



INTRODUCTION

Human trafficking is the contemporary manifestation of slavery, whose victims are predominately women and children. Being an evil and grave human rights violation, it is blemish on civil society and a matter of worldwide concern. The international community has repeatedly condemned slavery and involuntary servitude, violence against women, and other elements of trafficking through declarations, treaties and U.N. resolutions and reports. The United States Congress in its findings has stated, "***As the 21st century begins, the degrading institution of slavery continues throughout the world. Trafficking in persons is a modern form of slavery and it is the largest manifestation of slavery today.***"

Human trafficking is increasingly being perpetrated by organized, sophisticated criminal enterprise. Such trafficking is the fastest growing source of profits for organized criminal enterprise worldwide. Victims are treated either as valued capital or expendable piece of property, and put to hazardous work by the traffickers. Traffickers often threaten their victims with physical harm and brutality, should the victims escape or attempt to escape. It is important to recognize the psychological, physical, social and economic aspects of trafficking and then synchronize and create proactive synergy for effective action. This evil has ominous implications for social structure and stability, and it is pertinent to understand the issue from micro as well as macro perspective

No country is immune from human trafficking. Each year, an estimated 600,000-800,000 men, women, and children are trafficked across international borders (some international and non-governmental organizations place the number far higher), and the trade is growing. This figure is in addition to a far larger yet indeterminate number of people trafficked within countries.

Victims are forced into prostitution, or to work in quarries and sweatshops, on farms, as domestics, as child soldiers, and in many forms of involuntary servitude. The U.S. Government estimates that over half of all victims trafficked internationally are trafficked for sexual exploitation.

However three key characteristics and conditions make human trafficking what it is. The first essential ingredient about trafficking is ***violence***, the second key characteristic is ***loss of free will*** and the third characteristic is that it is normally used to ***exploit***. But as part of the global traffic in human beings and their exploitation, we know that it is growing. Victims today are cheaper than they have been ever before, length of time they are held has also fallen and trafficking today is globalized. If one asks the question why it is still in existence in the 21st century the answer is not hard to find. First, the ***dramatic increase in world population*** since World War II especially of poor countries has increased the supply of potential victims driving down their prices. The second key factor is ***rapid social and economic*** change especially vast unemployment and economic modernization. ***Government corruption or inaction*** is the third key factor facilitating this new form of slavery. Thus the reasons why trafficking is thriving in the 21st century inspite of plethora of laws are; surplus of potential disposable victims, very low purchase cost with very high profits, maintaining short term relationships and avoidance of legal

relationships. In the new form of trafficking, race means little, and the common denominator is poverty, not colour.

Nearly 2 million children are abused and trafficked globally every year. South Asia and Southeast Asia take the lead in the volume of trafficking in children for sexual exploitation. (Situation Report India, 1998). There could be as many as 1 million children under the age of 16 years in brothels across the region according to ECPAT (End Child Prostitution in Asian Tourism) (Inter Press Service, July 10, 1998). An alarming trend is that the ages of children trafficked into the commercial sex industry is decreasing.

Millions of victims are trafficked within their home countries. Driven by criminal elements, economic hardship, corrupt governments, social disruption, political instability, natural disasters, and armed conflict, the 21st century slave trade feeds a global demand for cheap and vulnerable labor.

Moreover, the profits from trafficking fund the expansion of international crime syndicates, foster government corruption, and undermine the rule of law. The United Nations estimates that the profits from human trafficking rank it among the top three revenue sources for organized crime, after trafficking in narcotics and arms.

The modern-day slave trade is a multidimensional threat to all nations. In addition to the individual misery wrought by this human rights abuse, its connection to organized crime and grave security threats such as drug and weapons trafficking is becoming clearer. So is the connection to serious public health concerns, as victims contract illnesses and diseases, whether from poor living conditions or from forced sex, and are trafficked into new communities. A country that elects to downplay its human trafficking problem in favor of other pressing concerns does so at its peril. Immediate action is desperately needed.

Trafficking and South Asia

India:

At least 25,000 children are engaged in prostitution in the major metropolitan cities: Bangalore, Calcutta, Delhi, Hyderabad, Madras, Mumbai [Government of India, 1991]. Other sources quote that 500,000 girl children below 18 years are victims of trafficking in India. [India Today magazine, 1990].

In Bombay alone, "40,000 girls between the ages of 10-16 years are selling their bodies from their doorsteps". [National Commission of Women, 1997]. 61 per cent of commercial sex workers in India belong to Scheduled Castes, Other Backward Classes and Scheduled Tribes. [Source: Situation Report India, 1998]. Estimates suggest the participation of more than 2 million women in commercial sex work of which 25 per cent are below 18 years. More than 90 per cent of them are of Indian origin, and about 5 per cent from Bangladesh and Nepal.

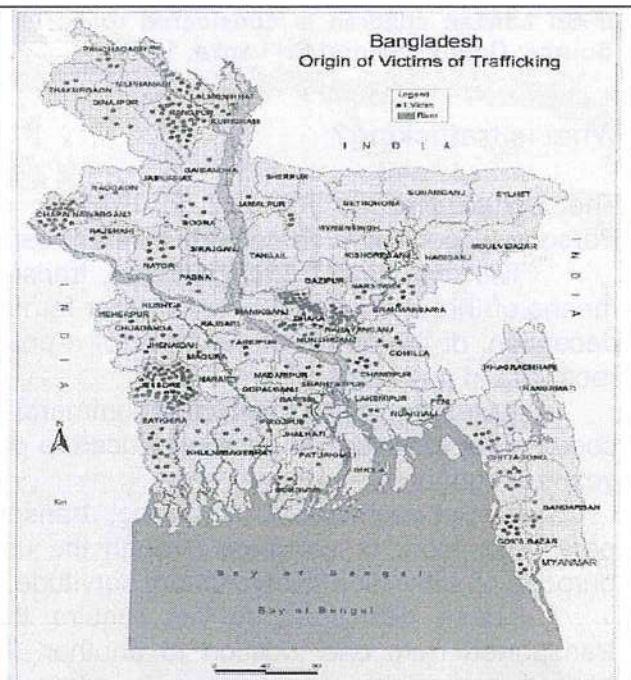
Pakistan:

Data on the numbers of women and children trafficked in and from Pakistan is scant. About 15,000 to 20,000 child sex workers are reported to operate near the Lahore railway station. The sexual exploitation of male children is common. [Country Report Pakistan, 1998].

Bangladesh:

About 300,000 Bangladeshi children have been trafficked to brothels in India over a period of time [BNWLA, 1998]. Over the last five years at least 13,220 children are reported as being trafficked out of the country, and it was possible to rescue only 4,700 of them [Country Report Bangladesh, 1998].

