is aggravated if the victim is relocated to a place where she or he cannot speak or understand the language and thus is condemned to silence. Abused and exploited victims, particularly in commercial sex, may also be subdued with drugs and become both ill and/or dependent.

All trafficked victims suffer the obvious results of trafficking: isolation from family and community, fear and psychological trauma as a result of their illegal status, physical and emotional harm, loss of childhood and education and, therefore, a blighted future. However, the situation of trafficked girls is specifically marked by the risk of pregnancy, early motherhood and reproductive illnesses that might affect their ability to have children in later life. In addition, girls stigmatized by early sexual activity, or who may return with a child or reproductive complications, are often rejected by their families and communities when they try to return. In many societies, without family acceptance their chances of marriage are greatly diminished and they may fall again into the hands of traffickers or indeed return to exploitative situations in desperation.

Trafficking in the worst cases, can be responsible for disappearance or death, or can permanently damage his/her physical and mental health. It can also encourage drug dependency, break families apart, and deprive persons of their rights to an education and freedom from exploitation. "There have been numerous reports of girl children rescued from brothels who subsequently return to prostitution because they can see no other way of obtaining the substances on which they have become dependent". **(ILO REPORT ON TRAFFICKING)**

If trapped in commercial sexual exploitation, victims may suffer violence at the hands of clients, the physical and emotional damage of premature sexual activity, and exposure to sexually transmitted diseases (STDs) including HIV/AIDS. While women of all ages are more vulnerable to the infection than men, young girls are even more at risk because their genital tracts are immature. In addition, they have absolutely no control over sexual relations and sexual health. So a physical vulnerability is compounded by gender vulnerability.

Though there are millions of children in India in it, at least in the case of children, there is a consensus to withdraw them from exploitation without delay. But the issue of trafficking and action to combat the trafficking can not be compartmentalised by differentiating the victims as males or females and minors or adults. The essence of the trafficking is common in all cases i.e. exploitation and denial of rights, restriction in freedom of choice and liberty. Action to combat trafficking of children should also include as its integral part of action, combating the trafficking of adults. Similarly the dichotomy between trafficking for commercial sexual exploitation and for other kinds of exploitation only lessens the gravity of the violations of rights and abuse involved in the process. At no point of time it can be assured or guaranteed that the victim of some other kind of trafficking will not be sexually exploited.

In the case of adults, the recognition of the right to make informed decisions and choices, even if this includes the choice to remain in exploitative situations, is presently an issue entangled in the useless and altogether worthless debate at the cost of freedom and life of helpless victims. Constitution of India envisages the "life of dignity" to individual and it does not require any argument to say that any person will choose to be exploited without direct or indirect compulsions. The conditions that make any individual vulnerable to trafficking are also the reason behind any one's choice to be exploited. These kinds of arguments are generally generated by the State's lack of will or failure to remedy the causes and remove the circumstantial conditions responsible for such choices. States can not be purged of their responsibility to protect the rights of the citizen, to provide them social-economical security and to protect them from being exploited. The argument of liberty put forth is entirely based on an invalid premise that the choice to be exploited is choice of a fully empowered, reasoned and free individual unmindful of their grave poverty, gap of incomes, lack of opportunities, widespread violence, lack of proper education and lack of atmosphere for self development.

## CHAPTER - 3.

### **Delhi: Major Destination and Transit Point of Trafficking in Northern India.**

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, Orissa 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 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.



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. Most of the women trafficked from Jharkhand belong to Oran, Munda, Santhal and Gond tribes, out of which maximum are from Oran and Munda.

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. Every local agent in Punjab the team of Shakti Vahini met, receives around 5-10 girls in Punjab.

In The Mewat area alone of the Haryana there are around 5000- 10000 women trafficked into coerced marriage. Similarly in Mansa and surrounding areas in Punjab there are more than 4000 – 5000 women into coerced marriage. There are more than five lakhs women, children and adult, in doaba region of Punjab who have been brought through dalals and agents and are put into various kinds of works ranging from domestic to agricultural, brick kilns, constructions, agricultural works and are not only paid less than minimum wages but are also sexually exploited in several cases, by the agents and traffickers during the journey and land lords and other male migrant labours later, some of them are also trapped and forced to prostitution through call girl rackets.

## CHAPTER - 4.

### The Glimpse of the Trend

**(NOTE-** The present chapter consists of very few glimpses of the ground situation. The purpose is to highlight the gravity and plight of the victims and the view of the general population of these areas regarding the problem.)

#### **Kufurpur**

In village Kufurpur P.S. Rewari, District- Gurgaon, Haryana the villagers told that very recently a cloth vendor of Gurgaon who sells cloths in the village, has bought a new girl from Bengal and that it was a common news here every day some one bringing a girl from other states.

When asked to the villagers of same village that while they are having problem finding a good groom for their daughters and at the same time the males from their own village are buying girls from distant places why don't they marry their daughters locally in village, the villagers told that its in culture that, we don't marry our daughters in our village, further we can't marry our sons in the same village, in which we have married our daughter.

"All our youths are playing cards, taking to liquor, drugs and becoming over age for marriage because of unemployment. Due to same they are not getting married, there is a severe social crisis in this regards in Haryana and by marring our daughters in our own or neighboring villages we will be creating only more hurdles in their already bleak prospect of getting married." Said Ex Panchayat Member Rishal Singh of village Kufurpur.

Referring to the IMT Economic Zone in Maneser the villagers pointed that all the industries are importing the manpower from other states and the local population has not benefited at all from this industrialization, on the other hand due to this privatized industrial policy the chances in government job has reduced almost to nil, only one person from village Kufurpur has got government job in past several years.

Pointing at scores of youth in their late twenties and early or mid thirties who have gathered, Rishal Singh said, "presently there are two girls from Assam in this village and all these youths are willing to buy a girl from Assam for themselves, if they can afford ten to fifteen thousand rupees. It's only their unemployed status which is stopping them because they don't have money to buy and then bear the extra financial requirements of an extra person."

"Even if they get employed now, no one will marry them here for most of them have crossed the age suitable for marriage. So as soon as they will start earning, they will bring a paid wife for themselves," says Sarpanch Ram Niwas.

"Since they need money, once they have got a wife for them selves and they can see that they can make money out of it, they start selling them to the needy others and procuring a new one for themselves," said Balbir Singh Yadav in his early forties and single. "As soon as I have twenty thousand I for myself will bring one, what's so wrong in it? If you can give dowry in girls can't we pay for brides?" he questions.

"By buying a bride you don't get only a wife but also an alternate source of income, with the help of your wife you can get many others married and make a fortune out of it," says an another youth of same village.

When asked will they like to marry their daughters or sisters in Assam all of them said a straight 'NO'. Only one youth felt it will be nothing wrong in doing so. The reason given for why they will not marry their daughter in Assam were several, like poverty in Assam, Distance, Language and Cultural factors such as religion and caste factors and that since they bring girls from there they can't send their own daughters to same place.

For, why the same factors doesn't stops them from bring the daughters of others from Assam, the argument extended is that once the girl comes, she no longer remain of her caste and place, her husbands caste and place becomes her new caste and home. Further the religion it self permits divergence at time of crisis and in difficult circumstances. It is a religious duty of every male to clear his debt of his parents by reproducing a son and only then one will find his right place in the other world after the death.

"These ' Bechari' are not wives but 'Rakhels', no one marries them they bring and keep them", says Mahila Pradhan Kanta Devi of Kufurpur. "They are helpless souls, they are poor from their families, can't speak the language of Haryana for years, their life is very suffocating here, these girls can't go back, they have no money, in what ever way you treat them they can do nothing and have to bear any wrong committed on them. It's wrong to bring them but the boys need son, they need someone to cook and do house chores." adds she.

"It's not the fault of these boys; it's the fault of middle men who bring them, they bring them because they make money in it. They come here in trucks, it's the nexus of truck drivers and middle men who are doing this," Says Kanta Devi.

### **Mansa**

The locals at Bareta, Mansa estimate that there are around 5000 trafficked women in Mansa and surrounding areas to district.

In the border of Mansa, a police personal at P.S.- Ratia of Haryana, on condition of not being named told that at a village Pilsia a women with well connections named 'Sito' was running an informal kind of brothel where girls of the various states present in the surrounding area and also the local girls were put into providing the sexual services of the customers. It was also told the girls were also escorted to various places by the Sito for special customers, mostly from police and administrative cadres.

The same police personal also revealed about a market were girls were sold in village-Kamana, district Fatehabad, Haryana.

Harbansa Singh, the SHO of P.S. Bareta admitted that the girls were being brought from different states for the purposes and said that he too has heard of girls being bought and sold. He cited several reasons such as land equations, sex ratio, and developmental gap between the various states, responsible for the trade. He added that it is an age old practice but the exploitative aspect is a new development and the old relations are fueling the trade by providing chain and linkages. At his station he denied that there was any special trafficking officer as envisaged in ITPA and National plan of Action to combat trafficking in Human Beings, and told that no guidelines ever have been received by his office in this regard.

While the family members mostly didn't allowed to meet the girls or girls themselves refused to give the details, any village Shakti Vahini team visited in Mansa there were girls from other states for example at village Dharampura there were seven women from states of Assam

and West Bengal but the team couldn't meet them due to resistance of their husbands, in laws and villagers.

The SSP Sudhanta Srivastava, does not views the situation as alarming and blames it to media for sensational and out of fact reporting. He said that there has been only one case of ITPA in the area under his jurisdictional, two years back. Though he agreed that there may be possibilities of such cases happening due to the adverse sex ratio in district but he said that actually there was a tradition of reverse dowry in Punjab and all the present cases were of such nature.

While the team of Shakti vahini was returning from Juglan, two infant dead bodies were being taken for funeral; on enquiry it was found that both were the girls. It was also revealed by the locals that in a near by village Badalkana, female infanticide was a common practice and only a few house holds have in them girls above 5-6 years.

### **Nawashehr and other districts of Doaba, Punjab.**

In the economically prosperous Doaba region of Punjab including Nawashehr, the problem of trafficking and exploitation is equally grave and the magnitude here is comparatively greater in number, but though here too girls are being trafficked into coerced marriage, the major purpose behind the cause here in this region is altogether different from that in the State of Haryana and districts of Punjab adjoining Haryana.

While in Haryana and the districts of Punjab adjoining Haryana such as Mansa the major purpose behind the trafficking is coerced marriage due to adverse sex ratio and other socio-economical, cultural factors, in the economically prosperous districts of Doaba region in Punjab, it's the demand for cheap labour in agriculture, animal rearing, domestic services, brick kilns, stone cutting/ policing, dhabas, training into pick pockets/thieves and begging.

The CID police official from Ranchi, M. Hembram, who had accompanied father of rescued girl Asrita, to Nawashehr, blamed it on prevalent poverty, illiteracy, backwardness and under development among the tribals in his state, which was forcing the poor women and children to migrate in search of a better living in order to escape the untold hardships of their lives.

He further said that while migration in search of living is an age old practice in Jharkhand, it is only recently due to his state lagging behind in development that the trafficking aspects have come into fore. The migration of tribals in such a great magnitude is also a new phenomenon. He said that migration of women and girls without their families on their own, in detectible magnitude is a post liberalization phenomenon and it is only then that the net works of traffickers have got well established, with people ready to move due to their unsatisfactory conditions of living.

Concerned about the plight of women he said, " though there are no red light Areas or brothels in Jharkhand but forced by circumstances, once a girl of or women, moves out of her home, finally it is almost impossible that she can escape sexual exploitation or prostitution, only death can save her."

He Says, "All government money is being spent but there is no improvement in the conditions of peoples life, rather there condition is getting worse due to new kind of influences. There is no government Policy or Plan of Action in state to check trafficking".

He was not confirm about the existence of Juvenile Boards or Committes but said "there has been not a single case of Juvenile or under ITPA in last 15 years in Dhanbad", where he has been posted till very recently.

Palipal of Ranchi, Jharkhand, the maternal uncle of Asrita, says, “there are around 15-16 male and 4-5 female local agents in the Komdra block of Ranchi alone, who receive Rs. 200-250 for every person they search and bring in contact with the traffickers.” Further pointing out at women migrating with males as wives he says, “The couples migrating mostly, are not couples but are women eloping or been lured.”

In the Bheen village of Nawashehr, there are dozens of minor girls employed and living in the houses of the employers in a very vulnerable to abuse and exploitation conditions, with no mechanism for their safety. Equally vulnerable are the hundreds of men working in very pitiable and exploitative conditions in the ‘Motors’ of tube wells. Pointing at the work conditions, Peter, secretary of ‘Pendur Majdoor Union’ says, “more than 20 peoples are forced to live in the small rooms of 10 square foot, meant for stationing electric motors. In most of these over crowded motor rooms there is always a danger of electrocution.” “They are kept like prisoners in jail”, adds the vice president of IFTU.

Sukru and Suma both, the minor husband and wife, who were brought by agent Raju, are employed with Ajmer Singh of village Bheen, for past one year Suma as domestic worker and Sukru in farm. Both get Rs. 800 each for the months work.

“Not only has the government failed to stop the migration of minors, it has also failed to ensure them even minimum wages. At rate of Rs. 74 fixed by the government it amounts to minimum Rs. 2200, but none of the migrant workers here get more than Rs. 1000 for a month. It is not only creating most inhumane system of organised exploitation but also is forcing the workers and daily wagers of local Punjab to remain unemployed and starve out of hunger, because the local workers have organised themselves in unions and are not ready to let themselves get exploited in the manner the helpless migrants from other states work”, said Peter, confirming the findings of Shakti Vahini team. About more than the hundred migrants employed in various fields, Shakti Vahini team met, it could not find a single instance where the workers were paid greater than Rs. 1,200 a month.

In all the cases of migrant labours it was found that the local agents takes the minimum of their two months salary and its only in the third month they start earning for themselves but part of even this is deducted by the employers in lieu of what they have spent on them in these two months.

The work conditions are gravely exploitative, and there is no escape from it even if at the very first instance the person does not want to work, because firstly, they are penniless to go back and in this new place they have nowhere to go or no one with whom they can seek help except submitting to the wishes of their masters. Secondly, once the agents have taken their two months salary they become bound to clear the debt, before they can move to any other person. “It’s the same age old bonded slavery in the modern package”, says Peter.

Darshan Singh has all praise for ‘Bhaiya’s’, from Bihar, Jharkhand, Madhya Pradesh. and Uttar Pradesh “Bhaiya’s are very good labours. The Punjabi labours are not good, they work only fixed hours, and demand more money than Bihari’s, they don’t work for less than Rs. 2500”, says he. “We are not forcing them, they come here by themselves and are ready to work long hours for less money, we give them food and place to stay. Where is the wrong?” he questions, “and why should we wrong them? We know Punjab can not survive without ‘Bhaiyas’”.

“If Bihari’s don’t milk the cattles in the early morning, whole Punjab will not get even tea”, says Peter.

16 years old Ratanfurti from Jharkhand, working in a farm says, “We have no other option but to migrate. There are no lands in our state as in Punjab. If one has land there is no water for irrigation, no access to markets.”

“It is all an unnecessary Hue & Cry being made by union leaders to stop the migration from other states to increase their own bargaining powers. Do you know ‘Peter’ is ‘Chuda’ (an untouchable), that’s why he is always against upper caste and all this is being done by him. Ask any migrant labour, he will never complain of any exploitation” tells Sarpanch of Begampur, who boasts of his 3 rifles, 2 pistols, 2 double barrels gun all imported.

“I myself have five migrant labours at my house for domestic work and to look after the cattles, apart from those in the farms. You can meet them. They have fix hours of work and they eat the same food what we eat”, said the same Sarpanch and explained the work schedule of his servants like working hours of an executive official. Out of four workers he called to meet three are minors and their bony, under nourished body, by itself speaks the kind of their food and work.

Not realising that these people do not have money even to travel to Punjab, he argues, “I myself migrated to England in 1960. It cost me Rs.1200 in that period. I worked like a mule there and graduated to transport driver and then to inspector earning 800 pounds a week. Today when I had made all my investments, I had Rs. 96 lakhs in my account there. My son had gone to America and earned there; he came back and opened a travel agency. My younger son too is in America, he works as a paper vendor. From my area alone Rs. 12 lakhs go to Bihar and Jharkhand.” He does not realise that Pound-Rupee exchange rate economics does not work in the cases of these poor migrants from Bihar and Jharkhand.

When asked about non payment of even the government fixed minimum wages he says, “Why will any one pay more, if we get the same work done in fewer amounts?”

In Nawashehr in the rural areas one gets the feel that perhaps there is more migrant population than the original inhabitants.

The migrant labour condition is more prevalent and worse in the border regions including Ferojpur, Amritsar, and Gurdaspur. Feudal back ground is playing its own role and contributing to the problem. There is a general apathy and insensitivity among the high economic class members and bureaucratic set up of state machinery towards the plight and grievances of the migrating population. Bureaucracy with maximum of its member coming from upper castes and affluent class is only adding to the problem.

Though Punjab is an agricultural state, no where it was found that Punjabi’s work in the lands, all the manual work is done by the migrants and contribution of locals remains limited to operating tractor and other machinery, at the maximum.

Trafficked victims are often placed in exploitative domestic work, unregulated industrial work, work on construction sites, in the service sector such as laundries or restaurants, in agriculture or street-based informal activity, such as hawking or begging,

In none of the Thanas the SHO’s have heard of Juvenile Act and the officers named as ‘Special Juvenile Officers’ and ‘Special Trafficking Officers’ did not know that they were such appointed

## CHAPTER - 5.

### The Supply Zone

(**NOTE** - Very few researches and studies even at the macro level are available regarding the trafficking of women or children to the states of Haryana and Punjab.)

Two kinds of migrant labour come to Punjab permanent and seasonal. The permanent labour comes from Jharkhand, Bihar, Orissa, M.P. and U.P. and recently the migration from West Bengal too has started. Among the migrants of permanent nature maximum come from Jharkhand and the least from U.P., leaving the West Bengal aside.

U.P., Bihar, and M.P. contribute to the maximum number of seasonal labour and the labour work force for brick kiln is provided by U.P. and Chattisgarh.

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. 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.

In Jharkhand the most affected districts are Dumka, Ranchi, Gumla, East and West Singhbhum and the tribal population is the most affected one.

In West Bengal the affected districts are Puruliya, Bardhaman, Birbhum, Murshidabad, Maldah, Dinajpur, Koch Bihar, Nadia and Hooghly.

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.

The trafficking in Orissa is directly related to the overall backwardness of the state both economically and socially. The most effected districts are Balasore, Malkangir, Nayagarh, Kendrapara, Nabaranpur, Nuadpada, Korapat, Rayagada, Ganjam and Puri.

In Orissa 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. A study by "Task Force on Women and Violence in Orissa" reveals selling of girls into coerced marriages with outsiders from Uttar Pradesh, Bihar, and Punjab. These women are sold and resold at various places to various persons and subjected to prostitution in different forms.

The new state of Uttaranchal too is a popular hub for cross border trafficking, especially along the porous borders at Pithoragarh and Champawat.

Among the destination states, in Haryana the most affected districts are Faridabad, Rewari, Gurgaon, Hissar, Kurukshetra, Yamunagar, Rohtak, and Karnal.

In Punjab all the districts of the state are affected by trafficking for either coerced marriage or domestic and farm labour.

## CHAPTER - 6.

### **THE MAJOR FACTORS.**

It is important to understand the process of trafficking in women and children from start to finish, including the political, economic, social and cultural contexts in which it occurs, the various actors involved, typical geographic patterns, the purpose of exploitation or the work in which trafficked women and children are victimized, and the root and contributing causes of the problem

Identifying and analyzing these causes and variables may help in planning interventions at a number of different stages in the trafficking process, including preventive measures, detection and identification of the victims as well as the traffickers at points of departure, transit and arrival, support to trapped victims and engaged in exploitative work, and post-trafficking rehabilitative efforts.

There are many factors that encourage and increase the vulnerability, the trafficking of women and children, both voluntary and coerced. Among the most prevalent are: poverty and the desire to earn a living or support the family; lack of education and training; political conflict and natural disasters that devastate local economies; cultural attitudes toward children and girls in particular; and inadequate laws and regulations. While poverty and economic social backwardness associated with poor literacy level is the major cause, betrayal by lovers or husbands, domestic violence, abandonment, death of husband or parents, extra marital relations also contribute significantly, singularly or in association with other factors..

Trafficking in the present case from states of Assam, West Bengal, Jharkhand, Orrisa, Bihar, Madhya Pradesh, and Uttar Pradesh to Haryana, Punjab and Delhi region, is overwhelmingly poverty pushed from the source states, exacerbated by low understanding of the consequences of trafficking, high expectations of life elsewhere and prevailing economic differentials among the states.

Trafficking to Punjab is also an extension of the very serious child labour problem. Under poverty, families and their ignorance determine the vulnerability of children to exploitation. The nature of trafficking revolves around deception, debt bondage and economic imbalance.

The trafficking of women and children from rural to urban areas for exploitation in marriage, labour and in commercial sex reflects both economic differentials; real as well as perceived, between rural areas and cities, and between supply and demand states. There are also additional patterns of seasonal movement for labour in agriculture.

The widening gap between the rich and the poor aggravates the poverty as it includes even those within the poverty circle who otherwise may not be very poor or to say that the rich poor divide increases the number of perceived poor who are vulnerable to abuse and exploitation and thus trafficking. The percent of the population below the poverty line may have decreased but in terms of concrete numbers the army of poor has remained continuously expanding and thus the number of vulnerable has been on continuous rise.

The gravity of the situation is further aggravated by the regional disparities in economical development. The different and unequal level of development among different states is one of the major reasons for movement and migration of the people for search of livelihood and economic gains, making them vulnerable to exploitation. Same is the case with rural areas lagging behind in development of even basic amenities and infrastructure in respect to city or urban areas.



While it is true that poverty alone is not the cause behind trafficking and that other factors such as culture, education, etc. too contribute to it. At the same time it is equally true that almost all the women, girls and children trafficked into Haryana and Punjab are from poor family. Thus poverty is by far the most important root cause of vulnerability to trafficking and to exploitation. Children from poor or indebted families, communities, countries or regions are vulnerable to the lure of higher wages and standards of living. They or their care givers often believe or expect that they will be able to provide for the family if they relocate for work in cities or other states. In Haryana and Punjab, many trafficked minors have been pushed by a desire to escape poverty and to relocate from areas where employment is scarce. They had heard of chances of a better life in these destination states through the agents and those who already migrated to work in these states and faced by the reality of a subsistence rural economy and insufficient education to find alternative employment at home saw these states as an attractive opportunity. In addition, poor families are often unable to provide for all of their children and thus see no choice but to send one or more of them to places where they can support themselves. Thus in such cases the child is sent away to reduce costs for the family rather than to provide additional income.

Women and children sometimes take the initiative to migrate in the hope of escaping domestic abuse, violence and neglect, or improving job and earning prospects. The family circumstances play a significant role in pushing the women and children to leave home. Neglect and physical abuse is also a reason that can prompt them to run away. Family pressure on them to help in the home or family business can cause to run; some also leave home to pursue greater economic gain despite or regardless of the opinions of their parents. In Pakistan, one report concluded that, "it is not only the desire for better living, but also an increasing tendency towards materialism which leads women and children to fall prey to traffickers".

The placement of girls in domestic service is often linked to perceptions that domestic service might raise dowries by putting them to work. General ignorance of the exploitative nature of much of the work is common since many families are illiterate and rely on what is told to them by recruiters or returnees.

## • Poverty

**Number and Percentage of Population below Poverty Line - 1999-2000**

States / Uts	Rural			Urban			Combined	
	No. of persons (lakhs)	% of persons	Poverty line Rs.	No. of persons (lakhs)	% of persons	Poverty line Rs.	No. of persons (lakhs)	% of persons
Bihar	376.51	44.30	333.07	49.13	32.91	379.78	425.64	42.60
Haryana	11.94	8.27	362.81	5.39	9.99	420.20	17.34	8.74
MadhyaPradesh	217.32	37.06	311.34	81.22	38.44	481.65	298.54	37.43
Orrisa	143.69	48.01	323.92	25.40	42.83	473.12	169.09	47.15
Punjab	10.20	6.35	362.68	4.29	5.75	388.15	14.49	6.16
Uttar Pradesh	412.01	31.22	336.88	117.88	30.89	416.29	529.89	31.15
West Bengal	180.11	31.85	350.17	33.38	14.86	400.22	213.49	27.02
Chandigarh	0.06	5.75	388.15	0.45	5.75	388.15	0.51	5.75
Delhi	0.07	0.40	362.68	11.42	9.42	505.45	11.49	8.23
<b>All India</b>	<b>1932.43</b>	<b>27.09</b>	<b>327.56</b>	<b>670.07</b>	<b>23.62</b>	<b>454.11</b>	<b>2602.50</b>	<b>26.10</b>

Agriculture remaining the main stay in almost all these states land factor is also making a major impact on the lives of people and creating situations fit for trafficking. Lack of land holdings or very small size of land holdings is a common factor in the majority of the trafficked or migrated cases and in some cases lack of productivity in agriculture or absence

of facilities like irrigation and fertilizers are also factors causing the women and child to migrate or be trafficked.

Poverty is a key reason most of the women & girls are from the lower strata of society. Their basic wants are not fulfilled and pimps taking advantage of the situation trap them. The pimps tell the girls and their families that they will get all kind of jobs to sustain themselves while sending money to their families also.

**Total population, total workers, main workers, marginal workers and non-workers--  
India, States and Union territories : 2001**

Sl. No.	India/State/ Union territory*	Total Rural Urban	Persons Males Females	Total population	Total workers	Main workers	Marginal workers	Non- workers
1	Punjab	Total	Persons	24,324,749	9,141,760	7,839,111	1,302,649	15,182,989
			Males	12,983,996	7,023,757	6,487,588	536,169	5,960,239
			Females	11,340,753	2,118,003	1,351,523	766,480	9,222,750
		Rural	Persons	16,064,238	6,382,662	5,252,672	1,129,990	9,681,576
			Males	8,508,757	4,633,197	4,199,057	434,140	3,875,560
			Females	7,555,481	1,749,465	1,053,615	695,850	5,806,016
2	Haryana	Urban	Persons	8,260,511	2,759,098	2,586,439	172,659	5,501,413
			Males	4,475,239	2,390,560	2,288,531	102,029	2,084,679
			Females	3,785,272	368,538	297,908	70,630	3,416,734
		Total	Persons	21,082,989	8,382,890	6,245,402	12,700,099	12,700,099
			Males	11,327,658	5,718,804	4,941,571	5,608,854	5,608,854
			Females	9,755,331	2,664,086	1,303,831	7,091,245	7,091,245
3	Uttar Pradesh	Rural	Persons	14,968,850	6,455,946	4,521,184	8,512,904	8,512,904
			Males	8,017,622	4,079,735	3,424,251	3,937,887	3,937,887
			Females	6,951,228	2,376,211	1,096,933	4,575,017	4,575,017
		Urban	Persons	6,114,139	1,926,944	1,724,218	4,187,195	4,187,195
			Males	3,310,036	1,639,069	1,517,320	1,670,967	1,670,967
			Females	2,804,103	287,875	206,898	2,516,228	2,516,228
		Total	Persons	166,174,612	54,180,232	39,452,928	14,727,304	111,994,380
			Males	87,560,236	41,380,607	34,655,654	6,724,953	46,179,629
			Females	78,614,376	12,799,625	4,797,274	8,002,351	65,814,751
		Rural	Persons	131,570,779	44,865,277	31,331,667	13,533,610	86,705,502
			Males	69,117,312	33,065,880	27,181,863	5,884,017	36,051,432
			Females	62,453,467	11,799,397	4,149,804	7,649,593	50,654,070
	Urban		Persons	34,603,833	9,314,955	8,121,261	1,193,694	25,288,878

4	Bihar		Males	18,442,924	8,314,727	7,473,791	840,936	10,128,197
			Females	16,160,909	1,000,228	647,470	352,758	15,160,681
		Total	Persons	82,878,796	28,080,004	21,053,153	7,026,851	54,798,792
5	Assam	Rural	Males	43,153,964	20,597,085	17,571,587	3,025,498	22,556,879
			Females	39,724,832	7,482,919	3,481,566	4,001,353	32,241,913
		Rural	Persons	74,199,596	25,856,125	19,109,705	6,746,420	48,343,471
			Males	38,510,686	18,650,188	15,811,798	2,838,390	19,860,498
			Females	35,688,910	7,205,937	3,297,907	3,908,030	28,482,973
		Urban	Persons	8,679,200	2,223,879	1,943,448	280,431	6,455,321
			Males	4,643,278	1,946,897	1,759,789	187,108	2,696,381
			Females	4,035,922	276,982	183,659	93,323	3,758,940
		Total	Persons	26,638,407	9,557,064	7,083,046	2,474,018	17,081,343
			Males	13,787,799	6,884,451	5,839,050	1,045,401	6,903,348
6	West Bengal	Rural	Females	12,850,608	2,672,613	1,243,996	1,428,617	10,177,995
			Persons	23,248,994	8,473,127	6,078,938	2,394,189	14,775,867
		Rural	Males	11,983,157	5,963,601	4,968,101	995,500	6,019,556
			Females	11,265,837	2,509,526	1,110,837	1,398,689	8,756,311
		Urban	Persons	3,389,413	1,083,937	1,004,108	79,829	2,305,476
			Males	1,804,642	920,850	870,949	49,901	883,792
			Females	1,584,771	163,087	133,159	29,928	1,421,684
		Total	Persons	80,221,171	29,503,278	23,063,800	6,439,478	50,717,893
			Males	41,487,694	22,500,480	19,632,549	2,867,931	18,987,214
			Females	38,733,477	7,002,798	3,431,251	3,571,547	31,730,679
		Rural	Persons	57,734,690	21,897,521	16,115,110	5,782,411	35,837,169
			Males	29,606,028	16,075,548	13,619,407	2,456,141	13,530,480
		Rural	Females	28,128,662	5,821,973	2,495,703	3,326,270	22,306,689
			Persons	22,486,481	7,605,757	6,948,690	657,067	14,880,724
		Urban	Males	11,881,666	6,424,932	6,013,142	411,790	5,456,734
			Females	10,604,815	1,180,825	935,548	245,277	9,423,990

7	Jharkhand	Total	Persons	26,909,428	10,127,733	6,462,736	3,664,997	16,781,695
			Males	13,861,277	6,682,839	5,158,527	1,524,312	7,178,438
			Females	13,048,151	3,444,894	1,304,209	2,140,685	9,603,257
		Rural	Persons	20,922,731	8,590,029	5,119,383	3,470,646	12,332,702
			Males	10,660,430	5,320,278	3,939,134	1,381,144	5,340,152
			Females	10,262,301	3,269,751	1,180,249	2,089,502	6,992,550
		Urban	Persons	5,986,697	1,537,704	1,343,353	194,351	4,448,993
			Males	3,200,847	1,362,561	1,219,393	143,168	1,838,286
			Females	2,785,850	175,143	123,960	51,183	2,610,707
8	Orissa	Total	Persons	36,706,920	14,272,764	9,572,940	4,699,824	22,434,156
			Males	18,612,340	9,818,471	8,017,115	1,801,356	8,793,869
			Females	18,094,580	4,454,293	1,555,825	2,898,468	13,640,287
		Rural	Persons	31,210,602	12,587,554	8,058,257	4,529,297	18,623,048
			Males	15,711,853	8,386,624	6,684,924	1,701,700	7,325,229
			Females	15,498,749	4,200,930	1,373,333	2,827,597	11,297,819
		Urban	Persons	5,496,318	1,685,210	1,514,683	170,527	3,811,108
			Males	2,900,487	1,431,847	1,332,191	99,656	1,468,640
			Females	2,595,831	253,363	182,492	70,871	2,342,468
		Total	Persons	60,252,739	25,756,485	19,077,568	6,678,917	34,496,254
			Males	31,386,566	16,202,287	14,081,689	2,120,598	15,184,279
			Females	28,866,173	9,554,198	4,995,879	4,558,319	19,311,975
9	Madhya Pradesh	Rural	Persons	44,288,037	20,865,600	14,748,209	6,117,391	23,422,437
			Males	22,976,980	12,195,626	10,391,973	1,803,653	10,781,354
			Females	21,311,057	8,669,974	4,356,236	4,313,738	12,641,083
		Urban	Persons	15,964,702	4,890,885	4,329,359	561,526	11,073,817
			Males	8,409,586	4,006,661	3,689,716	316,945	4,402,925
			Females	7,555,116	884,224	639,643	244,581	6,670,892

- **Education**

**Literacy Table**

S.N.	State	Literacy male %	Literacy % female	Literacy Gender Gap
1.	Assam	71.93	56.03	15.93
2.	West Bengal	77.58	60.22	17.36
3.	Jharkhand	67.94	39.38	28.56
4.	Bihar	60.32	33.57	26.75
5.	Orrisa	75.95	50.97	24.98
6.	Madhya Pradesh	76.80	50.8	26.52
7.	Uttar Pradesh	70.23	42.98	27.25
8.	Haryana	79.25	56.13	12.94
9.	Punjab	75.63	63.55	12.08

Source: Census of India 2001

**Number of Children IN & OUT of SCHOOL 2000-01**

S.No.	STATE	IN	OUT	TOTAL
1.	ASSAM	5546118	78882	5625000
2.	BIHAR	13124352	843648	21578000
3.	HARYANA	2942869	1136131	4079000
4.	MADHYA PRADESH	14595764	1489236	16085000
5.	ORRISA	6175000	642000	6817000
6.	PUNJAB	3102766	1123234	4226000
7.	UTTAR PRADESH	9130004	15940996	35071000
8.	WEST BENGAL	13069345	2134655	15204000
9.	DELHI	1471557	1122443	2594000

Source: Sample survey registrar office of India

Education is an important tool to change the status of women and level of literacy is equally important an indicator of the status of women in any society. In India about 25% of children can not afford to attend the school and thus have to work. Looking at the staggering 400million population of children, in terms of number it means a huge number. According to Government of India- UNICEF Report 1999, India has the highest number of working children in World. These children can not afford to go to school and under the condition of gender discrimination the girl child is the worst sufferer not only in absolute sense but also in sense of the quality of education.

In all the concerned states the source as well as destination, even today half of the female population is illiterate and among the rest who are literate only a marginal percentage rise above the level of mere capacity to read and write.

Gender gap in the literacy level is also an important indicator of discriminated and unimportant position of women in society and also of their marginalization in the process of development of the society as a whole.

Education not only enhances the self confidence in women and thus making them more compatible to face the world, it also makes them understand about their exploitation and marginalization and thus increases their role in developmental process of the society.

Illiteracy or very low level of education is one the factor common in most of the cases of victims. Thus lack of awareness and ignorance contributes to the vulnerability. While in the cases of victims who were lured or sold into the marriages, mostly are those who were illiterate, in the cases of those who were found to be literate, the false promises of jobs was also an additional factor.

Children with no or restricted access to education often have little alternative but to look for work at a very early age. Furthermore, inadequacies of education systems in terms of poor infrastructure, poor teaching quality, inadequate number of qualified teachers, teacher absenteeism, abuse and overly strict conditions, as well as the lack of learning materials, also lower the regard that families have for education and discourage school attendance, thus increasing a child's vulnerability to exploitation.

Lack of access to quality education is a major factor contributing to the trafficking of women and children. There is a strong correlation between the trafficking of women and girls for coerced marriage, domestic help, prostitution and low levels of education, inadequate training and educational opportunities.

An overwhelming majority of parents of trafficked victims are illiterate. Similarly an overwhelming majority of trafficked women and children are illiterate and among rest most have only completed primary school or have dropped out of secondary school. In addition to having low educational qualifications, they do not have access to vocational training. They cannot be absorbed by the formal economy because of the economic changes under going post liberalisation in India, and because of their educational limitations. Most of them also do not have access to capital so they are easy prey to traffickers who entice them with the possibility of a better life.

### • **Discrimination/marginalization on the basis of gender or ethnicity**

Gender discrimination is an important factor in trafficking on both the supply and demand sides of the equation. Women in all these areas whether source or destination states face violence as in whole of our country due to patriarchal setup of the society.

Girls are often seen as expendable, and laws and law enforcement agencies not to mention some cultural and traditional contexts, provide them unequal status and protection. Girls in trafficking prone societies are expected to sacrifice education and security and take on responsibilities towards parents and siblings. It is also recognized that one day they will marry and leave, bringing little or no money to the parental home. They are seen as unnecessary burden to the family who will take away the earning of the family in terms of dowry. More over in such situations, girls are seen as a relatively 'poor investment', and sending them away to work is seem a viable option.

There may be greater mobility and visibility of women in certain states especially as in north east states but it does not imply any advantageous position for them. The similar visibility in the Uttar Pradesh, Bihar, Madhya Pradesh, Orrisa, West Bengal, Haryana and Punjab due to grinding poverty and thus need to contribute in work to earn living especially among the lower

and marginalised castes. These visible and working women are nowhere involved in the process of decision making or they have no contribution in the matters of development. They always remain a mere cheap work force and source of exploitation.

In almost all the states which are source to trafficking, women work for more than 16 hours in keeping house and agricultural jobs or as daily wagers in other manual works. Even then they are not in equitable position with males in matters of earning. Children too in these states are subject to long hours of work and are able to earn about only half that of adult males.

#### **Maternal Mortality Rate India 1998**

1.	INDIA	407
2.	ASSAM	409
3.	BIHAR	452
4.	HARYANA	103
5.	MADHYA PRADESH	498
6.	ORRISA	367
7.	PUNJAB	199
8.	UTTAR PRADESH	707
9.	WEST BENGAL	266

**NOTE- SOURCE ( SAMPLE REGISTRATION SYSTEM OF REGISTRAR GENERAL, INDIA 1998-99)**

#### Gender ratio table

<b>S.N.</b>	<b>State</b>	<b>Gender ratio</b>	<b>Gender ratio (0-6)</b>
1.	Assam	932	964
2.	West Bengal	934	963
3.	Jharkhand	941	966
4.	Bihar	921	938
5.	Orrisa	972	950
6.	Madhya Pradesh	920	929
7.	Uttar Pradesh	898	916
8.	Haryana	861	820
9.	Punjab	874	793

**Source: Census of India 2001**





**OFFICE OF THE REGISTRAR GENERAL, INDIA**  
Created on 9th November 2001

### Sex ratio in Haryana in 1991 and 2001

S. No.	State/ District	Sex ratio		Sex ratio (0-6 years)
		1991	2001	2001
6	Haryana	865	820	861
1	Panchkula	839	837	823
2	Ambala	903	784	869
3	Yamunanagar	883	807	863
4	Kurukshetra	879	770	866
5	Kaithal	853	789	854
6	Karnal	864	808	864
7	Panipat	852	807	830
8	Sonipat	840	783	839
9	Jind	838	818	853
10	Fatehabad	877	830	886
11	Sirsa	885	818	882
12	Hissar	853	830	852
13	Bhiwani	878	838	880
14	Rohtak	849	796	847
15	Jhajjar	861	805	848
16	Mahendragarh	910	814	919

17	Rewari	927	814	901
18	Gurgaon	871	863	874
19	Faridabad	828	856	839

Source: Census of India 2001



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### Sex ratio in Punjab in 1991 and 2001

S. No.	State/ District	Sex ratio		Sex ratio (0-6 years)
		1991	2001	2001
	Punjab	882	874	793
1	Gurdaspur	903	888	775
2	Amritsar	873	874	783
3	Kapurthala	896	886	775
4	Jalandhar	897	882	797
5	Hoshiarpur	924	935	810
6	Nawanshahr	900	913	810
7	Rupnagar	870	870	791
8	Fatehgarh Sahib	871	851	754
9	Ludhiana	844	824	814
10	Moga	884	883	819
11	Ferozpur	895	883	819

12	Muktsar	880	886	807
13	Faridkot	883	881	805
14	Bhatinda	884	865	779
15	Mansa	873	875	779
16	Sangrur	870	868	784
17	Patiala	882	864	770

Source: Census of India 2001

- **Betrayal by own people.**

Though the poverty and illiteracy are the key factors behind trafficking, Betrayal by their own people is also one major reason, especially in the cases poor families and younger girls from middle class families of small towns and rural areas.

Husbands sell them after year or two especially where marriage has taken place secretly, or the girls have fell in love and fled from their homes. Desire to be independent, non-acceptance of relations by families due to social or religious factors are some of the major reasons which force girls to flee with their lovers and make them dependent on them and thus vulnerable to all sorts of abuses. Even if in such situation the girl gets opportunity to escape from the clutches of the exploiter she does not because she thinks that she had let her family down & won't be accepted back.

Apart from the husbands or lovers the children whose parents are dead are also abused, exploited and trafficked by the relatives. There are several cases in which the children were trafficked by the living single parent after the death of the other parent, though the causes may be different. While in cases of trafficking by father after death of mother, it is generally the sexual frustrations which begins with violence and rape of daughter and then may lead to forcing into prostitution or selling in brothels. In the case of widow mother its primarily poverty and in some cases illicit affairs or remarriage where the male may rape the girl and force her into prostitution or sell in brothel both at times with the consent of the mother or forcibly.

- **Armed conflicts and ethnic clashes.**

Armed Conflicts affect development, causing untold economic suffering and backwardness social, political, educational causing a large section of population which is at the receiving end to migrate willing or to fall in trap of the exploiters.

In ethnic clashes and armed conflicts women and children are the most easy victims and first to suffer from the killings, physical assault and loss of property. In a society where women's sexual life is always controlled by males and where any women is identified with her sex and sexuality and where wives and children have always been considered the property of their husbands and parents, rape has always been used as a systematic weapon to punish any individual, family or community, the consequences of clashes are further compounded in the cases of women and children. It results in orphanage hood and female headed house holds, increasing the burden of women and requiring her to take the responsibilities from which not only she has always been marginalised and kept away but also due to very same reason is ill-equipped and unable to cope with.

Ethnic clashes intensify the migration and make them vulnerable to be trafficked. The under going armed conflicts as in North East States, Naxals in Andhra, West Bengal, Jharkhand

and Bihar, Caste conflicts in Uttar Pradesh and Bihar are only increasing the violence towards women and children in the forms of sexual, mental, physical abuse, loss of property and earning, loss of life, disintegrations of families.

The ongoing militancy in most of the northeastern states face a variety of insurgency movements, some of which have been going on for decades now and the resultant harassment, especially of young girls, has helped the trafficking.

The girls and children are among the worst sufferers due to the ethnic wars. The young girls are sometimes forced to have sex with the militants and rape of women and girls and killing of the children is a generally employed tool for punishment or revenge. Therefore, they feel it secure to move away from such areas even if she is put into sex work the fear is comparatively less and they at least get paid for it.

An indebt study is required to determine the correlation between armed conflicts and trafficking, its effects and implications. In the large belt of Indian territory from Bihar, covering certain tracts of Orrisa, Jharkhand, West Bengal, Chattisgarh, Maharastra and Andhra Pradesh, Naxalite outfits are waging war against economic and caste classes. The root cause for these armed conflicts has been socio-economic and cultural deprivation and discrimination and the failure of state governments to bring real transformation in the country sides and among the backwards and deprived.

Further deep in south the tracts continues in Tamil Nadu were more than 32 organisations are involved in armed conflicts.

In North east Assam, Nagaland, Tripura, Manipur, Meghalaya, Arunachal almost all the states are facing violence and are inflicted by armed conflicts due to various reasons arising out of socio- economic or cultural deprivations.

In Jammu and Kashmir the on going militancy had made women and children very vulnerable.

These conflicts, though themselves have been as a result of discrimination and deprivation but in time even in cases where they have some support of local population have become a major hurdle and bottle neck for the development and the general population has more suffered than benefited out of these war and conflicts, due to the vested interests of those waging the war. It has not only diverted all the developmental costs in fighting these war, it is also becoming clear that development and empowerment of the general masses is not the real objective of these armed conflicts as it will lead to loosing their hold and grip among the masses.

While incommutably large amount of funds which would have gone for development have been drained in fighting the armed conflict, whatever development took place had been the retaliatory targets of these groups, which has adversely affected the industrial and infrastructural development. In more than past one decade of time all these conflicts have cost more than one lakhs lives cumulatively and destroyed the familial and social fabric, causing innumerable hardships on the general population and creating highly vulnerable conditions fit for trafficking of women and children.

The armed conflicts have created lawlessness and have led to conditions conducive for criminals and traffickers to thrive.

The States of Assam, Manipur, Meghalaya, Tripura, Nagaland, Bihar, Jharkhand, West Bengal, Orissa, Madhya Pradesh, Andhra Pradesh, Tamil Nadu, Maharashtra, Jammu are the states which bear the burnt of armed conflicts and these very states are also the states which are major source states from which the women and children are trafficked.

It is also notable that the very routes of cross border trafficking conspicuously coincide with the areas which are affected with armed or class conflict.



**ASSAM**

S.No.	Districts affected by Armed Conflicts	Districts affected by Trafficking in Human beings.
1.	Tinsukia	
2.	Dibrugarh	Dibrugarh
3.	Nalbari	Nalbari
4.	Nagaon	Nagaon
5.	Kamrup	Kamrup
6.	Dhubri	Dhubri
7.	Kokrajhar	Kokrajhar
8.	Bongaigaon	Bongaigaon
9.	Barpeta	Barpeta
10.	Darrang	Darrang
11.	Sonitpur	

**WEST BENGAL  
2001**

## WEST BENGAL

S.No.	Districts affected by Armed Conflicts	Districts affected by Trafficking in Human beings.
1.	Cooch Behar	Cooch Behar
2.	Jalpaiguri	Jalpaiguri
3.	Darjeeling	Darjeeling
4.	Dinajpur	Dinajpur
5.	Malda	Malda
6.	Puruliya	Puruliya
7.	Murshidabad	Murshidabad
8.	Nadia	Nadia
9.	Hoogly.	Hoogly.
10.	Bardhman	Bardhman
11.	Birbhum	Birbhum

## ORISSA 2001





**ORISSA**

S.No.	Districts affected by Armed Conflicts	Districts affected by Trafficking in Human beings.
1.		Balasore
2.	Malkangir	Malkangir
3.		Nayagarh
4.		Kendrapara
5.		Nabaranpur
6.		Nuadpada
7.	Korapat	Korapat
8.	Rayagada	Rayagada
9.	Ganjam	Ganjam
10.		Puri
11.	Mayurbhanj	Mayurbhanj





## BIHAR

S.No.	Districts affected by Armed Conflicts	Districts affected by Trafficking in Human beings.
1.		Katihar
2.	Purnea	Purnea
3.		Araria
4.		Kisanganj
5.	Bhagalpur	Bhagalpur
6.	Champanan	Champanan
7.		Gopalganj
8.	Mujjafarpur	Mujjafarpur
9.		Siwan
10.	Jhanabad	Jhanabad
11.	Patna	Patna
12.	Gaya	Gaya
13.	Nawada	Nawada

## JHARKHAND 2001



## JHARKHAND

S.No.	Districts affected by Armed Conflicts	Districts affected by Trafficking in Human beings.
1.	Dumka	Dumka
2.	Ranchi	Ranchi
3.	Gumla	Gumla
4.		Singhbhum



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## ANDHRA PRADESH

S.No.	Districts/Area affected by Armed Conflicts	Districts affected by Trafficking in Human beings.
1.	Telangana	Telangana (Hyderabad, Warangal, Khammam)
2.	Rayalaseema	Rayalaseema (Anantpur, Cuddapah, Chittoor,

		Kurnool)
3.	Nizamabad	Nizamabad
4.	Medak	Medak
5.	Nalgonda	Nalgonda
6.	Mahabubnagar	Mahbubnagar
7.	Adilabad	
8.	East Godawari	East Godawari
9.	Karimnagar	Karimnagar

### • Liberalization & Economic crisis.

The policies towards a more open economy by privatization and liberalization have resulted in wide ranging impacts on the lives of women and their families. They influence among other, women and girls' health and safety, educational attainment, income, employment, working conditions, family relationships, migration decisions, etc.

The vulnerability factors in these employment is increased due to the privatised nature of work, the lack of labor and social security benefits and human rights standards ensuring the protection of workers. Added to this is the absence of any legal framework to prosecute cases of abused involving migrants.

The liberal and globalised economic policies are causing untold suffering to the marginalized sectors especially women and children. The most telling evidence of women's continuing marginalization and unequal status is their pervasive commoditization and sexual exploitation all across the country and abroad. Liberalisation of the economy has also liberalised the sexual exploitation of women and children as they maybe purchased and sold in the market as part of "tradeable goods."

Due to the feminization of migration, many women migrants are lured into accepting non-existent jobs and into sex-related occupations and trafficking situations.

The positive effects of globalisation for women had been limited in range and have reached only economically sound section. It has failed to reach the most needing, weak and vulnerable sections. At the same time, globalization along with its main pillar, economic liberalization, has induce unemployment, deterioration in real wages, structural adjustments, cutbacks in social spending including health, education, housing and others. Competition has permeated down the general population and has resulted lower costs, thus lower wages. It has led to closures and lay-offs of companies by massive restructuring and has created new arrangements in form of part time, temporary and adhoc jobs due to which minimum have become the norm rather than the exception. Further these arrangements provide no job security and increase vulnerability and exploitation.

Competition has also resulted in, increase of migration flows particularly of women towards the high growth and rich regions within the country. While this "feminization of migration" is contributing least to the survival of families and to the economies of the source states,

migrating population especially women and children are paying a very heavy social costs due to it.

Structural readjustment has resulted in considerably increased vulnerability among women and children particularly, adolescents. With decreasing government jobs, many adolescents now face long-term unemployment with few social safety nets to help them to survive. It is resulting in a marked increase in high-risk lifestyle behaviour, including increased alcohol consumption, smoking, substance abuse, violence and prostitution. Such extreme behaviour not only indicates vulnerability to exploitation and trafficking but it may lead directly to young people to enter exploitative situations in order to earn money.

### • Migration

Women and Children may become victims of trafficking by force, coercion, trickery – including the administration of drugs – family and other complicity, or by much gentler persuasion, misinformation, or through ignorance about what really awaits them at their destination.

When they are relocated, they are extremely vulnerable. They are separated from their own environment and may be isolated in illegal situations in unfamiliar places where they are ill treated and unable to communicate or assert their rights. They may be additionally isolated by inability to speak the language or understand the system in which they must live and work. Even if they are able to seek help, they may not know where to go to find help, or how to ask for it.

While coercive or deceptive relocation is one way of trafficking, the fact is that many victims voluntarily go with recruiters who traffic them. There is a tremendous increase in voluntary recruitment, with the family or child coming to believe that relocation for employment is beneficial, and where the child may even seek out the recruiters. According to Government of India – UNICEF Report 1999, India, has largest number of working children in world.

Women and children are encouraged to travel voluntarily by pimps, recruiters agents, creating among the vulnerable masses a general perception that there is money to be earned elsewhere. When the victim has made his/her mind, he/she is offered help in show of generosity. At time the victims may even willingly pay for travel. Such situations, regardless of their voluntary inception, frequently lead to exploitation. Those who are recruited willingly generally have no idea of the conditions under which they will be held and most believe that they will return home with substantial savings after six months or a year. In reality, they are able to save only tiny fraction of the money they earn, and are subjected to restriction on their movements, regular beatings, psychological threats and violence, unprotected sex, and no access to health facilities.

The large percentage of girl coming in red light areas, were earlier recruited to work in various different jobs and then subsequently trafficked into the sex industry in Brothels of metro cities.

In some cases, domestic work may not result in the direct sexual exploitation of the child or women, however in some cases the relationship is exploitative from the start or it becomes exploitative over time. In most of the cases other form of exploitation related to excess work, less payments, physical and mental assaults, poor nutrition and loss of education are faced by the victim. Migration of women and children for domestic labour is directly linked to

trafficking because the migrants are systematically recruited from rural areas for domestic work in urban centres through friends, brokers, intermediaries or job placement agencies. Poor girls in particular are vulnerable to recruitment for domestic work and in both source and destination states this is seen as culturally acceptable and even desirable. This whole process is unregulated and unmonitored. It is therefore very difficult to detect abuse and exploitation. Domestic workers are under the control and at the mercy of their individual employers. They rarely have access to education. The girls who have run away reported abuse physical, sexual, and psychological at the hands of the recruiters. There are incidences of girls being forced into sexual relationships with male members of the household, deprived of freedom of movement, and even locked up and subjected to slavery-like conditions. These victims are far away from home, with very little contact with the outside world, and sometimes with no way of contacting their families.

The children are subjected to long working hours and hazardous conditions that limit or prevent healthy development. Moreover, they are deprived of educational opportunities that might allow them to build a better future when they escape exploitation. In this way, a vicious cycle of vulnerability and exploitation is perpetuated

Much irregular migration has become routine and is tacitly accepted by the states of destination because of the demand for the labour and services it provides. Such migration, however, necessarily requires violation of laws and regulations by the employment agents and leaves the workers vulnerable to state authorities and to the demands of their employers. It is essential that states take steps to regularize labour migration and set up mechanism to protect them from exploitation, safe guard their interests and insure minimum and just wages and work conditions. It is also essential that amendments to be done in the existing labour laws and check the migration of minors.

Since, much labour migration within the region has been unaccounted, irregular and to the involuntary section, the rights and benefits of migrant workers are often weak or not explicit. Actions to regularize labour migration should also detail the labour standards and benefits applicable to these workers. Granting rights and benefits to migrant workers will help to improve the labour standards of domestic workers.

Of course, children and men are also trafficked in large numbers. The concept of trafficking is made more complex because some migrants allow themselves to be trafficked, either because they are not fully aware of the risks or because they deem the risks to be acceptable for the potential benefit. Much of the concern over trafficking in humans is because a significant proportion of trafficked women and children are believed to become sex workers, although trafficking may take place for many occupations and even for marriage.

Female migrants, especially domestic workers and entertainers, are particularly vulnerable to exploitation because of the nature of their work. Female migrants often work in individualized situations, unlike male workers who are more likely to work in groups in factories, construction sites or plantations. Thus it is more difficult for female migrants to establish networks of information and social support. Contracts for domestic workers are often weighted heavily in the employer's favour and there exists no system for monitoring of the working conditions. Many domestic workers go through a process of deskilling when they accept work below their level of training or education because they can earn more for that work overseas than they can at their skill level at home.

The large scale of migration has implications for the family, especially when women are the migrants. Because nearly all of the migration flows within the region are meant to be for temporary employment, they entail a separation of the migrant from his or her family. Particularly for married migrants, this has a major impact on the functioning of the family.

Migration places considerable stress on a family. When a married woman migrates, she may be leaving behind children; Migration of women leaving behind the children leads to neglect and negative effects on the performance of their children which further enter the vulnerable section for being trafficked and exploitation. Also her position in the family is changed. In cases when female migrates without her husband or family or against the will of the family, out of circumstantial compulsions, in almost all cases it leads to marital dissolution, while it is not same for the male migrants.

In some cases, migrating or attempting to migrate can lead to impoverishment if the person is defrauded or becomes ill. Government actions and a vigilant legal mechanism is must to prevent fraud and to ensure an adequate level of social protection to workers.

The estimates of the number of such workers are very uncertain because of their irregular status. Women constitute large majorities of domestic labour migrants. Much employment of domestic workers is through the informal channels of contacts between agent and the migrants, which makes recording or monitoring it difficult.

### • **Unemployment**

Increasing unemployment among the youths and state of joblessness due to decreasing job opportunities in the government sector which earlier was the major employment provider and closure of thousands of big, medium and small size industries under the pressure of competition of open economy in the post liberalization period is making multifarious effects in the socio- cultural and economical fabric of the general society and families and is contributing to trafficking in multiple ways.

Unemployment exerts an extra burden upon the poor families and reduces the earning in relative terms and thus exerts various kinds of undesirable pressures on the family and spoils the family atmosphere increasing tensions and frustrations among the members specially youth who are unemployed and the earner in the family.

Unemployment creates an identity crisis among the individual in its prime and most productive age, thus attracting him to various criminal and unlawful activities for earning and establishing his identity even if it's not as a good citizen and individual. Such youth become local agents in the networks of traffickers in the supply as well as demand states.

Unemployment brings with it scarcity and hits the interest of the girl child in the family the most, who in such a condition becomes an unnecessary and unwanted burden on the family. The depressing environment as a consequence of unemployment in the family generates discrimination & violence and the girls in the family are the first to suffer out of it in terms of nutrition, education and emotional, physical, mental and sexual violence. The girls in such condition immediately become a possible victim of trafficking with possibility of eloping, running away, migrating or being sold or forced into compulsive marriage or pushed into flesh trade.

On the demand side, unemployment as in Haryana and Punjab reduces the prospects of marriage in youths and creates demand for girls forcibly to be put into coerced marriage. The process once begins, it kick starts a chain reaction in a way that such girls becomes a medium to obtain new girls from her region by false stories of riches and are then sold to the other prospective buyers. Each girl so brought becomes a further link in the chain of traffickers providing momentum to the process. In Haryana there has come into existence a large army of unemployed youth, who in the post liberalized, privatized and competitive economy, are unable to find work according to their wishes due to lack of quality education and skill development. These youths have passed the locally preferable age of marriage and are more than willing to buy a bride for them.

Unemployment also by direct implication causes a large scale migration to the rich and economically well regions or states, in search of livelihood involving women and children. This not only makes the labour in such region available in excess than the required and thus making it cheap but also creates conditions conducive to all sort of exploitation monetary, physical, mental as well as sexual in the absence of options and proper mechanism to regulate the migration. The large scale migration from Bihar, Orrisa, Jharkhand, Uttar Pradesh, Madhya Pradesh and West Bengal to Punjab, Haryana and Delhi has created an excess of labour in these states and as a consequence has brought down the earning of the migrants much below the government prescribed daily wage level and made all sort of exploitation and abuse of such migrant a norm rather than an exception.

- **Difference in the development levels among the states.**

Widening disparities in the level of economic development between different states of the country is causing the people to move from their original states in search of earning, leading to large scale unregulated migration.

The unequal development is also causing demographic changes leading to low rates of growth of the working age population in states of destination but high rates in states of origin. As a result labour migration has become a significant element in economic growth in both origin and destination states. Economic disparities between regions lead to more general migration flows, as more affluent regions draw upon the potential workforce of poorer regions as a source of labour.

Despite the obvious importance of remittances, inherent in process of migration the common practice is that remittance is associated with the visit of the migrant back home which it self is very infrequent due to the travel cost, fear of lose of employment at desired place, and meagre income. In cases of female migrants the possibility is even more less because once out and trafficked their remains hardly any possibility of their return to home and it occurs only when they them self turn into trafficker due to several compulsions.

Most families do not use remittances for productive investment, but more for consumption and in trying to elevate their social position by showing that there lot have improved. The majority of their savings for giving dowries in the marriage of the female members of their family or clearing the debt trap which their families back at home are into.

- **Dowry**

Dowry though prohibited in India by the Act of parliament, it is equally prevalent as ever in whole country but more prominently in the trafficking prone areas. More over the tradition of dowry under the influence of growing materialistic way of life has taken an ugly form and despite stringent provisions in the Law, the violence against the women due to demands of dowry has only increased and not lessened.

The growing materialism has only deepened the greed of grooms and their families for unearned money and fortune from the family of the bride. At the same time it had turned girls in to an unwanted, undesired burden and liability in their own families. The consequence of this in the society with feudalistic tendencies such as in Haryana and Punjab had led to highly unfavorable and adverse sex ratio due to indiscriminate female foeticide. The technological advancement in the field of reproductive health, in the rich state has become well accessible and affordable to the masses and despite the existence of law due to lack of its strict implementations, PNDT had become a tool to check the birth of girl child in the area. At the same time in the rural and hinter areas female infanticide too is in continuance especially among the very poor families, though the magnitude has reduced drastically. The result is that one barbarous method has been replaced by the other more sophisticated method.

While on demand side the prevalence of Dowry has contributed to fall in sex ratio due to inhumane female foeticide creating conditions conducive for import of girls through trafficking, on the supply side in the poverty laden states of Assam, Bihar, West Bengal, Orrisa, Madhya Pradesh, Uttar Pradesh it has reduced the status of girl child in their family to an useless and worthless being due to the cost of marriage associated with them. In such the girls face discrimination and violence in their family and in poor families and in lower caste are expected to migrate and contribute to her dowry by her earning, this is done even if the families are aware of the dangers involved and at time may be willing to get rid of her. Several such women are sold into coerced marriage by their family members.

- **Lack of implementation of legal instruments.**

A proper rehabilitation policy is required to curb the evil practice of trafficking and prostitution.

Alarmed by the serious proportions, trafficking of women and children within the country and in the country, The Supreme Court had back in 1998 directed the government to take necessary steps to check the menace. National plan of action, drawn up by department of women and child, following the Supreme Court's order, specifically moots a nodal agency, with all-India jurisdiction, for the exclusive handling of trafficking cases and effective enforcement of the Immoral Trafficking Act, but no such nodal agency to tackle the illicit trade had been set up till date.

Lack of judicial and law enforcement, and rampant corruption among officials has allowed this trade in human beings to flourish, only a small fraction of traffickers are apprehended, let alone prosecuted,

In larger context police collusion and bribery is the major part of the problem, making victims and community members reluctant to come forward as witnesses due to fear of reprisals.

The specific crime of "trafficking" often is only one of several offenses committed against the trafficked person such as rape, assault, kidnapping, slavery or involuntary servitude, forced or bonded labour, debt bondage, child abuse or exploitation, and forced marriage and abortion.



Thus criminal offenses of more general applicability are also relevant in dealing with cases of trafficking.

Police lacks both the capacity and the will to undertake the kind of careful, intensive investigatory and prosecutorial work necessary to have a significant impact on trafficking rings.

Until and unless, law enforcement and judiciary act aggressively and comprehensively in the direction of ending this culture of impunity and instill a real fear of apprehension, prosecution and conviction in traffickers, their agents and their supporters, trafficking will remain a low risk and highly lucrative venture.

Only when such disincentives are introduced to those involved in trafficking, social support and mobilization programs empowering potential victims and change community norms will be able to maximize their impact. It will also encourage trafficked persons and others to come forward to report traffickers and serve as witnesses.

Even the existence of problem is out rightly denied by the Police as well as the social Welfare departments of both the states of Haryana and Punjab, and faulty arguments of consented marriage and right to migration are extended to hide the problem and failure of governments.

The lack of law enforcement & implementation and poverty of awareness & sensitivity of the implementing agencies can be gauged from the fact that in all the districts the teams visited none of the District Social Welfare Officer was aware that they have any role to play in the matter. They were of the view that their duty was concerned merely with distributing "old age pension" and trafficking was solely a responsibility of police.

Further in none of the Districts the DC was aware of Juvenile Justice Board or Committees and if they said that it existed, they do not know that he/she him/herself were the members to such board also they do not know who the other members were and what its activities were.

In none of the Thana the SHO's have heard of Juvenile Act and the officers named as special Juvenile officers and special trafficking officers did not know that they were such appointed.

The problem can be tackled by generating awareness through projects at grassroots level, and addressing the problem through legal intervention. Much more is required to ensure the rights of every citizen in the country. Stringent punishment to the offenders and best possible protection to the victims should be given. It must be ensured that victim are rescued with utmost efficiency, and are sent to the safe custody of homes run by the Government and NGOs. There should be adequate homes and these should be monitored regularly.

Moreover, tackling the problem of trafficking becomes more difficult due to its multi-dimensional nature and therefore requires a multi pronged strategy and not only strict implementation of all the relevant legal instruments but also addressing the discrepancies present in the available legal frame work. So in one hand we have our Parliament amending the constitution to making free and compulsory primary education a Constitutional Right for children below age of 14 years (93<sup>rd</sup> Amend. 2001), at the same time we have labour laws which allow the children of minor age to be employed in the non- hazardous sections of industrial activities. The real picture can be understood from the fact that only a hand full of industrial activities belonging to organised sector are considered hazardous leaving aside huge number of commercial activities, which can prove more hazardous in effect to the child, by the various kinds of exploitations involved and due to non enforcement of the standards required. According to National Sample Survey Organisation 1999-2000 there are 10 million

children working in the age group of 5-14 years, in India. To quote Imran Khan & Rita Vohra, form 'Says a Child; Who Questions my Rights?' (HAQ), "The state is selective in what it wants to address and continues to shy away from eliminating all forms of child labour. It continues to distinguish between hazardous and non- hazardous forms of employment..... The state legislation and policies address only 6% of the total child labour force , ignoring children working in agriculture (80%) and domestic workers, to name a few. There are any numbers of cases where child domestic workers are violently abused by their employers"

In 14/10/1999, Government issued Notification, prohibiting government servants from employing children below 14 for any kind of work, but the situation has hardly changed due to lack of effective implementation of the instrument.

A look into the National Crime Record Bureau Statistics regarding Child Marriage Restraint Act, can give a view about implementation and effectiveness of some of the existing Laws.

### **Cases under Child Marriage Restraint Act, in 2001**

<b>S.No.</b>	<b>STATES</b>	<b>Number of CASES</b>
1.	Assam & all other North East States	0
2.	Bihar	2
3.	Haryana	0
4.	Jharkhand	0
5.	Madhya Pradesh	4
6.	Orrisa	0
7.	Punjab	0
8.	Uttar Pradesh	1
9.	West Bengal	0

The problem of Trafficking of Human Beings, is criminal as well as a social and developmental problem. While NGO's do have an important role to play in social aspect, the criminal & developmental by main remains a state responsibility and can be effectively tackled only through state machinery. The NGO sector can only help in ensuring that the developmental efforts and resources assigned by the governments reach effectively and justifiably to the masses. It is also a Human Rights problem and it is by far accepted fact that no state can shed of it's responsibility to protect the Rights of its citizens.

### **• Natural disasters**

Natural disasters bring devastating effects to the infrastructure, agriculture and economies of the affected areas and cause unexpected misfortunes to the general population and hits the most especially those who are poor and marginalised, with no permanent source of income and surviving on small land holding or daily wages.

To already poverty grinded sections of population with no savings in hand, natural disasters bring acute starving conditions and make women and children in such families highly vulnerable to trafficking.

In Orrisa after the Super cyclone in 1999, thousands of women from the poor and marginalised sections of the population in the affected areas have taken to prostitution for living and taking care of their families and the magnitude of trafficking and migration of women and children from these districts has increased drastically.

As the general population, as a whole is adversely affected by the disaster, the increased misery is that even then by taking to shameful profession does helps very little in improving their lot because of reduced number of people ready to buy them or pay them for sexual services and thus the situation further compels them to migrate to the cities within the state or in other state. These readily willing to migrate at any cost women and children are easy prey for the traffickers. Even the family members of such girls and women are too willing to send or sell them, for they think that whatever may come their children will be in better condition than where they are presently.

The perennial problem of floods in Assam, Bihar and droughts & Cyclone in Orrisa and Andhra, in the absence of effective disaster management mechanism and relief, has left a large section of population in these states at the mercy of nature, suffering untold miseries for long duration of periods and thus compelling them to migrate and hence vulnerable to trafficking and had provided and opportunity to the traffickers to develop well established networks due to regular and continuous availability of the victims.

While the daily wagers in affected areas lose their work, the farmers especially the marginal ones lose their crops and are not in position even to recover their investments and fall in debt traps of the local lenders who extract exorbitant rate of interests in the time of helpless state and thus initiating a chain of increasing debt and poverty. The institutional lending through banks too discriminate the poor and marginalised and their policies at large are not poor friendly. It fails to provide adequate loans in terms of real effectiveness, to the marginal population and where the policy may be in existence the conditions imposed and the process and procedure involved are so harsh and complicated that it becomes almost impossible for the reluctant backward population to approach the banks, and even if they will their access to such banks is very limited.

A large section of marginalised population becomes homeless due to natural disaster and there being no hope for future they readily fall prey to tricks of the traffickers.

Economic transition and structural readjustments, and natural disasters may all represent 'the final straw' for women and children already living in poverty, especially if there are locally present few opportunities for development or even survival. The high incidence of natural disasters such as flood and drought in states like Assam, Bihar & Orrisa results in frequent movements of people. These movements includes high rate of unaccompanied or separated women and children. Such women and children are at high risk of persuasion/abduction, and families affected by disaster and displacements are also at risk of being persuaded to allow their women and children to leave in search of better opportunities.

- **Cultural factors.**

The magnitude of the problem of women and child trafficking and labour exploitation in a society also depends on family and community hierarchies and cultural traditions and values of any society that encourage gender discrimination and a disregard for children's rights.

Children belonging to marginalized ethnic groups, subservient castes or dysfunctional families are often easy target for trafficking. Northern India has a long tradition of women and children labouring to help their families at home or in the fields. This traditional attitude that women and children should work to help their families, in case of migrating population often results in the inadvertent placement of a woman or child in a situation of exploitative labour from which it is then very difficult to escape.

In the states of Bihar, Jharkhand, west Bengal, Uttar Pradesh, Madhya Pradesh sending children to work in faraway places is a socially acceptable phenomenon especially among the SC's, ST's and OBC's and often occurs in the context of family dysfunction related to large family size or an inability to care for a child (or children) because of a death in the family, displacement, severe economic stress or other factors. This wide acceptance of women and children migrating for work includes admissibility of payments to families, intermediaries, agents and other middlemen. This practice underlies the widespread movement of women and children with the result that they easily disappear from parental or other view and are more easily exploitable.

- **Influence of Media and external culture.**

Television and newspaper advertisements, also fuel a new craze for careers in modeling among teenagers is making girls in our country, especially from the small towns, rural areas and faraway states, vulnerable to fall prey into the hands of traffickers.

## CHAPTER - 7.

### Case Studies

#### 1. Kanika Das

Meager existence of the 16 year old poor Schedule caste minor girl Kanika of Assam which remained unnoticed by the society and administration, was of less importance & power than her disappearance which at least now has made the administration to move a bit though with little effect to find her but more to hush up the matter, and the society to think of the reasons of her disappearance.

Kanika D/o Shri Dandi Das (caste- Namesuthra), R/O Vill- Keyajeni, Dist. Kamrup, Assam was lured and taken to Rewari, Haryana in 2000 by a local woman Deepa Das married and living in Dist- Rewari Haryana, on promise of giving job and marriage to a rich land owner at Haryana.

Associates of Deepa Das and members of her family at Assam had contacted Kanika's mother, a 65 years old looking but actually 40-45 years, landless and poverty ridden widow and mother of six daughters, Omari Das for marriage of her daughter Kanika to a rich gentle man from Haryana. The offer came as a heaven sent help for the poor widow woes who has lost her husband, a daily wager and the only bread winner, for the family of 8, 7 years ago in accident in which a fall of log crushed him during loading log.

Omari for whom the only source of income is weaving, married her elder daughter in a social marriage and the second daughter was a lucky soul for whom help came from the family of a senior bureaucrat where she used to work as a domestic servant. The bureaucrat moved by the poverty of the girl's family took her to Delhi and now she is receiving education in IGNOU.

Inhibitions of Omari to give her daughter to an unknown lad from distant place were won over by telling her that she will not only receive money in exchange for her daughter but her kind hearted and rich "son in law" will extend a regular monetary help for Kanika's younger sister and "mother in law"

Apprehensions and fear grew in Kanika as she learnt about the offer from her mother, but her poverty and the stories of riches and better life in Haryana told to upon her, putting her teenaged minor & immature mind in dilemma. To overcome her dilemma she took her final recourse to resolve that she will not go unless she has seen the "prospective groom" personally.

A youthful good and prosperous looking man was brought to her thatched two room house with only home made mat of coconut for furniture, to meet Kanika and who promised her a good life filled with love. The man was told to be Pappu Singh Ahir of village Kufurpur in dist Rewari of Haryana.

Rs. 1600 were paid by Pappu Singh to Kanika's mother and for marriage it was said that it will be performed at her Haryana following local traditions.

Once left, nothing was heard of Kanika until by chance, her mother came across Deepa who had visited again in the area for procuring girls for marriage in May 2001 and if it was not for her educated sister Babita who would insist on meeting her sister. When asked about Kanika, Deepa told that she is happily living with Pappu. When Babita asked for her address so that

she can meet her sister or at least write to her, Deepa gave the address of Pappu Singh and a telephone number where Kanika can be contacted.

When Babita made a call in the provided number, she was told there is no such woman named Kanika in the village. Again Deepa told a new story that since Pappu Singh was making trouble Kanika was married to another good man and gave a new phone number and asked Babita to make a call after few days when she has reached there so that she can bring Kanika to attend the call.

Bomb exploded on Babita when she made a call as directed and from the other side Deepa informed her that Kanika is dead due to pregnancy related problem. Now Babita rushed to Haryana in search of her sister and asked help from Shakti Vahini.

On inquiry Pappu Singh was found to be a poor, sick & drug addict looking 45 years old person with a small holding of land and to her surprise Babita found another minor girl Pronita of her area living with Pappu Singh. Pappu Singh denied going to Assam and bringing Kanika. However under threat of police action he revealed that Deepa Das has sold Pronita to him for Rs. 10,000 and was black mailing him regularly to pay money or she will take away Pronita.

Finally nothing could be found out of Kanika, Deepa is roaming free, police has refused to register an FIR, and instead under pressure from media reporting and the NGO, it has done several face saving inquiries with all contradictory conclusions. Babita and family members of Kanika fear that Kanika has been sold to some brothel. However it is very likely that she may have died out of giving birth for her under nourished health and tender age was not yet fit for bearing children.

But the Big Questions yet loom large

- Who was it who went to Assam and brought Kanika?
- Whom was she married to?
- Why she was not admitted or taken to hospital when in trouble?
- Where did she died and where are the records or evidences of her death?
- Why is Deepa Das roaming free, despite that at least 11 girls brought and sold by her have been identified?
- How many more girls has she brought and where are they?
- Why these women from far and totally different culture and language move to these places?
- Do these women achieve for what they leave their homes?
- Why Deepa is bringing girls?
- What are the reasons for demand for girls from other places?
- How many more Kanikas' who to not have sisters empowered like Babita insisting and pursuing search for her sister, are missing?

### **Facts**

- Poor status of the girl's family and death of the father.
- Lack of access to education and earning opportunities in the girl's local area.