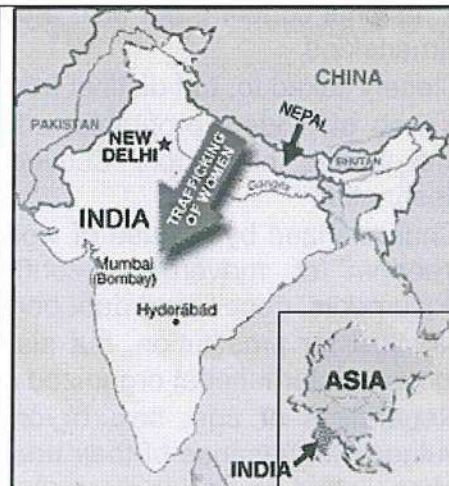
About 4,500 women and children from Bangladesh are trafficked to Pakistan yearly [SAARC and UNICEF, 1996]. Boys in the ages between 4-12 years are trafficked for camel racing in the Gulf; sexual exploitation of these boys by the employers is not uncommon [Situation Report India, 1998].



Nepal:

There are about 5,000 commercial sex workers in Kathmandu alone, of which 1,000 are children. More than 20 per cent of the women are under the age of 16 years [UNICEF, 1997]. 5,000-7,000 Nepalese girls are trafficked to India every year according to Maiti Nepal, an NGO. This figure does not include the children trafficked for other forms of child labour. *According*

About 200,000 Nepalese women and girls were sold into prostitution in India, and 10 per cent ranged between the ages of 14-18 years. [Child Workers in Nepal (CWIN), 1987 study]. At least 50 per cent of the 100,000 commercial sex workers in Bombay are Nepali girls [SAFHR (South Asia Forum for Human Rights), 1997]. [Source: Country Report Nepal, 1998].



Sri Lanka:

Estimates of children in commercial sex work range from a low of 2,000 to government and international sources quoting a figure of 30,000. The sexual exploitation of young boys is a serious problem.

Trafficking of children for commercial sex work is increasing and closely associated to the expansion of tourism, particularly in coastal areas. The extent of cross-border trafficking of Sri Lankan children is considered to be less than in other South Asian countries. [Source: Country Report Sri Lanka, 1998].

What is trafficking?

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, defines trafficking in persons as:

The recruitment, transportation, transfer, harboring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments

a. sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such an act has not attained 18 years of age; or

b. the recruitment, harboring, transportation, provision, or obtaining of a person for labor or services, through the use of force, fraud, or coercion for the purpose of subjection to involuntary servitude, peonage, debt bondage, or slavery.

These definitions do not require that a trafficking victim be physically transported from one location to another. They plainly apply to the recruitment, harboring, provision, or obtaining of a person for the enumerated purposes.

Trafficking is:

- Widespread and increasing rapidly in the Asia region
- A national concern, but also a cross-border issue with regional and global dimensions
- Closely linked to, but distinct from, illegal labour migration.
- A web of hidden, profitable, efficient and expanding trade networks and movements of people between the countries of origin, transit and destination
- Characterized by the use of violence and force or threat of, deprivation of freedom of movement, confiscation of identity papers and travel documents, deceit, and debt bondage
- Not just for prostitution, but also for other forms of exploitation and is a focus of international organized crime
- Regardless of age, sex, or origin. Women and children are the most vulnerable, because of their unequal status in society and powerlessness, often linked to social discrimination, communal and caste structures in society
- Trafficked persons have no opportunities to seek redress as victims of abuses. They often face criminal charges, are treated as illegal immigrants and wrong doers, while clients and profiteers escape consequences
- A legal framework to prevent trafficking, protect victims, penalize traffickers is inadequate at national and sub-regional level. Implementation and enforcement of existing laws is ineffective

Who are the traffickers and agents in the trafficking networks?

Many persons and agents are involved in the trafficking business, from the initial recruitment and procurement of women and children, to their widespread movements within countries and across borders.

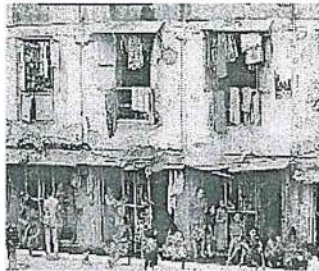




- Parents, relatives and friends
- School teachers
- Villagers and village headmen
- Tourists, and travel agencies ("front" businesses)
- Employment agents
- Foremen and trafficking gangs
- Crime syndicates with bases in many countries
- Bar madams, local women recruiters
- Gharwalis", brothel owners
- Pimps and procurers
- Individual paedophiles and their organizations
- Customers, clients of sex workers
- Corrupt officials (e.g police, customs, immigration, border patrollers)



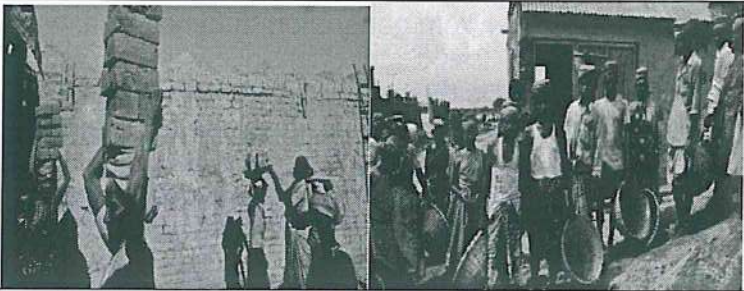
Who are the victims?

- Poor women and children are the key target group, because of their marginalization, limited economic resources and predominance in the "invisible" informal sector.
- Persons from impoverished households in rural areas and urban slums, poor women migrants to urban areas seeking jobs, those engaged in marginal economic activities and in other low status work and services.
- Women and girls who are unmarried, divorced, separated or widowed.
- Ethnic minorities, "scheduled castes" or "other backward classes," indigenous people, hilltribes, refugees, and illegal migrants.
- Person with low levels of education, some primary school education, or the illiterate.
- Young children running away from home, girls and women from communities in which commercial sex work is a legitimized practice, children from disrupted families, and those financially supporting their families.
- Persons who lack awareness of their legal rights, their exploited situation, and have no channel for seeking redress.
- Women and children of varying ages, ranging from babies to women in their seventies.

Purpose for trafficking:

A wide range of purposes:

<p>A large percentage for prostitution</p>	
<p>Begging</p>	
<p>Circus</p>	
<p>The entertainment industry/ Beer bar dancers</p>	
<p>Domestic work</p>	
<p>Work in carpet, garment, fishing, brick industries</p>	
<p>Camel jockeys</p>	

Other exploitative forms of work	
Illegal adoption of children	
Organ transplants	
Forced marriages	
Mail-order brides	
Forced labour (e.g. as in construction)	
Drug trafficking	

What is the human and social toll of trafficking?