- Minor sold into coerced marriage, for Rs.1600.
- Deceit for a good and rich life.
- False story of husband being rich.
- An earlier brought woman became the link.
- At Haryana sold to another person than who brought.
- Girl went missing.
- No contact in any form by the girl with her family.
- No FIR registered.
- No action against the link woman.
- No attempts by police to trace the actual person who brought her and to whom she was sold.
- No efforts to trace out the girl.
- The local police station under the jurisdiction of which the link woman lives is unaware of the most high lighted case among the whole rung of administrative mercenary and by the media in general.

**Note** – A new inquiry has been setup again by the DGP Haryana.

## **2. Meena Das**

When Shakti Vahini team reached Village - Keyajeni, District - Kamrup, Assam, to access the situation and enquire into the matter of Kanika a 50 years old, land less, illiterate, lean and curbed from her back widow Bhanu Mati Das, who lives alone and has been deserted by her children, hearing that the people from Haryana have come, came running to inquire about her 20 years old illiterate daughter Meena Das, whom she has given to a truck driver from Haryana for marriage and never heard since last two years.

It was told by the villagers that she asks every one coming from Haryana if they have met her daughter at Haryana. Asked whether she knows where Haryana is? She innocently shakes her head in negative.

When assured that we will check when we are back and asked about the person, she with a sense of guilt says she does not know his name or address and that he had said to her that he always comes to Guwahati in truck and will be visiting her regularly and will bring her daughter along.

When ridiculed for selling her daughter she revolts in anger that she never sold her daughter and gave only because she does not has even enough food to satisfy the hunger of two. Without money she had no idea what will she do of her daughter or how she will marry her. She gave her daughter only because she thought that her daughter will live a happy married life, because the person who came had money with him and promised that he will marry her daughter at Haryana once they reached there and will always come here to see her.

Asked how she came in contact with the person? She says that a local man Birendra and village Bakhta and who works in Guwahati had brought the person to her home and introducing him as his friend said that he wants to marry your daughter and gave me Rs. 250.

Then they came back after some days in Tata Sumo and gave me Rs. 1000/- and took Meena for marriage.

Asked whether she has inquired from Birendra, she said that she has searched for Birendra in Bakhta but couldn't find him. She had never seen her before but believed in what he said because he was a local man.

### **Facts**

- Poverty and death of the father.
- Disturbed family atmosphere.
- Lack of access to education and earning opportunities.
- Link a local person, who proved to be a fraud.
- Buyer a truck driver and frequent visitor to the area.
- Sold into marriage, for Rs.1250.
- No contact in any form by the girl with her family.

### **3. Pronita Das**

Her bony weak body deceives her age as she looks at least 28- 30 and a mother of two or three children but what her body hides her child like face reveals. She was 17 when two and a half years ago she came with Deepa Das.

With her few months old son, she lives with her 45 years old husband who looks like 60 and a drug addict and old mother of Pappu Singh a widow in Kufurpur village of Rewari, Haryana. Against the wishes of her parents she was carried away by the story of riches of Haryana and could not resist the offer made by Deepa Das to marry her to a rich land lord and a service man in forest department.

It was only when she reached here she came to know that Pappu Singh had only a small land holding and was a primary educated, old sick man of 45 with half of his teeth already fallen, who can't even work in his land and only what he gets is around 5 quintals of grain from that land and thus was not getting married locally. Also, it was only here that she learned that Deepa Das had taken Rs. 10,000 from Pappu Singh to pay to her parents and which was not given to her parents once she herself agreed to come along against wishes of her parents. She also reveals that early Deepa Das use to come to ask for more money from Pappu and use to threat him of taking her away, but now I have told her that I will not go with her any where and after the disappearance of Kanika she had stop asking for money and comes to inquire my well being under police pressure.

Ask this third in order daughter among the 6 children of 70 years old Harkanto Das and 45 years old mother Radhey Das of caste Mukhi (OBC), village Gerua, P.S. Hajo, Assam; why did she come here? "Destiny" is her thoughtful and sad reply. Why didn't she married at Assam here every thing is so different from food to language? She retorts with pained face and teary eyes "nobody was ready to marry me or my second number elder sister there due to our poverty, my father is alone and has no money, my brothers are young and couldn't find any work, we lived only by weaving cloth" ask about her education and "Nobody in my family has ever gone to school" says she. Whether she will like to go back to her home? "No",



replies she “what will happen to my son and me then”. “Will any one marry me now”, asks she kissing her infant son, giving birth to whom she had almost died.

It was only the fear of police, due to which Deepa Das forced Pappu Singh to take debt and take her to good hospital which saved her life. Ask Pappu Singh would he have taken her to hospital if Deepa had not forced her? “We don’t have money to afford such costly hospitals”, replies he “I had become in debt of Rs. 12,000 in her medication and to make her visit to Assam because some organisation had gone to her home with police and her parents had requested them to bring her back. The police came to me and said take her home and talk to her parents or you will go to jail”.

Why did he buy a bride? “I was not getting married here because I don’t have much land and my figures got dismembered in childhood”, says he showing his three dismembered figures of right hand. Further he adds, “ my father died in my childhood and my uncles who had eye on my property, didn’t wanted me to get married and have son, so they frustrated my all plans to get married here and I became overage as per here’s standard”

When Shakti Vahini team visited Assam Pronita Father and Mother had given a written letter to Shakti Vahini to trace their daughter and help them get her back. “Deepa Das came to me and asked me to give her Pronita for marriage with some one in Haryana, she said your daughter will live a rich life there but I refused then she talked to Pronita and lured her to go along with her. Pronita said that she will run away they didn’t allow her to go, so finally we allowed against our wish but we have never heard from her since then nor she had come back, we want our daughter back”, said Pronita’s mother Radhey Das.

How does she know Deepa? “We have a relation in village to which she belongs and first her father called me there and Deepa met me there with two other persons from Haryana. When I refused next day she came to my home and lured Pronita”, she replied.

### **Facts**

- Minor girl.
- Lured into marriage by false stories of riches and fortunes.
- Poverty, lack of earning and access to education.
- Problem in getting married.
- Given to sick person of more than twice in age.
- Local woman earlier married in Haryana a link.
- Lured against the wishes of the parents.
- Rs. 10,000 paid by buyer to link woman, in name of payment to parents.
- No money given to girl’s family.
- Black mailing by the link woman for more money.
- No contact by the girl in any form with her family.
- Parents of the girls willing to get her back.

- No actions by police on the link or the buyer rather helping them in being save by taking girl to her family.
- She costs less than it is required to take her to good hospital and if it was not for fear she would have died.
- Death of the father in early childhood of the person who bought.
- Inability to get married locally due to small land and relatives trying to take away the land.

#### 4. Asrita

15 years old Asrita Topno, a tribal girl from village Kottutukutoli, District Gumla, Jharkhand, laments in a very fearful state of mind that in future she will never leave her home and go to school.

This student of 8<sup>th</sup> in a missionary school had no idea of what fate had for her in store when she lured into love with a youth of neighbouring village Juel Barla, eloped with him. She had thought of a good paid job at Delhi and a happy love & married life with her first love. Her dreams were not castle built in air, it was all promised by Juel Barla whom she had by now come to believe that he travels frequently to Delhi and earns good money there.

Her hopes were at sky when she boarded Tata Moorie Express with fast beating heart and hand in hand with Juel Barla and reached Delhi. At Delhi Juel Barla took her to home of one of his contact person and stayed with her there. After two days he told that he has found a job for her for which she will get Rs. 8,000 per month and took her to a family where she was engaged as domestic servant and they were given a room to stay, Juel Barla stayed with her.

The first shock came to her when on first night after the long day work Juel Barla proposed her for sex, and not only physically assaulted but raped her when she refused. "I wanted to go back home immediately but he threatened me and Delhi being new for me, I had no clue where I was" says Asrita in low pitch voice, hardly audible and with dubbed eyes.

This ordeal of whole day work as domestic servant and nights of physical and sexual assault continued for 15 days when she could bear no long and "I told about it to my employer" says she and "we were immediately asked to leave and were thrown out". "My payments for work were collected by Juel and I had no option to escape from him" she adds.

"Then he brought me to Punjab and handed me to a person who kept me in 'dera', where there were already three more girls like me. I saw Juel taking money from him and then he fled leaving me there. At night after a person tried to molest me. I escaped and hid my self in field where a local found me and took to his home and later gave me in police Says Asrita sitting at Police Station in Nawashehr district of Punjab after she escaped from the place of Jagdish Singh an influential person and supplier of women for domestic help in the region. Jagdish Singh procures women who are brought from various poor states through the net work of agents and subagents well established and spread all over the source and demand states.

After her escape Asrita became a tool in the hands of local politics and rivalry, “Tralochan Singh of village Karana who took her home told me to allege that I was raped at Jagdish’s ‘Dera’ by his son and produced me to media and police” tells she.

“I wanted to go back to my home but Tralochan Singh will not let me go and forced me to work at his place for three days and kept me telling to allege about rape at ‘Dera’ ”, told Asrita.

“Now I will study and marry with my parents wishes” says the only child of in front of her father Mukut Topno, who after being informed by the Police had mortgaged his land to come to Punjab and take back his daughter.

“I had been searching her all over by my own but didn’t go to police for fear of being stigmatised by the society. Now I will wait for sometime because she might be pregnant and then marry her as soon as possible” said Mukut Topno “ but it will not be easy marrying her now, since every body there knows about her being de-chastitised” whispers Mukut in great agony.

But the ordeal of the father and daughter does not end here; the local police of Jharkhand are now pressurising and terrorizing to change the statement regarding Juel Barla.

#### **Facts**

- Teenage girl lured into love and better life in city.
- The trafficker is a local person with well established network in Delhi and Punjab.
- He frequents between these destination states and Jharkhand.
- Sexually abused and physically assaulted.
- Her earning taken away by the trafficker.
- Girl being new in city and without money had no option but to depend on the wishes of the trafficker.
- No help from her employers at City even when complaint of.
- Sold to another agent.
- Molestation at new place.
- Exploited by local person for their personal rivalries and politics.
- Kept forcibly and forced into domestic work.
- Poor status of girl’s family.
- Fear of Stigmatization stopped father from reporting in police.
- Police not registering FIR against the trafficker and forcing the family to change their statement.
- No repatriation policy.

#### **5. Deepa Das**

For 28 -30years old, illiterate, mother of three daughters, Deepa Das, who was sold to Abhay Singh of Shahbajpur, P.S. Kashaula, Dist. Rewari, Haryana;15 years ago, there has been no change in her status of poverty. Her father, Nagendra Das, who runs a tea shop at a backward village Bakhta, P.S. Hajo, Kamrup, Assam, was approached by a person from Haryana, who had earlier taken away a woman from same village for himself, to give her daughter Deepa Das for marriage with Abhay Singh, a rich man with 80 Bighas of land. Her

father was also promised by Abhay Singh to help him in getting his other three daughters married apart from regular financial help as they were to be relatives now.

Reality revealed herself on Deepa Das only when she reached Shahbajpur that Abhay Singh was a poor, landless man with no one in his family and was not getting married here.

The helpless minor girl had no option but to give her-self to fate and live with Abhay Singh, despite the fact that she even didn't understand his language and was unable to communicate with him in words, in the entirely new cultural atmosphere.

Unlike other women of local origin, she remains outcaste even today and lives in a one room house on the outer edge of the village. The society for her remains only those who are poor, outcaste and unaccepted in the main stream of the village and surrounding.

Her woes only increased when she became mother and had no source of regular income. Abhay Singh remained unemployed trying his hand in one thing or other for he had no skills and could do only manual labour.

Her unending poverty, presence of large army of men ready to pay to get a woman and social acceptance of bride buying became her only hope to improve her economic condition as well as social acceptability in the village by doing service to village males.

So now she has become an agent and brings girls from poor regions Assam, by telling false stories of riches in Haryana. Since most of the men who want brides are those who are not getting married due to their poor and landless status, or old men with no income, the money paid is not very big but is sufficient for poor Deepa living in grave poverty to satisfy basic needs of her family and an opportunity to visit her home at Assam.

At least there are 11 women identified in Haryana who were brought by Deepa but she denies it. Every thing for Deepa was going good in this regard until sister of one of the girls brought by Deepa, came to Haryana in search of her sister and reported in police about her missing sister.

"I have not brought her sister" says Deepa. But why does she bring girls here? "Un-married people here come to me and ask for girls so I bring them. The girls come by themselves I don't force them. Here at least they get food to eat" replies Deepa.

Do you take money for bringing the girls? "I don't take money for myself, I take only expenses" is her answer. But persons for whom she has brought girls allege that they have paid her the cost of girl and she also regularly extracts money at least in early years, threatening to take away the girl if not given more money.

Though police has not registered even an FIR against her and taken no action against her, Deepa says, "I will have no option but to commit suicide with whole of my family due to police harassment. I am not rich, all my money is being drained away with police threatening to arrest her and if this continues any further my children will have to starve".

Deepa Das of Shahbajpur, P.S. – Kashaula, Dist. – Rewari, the alleged trafficker of the missing minor girl Kanika and at least ten other identified girls from Assam says, "I will set

myself and my daughters to fire now. Police is all the time harassing me and my family. All my money is running out going into hands of police. I am innocent and have done nothing wrong.”

Ask her that why should police harass you when yet they have not registered an FIR against you? “I don’t know. Almost every week police from various places comes to me and says that there is a report against her and they will put me in jail”, says she in a terrified tone.

SHO of Kashaula denied having any kind of knowledge related to Kanika’s case. He said that his thana has no report of any kind of trafficking in his area neither anything thing has been intimated to his thana by any other police station or higher official.

Asked then why police was harassing Deepa Das? He replied that he does not even knows who Deepa Das is and where she lives and that never any police inquiry or team has been sent to Deepa’s village from his police station.

### **Facts**

- Poor status of girl’s family and illiteracy.
- False stories of riches and monetary help.
- Earlier local woman married into Haryana is link.
- Social Acceptance of the process of buying brides but no social acceptance of the women at new place.
- No change in economic status in new place.
- Her self changes into trafficker by luring girls and making small money out of it.
- Police harassing her and extracting money from her without registering case against her and has taken no action against her.

## **6. Sepali Sarkar**

In village Panchgawa of 19-20 years old Bengali girl, Sepali Sarkar of Dhekyajuli, Tejpur Assam, who never went to school is living with more than 40 years old Suresh Yadav, for more than past two years, she is pregnant second time has a one year old daughter. She has never gone to her home since she came here. Her name has now been changed to Sapna, here.

An illiterate Suresh who has two ‘Kila’ land was over aged and not getting married due to his small land holding and unemployed status so his elder brother paid money to brother in law of Sepali, who than arranged her for Suresh.

Why did you come here? “Poverty and ‘Kismat’ ” is her short reply. She yet does not fully understand or speaks Hindi but has begun to loose fluency in her mother tongue.

Ask her about her brother in law, “He lives in Badshahpur, Gurgaon. He does nothing. He is a wanderer and travels a lot” says Sapna.

How was her sister married here? “My sister was earlier married locally in Assam but her husband use to treat her badly, so my sister eloped with my ‘Jija’,” is her reply. She does not know the name of her ‘Jija’. “Earlier we know nothing about where my sister was until my

‘Jija’ came home with my sister and one another man who wanted to marry in Assam,” adds Sapna.

“But now my brother often visits to my sister’s place and some times he visits me to,” she further says.

For, why she doesn’t visits her home? She says, “It requires a lot of money, since it’s too far. My husband says we will go after I have delivered the baby.”

What do you wish will it be a boy or girl? When pointed towards her pregnancy, she shyly says, “I don’t know. I have no preference but since our first child was girl my husband wants a boy now.”

Her brother who often shuttles between Assam and Haryana with his elder brother in law runs a ‘Pan’ shop at Assam. Ask her where his brother gets money to travel so much while she is unable to do same, “My Jija gives him”, is her reply.

Will she bring girl for anyone if someone asks for to marry? “No, it’s too far. A lot of people come to us for girls who want to marry at Assam but we refuse them”, says Sapna.

### **Facts**

- Minor girl.
- Poor and uneducated status of girl and her family.
- Her Sister living in Haryana is link.
- She knows very little about her sister and her husband’s occupation.
- Disturbed first married life of her sister due to violence.
- Her sister eloped out of her wedlock.
- No information or contact with elder sister unless she went to procure her.
- Sister’s husband took money in exchange of getting her married.
- Married to a person with small landholding and double to her age.
- Brother with a very small income able to travel frequently between Assam and Haryana.
- She has never been to Assam since brought.

### **7. Rekha**

A minor girl named Rekha D/o Maidan Fakir Ali Sheikh of village Jigagori, P.S. Kokhrajhar, of Assam presently lodged at Nari Niketan Karnal in Haryana was rescued on 13<sup>th</sup> August by Police of thana Civil Lines, from the area of Hansi under P.S. Hansi.

The girl has for first time moved out of her house and village and is unable to tell her address at Assam. All efforts to find out her address till date have gone in vain and the address given by her could not be traced by the Assam police. Earlier the address of the girl as given by her trafficker, who brought her from Assam and claiming to be her brother Mujbir Ali of village Bellangomari, P.S. Padmisangla dist. Dhubri Assam was found to be fake.

There is no trace of other 12 girls claimed to be sold by Kiran Sharma of Hansi, who was running a ‘Marriage Bureau’ to use it as a cover for selling the girls, which were supplied to

her by Raju a trafficker active in both Haryana and Punjab and procures the girls from West Bengal, Assam, Jharkhand and Bihar.

Raju was allowed to run away from the police because the police did not checked his credentials once he told that he was brother in law of the rescued girl, had for years been married and have children from marriage and was living at Hansi and running a STD phone booth and doing business of finance near Duddle Park in Hansi. The police also didn't care for verifying the condition of the girl's sister who may have been trafficked and in difficult circumstance.

When Shakti Vahini team reached Hansi, it could not find any person named Raju running the said STD booth or Finance business. The highlight was that Police has not even recorded the address of Raju. When contacted for help in finding out Raju, the Hansi police from area of which the girl was rescued, even after a week was not aware of the incident despite the fact that the matter has been widely reported in newspapers.

Further the insensitivity of the police and its slackness was reflected that no attempt was made by police to request for remand of the culprits and to make any effort to find out the where about of the remaining girls. All the traffickers were sent to jail after arrest and now police said they have no access to them to gather any further information because the jail administration was totally a different department.

The Jail Superintendent, Jagjit Singh refused the access of our team in the pretext that no outsider are allowed to meet the prisoners and further that there are special orders in this regards in matters of NGO's and press people.

The SSP did not find the issue of trafficking worth serious concern; he was of the view that the simple reason behind it was 'sex' and said it can not be stopped. He even denied that the discrimination against women was the reason behind adverse sex ratio in the state and claimed Haryana to be a female dominating society. When pointed out that a lots of women where brought into state for coerced marriage and pushed into sex slavery from Assam, West Bengal, Jharkhand, he revealed that that the girls were being brought from Himanchal Pradesh too and as far as sex slavery is concerned he said they are willingly into it and added that in actual it's the opposite and we males are the slaves of our women.

The DC Deepti Umashanker, though said that the cases of trafficking are stray but agreed that the issue was of great concern and added that she will take all steps to see in to the issue and gear up the administration in this regard. Though she said that Juvenile Board and committee was in existence in the district , but she has no knowledge that what were the real functions and role of these and that she was the chair person of the board and committee.

The Social welfare department of the district was not aware of the incident and said that they had no role to play in it. D.S. Saini, the district welfare officer said their role was limited to distributing old age pension and looking the welfare of SC/ST. Ignorant of his role in the issue he further said that "if we interfere the administration does not cooperates and we are told to mind our work".

On being told of his duties he complained that there was no process or regulation for them to inquire or investigate and police does not cooperate.

“There is no place to keep child victims or juvenile here. I keep on writing to concerned authorities and judiciary regarding this but no action is being taken. Here the juveniles are kept with criminal women, 60% of who are here due to murder of their husbands and progressively get violent as the case progress and their conviction comes near. Judiciary is yet ordering me to keep Children and juveniles here under the J.J. act 1986,” says Ms Illavart, Superintendent of Boston Jail.

**Post Note-** shakti vahini had succeeded in tracing out the original address and her parents. Her parents have also caught hold of the immediate agent who lured her into marriage.

### **Facts**

- Minor and ignorant girl.
- She is unable to even tell her address properly.
- Well established network of the traffickers.
- Trafficker fooled the police by false story and police believed in his words.
- The sale through cover of Marriage bureau.
- Police unable to find out even the address of arrested trafficker.
- No will of police to search the links.
- Total apathy of SSP despite the trade in girls from different places being in his knowledge.
- Local police station of jurisdiction even after the week unaware of the incident, despite wide coverage by national level and local media.
- No concern in administration regarding the other girls sold.
- The administrative head of the district unaware of the functions of the Juvenile board and unaware that she is the chairperson of the very board.
- Not a single case dealt under Juvenile Act in past two years.
- Social welfare department unaware of its responsibilities and duties.
- No coordination among the different departments of administration.
- Juveniles in need of care and protection kept in ‘Borstal’ jails meant for women who are major and criminal.
- Juveniles in conflict with law and those in need of care and protection kept together.
- Lower Judiciary unaware of the new laws in applications and its provisions and dealing in the previous existing laws.
- Total insensitivity among the male govt. officials regarding the plights and suffering of women.

### **8. Manjit Kaur**

Two girls named Kavita and Saloni were bought for RS. 13,000 by the reporters of Dainik Jagran to bust the racket and market which was being run in Village Mahagania, by about a 30 years old widow Manjeet Kaur original name Rupali Rai of village Rai Chanda, dist. Dinajpur, West Bengal.



While Manjeet Kaur is said to network and find the buyers in Mansa and the girls were brought by a traffickers named Raju resident of same village of Rupali Rai in West Bengal.

It was found as reported by local villagers that there are hundreds of women, sold by Manjeet Kaur.

The modus operandi of market being run at Mahagania that girls are brought in small groups of two or three and kept in a room at Manjeet Kaur's house. Where the customers come and look at the girls and sales are performed.

While Manjeet Kaur admitted to the team that she takes Rs. 10,000 to bring a girl, but she said that she doesn't sell them but it's the expenses that she takes to bring girls for marriage. She said that, "there in Bengal the girls are dying out of hunger and readily willing to come here, at least they get food here because this is a rich state."

She denied knowing Raju despite that an FIR was registered against Raju at P.S. Boha, based on her revelations.

Police went to West Bengal but couldn't find Raju named person there. SSP Sudhant Srivastava, said that they did not receive any support and cooperation from West Bengal Police in the matter.

Shakti Vahini team came to know one case of Dalelsinghwala village under P.S. Bhita, where a 20 years old girl was bought and resold after exploiting her for 18 months, by her buyer.

A local correspondent of Dainik Jagran, who is working on the issue, told that the police is regularly threatening him and is trying to implicate him under NDPS Act. He claimed that he had collected a list of about 1900 trafficked women in the area.

### **Facts**

- The trafficked girl became a trafficker later after death of her husband.
- Well established network.
- The trafficking is to the magnitude that it has almost taken a form of open sale and her house has become an informal market place.
- Very heavily reported media but almost nil action on part of police.
- The case against Raju the trafficker only a face saving device.
- No cooperation among the interstate police forces.

### **9. Geeta (Geelu)**

One girl Geeta or Geelu, who was bought by Gurmail Singh of village-Dhaipi, died at district hospital Mansa. Her medical reports from hospital showed severe perforation in her reproductive tracts, while the autopsy report showed the perforations of lower abdomen due to tuberculosis. However one thing is clear that the girl was admitted in the Hospital only at the last stage and died within few days.

Despite the wide reporting in media that the girl was sold by Manjeet Kaur a well known seller of girls in the region and bought by more than one person in common along with Gurmail Singh, no action was taken by police against Manjeet Kaur or Gurmail Singh.

When she fell ill Gurmail Singh wanted to sell her off to recover his money but didn't found a buyer of weak and severely ill girl.

SSP claimed that the media reporting was wrong and the girl was married into a well off and reputed family.

### **Facts**

- Even if all the media reporting were wrong, why she was admitted to hospital only when she became terminally ill?
- If she was married in well off family how does she reach such a severe stage of Tuberculosis?
- Rape and abuse of girls is very common.
- It is more costly to provide these girls treatment than to buy a new one.
- Even the well and reputed considered families are into it.

## **10. Anita**

An another 13 years old girl named Anita of West Bengal, who was sold through Manjeet Kaur to a 50 year old Nek Singh at Khangarh village was for resale as informed by the locals. Shakti vahini could not meet the person as it was informed by the local villagers that Nek Singh was regularly traveling the whole area with girl in search of buyer and good price. It was also told that Anita was brought along with her mother by Raju and Anita's mother too was put into sale but she got no buyer for her, because of her health and age and was taken back to West Bengal.

### **Facts**

- Minor is preferred to major and age is important factor in deciding the cost.
- Resale of girls after all sort of exploitation.

## **11. Kavali**

At village Juglan, there was "Kavali" of district Malda, who tells her age 20 and is mother of two daughters. She, after a great persuasion and assurance that no harm will be done to her and it was meant only to help her, opened up a little bit and revealed that she was sold to Raju for Rs. 12,000, four years ago by a women trafficker name Gulabi who was apprehended by West Bengal Police and is presently in custody. Raju brought her to Punjab and she was sold to her present possessor through Manjeet Kaur Alias Rupali Rai. She also revealed that two other girls were brought along with her, by Raju and they too were sold by Manjeet Kaur.

Suddenly apprehensions and fear took upon her again; she refused to say anything further and ran away after locking her door.

### **Facts**

- Minor lured and betrayed.
- Sold twice

## 12. Somi Badra

This 15 year old Munda girl from village Bidraindri, P.S. Mondra, Ranchi, Jharkhand, weeps profusely, unaware of the fact why she was being pushed back to grave poverty at her home which she has tried to escape by moving to Punjab.

Its not first time she has come to Punjab, she had already worked as domestic servant for more than 18 months in Chandigarh when she came to Punjab for first time and says that she took back Rs. 10,000, with her when she went back. But on second attempt the life was not so easy for her.

She does not want to reveal any thing to police or anyone fearing that it may contribute to her sending back. She threatens to commit suicide on route if she is send back.

When assured that she will be helped in staying here, she opens hesitantly and speaks in language which requires several repetitions and all sort of visual bodily expression to get the point. Both the time she was contacted by agents to help her in over coming her family's woes by providing her the job. In her family with no source of income she lives with her brother, his wives and there 4 children. Her, another brother too have migrated to Punjab somewhere and does not helps the family back at Ranchi.

"My brother wants to marry me, he needs dowry so I had come to earn money", says Somi.

But here at Punjab, she does not wants to be separated from Mahabir Horo a daily wager from Jharkhand, who came out to help her when she was in trouble and kept her in his room for one month.

"'Bhai' had said to me that he will keep me, he has kept me in his room, gave me clothes & food and said that there is no need for you to work outside, you do the house chores and I will earn", tells Somi referring to Mahabir as all the outsiders in Punjab especially from Bihar region are called 'Bhaiya'.

She says that she will marry and live with Mahabir as he had been kind to her and also assures that her brother had permitted her to marry on her own.

She changes her version of statements regarding Mahabir some times telling him her cousin and sometime saying that it was her first acquaintance with Mahabir when he came to her help. "He is Hero", tells Somi with tickling eyes.

Ask how she met Mahabir ? Somi charmed with kind and heroic aura of Mahabir reveals that the agent left her with Jagdish of Bheen, next day she was asked by Jagdish to go with a local man to work at his house as domestic worker, when she refused, "He hit me with 'Laathi', I said I want to go to Chandigarh were I had worked earlier, but he said you will go with this man". " When I did not went, after beating me he locked me in a different house nearby in the village and use to give only little rice to eat, after three days I escaped from that house and hid my self in field when police found me", she adds further.

But police did not help her, police did not believe in her story and instead said that she was hiding in the field for immoral act. It was now, when police was about to take her to Thana,

that Mahabir appeared to her like a god send help and took her from police who easily handed her to a totally unknown person.

Mahabir, who works as a stone polisher on daily wages, and lives alone in a room, kept her , brought her clothes and said that she should stay with her and do house chores, while he will earn money.

It was then due to media reporting police started searching the girls and she was presented do D.C., ; by Peter, a local leader of workers Union.., along with one other girl Sangeeta, who has also escaped from the clutches of Jagdish Singh. D.C., ignorant of his responsibilities allowed them to go back with Peter and requested Peter to get them employed somewhere. On demand by Peter, D.C. also gave Rs. 2,000 each to the girls, in consideration to help them.

### **Facts**

- Minor.
- Poverty and illiteracy.
- Willful migration for earning.
- Physical assault by the agent.
- Confinement and starving by agents.
- No freedom to choose he house for work.
- Well established interstate network of agents.
- No protection or help from police.
- Criminalization of victim by police.
- With no one to help in new place they are vulnerable to believe in any one showing little care and affection.
- District administration unaware of the laws, legal procedures,
- Gross economic exploitation by paying less than minimum wages.
- The local agent who procures girls from the agents bringing girls from other states and provides them as domestic labour to locals, takes Rs. 2000 from the taker of domestic servant, the amount is the deducted from the wages of the worker by her employer.

### **13. Sangita**

“Roti bhi nahi mil raha tha, Pita gali deta tha, Sab se badi hoon, char chote bhai hai, Mera pati mujhe marta tha , kamata nahi tha, kahta tha khana la, mujhe chhod kar Punjab chala gaya, sab kahte hain mai kharab hoon”, weeps 15 years old Sangita profusely, who has never seen the school due to her poverty.( I was not getting even bread to eat, father use to beat me, I am eldest in family and have 4 young brothers, my husband use to beat me, He was not earning, use to say bring food, he left me and went to Punjab, all say I am bad.)

“You will take my dead-body back not me”, she threatens.

“Don’t send me back, inform my parents, I will go back only when I have earned money” says Sangeeta sitting in the Nawashehr police station.

When assured that now she will not be harassed there and govt. will give her food and education, “But can you give me “Bhai”?” she questions back and adds, “I will live with him and marry him. I can not stay alive without him”.

Who is bhai? “He is God, he know ‘Jadu’ (magic), he can ward off any evil by just doing like this”, said Sangeeta, spreading wide apart and raising her both hands towards sky along with her head.

Tell her that yet she is child and her parents might be worrying and searching her, since she had run from her home without informing them. “I will leave my parents but not bhai”, is her quick reply.

How she met ‘Bhai’, is he from your village? “No he is not from my village, he came and saved me at ‘motor’ and took me to his place, then they came at 12 o’clock in the night to kill me with a sword, he fought them and saved me again, they were afraid of him, he told me that he knows ‘Jadu’ and they can not harm me”, told Sangeeta, with unfailing faith in ‘bhai’.

Ask her more about ‘Bhai’ and she reveals, “His name is ‘Goodwin Horo’, he kept me, he saved me, gave me clothes and food and did not allow me to work. He loves me. He said he will keep me.”

Who came to kill her with sword? “Ramesh” she said and why did he want to kill her? “I was not submitting to their demands. They wanted to sleep with me and when I refused Ramesh brought me clothes and said that I need not work he will feed me. He said I can stay with him and he will marry me, but when I refused, he molested me and tried to rape me, by then one of the boys had called ‘Goodwin’ for my help. Goodwin brought me to his place then in the night he came with a sword and rushed to kill me, Goodwin fought him and saved me.”

Who is Ramesh? “He lives in the ‘motor’ (a room where electric motor for the tube well is kept. The same is used as house by most of the migrants working in farms of Punjab), he took me from the police when I escaped from Jagdish”, says this dark complexioned girl.

She was a part of 16 member group of girls who were brought to Punjab by agent from Haryana and left with Jagdish Singh of Bheen village, at Nawashehr. She told that she was contacted by the local agent at her home in Jharkhand, who said she can get a job in Punjab.

When she escaped from Jagdish place, she landed in the hands of the police, who did not know what to do with her. Ramesh took her from police saying that the girl was from her state and he will take care of her. Ramesh for 4 days kept her in motor where he lived with 5 other men in a single room of about 10 square feet area, where she was made to cook for them and was being fed in lieu, before Ramesh attempted to rape her and was saved by other group of men including Goodwin.

Goodwin Horo is a 23 year old, 10<sup>th</sup> educated munda tribal from Village Goera, P.S. Goileakera, dist. Singhbhum, Jharkhand. Since two years he is in Punjab and works as a stone polisher on daily wages. He is a married man with his wife and children behind in Jharkhand.

He refused about practicing any kind of magic and also that he wants to marry Sangeeta but said that what he can do if she loves him. "I never promised her to marry", said Goodwin.

### **Facts**

- Minor, poverty, illiteracy, domestic violence, disturbed marital relationship, gender discrimination and social ostracization.
- Superstition.
- Lured to job.
- Physical and sexual abuse.
- Danger of life.

## **14. Amleen**

Amleen an illiterate 16 year old beautiful minor from Jharkhand, has been living in the house of 50 years old Tarsem Singh along with his wife, gets Rs. 1,200 and has not gone back for more than two and half years. All the children of Tarsem Singh are in Canada.

When asked, why had she not gone home? She told, "Sardar told me that he will send my earning to my parents, so I don't need to go."

Though she says that Sardar has been sending her earning, she has no way to confirm the same, she has to rely on her Sardar what he says.

She has no idea of what she will do if her Sardar misbehaves her ever. "'My Sardar', will not do any thing such. He has been very kind to me and cares of me", said Amleen looking at Tarsem with a very unusual gaze, which put every one present there, at unease.

Amleen was brought to Punjab by local agent whom she does not know, with a group of 14-15 girls and boys, once they reached; they were put in tempo which took her to Gurdaspur near an another Punjabi local agent, she reached there in the morning and in the noon Tarsem Singh came and took her from the agent.

### **Facts**

- Minor
- Less than daily wage.
- Totally dependent of her employer for communication and visiting her family.
- Brought in groups.

## **15. Rehana**

This 14 year old, 7<sup>th</sup> class student from Assam sees no end to her woes. She is lodged in the Nari Niketan after being rescued from the house of 30 year old Mohsin of village Buraka, P.S. Hathin, Faridabad, Haryana to whom she was sold for Rs. 10,500 the price which was bargained against Rs. 12,000 as was demanded for her by her seller Hanif of village Gurakchar, P.S. Hatin, Faridabad.

Though she has been rescued her woes are not coming to end because her father who came to know about her sale through the story of her printed in newspapers 'Assam tribune' and

'Pratidin' by the efforts of Shakti vahini, is unable to bear the cost to travel to Haryana and take her daughter back.

For her father, a daily wager Abdul Hussian, R/o Village Takurapara, P.S. Chayagaon, Dist. Kamrup, Assam happiness seems to have no boundaries when he thought he had found a suitable man for her daughter in Kazim Ali, S/o Samsu Ali R/o Village Balanjapara, P.S. Golakganj, Dhubri Assam, without any efforts.

Samsu Ali father of Kazim Ali had proposed to Abdul Hussian for the hand of his daughter for his son. Rehana was thus married on 7<sup>th</sup> April 2003 and after two and a half month was rescued at Haryana.

"I want to go back to my home, please send me back", pleaded fearful Rehana to police thinking she is being arrested, when she was rescued and today also she pleads the same after knowing that her father has been traced and is willing to take her back.

After few days of consummation of her marriage with Kazim, her father in law Samsu started raping her and after few days sold her to Nusrul of village Gurakchar, P.S. Hathin, Faridabad Haryana, who took her to Haryana.

Nusrul kept her at his village and raped and sexually abused her until he had made a deal for her sale with Hanif of same village. "He use to take me among the people in day time to find a buyer and behind the bush every night to rape me because he already had another women at his home", says Rehana about Hanif.

Hanif sold her to Mohsin for Rs. 10,500 from where she was rescued, when they had gone to court to get her married with Mohsin.

Assam police failed to find Samsu and his son Kazim at the given address and after request from Rehana's father, had requested Shakti Vahini to help her get repatriated but in absence of any policy with Haryana Government and non implementation of the J.J. Act, her case is yet entangled in the legal web and none of the department is taking initiative to send her back and to relieve her from Nari Niketan.

Though the NGO persons are not allowed to meet the girls, Shehazadi the mother of Mohsin tells that she had many times met Rehana in Nari Niketan. "I had spent Rs. 40,000 on her and will bring her back even from Assam", says Shehazadi who is leaving no leaf unturned to influence Rehana and get her consent to stay with her son.

**Post Note-** Shakti vahini had succeeded in tracing her father and the girl had been given into the custody of her father. While in Nari Niketan, Rehana tells that she was regularly threatened and intimidated to not speak about them in court. They also tried to influence her by promising to get her out of Nari Niketan, because the administration lying still and unable to trace her parents she was to remain there indefinitely until the traffickers helped her come out.

Rehana tells that her husband Kazim & one Hasina, a lady from Assam tried to convince her to come to Delhi on her refusal she was drugged and found her self in Delhi, where she was kept for 16 days before being sold in Haryana. She also tells that one lady Noorjahan had

threatened to eliminate her as she was becoming to large a danger for her by not agreeing to change her statement in court.

### **Facts**

- Minor
- Betrayed in marriage
- Sexually abused by father in law.
- Sexually abused by two traffickers.
- Sold.
- No effort by Police for sending her back to her family.
- Nari Niketan staff provoids linkages and access tp traffickers with te girls lodged inside.

### **16. Momina**

This 5<sup>th</sup> educated minor of 13-15 age from Tejpur Assam whose father has died earlier was found 2 months pregnant when rescued on 23<sup>rd</sup> June from Village Gurakchar, P.S. Hathin, Faridabad, Haryana.

Her mother, a widow had brought her to Haryana and sold her to Hanif, who in turn sold her to another person about 40 years old, already married and living with his wife for Rs. 10,000.

The reason he bought Momina was that his wife had undergone multiple abortions and a few miscarriages and now is unable to bear a son for him.

The health of ill nourished Momina is not fit to bear the child but she is determined at giving birth to her child and says she will not allow it to be aborted. She refuses all kind of medications in fear that it may be a trick to abort her child.

With every passing day her condition is getting serious and her pregnancy is progressing. She recently had started getting serious fits 7 convulsions and faints for long hours. "What should I do of this filth? If any thing happens to her the blame will be on me and cost me my job" says one of the senior officials of Nari Niketan where Momina is lodged after her rescue.

The NHRC has issued notice to the Haryana Department of Social Welfare to provide proper medication and psycho- social counseling to Momina. "The counseling has been provided to her by Joint Director Vineet Garg himself", says Veena Igleton, secretary Social justice unaware of the fact that the poor girl needs a proper, professional, continuous and consistent counseling not a meeting with a non practicing higher official alone.

**Post Note-** Traffickers brought her mother( who had sold her earlier) to court and got her released from Nari Niketan. Presently the girl had come back in the custody of the traffickers.

### **Facts**

- Minor
- Sold by mother.
- Pregnant and can die giving birth.
- No attempt by social welfare department to counsel her to terminate her pregnancy...



- Even in Nari Niketan in regular touch with trafficker's family.
- Trafficker got her back by bringing her mother who had sold her earlier.
- Traffickers kept regular and unintermittent contacts with her in Nari Niketan to influence her view.
- No attempts by administration to verify the credentials of the Mother.

### **17. Wojhida.**

This 14 year old father less girl from Chaubis Pargana in West Bengal was rescued from village Malai, P.S. Hathin, Faridabad, Haryana.

After the death of her father she had to depend on her married sister and her husband. She was sexually abused by her sister's husband and his friends through whom her sister and her husband brought her to Haryana and sold her in village Malai for Rs. 4500.

**Post Note-** her sister and sister's husband got her custody from Nari Niketan and handed her back to buyers.

#### **Facts**

- Minor
- Death of father.
- Abused by sister's husband and his friends.
- Sold.
- Handed over again to same persons who had trafficked her earlier.

### **18. Shahida**

This 15 years old girl from Chabbis Pargana, West Bengal was brought by her brother who left after selling her for Rs. 4000 and promising to come back with mother to meet her.

When the team of police and Shakti Vahini rescued her from Village Malai of Faridabad, Haryana, she was so scared and traumatized and pleaded "Save me, take me away soon from here".

**Post Note-** her brother the trafficker got her custody again from the Nari Niketan.

#### **Facts**

- Minor.
- Sold by brother.
- Rescued & Back into hand of the trafficker and exploiters.

### **19. Shabina**

This 16 years old girl of Girdi, Gaya, Jharkhand was brought by Hanif of village Chaisa, Hathin Faridabad through a middle man and was kept by him for last 1 year.

#### **Facts**

- Minor
- Trafficked and sold.

## 20. Pooja.

Pooja 16, from Cuttock, Orrisa could not have visualized what the fate had for her in store, when two years ago she agreed to move with a local person who had promised her a job and good life in the Capital city of Delhi.

At Delhi she was taken to some slum area of which, having for first time moved out of her local village, she was unable to tell any thing,

At Delhi, the person who brought her kept her in the house of his friend and raped her for few days and handed her to his friend as his friend promised her to find a job for her soon.

For about two weeks Pooja had to pay for her stay and food by allowing the owner of the house to abuse her sexually and rape her, before one Prajapati of village Malab Nuh, District Gurgaon, Haryana bought her for Rs. 8000 with promise of marriage.

Prajapati took her to his village and kept her as wife for 10 months before reselling her to another person of Village Adwar, dist. Gurgaon, Haryana, for Rs. 10,000.

A part of bargain was paid at the time of deal and the rest was to be paid soon, but months passed and that remaining amount was not paid. Thus Prajapati decided he had it enough and a conflict arose and Prajapati took her back again but had to move to new place some where in Dharuvera area in Gurgaon, as the conflict had brought the matter in notice of media.

The story was carried in detail by the local edition of Amar Ujala but the police yet has done nothing and nothing is known about the girl since then.

### Facts

- Minor
- Lured for job.
- Raped and sexually abused by five persons.
- Sold thrice.
- No action by police.

## 21. Sakina Bibi

Gripped in fear Sakina (whose bone test indicates her age to be 17-20) with blank eyes awaits for the decision of her husband, who had come to Kaithal police station after he was informed by the local police of West Bengal that his wife Sakina was rescued by Haryana police and was lying in Nari Niketan Karnal.

Tears, mixed of trauma suffered and happiness of reunion with her family, rolled down her cheeks, and she break into unstoping sobs when her husband told the police that he was ready to take her back.

Earlier police had rescued Sakina on 27<sup>th</sup> Sep 2003 from Kaithal, on tip that a woman from foreign place was for a sale.

Her husband Zakir Ali, R/o Vill- Fatehpur, P.O. Tihuto, Dist. Nadia, West Bengal, told that he had sent Sakina to a local doctor to bring medicine for his sick mother but she didn't returned back. It was only when police informed him; he came to know what had happened to her.

Sakina told that on her way to doctor, Raju met her and tricked her to accompany him to a little far but very good doctor who does not charges money and will cure her mother in law for once and ever.

There he took her in captivity and later brought her to Delhi and took her to Jamuna Pustha slums, and kept her there for few days and raped her.

He then brought her to Kaithal in Haryana and was selling her, when she started quarrelling and shouting at her buyers due to which the deal could not materialize and also the matter got into notice of locals, who tipped the police.

That day Raju took her somewhere in jungle. He raped and physically assaulted her whole night and threatened to her if she didn't kept quite.

The other day he brought her again to sell, when police rescued her and sent her to Nari Niketan.

While Raju succeeded in running away there are two other traffickers in Kaithal, Solakhan Singh and Lukhwinder Kaur (Original name Savitri who is from West Bengal).

### **Facts**

- Deceived by a known person.
- Trafficked forcibly and sexually abused.

## **22. Rashmi**

The story of 19 years old Rashmi, from Village- Dumri, District Mau, Uttar Pradesh is another glaring example what the much extended argument of migration for marriage by the administration in Haryana and Punjab, in reality means.

Rashmi had migrated to live with other members of her family in Shakti Chowk slum area of Delhi.

Here she was married by her family to Virendra of Faridabad, who left her and disappeared after making her pregnant.

She had nowhere to go except back to her family. In Shakti chowk, Kamal Singh R/o Sherada, Jind, Haryana, befriended her family and started frequenting to her house. Taking her family members in confidence he proposed to get Rashmi married to a good person from a well off family in Haryana.

Kamal Singh brought her to village Popada, District Karnal, of Haryana and sold her to Subhash for Rs. 35,000. To give sale a cover of marriage a photographer was called and garland exchanging photographs were taken in a small room in the house of Subhash.

Rashmi could not digest this drama of marriage and to add to her woes she was unable to understand the language spoken and thus refused to stay and demanded that she must be sent back to her family, for which she was beaten and when she disagreed to allow to consummate the so called marriage she was forcibly raped by Subhash and his family abetted it.

When even then she does not stop resisting, she was starved.

After about 15 days of captivity, Rashmi found an opportunity to escape taking route from the roof of adjacent house but her freedom could not last long as soon she was caught by Subhash and his family, a few kilometers away from the village.

To not give an occasion to her to escape again, she was chained with a cot using chain meant for buffalo and was let loose only for few minutes to attend her nature's call, that too surrounded by 4-5 persons.

When police raided she was found chained with the help of two locks in a small dark room.

She was unable to tell her exact address at Delhi.

Subhash, though arrested had not been charged for rape. The villagers were very clear in that a grave wrong was being done by police and NGO to Subhash, as he had right to keep the girl against her will because he had paid Rs. 35,000 for her.

### **Facts**

- Left by the husband.
- Family deceived for marriage of pregnant and deserted women.
- Sold.
- Fake marriage photographs.
- Tried to escape.
- Physically beaten, starved and chained.

## **23. Rakhi**

Rakhi a 13 years old girl from Uttaranchal does not have father. She was living with her Brother in law and married sister in Haridwar. She was sent by her brother in law with one Babli of Ambala residing in Haridwar on 29<sup>th</sup> dec.2003. Babli, handed her to one Satish, a truck driver of Village Hasanpur of District Karnal. It was only when she reached the home of Satish, it dawned upon her that she had been sold into marriage by Babli for Rs. 30,000. When she resisted the attempt made by Satish to consummate, in which he was supported by whole of his family and village community, she was taken to other village a maternal place of Satish, where she was raped forcibly by Satish.

However somehow she escaped and sought shelter from a woman, who handed her back to Satish. She was brought back to Hasanpur, where she again tried to escape but was caught and as punishment the Sarpanch of the village asked three persons to rape her who himself stood as guard outside the door, while she was being raped.

As Satish and his two brother living in joint family have little land holding and they did not wish to divide it further so it was decided by his mother that they may had only one woman as wife in common. Therefore, Rakhi was bought and after Satish she was raped by her both younger brothers.

Somehow she managed to escape again from the clutches of the family and sought help from another person who took her to his place and raped her there.

Presently, she is in Nari Ashram Karnal after she managed to escape from the clutches of her rapist and reached police station Madhuban.

Satish and four other persons along with sarpanch were arrested. Satish came in touch with Babli through another truck driver who himself had bought another girl from Babli. Babli is absconding and could not get arrested. Rakhi,s Sister and brother in law have left the place of their residence were they were residing on rent.

### **Facts**

- Minor girl of age 13.
- She has no father.
- Was looked after by married sister and her husband.
- Sold by Sister and brother in law to a woman trafficker.
- Sold by woman trafficker to a truck driver for Rs 30000.
- Truck driver bought her to keep her as wife for himself and his two brothers in common.
- Village community abetting the crime.
- Every where she sought help after trying to escape she was either handed back or raped.
- The main trafficker and the seller relatives of girl escaped arrest.
- Not presented before juvenile committee as there is no juvenile committee in district.
- Sent to Nari Ashram not Juvenile protective home.
- No professional trauma counseling to victim.
- Social acceptability of the vice among the village community.
- No awareness drives in district being undertaken by the administration.

### **24. Vibha**

A 12 years old minor girl of Premchand Colony Varanasi, was rescued from Indira Colony, Kurukshetra from the house of Ranjeet singh where she was kept in captivity for last two months and her cost was being bargained at 40,00 for sale into coerced marriage. Her father Lallan Yadav, a heart patient is a old man of 65 and his economic condition has deteriorated to after run away of his elder age 17, Feb. 2003. Lallan Yadav was a small cloth merchant but lost his business after accident and a heart attack. Fate seems to have no mercy on him; his one son was 11 years of age was lost 7 years ago. He had two more mouth twins to feed apart from his wife Geeta 55.

Geeta left for Assam, with Vibha, to see her uncle who is settled there but took her to Haridwar instead of Assam. "My mother wanted me to see Haridwar because she thought it was right time or I wouldn't get opportunity to visit place as I grow older", says Vibha. At

Haridwar railway station a lady named 'Babli' met Geeta and befriended the Mother-Daughter duo.

Next day while Geeta had gone to bath and Vibha was playing with other children of locality, Babli came to Vibha and told her that since her mother had cooked nothing so she had asked her to feed Vibha. When Vibha accompanied, Babli took her to Chandidevi saying that she had already asked her mother for permission to take her along.

After three days Babli took Vibha to her husband somewhere in Haridwar where the Vibha asked her to send her back to mother as she might be worried and weeping. But Babli would not listen and when Vibha started weeping she left for sometime and told her on return that her mother was happy and she doesn't want her back and wants her to marry. After some time Babli's husband attempted some advances on Vibha which initiated a discord between the husband wife and the man left after which Babli told Vibha that let us leave before he returns because he is not a good person and took her to one of her relative "Kripal" and introduced her as her younger sister.

Then Babli took Vibha to Rishikesh to show movie and rented a room there after two days she was running out of money so took her to another relative at Dehradun and said that she wants to marry her younger sister. The girl refused but was handed over to that man who brought her to Kurukshetra and handed to Ranjeet Singh in lieu of Rs. 20,000.

After some days some people came to Ranjeet Singh's house with some cloths and belongings and said that they liked Vibha and will marry her with one of the person who had come along. Vibha was made to wear bridal clothes and bangles. "I am short in height so they provided me high heel sandals", says Vibha. After the deal materialized in 30,000 the party took her to its home, where the person to be husband attempted to consummate the marriage but could succeed due to the screams and tantrum thrown by Vibha. "Next day I refused Food and water and threatened to suicide and I would have really killed myself", says Vibha. The party then returned her back to Ranjeet.

"After some days again people started visiting and they use to see me and talk about money. I knew he will sell me. I use to tell every buyer that I am yet a child and not willing to marry. I thought of running away but I had no money and knew nothing about the place. I decided to steal money and on every opportunity I got to meet any neighbour girl I asked them about the Railway station. At night I use to hear the sound of passing trains somewhere but every time I enquired I was told that the station is far from this place. On the day of Polio Drive I got a pamphlet in which there was mention of railway station so I knew by definite that there was a railway station in this place", told Vibha.

Two days before she was rescued there were hard dealings taking place with a new party. "I knew from the ongoing activities by definite that its time I will be sold. I use to weep when ever I went to roof to spread the clothes or fetch water from the tank then I thought that weeping will do no good to me. I must seek help from some one so I asked the girl in the adjacent house whether she will help?" says Vibha.

On the basis of the neighbours information she was rescued by police. The fact is that most of the people in locality knew that Ranjeet Singh use to bring girls and sell them. He is said to

have sold dozens of other girls earlier. The interested parties visited his house frequently. But none took the initiative earlier in any case. If it would not have been the courage of Vibha she would never have been rescued. It is yet to see what progress police makes after arrest of Ranjeet Singh. Will it get hold of Babli and all others in the network?

It is still more surprising that Vibha's mother never told her husband or any one about the missing status of her daughter. She had told that she had left Vibha at her relatives place in Assam. Was it a mere coincidence that Babli met them at station in Haridwar? Why did she didn't went to Assam straight for where she had left and supposed to go? The daughter-father duo straight away deny the involvement of Geeta and explain her silence to her fear of being thrown out of house by Lallan Yadav which is hard to believe.

#### **Facts.**

- Minor lured and forcibly kidnapped.
- Sold to another trafficker for Rs.20,000
- Victim not presented before the Juvenile Committee.
- The Magistrate order to keep the girl in Thana till her parents are traced.
- No Trauma counseling.
- No medical checkup.
- Public acceptance of the sale of girls.

## **25. Bilkis**

16 years old Bilkis a mother of one year old child is being forced to beg and prostitute by her buyer 45 years old Chand Singh of Pahadigaon, Rajasthan in the border of Gurgaon, Haryana. Clinging her child she beg in Nagina, Gurgaon in the day and caters to the sexual needs of her clientele, failing to which she is physically beaten by her blind husband Chand Singh and his family members.

Despite being in knowledge of Police and Administration as her story had already been printed in media no official had come to her help.

Biklis D/o Sahadat R/o Raopur, Amalner, dist - Jalgaon, Maharastra, was forcefully kidnapped along with her friend Rajana aged 14, by a truck driver Hari Singh R/o Village Khandewal, Rajasthan, who got them in hi truck by giving lift.

Hari Singh brought the two, to his village and kept the duo for a month with him during which he, his cleaner Raman and few other persons raped them regularly.

After one month of sexual exploitation and subjecting to prostitution Hari Singh sold her to Chand Singh for Rs.20,000.

#### **Facts-**

- Minor girl kidnapped forcefully.
- The trafficker a truck driver succeeded in bringing two minors a long way in his truck without being apprehended.
- Kept for month in his village, raped and forced to prostitution.

- Sold for 20,000, to a three times old blind.
- Being forced into beggary and prostitution.
- Story well published in local media, yet no action by administration to protect the victim or to remove her from exploitative situation.
- No attempt by police to arrest Chand Singh and to trace Hari Singh and Raman despite their addresses being well identified.

## 26. Rajana

14 years Rajana a friend of Biklis too was kidnapped by truck driver Hari Singh, when the two friends asked for lift from him at a Highway Dhaba at Amalner, Jalgaon, Maharashtra, while they were going to collect wood.

She was taken to and kept for a month at village Kandewal, Rajasthan. She was raped by Hari Singh and his associate Raman and was forced to prostitution before by selling her to some one in Village Kishangarh, Rajasthan for Rs. 15,000.

### Facts.

- Minor girl kidnapped forcefully.
- The trafficker a truck driver succeeded in bringing two minors a long way in his truck without being apprehended.
- Kept for month in his village, raped and forced to prostitution.
- Sold for 15,000.
- Story well published in local media, yet no action by administration to protect the victim or to remove her from exploitative situation.
- No attempt by police to arrest Hari Singh and Raman despite their addresses being well identified and trace her.

## 27. Sandhya

Sandhya a minor from Nadia, West Bengal had come with her mother to Delhi, in search of job.

At first instance while she got job as a domestic help in Faridabad, her mother was employed in same in Gurgaon.

When second time Sandhya returned to Delhi, after visiting West Bengal, a lady approached her with an offer for job at Old Delhi Railway Station. The lady befriended her and drugged her in tea.

After being drugged Sandhya found her self in Sivan village in Faridabad. After some days she was sold into coerced marriage for 35,000, by Puran Pandit of village Sivan, to Wazir of same village, who bought her as a bride for his nephew Joginder.

Some how she managed to phone her mother and was rescued by a NGO.

Wazir was taken under custody and is unaware of the crime committed by him. He says, "Puran had sold several girls for marriage, it is known to everyone in the area. Why I am alone being targeted?"



**Facts**

- Minor employed into domestic help.
- Minor girl lured in pretext of job.
- Force fully kidnapped after being drugged from railway station.
- Sold for Rs.35, 000.
- The trafficker well known in community for selling girls.
- Community acceptance of the practice, making it a common practice.
- Trafficker and agent well identified but yet not arrested.
- No search or follow up for the other girls sold by the trafficker and their buyers

## CHAPTER - 8.

### **LEGAL INSTRUMENTS**

#### **SPECIFIC RIGHTS OF WOMEN AND CHILDREN IN INDIAN CONSTITUTION.**

##### **PREAMBLE ( Rights as Citizens )**

**Justice** social , economical and political

**Liberty** thought, expression belief, faith and worship.

**Equality** of status and of opportunity

**Fraternity** assuring the dignity

##### **Fundamental Rights.**

##### **Equality ( As Citizen )**

##### **Art 14- Equality before law-**

“ The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”

##### **Art 15- Prohibition of discrimination on grounds of religion, race, caste, sex or place of birth-**

- (1) The State shall not discriminate against any citizen on grounds only of religion , race , caste, sex, place of birth or any of them.
- (2) No citizen shall, on grounds only of religion, race, caste, sex, place of birth or any of them. be subject to any disability , liability, restriction or condition with regard to-
  - (a) access to shops, public restaurants, hotels and places of public entertainment, or
  - (b) the use of wells, tanks, bathing ghats, roads and places of public resort public.
- (3) Nothing in this article shall prevent the State from making any special provisions for women and children.
- (4) Nothing in this article or in clause (2) of article 29 shall prevent the State from making. any special provisions for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Caste and the Scheduled Tribes.

##### **Art 16- Equality of opportunity in matters of public employment-**

- (1) There shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State.

(2) No citizen shall, on grounds only of religion, race, **caste, sex.** descent, place of birth residence or any of them, be ineligible for, or discriminated against in respect of, any employment or office under the State

(3) Nothing in this article shall prevent Parliament from making any law prescribing, in regard to a class or classes of employment or appointment to an office [ under the Government of, or any local, or other authority within, a State or Union territory, any requirement as to residence within that State or Union territory] prior to such employment or appointment.

(4) Nothing in this article shall prevent the State from making any provisions for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of State , is not adequately represented in the services under the State.

[(4A) Nothing in this article shall prevent the State from making any provision for the reservation in matters of promotion to any class or classes of posts in the service under the State in favour of the Scheduled Castes and the Scheduled Tribes which , in the opinion of State , is not adequately represented in the services under the State.]

(4) Nothing in this article shall affect the operation of any law which provides that the incumbent of an office in connection with the affairs of any religious or denominational institutional or any member of the governing body there shall be a person professing a particular religion or belonging to a particular denomination.

### **Right to freedom (As Human Being)**

#### **Art 19- Protection of certain rights –**

(a) to freedom of speech and expression (Subject to reasonable restrictions in the interest of the sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence)

(b) to assemble peaceably and without arms;(Subject to reasonable restrictions in the interest of the sovereignty and integrity of India, public order, decency or morality)

(c) to form association or unions

(Subject to reasonable restrictions in the interest of the sovereignty and integrity of India, public order, decency or morality)

(d) to move freely throughout the country;

(Subject to reasonable restrictions in the interest of general public and for the protection of the interests of any Scheduled Tribe )

(e) to reside and settle in any part of the territory of India;

(Subject to reasonable restrictions in the interest of general public and for the protection of the interests of any Scheduled Tribe )

(g) to practice any profession, or to carry on any occupation, trade or business.

*Subject to* reasonable restrictions in the interest of general public (1)Professional or technical qualification necessary for practicing any profession or carrying on any occupation, trade or business, Or

(2)The carrying on by the State or by a corporation owned or controlled by the State, of any trade, business, industry or service, whether to the exclusion , complete or partial, of citizens or otherwise)

**Art 21-      **Protection of life and personal liberty –****

“No person shall be deprived of his life or personal liberty except according to procedure established by law.”

***Right against exploitation      ( As Human Beings )***

**Art. 23 (1)-   **Prohibition of traffic in human beings and forced labour.****

“ 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.”

**Art. 24-      **Prohibition of employment of children in factories, etc.****

“ No child below the age of fourteen years shall be employed to work in any factory or mine or engaged in any hazardous employment.”

**Directive Principles of State Policy**

**Art. 39-      **Certain principles of policy to be followed by the State-****

The State shall in particular direct its policy towards securing-

(a)that the citizen, men and women equally, have the right to an adequate means of livelihood.

(d)that there is equal pay for equal work for both men and women,

(e)that the health and strength of workers, men and women. and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength,

(f)that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment.

**Art. 39A.      **Equal justice and free legal aid-****

“The State shall secure that the operation of the legal system promotes justice, on a basis of equal opportunity, and shall, in particular, provide free legal aid, by suitable legislation or schemes or in other way, to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities”

**Art. 41-      **Right to work, to education and to public assistance in certain cases-****

“The State shall within the limit of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of employment, old age, sickness and disablement and in other cases of undeserved want.”

**Art. 42- Provision for just and humane conditions of work and maternity relief-**

“The State shall make provision for securing just and humane conditions of work and for maternity relief”

**Art. 43- Living wage , etc., for workers-**

“The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities and, in particular, the State shall endeavour to promote cottage industries on an individual or co-operative basis in rural areas.”

**Art. 45- Provision for free and compulsory education for children-**

“The State shall endeavor to provide within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years.”

**Art. 46- Promotion of educational and economic interests of Scheduled Caste, Scheduled Tribes and other weaker sections-**

“The State shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation.”

**Art. 47- Duty of the state to raise the level of nutrition and the standard of living and to improve public health**

“The State shall regard the raising off the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and , in particular, the State shall endeavour to bring about prohibition of the consumption except for medicinal purposes of intoxicating drink and of drugs which are injurious to health”

**PART XVI****SPECIAL PROVISIONS RELATING TO CERTAIN CLASSES****Art. 338- National commission for Schedule Caste and Schedule Tribes**

4. The commission shall have power to regulate its own procedure.
5. It shall be the duty of the Commission-
  - (a) to investigate and monitor all matters relating to the safeguards provided for the Schedule Castes and Schedule Tribes under this Constitution or under any law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
  - (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes and Scheduled Tribes.
  - (c) To participate and advice on the planning process of socio-economic developments of the Scheduled caste and Scheduled tribes and to evaluate the progress of their development under the Union and any State.

- (d) To present to the President, Annually and at such other times as the constitution may deem fit, reports upon the working of those safeguards.
- (e) To make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective f those and other measures for the protection , welfare and socio-economic development of the Scheduled Castes and Scheduled Tribes, and
- (f) To discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Caste and Scheduled Tribes as the President may, subject to the provisions of any law made by the parliament, by rule specify.
- (6) The president shall cause all such reports to be laid before each of the parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendation relating to the union and the reasons for the non-acceptance, in any, of any of such recommendations.
- (7) Where any such report, or any part thereof, relates to any matter with which any State government is concerned, a cop of such report shall be forwarded to the Governor of the State who shall cause it to laid before the Legislature of the State along with a memorandum explaining the action taken or proposed to be taken on the recommendation relating to the State and the reasons for the non-acceptance, in any, of any of such recommendations.
- (8) The Commission shall, while investigating any matter relating to in sub clause (a) or inquiring into any complaint referred to in sub clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:-
  - (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
  - (b) requiring the discovery and production of any document;
  - (c) Requiring evidence on affidavits;
  - (d) requisitioning any public record or copy thereof from any court or office;
  - (e) issuing commission for the examination of witnesses and documents;
  - (f) any other matter which the President may, by rule, determine.
- (9) The Union and every State Government shall consult the Commission on all major policy matters affecting, Scheduled Caste and Scheduled Tribes.
- [(10)] In this article, references to the Scheduled Caste and Scheduled Tribes shall be construed as including references to such other backward classes as the President may, on receipt of a Commission appointed under clause (1) of article 340, by order specify and also to the Anglo – India community.

**Art 339-      **Control of the Union over the administration of Scheduled Areas and the welfare of Scheduled Tribes.-****

(2) The executive power of the Union shall extend to the giving of directions to [a State] as to the drawing up and execution of schemes specified in the direction to be essential for the welfare of the scheduled Tribes in the State

**Indian Penal Code**

The offense of trafficking is also punishable under the Penal Code and the Suppression of Immoral Traffic in Women and Girls Act.

India's Penal Code prohibits kidnapping or abducting any woman with the intent of compelling her into "illicit intercourse," or with the knowledge that she is likely to be so compelled, forced, or seduced. The code also prohibits kidnapping or otherwise inducing a woman to marry any person against her will.

The code prohibits procuring of a minor girl under the age of 18 to engage by force or seduction in illicit intercourse.

**339. WRONGFUL RESTRAINT.**

Whoever voluntarily obstructs any person so as to prevent that person from proceeding in any direction in which that person has a right to proceed, is said wrongfully to restrain that person.

**341. PUNISHMENT FOR WRONGFUL RESTRAINT.**

Whoever wrongfully restrains any person, shall be punished with simple imprisonment for a term which may extend to one month, or with fine which may extend to five hundred rupees, or with both.

**340. WRONGFUL CONFINEMENT.**

Whoever wrongfully restrains any person in such a manner as to prevent that person from proceeding beyond certain circumscribing limits, is said "wrongfully to confine" that person.

**342. PUNISHMENT FOR WRONGFUL CONFINEMENT.**

Whoever wrongfully confines any person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both

**361. KIDNAPPING FROM LAWFUL GUARDIANSHIP.**

Whoever takes or entices any minor under sixteen years of age if a male, or under eighteen years of age if a female, or any person of unsound mind, out of the keeping of the lawful guardian of such minor or person of unsound mind, without the consent of such guardian, is said to kidnap such minor or person from lawful guardianship.

**Explanation :** The words "lawful guardian" in this section include any person lawfully entrusted with the care or custody of such minor or other person.

**362. ABDUCTION.**

Whoever by force compels, or by any deceitful means induces, any person to go from any place, is said to abduct that person.

**363. PUNISHMENT FOR KIDNAPPING.**

Whoever kidnaps any person from India or from lawful guardianship, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**363-A. KIDNAPPING OR MAIMING A MINOR FOR PURPOSES OF BEGGING.**

(1) Whoever kidnaps any minor or, not being the lawful guardian of a minor, obtains the custody of the minor, in order that such minor may be employed or used for the purposes of begging, shall be punishable with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

(2) Whoever maims any minor in order that such minor may be employed or used for the purposes of begging, shall be punished with imprisonment for life, and shall also be liable to fine.

(3) Where any person, not being the lawful guardian of a minor, employs or uses such minor for the purposes of begging, it shall be presumed, unless the contrary is proved, that he kidnapped or otherwise obtained the custody of that minor in order that the minor might be employed or used for the purposes of begging.

(4) In this section, -

(a) "begging" means -

(i) soliciting or receiving alms in a public place, whether under the pretence of singing, dancing, fortune-telling, performing tricks or selling article or otherwise;

(ii) entering on any private premises for the purpose of soliciting or receiving alms;

(iii) exposing or exhibiting, with the object of obtaining or extorting alms, any sore, wound, injury, deformity or disease, whether of himself or of any other person or of an animal;

(iv) using a minor as an exhibit for the purpose of soliciting or receiving alms;

(b) "minor" means -

(i) in the case of a male, a person under sixteen years of age; and

(ii) in the case of a female, a person under eighteen years of age.



**365. KIDNAPPING OR ABDUCTING WITH INTENT SECRETLY AND WRONGFULLY TO CONFINED PERSON.**

Whoever kidnaps or abducts any person with intent to cause that person to be secretly and wrongfully confined, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**366. KIDNAPPING, ABDUCTING OR INDUCING WOMAN TO COMPEL HER MARRIAGE, ETC.**

Whoever kidnaps or abducts any woman with intent that she may be compelled, or knowing it to be likely that she will be compelled, to marry any person against her will, or in order that she may be forced or seduced to illicit intercourse, or knowing it to be likely that she will be forced or seduced to illicit intercourse, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine; and whoever, by means of criminal intimidation as defined in this Code or of abuse of authority or any other method of compulsion, induces any woman to go from any place with intent that she may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall also be punishable as aforesaid.

**366-A. PROCURATION OF MINOR GIRL.**

Whoever, by any means whatsoever, induces any minor girl under the age of eighteen years to go from any place or to do any act with intent that such girl may be, or knowing that it is likely that she will be, forced or seduced to illicit intercourse with another person shall be punishable with imprisonment which may extend to ten years, and shall also be liable to fine.

**366-B. IMPORTATION OF GIRL FROM FOREIGN COUNTRY.**

Whoever Imports into India from any country outside India or from the State of Jammu and Kashmir any girl under the age of twenty-one years with intent that she may be, or knowing it to be likely that she will be, forced or seduced to illicit intercourse with another person,

shall be punishable with imprisonment which may extend to ten years, and shall also be liable to fine.

**367. KIDNAPPING OR ABDUCTING IN ORDER TO SUBJECT PERSON TO GRIEVOUS HURT, SLAVERY, ETC.**

Whoever kidnaps or abducts any person in order that such person may be subjected, or may be so disposed of as to be put in danger of being subjected to grievous hurt, or slavery, or to the unnatural lust of any person, or knowing it to be likely that such person will be so subjected or disposed of, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**368. WRONGFULLY CONCEALING OR KEEPING IN CONFINEMENT, KIDNAPPED OR ABDUCTED PERSON.**

Whoever, knowing that any person has been kidnapped or has been abducted, wrongfully conceals or confines such person, shall be punished in the same manner as if he had

kidnapped or abducted such person with the same intention or knowledge, or for the same purpose as that with or for which he conceals or detains such person in confinement.

**369. KIDNAPPING OR ABDUCTING CHILD UNDER TEN YEARS WITH INTENT TO STEAL FROM ITS PERSON.**

Whoever kidnaps or abducts any child under the age of ten years with the intention of taking dishonestly any movable property from the person of such child, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**370. BUYING OR DISPOSING OF ANY PERSON AS A SLAVE.**

Whoever imports, exports, removes, buys, sells or disposes of any person as a slave, or accepts, receives or detains against his will any person as a slave, shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to fine.

**371. HABITUAL DEALING IN SLAVES.**

Whoever habitually imports, exports, removes, buys, sells, traffics or deals in slaves, shall be punished with imprisonment for life, or with imprisonment of either description for a term not exceeding ten years, and shall also be liable to fine.

**372. SELLING MINOR FOR PURPOSES OF PROSTITUTION, ETC.**

Whoever sells, lets to hire, or otherwise disposes of any person under the age of eighteen years with intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose, or knowing it to be likely that such person will at any age be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**Explanation I :** When a female under the age of eighteen years is sold, let for hire, or otherwise disposed of to a prostitute or to any person who keeps or manages a brothel, the person so disposing of such female shall, until the contrary is proved, be presumed to have disposed of her with the intent that she shall be used for the purpose of prostitution.

**Explanation II :** For the purposes of this section "illicit intercourse" means sexual intercourse between persons not united by marriage, or by any union or tie which, though not amounting to a marriage, is recognized by the personal law or custom of the community to which they belong or, where they belong to different communities, of both such communities, as constituting between them a quasi-marital relation.

**373. BUYING MINOR FOR PURPOSES OF PROSTITUTION, ETC.**

Whoever buys, hires or otherwise obtains possession of any person under the age of eighteen years with intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose, or knowing it to be likely that such person will at any age be employed or used for

any such purpose, shall be punished with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**Explanation I :** Any prostitute or any person keeping or managing a brothel, who buys, hires or otherwise obtains possession of a female under the age of eighteen years shall, until the contrary is proved, be presumed to have obtained possession of such female with the intent that she shall be used for the purpose of prostitution.

**Explanation II :** "Illicit intercourse" has the same meaning as in Section 372.

### **374. UNLAWFUL COMPULSORY LABOUR.**

Whoever unlawfully compels any person to labour against the will of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both.

### **376. PUNISHMENT FOR RAPE.**

(1) Whoever, except in the cases provided for by sub-section (2), commits rape shall be punished with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine unless the woman raped is his own wife and is not under twelve years of age, in which case, he shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both :

Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than seven years.

(2) Whoever, -

(a) being a police officer commits rape -

(i) within the limits of the police station to which he is appointed; or

(ii) in the premises of any station house whether or not situated in the police station to, which he is appointed; or

(iii) on a woman in his custody or in the custody of a police officer subordinate to him; or

(b) being a public servant, takes advantage of his official position and commits rape on a woman in his custody as such public servant or in the custody of a public servant subordinate to him; or

(c) being on the management or on the staff of a jail, remand home or other place of custody established by or under any law for the time being in force or of a women's or children's institution takes advantage of his official position and commits rape on any inmate of such jail, remand home, place or institution; or

(d) being on the management or on the staff of a hospital, takes advantage of his official position and commits rape on a woman in that hospital; or

(e) commits rape on a woman knowing her to be pregnant; or

(f) commits rape on a woman when she is under twelve years of age; or

(g) commits gang rape,

shall be punished with rigorous imprisonment for a term which shall not be less than ten years but which may be for life and shall also be liable to fine :

Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment of either description for a term of less than ten years.

**Explanation 1 :** Where a woman is raped by one or more in a group of persons acting in furtherance of their common intention, each of the persons shall be deemed to have committed gang rape within the meaning of this sub-section.

### **375. RAPE.**

A man is said to commit "rape" who, except in the case hereinafter excepted, has sexual intercourse with a woman under circumstances falling under any of the six following descriptions :-

(1) Against her will.

(2) Without her consent.

(3) With her consent, when her consent has been obtained by putting her or any person in whom she is interested in fear of death or of hurt.

(4) With her consent, when the man knows that he is not her husband, and that her consent is given because she believes that he is another man to whom she is or believes herself to be lawfully married.

(5) With her consent, when, at the time of giving such consent, by reason of unsoundness of mind or intoxication or the administration by him personally or through another of any stupefying or unwholesome substance, she is unable to understand the nature and consequences of that to which she gives consent.

(6) With or without her consent, when she is under sixteen years of age.

**Explanation :** Penetration is sufficient to constitute the sexual intercourse necessary to the offence of rape.

**Exception :** Sexual intercourse by a man with his own wife, the wife not being under fifteen years of age, is not rape.

### **377. UNNATURAL OFFENCES.**

Whoever voluntarily has carnal intercourse against the order of nature with any man, woman or animal, shall be punished with imprisonment for life, or with imprisonment of either description for a term which may extend to ten years, and shall also be liable to fine.

**Explanation :** Penetration is sufficient to constitute the carnal intercourse necessary to the offence described in this section.

## **THE IMMORAL TRAFFIC (PREVENTION) ACT.**

Prostitution and related activities are prohibited under the Suppression of Immoral Traffic in Women and Girls Act, including keeping a brothel or allowing premises to be used as a brothel; living on the earnings of prostitution; procuring, inducing, or taking a woman or a girl for the purpose of prostitution; detaining a woman or a girl in premises where prostitution is carried on; carrying out prostitution in public places; and seducing or soliciting for purposes of prostitution. The act, purposes is “to inhibit or abolish commercialized vice,” which the act defines as traffic in women and girls “for the purpose of prostitution as an organized means of living.”