Victims of human trafficking pay a horrible price. Physical and psychological harm, including disease and stunted growth, often has permanent effects, ostracizing trafficking victims from their families and communities. Trafficking victims often miss critical opportunities for social, moral, and spiritual development. In many cases the exploitation of trafficking victims is progressive: a child trafficked into one form of labor may be further abused in another. In Nepal, girls recruited to work in carpet factories, hotels, and restaurants have been forced later into the sex industry

Labour

in India. In the Philippines, and in many other countries, children who initially migrate or are recruited for the hotel and tourism industry, often end up trapped in brothels. A brutal reality of the modern-day slave trade is that its victims are all too often bought and sold many times over.

Victims forced into sex slavery are often subdued with drugs and suffer extreme violence. Victims trafficked for sexual exploitation suffer physical and emotional damage from premature sexual activity, forced substance abuse, and exposure to sexually transmitted diseases including HIV/AIDS. Some victims suffer permanent damage to their reproductive organs. Moreover, the victim is typically trafficked to a location where he or she cannot speak or understand the language, compounding the psychological damage from isolation and domination. Ironically, the human capacity to endure unspeakable hardship and deprivation leads many trapped victims to continue to work, hoping for eventual freedom.

Trafficking in Persons Is a Human Rights Violation. Fundamentally, trafficking in persons violates the universal human right to life, liberty, and freedom from slavery in all its forms. Trafficking of children undermines the basic need of a child to grow up in a protective environment and the right to be free from sexual abuse and exploitation.

Trafficking Promotes Social Breakdown.

The loss of family and community support networks renders the trafficking victim vulnerable to the traffickers' demands and threats, and contributes in several ways to the breakdown of social structures. Trafficking weakens parental authority, undermines extended family ties, and prevents the nurturing and moral development of children. Trafficking interrupts the passage of knowledge and cultural values from parent to child and from generation to generation, weakening a core pillar of society. The profits from trafficking often allow the practice to take root in a particular community, which is then repeatedly exploited as a ready source of victims. The fear of becoming a trafficking victim can lead vulnerable groups such as children and young women to go into hiding, with adverse effects on their schooling or family structure. The loss of education reduces victims' future economic opportunities and increases their vulnerability to being trafficked in the future. Victims who are able to return to their communities often find themselves stigmatized and ostracized, and require continuing social services. They are more likely to become involved in substance abuse and criminal activity.

Trafficking Fuels Organized Crime. The profits from human trafficking fuel other criminal activities. According to the UN, human trafficking is the third largest criminal enterprise worldwide, generating an estimated 9.5 billion USD in annual revenue according to the U.S. intelligence community. It is also one of the most lucrative criminal enterprises, and is loosely connected with money laundering, drug trafficking, document forgery, and human smuggling. There have also been documented ties to terrorism. Where organized crime flourishes, governments and the rule of law are weakened.

Trafficking Deprives Countries of Human Capital. Trafficking has a negative impact on labor markets, contributing to an irretrievable loss of human resources. Some effects of trafficking include depressed wages, fewer individuals left to care for an increasing number of elderly persons, and an undereducated generation. These

effects further lead to the loss of future productivity and earning power. Forcing children to work 10 to 18 hours per day at an early age denies them access to education and reinforces the cycle of poverty and illiteracy that stunts national development.

Trafficking Undermines Public Health. Victims of trafficking often endure brutal conditions that result in physical, sexual and psychological trauma. Sexually transmitted infections, pelvic inflammatory disease, and HIV/AIDS are often the result of forced prostitution. Anxiety, insomnia, depression, and post-traumatic stress disorder are common psychological manifestations among trafficked victims. Unsanitary and crowded living conditions, coupled with poor nutrition, foster a host of adverse health conditions such as scabies, tuberculosis, and other communicable diseases. Children suffer growth and development problems and develop complex psychological and neurological consequences from deprivation and trauma. The most egregious abuses are often borne by children, who are more easily controlled and forced into domestic service, armed conflict, and other hazardous forms of work. Children may be subjected to progressive exploitation, i.e., resold several times and subjected to an array of physical, sexual and mental abuse. This abuse complicates their psychological and physical rehabilitation and jeopardizes their reintegration.

Trafficking Subverts Government Authority. Many governments struggle to exercise full control over their national territory, particularly where corruption is prevalent. Armed conflicts, natural disasters, and political or ethnic struggles often create large populations of internally displaced persons. Human trafficking operations further undermine government efforts to exert its authority, threatening the security of vulnerable populations. Many governments are unable to protect women and children who are kidnapped from their homes and schools or from refugee camps. Moreover, the bribes paid by traffickers impede a government's ability to battle corruption among law enforcement, immigration, and judicial officials.

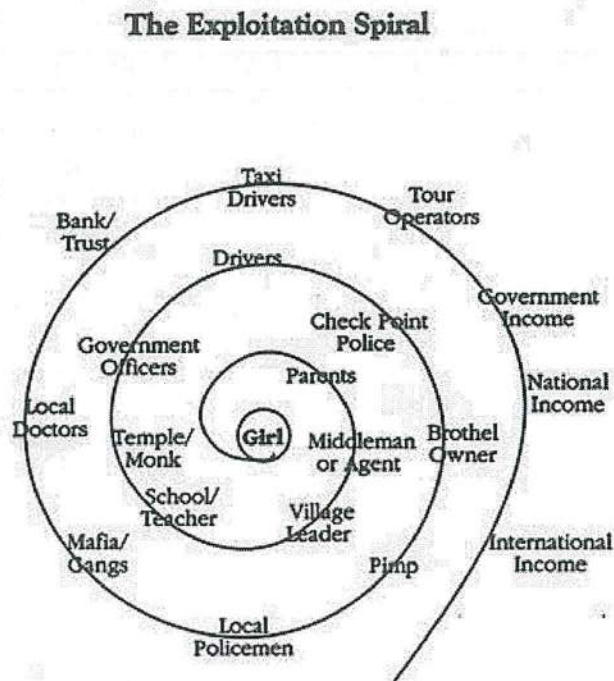
Trafficking Imposes Enormous Economic Costs. There are tremendous economic benefits to be gained from eliminating trafficking. The International Labor Organization (ILO) recently completed a study on the costs and benefits of eliminating the worst forms of child labor—which by definition include child trafficking. The ILO concluded the economic gains from eliminating the worst forms of child labor are substantial (tens of billions of dollars annually) because of the added productive capacity a future generation of workers would gain from increased education and improved public health. The human and social consequences of trafficking often mirror those of the worst forms of child labor.

How do traffickers operate?

Slave traders prey on the vulnerable. Their targets are often children and young women, and their ploys are creative and ruthless, designed to trick, coerce, and win the confidence of potential victims. Very often these ruses involve promises of marriage, employment, educational opportunities, or a better life. In India, for example, a trafficker may pose as a successful trader, persuading a girl's parents that he is a suitable spouse. After the marriage, the girl is sexually abused and sold into prostitution. Some men are known to have "married" over a dozen women from different villages using this tactic. In Uganda, rebels from the Lord's Resistance

Army roam the countryside at night, abducting young children from villages to serve as soldiers and sex slaves. In East Asia, traffickers may visit cities such as Bangkok or Phnom Penh, befriend a young woman at a hotel, restaurant, or store, and offer to take her to another country for a "vacation." Upon arrival, the woman's passport is taken, she is turned over to a brothel operator, and the brutal indoctrination into a life of sex slavery begins. A Ukrainian girl, only 16, meets a young man at a dance and is offered a job in Germany as a nurse. Smuggled across borders at night, she is turned over to a brothel and forced to work as a prostitute. A rural Indonesian girl may be drawn to a domestic service job in a neighboring country with the promise of a salary that is not paid as promised. A rural girl from southern China may be drawn to Malaysia seeking the benefits of a vibrant economy, but she is forced into sexual servitude. Or a young Vietnamese villager, seeking economic opportunity, may agree to travel to an island in the Pacific to work in a factory, not realizing that his travel documents will be confiscated and that his wages will be so minimal that he will be unable to repay the travel costs. The young and the helpless are often the most brutally exploited.

Figure:1



From: Forced Labor: The Prostitution of Children, U.S. Dept. of Labor, 1996. "A Non-Governmental Organization Perspective", pg 63-71.

What are the causes of trafficking?

There are many different causes of human trafficking. These causes are complex and often reinforce each other. Viewing trafficking in persons as a global market, victims constitute the supply, and abusive employers or sexual exploiters represent the demand. The supply of victims is encouraged by many factors including poverty, the attraction of a perceived higher standard of living elsewhere, weak social and economic structures, a lack of employment opportunities, organized crime, violence against women and children, discrimination against women, government corruption, political instability, armed conflict, and cultural traditions such as traditional slavery. In some societies a tradition of fostering allows the third or fourth child to be sent to live and work in an urban center with a member of the extended family often, an "uncle"), in exchange for a promise of education and instruction in a trade. Taking advantage of this tradition, traffickers often position themselves as employment agents, inducing parents to part with a child, but then trafficking the child to work in prostitution, domestic servitude, or a commercial enterprise. In the end, the family receives few if any wage remittances, the child remains unschooled and untrained, and separated from his family, and the hoped-for economic opportunity never materializes.

On the demand side, factors driving trafficking in persons include the sex industry, and the growing demand for exploitable labor. Sex tourism and child pornography have become worldwide industries, facilitated by technologies such as the Internet, which vastly expand choices available to consumers and permit instant and nearly undetectable transactions. Trafficking is also driven by the global demand for cheap, vulnerable, and illegal labor. For example, one of the biggest demands in prosperous countries of East Asia is for domestic servants who sometimes fall victim to exploitation or involuntary servitude.

A new source of demand for young women as brides and concubines is a consequence of widening gender gaps in densely populated India and China. In India, there are now only 933 girls born for every 1,000 boys, due largely to the perception that a girl child is an economic liability in that country's strongly patriarchal society. Many couples use inexpensive and widely available sonograms to determine the gender of the fetus, and if a female is detected the child is aborted. Data from India's 2001 census, analyzed in 2003, show that the gap is most serious in the prosperous northwestern states of Haryana and the Punjab, where in some localities the gender gap has dropped below 825 girl births for every 1,000 boy births.

A similar gap has emerged in parts of China due to the government's "one-child" policy, which has prompted many parents to abort pregnancies once the gender of the fetus is determined to be female. North Korean and Vietnamese girls and women reportedly are trafficked into Southern China as forced brides and prostitutes. These gaps between boy and girl births have existed for decades and now yield pronounced deficits of brides in certain areas of both India and China.

What strategies are effective in the war against trafficking?

Effective anti-trafficking strategies should target all three aspects of the trade: the supply side, the traffickers, and the demand side. On the supply side, the conditions that drive trafficking must be addressed with programs that alert

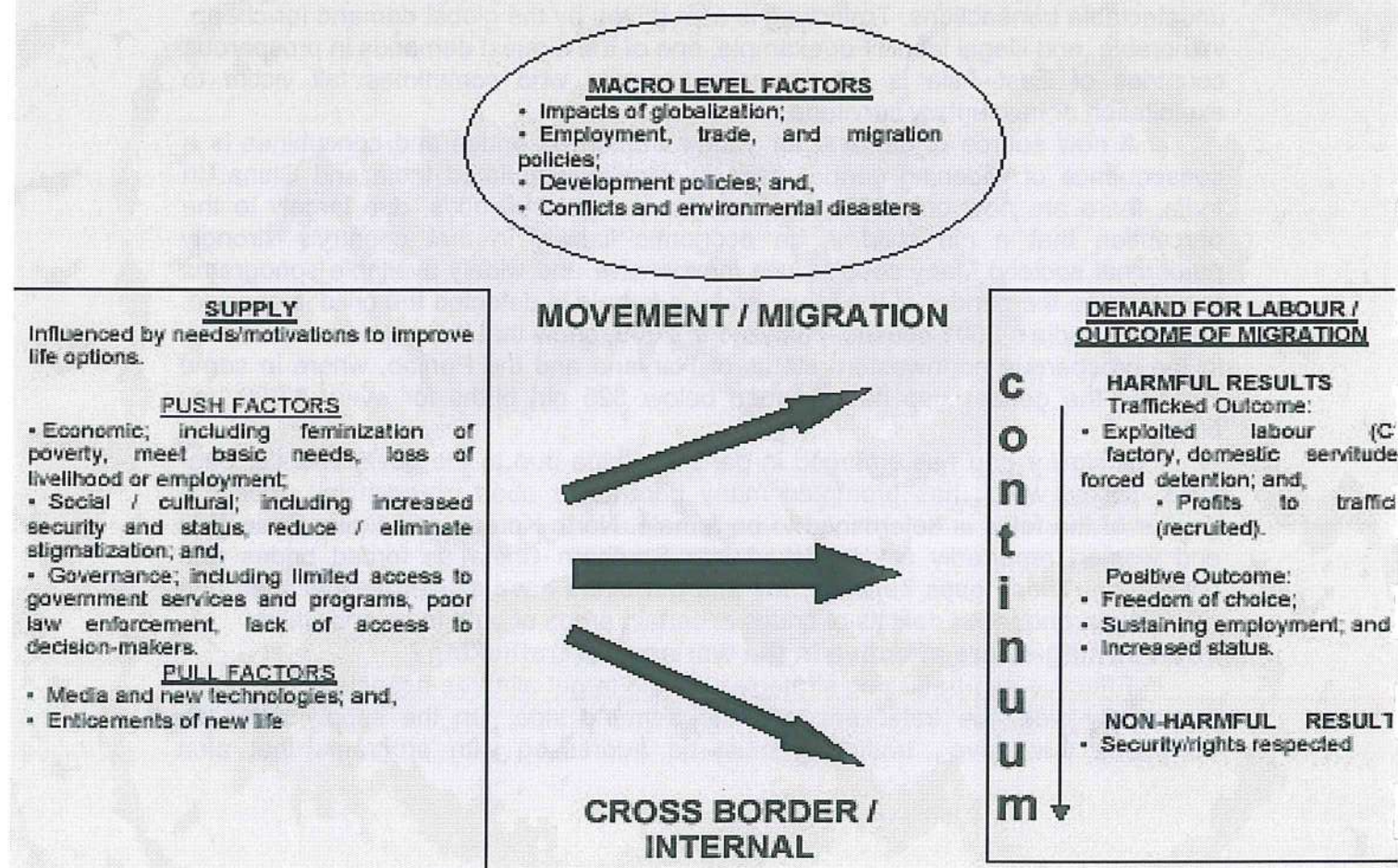
communities to the dangers of trafficking, improve educational opportunities and school systems, create economic opportunities, promote equality of rights, educate targeted communities on their legal rights, and create better and broader life opportunities.