The Suppression of Immoral Traffic in Women and Girls Act provides that the

Government may, at its discretion, establish “protective homes” and “corrective institutions.” A “protective home” is defined by the act as “an institution, by whatever name called...in which women and girls, who are in need of care and protection, may be kept under this Act, but does not include (i) a shelter where females under trial may be kept in pursuance of this Act, or (ii) a corrective institution. “It has been held that anyone concerned with running a protective home must discharge his or her duties with the aims and objects of the act and “without offending human rights and dignity.”

ITPA though deals with the prostitution as a organised crime, it does not even define trafficking even for the said purpose, leave for trafficking for various other kinds of exploitation.

**NOTE-** It extends to the whole of India.

### **Some relevant Sections and Provisions.**

1. In India prostitution is crime, but as per se in body is not dealt under this act. The act deals only with organised institution of prostitution and exploitation of women and children there under for commercial purpose.
2. It does not focus on persons who are voluntarily in this field.
3. Prostitution in India, but is not abolished / Prohibited / banned under any statute.
4. The act treats the victim of traffic and prostitution as a criminal.
5. Trafficking in human is prohibited. (Sec. 3-6)
6. Provides for rescue and rehabilitation of prostituted women & children.(Sec. 10A, 16, 17 & 21)
7. Voluntary rehabilitation. (Sec. 19)
8. Provides for mandatory testing for STDs. (Sec. 15(5A))

**Definitions-**

Brothel-                      Sec. 2 (a)

Brothel includes any house, room, conveyance or place or any portion of any house, room, conveyance or place, which is used for purposes of sexual exploitation or abuse for the gain of another person or for the mutual gain of two or more prostitutes.

Punishment for keeping a brothel or allowing premises to be used as a brothel.—

Any person who keeps or manages, or acts or assists in the keeping or management of, a brothel, shall be punishable on first conviction with rigorous imprisonment for a term of not less than one year and not more than three years and also with fine which may extend to two thousand rupees and in the event of a second or subsequent conviction with rigorous imprisonment for a term of not less than two years and not more than five years and also with fine which may extend to two thousand rupees.

Any person who,—

(a) being the tenant, lessee, occupier or person in charge of any premises, uses, or knowingly allows any other person to use, such premises or any part thereof as a brothel, or

(b) being the owner, leassor or landlord of any premises or the agent of such owner, leassor or landlord, lets the same or any part thereof with the knowledge that the same or any part thereof is intended to be used as a brothel, or is willfully a party to the use of such premises or any part thereof as a brothel,

shall be punishable on first conviction with imprisonment for a term which may extend to two years and with fine which may extend to two thousand rupees and in the event of a second or subsequent conviction, with rigorous imprisonment for a term which may extend to five years and also with fine.

Corrective institution-                      As licensed under Sec. 21.

Major-                      Completed age of 18.

Minor-                      Completed 16 but not 18.

Child-                      Not completed age of 16.

Prostitution-                      Sexual exploitation or abuse of person of commercial purpose.

“protective home” means an institution, by whatever name called (being an institution established or licensed as such under Section 21), in which persons who are in need of care and protection, may be kept under this Act and where appropriate technically qualified persons, equipments and other facilities have been provided but does not include,—

(i) a shelter where under trials may be kept in pursuance of this Act, or

(ii) a corrective institution;

“public place” means any place intended for use by, or accessible to, the public and includes any public conveyance;

“special police officer” means a police officer appointed by or on behalf of the State Government to be in charge of police duties within a specified area for the purpose of this Act;

“trafficking police officer” means a police officer appointed by the Central Government under sub-section (4) of Section 13.

### **Sections- Sec.4-**

Any person over the age of 18 who knowingly lives wholly or in part, on the earning of the prostitution of any other person shall be punishable.

#### **Sec.4 (2)-** Where any person over the age of 18 is proved

- (a) to be living or to be habitually in the company of a prostitute or
- (b) to have exercised control, direction or influence over the movements of a prostitutes in such a manner as to show that such person is aiding, abetting, or compelling her prostitution or
- (c) to be acting as a tout or pimp on behalf of a prostitute.

it shall be presumed, until the contrary is proved, that such person is knowingly living on the earnings of prostitution of another person.

Punishment for living on the earnings of prostitution .— Any person over the age of eighteen years who knowingly lives, wholly or in part, on the earnings of the prostitution of any other person shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both, and where such earnings relate to the prostitution of a child or a minor, shall be punishable with imprisonment for a term of not less than seven years and not more than ten years.

### **Sec.5-**

Procuring, inducing or taking person for the sake of prostitution.

- (a) procures or attempts to procure a person whether with or without consent for the purpose of prostitution or
- (b) Induces a person to go from any place, with the intent that he may for the purpose of prostitution become the inmate of o frequent a brothel or
- (c) Takes or attempts to take a person or causes a person to be taken, from one place to another with a view to carrying on or being brought up to carry on prostitution or
- (d) Causes or induces a person to carry on prostitution.

shall be punishable on conviction with rigorous imprisonment for a term of not less than three years and not more than seven years and also with fine which may extend to two thousand rupees, and if any offence under this sub-section is committed against the will of any person,

the punishment of imprisonment for a term of seven years shall extend to imprisonment for a term of fourteen years:

Provided that if the person in respect of whom an offence committed under this sub-section,—

(i) is a child, the punishment provided under this sub-section shall extend to rigorous imprisonment for a term of not less than seven years but may extend to life; and

(ii) is a minor, the punishment provided under this sub-section shall extend to rigorous imprisonment for a term of not less than seven years and not more than fourteen years.

Section 6- Detaining a person in premises where prostitution is carried on-

- (1) Any person who detains any other person with or without consent
  - (a) In any brothel
  - (b) In or upon any premises with intent that such a person may have sexual intercourse with a person who is not the spouse of such person
- (3) A person shall be presumed to detain a woman or girl in brothel or In or upon any premises for the purpose-----, if such a person with intent to compel or induce her to remain there-
  - (a) with holds from her any jewelry, wearing apparel, money or other property belonging to her or
  - (b) Threatens her with legal proceeding if she takes away with her any jewelry, wearing apparel, money or other property lent to her by or by the direction of such person.

shall be punishable on conviction, with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine:

Provided that the court may for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term which may be less than seven years.

Where any person is found with a child in a brothel, it shall be presumed, unless the contrary is proved, that he has committed an offence under sub-section (1).

Where a child or minor found in a brothel, is, on medical examination, detected to have been sexually abused, it shall be presumed unless the contrary is proved, that the child or minor has been detained for purposes of prostitution or, as the case may be, has been sexually exploited for commercial purposes.

Sec.8-

Seducing or soliciting for purpose of prostitution in any public place or within sight of and in such manner as to be seen or heard from, any public place, whether from within any



building or house or act or exposes such which tempts or endeavors to tempt or attracts or endeavors to attract the attention for the prostitution

Solicits or loiters or molests or acts in a manner to obstruct or annoy to person residing nearby or passing by such place

Discrimination - Punishment 6 months for woman , 7 days for male.

Sec.14- Cognizable offence.

Sec.15- Search without warrant.

Sec.18- Closer of brothel and eviction of offenders from the premises.

### **Bonded Labor System (Abolition) Act**

The Bonded Labor System (Abolition) Act of 1976 prohibits forced or bonded labor. The National Human Rights Commission of India monitors the implementation of the 1976 act.

The labour laws of the country must be amended to protect all minors from being employed in hazardous works and the definition of hazardous work must include all such works which may affect the education opportunities of the minor. It must also take into consideration the work environment and exploitative conditions.

### **The Juvenile Justice (Care and Protection of children) Act, 2000**

The Juvenile Justice (Care and Protection of Children) Act consolidates and amends the law relating to juveniles in conflict with law and children in need of care and protection, by providing for proper care, protection and treatment by catering to their development needs, and by adopting a child-friendly approach in the adjudication and disposition of matters in the best interest of children and for their ultimate rehabilitation through various institutions established under the act.

It emphasises social reintegration of child victims, to the extent possible, without resorting to judicial proceedings.

The act for the first time distinguishes between the juveniles who are in conflict with law and those who are in need of care and protection. It further provides for involvement of non government organisations in deal with juvenile matters, through Juvenile Welfare Boards and Juvenile Welfare Committees for juveniles in conflict with law and juveniles in need of care and protection respectively.

The Act further does away with the discrepancy regarding “child” and “minor” and defines child or juvenile as who has not completed the age of 18.

The Act explicitly provides for effective social rehabilitation and reintegration of all juveniles in need of care and protection and makes explicit provisions for punishment for Employment of juvenile or child for begging, giving intoxicating liquor or narcotic drug or psychotropic substance to juvenile or child, Exploitation of juvenile or child employee.

### **The Child Marriage Restraint Act, 1929**

(The Act provides for age of marriage i.e. 20 for male and 18 for female.)

The nature of the act is not prohibitive rather its purpose is to restrain the solemnisation of child marriage. It extends to the whole of India (except the State of Jammu and Kashmir) and it applies also to all citizen of India without and beyond India.

Definitions -- In this Act, unless there is anything repugnant in the subject or context: "Child" means a person who, if a male, has not completed twenty one years of age, and if a female, has not completed eighteen years of age ; "child marriage" means a marriage to which either of the contracting parties is a child ;

"minor" means a person of either sex who is under eighteen years of age.

**NOTE -** The penal provisions do not invalidate the fact of marriage nor do the penal provisions apply to a child. Its section 3 provides that, who ever, being a male above eighteen years of age and below twenty one, contracts a child marriage shall be punished with simple imprisonment, which may extend to fifteen days, or with fine which may extend to one thousand rupees, or with both.

whoever, being male above twenty one years of age contracts a child marriage shall be punished with simple imprisonment which may extend to three months and shall also be liable to fine.

In the Indian social set-up a male adult can be imputed greater sense of foresee ability of the consequences of this social evil of child marriage and in this context the punishment prescribed by the law to deter them is too mild in effect specially in this era of social justice when penology has become more reformatory than deterrent.

Whoever performs, conducts or directs any child marriage shall be punished with simple imprisonment which may extend to three months and shall also be liable to fine, unless he proves that he had reasons to believe that the marriage was not a child marriage (section 5).

Though their liability under the criminal law is that of the abettors, but it should not preclude their direct responsibility for the offence and suitable amendment should be made in the Act to punish them as principal offenders. If this social evil is to be eradicated the role of such intermediaries should be brought to book with deterrent punishment. The present law is lukewarm in this regard.

Consummation of "Gauna" is not part of marriage ceremony. The marriage being complete before the consummation, a person may be convicted under this Act, though consummation has not taken place.

Section 6 provides that where a minor contracts a child marriage any person having charge of the minor, whether as parent or guardian or in any other capacity, lawful or unlawful, who does any act to promote the marriage or permits it to be solemnised, or negligently fails to prevent it from being solemnised, shall be punished with simple imprisonment which may extend to three months and shall also be liable to fine. Provided that no woman shall be punishable with imprisonment.

Under this section, it is presumed that where a minor has contracted a child marriage, the person having charge of such minor has negligently failed to prevent the marriage from being

solemnised. Minors are incapable of entering into any valid contract and marriage under the Hindu law is not a contract. So the words "where a minor contracts a child marriage" in section 6(l) ought not to be literally interpreted as per its dictionary meaning but ought to be understood as meaning "where a child marriage" takes place or where a minor enters into a child marriage.

The child bride or the child bridegroom are mere passive actors in such a marriage and the active participants are the parents, guardians or the custodians of such children. As the law is not mindful about the active culpability of these persons, this Act has not yielded the desired results. The imposition of fine only lacks the deterrent effect which is needed most in such cases. Further this Act does not take into account the performance of preparatory ceremonies of such a marriage like engagements etc. Some provision should be made in this Act to prevent and punish such actions also if they culminate in child marriage.

It is note worthy that a contravention of the provisions of the Act does not render the marriage invalid as the validity of the marriage is a subject beyond the scope of the Act. A marriage under the Hindu Law by a minor male is valid even though the marriage was not brought about on his behalf by the natural or lawful guardian. The marriage under the Hindu Law is a sacrament and not a contract. The minority of an individual can operate as a bar to his or her incurring contractual obligations, but it cannot be an impediment in the matter of performing a necessary "Sanskara". A minor's marriage without the consent of the guardian can be held to be valid on the application of the doctrine of *factum valet*.

**Section 7** provides that the Code of Criminal Procedure, 1973 shall apply to offences under the Act as if they were cognizable offence for the purpose of investigation.

Notwithstanding anything contained in section 190 of the Code of Criminal Procedure, 1973, no Court other than a Metropolitan Magistrate or a Judicial Magistrate of the First Class can take cognizance of, or try any offence under this Act.

**Limitation** -- No Court can take cognizance of any offence under this Act after the expiry of one year from the date on which the offence is alleged to have been committed. This further dilutes the efficacy of the law.

**Injunction** -- Section 12 empowers the Magistrate to issue injunction prohibiting marriage in contravention of this Act. The Court may issue an injunction against any of the persons mentioned in Section 3, 4, 5 and 6 of this Act prohibiting such marriage.

This injunction shall not be issued against any person unless the court has previously given notice thereof to the person concerned and has afforded him an opportunity to show cause against the issue of the injunction. This requirement of the law may defeat the purpose of social justice where there is imperative need of judicial intervention to save the welfare and interest of the child. No doubt frivolous petitions by interested persons may sometimes result in dislocation of arrangements in genuine cases and such victims may also face social humiliation but this can be safeguarded by making deterrent provisions in the Act for those who move such frivolous petitions.

The Court may either of its own motion or on the application of any person aggrieved, rescind or alter any order made under sub-section (1).

When such an application is received, the Court shall afford the applicant an early opportunity of appearing before it either in person or by pleader; and if the court rejects the application wholly or in part, it shall record in writing its reasons for so doing.

## **THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989**

An Act to prevent the commission of offences of atrocities against the members of the Scheduled Castes and the Scheduled Tribes, to provide for Special Courts for the trial of such offences and for the relief and rehabilitation of the victims of such offences and for matters connected therewith or incidental thereto.

It extends to the whole of India except the State of Jammu and Kashmir.

### **Relevant section to safe guard plight of SC/ST and punishments-**

**3. Punishments for offences of atrocities. —** (1) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe, —

(i) forces a member of Scheduled Caste or Scheduled Tribe to drink or eat any inedible or obnoxious substance;

(ii) acts with intent to cause injury, insult or annoyance to any member of a Scheduled Caste or a Scheduled Tribe by dumping excreta, waste matter, carcasses or any other obnoxious substance in his premises or neighbourhood;

(iii) forcibly removes clothes from the person of a member of a Scheduled Caste or a Scheduled Tribe or parades him naked or with painted face or body or commits any similar act which is derogatory to human dignity;

(iv) wrongfully occupies or cultivates any land owned by, or allotted, to, or notified by any competent authority to be allotted to, a member of a Scheduled Caste or a Scheduled Tribe or gets the land allotted to him transferred;

(v) wrongfully dispossesses a member of a Scheduled Caste or a Scheduled Tribe from his land or premises or interferes with the enjoyment of his rights over any land, premises or water;

(vi) compels or entices a member of a Scheduled Caste or a Scheduled Tribe to do 'begar' or other similar forms of forced or bonded labour other than any compulsory service for public purposes imposed by Government.

(viii) institutes false, malicious or vexatious suit or criminal or other legal proceedings against a member of a Scheduled Caste or a Scheduled Tribe;

(ix) gives any false or frivolous information to any public servant and thereby causes such public servant to use his lawful power to the injury or annoyance of a member of a Scheduled Caste or a Scheduled Tribe;

(x) intentionally insults or intimidates with intent to humiliate a member of a Scheduled

Caste or a Scheduled Tribe in any place within public view;

**(xi) assaults or uses force to any woman belonging to a Scheduled Caste or a Scheduled Tribe with intent to dishonour or outrage her modesty;**

**(xii) being in a position to dominate the will of a woman belonging to a Scheduled Caste or a Scheduled Tribe and uses that position to exploit her sexually to which she would not have otherwise agreed;**

(xv) forces or causes a member of a Scheduled Caste or a Scheduled Tribe to leave his house, village or other place or residence, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to five years and with fine.

(2) Whoever, not being a member of a Scheduled Caste or a Scheduled Tribe, —

(i) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or Scheduled Tribe to be convicted of an offence which is capital by the law for the time being in force shall be punished with imprisonment for life and with fine; and if an innocent member of a Scheduled Caste or a Scheduled Tribe be convicted and executed in consequence of such false or fabricated evidence, the person who give or fabricates such false evidence shall be punished with death.

(ii) gives or fabricates false evidence intending thereby to cause, or knowing it to be likely that he will thereby cause, any member of a Scheduled Caste or a Scheduled Tribe to be convicted of an offence which is not capital but punishable with imprisonment for a term of seven years or upwards, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to seven years or upwards and with fine;

(iii) commits mischief by fire or any explosive substance intending to cause or knowing to be likely that he will thereby cause damage to any property belonging to the member of a Scheduled Caste or a Scheduled Tribe, shall be punishable with imprisonment for a term which shall not be less than six months such any extend to seven years and with fine;

(iv) commits mischief by fire or any explosive substance in ending to cause or knowing it to be likely that he will thereby cause destruction of any building which is ordinarily used as a place of worship or as a place for human dwelling or a place of custody of the property by a member of a Scheduled Caste or a Schedule Tribe, shall be punishable with imprisonment for life and with fine;

(v) commits any offence under the Indian Penal Code (45 of 1860) punishable with imprisonment for a term of a ten years or more against a person or property on the ground that such person is a member of a Scheduled Caste or a Scheduled Tribe or such property belongs to such member, shall be punishable with imprisonment for life and with fine;

(vi) knowingly or having reason to believe that an offence has been committed under this chapter, causes any evidence of the commission of that offence to disappear with

the intention of screening the information from legal punishment, or with that intention gives any information respecting the offence which he knows or believes to be false, shall be punishable with the punishment provided for that offence;

(vii) being a public servant, commits any offence under this section, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

**4. Punishment for neglect of duties.** — Whoever, being a public servant but not being a member of a Scheduled Caste or a Scheduled Tribe, willfully neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year.

**5. Enhanced punishment for subsequent conviction.** — Whoever, having already been convicted of an offence under this Chapter is convicted for the second offence or any offence subsequent to the second offence, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to the punishment provided for that offence.

**7. Forfeiture of property of certain persons.** — (1) Where a person has been convicted of any offence punishable under this chapter, the Special Court may, in addition to awarding any punishment, by order in writing, declare that any property, movable or immovable or both, belonging to the person, which has been used for the commission of that offence, shall stand forfeited to Government.

(2) Where any person is accused of any offence under this chapter, it shall be open to the Special Court trying him to pass an order that all or any of the properties, movable or immovable or both belonging to him, shall, during the period of such trial, be attached, and where such trial ends in conviction, the property so attached shall be liable to forfeiture to the extent it is required for the purpose of realisation of any fine imposed under this chapter.

**8. Presumption as to offences.** — In a prosecution for an offence under this chapter, if it is proved that —

(a) the accused rendered any financial assistance to a person accused of or reasonably suspected of committing, an offence under this chapter, the Special Court shall presume, unless the contrary is proved, that such person had abetted the offence.

(b) a group of persons committed an offence under this chapter and if it is proved that the offence committed was a sequel to any existing dispute regarding land or any other matter, it shall be presumed that the offence was committed in furtherance of the common intention or in prosecution of the common object.

**10. Removal of person likely to commit offence.** — (1) Where the Special Court is satisfied, upon a complaint or a police report that a person is likely to commit an offence under Chapter II of this Act in any area included in “Schedule Areas” or “tribal areas,” as referred to in Article 244 of the Constitution, it may, by order in writing, direct such person to remove himself beyond and the limits of such area, by such route and within such time as may be specified in the order, and not to return to that area from which he

was directed to remove himself for such period not exceeding two years, as may be specified in the order.

(2) The special Court shall, along with the order under sub-section (1), communicate to the person directed under that sub-section the grounds on which such order has been made.

(3) The Special Court may revoke or modify the order made under sub-section (1), for the reasons to be recorded in writing, on the representation made by the person against whom such order has been made or by any other person on his behalf within thirty days from the date of the order.

### **International Instruments**

India has ratified the International Labor Organization (ILO) Convention (105) on the Abolition of Forced Labor and the United Nations (UN) Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Convention on the Rights of the Child, the United Nations Standard Minimum Rules for the Administration of Juvenile Justice, 1985 (the Beijing Rules), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (1990). Convention on the elimination of all forms of discriminations against women, the United Nations International Covenant on Civil and Political rights.

Articles 34 and 35 of the Convention on the Rights of the Child forbid sexual exploitation or trafficking of children, and the Committee on the Rights of the Child has urged governments to crack down on the practice. Other international instruments in human rights, humanitarian law, refugee law, and labor standards protect children against sexual exploitation.

The *UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children* adopted in December 2000 represent a direct attempt at comprehensively defining trafficking in international law. Responding to growing organized criminal involvement in trafficking in human beings, this Protocol was designed as a tool for combating cross-border trafficking through judicial and law enforcement means. It supplements the UN Convention against Transnational Organized Crime and emphasizes putting in place effective legal and law enforcement frameworks and responses. These include: the criminalizing of traffickers, not victims; protection of victims from revictimization; sanctioning of individuals and organizations involved in trafficking; and promotion of child-friendly procedures for securing testimony.

The Protocol provides the current internationally accepted definition of trafficking developed in consultation with governments and a wide range of international organizations working in the field of human rights. In line with *ILO Worst Forms of Child Labour Convention (No. 182)*, it specifies that exploitation shall include “forced labour or services, slavery or practices similar to slavery or servitude”.

However, India has not ratified the ILO Convention (182) to Eliminate the Worst Forms of Child Labor; the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution, and Child Pornography; or the UN International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

## CHAPTER - 9.

### RECOMMENDATIONS

1. The State government must take up a comprehensive and detailed study on the issue and data collection & buildup mechanism to check trafficking.
2. Quality rehabilitation and recovery programs, including psychological counseling, health care, education and vocational training, and shelter, as appropriate for children who are minors and have been trafficked to far places from their place of residence.
3. Governments must develop prevention programs that will raise public awareness and encourage actions that protect children.
- Implement effective and time-bound measures to:
  - Strict prevention of all children from being trafficked;
  - necessary and appropriate assistance for removal of children from exploitative situations and for their rehabilitation and social integration
  - ensuring access to free basic education
  - appropriate, vocational training for all children rescued from trafficking;
  - identifying and reaching out to children at special risk of being trafficked
  - taking special account of the situation of girls.
4. Effective implementation of J. J. Act 2002, with all provisioned institutions and infrastructure.
5. Effective sensitisation of all implementing agencies including BSF, State police, Railway police, lower judiciary, advocates, social welfare officials etc.
6. Amendment of ITPA.
  - Definition of trafficking.
  - Include other kinds of trafficking apart from prostitution.
  - Decriminalisation of victims.
  - In cases of trafficking consent of victim immaterial, whether major or minor.
  - Effective compensation for victim.
  - Summary trials.
  - Penalty and confiscation of properties of the traffickers.
  - Increased punishment for the traffickers.
  - Punishment and penalty for the clients.
7. Compulsory registration of marriage.
8. Amendment of all customary Marriage laws for uniform age of marriage.



9. Comprehensive and single law to deal with all kinds of trafficking and crimes involved in the process.
10. A nodal agency for trafficking in line with narcotics bureau of India.
11. Effective and responsive implementation of 'National Plan of Action'.
12. National data bank of trafficked and missing persons.
13. A Uniform National Policy, Mechanism & Clear Guide Lines for proper Coordination and cooperation among the various States and Union Forces in cases of trafficking.
14. Bilateral treaties with Nepal & Bangladesh as per SAARC Convention.
15. National policy for effective rehabilitation and repatriation of trafficked victims.
16. Vigorous Advocacy & Sensitisation programmes in Source & Demand areas, with targeted populations, in collaboration with NGO's.
17. Union in collaboration with states to commission detailed 7 exhaustive studies in each area to identify the source & demand districts, the magnitude of the problem, the causes and the vulnerable sections.
18. Special district Development Boards to be Constituted and made Nodal Agency at District level to Plan and undertake all developmental works according to the local requirements to check trafficking.
19. Regularisation of inter state migration and registration by labour commissioner.
20. Amendment in the Labour Laws, with a view to protect from exploitation in any kind of work, especially those of women and children.
  - Effective implementation of the laws to end Child labour
  - Amendments in laws to remove all kind of child labour
  - Bring the labour laws in line with the Fundamental Right to Education by amending age of work or employment.
  - Minimizing the gap between the hazardous and non-hazardous work for the purpose.

## CHAPTER - 10.

### **THE TIP OF THE ICE BERG**

1. 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 Newslines, May 1997)

#### **2. Seven minor girls recovered**

Tribune sep 3, 1998

**Tribune News Service**

CHANDIGARH, Sept 2 — The Faridabad police has achieved a major breakthrough in busting a gang of criminals responsible for kidnapping and selling minor girls. Stating this here today, the Director-General of Haryana Police, Mr S.K. Sethi, said the gang comprised both female and male members, including Geeta and Chandni.

Based in Delhi, Geeta is the daughter of Hari Dass, the alleged kingpin of the gang. She originally belongs to Agra district of Uttar Pradesh. Mr Sethi said Geeta used to identify her victims, in the age group of six to 10 years, near religious places and crowded markets in North Delhi. Identified victims were used to be enticed away by Geeta to her den in Basai mohalla in Agra city.

Chandni used to purchase minor girls from Geeta for Rs 2000 to Rs 5000 each. She used to further sell the girls to criminals involved in the flesh trade. These girls were taught dancing by their purchasers in order to prepare them for their future role as dancing girls and prostitutes. Basai mohalla is infamous as the red light area of Agra.

Mr Sethi said on receiving secret information the Faridabad police arrested Geeta from near Hodel when she was trying to escape with two kidnapped minor girls. On interrogation Geeta revealed the details of her activities, leading to the recovery of five more minor girls from her hideouts. All the seven girls were kidnapped from different areas of Delhi. The parents of the girls were being contacted. While Geeta and Chandni have been arrested, search was on for other suspects and victims.

3. The Hindustan Times, September 22, 2000

#### **Minor girl sold to man, raped**

Satvir S Sarwari

(Rohtak, September 21)

A MINOR orphan girl was allegedly sold to a middle-aged man by her maternal uncle and was raped repeatedly for several days by the "buyer". The case came to light when the teenaged victim, accompanied by her paternal uncle and aunt, met Jhajjar Senior Superintendent of Police Mohammad Akil yesterday and narrated the episode. The SSP ordered the registration of a criminal case against the victim's maternal uncle and the man,

who allegedly "purchased" and raped her. Mr Akil, when contacted on telephone said the victim, a resident of Bupania village in Bahadurgarh sub-division of the district, stated in her complaint that she, along with her younger sister and brother, were taken by her maternal uncle, Umed Singh, to Roorkee in Rohtak district after their mother died last year. Their father died about five years ago. After some time Umed Singh took her to Hisar, where he usually resides. The victim alleged that her uncle "sold" her to Jitender of Girawar village in Rohtak district. Forty-year-old Jitender raped the girl repeatedly for over three weeks. He kept her at Hisar, Abohar, Faridabad and Bahadurgarh during these days. The victim somehow managed to escape from the clutches of Jitender at Bahadurgarh two days ago and reached her native village Bupania. She narrated the episode to her uncle and aunt. They met SSP Mohammad Akil, who ordered registration of a criminal case against Umed Singh and Jitender on the basis of the girl's complaint. The Bahadurgarh police have registered a case in this connection. Both the accused are absconding, but the police are hopeful of nabbing the culprits involved in this

#### **4. The Tribune, November 10, 2000 Held for selling minor girl**

ROHTAK, Nov 9 (UNI) - The Haryana Police has arrested Ram Chander under Sections 366-A and 342 of the IPC on the charge of selling a minor girl from Badwali village under Islampur police station in West Bengal to a resident of Bighar village in Fatehabad district. District police chief Hanif Mohammad Qureshi told media persons here today that a police party was being sent to West Bengal to nab Shabir and Sandeep, one of whom had brought the girl for marriage. The girl was later sold to a resident of Sabarwas village where she was allegedly beaten up and illegally confined. The girl, however, managed to escape and reached Dera Sacha Sauda here and narrated her tale of woes to the devotees. The devotees informed the Deputy Commissioner, Mr Anil Malik, who directed the police to investigate and register a case against four persons involved in the crime. Mr Qureshi said that the police was investigating whether more girls were brought from West Bengal.

#### **5. Three held for girl trafficking From Our Correspondent**

GURDASPUR, Nov 10, 2000 — The police has busted an inter-state gang involved in girl trafficking in the district. The gang members used to sell girls after bringing them from Bengal.

According to Mr Varinder Kumar, SSP, three members of the gang, identified as Tara Singh, Billa Masih and Fikka Masih, all residents of Mustafabad Jattan had been arrested while another member of the gang, identified as, Surjit, a resident of Bengal was still at large.

The SSP while briefing media persons here today, said the gang members used to lure poor Bengali girls with prospects of good jobs in Punjab. The girls were thus brought from Bengal and were drugged till they were sold off.

Mr Varinder Kumar said earlier Surjit had allegedly sold his own sister to Tara Singh, one of the accused, who is married and has children. Later, Surjit connived with his brother-in-law and other accused to sell girls. The girls were sold for Rs 5,000 to 10,000 each.

Mr Varinder Kumar said the police on a tip off conducted a raid at the residence of Pikka Masih today and recovered Rajni (17) and Momina (30), an aunt of Rajni. Momina is married and has three children.

A deal had been struck to sell Rajni to Sucha Singh of Sadhu Chack village, near here for Rs 5,000. After the raid the police arrested the three suspects while their fourth accomplice is on trip to Bengal to fetch more girls for sale in this district. A case under Sections 366, 366A, 368 and 34, IPC, has been registered against three.

## **6. IN NORTH BIHAR, GIRLS COME A DIME A DOZEN: NGO STUDY**

The north Bihar region, including Katihar, Purnea, Araria and Kishanganj districts, has become a fertile hunting ground for child traffickers who buy teenage girls from impoverished parents and sell them off into prostitution, a recent NGO study has shown. The hapless girls end up in the red light areas of Mumbai and Gulf countries, the survey by NGO Bhoomika Vihar, which has been working in these four districts, said. The report blames grinding poverty of the populace because of recurring floods and dwindling employment opportunities for this phenomena. At present the 17 red light areas in the region employ some 2,250 prostitutes. These brothels have also become transit points for procuring or exchanging girls from Nepal, Bangladesh and West Bengal. Up to 45% of the prostitutes are in the age group of 13-18.

(Printed in the News-in-brief section of the Child Labour News Service November 15, 2001 edition)

## **7. Inter-state racket in women trafficking busted**

GUWAHATI, May 20: Jalukbari police in the city has busted an inter-State racket in trafficking of women, arrested four persons in this connection and rescued a teen-aged victim of the racket from Delhi in an operation conducted with the help of the Delhi Police recently. [AT]

## **8. 10 girls rescued from brothel in Siliguri, 4 held**

GUWAHATI, June 16: City police busted a major racket in immoral trafficking of women by rescuing 11 girls from a brothel in Siliguri and arresting four kingpins of the racket including two women yesterday. [AT]

## **9. JAMMU (JAMMU & KASHMIR) INDIA THURSDAY, JUNE 27, 2002**

[www.dailyexcelsior.com](http://www.dailyexcelsior.com)

## **2 Jammu girls recovered from Jharkhand Gang involved in trafficking of girls busted, 3 arrested**

*Excelsior Correspondent*

JAMMU, June 26: With the recovery of two missing teen-aged girls from Jharkhand, Satwari police today busted a gang involved in trafficking of young girls and arrested a woman racketeer and two labourers.

Police sources told EXCELSIOR that the woman racketeer Shashi was running the racket since long and her modus operandi was to motivate the girls to leave the State on one pretext or the other in connivance with labourers.

"On June 12, a complaint was lodged that two girls namely Nisha Rani, daughter of Manga and Vaishno Devi, daughter of Tara Chand, both the residents of village Thalwal under the jurisdiction of Phalayan Mandal Police Post, were missing since June 2", police sources said.

The missing of two teen-aged girls that too on same day and from one village raised suspicion and Satwari police started working on different theories. "Few days later Police developed a source and came to know that the said girls were taken to Jharkhand by two labourers", sources disclosed and said that on June 20 a police team headed by Sub-Inspector Sanjeev Chib was constituted and deputed for Jharkhand.

The police team with the assistance of Jharkhand Police reached an Adivasi area where the girls were kept by the labourers. After getting exact information about the presence of the girls, police raided two different localities and recovered them. Two labourers, who had trafficked the teen-aged girls were also arrested by the police.

The labourers have been identified as Mohinder Saran, alias Majnu, son of Baj Rai Saran and Allahu Din Ansar, alias Sikander alias Almula Ansari, son of Gopu Mian, both the residents of village Khajurma in Dhumka district of Jharkhand and cases under Section 364/66 RPC have been registered against them at Satwari Police Station.

Police said that both the labourers were working in village Thalwal for the past quite sometime and the house of woman racketeer was frequented by them. After trapping the teen-aged girls, Shashi informed the labourers who made up mind to sold the girls in Jharkhand.

The police team, which recovered the girls from Jharkhand, disclosed that a large number of kidnapped girls were kept detained in the Adivasi area. "During their stay in that area, the two recovered girls came in contact with a kidnapped girl of Kunjwani area but before all the three girls could mix up with each other and narrate their horrifying tales they were separated by the labourers", police said.

The recovered girls also disclosed that some labourers forcibly solemnised marriages with the kidnapped girls, who were not in a condition to flee from their custody.

On the very next day, Nisha was taken to another place which is 40 kilometer away from that Adivasi area where Allahu Din contacted a person to sell the girl. But their designs were foiled by the Jammu and Jharkhand Police which raided both the localities and recovered girls and arrested labourers.

The recovered girls, on their questioning, disclosed the name of Shashi who trapped them. A police party immediately swung into action and succeeded in arresting the said woman racketeers.

A case under Section 109 RPC has been registered against her and police apprehend that her interrogation would bring into light some sensational disclosures.

From the preliminary investigation carried out by police, it has been revealed that the said woman was also involved in number of such cases and trapping the girls and making arrangements to send them outside the State was her business.

The gang was busted under the supervision of SP South Raghubir Singh, SDPO Nitish Kumar and SHO Harjeet Singh.

#### **10. Cop rescues girl from clutches of traffickers, 5 held**

KOKRAJHAR, June 29: A chivalrous cop and luck finally saved the day for Minuti Basumatary from getting entrapped in the vicious circle of human trafficking. Meanwhile, police has arrested five persons in connection with the incident -- Chauhan Ali, Munshi Prasad, Agarwal Ram and Pulekar Munshi, including the main accused Hiramoti Das. On interrogation, they confessed of their involvement in taking Minuti to Bihar, and also said that they had sold five teenage girls of the district to brothels in places like Coochbehar, and other places of Bihar. [NED]

#### **11. Attempt to abduct girl foiled**

BARPETA, Sept 3: An attempt to kidnap a 17-year-old girl of Madhabpur in Dongorkusi area in Barpeta, Laila Khatun, daughter of Surya Ali by a woman from Bihar was foiled by Surya Ali and his son Moinal Ali. According to reports, a woman from Bihar lured and took away Laila when her family members were not in the house at 10.30 a.m. on August 31. Surya Ali and his son Moinal Ali, who had been searching Laila, at last traced her on the Delhi-bound Brahmaputra Mail at Barpeta railway station on September 1 along with the woman from Bihar. Moinal Ali managed to dragged Laila out from the train after a exchange of hot words with the woman from Bihar. [S]

#### **12. Abandoned girls rescued**

GUWAHATI, Sept 4: Jalukbari police rescued two abandoned minor girls, one aged two years and another ten months old from the Adabari bus terminus. [S]

#### **13. the telegraph 12 sep 2002**

#### **Flesh pirates plunder arid heartland**

Spurt in trafficking of girls from endangered tribes in Santhal Pargana

GAUTAM SARKAR

Sahebganj, Sept. 11: Eighteen-year-old Suramani runs home at the sight of men. The vivacious tribal girl is a frail shadow of her former self. An abortive bid by a middleman to sell her at a brothel in Delhi has scarred her. She prefers to stay indoors for better part of the day.

Barely two weeks after a dozen tribal children from Maharajpur block were rescued by the Punjab police, officers of the Ranga police station last week thwarted attempts by middlemen to sell two girls of the endangered Pahariya tribe to brothels outside the state. Police sources said the middlemen had taken a hefty amount from the kingpins in Delhi to bring the Pahariya girls to the national capital. The Ranga police have arrested one of the two middlemen involved in the racket.

The accused, Marioum Das, had approached the tribal girls Surmani and Santamoni (names changed) with promises of jobs in Delhi. Das and his associate had even booked tickets for

the girls on a Delhi-bound express train but their plans failed to take-off when the father of one of the girls complained to the police.