At the trafficker level, law enforcement programs must identify and interdict trafficking routes; clarify legal definitions and coordinate law enforcement responsibilities;

vigorously prosecute traffickers and those who aid and abet them; and, fight public corruption that facilitates and profits from the trade, eroding the rule of law.

On the demand side, persons who exploit trafficked persons must be identified and prosecuted. Employers of forced labor and exploiters of victims trafficked for sexual exploitation must be named and shamed. Awareness-raising campaigns must be conducted in destination countries to make it harder for trafficking to be concealed or ignored. People must be withdrawn from slave-like working situations, and reintegrated into their families and communities.

Figure 2: Dynamics of Human Trafficking



Local, state, national, and regional programs to fight trafficking must be coordinated. By drawing public attention to the problem, governments can increase anti trafficking resource allocations, improve understanding of the problem, and enhance their ability to develop effective strategies. Coordination and cooperation, whether national, bilateral, or regional, will leverage country efforts and recruit volunteers to the fight. International standards should be harmonized, and nations should cooperate more closely to deny traffickers legal sanctuary.

Knowledge about trafficking must be improved, and the network of anti-trafficking organizations and efforts strengthened. Religious institutions, NGOs, schools, community associations, and traditional leaders need to be mobilized in the struggle. Victims and their families require skills training and alternative economic opportunities. Anti-trafficking strategies must be periodically examined to ensure they remain innovative and effective. Finally, government officials must be trained in anti-trafficking techniques, and trafficking flows must be tracked statistically to illuminate the nature and magnitude of the problem so that it may be better understood.

LEGAL INSTRUMENTS

Human Trafficking is not defined in any Indian law, however there are many laws where reference to different forms of trafficking is made. The Indian Constitution was prepared immediately after the Universal Declaration of Human Rights (UDHR) and the formation of United Nations, therefore the spirit of UDHR is amply reflected in the Indian Constitution. Human trafficking and slavery, being matter of great international concern since the end of the 19th century, finds prominent place in the UDHR and other United Nations instruments. The Constitution makers of India also reflected the same spirit in the Constitution especially with respect to exploitation, slavery and human trafficking.

Constitution of India is the mother of all laws and the other laws flow from it. The spirit of the Constitution is enshrined in its *preamble*, which gives some inviolable 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 are the basic rights which are given by our Constitution to the citizens; and if the states encroach upon these rights of the citizens, the citizens can seek redressal in the courts of law. The relevant articles of the constitution that relate specifically and generally to human trafficking are the following:

Art 19: Right to freedom

- (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

They are the directions to the state for taking the country towards development and making the country a welfare state. They cannot be adjudicated against in the courts of law.

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. 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. 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”

Other Indian laws:

Human Trafficking is basically dealt with by four laws in India: the Indian Penal Code; Immoral Traffic Prevention Act; Juvenile Justice Act and Bonded Labour Act.

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.

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.
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
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.	<p>(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.</p> <p>(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 (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.</p> <p>(4) In this section, -</p> <p>((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;</p> <p>(ii) entering on any private premises for the purpose of soliciting or receiving alms;</p> <p>(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;</p> <p>(iv) using a minor as an exhibit for the purpose of soliciting or receiving alms;</p> <p>(b) "minor" means -</p> <p>a) "begging" means to fine.</p> <p>(i) in the case of a male, a person under sixteen years of age; and</p> <p>(ii) in the case of a female, a person under eighteen years of age.</p>
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365.	Kidnapping Or Abducting With Intent Secretly And Wrongfully To Confine 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. 377.	<p>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.</p> <p>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.</p> <p>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.</p>

373.	Buying minor for purposes of prostitution, etc.	<p>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.</p> <p>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.</p> <p>Explanation II : "Illicit intercourse" has the same meaning as in Section 372.</p>
374.	Unlawful compulsory labour.	<p>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.</p>

375 (position)

376.	Punishment for rape.	<p>(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 :</p> <p>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</p> <p>(2) Whoever, -</p> <p>(a) being a police officer commits rape -</p> <p>(i) within the limits of the police station to which he is appointed; or</p> <p>(ii) in the premises of any station house whether or not situated in the police station to, which he is appointed; or</p> <p>(iii) on a woman in his custody or in the custody of a police officer subordinate to him; or years.</p> <p>(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</p> <p>(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 (e) commits rape on a woman knowing her to be pregnant; or</p> <p>(f) commits rape on a woman when she is under twelve years of age; or</p> <p>(g) commits gang rape,</p> <p>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 :</p> <p>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.</p> <p>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</p>
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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.
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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 in public place 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 to 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 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 or 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-
on-

Detaining a person in premises where prostitution is carried

- (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 foreseeability 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(1) 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.

INTERNATIONAL LEGAL INSTRUMENTS

International treaties have significantly contributed to providing a framework and guidance for domestic legislation. For India the impact of the UN Convention on the Rights of the Child, the UN Convention on the Elimination of All Forms of Discrimination against Women, and the ILO Convention No.182 on the Worst Forms of Child Labour have been particularly effective. Each of these instruments contain provisions against trafficking in some form; together they offer potential tools in combating the proliferation of trafficking.

- UN Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others (1949).
- Slavery Convention (1926). Efforts to borrow rights and duties from conventions against arms trafficking. Singh
- Protocol amending the Slavery Convention (1953).
- UN Supplementary Convention on the Abolition of Slavery, Slave Trade and Institutions Similar Practices (1956).
- UN Convention on the Elimination of All Forms of Discrimination Against Women (1979).
- Optional Protocol to CEDAW (1999).
- UN Convention on the Rights of the Child (1989).
- Protocol on the Sale of Children, Child Prostitution and Child Pornography (2000).
- UN Convention Against Transnational Organized Crime (2000, not in force).
- Protocol to Prevent, Suppress and Punish Trafficking of Persons, Especially Women and Children (2000, not in force).
- International Covenant on Civil and Political Rights (1996).
- International Covenant on Economic, Social and Cultural Rights (1996).
- ILO Convention No.29 concerning Forced Labour (1930).
- ILO Convention No.105 concerning the Abolition of Forced Labour (1957).
- ILO Convention No.182 concerning the Worst Forms of Child Labour (1999).

WHAT ARE HUMAN RIGHTS?

Concept of 'Human Rights' is a powerful tool. One hundred eighty-nine countries are members of the United Nations. As such, these governments have made a

commitment to the human rights principles enshrined in the United Nations Charter and in the Universal Declaration of Human Rights (UDHR, 1948). The UDHR establishes the principle that fundamental human rights and basic freedoms are guaranteed to all persons. Civil society needs to understand the nature of human rights and governments' responsibility to protect these rights. This knowledge provides civil society with a base upon which to demand governments take actions to protect the human rights of all persons, including trafficked persons. All of us can educate and lobby our governments on how to fulfill their responsibility to uphold and make real the UDHR principles for all people. This section introduces the basic principles of human rights and the primary instruments addressing the human rights abuses suffered by trafficked persons.

Human Rights Principles of Universality, Inalienability and Indivisibility

Human rights are universal, inalienable and indivisible. Human rights exist in the civil, political, economic, social and cultural spheres. Examples of human rights are the right to life, the right to work and a decent living, the right to freedom from discrimination and the right to education. They are based on fundamental principles of respect for human dignity, equality and non-discrimination.

Universality means that human rights belong to everyone, everywhere, and they are the same for all people. Rights exist without distinction, for example, without regard to nationality, race, sex, religion, class, ethnicity, language or age. All people have the same basic needs and rights, which need to be upheld and protected at all times.

Inalienability means all rights belong to all persons from the moment of birth. We are born with rights and governments should assert human rights principles. No government or person has the right to deny anyone's basic human rights.

Indivisibility means all human rights are related to each other; consequently rights are inter-related and interdependent. Civil, political, economic, social and cultural rights cannot be viewed as unconnected. They complement each other. One right is not more important than another, and one person's rights are not more important than another person's rights. The right to speak, or the right to choose the number and spacing of your children, is inter-dependent with other rights, for example, on the ability to obtain information, and equal rights within the family. No one set of rights can be sacrificed for another.

What is the United Nations?

The United Nations (UN) is a worldwide Organisation made up of 189 governments of recognized countries of the world. Its headquarters are in New York and Geneva. It is the formal international system that monitors human rights implementation and violations worldwide. By understanding the nature of human rights and the governments' responsibility to protect human rights, we can demand action be taken on behalf of trafficked persons. We can pressure

governments to fulfill their commitments under the Universal Declaration of Human Rights.

UN Instruments

Several types of instruments operate in the UN. Some of these are:

- Treaties (including conventions)
- Protocols
- Declarations
- Resolutions

Treaties are legally binding conventions or covenants. Once signed and ratified by countries, they impose the highest possible level of obligations on governments. Most treaties are accompanied by recommendations, which are documents explaining how a treaty should be interpreted and applied.

Protocols are additions to treaties that usually must be agreed to separately from the treaty itself. They also impose the highest level of obligations on governments.

Declarations are not binding, but give an indication of international political commitment to an issue.

Resolutions are formal statements of persuasive value calling for action, but are not binding upon states.

A State Party is a country that has ratified (signed and agreed to be bound to) a treaty.

As mentioned above the **Universal Declaration of Human Rights** (UDHR). Countries do not ratify the UDHR as they do treaties. The principles of the UDHR are included in two covenants, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights. In this way, they are made binding as treaties. Also, nowadays the UDHR is binding as part of customary international law (adhered to out of custom and therefore treated as law).

Human Rights of persons are violated by governments in three ways:

- Laws that permit or encourage discriminatory practices against women or others, and hinder the ability of individuals to develop their full human potential;
- Actions taken by government officials that violate human rights principles; and

- Failure to prosecute public officials and private actors, including traffickers, and, in trafficking cases, failure to recognise and protect the rights of all persons, especially trafficked persons during the post-trafficking period.

These actions violate recognised human rights that are located in a number of human rights instruments. Below are the main instruments that set out the human rights applying to everyone men, women, trafficked persons and migrants. The following tables list the more common rights which are violated in the context of trafficking. Human rights violations suffered by trafficked persons are so extensive that it is necessary to look at all major human rights instruments. The names of the relevant committees reviewing government compliance are set out below each table. The instruments are listed in order of their significance at the international level.

a. International Covenant on Civil and Political Rights (1966)

2	No distinction based on sex
3	Equal rights for men and women in the enjoyment of civil and political rights
7	No cruel, inhumane or degrading treatment
8	Prohibition on slavery and servitude
9	Right to liberty and security of person; no one shall be subject to arbitrary arrest or detention
12	Freedom of movement
14	Equality before the courts and tribunals
26	Equal before the law, equal protection of the law

b. International Covenant on Economic, Social and Cultural Rights (1966)

2	No distinction based on sex, nation or social origin
3	Equal rights for men and women in the enjoyment of economic, social and cultural rights
6	Right to do work that one freely chooses under conditions protecting fundamental freedoms of the individual
7	Right to just and favourable conditions of work Marriage must have consent of both parties
10	Right to adequate standard of living including food, clothing, housing
12	Right to physical and mental health

c. Convention on the Elimination of all Forms of Discrimination Against Women (Women's Convention, 1979)

2	States must eliminate discrimination by any person, Organisation or enterprise and abolish discriminatory laws, regulations, customs and practices
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6	State parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women
9	Marriage shall not automatically change nationality
11	Right to free choice of employment
12	Right to health care and services
14	Protection for women in rural areas Equal before the law
16	Right to freely choose a spouse, minimum age for marriage

d. Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984)

1	Torture is an act where severe pain or suffering, physical or mental, is intentionally inflicted (for purposes including: punishment; intimidation or coercion; by person acting in official capacity)
3	No expulsion or return of a person to another state if substantial grounds for believing she would be in danger of torture
13	Alleged victims of torture have the right to complain to and have her case promptly and impartially examined by competent authorities. Complainant and witnesses shall be protected against any consequential ill treatment or intimidation.
14	Redress and right to compensation

e. Convention on the Elimination of All Forms of Racial Discrimination (1965)

2	Protection of certain racial groups or individuals belonging to them for the purpose of guaranteeing them full and equal enjoyment of human rights and fundamental freedoms
5	Right to equality before the law, especially rights to: equal treatment before all organs of justice; security of person and protection by the state against violence of bodily harm whether inflicted by government officials or by any individual, group or institution; leave and return to/from one's own country-, nationality-, marriage and choice of spouse; work, just and favourable working conditions and remuneration, health services
6	Effective protection and remedies against any act of racial discrimination which violates one's human rights

f. (i) Convention on the Rights of the Child (1989)

7	Right to nationality
16	Legal Protection from arbitrary or unlawful interference with privacy, family home or correspondence nor unlawful attacks on honour or reputation
19	Protection against physical or mental violence, injury, abuse, neglect or negligent maltreatment or exploitation, including sexual abuse

28	Right to education
31	Right to rest and leisure, engage in play and recreational activities
32	Protection from economic exploitation or performing any work likely to be hazardous, interfere with education or harmful to child's health or physical, mental, spiritual, moral or social development
34	Protect from all forms of sexual exploitation and sexual abuse
35	Protect from abduction, sale or traffic in children for any purpose or form
36	Protect against all other forms of exploitation prejudicial to child's welfare
37	Free from torture or other cruel, inhuman or degrading treatment or punishment, no unlawful or arbitrary deprivation of liberty
39	Promote physical and psychological recovery and social reintegration of a child -victim Monitoring Body is the Committee on the Rights of the Child.