“I doubted their intention when one of the men asked my daughter to spend the night with him a day before the journey,” the girl’s father said.

Officer in-charge of Ranga police station, Sivnarayan Kamath, said his department swung into action soon after the complaint was lodged. Das was arrested and he spilled the beans about his gang operating from New Delhi. He also confessed to plans of selling the Pahariya girls to brothels there. His associate, Surya Das, managed to evade arrest.

The drought-ravaged Santhal Pargana districts have become a haven for women traffickers, who prey on girls from vanishing tribes with promises of “bright lights and big city dreams.” A group of children from Maharajpur had also been lured with promises of job and food and then sold in Punjab to be trained as pickpockets and thieves.

In June, Lobin Hembrom, the Jharkhand Mukti Morcha legislator from Borio Assembly constituency had ensured the release of seven tribal girls from the district, who had been sold to contractors in Burdwan, West Bengal. They had been assured jobs in brick kilns and then sexually assaulted. Hembrom’s intervention had made it possible for the girls to return home after five months of exploitation.

A month before, two tribal girls from Rajmahal subdivision had managed to escape the clutches of those running a flesh trade racket in New Delhi. They had been brought to New Delhi with promises of jobs and then sold in the Middle East. They were subjected to inhuman physical and mental torture for three months, before they mustered enough courage to escape. The local police did not follow up the case and the culprits remained traceless. Hembrom held the NDA-led government in the state responsible for the spiralling job racket in Santhal Pargana.

“Chief minister Babulal Marandi failed to understand the plight of tribals in the state, who started migrating in large numbers due to absence of agriculture and alternative job opportunities. And the poor people, particularly the tribals, fell prey to middlemen in the course of migration,” he said.

Government apathy has hit the rural economy,” he said.

**14. The Tribune, September 24, 2000**  
**Girls bought for sham marriages**  
**From Ravi S. Singh**  
**Tribune News Service**

TAORU (Gurgaon), Sept 23 - Girls from poor families from various parts of the country are bought for marriages in the Mewat areas of Haryana to be sold and resold after the nuptial knot. Middlemen and agents of dubious identities make brisk money by way of commission for acting as facilitators. It is learnt that the trend which started a few years ago has assumed alarming proportions in a large number of villages in Mewat. In some cases children go along with mothers, depending on the kind of the deal struck. The major portion of Mewat areas are in Gurgaon district with only one block, Hathin, falling in Faridabad district. The other major

areas are the bordering districts of Rajasthan. Mewat is dominated by the Meo community. Inquiries reveal that the practice has its roots in the custom of boys being discarded for marriage if they are not married at a young age, forcing their families to buy them young girls. There seems no popular resentment against such incidents. One reason is the sex ratio in the area. A study released by "SRIJAN", a voluntary organisation working under the aegis of a prominent non-governmental organisation, Aga Khan Foundation, says the ratio of females against males is an indicator of the status and treatment of women in society. The organisation's finding is that Mewat has a low sex ratio, even by Haryana standards, which has the lowest sex ratio in India. A visit to a couple of houses in Buraka village in Taoru confirmed that the women members are from places other than Haryana. There is scant respect for their plight which is worse than that of domestic cattle. Rather, residents seem to desire sadistic pleasure in trapping nubile and young girls and their poor parents and then subjecting the girls to unaccounted indignities shortly after the sham marriage. Still worse, some mullahs are trying to link the practice with religious belief. Perhaps, on account of this the authorities often look the other way. Some of the main places from where girls are being bought are West Bengal, Maharashtra and Orissa. On account of the language barrier a number of hapless women have no escape as they are unable to interact with the outer world and remain cocooned in Mewat. Some simply reconcile to fate. It is common knowledge that rampant incongruities in behavioural pattern in the patriarchal society of Mewat take place on account of wide-ranging illiteracy among women. The first casualty is health and the fundamental right to lead a life of dignity and liberty.

## **15. The REAL , DARK & INHUMAN Shame of INDIA**

Posted by z on October 24, 2002 at 22:29:04:

NHRC's wake-up call on flesh trading Patna, Oct 24

National Human Rights Commission(NHRC) Chairperson Justice J.S Verma today said trafficking in women and children was rampant through the Indo-Nepal and Indo-Bangladesh border along Bihar and directed the state government to take effective measures to check it.

Verma told newsmen here that trafficking in women and children through the international borders in Bihar was a serious matter and the NHRC had received several complaints in this connection. He said the Indo-Nepal Border all along Bihar had become sensitive due to several reasons and the issue of trafficking was discussed with the government and the state machinery directed to deal with the matter effectively.

Verma said he had directed the Bihar Government to take measures for proper rehabilitation of the rescued women and children as they could again fall a prey to the traffickers.

Apart from trafficking in women and children, the state land reforms programme was not properly being executed, incidence of bonded labour, scavenging and others serious issues were rampant in the state, Verma said. He admitted that migration of labourers was high in Bihar as they were not being paid even minimum wages.

Illiteracy, unemployment and poverty was major cause for the backwardness of the society and appealed to the media to provide information and knowledge to the common people.



### 16. Police rescues 4 girls from brothel

GUWAHATI, Nov 21: A seven-member Kamrup police team, led by the Circle Inspector of Baihata Circle, Mr Biren Borgohain recently rescued four teenage girls of lower Assam districts namely Ms Pranita Deka (19), Ms Mina Begum (16), Ms Salma Begum (19) and Ms Anjali Rajbongshi (14) from the clutches of one Bobby Sheikh alias Bobby Khan alias Aminul Islam, an agent of an inter-State prostitution racket at Mumbai. All the victims, as well as the accused were brought from Mumbai to Baihata yesterday. [S]

### 17. Telegraph 23 April 2003

#### Students thwart sale of girls

OUR CORRESPONDENT

Chandigarh, April 22: A group of quick-thinking schoolgirls foiled an attempt by a father to sell his two minor daughters last Sunday when they forced the headmaster to take action and rescue the girls, both students of their school.

The girls, both under 10, were being sold by Bhupal Singh, a farm labourer of Harisinghpura village in Haryana, to repay a loan he had taken from his brother.

Gharaunda police in Karnal district have registered a case against unnamed persons. "The matter is under investigation," said Karnal deputy commissioner R.S. Doon, unwilling to say anything more, as "any statement would derail the probe".

A senior official of the district administration said Bhupal had taken Rs 50,000 from the youths to repay his brother Dharam. "Dharam had been forcing him to repay the amount. Being a farm labourer, Bhupal's earnings were not enough for him to repay his brother. He spoke to his wife Krishna about an offer for the daughters and she agreed to the proposal," the official said.

On Sunday, 10 people, including the two "bridegrooms", descended on the village to marry the two students of Sanskar Bharati School, one of Class VII and the other of Class III.

Bhupal had earlier been given Rs 50,000 by the bridegrooms, who were from the nearby Sagga village. He had given more than half of it to his brother, while the rest was spent on wedding arrangements.

The weddings would have gone without a hitch but for the schoolgirls who rushed to the headmaster to narrate the tale. "Initially, I did not know what to do," headmaster Sukhbir Singh said over the phone. "But I was forced by my students to take some action and prevent the wedding. Some had even started crying. I called a few teachers and left for Harisinghpura immediately."

At Harisinghpura, Sukhbir and the others met with resistance, both from Bhupal and his wife and the youths from Sagga and their relatives. "We finally won after threatening them that they would be jailed. The threat forced the youths, in their twenties, to leave after a fracas with their relatives," Sukhbir said.

But the matter did not end there. Bhupal rushed to the police station to complain that he was being forced to cut short the wedding of his daughters. A constable who was sent to inquire returned, requesting that the station officer personally investigate the case. District police chief P.K. Agarwal said the matter was being investigated by an assistant superintendent of police.

A senior district official, however, said the incident was being blown out of proportion “as such cases of minor girls being forced to marry grown-up boys are becoming very common”.

He said the sex ratio in Haryana has “dipped to an alarming level” and boys are finding it difficult to get girls. “Some people are also going out of the state to marry. It is ironic that the government is turning a blind eye to the problem. But we are happy that the girls’ classmates realised the wrong that was being perpetrated on the two girls. This is a small beginning.”

## **18. Trafficking in Overdrive**

– Manipadma Jena

April 26, 2003

By arrangement with **Womens Feature Service**

The International Organization for Migration has estimated that 700,000 women and children globally are enmeshed in trafficking networks, involving US \$8 billion a year. This is now considered the third- largest source of profits in organized crime, behind only drugs and guns. It is said that India has more than half a million children in prostitution and most of them are trafficked in one way or another.

That the state of Orissa too is involved in this trade, growing in scale and complexity, was highlighted after the super-cyclone in 1999, though studies indicate that it could have begun by 1997. An exploratory study in 12 districts by the Task Force on Women and Violence (TFWV), an OXFAM-backed forum, provides some organized data on the dynamics of trafficking and prostitution in this eastern Indian state.

An earlier study by the Tata Institute of Social Sciences (TISS), Mumbai, in 1999 estimated that Orissa had 1,15,333 commercial sex workers. But there is no consensus either on the number of women involved in the sex industry or on the number who are trafficked within and beyond the boundaries of Orissa.

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. They know which family is poor; which has too many daughters for whom dowry arrangements are not possible; the family that has suffered the death of the breadwinner, is in debt and simply cannot cope. They also know which woman is deserted by a husband or lover; who is pregnant; a widow; or whose image is tarnished. They know the family that cannot or is indifferent to protecting its daughters.

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. The study also showed that times of hardship are the 'best season' for recruitment; and for Orissa, hard times seem endless. Nearly half the population is under the poverty line.

The economics of the trade, too, seem well-defined. The local victim identifier is paid between Rs 3,000 and 5,000 (US\$1=Rs 47.5). The local collaborator, usually a relative of the trafficked woman, a panchayat (local self government) member or village leader/tout, is paid Rs 1,000 to 3,000 for motivating the parents and mobilizing local support to get the victim married to the fake groom. Unscrupulous railway policemen too, the study says, get Rs 500 to 1,000 for ensuring safe passage or looking the other way.

While the parents get about Rs 5,000 for marriage expenses, the final buyer - usually a landowner or brothel owner in the states of Uttar Pradesh, Madhya Pradesh, Punjab or Chhattisgarh - is paid Rs 25,000 to 30,000 for the woman. The buyer could also be a chilli farmer or brick kiln owner in Andhra Pradesh, or a brothel owner in the metropolises of Mumbai, Delhi or Calcutta. Age, looks and marital status determine the price of the woman. Within Orissa, Puri and Bhubaneswar are a seller's haven. The most vulnerable women are in the age group 21 to 30 years. Though a risky deal for the middlemen, girls who have barely entered their teens are a lucrative catch.

The end-buyers recover the cost in one year. Even when the woman is employed as a field-hand - saving her buyer daily wages of Rs 50 and doubling as sex worker in the evening - daily earnings of Rs 100 for 300 days a year are assured. If she is trouble, she is simply sold to another man who could be in another city. Her whereabouts are thus lost. Having been taken from a remote village, illiterate and with hardly any money, she cannot find her way home. At home, there's little concern - few parents cooperate with NGOs or file complaints with the police. And they may have other reasons too. The TFWV study found a clear involvement of the police and politicians in trafficking. In June 2002, the lynchpin of a busted sex racket in Rourkela (Orissa), Kalpana Panda, named three policemen who were in cahoots with her.

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. 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.

For a society slow and too poor to discard the traditional facade, the sharks set a calculatedly reassuring trap. They arrive at the village in pilgrimage buses; get married in temples; some print wedding cards for good measure. Instead of demanding dowry as any Oriya bridegroom would, these fake grooms pick up tabs up to Rs 10,000 for village feasts, and present new clothes to the bride and her parents, humbly saying it is customary in the community they come from. Why do they come this far to pick up wives? They say that girls in their community are not given to widowers or that girls from Orissa make good submissive wives.

To instill more faith, these men return with their wives, sometimes a newborn in tow, to present a happy family picture. The purpose is to lure more girls. At other times, the 'married woman' is sent alone with tales of the good life to lure her friends into the trap. To keep her from revealing the truth, her baby may be kept hostage with the 'husband'. This modus operandi having been exposed in the local media, the traffickers are now dangling the employment lure, the carrot of a 'good' life.

Besides poverty and illiteracy, natural disasters and their wake, unemployment, an adverse impact of the electronic media and consumerism are some of the other factors responsible for the increase in trafficking of women in Orissa.

19.tribune 26.4.03

### **Repulsive trade**

**editorial**

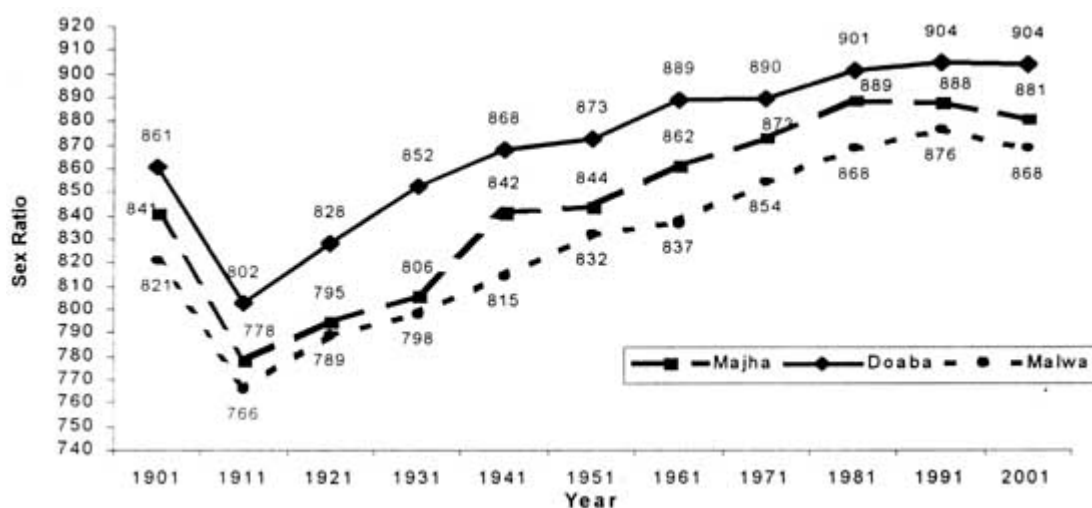
THE report of women from West Bengal and Bangladesh being sold to local persons in Mansa district in Punjab is indeed shocking. What is even more outrageous is that this is a common practice, which occurs every now and then. In the latest case, it seems a mandi was organised in a village some time ago. There girls were 'sold off' to some local landlords and other middle-aged men. The selling of human beings of either gender immediately brings to mind images of slavery and bondage that one thought had been relegated to the dark pages of history books. It is, however, too contemporary for comfort. It was only earlier this month that a person was arrested under the Suppression of Immoral Traffic Act in Chandigarh. It turned out that the victim had been sold four times in less than a year!

All too often, it is easy for society to turn a blind eye to such events and sweep them under the carpet. Only a few days ago, a debt-ridden farmer in Hari Singhpura village in Haryana sold off his young daughters, aged nine and six, to two men who agreed to write off his debt of Rs 50,000 in case he married his daughters to them. It was the assertive action of the classmates of the poor girls that prevented the marriage minutes before the ceremony was due to begin. In contrast, the villagers had taken no action against the unholy nuptials. It is indeed unfortunate that the kind of apathy that was considered typical of the towns is now spreading to the villages too. While it is difficult to have any sympathy for the perpetrators of such crimes, there is another side of the story. These are desperate acts induced by extreme poverty and the lack of hope. This is also an aspect that needs to be addressed, for which the state has to take special measures to ensure at least the basic needs of every citizen. This said, there is absolutely no excuse of any kind for anyone to sell another individual. How can a parent do this? How can elders allow youngsters to leave home without proper verification of the antecedents of those promising them jobs? How can human beings allow their basic bestiality to assert itself and still claim they live in civilised societies? These are questions that haunt us even as we look at the sale of women and minors.

20.tribune 26.4.03

**SPECIAL FOCUS**  
**Counter male fixation to fight adverse**  
**sex ratio in Punjab**  
**Rainuka Dagar**

The adverse sex ratio in Punjab is not a recent phenomenon. Punjab has had the dubious distinction of having the most negative sex ratio ever since 1901. The declining sex ratio, especially in the 0 to 6 years age group, from 875 in 1991 to 793 in 2001, shows that the female gender is perceived as a liability and the male gender as an asset. It is the lack of a male child that is considered a curse rather than female foeticide. In other words, the abuse of female foeticide is taken to be the remedy.



Socio-cultural factors impinge on distorting the natural sex numbers. Historically, Punjab has had fewer women than was biologically designated. In 1901, the sex ratio was 832, while the Indian average was 972. Certain factors in Punjab were more predisposing in their influence on these numbers, than they were in the rest of India. In fact, among all states, Punjab represented the worst conditions for female survival, including Rajasthan. According to the 2001 census, every female in Punjab is “missing” or has not survived because of her gender.

The negative sex ratio is composite in its claim of unnaturally fewer females than males. Males could outnumber females either because women do not have the right to life itself (female foeticide) or are discriminated against in survival conditions after birth. It is the birth, infant, and child sex ratios that reveal the nature of discrimination the female faces. The sex ratios at birth and at different age groups reveal the play of socio-cultural factors in determining female life chances. Adverse sex ratio at birth indicates that even prior to birth, certain factors influence the sex of the foetus to be male — this could be at the time of conception, gestation or delivery. Thus it is only the sex ratio at birth that can point to the misuse of prenatal diagnostic techniques to determine male child preference. However, the decline in the sex ratio after birth (infant sex ratio and other age groups) stress the importance of neglect and care sans technology to influence the natural number of males and females. Misappropriation of “technology” is indicated in both the adverse sex ratio at birth as

well as the sharper decline in the sex ratio at birth of subsequent years. In Punjab, the child sex ratio fell from 946 in 1981 to 854 in 1991 (figures for 2001 not available).

**Regional sex ratios:** Regional variations in the sex ratio reflect social impediments to the natural sex ratio. While the 2001 sex ratio of Punjab is among the lowest in the country, large variations within the districts exist. Ludhiana, with 824, has the least female representation while Hoshiarpur, with 935, has the most favourable sex ratio. A look at the patterns of sex ratio over the century reveals that there has been a historical consistency among the regions with regard to sex ratio. For instance, Malwa, which is characterised as a feudal region, has the poorest sex ratio. In fact, historically, Ropar, Fatehgarh Sahib and Ludhiana share the lowest sex ratio. In contrast, the Doaba region has had the best sex ratio, always above the state average. Hoshiarpur, in particular, has the highest sex ratio. The Majha region comprising Gurdaspur and Amritsar has had sex ratios hovering around the state average. While the sex ratio is a cumulative indicator of women's placement over time, the child sex ratio is indicative of trends in improvement or deterioration of the status of women.

An analysis of the sex ratio and child sex ratio reveals a distinct pattern based on cultural zones of Punjab. Districts comprising the backward region of Malwa, namely, Bathinda, Mansa, Sangrur, Fatehgarh Sahib, Patiala as also Ropar and pockets of the Majha area have both the most adverse sex ratio as well as an adverse child sex ratio in 2001. Interestingly, in most of these districts (Fatehgarh Sahib, Patiala, Mansa, Sangrur and Ropar), the decline is far greater in the rural child sex ratio.

What is revealing is that the districts with the lowest child sex ratio are also the districts which have witnessed the largest decline in child sex ratio since 1991. These areas represent the most hostile conditions for women. It is perhaps here that pre-natal diagnostic techniques have been misused the most. Ludhiana is the only exception. While it has the most adverse sex ratio of 824, it has not had a significant decline in the child sex ratio in comparison with Punjab as a whole. Perhaps the low sex ratio is caused by single male migration to this industrial centre. Regional consistency now seems on the verge of a change. Gurdaspur and Amritsar in Majha and Kapurthala in Doaba are districts with the highest decline in the child sex ratio.

**Extent of foeticide:** The predominance of male child preference and the simultaneous rejection of the girl child is reflected in the adoption of methods to beget a male child and subsequent resort to female foeticide. In a 2001 survey, 33 per cent of households with couples in their reproductive age acknowledged having undergone sex determination tests. While in 2000, 17 per cent of the households mentioned abortion and 45 per cent mentioned the use of methods including traditional modes such as pilgrimage etc to predetermine the male sex of the foetus. The 2001 study and other reports highlighted the adverse sex ratio and consequent need for legal stringency to curtail the use of pre-natal diagnostic techniques. Even the clergy decried the practice and supported the ban on female foeticide. The respondents were reluctant to mention abortion, fearing legal and religious repercussions.

**Strata & location variance:** By far the largest user of pre-natal diagnostic techniques was the upper income group in which 53 per cent were found to have used these methods. Middle and lower income groups mentioned undergoing these tests to the extent of 39 per cent and 19 per cent respectively.

Male child preference: The use of sex determination tests were socially ratified as a reliable means for pre-selection of a male child. Thirty-two per cent of the respondents were of the view that these tests helped in the selection of a male child and another 24 per cent even mentioned that these helped in not having a female child and would ultimately increase female worth since it would create a “scarcity”. Ten per cent of the females were of the view that it helped in family planning. It was mentioned that this method helped to restrict the size of the family by not packing the family with female children in the hope of giving birth to a male child.

The option of sex choice in the context of patriarchy is reflective of the unfavourable status of women. More importantly, only 10 per cent of the respondents cited the use of these tests to detect biological deficiencies in the foetus, thus undermining the positive use of the technology. The preference for the male child in the socio-cultural milieu of Punjab was found to be an important factor in the use of sex determination tests, constituting pre-birth gender violence. Justification for the male child preference is found in the importance accruing to the male child and the perception of the female child as a liability.

In a survey of Punjab, 81 per cent of the respondents were candid in mentioning the necessity for a male child, with female respondents registering a higher preference of 84 per cent in comparison with 78 per cent male respondents. Cited reasons for preferring a male child were that he is an old age insurance (72 per cent), a family bread winner (69 per cent), that he carries on the family name and that a son is a physical protection and support to the family. Studies have shown that the more patriarchal and male-centered the kinship structure, the more sons are perceived to be a major source of social and political power.

In contrast to the male child preference, perception of the girl child as a burden was also stated as an incentive to female foeticide. As many as 46 per cent of the respondents viewed a girl child as a social burden and 49 per cent stated that she was an “expense” to be avoided. Utilitarian justifications varied with the strata and even the region. For instance, in the urban areas of Ludhiana, Punjab’s commercial capital, preference for the male child was stated as necessary to look after the business even when they accepted that the present generation of male children was not very respectful and caring of parents. And as an indicator of the male child preference, Ludhiana has the lowest sex ratio in Punjab.

The rural peasantry was of the opinion that the presence of a male child was a social deterrent to anti-social elements to harass the family. In particular, this came in handy to avoid harassment on account of dowry. The border areas of Amritsar were predominant in the belief that the birth of a male child gave resurgence to the masculinity of the patriarch. Focus Group Discussions (FGDs), narratives, and even case studies involving male respondents reiterated that “the birth of a male child makes one young again, while the birth of a female child makes one feel aged”. This perceived burden of a girl child due to enhanced dowry payments and the need for safeguarding the girl from sexual abuse were added factors favouring the use of sex determination tests.

Right to life: The issue raised by the decline in sex ratio is not that the female’s right to birth is violated rather the non-existence of the female’s right to life. The historically adverse sex ratio as also the socio-cultural legitimacy of traditional methods (visits to hakims, deras, pilgrimages for boon of a male child) that register the selection of male child over female is proof enough of lack of right to birth of the girl child. Consequently, the need is to enshrine

the right of birth to the girl child and then the right to life. After right to birth, if the right to life is denied in terms of female infanticide, cultural neglect or the blatant use of violence as in dowry death all lead to the imbalance in the sex ratio. This calls for a holistic strategy that deals with unfavourable status of women.

Relative worth: Female foeticide occurs because there is a male child preference in society. This emanates from the perceived higher relative worth of the male to the female. There is a need to arrest the rapid decline in the child sex ratio. Some legal measures have been adopted by the Punjab Government, but these can be enforced only through social mobilisation and community support. Some sections would respond to the laws and initiate behavioural change by appealing to the rationality while to another section gender sensitisation along with increased worth of the girl child would diminish male child preference. However, for the large majority sensitisation would not succeed in undermining the male child preference. This section seems to undermine the norms, values and practices that have been historically institutionalised and promote male child preference.

Both individual adherence and institutionalisation of the gender ideology provide invisibility to gender violence. The widespread invisibility attached to gender violence and its various forms can be inferred from the prevalence of gender typed roles, values and norms, reflected in the justification for male child preference, affinity to female role of nurturers and caretakers and acceptance of gender practices such as dowry exchange. This widespread gender ideology produced partial and fragmented understanding of the assumptions, processes and even actions of the gender system. Moreover, this inadequate understanding isolates the events and acts from the assumptions and processes of the gender system and reduces them to mere problematic aberrations. Thus, female foeticide is assumed to be the problem rather than male child preference.

Gender justice: There is a need to sensitise the community on gender justice and women's development — sensitisation to all forms of deprivation, discrimination and atrocities. Enactment of male child preference through traditional methods is invisible and not perceived as denial of right to life or as an act of violence against girl child.

Functions such as rearing children, earning for the family, performing household chores, participation in familial, social or political decision-making can be undertaken by members of either sex. Individual capacities can be harnessed according to the situation and need. Role fluidity will help combat the restricted and inferior social placement on the basis of sex. If women are to be productive earners, then they would be encouraged to imbibe market valued skills with high remuneration.

Given the increasing economic demands, earning an income has become necessary for all individuals. However, women even upon entering the wage market, have remained restricted to the primary role assumptions of child rearing and housekeeping. They earn only to supplement the earnings of the menfolk since the burden of household chores and child-care continue to be their sole responsibility. Earning only as a supplementary function results in marketing of existing skills which are domestic in nature. If women's potential as workers is harnessed according to their capacities i.e they learn skills before entering the workforce as part of their education like men and are encouraged to learn market valued skills, then, more women would join the labour force in various skilled categories with corresponding



remuneration. This, then, promotes productive participation of women in all social spheres, creating an increased social worth for them.

Today, what is of concern is not just the decreasing sex ratio but piecemeal intervention for gender development. To focus on female foeticide as a cause of the adverse sex ratio amounts to trivialising the issue. The need of the hour is to counter male child preference, introduce role fluidity and ensure gender sensitisation.

(Excerpts from a paper presented at a seminar on “Female Foeticide” held at Chandigarh by the writer, who is Senior Research Fellow, Institute for Development and Communication, Chandigarh.)

21.tribune 26.4.03

**Girl bazar: murkier goings-on come to fore**  
**K.K. Goyal**

Mansa, April 25  
Following the publication of the report “Girls Bazar in Mansa village”, the police here today arrested a woman identified as the owner of the house where the girl bazar was on.

The police got freed a girl brought here for sale. The Boha police was looking for Bengali pimp Raju and raided several places to arrest him.

Meanwhile the arrested woman is said to have disclosed that she had sold a 20-year-old girl to Major Singh of Dalel Singh Wala village of the district for Rs 8,000 who kept the girl with him for 18 months and further sold her for Rs 20,000. In addition to it four days ago, a girl was sold for Rs 35,000 in Maghanian village of the district. The said woman also sold one girl to Sukhwinder Singh of Khudal village of the district who allegedly raped her repeatedly after administering her intoxicants leading her to lose balance of mind. The Bareilly police raided the house of the said person and found the girl but she was unable to speak. Residents of Maghanian village say that the ‘girl bazar’ was functioning in the village under the patronage of the police. The arrest of the woman was only a “drama” by the police and the woman will appear in the village again shortly and start her ‘business’ after two or three days. Meanwhile one such girl (19) who was purchased for Rs 30,000 by Gurmail Singh (27), a labourer of Dhaipi village of the district 45 days earlier from Geelu of Malerkotla in Sangrur district has been admitted today in the Civil Hospital here.

The doctor attending to her told The Tribune that she had suffering from perforation of Gut meaning that she under-went several abortions, she said that she was brought to Punjab by her maternal aunt under the pretext of her treatment in Punjab but she sold her. She is very weak and unable to tell her tale. Gurmail Singh, who purchased, her said that he has asked Geelu through Darshan Singh, a resident of Dhaipi village for the refund of Rs 30,000 by returning her. Till date no case has been registered in this regard. Efforts to contact the Senior Superintendent of Police, Mansa, were futile.

22. Assam tribune  
 Guwahati, Saturday, May 17, 2003  
**Missing girl mystery deepens**  
 From Kalyan Barooah

NEW DELHI, May 16 — A team of Haryana Police accompanied by a non-government organisation (NGO) is rushing to Assam to solve the riddle behind mysterious disappearance of a local girl. The girl has been traceless and presumed dead after she was taken to Haryana on pretext of better job opportunity. The sensational case, the NGO Shakti Vahini feels, is an indicator to recent trends that has come to light of gullible Assamese girl victims to the lure of good jobs and better life in states like Haryana and Delhi. While some are lucky to find good suitors, others have fallen prey to touts and middlemen who are part of gangs engaged in flesh trade. But what is even more shocking is the official apathy and the role of the women's organisations, so much so that the parents of a girl, Kanika whose whereabouts Haryana police is now tracking had to run from pillar to post to have both Assam and Haryana police to register an FIR.

It took the combined might of Minister of State for Water Resources Bijoya Chakravarty and Deputy Prime Minister L K Advani to move the Haryana police to take up the matter. The case of Kanika should be an eye opener for all. A 16-year-old minor of Keyajeni village in Kamrup district, she was lured and taken all the way to Rewari in Haryana in 2000 by a local woman Deepa Das, herself married to one Abhey Singh Ahir of the same district promising her job and a good life.

After one-and-a-half-year, Deepa Das visited Assam in May 2000 and when she was contacted by Kanika's family she tried to put them off track by spinning some story about she being well-off after being married to one Pappu Yadav of Kufurpur village in Rewari district. She also gave them a phone number to contact Kanika. But when Kanika's family tried to contact her, they were told that no one named Kanika lived there. But when Kanika's parents contacted Deepa Das, they were told that Kanika was well. When her parents insisted to talk to her, Das asked them to call two days letter.

When Kanika's family again called up Deepa, she told them that Kanika was dead due to pregnancy related problem. But when threatened with police action, she said actually there are two Kanikas and it is Monika who is married to Pappu Yadav, shocking her parents. Worried about Kanika's life, when her family members tried to register a case against Deepa in Assam they where harassed.

In Haryana, State Minister of Water Resources, through Delhi police, brought the case to the notice of the police. The case finally reached the tables of Deputy Prime Minister before some action was initiated.

The Haryana police on inquiry discovered that Pappu Ahir went to Assam with Deepa Devi and married Kanika in a temple there, Deepa Devi, who claims to be a cousin of Kanika, a relation denied by Kanika's family, returned with Pappu Ahir and Kanika on May 13, 2001. Kanika is feared dead or sold, according to Shakti Vahini. Yet an FIR has not registered either in Assam or in Haryana. Due to consistent pursuing of matter by Shakti Vahini, a police

team from Rewari, Haryana, has been constituted and is arriving in Assam on May 19, to inquire into the case, spokesman of the NGO said.

The spokesman said that when Shakti Vahini inquired into the case, they found that Pappu Ahir was living with Pronita of Gerua under Hajo police station. Pappu confessed before the NGO team that Deepa Das demanding money from him in exchange of Pronita or she will take over Pronita to some other person.

Curiously Deepa Das told Shakti Vahini that Kanika Das had been married to Bahadur Singh and died. The mystery behind Kanika's disappearance prompted the NGO to conclude that it was a case of girl trafficking several aspects like minor age of victim, kidnapping, illegal marriage, false promise for better living and job, besides involvement of middle men were similar to such phenomenon.

### **23. Sonapat, June 18,**

Recent raids by the police on two posh hotels of G.T.Road between Murthal and Ganaur have exposed the flesh trade thriving in and around this city. It is alleged that people engaged in this trade use mobile phones and get prior information in case of raids.

Sources say that almost all the cafes in and around the city are being used for the love trysts. Close cabins offered by many of the city's cafes are taken on rent to show girls to a prospective client. Couples then leave for a pre-decided place, which is either a hotel or a residence in the posh colonies. Incidents, often unreported, of fights in several residences led to the exposure that they were being used as brothels.

The sources also point out that several modern hotels and restaurants in Model Town as well as guesthouses near the bus stand area are host to these unholy activities. It is learnt that a tourist resort of the Haryana Tourism Corporation on G.T.Road near Rai and several guesthouses of various government departments are also being used.

24. Tribune, 24 June 2003

### **Minor Assamese girls Rescued from Haryana**

In a midnight raid conducted by the Haryana Police two minor girls belonging to Assam have been rescued from Village Boraka, Tehsil Hathin, District Faridabad. The rescue was conducted by SDM Hathin, DSP Hathin and SHO (Hathin). The raid was conducted by a tip off that a minor girl was being married forcefully.

The girls named Rehana D/o Abdullaha resident of Buribari, Guahati aged 14-15 years is in Hathin since the last two months. Local Dalal and Pimp Samsul Hassan and his wife Hasina met Rehana and told her that she will be taken to Delhi and a very good job in a big company will be provided to her. Her father agreed and she was sent with them to Delhi. Here she was sold off to another person, Haneef for Rs 10,000/. This person kept her for a few days and was constantly raped forcefully by several persons. Her father does not know about her whereabouts. Rehana says that once her father agreed upon sending her she was forcefully taken to the Railway Station against her wishes. Rehana at the time of the Rescue said that she desperately wants to go home.

The other girl Momina is just 12 years of age and is three month pregnant. She is so much traumatised that she is not in a position. She was brought to Hathin for the last two years. She says that she has forgotten her address but constantly says about village Sampur (Guwahati ) . She says that some people came to her house and took her with them after paying some money. She says that during this time she has been purchased and sold two times. She also mentions that she has been sexually traumatised and has been raped several times.

Both the girls have been sent to Nari Niketan in Karnal. Just after rescue both of them were counselled by volunteers of Shakti Vahini a non governmental organization who have been raising voice on the large scale trafficking of Assamese girls into Haryana.

A case under section 344, 363, 372, 376(g), 120(B) and three persons have been arrested.

Shakti Vahini will arrange for the Rehabilitation and Repatriation of the girls. Also steps will be taken for Trauma counseling of the victims.

Shakti Vahini has also tied up with Guwahati based NGO Divyajyoti Jan Kalyan Samiti for carrying out repatriation and rehabilitation of trafficked victims. Also Shakti Vahini and Divyajyoti Jan Kalyan Samiti are carrying out a detailed study on the Trafficking of minor girls from Assam into Haryana.

Recently a month ago Shakti Vahini had visited Assam with a team of Officials of Haryana Police to make a detailed study of some of the missing girls from Assam There Shakti Vahini study revealed about lot's of Assamese girls who are being trafficked into Haryana for the purpose of sexual slaver and prostitution. The modus operandi of the pimps are of two patterns either they are promised of a good job or are forced to marry these pimps after paying a sum of money to their parents.

Most of these girls land up in Haryana to face Rape Violence and being sold to different persons.

Our survey in Gurgaon, Faridabad and Rewari reveals that hundreds of girls from Assam have been trafficked into this region.

It is a trade in Human misery. Trafficking in Women and children is one of the most brazen, abuses of human rights. It is a blot on our collective consciousness as we prepare to enter the new millennium It is shocking that minors girls being openly sold and purchased. These girls who are hapless innocent victims witness sexual violence of all types in such a young age.

Shakti Vahini has already written to the Governor Assam to carry out a detailed investigation into the above matter.

25. Guwahati, Sunday, June 29, 2003

**No respite for 2 Assam girls**

**From Our Staff Correspondent**

NEW DELHI, June 28 — Plight of the two Assamese girls continued, with the Nari Niketan at Karnal in Haryana refusing shelter to them citing over crowding of the destitute home. For the two minor girls, Momina and Rehana, one of whom is pregnant there seems to be no end to their miseries, as they continue to shuttle between Hatin and Karnal in Faridabad district in the neighbouring Haryana.

According to Ravi Kant, executive director of Shakti Vahini, the two girls were yesterday taken to Karnal by Hatin Police only to be refused seats by the superintendent of the Nari Niketan on the ground that they were already full with inmates. The two girls were brought back to Hatin late in the evening by the police and kept over night in their custody.

The police which produced the girls before the duty magistrate issued showcase notice to the Superintendent of Nari Niketan for refusing shelter to the beleaguered girls, the executive director said. The detention of the two girls in custody after 5 pm is in total violation of the Supreme Court guidelines and there has been a total collapse of the Juvenile Justice Act, even as the district authorities are clueless about what to do next.

As reported yesterday, the girls have expressed their desire to go back home to the police. The girls were forcefully sold and resold several times after were brought from Guwahati. They are currently under the custody of Station House Officer of Hatin, who may be contacted at the phone number 01275-261233. The office bearers of Shakti Vahini who have taken up the case claimed that communicating with the girls was proving to be major hurdle, as they have limited knowledge of Hindi.