(ii) Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (2000) (adopted by the General Assembly)

1	Prohibit sale of children, child prostitution and child pornography
2 (a)	Sale of children: any act or transaction whereby a child is transferred by any person/s to another for remuneration or other consideration
(b)	Child prostitution: use of a child in sexual activities for remuneration or other consideration
(c)	Child pornography: any representation of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes (cont.)
3	Criminal or penal law to cover sale of children including offering, delivering of accepting a child for purposes of sexual exploitation, transfer of organs for profit, forced labour
8 (1)	Protect rights of child victims in criminal justice process: in recognising their special needs, especially as witnesses; in keeping them informed at all times of all things; providing support services; protecting privacy and identity of child; providing for their safety and that of their family where appropriate and avoiding unnecessary delay in granting compensation
(3)	'Best interests of the child' shall be a primary consideration
(4)	Ensure appropriate training for persons working with child victims
	Prevention of sale of children, child prostitution and child pornography through legal and social laws and policies
(2)	Prevention by education campaign and training with participation of children and child victims
(3)	Measures to ensure victim assistance including full social reintegration and recovery
	Access to adequate procedures for compensation for damages
(4)	International cooperation by agreements for prevention, detection, investigation, prosecution and punishment of offenders Promote international cooperation to assist child victims in recovery, reintegration and repatriation

f. Slavery Convention (1926)

2 (1)	Slavery is the status or condition of a person over whom any or all of the powers attached to the right of ownership are exercised.
(2)	The slave trade includes all acts involved in: the capture, acquisition or disposal of a person with intent to reduce him to slavery; the acquisition of a slave with a view to selling or exchanging him,, disposal by sale or exchange of a slave acquired with a view to being sold or exchanged and trade and transport of slaves.
2	State parties to prevent and suppress slave trade
3	State parties to prevent compulsory or forced labour No monitoring committee.

h.

1	Abolition of slavery-like practices including debt-bondage and serfdom, forced marriage and sale/transfer of children for labour exploitation
2	Minimum age of marriage
6	Act or attempted act of enslaving or inducing another to slavery or slavery-like practices is a criminal offence

i. Convention on the Protection of the Rights of All Migrant Workers and their Families (1990)- adopted by the General Assembly but not yet in force

10	Prohibits torture or cruel, inhuman or degrading treatment or punishment.
11	Prohibits slavery, servitude, forced or compulsory labour
16 (1)	Right to liberty and security of person
(2)	Effective protection by the state against violence, physical injury, threats and intimidation, whether by public officials or by private individuals, groups or institution
(3-9)	Minimum standards with regard to verification of identity, arrest, detention
25-30	Minimum standards with regard to the labour conditions of migrant workers, remuneration, medical care and social security
40	For documented migrants, the right to form associations and trade unions to protect their economic, social, cultural and other interests
41	For documented migrants, the right to equal benefits with regard to access to state educational and health services
68	To impose effective sanctions against persons, groups or entities which use violence, threats or intimidation against migrant workers in an irregular situation

The Migrant Workers Convention sets out comprehensive protection standards. Only fourteen countries have ratified it, so it is not yet in force and thus has no

enforcement mechanism. It may never come into force because the majority of states are not in favour of adopting a convention that would require them specifically to recognise the rights of non-citizens in their countries, even though other conventions establish the human rights obligation to protect the rights of all persons, whether they are citizens or not.

j. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the UN Convention against Transnational Organized (adopted October 2000, open for signature December 2000)

3	Defines trafficking
6	Assistance and Protection for trafficked persons in appropriate cases and to the extent possible under domestic law
(1)	Protecting the privacy of trafficked persons, including making legal proceedings confidential
(2)	information on relevant court and administrative proceedings and facilitate trafficked persons to present their views and concerns in non-prejudicial manner in court proceedings
(3)	Measures for physical, psychological and social recovery in cooperation with NGOs including appropriate housing, counseling and information in native language, medical psychological and economic assistance and employment, educational and training opportunities
(4)	Special needs of child victims, especially in regard to housing, education and care
(5)	Physical safety of victims
(6)	Possibility of obtaining compensation
7	Possible temporary or permanent resident status in destination countries in appropriate cases
9 (1)	measures to prevent and combat trafficking in persons and protect trafficked persons from revictimisation
(4)	Address factors that make persons vulnerable to trafficking, such as poverty, under- development and lack of equal opportunity

The Trafficking Protocol is the most recent international instrument that focuses specifically trafficking. It is one of two Protocols attached to the Crime Convention; the other one deals with smuggling in persons. In fact, only the Trafficking and Smuggling Protocols were finished time. A third Protocol on firearms is still being negotiated. The creation of two separate protocols on trafficking in persons and smuggling in persons respectively is important because it reflects the difference between the acts, and the need for different measures to address these crimes. Trafficking is defined for the first time in international law in the Protocol. It will be further discussed later in this chapter under 'Current Definitions'.

k. Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949)

The 1949 Convention **purports** to cover trafficking ; however it is inherently problematic. It contains no definition of trafficking and simply addresses prostitution and movement of persons into prostitution. The Convention considers prostitution an 'evil'; as "incompatible with the dignity and worth of human persons. Its goal is to abolish prostitution by stopping women from moving even voluntarily, into the sex industry. It mention trafficking for other purposes such as domestic work, marriage or sweatshop labour. It adopts a crime control perspective on trafficking into prostitution by criminalizing all activities by third parties associated with prostitution.