***26. In Northern India, Underage Girls Cost Just 83 Dollars***

NEW DELHI, July 13 (AFP) - The northern Indian state of Haryana which has just 820 women for every 1,000 men has become a huge market for underage girls, who are sold for 4,000 rupees (83 dollars), about a fifth of the price of a buffalo, a report said Sunday.

The trafficking of the minor girls, for sex or marriage, came to light when police in Haryana's Faridabad district rescued two girls aged 13 and 15 from Buraka village two weeks ago, the Hindustan Times said.

They had been sold to two men for 10,000 rupees by a trafficker, the report said. Two more minors were rescued by the police a few days later.

Most of the victims were from the eastern state of West Bengal, southern state of Andhra Pradesh and the northeastern province of Assam, but the Haryana government was turning a blind eye to the trafficking, the report said.

"It's just a question of demand and supply, a natural fallout of the state's adverse sex ratio," an unnamed official told the newspaper.

Haji Abdul Rehman, the head of a village council, said thousands of girls from other states were taken to Haryana mostly for marriage, the report said.

"But some people have started selling the girls, bringing a bad name to us, " he said.

Female foeticide is believed to be responsible for the decline in numbers of women in Haryana.

Many people in India, especially in rural areas, still prefer sons as they have to give dowry for daughters at the time of their marriage.

## **27. NORTH by NORTH EAST/SANJOY HAZARIKA**

India underage girls cost just \$83

A SMALL, seemingly repetitive news item in a metro daily caught one's eye the other morning. Two girls from Assam, it said, had been rescued from a vicious cycle of sexual abuse in Haryana. So inured had one's sensibilities become, dosed with cynicism, that one moved on to other news. Just that item should have been enough to jolt one out of that sense of déjà vu, of "I've read that before, so what's new?"

The Assam media, bless it, ran a blistering campaign against the kidnappings and demanded the securing rights, which helped crack that lack of sensitivity. The girls, whose names were given as Momina and Rehana, know little or no Hindi at all. They told their rescuers that they were brought from Guwahati and sold and resold to various men. One of them is pregnant and when they were taken by Haryana Police from the town of Hatin to Karnal, on the National Highway to Delhi, to be admitted to the Nari Niketan there, they were told there was no space for them. So they had perforce to spend the night at the Hatin police station. I have no idea of what conditions at the Hatin police station are like – but if they are akin to those in any police station in a small town anywhere in India, neither the atmosphere or the facilities will be, to say the least, kind to these devastated girls, who have been abused and brutalised. Perhaps they were treated with kindness and given separate accommodations and decent food. Perhaps.

These are multiple tragedies and horrors inflicted on young girls. It's a good thing that a local magistrate has issued a notice against the women's home Superintendent. There are Supreme Court guidelines which ban the detention of women in police custody in such cases beyond 5 pm; there is a clear case of dereliction of duty and a violation of the court edict, which is the law of the land.

One good development, however, is that as of Friday, the girls have been admitted to the women's home and police are verifying their family origins.

The story of Momina and Rehana is not unique. This doesn't lessen the scale of the tragedy inflicted on them. The North East is becoming a major centre for trafficking in women and children, including women from Bangladesh and Nepal. This can't happen without official connivance, strengthened by the states's incapacity to assure basic security and protection to the most vulnerable of its citizens.

It is not just laws and law enforcement agencies which need to be activated. NGOs across the country, not just the region, must play a stronger role in women's protection and forcing implementation of laws. In the process, media and ordinary people, through their local

community networks, must take a more vigorous role in tackling this vicious, brutal oppression. There is an ugly truth that the Momina-Rehana case exposes: that our so-called open societies in the North East are rotting from within.

One wishes that armed groups, which speak so glowingly of freedom and human rights, would turn their attention to these social problems. What would be their solution? Probably a threat of a bullet, if not a bullet to the exploiter. That might work in some cases. I am not for violence and believe that the means are as important as the ends. But that does not mean that evil and such ruthless brutal exploitation should go unpunished. But a bullet is not a long-term solution to anything. It only creates more hurt and anger, weakens an already weak legal system, hammering one more nail into the coffin of non-governance. Some individuals and groups, I daresay, would turn to extorting shamelessly from victim and exploiter. Women and children need rehabilitation, protection and counselling. Perhaps some of the militant groups could plough some of the funds gained from taxes and extortion into establishing good rehab centres run by professionals and people who care, not the Nari Niketans which turn away children and young women who have been tortured for no fault but that they are women. This would show that they are deeply concerned about such issues which are at the core of the identity of any society – the treatment of the vulnerable and the exploited. It would also emphasise that their aim is not just collecting taxes, running their own governments, opposing those who disagree with them and battling on political issues.

The National Women's Commission must take tough action against such official negligence and callousness and order an investigation into the broader issue of trafficking in women and children.

And all of us have to ask ourselves: what is the price of daughters?

## **28. The nation**

14 July 2003

### **India underage girls cost just \$83**

NEW DELHI (AFP) -The northern Indian state of Haryana which has just 820 women for every 1,000 men has become a huge market for underage girls, who are sold for 4,000 rupees (83 dollars), about a fifth of the price of a buffalo, a report said Sunday.

The trafficking of the minor girls, for sex or marriage, came to light when police in Haryana's Faridabad district rescued two girls aged 13 and 15 from Buraka village two weeks ago, the Hindustan Times said.

They had been sold to two men for 10,000 rupees by a trafficker, the report said. Two more minors were rescued by the police a few days later.

Most of the victims were from the eastern state of West Bengal, southern state of Andhra Pradesh and the northeastern province of Assam, but the Haryana government was turning a blind eye to the trafficking, the report said.

"It's just a question of demand and supply, a natural fallout of the state's adverse sex ratio," an unnamed official told the newspaper. Haji Abdul Rehman, the head of a village council, said thousands of girls from other states were taken to Haryana mostly for marriage, the report said.

"But some people have started selling the girls, bringing a bad name to us," he said. Female foeticide is believed to be responsible for the decline in numbers of women in Haryana.

Many people in India, especially in rural areas, still prefer sons as they have to give dowry for daughters at the time of their marriage.

29.tribune 20.7.03

#### **4 girls, 3 boys held for immoral trafficking** **Our Correspondent**

Yamunanagar, July 19

The police has nabbed four girls and three boys for being involved in immoral trafficking. Mr Rajinder Singh, Superintendent of Police started this here. He said that in a raid yesterday evening the police recovered a 19-year-old girl of Bengal. She reportedly revealed that her friends had promised her a job in Delhi. She added Mehboob forced her into prostitution. She disclosed that Mehboob paid Rs 10,000 to her friends.

The SP stated that she disclosed that after sometime she was once again sold to a Mustafabad (Yamunanagar district) based person Rajesh Manmohan and Shameem who were paying Rs 5,000 to her per week. The SP added that the boys disclosed they were in the profession for a long time and lured four more girls in the profession. They also disclosed that they used Mobile Telephone to contact the customers.

Mr Rajinder Singh also disclosed that the police had arrested three girls yesterday night from Jagadhri. He added that the girls were between 20 and 25 years. The police arrested them under Sections 3, 4, 5 of PITA 1956 and obtained police remand till July 22.

#### **30. Pregnant at 13 and nowhere to go** **Indian Express, July 23, Chandigarh**

##### **Low sex ratio in Haryana led to import of Girls from other States**

At 13, Monica (name changed) should be going to school. Or at the playground, but here she is at the Mahila ashram Karnal, three months pregnant. Its been a journey to hell for this petite girl from Assam sold off by her parents to a Haryanvi farmer in Mewat who promised to marry her, she was rescued by the Hathin Police on June 23. Today her only hope is Reshama – another Assamese minor and the only one in the Ashram to speak her language – who was sold off thrice to prospective grooms for Rs10,000/.

Monica and Reshma are not alone in their misery. Also in the ashram are two emancipated teenagers from West Bengal, who were brought to Haryana on the promise of a prosperous married life. Today, they are ready to give anything to go back home. They have that option but there are many others like Kanika Dass who don't. This assamese was last seen at Rewari in early 2000.



Such horror tales are legion in the Haryana countryside. A state notorious for its low sex ratio – its at low as 861 women for every 1,000 men- is now paying for it with another evil – human trafficking. Girls from mainly Assam, West Bengal and Bangladesh are being brought for marriage or otherwise by men who fail to find a mate here. A fact admitted by none other than the state police at a seminar on Trafficking in women.

Brides from other states are not new to the state, but what is new is the scourge of Trafficking coupled with exploitation.

Anil kumar Sarpanch of Bal Prabana village in Karnal District cites the example of one Banwari – an old village watchman, who married an assamese women when he was past 50. She became a widow at a very young age and died in penury for none of her three sons were ready to support her and she had no one else to bank on”.

Rishi Kant, Director of Shakti Vahini an NGO, that has been pursuing such cases rues that such marriages of convenience generally prove miserable for the woman. “There are only a handful of exceptions. I know of women called Porneeta Das who is now happily married to Pappu Singh Ahir of Kufurpur village. But the irony is that he married her after deserting another woman, who was also from Assam.”

He adds, “There are women who also have children from these marriages but their fate is no better than that of Slaves”.

In most cases, these women are used only for child bearing, or as labour in the fields. Young Monica is a testimony to it. “My mother brought me here to marry a man who had no children from his previous wife”, says reed thin girl, who insist that she wants to keep the child.

I was sold thrice, every time with a promise that my customer will marry me, but I was deserted “ says another rescued girl.

Despite the increasing incidents of Trafficking, police officials tend to dismiss the sale and purchase of women. DIG (Training) B.S. Sandhu, also a member of the Haryana Women Commission, is categorical. “There is no such trend. There might be an isolated once in a while “, he says, adding: “Most of the time its marriage with consent. In such cases the police cannot really do anything “.

Regarding the absence of juvenile welfare board in the state, he says: “There was meeting in this regard recently. The Social Justice and Empowerment Department is in the process of constituting these boards”.

Rishi Kant laments that the state government is not paying adequate attention to such cases, “ the Juvenile Justice Act is being flouted openly” he fumes. Veena Igleton, Secretary Department of Social Welfare, refused to comment on this issue.

### 31. Assam girls being lured into flesh trade

By A Staff Reporter

GUWAHATI, July 28— Hundreds of young women from Assam, including minor girls, are being lured into the flesh trade in towns and cities outside the state. One such place is Siliguri, in neighbouring West Bengal, where hundreds of Assamese girls are employed in brothels. Many of them have been forced into the profession under duress. A recent study conducted by the Guwahati-based Global Organisation for Life Development (GOLD) in Siliguri revealed that almost half the women employed as sex workers in the infamous Khalpara area of the town belong to Assam. Trafficking of girls from Assam and the other North East states to Siliguri red light area is rampant and it is increasing, the study conducted by Pranab Sarma and Nayandhiju Sarma pointed out.

Releasing the findings of the study before presspersons here this afternoon, GOLD general secretary Dr Rajeeb Kr Sharma said that the study was conducted after it was discovered that Siliguri was becoming a major hub of trafficking in women from the NE states. The first such indication came after several girls from Assam were rescued from Siliguri brothels some time ago. GOLD has taken it upon itself to help rehabilitate sex workers, Dr Sharma stated.

According to the study, carried out earlier this month, almost 48 per cent of the 500-odd female sex workers in Khalpara hail from Assam. Another three percent are from the other 'seven sister' states. What is of serious concern is that up to 60 percent of the women engaged in the flesh trade there are aged below 20, the study revealed. The study found out that while some of the older sex workers work almost independently and are able to save some money, there are a larger number of girls who are directly under the brothel owners and are their virtual prisoners. Except for cosmetics, dress materials and food, they do not get any money to save, the study pointed out. Even worse is the fact that these girls are totally at the mercy of the owners who occasionally beat them up for refusal to cater to the clients.

The girls, the study said stay in unhygienic conditions and are generally in the 13 to 22 year age group. They are not allowed to interact with the outside world. The sex workers are under severe mental stress, the study said. The GOLD team found that most of the girls were lured into the profession through fake marriages, false promise of jobs or kidnapping for sale. There were enough signs of physical torture.

Majority of the traffickers were fake husbands who force their 'wives' into prostitution or sell them to agents of brothel owners. Girls are also lured by older women most of them former prostitutes who promise them jobs. In some cases poor parents also sell off their daughters, the study pointed out. It stated that four minor girls were sold from a Darrang tea estate to an agent named Pappu Ali. Girls are bought from Assam at Rs 3,000 to Rs 5,000 and sold to the brothel owners for Rs 10,000, the study alleged.

The char areas of Barpeta, Darrang, Dhubri and Goalpara districts, besides the slum areas of Guwahati, like Pandu and Hatigaon and the Barak Valley were the places from where the girls originated, the study said. According to the study, some 60 percent of the women from Assam found in Siliguri were from the char or minority-dominated areas of the state. Commenting on the report, GOLD president TG Baruah, who is also the chairman of The Assam Tribune Group, said that trafficking in women was a matter of serious concern. He said that like Khalpara, there might be several other places where such illegal activities are

going on. On the occasion GOLD working president Dr Aloka Goswami also handed over some materials to a former sex worker to help her set up a small shop.

DIG (Administration) of Assam Police Bhaskariyoti Mahanta, who was also present, pointed out that the only way of preventing trafficking in women was to upgrade the socio-economic status of the vulnerable sections of society. A copy of the report prepared by GOLD has been submitted to the Headquarters of the state CID. ASP (CID) Ratna Singh, who was present, said a suitable action plan would be initiated after studying the report in detail

Meanwhile, Surojit Majumdar, who runs a family counselling centre of the St John's Ambulance in Siliguri, pointed out that a large number of women from the North East states, especially Assam, were being used in illegal activities in and around Siliguri. Lots of girls from the region are employed in 'beauty parlours' in the city, he said. Several more are engaged in drug peddling and smuggling, he pointed out.

32. Assam tribune 29.7.03

### **Spurt in trafficking in poor, Assam girls; NGO steps in**

**By a Staff Reporter**

**GUWAHATI, July 28:** Economically poor Assam's girls have always been soft targets of traffickers in women who lure them away to the brothels of West Bengal and other parts of the country, but of late this has taken an ominously rising trend.

A study on women trafficking from Assam and North-east region across the inter-State border, conducted by the Global Organization for Life Development (GOLD), an NGO, finds that most of the girls are either lured to brothels with promises of marriage, false promise of job or are just kidnapped for sale. According to the study, 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. The trend is rising with the number of such registered cases being 285, 442 and 459 since 1999, 2000 and 2001 respectively.

The GOLD carried out the study at West Bengal's Siliguri which is an important transit point for the traffickers to extend their activities to the other parts of the country. The GOLD finds that in Siliguri, however, such workers are doing their business in an unorganized manner in hotels and beauty parlours and brothels in Khalpara.

Out of about 500 sex workers in Khalpara, more than 48 per cent are originally from Assam, about 40 per cent from West Bengal, three per cent from other north-eastern States other than Assam and rest nine per cent hail from Nepal, Sikkim and Darjiling. Of the total Assamese girls in the brothels, 60 per cent are girls hailing from *sar* areas of Assam, another eleven per cent are from the hills and tribal-dominated areas and 19 per cent are from slum areas of cities and towns.

There are two types of sex workers in Khalpara area. One type is staying as tenants of brothel owners, normally they pay Rs 500 per month for a small room type accommodation. If they are good looking, they can earn and save money for themselves.

The other type of girls are those who are directly under the brothel owners. They are almost like prisoners. Except for cosmetics and dress materials and food, these type of sex workers do not get any money for saving. They are totally at the mercy of the owners, who occasionally beat them up for their refusal to cater to the needs of clients. This category mostly falls between age group of 13 years to 22 years and they are not allowed to interact with the outside world and they cannot run away from the brothels.

On behalf of the GOLD the field survey was conducted by Pranab Sarma and Nayandhiju Sarma and they said that 'short stay home' for the training of the sex workers was very essential to rehabilitate them as more than 69 per cent such sex workers want to change their profession to lead a respectful lives.

### **3 tribal girls sold for Rs 2,000 each**

**Varinder Singh  
Tribune News Service**

Nawanshahr, August 5

Like hundreds of others, three minor tribal girls from Jharkhand were allegedly sold for Rs 2000 each. But, unlike others, they were fortunate enough to escape from the clutches of influential agents to narrate their harrowing experience about how they were lured by 'sub-agents' and how they landed in two villages of the district where human trafficking has been going on unchecked for the past more than two decades right under the nose of the administration.

The girls, Sangeeta (13), Asnita (14) and Somi Badra (16), who belonged to tribal areas of Ranchi district of Jharkhand, were allegedly lured by Jharkhand-based sub-agents, who work on behalf of agents belonging to Bhin village (Nawanshahr) and Fatehpur (Hoshiarpur). The sub-agents promised them that they would get decent jobs in New Delhi and other big cities. But instead, they were pushed into the Tata-Moori Express train and, ultimately, they landed in the custody of a Bhin-based agent. The agent, who is known in the entire Doaba region for trafficking in girls and boys, put them under lock and key on the first floor of his dera along with others like them and appointed an old woman to keep an eye on them. However, three girls managed to escape from the custody of the agent, concealed themselves in cane fields and were rescued by either farmers or tribals working as farm labourers in the area.

Sangeeta said she was a resident of Gairi village in the tribal belt of Ranchi district and had been made to board the Tata-Moori Express along with 20 other girls and boys in mid-June from Bada Kana railway station in Ranchi district. "We were in a group but were asked to split into smaller groups of two or three by agents who took us to Bhin village. These agents had accompanied us from Ranchi where they pay commission to the local sub-agents for getting us. The sub-agents who met me while I had gone to the Ranchi bazaar promised that I would be given a job of about Rs 2,000 in New Delhi. Agents at Bhin village sold out my friend, Mariam, to somebody for Rs 2,000, a day before my escape. When I saw that she was being sold, I decided to try my luck and escape," said Sangeeta.

Asnita, who was rescued by a driver of Karnana village from a cane field, belonged to Kutbo Kutu Toli village of Gumla district and maintained that she, like others, had not even informed her parents before leaving her village along with sub-agents. She was so frightened that she

was barely able to speak. She whispered in the ears of Sangeeta and told her that she was “humiliated” by the son of the agent for the whole of the night after she landed at Bhin village.

33.tribune 9.8.03

### **Rights panel seeks report on sale of girls**

**A.S. Prashar**

**Tribune News Service**

Chandigarh, August 8

The Punjab State Human Rights Commission (PSHRC) has taken suo motu notice of media reports of the sale of young girls and women in Ferozepore district of Punjab and asked the district authorities to immediately submit a report on the phenomenon.

“Human soul brings human life,” observed Justice R.L. Anand, a member of the PSHRC, in his order. “It is not a chattel or goods. It is not a saleable commodity. It is a gift of the Almighty to this universe”.

Justice Anand said he was shocked to learn through the media that young girls and women were brought into Ferozepore district by unscrupulous persons and they were sold like a saleable commodity for a paltry sum ranging from Rs 2,000 onwards depending upon the age of the girl or woman.

“Slavery has already been abolished in this country, rather it has been declared unconstitutional being a slur to society”, Justice Anand pointed out. “Similarly, promoting and practicing unlawful trade in sale and purchase of the girls or women cannot be endorsed or encouraged or protected from any canons of law or natural justice.

“If such illegal trade is going under the nose of the local administration of Ferozepore, who is at fault: either the Deputy Commissioner or the Senior Superintendent of Police or the Station House Officer concerned.

“The commission takes cognizance of that news item and calls for the report of the DC, SSP and SHO concerned of Ferozepore district. These authorities are directed to submit their report into the matter through Principal Secretary, Home and IGP, Litigation, Punjab”.

A copy of the order was sent to the TV channel which telecast the news report with the request that the video clip and report of the correspondent be sent to the commission.

The case will now come up for hearing on September 3.

34. Sentenal (Assam)

dated 11.08.03

### **Tribal Girls being Trafficked from Bihar and Jharkhand**

Arup Chanda

Every Saturday, the Mori Express chugs into the Phillaur railway station in Punjab bringing, among others, 15-20 tribal girls from far away Jharkhand and Bihar who are promptly picked up by agents in a thriving trafficking racket.

But the business is about to go bust. The blatant exploitation of these girls has come to light in Nawanshahr and Hoshiarpur districts of Punjab.

Police say at least two gangs from Bhind village in Nawanshahr and Fatehpur village in Hoshiarpur were involved in the racket. The girls were promised monthly salaries of Rs.1,000-1,500 but ended up getting "sold" to agents for about Rs.5,000 each.

The agents kept two months' wages in advance to ensure the girls did not escape.

But three girls who had been "sold" for Rs.2, 000 each managed to escape from their captors and narrated the entire saga before Nawanshahr Deputy Commissioner S.J.S. Sandhu.

The three girls were reportedly promised lucrative jobs in New Delhi by agents based in Jharkhand.

Said Nawanshahr district police Chief V. Neerja: "These men had been procuring tribal girls from Bihar and Jharkhand and passing them on for household services to families in the region.

"This is the first case I have received of a tribal girl brought to do household jobs being raped. We have registered a rape case after the victim was medically examined."

Neerja told IANS over the phone: "We have registered cases of kidnapping against the people who had illegally confined these girls."

She said all these girls were from poor families, who left their homes in search of work.

Recounting their story, the girls said they had not informed their parents and accompanied the agents who put them on the Tata-Mori Express instead of a New Delhi bound train.

35.tribune 12.8.03

### **No trace of 3 friends of tribal girls**

Tribune News Service

Jalandhar, August 11

Even as there is no trace of three tribal girls and other tribespersons, who were brought along with three Jharkhand girls who were allegedly sold for Rs 2,000 each, the Nawanshahr police is yet to arrest the Bhin village-based father-son duo who were booked for kidnapping and raping one of three tribal girls respectively.

Though three Jharkhand girls Asnita, Somi Badra and Sangeeta had been rescued from the clutches of the father-son duo, who were allegedly working as kingpins of a human trafficking racket in Nawanshahr district for over two decades, there was still no trace of three other girls who were also brought by the alleged agents from Jharkhand. These girls were also allegedly sold to residents of different villages.

These girls, according to Sangeeta, one of three rescued girls, were Mariyam, a resident of Gairi village, Sunita, also from Gairi, and Sisir, whose village was not known. "Mariyam was my friend and we had fled as she was sold for Rs 2,000. We don't know where she has gone," said Sangeeta.

These six girls were part of a group of 20 tribespersons, including seven boys and three married couples, who were allegedly brought to Punjab by the agents in the first week of June. Except for three rescued girls whereabouts of others were not known.

36. Tribune 14.8.03

**Gang selling girls busted, 4 held  
Our Correspondent and UNI**

Hisar, August 13

The Haryana police has busted a gang engaged in the sale of girls for marriage in the state by arresting four persons, including a woman. These girls were being brought from Bangladesh, Assam and Maharashtra and were to be sold to intending bridegrooms.

The police, during a raid on a marriage bureau here, arrested Kiran Sharma, Mohammad Mujibur Ali, Jai Pal and Bhagwan Dass while striking a deal to 'sell' a minor Muslim girl.

The girl was sent to the Nari Niketan after recording her statement and the four were sent behind bars till August 27 under Sections 366, 368, 370 and 371 of the IPC.

Additional Chief Judicial Magistrate Ajay Kumar Tewatia rejected their bail applications and remanded them to judicial custody till August 27.

Preliminary investigations revealed that at least 12 girls had been sold in marriage for hefty sums — upto Rs 55,000 — per deal. The lion's share — about Rs 40,000 — went to Mohammed Mujibur Ali.

The police spread a dragnet to locate the girls who had been sold and married to various persons in Haryana.

The sale and purchase of girls in Haryana is the result of a dearth of girls for marriage in Haryana due to an alarming fall in the male-female ratio of 1000:861.

37. tribune 15.8.03

**Police told to inquire into sale of girls  
Kiran Deep**

Chandigarh, August 14

Taking serious note of the sale of girls in some parts of Punjab, the Punjab State Human Rights Commission (PSHRC) has directed the Senior Superintendents of Police, Hoshiarpur, and Nawanshahr, to probe the matter and send the report to it. The PSHRC has directed the SSPs to complete the inquiry at the earliest, preferably within a month.

The PSHRC has taken cognizance on a complaint filed by the coordinator of an NGO, Human Rights Law Network (HRLN), Ms Veena Kumar, and a number of reports appeared in the media on the sale of tribal girls.

The HRLN has complained that the Nawanshahr police had conducted unsuccessful raids to arrest the alleged main agents involved in the human trafficking racket at their dera at Bhin

village. The police party led by the Nawanshahr SHO raided the dera of an agent on August 6 who, along with his son, allegedly used to sell tribal girls from Jharkhand in the Doaba area.

A son of the main agent had allegedly raped a 14-year-old tribal girl. Mr Tarlochan Singh, a farmer had rescued and given shelter to the girl.

But later he was pressurised by the local political leaders to dissuade him from accompanying the girl to the local civil hospital where her medical examination was to be conducted.

The examination was delayed due to non-availability of culture tubes and as the victim, who was allegedly sold for Rs 2,000, was not accompanied by any woman constables. She was examined later in the evening.

The two "agents" had been booked by the police on the charges of kidnapping and rape. The police had subsequently raided the dera but had found no one there.

### **38. OUT LOOK**

15 Aug. 2003

#### **The Cloning Of Kamla**

**Mewat is seeing a bull run. Here, girls from Assam come cheaper than cattle.**

Floods in Assam are a cause for much delight to those involved in the flesh trade in distant Haryana. More distress means the crashing of prices of the most sought-after commodity from the northeastern state—young girls who serve as sex slaves. Mewat region, a belt that runs south and southwest of Delhi, is now one of the biggest markets where thousands of girls are sold at prices ranging from Rs 4,000 to Rs 20,000. The variation in price depends on the physical condition and the degree of abuse inflicted on the girl from the time she was bought from her village in Assam.

NGOs working against the trafficking of girls believe that there are good reasons for 'buyers' from Haryana to travel nearly 2,000 kilometres to procure girls.

"It is simple," says Rishi Kant of Shakti Vahini, an organisation fighting for sex workers' rights. "They all come very cheap. You can buy a girl for Rs 4,000. It is cheaper than buying cattle. Of course, in Assam, people in the villages actually believe that the girls are leaving home for a better life."

Last month, police rescued four minor girls from the Hatin block in Faridabad district. Each of these was procured for a price by a tout named Hanif. He is now behind bars but the real horror is the wide social sanction the practice of procuring girls for a price has in this belt. Villagers refuse to accept there's anything wrong about buying or selling girls. The practice is discussed openly and is prevalent among all communities. Women, they say, are property and the state has no business interfering in such "personal" matters.

Which is why the whole of Buraka village sympathises with Shahzadi. "I bought Farida (name changed) for Rs 12,000," she tells you. "I had to sell part of my land for that. Now the police



have taken her and one of my sons away. What is wrong if the girl chooses to be sold and I choose to buy her for my sons?"

Nothing, if you ask the villagers. They describe how Hanif, the tout, had brought Farida to Buraka village for selling her to "whoever could pay the price". Recalls Shahzadi's neighbour Fateh Mohammad: "She was sitting right there under the tree. Hanif was showing her off because she was to be sold. All of us went to have a look. Shahzadi and her husband Razak bought her for their three sons. Thousands of these girls are bought and sold in the villages all around us. We really don't see anything wrong with this practice."

What Farida had to go through before she was employed by Shahzadi to 'serve' her sons is a shocking tale. "I was raped by six men," she confessed sobbing, as the police took her away to Karnal to be lodged in a home for women criminals. She was sold three times. Each time, this frail girl of about 14 was sexually abused by her buyers. Mariam (name changed), another girl captured along with Farida, looks in a worse condition.

She says she is 13. But her pale and drawn face, her tiny feet and hands belie that fact. She hardly speaks any Hindi, let alone Haryanvi, and it was only with great difficulty that she could convey to the police that she was pregnant. She says she was "married" to someone 20 years older than her because his first wife could not have any children. There is no record of any marriage ever having taken place. Her "husband", Khursheed, has been arrested for trafficking. His first wife Ameena (name changed) admits that money was paid to get Mariam.

"Mewat is one of the biggest  
markets with thousands of  
girls sold for prices ranging  
from Rs 4,000-20,000."

"*Thoda bahut kharcha pani to dena hi padta hai* (One has to pay some money to people who get the girls)," says Ameena, who is about 23. "I can't have children," she says. She's an invalid, who had to have several operations after losing one leg. "What's the use of having me as a wife? I told my husband to get a new girl. So he got this new girl. Now he has been arrested. Everyone here is buying girls. Why has my husband been arrested?" she asks with genuine bewilderment. The police officials who rescued the girls now seem reluctant to talk about the issue. "Why don't you do a survey of this entire belt? This is a backward area," says the rescue team leader, Sukhwinder Singh, who is at the Hatin police station. The state government won't even acknowledge this menace. Vina Igleton, secretary, department of social welfare, Haryana, refused comment. And the central government is only just waking up to the issue. "It is a horrifying trend. I am going to get the facts verified and take up the matter with the Assam chief minister," says Dr C.P. Thakur, minister for development of the northeastern region.

The Department of Women and Child Development (DWCD) is about the only official entity that has initiated some action. Following the rescue of the four girls by the Hatin police, DWCD secretary R.V.V. Iyer wrote to Haryana chief secretary A.N. Mathur expressing concern and asking for details of any follow-up. "We are still to receive a reply although we plan to pursue the matter in all possible ways," says a DWCD official.

Unofficially, however, police officials admit that there are over 5,000 girls, mainly from Assam, who have been sold all across Mewat. New girls arrive almost every month. *Outlook* traced two girls who were sold two years ago and have finally settled down in a village in Rewari. Their "husbands" refuse to admit that these girls were bought, and claim they married them.

One of these girls is Praneeta Das, who now claims she is 18 and "married". She was brought to Kufurpur village from Assam. Her family back in Hajo village in Kamrup district has been trying to trace her ever since she disappeared.

In a letter written to the Kamrup SP, Praneeta's parents Harkantu and Radhey Das have urged the police to search for their daughter. "A woman named Deepa Das took Praneeta to get her married. But for more than a year, we have not heard from her. We are worried and we want our daughter back," the letter says.

Praneeta, however, clearly says she doesn't want to go back. "I have a child and I live with a family," she says. Her 'husband' Pappu Singh Ahir, however, has been accused of buying another girl, Kanika Das, from Assam's Keyajeni village, whose family too has reported her missing. Pappu Singh flatly denies any involvement in that one. "I don't know any Kanika. I never had anything to do with her," he maintains.

Kanika's family hasn't given up. Her sister Babita has shot off letters to local NGOs, the police and even some MPs to help her trace her sister. But she seems to have just disappeared. "Kanika left the village with Deepa Das of Rewari. There is no sign of her after that," says Babita in a letter written to the Rewari SP.

"Mewat's villagers see  
nothing wrong with the  
practice. Girls, for them,  
are property and the  
whole affair a personal matter".

Deepa Das, an Assamese married and settled in Shabajpur village, is a name that finds mention in several such letters written by anxious parents from all across Assam. Local NGOs and activists fighting the trafficking of girls say she is one of the main conduits in the movement of girls from Assam to Haryana. According to Rishi Kant of Shakti Vahini, she lures girls to Haryana and sells them off to touts. Deepa, however, says that the girls come willingly to Haryana because people here are wealthier.

"What can I do if the girls want to come here?" she asks. "I haven't forced anyone. They want a better life and they come here. Ask any girl if I have forced her." Deepa grudgingly admits that she knows Kanika Das and makes a startling revelation: "Kanika Das is dead. She died due to pregnancy-related problems."

There is no record though. Her sister Babita, who travelled across Rewari to search for her, has no way of confirming whether she is indeed dead or alive. Activists of the Divyajoti Jan Kalyan Samiti, an Assam-based NGO that helped Babita in her search, believe Kanika has been sold again. They say that the process of buying and selling girls long after they have served their purpose goes on.

"We started noticing this trend about two years back when a lot of worried parents came to us for help in tracing their daughters," says Kuntala Sharma of Divyajoti Jan Kalyan Samiti. "Subsequently, we have travelled all over Haryana looking for missing girls from Assam. Some, like Praneeta, have been tracked down. They are trapped in obscure villages. We now hear that Kanika has died. That might be true because she was too young to have a child. But I suspect they have sold her off again."

In the absence of any documentation, it is difficult to ascertain the actual number of girls from Assam who have been sold in Haryana. With both state governments unwilling to even recognise the problem, tackling it is next to impossible.

39. Tribune 17.8.03

### **Bought brides' of Punjab face societal wrath**

Ruchika M. Khanna  
Tribune News Service

Ferozepore, August 16

*Usha alias Rani was bought for Rs. 4000 by her "husband" Wadhawa Singh of Chaanga Khurd village in Ferozepur, about 30 years ago. Hailing from Ranaghat in West Bengal, she was sold off by her father at the age of 12, after he got her here on the pretext of getting her a job. A Hindi news channel had recently carried a story on her life, following which the Punjab State Human Rights Commission, directed the local police and the administration to carry a thorough investigation into this human trafficking racket. When The Tribune contacted her in Ferozepur, she said that the police were harassing her and threatening to frame her on charges of selling girls.*

*"I am an old woman now, and have no contact with anybody in Bengal as both my sisters are married in Punjab. I have seven daughters, and all of them are well settled. Now the police is accusing me of indulging in human trafficking. It is only after the village panchayat vouched for me that I was freed. But I fear for my safety and have been forced to leave home and seek shelter elsewhere", she said.*

I need a place of my own on the earth. This is the cry for help of hundreds of women from West Bengal, Bihar, Jharkhand, Orissa, Assam and the neighbouring hill country of Nepal, who have been sold off as "brides" in Punjab. From being sold off by their own families to being shunned from social life for being "bought wives", these women look for life beyond mere existence.

Learning the social mores of a different culture, changing their identity, learning the local dialect, eating and dressing differently, and, most importantly, delivering the purpose for which they are primarily bought — to bear sons so as to carry the clan forward — these women have been forced to do it all. But their social ostracisation continues and not many in the villages like to be associated with them. Having no contact with their own families, they continue to suffer the abuses and insults heaped at them.

Says Sammu alias Chindoo of Rahimke Uttaar village in Ferozepur district, “I have no one to look for support in case of any trouble with my husband or in-laws. Sometimes in extreme distress, I remember my family in Gauriyan Magdampur village of Malda in West Bengal. Though we were very poor and did not have enough to eat, we had our support system in our ancestral villages. The only solace here is that we have enough to eat and clothes to wear.”

Sammu was only 17, when a woman from her native village, Tikto alias Sukhi, who had herself been sold off here earlier, brought her to Punjab on the pretext of getting her a job, and, instead, sold her off for Rs 5000 to Jarnail Singh, a widower and 15 years her senior. Jarnail’s first wife had died and he had a daughter from his first marriage. Now “married” for the past 10 years, the couple have two sons. Sammu says that in spite of her accepting the local culture, she is treated as being “different”.

Human trafficking is not a new phenomenon in Punjab. What is new is the trade being carried on by the second and third generation victims themselves. The touts, especially in the border districts of Gurdaspur, Ferozepur, and Amritsar, contact these first-generation and second-generation victims, who have maintained relations back home, and after conniving with them, manage to get new girls here (in the 12-17 age-group), to be sold off for anything between Rs 5,000 and Rs 12,000.

And it is not just in the border areas of the state that human trafficking is going on. Even in the districts of Bathinda, Ludhiana, Fatehgarh Sahib and Nawanshahr, this trade of brides has been going on unabashedly. Mr Gurmeet Judge, Secretary of the Krantikari Sabhyacharak Kendra, Ferozepur, says in almost all the villages of the state, at least one case of “buying of bride” can be found.

He says in almost every district, there are two or three touts, who operate by selling women from the other states to the landless, and also to the handicapped, who cannot find a wife. In Chaanga Khurd village, Ferozepur, TNS came across a man, who claimed to have sold off at least five girls in Ferozepur district during the past 10 years.

On conditions of anonymity, he revealed that the “girls” were available mainly during the harvesting season, when the poor from the eastern states came to Delhi to eke out a living as farm labourers. “The men are eager to sell off their wives/ daughters, for anything between Rs 5,000 and Rs 7, 000, and then go back home, without having to slog it out in the fields”, he says. He says he has now left this “trade”, as these girls often run away from their “husbands”, and “they in turn, come back and trouble me”, he adds.

As the divide between the landowners and the landless increased, and the sex ratio declined sharply, the landless found it difficult to marry within the community. No one was ready to marry off their daughters to these landless people, who were thus drawn to the touts to “buy” their wives, mainly for procreation so as to carry their family name forward. Take the case of Gurnam Singh of Abbuwal village in Ludhiana district, who bought Rita alias Manjit from Nepal for Rs 10,000, almost 29 years ago. “I did not have any land, and was employed as a waiter in a restaurant near here. Because of being landless, I could not get married and was ageing. The manager of the restaurant had gone to Nepal to set up a new hotel and he brought Rita here and I bought her”, he says.

His wife, now Manjit Kaur, informs that she hails from Virat Nagar in Nepal. “My brother died in an accident, and within a few months, my mother died of shock. My father married off my elder sister and then remarried himself. Since we were poor, it was my stepmother, who came up with the idea of selling me off, and thus getting money to build their house. I was sold off at the age of 15. I didn’t know the language, food habits or the culture here. It took me two years to get used to the place and imbibe the culture. But I am still not accepted here. Now, even my own children have shunned me and prefer not to maintain any contact with me in order to gain social acceptance”, she says as she breaks down in sobs.

In Kaali Arain Hathar village in Ferozepur district, Najima alias Chindoo was sold off by her husband, Sajan to Channa Singh, 20 years elder to her, for Rs 12,000. Hailing from Simoli Anandiwati village of Malda district in West Bengal, her husband of four years, Sajan, had persuaded her to move to Delhi on the pretext of getting employment. He had reportedly struck a deal with his sister, who sold off Najima to a widower and father of five daughters, Channa Singh. “Little did I know that he was in collusion with his sister, Seekhi, who was herself “married” in Punjab. He sold me off to Channa Singh, but I insisted on taking my daughter, Mukhtiaro, along. Initially, Channa Singh did not object, but once we had our own children, he asked me to leave Mukhtiaro with my brother in Malda. It’s been six years, that I left my daughter and have not seen her since. Though I long for my daughter, I am happy here. There is enough to eat, and because I have produced two sons, my acceptance in my husband’s family is complete”, she says.

Similarly, Gurnam Singh, 75, of Abbuwal village, who had “married” a girl 25 years junior to him Amarjit Kaur of Sirisa in Tejpur, Assam, while he was posted there as a sepoy in the Army, says that they have led a good life. “Social ostracisation is there, only depending on your economic condition. Since I had saved well and also had land of our own, we have not faced much difficulty”, adds his wife.

But such “happy marriages” are rare. Though the women get enough to eat, their social ostracisation leaves a scar on their psyche. In most cases, these “brides” are kept in confinement for the initial three to five years; for fear that they might run away.

There are many cases, where the “wife” eloped, especially in the border areas of Ferozepore. Kashmir Singh, 30, who is physically challenged and a resident of village Lakha Haji in Ferozepur, had bought a wife, from Jharkhand for Rs 10,000 two years ago. However, his wife, ran away within six months of “marriage”, and took away his savings worth Rs 5000.

Gurmel Kaur, hailing from Kalyan village of Maharashtra was sold off at the age of 14 to a resident of Abbuwal village in Ludhiana district, Ajaib Singh, who was then 32 years old. A woman from my first husband’s village, Dinesh, had arranged the deal and I was sold off when I was five months pregnant. “Though my second husband accepted my child, our children, as they grew up could not accept being shunned by the other families in the village. “Though our three daughters have been married off in Punjab, there is no way we can find a decent wife for our two sons. For the society, not only are they landless, but also the next generation of a ‘bought wife’. This has created a major conflict in the family”, she says.

Bhagwan Singh, 65, also of the same village, who had bought Soumitri alias Harbans Kaur from Raipur in Madhya Pradesh, for Rs 10,000, in 1978, at the age of 40, and Piara Singh, 70, who had bought Amar alias Amarjit Kaur as a wife for Rs 5000, also narrate a similar

story, where their next generations now face the societal wrath. In fact, Piara Singh has now sent his elder son to Germany so that he can have a better life.

Interestingly, it was only two years ago, that Amar and Soumitra, found out that they were real sisters. Says Amar, "I had heard that Soumitra was also from Raipur. One day, I went to her and we started discussing about our family back home. We realised that the names of our brothers was the same, and we thus realised that we are sisters. Now, at least we have each other to fall back on in times of distress".

40.tribune 18.8.03

### **Bride-buying an old practice in north India**

**Sarbjit Dhaliwal**  
**Tribune News Service**

Chandigarh, August 17

Before Partition there used to be Jind House at some distance from the railway station at Ambala. Adjacent to it was an "adda" where women were offered for sale after sunset. People from various parts of this region, especially the Malwa belt, used to flock to the "adda" to buy women or say "brides".

Dehra Dun was another centre where poor women were offered for sale. Besides, there was sale of women in certain parts of Orissa from where people of this region used to buy brides.

Bride-buying is an old practice in this region. It declined after the Green Revolution owing to the spread of literacy in this part of the country. Moreover, the male-female ratio has improved in the past 80 years. The ratio was highly skewed in 1911.

Contrary to general impression and reports of female foeticide etc, the male-female ratio has been constantly improving in Punjab since 1911 when there were only 780 women against 1,000 men. From 799 in 1921, the number of women against 1,000 men jumped to 882 in 1991. However, it declined to 874 in 2001.

Bride-buying has been confined to either poor farmers or the Scheduled Castes and tribes.

Mr Sarwan Singh Bir, a historian from the Malwa region, says he visited the Ambala "adda" a few months before Partition along with a friend, Mr Kunda Singh from Katarsingh Wala village, to have first-hand information. A woman then was available for Rs 600 to Rs 1200 at the Ambala "adda". Some agents, in fact, used to cheat poor farmers as they would replace younger girls with older women after striking deals.

However, Mr Kirpal Kazak, a Punjabi writer, says the practice of sale of women started in this region after the arrival of Mughals. Mr Mir Dad, an Arab writer, has stated about the sale of women in his book "Niami".

Mr Kazak says during the Mughal period only women offered for sale, used to don ornaments. Ornaments were used to decorate women before sale. The wearing of ornaments became a fashion in due course of time.

Punjabi literature is replete with references of sale of women. There is a full-fledged Punjabi book “Mul di Tiveen” (A purchased woman). Then, there is Punjabi mini novel “Kudesan” (a woman from other land) dealing with this subject. Dalip Kaur Tiwana, a celebrated Punjabi Writer, devotes a chapter to the sale of “Bhano” to Sarwan in her Sahit Akademi award-winning Punjabi novel “Eh Hamara Jeewna”. Bhano revolts against polygamy, which was prevalent at that time in certain parts of the Malwa region. Money was contributed by Sarwan and his brothers to buy Bhano. However, Bhano refused to be the wife to all brothers, saying that she had been married to Sarwan and would stay only with him. Ultimately, Sarwan was killed by his brothers.

Dalip Kaur Tiwana says the ritual of bride-buying was limited to the poor sections of society.

Mr Bhupinder Singh, Head of the Sociology Department at Punjabi University, says that in poor families, only one son used to be married. Besides poverty, the other reason to get only one son married was to avoid the division of landed property. Mr Ajmer Aulakh, a playwright, has extensively dealt with this issue in his play — “Ik Hor Ramayan.”

One can find even now in almost every Punjab village women from Burma or China. Certain Punjabi soldiers, who fought World War I and World War II in Burma brought women of Burmese or Chinese origin when they came back to their villages. As they had to stay for long in Burma, Singapore and Malaya etc, they married these women. Punjabis marry off their daughters to boys, who either have landed property or other sources of income. They rarely give their daughters to “loafers” who, as a result, resort to bride-buying.

41.tribune 19.8.03

### **Girl bazaar thrives in Doaba area**

**Poonam Batth**

**Tribune News Service**

Nawanshahr, August 18

The conviction of a truck driver for trading girls from Bangladesh and West Bengal in Jalandhar district and a recent case of the sale of three tribal girls in Nawanshahr, is an indicator that the “girl bazaar” is flourishing in the Doaba region.

Ramesh, a truck driver, had lured two sisters — Tumpa and Rumpa, hailing from Panchnatal in Hoogly district of West Bengal — to Punjab on the pretext of getting them married to Punjabi youths. He was caught while trying to sell them. The court sentenced him to a rigorous imprisonment for 14 years and imposed a fine of Rs 5,000 on him. Two of his accomplices, Harmesh Singh and Tarsem Singh, were sentenced to a 10-year jail term.

Ramesh would have succeeded in his mission if the police had not cracked down on those indulging in the trafficking of women in the Jalandhar-Nawanshahr area. Many feel that police action is not enough to check the “social sanction” that this trend enjoys.

Many of these poor girls are brought from the backwaters of Himachal Pradesh, Jharkhand, Bihar and even far off places like Coochbehar in West Bengal and Assam and sold here. Inquiries reveal that middlemen from this area spend money and travel long distances to bring the girls here on one pretext or the other. The promises range from getting them good jobs as domestic help or farm hand to marrying them off to affluent Punjabi men.

While their people actually believe that the girls are leaving home for a better life, destiny has something else in store for them.

Mr Kulwinder Singh Waraich, vice-president of the Indian Federation of Trade Unions, says over the years, the business has flourished to such an extent that the “agents” have established permanent networks and have hired sub-agents in their area of operation, especially in some villages of Nawanshahr, Hoshiarpur and Jalandhar districts. In several cases, the girls flee after striking secret deals through the middlemen.

The recent escape of three teenaged girls of the Munda tribe in Bihar from the clutches of an influential agent in Bheen village of Nawanshahr district, proves the existence of the trade.

Sangeeta (13), Asrita (15) and Somi Badra (16), belonging to Ranchi district of Jharkhand, were lured by Jharkhand-based sub-agents, who had promised them good jobs in Delhi. They were instead brought to Punjab in the Tata Moor Express, and were forcibly kept in agent, Jagdish Singh’s house. In their statements before the media and the police, they alleged that the inhuman treatment was meted out to them at his place. They were kept confined until a deal was struck with their prospective employer. Asrita Thopa alleged that she was physically abused by her “master”. While a case has been registered by the Nawanshahr police against the former sarpanch of the village, Jagdish Singh, and his son for abducting and raping one of the girls, the accused are at large. Sources say that Jagdish has been able to evade arrest because of political patronage.

Talking to this correspondent, Asrita said she had left her village along with her friend Sisil without informing her parents. She was part of a group that comprised seven boys and three girls. “I had come here to earn a living but did not know the price I would have to pay for it,” said sobbing. She is presently lodged in the Nari Niketan. Mr Tarsem Peter, president of the Pendu Mazdoor Union, says the phenomenon of human trafficking is not new to some of these villages. In the beginning, truck drivers became agents and were instrumental in bringing more and more people here, particularly after the green revolution. Over the years they made sub-agents and the business grew. After the girls are brought, they are kept in the houses of middlemen, from where they are either sent off to the homes of landlords to work as domestic help or sold off, he says. While the agents charge a commission of Rs 2,000, the girls have to forego their salary for two months. A part of this money reportedly goes to the local agent who keeps them before they are sent to work.

A sarpanch says that the wages are fixed keeping in mind physical condition and nature of work. Driven by poverty, the going is not easy for these girls who have to learn the local dialect, change their lifestyles and be at the beck and call of their masters. Criticising the role of the police, Mr Peter alleged that the police had not been able to contain this menace since girls in large numbers have also been provided as domestic workers in the houses of senior police officers and bureaucrats. He said records were not being maintained as per the Inter-state Migrant Act which stipulated that migrant labourers should be registered both at the time of leaving the state and entering another state. Posh houses of the agents and affluent lifestyles are indicative of the fact that the trade is profitable. While the going rate for girls is between Rs 800 and Rs 1,000, for boys it is from Rs 1,000 to Rs 1,500.



In some cases the girls have been sold for Rs 5,000 to Rs 20,000, as brides. Some of them are shown to prospective buyers in an “open auction”. Women in the age group of 16-23 years have been sold in Roorkee Khurd and Chahl Khurd villages of Balachaur district.

A woman hailing from Himachal Pradesh, on condition of anonymity, said she had been brought by a younger person on the pretext of marrying her. Her dreams were shattered when a few days later he sold her to a middle-aged man at a higher price. “I am not in a position to go home as I had come here against my parent’s wishes. I have no choice but to accept this man as my husband”, she said.

In another such case, a girl was brought by an agent to his native village on the pretext of getting his mother’s approval for marriage. Much to her dismay, she was sold to a “bride-seeker” with the help of his sister. A farmer of Bid Baloki village, near Jalandhar, kept a tribal girl for over 10 years, had children from her and left her in the lurch.

Landless and unemployed, the “bride-seekers” are happy to be married and the brides reconcile to their fate.

A recent visit to the area and interaction with police officials revealed that most of the dealers had gone underground following the registration of a case against the former sarpanch of Bheen village. One of the police officials, associated with the investigations of the case, says, “Not only are the accused absconding, they have also taken away the girls.”

“All such cases will be dealt with sternly”, says Ms Neeraja Voruvuru, SSP, Nawanshahr, who has sought details from sarpanches regarding the number of migrant women, both major and minor, employed in their respective villages. This, she says will help assess the quantum of human trafficking in general and women in particular, besides getting to know about the organised gangs involved in this illegal activity.

“Following the registration of a case in this regard, the Jharkand police has sought assistance to launch a concerted drive against trafficking and make arrangements to take back at least the minor girls, she said.

She was of the view that the state and Central governments should evolve a mechanism to crack down on slave traders and check exploitation of any kind.

She said a team of Jharkand police officers accompanied by a magistrate and members of an NGO are on a visit to Punjab to take stock of the situation.

Mr Rajinder Dhoke, SSP, Kapurthala, denying any such incident in his area, said: “State and other relief agencies must help the unfortunate girls who are trapped in this nasty web”.

The SSP, Jalandhar, Mr Harpreet Sidhu, also ruled out buying and selling of girls in the area under his jurisdiction.

Taking cognisance of the magnitude of the problem, the Punjab DGP had also sought information from all districts in the state.

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**Rescued girls languish in Nari Niketan**  
**Tribune News Service**

Faridabad, August 18

While more cases of trafficking and sale of minor girls from Assam and West Bengal have surfaced in parts of Haryana and Punjab, the fate of four minor girls, rescued from the clutches of the 'mafia' active in Mewat area here in June, still hangs in balance. Despite the demand of rehabilitation and repatriation, the victims are languishing in the Nari Niketan at Karnal.

The Shakti Vahini, a non-government organisation, has raised the matter of the violation of human rights of the victims, with the Social Justice Empowerment Department, Haryana. Father of one of the victims, aged 12, has written to the NGO asking for the custody of his daughter. Mr Mohammad Abul Hossain, a daily wage worker and a resident of Tukrapara village in the Kamrup district of Assam, has sent a letter to Shakti Vahini that he had come to know about the incident in which his daughter Rehana Begum (13) was rescued by the Faridabad district police from the Hathin area here in June. He said he was shocked to learn that his daughter had been sold many times before being found from a house, where she was allegedly kept in illegal confinement. Mr Hossain claimed that he had got his daughter married to Kazim Ali, son of Tamser Ali of Balajanpara village of Dubri district of Assam on April 7, this year. He said since then he had no knowledge of the whereabouts of his daughter. He has alleged that his son-in-law (Kazim Ali) had sold his daughter in Faridabad in collusion with Samsul Hussain and Hasina Begum. The father of the victim has asked that his daughter be united with him at the earliest. The letter was written on July 9.

The Director of Shakti Vahini, Mr Ravi Kant, has disclosed that accused Kazim Ali is untraceable as the Dubri district police had informed him about the investigation launched by the Assam police.

The police at Hathin had recovered four girls aged between 10 to 14 years in June, who had been victims of trafficking, with the help of Shakti Vahini, while two girls belong to Assam, the other two hail from West Bengal. One of the victims is three months pregnant and lodged at Nari Niketan at Karnal. She was allegedly married to the person who brought her, but under the Muslim personal law, which applies to her, she cannot enter into any legal contract despite her consent. It is learnt that she has opposed the termination of her pregnancy. The situation is quite serious regarding the welfare of the minor girl and the future of the unborn child. The organisation has appealed to the Haryana Government to take an early decision regarding the pregnancy, as it can contravene both the Child Marriage Restraint Act, 1929, and the Muslim personal law. It has demanded immediate psycho-legal counselling for all the victims and the arrangements for either sending the victims back to their parents or proper rehabilitation at suitable places. It has also sought that Rehana Begum be sent back to her father as demanded by him.

Meanwhile, it is learnt that Shakti Vahini has decided to file a petition with the National Human Rights Commission (NHRC) over the issue of the pregnancy

### **43. Tribal girls: NGO team visits Nawanshahr**

**Poonam Bath  
Tribune News Service**

Chandigarh, August 23

Perturbed over reports about trafficking in women from tribal belts, the Jharkhand Government has sought the assistance of a Faridabad-based NGO, Shakti Vahini.

A team of the NGO accompanied by a few mediapersons arrived in Nawanshahr late in the evening today to study the problem in depth. The team, which spent most of the day in Mansa today, is here to conduct a thorough survey of the area for getting the data on the number of migrant girls from the states of Bihar, Jharkhand, UP and Nepal, working in the area and to ascertain the kind of jobs they were doing.

The SSP of Nawanshahr, Ms Neeraja Voruvuru, disclosed that the NGO, whose primary objective is to monitor trafficking of women, had already undertaken similar surveys in many districts of Punjab and Haryana to ascertain the quantum of human trafficking in general and women in particular, besides getting to know the organised gangs involved in this illegal activity. This would, in turn, help the agencies concerned to launch a concerted drive to check the menace.

The recent escape of three teenaged tribal girls of Munda tribe in Bihar from the clutches of an influential agent in Bheen village of Nawanshahr district, brought to light the existence of the trade in this part of the region. These girls had been lured by middlemen in Jharkhand and Punjab by promising them domestic jobs for Rs 2,000 or so per month.

One of the girls, Asrita Thopa (15), who had been physically assaulted in the house of middleman Jagdish Singh, is being set back to her native place. Accompanied by an Assistant Sub-Inspector, (ASI) her father, who is already in Nawanshahr will be taking her back after securing her release from Nari Niketan, Jalandhar, where she has been lodged. The other two girls, Somi and Sangita, who had also alleged harassment at the hands of the Bheen-based agent are yet to be brought to Nawanshahr as promised by the Pendu Mazdoor Union, it is learnt.

The SSP of Nawanshahr, Ms Neeraja Voruvuru, when contacted confirmed the arrival of the team and said all possible assistance would be made available to it. She disclosed that a survey of the area by the police has brought out that 1,000 odd migrant labourers (Jharkhand and Bihar) were presently employed in the district, including 30-40 women, mostly major. They were working as domestic help or farmland labour in the houses of landlords here and the minors indicated in the survey are mostly children of these migrant labourers.

She said while the minors would be sent back, those who are major would be registered properly so as to check the incidence of exploitation. The government, on its part, should also evolve some mechanism to crack down on such middlemen and check exploitation of any kind. They should ensure that that daily wages scheme is followed while making payments to these labourers, she added.

#### 44. Teen trauma ends in joy journey

RAJEEV BHATTACHARYYA

**Nawanshehr, Aug. 24:** The ordeal did not last long for Amrita, a girl from Gumla district, who eloped with her boyfriend in search of greener pastures. Sheer providence brought her back into the arms of her parents.

Unlike many girls of her age, who end up as bonded labourers and prostitutes, she is returning to her native place after having promised never to leave her parents again.

"I trusted the wrong person without thinking and realised that a deal had been struck him and the agent to whom I was handed over," said Amrita. She had eloped with her boyfriend on June 15 to Delhi.

"He forced me to have sex during the time I was in Delhi. Sometimes I would cry the whole day but he wouldn't listen. When I objected, I would be physically assaulted," Amrita said.

Tribal couples from Jharkhand often land up in Punjab in search of jobs. "Some would be lucky to get landlords, who pay regularly but one can also end up in flesh trade rackets," Amrita explained.

The girl, in her mid teens, hails from Kotbotukutoli in Gumla and is the only child of her parents. Her problems started in Delhi when she complained to her employer about her boyfriend's activities, who was also putting up with the family where she worked. He was unemployed and had promised her Rs 10,000 for a job in Delhi, which she did not receive.

"I was asked by my employer to leave after working for 15 days. We headed straight to Punjab. My boyfriend handed me over to one Jagdish Singh and left," she said, pausing to recollect the sequence of events with help from her uncle and father, who have come to take her back.

She, however, stayed for only three days at the house of Jagdish at Bheen village in Nawanshehr district before escaping in a tractor to the Nawanshehr Sadar police station, which informed the Jharkhand police.

"We are grateful to Nawanshehr police and the administration who took the trouble to inform us. Its

miraculous because Jagdish is an alleged agent who brings girls from Jharkhand," said Mukut Topno, her father, Mukut Topno, her father, who mortgaged part of his family land for the trip.

Amrita's case is a grim pointer to a malady that gnaws at the social mosaic of the tribal state. The Tata Moori Express reportedly brings nearly 50 women to Punjab every week from Jharkhand.

While most of them land up as farm labourers and domestic helps, the trend of selling the girls began five years ago.

Similar incidents have been reported from places like Mansa and from parts of Haryana like Rewari and Faridabad. Four girls from Assam and Bengal were rescued from Hathin in July.

Several factors contribute to the problem. Abject poverty prompts the youth to migrate to labour-scarce states.

Rina, in her mid-20s working in Bheen village, said she left Ranchi due to scarcity of land. "Otherwise why should we come out in search of jobs? Who likes to come to places like this? I plan to go back as soon as I have earned some money," she said.

The girl-smuggling racket thrives on an extensive network of agents and sub-agents some of whom have international links. "There are more than 100 touts operating in Nawanshehr district. The market is huge. Moreover, some of the villages here have earned a good reputation for treating servants with compassion and hence most of them want to come here," said Gur Iqbal Singh Gill, sarpanch of Begumpur, who has five servants from Jharkhand.

"We have decided that all the minor children would be asked to leave in the next three days. And now it is up to the home states to provide them security and rehabilitate them," said V. Neerja, senior superintendent of police, Nawanshehr, who has ordered registration of all the migrant labourers.

***(Names of the victims have been changed)***

#### **45. Brisk trade in Bengali girls on in Malwa**

AJAY BHARADWAJ

TIMES NEWS NETWORK[ MONDAY, AUGUST 25, 2003 11:36:57 PM ]

TUESDAY, AUGUST 26, 2003

**THE TIMES OF INDIA**

CHANDIGARH: Is adverse sex ratio responsible for largescale sale of West Bengal girls in the Malwa region?

A survey carried out by the Delhi-based NGO, Shakti Vahini, in Mansa and Bathinda districts has tentatively concluded that with around 730 per 1000 males in the region, this could probably be a potent cause of villagers, particularly the middle-aged ones, buying Bengali girls and making them settle in their houses as wives.

This, in turn, has led to a vicious chain reaction with the Bengali girls settled in the region inviting more of their peers from West Bengal. Interestingly, unlike in Doaba and Majha region, where villagers would "buy" women migrant labour and engage them in household chores and farming, people in the Malwa region have been largely adopting them as housewives after failing to find a match for themselves in their community, said Rishi Kant, leading the NGO team.

An estimated 5,000 Bengali girls are believed to have found home in Mansa district during the past decade or so. The middlemen in the region do not hesitate to conduct "girls" from one village to another looking for their perspective buyers.

A Bengali woman, Rupali Roy, who has adopted another name, Manjit Kaur, after marrying Pritam Singh in Jhakva village, is one of the prominent middlepersons who has been engaged in procuring girls from the poverty-stricken pockets of West Bengal. After her husband died, Rupali inherited the entire property of Pritam Singh and has since been making money by trading girls from her native state.

Mansa SSP Sudhanshu Srivastava said he would get the matter investigated by a special police team. The trade, he said, might have been carrying on clandestinely for quite some time with hardly any complainant coming around.

#### **46. Don't have son? Buy a new wife**

**Ruchika M. Khanna**  
**Tribune News Service**

Gurgaon/Faridabad, August 31

Nearly a month after the police busted a human trafficking racket in Hathin block of Faridabad district, the trade in sale of girls continues unabated in this region of the state. It is back to business in Mewat, which has acquired notoriety as one of the biggest markets of girls from Assam, Bihar, West Bengal and Jammu and Kashmir.

In a land where a sheep costs Rs 1,000 and a cow almost Rs 14,000, a girl is available for anything between Rs 2,000 and Rs 10,000. The price depends on the physical condition of the girl and the paying capacity of the buyer. Since girls from Jammu and Kashmir have fair complexion, they are sold off for Rs 8,000 to Rs 10,000, to rich men, especially widowers, to physically challenged persons, or those who are unable to have a male child from their first wives. The “dark-complexion” girls from Assam, Bihar and West Bengal are meant for “sale” to landless and poor customers.

New girls are brought every month from the states mentioned above and are sold off in a radius of about 80 km around the Capital. The region's infamy in this trade also attracts “customers” from nearby states of Uttaranchal, Uttar Pradesh and Rajasthan.

The practice is spread in various communities — Meos, Jats and Ahirs — and enjoys wide social acceptance. Local residents feel that with the landless and poor in this area not being able to get brides from within the community, they are left with no option but to “buy” women. “Gariban ko bhi to parivaar aage badhana hai,” they assert.

“The state should not interfere in such personal matters,” said Farid, a 27-year-old resident of Akeera village in Gurgaon district, when asked about the legality of his “marriage”. He bought a 30-year-old woman, Asmina, for Rs 5,000 two months ago. The woman was brought here by her sister, Abida, after their father died at their home in Ranike, West Bengal. Abida's husband sold Asmina to Farid, a farm labourer.

Interestingly, the trade transcends all barriers of caste and religion. The girls can be from any community, but they acquire their husbands' religion after “marriage.” Most girls brought from West Bengal and Bihar are Hindus, but if sold off to a Meo Muslim, they are converted to Islam.

In almost every village of the region, one can come across many such cases. The trade has been going on for the past several years and now the first generation of these women, who have maintained relations back home, act as conduits for getting new girls. In every fourth village, one can find a tout, whose business is to get these women — generally referred to as “Paaro” — every two months and then sell them off.

Mehboob, a resident of Chauiyansan village of Hathin block in Faridabad, has been in the trade for the past 20 years. A landless labourer, he had bought a widow from Baripada district in Assam for Rs 500 and “married her” almost 22 years ago. This marriage opened new “business vistas” for him and twice a year, he goes to Assam with his “wife” and get new girls from there. On August 14, he got 13-year-old Majida from Hazifara village in Baripada district of Assam. He is now waiting for a customer. “If I don’t get a good price, I think I will keep her for my son, Saidul,” he says. In the same village, 16-year-old Sabeena Begum was bought last month by Shahida Begum for her 25-year-old brother Hanif.

What is astonishing is the way these women are sold off. Once the touts get the girls, word is spread among prospective customers from nearby areas. The “customers” are shown the girl and they give their rates. Within three to four days of this “showing off” of the girls, they are sold to the highest bidder. A recent trend in this trade is the men from this region themselves going to West Bengal and Assam to fetch the girls for themselves. “This way we can save the money that has to be given to the touts and a girl is available for just Rs 1,500 to Rs 2,000,” informs Basruddin of Nagina village in Gurgaon district.

In village Malab Nuh of Gurgaon district, this correspondent came across two girls, 13-year-old Tahira and 17-year-old Ayesha Siddiqa, who had been sold off to 40-year-old Hassan and his 20-year-old mentally deranged nephew, Asru respectively, on August 22. The girls, both from Bildang in West Bengal, were bought for Rs 3,000 each. The family says that since Ayesha Siddiqa was not very good looking, she was bought for Asru, while Tahira was bought for Hassan, whose first wife had deserted him.

Though these “bought brides” enjoy social acceptance, language remains a barrier for several years. Since most of them come from poverty-stricken homes, they are comparatively happy here — with their basic needs being fulfilled. Also, with their “husbands” willing to help their families back home, these women say that life could not have been better.

#### **47. Minor ‘bought’ bride located Tribune News Service**

Gurgaon, September 29

Tahira, alleged to be a minor who was sold off to 35-year-old Hassan in Malab village falling under Nuh police station (Mewat) by her parents, has been located.

Tahira, who is said to have been married to Hassan, was located by a non-voluntary organisation while she was in the midst of her daily chore of cooking in her matrimonial house. The organisation had visited her matrimonial house this morning along with police personnel.

However, the police has not registered any case yet as there does not appear to be any violation of law. According to them, the girl is living a normal life at her matrimonial house.

The organisation personnel, however, say that as the girl is a minor she should have been produced before a committee headed by the Deputy Commissioner concerned as provided in the Juvenile Justice Act.

The Tribune' had reported of large-scale selling and buying of girls from various parts of the country, including the Mewat area of Haryana.

It is alleged that Tahira, along with Ayesha (17) were sold for Rs 3,000 each on August 22. Both girls hail from Bildang in West Bengal. Ayesha was allegedly bought for Asru (20), a mentally deranged nephew of Hassan.

#### **48. The Statesman**

15.11.2003

##### **short takes**

It's well known that female foeticide is extensive in parts of northern India, especially the northern states of Punjab and Haryana. In villages near Amritsar, visitors say that very few young girls are visible. Laws have often failed to make a difference to social history and the realities of exploitation of women, particularly sexual exploitation. There are skewed sex ratios there, with a huge preponderance of men over women – the favouritism to the male child standing out in stark contrast.

Media accounts in the Punjab also speak of a tradition of bride buying which has recently come into focus again with the revelation that many girls, from Assam, Jharkhand, West Bengal and Orissa, were purchased for a little as Rs 2,000 and Rs 5,000 and sold to "husbands" in Haryana and the border areas of Punjab. This confirms the accounts of trafficking in women from the North East that have been reported earlier and which apparently continue unabated. One recalls the story of Kamla, the woman who was bought by an enterprising journalist from a leading newspaper in the 1980s. The stories of Kamla are unending. But in addition to "bought brides", there are also bought women who are sold as commodities to the highest bidder and then resold to other purchasers. These women are said to number in the hundreds, if not the thousands. The North East Page ran an account of two young girls from Assam, one of whom was pregnant, earlier this year. They had been kept captive in Faridabad's Hathin block, within touching distance of the capital, after being purchased in Assam and then, following a media outcry, placed in the Nari Niketan.

The media in the North East has a professional duty to investigate and report on this ugly human tragedy, not because these are children from the region who are being exploited – children who have had their childhoods raped and shattered – but because it reflects a greater horror across the country which must be exposed and fought relentlessly. The Punjab media has done a fine thing by starting such an investigation that is hitting at the heart of this cancerous evil.

The National Commission for Women, which is holding a consultation with women's groups and concerned individuals in the region next week, would do well to get details of such events, involve the NGOs in the affected states and move quickly to force the administrations in states such as Punjab and Haryana to act. Nari Niketans and such so-called shelters are not effective as protection centres but turn out to be places of exploitation. Perhaps what could be started is a process of rehabilitation involving the women and girls who have been sold, bringing them together in small units outside the state, counselling them to overcome the harm they have endured, given training in simple economic skills, giving their produce access to markets and placing them in the care of strong, respected women's NGOs. Later



they could be remarried through the efforts of NGOs but first, they have to be restored to a basic level of protection, security, stability and dignity. Their childhoods cannot be restored; that does not mean that their adulthoods should be destroyed as well.

## **49. The tribune**

### **NGO helps repatriate children of a lesser god**

**Bijendra Ahlawat  
Tribune News Service**

Faridabad, January 20

While most of us do not fail to voice our disapproval when incidents of trafficking of girls, especially minors, are reported, only a few really go out of the way to help such victims.

Shakti Vahini, an NGO based here, is one of the few. Recently, it has traced the parents of a 12-year-old girl, who had been recovered from the clutches of traffickers in Kurukshetra district. The NGO even enabled the father to secure custody of his daughter.

The girl, who had been in the custody of the police department, was handed over to the father today on the directions of the court. The victim, a student of Class IV, is a resident of Varanasi. She had been allegedly sold to a truck driver in Haridwar by a trafficker for Rs 20,000. From there, she was brought to a colony in Kurukshetra and reportedly kept there for another buyer. But luckily the police recovered her on January 18, following a tip-off.

When the matter was reported to the NGO, its activists got into the act and traced the parents of the girl. They contacted the police officials in Varanasi and even arranged for the father, identified as one Lallan Yadav, to be brought to Kurukshetra. The latter was reportedly not even aware that his daughter had been abducted; he told the police that he had thought that his daughter had gone to some relative's house.

Later, the NGO helped Lallan to file a petition in the court, seeking the custody of his daughter. The NGO also secured the authorities' help to enable the girl and her father to reach their house safely. It has also asked the Varanasi police to trace the person who had sold the girl in the first place and ensure that the victim does not fall into the traffickers' hands again. The Kurukshetra police is reported to have arrested one person in this connection. A woman accomplice is still to be arrested.

This is the second minor girl to have been recovered in the state in the past one week. Earlier, a 13-year-old girl from Uttaranchal had been recovered from Hassan village of Karnal district a few days ago. This girl had been sold for Rs 25,000. At least five persons, including a Sarpanch, had been arrested in the case. However, this girl had been lodged in the Mahila Ashram in that district. At least, five other minor girls from other states, who had been recovered, have been kept in the ashram.

Vahini had also helped trace the father of another girl from Assam, who was repatriated in December last. The girl had been recovered from Hathin sub-division in the district. Vahini claims that it is ready to repatriate all the rescued girls, if the local authorities are amenable. It has, however, expressed dissatisfaction over the role of the Social Welfare department in

checking such crimes and rehabilitation of the victims. Such crimes cannot be contained unless and until the authorities, especially policemen, are sensitised, feels the NGO.

## **50. HINDUTAN TIMES**

### **12-yr-old rescued from Haryana**

Shweta Austin  
(New Delhi, January 25)

A 12-year-old girl was rescued by the police after being abducted and allegedly sold to a man in Haryana.

The girl, who could not be traced for three months, was reunited with her 65-year-old father when a person at Haryana's Indra Colony alerted the local police.

A resident of Pandeypur, Varanasi, the girl had been missing from Hardwar since November where she had gone with her mother.

She was apparently kidnapped by one Meenu. The victim told the Hindustan Times that Meenu kept her locked in her house in Hardwar and later tried to sell her to different buyers.

Meenu later took her to Haryana, where she was told to marry a man. According to Kurukshetra University Police Station SHO Ram Singh, Meenu along with another accomplice sold the victim to one Ranjit Singh for Rs 20,000. Singh kept the girl at his Indra Colony residence and had been apparently planning to sell her again. It was from here that the girl was rescued when a neighbour alerted the cops.

While the police arrested Ranjit on January 17, the hunt for Meenu is still on. According to Rishi Kant of NGO Shakti Vahini, the girl was presented before the Judicial Magistrate instead of the Juvenile court in blatant aberration of the Juvenile Justice Act 2002. The minor had to also spend two nights at the Kurukshetra University police station.

"It's time the Haryana administration began to sensitise the police about the issue, especially the Juvenile Justice Act 2002 — no one seems to be informed about it," said Kant.

According to him since June 2003, at least 29 cases of minor girls being sold (under the guise of marriage) have been reported in Haryana and the state administration and the

Centre seemed to be "least bothered".

## **51. INDIAN EXPRESS**

Delhi> News

Thursday, January 29, 2004

### **Women abducted, sold as brides**

**Kavita Chowdhury**

**New Delhi, January 28:** When Sandhya (name changed) lodged complaint with the Chandni Chowk police station late Monday night, stating she had been sold in Panipat, it was a new face of human trafficking that was revealed, say the authorities.

The women are being abducted and sold as brides among agricultural communities of Haryana. Sandhya had been abducted from Delhi, and sold off to agriculturists in Karnal.

Says Secretary Health, Haryana, Raj Kumar : “Foeticide, largely practised among the large agricultural communities in Haryana and Punjab is most common in the more affluent communities, who can afford sex determination.”

“This has led to an adverse sex ratio in Haryana, which is at 860 women per 1000 men.”

Police says, the Ror community of agriculturists in Haryana, have been engaging in bartering and buying of brides.

Sandhya, a domestic help in Faridabad, had just returned after visiting her hometown in Nadia West Bengal. It was at the Old Delhi Railway station in July last year, while she was talking to her mother informing her that her employers had appointed someone else in her absence, that a woman approached her and promised her a job.

Sandhya told the court today: “She gave me a cup of tea and after that I blanked out.” Sandhya, was then kept in Sivan for over a month, while her abductors tried to strike a deal. Sandhya says, there were several other girls there and it was then that she discovered that it was common practise in the community.

Wazir, who bought her for Rs 35,000 says he was buying a bride for his unmarried nephew.

“There are hardly any girls in our community and with my nephew of marriageable age, I bought a bride for him.” He says its common practice among the Ror community to buy brides. Now in police custody, Wazir says he was unaware that he had done anything illegal.

Joginder, the man who married Sandhya, says: “I did not ill treat her. Infact it was me who asked her to get in touch with her relatives.” Joginder who seems bewildered by the turn of events, says that one Puran Pandit in his village, had arranged marriages like these for several others.

Sandhya despite being married to Joginder, wrote a letter to her mother in Gurgaon, informing her of her whereabouts.

Armed with this information, the non-govenmental organisation rescued her with the help of the Gurgaon police. Sandhgya’s mother had lodged an initial missing person’s report with the Gurgaon police.

A traumatised Sandhya, had then to contend with the police who were reluctant to lodge a case.

The magistrate’s court before whom Wazir and Joginder were produced remanded the duo to police custody for two days. The police have sought their remand as they need to nab Puran Pandit, another man in village Sivan and the woman who sold Sandhya.

### **Illegal abortion: 3 held**

Gurgaon Police have arrested three persons on charges of female infanticide on Wednesday. The main accused, Neena, was caught while she was allegedly trying to dispose of a four-month-old foetus in Krishna Colony. Police have also booked her mother-in-law and the doctor who performed the alleged abortion. The abortion was allegedly done following family pressure, said police.