1. ILO (International Labour Organization) Convention No. 29 on Forced Labour (1930)

1	States to suppress use of forced or compulsory Labour within shortest possible period
2	Forced or compulsory labour is all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered herself voluntarily
6	Officials shall not constrain any person to work for private individuals, companies or associations

m. ILO Convention No. 105 on Abolition of Forced Labour (1959)

1	Suppress all forms of forced labour as a means of racial, social, national or religious discrimination
2	Effective measures to secure the immediate and complete abolition of forced labour

n. ILO Convention No. 182 on the Worst Forms of Child Labour (1999)

1	Prohibition and elimination of worst forms of child labour
2	Worst forms of child labour includes all forms of slavery or practices similar to slavery including trafficking
6	Design and implement programmes of action to eliminate, as a priority, worst forms of child labour
7	Importance of education to prevent child labour, taking into account the special situation of girls
8	Enhance international co-operation and/or assistance including development, poverty eradication programmes

	and universal education
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o. UN General Assembly Declaration on Violence Against Women, (1993)

2	Definition of violence against women includes trafficking in women and forced prostitution
3	Rights to: liberty and security of person, equal protection under the law, non-discrimination, highest standard attainable of physical and mental health, just and favourable conditions of work, not be subjected to torture or cruel, inhuman or degrading treatment or punishment

These are the primary international instruments relevant to trafficking; however, some relevant international mechanisms related to trafficking do not spring directly from treaties. These mechanisms, such as UN Special Rapporteurs, are also important for NGO strategies to address trafficking.

India & the International Law

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 2

RESEARCH DESIGN OF THE STUDY

This chapter covers inter alia the statement of the study, need and importance of the study, objectives of the study and procedural dimensions of the study. The chapter further covers the research framework with core indicators, population and sampling techniques, coverage area and target respondents. Special emphasis has been paid on the dimensions of measurement, tools and techniques of data collection; including interviews and field visits, techniques of data collection and data compilation and analysis. The chapter also deals with the delimitations of the study.

2.1 STATEMENT OF THE STUDY

When this research was proposed, human trafficking for purposes of sexual exploitation, forced labour, forced marriages, fake adoptions and organ transplant were areas that had received little research attention. These forms of trafficking have never been systematically studied in India. This research includes primary research information from interviews with victims of trafficking and other stakeholders in the trafficking trade. The study is worded as under:

"Human Trafficking in India"

The definition used in this report is contained in the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the UN Convention on Transnational Organised Crime adopted by the UN General Assembly in November 2000. The Convention and its two protocols (herewith referred to as Protocols) were signed in December 2000 at a high-level conference in Palermo, Italy and defines "trafficking" as:

"Trafficking in persons" shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a 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. Exploitation shall include, at

- a. minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs;
- b. The consent of the victim of trafficking in persons to the intended exploitation set forth in the subparagraph (a) of this article shall be irrelevant where any of the means set forth in subparagraph (a) have been used;
- c. The 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 subparagraph (a) of this article;
- d. "Child" shall mean ^{any} person under 18 years of age.

The Trafficking and Smuggling Protocols make a distinction between trafficked persons and smuggled migrants, defining migrant smuggling as "the procurement, in order to obtain, directly or indirectly, a financial or other material

benefit, of the illegal entry of a person into a State party of which the person is not a national or a permanent resident". In principle, the smuggling of persons constitutes an illegal border crossing and is therefore a violation against the state. In contrast, trafficking in human beings is a violation of the rights of the individual, so that the victims of the crime are the trafficked persons themselves. Therefore the term "victim" is used throughout the anti-trafficking protocol whereas it is not mentioned in the protocol against smuggling.

2.2 NEED AND IMPORTANCE OF THE STUDY

Within the last five years, human trafficking has become a major concern for governments, NGOs and media. Recent accounts of human trafficking, mainly appearing in the national and local media, indicates that this is a national problem, the one that is increasing in scope and magnitude. Since human trafficking is not defined in Indian law, this crime is covered in bits and pieces under different laws. Human trafficking is a soft area for police authorities and does not find great attention with senior managers in police department. It is time that police in the country were sensitized towards this type of emerging crime.

There is a great need for understanding the phenomenon of human trafficking in our country as India has emerged as a global hotspot. The problem needs to be addressed before it aggravates and eats into the vitals of our country. This study will give comprehensive understanding of the problem of human trafficking in India and will contribute to mitigate the problem. It will be of immense help to policy makers, police and other law-enforcement officials, NGOs, advocates, social service providers and the general society. It will also delineate the line that the researchers have to take for further study.

2.3 OBJECTIVES OF THE STUDY

The objective of this research was to broadly investigate the phenomenon of human trafficking in the Indian. The specific objectives were to:

- Document known cases and information on human trafficking in India.
- Establish a research framework for studying human trafficking in India.
- To study the problem of human trafficking by identifying causes, push and pull factors, severity, practices that have had major impact.
- Describe connection between supply of victims and demand created by market forces.
- Describe sex industries and their involvement in trafficking for commercial sexual exploitation
- To identify the modus operandi of the traffickers, trafficking routes and areas vulnerable to trafficking.
- Describe social consequences of trafficking in terms of violence, crime, health and other human costs.
- Identify sub-populations with high-risk vulnerability. Provide specific core indicators and to identify the persistent problem areas with respect to trafficking.
- Supplying data to be used for cross-country and cross regional comparisons of vulnerability risks.
- To study prevention, prosecution, rescue, rehabilitation and repatriation strategies.
- To present lucid case studies with learning experience for police officers.

The basic premises of this survey are that it was conducted for fixed indicator parameters for comparative countrywide analysis over the same time frame. The survey was carried out on the similar-sub population in the different areas of the country over almost same time.

One of the most important characteristics of the Survey is its consistency over time. It employs a consistent sampling methodology, and data collection methods for tracking a consistent set of indicators. The entire approach is designed to allow for reliable tracking of trends across the country.

Another key characteristic of the survey is that it pays higher attention to factors in sub-populations that contribute most to the potential trafficking. The present survey provides the detailed information from target groups in relation to factors, reasons, awareness, knowledge, attitude and behavior with regard to trafficking. The study was been conducted in 9 states of India.

2.4 PROCEDURAL DIMENSIONS OF THE STUDY

Since contemporary trafficking has not been systematically studied, I had to determine how to approach and study this complex and multi-faceted phenomenon. To do justice to the job, I devised a descriptive research design with sound cross sectional survey. A research framework was developed to follow the path of trafficked victim from their hometown, through their experiences to their present place in life. Victim interviewees were questioned about their background before being trafficked, about methods used to recruit them, how they were moved around, how they were initiated into roles and activities they had to carry on, how they were controlled, how they coped and resisted the conditions under which they lived. Interviewees were asked about their recommendations on policies on trafficking and CSW. Victims were asked about other victims, experiences with traffickers and pimps, health and well-being.

Since the victims interviewed most likely had daily contact with other victims, they were asked for their observation and knowledge about other victims(possibly trafficked victims) . Victims were asked about their experiences with recruiters, traffickers, pimps and customers in the sex industry. They were asked about their health and well-being while held captive as a victim and after getting out.

Respondents like police officers, NGOs and doctors were asked about how operation of sex industry in the area. They were asked who the traffickers were and how they operated. They were also asked how this illicit trade was organized in their area.

Research strategy enabled to gather information on various aspects of trafficking from multiple sources and points of view.

TABLE 2.1 RESEARCH FRAMEWORK WITH CORE INDICATORS AND RESPONDENTS



RESPONDENT	Trafficking industry	Victims Background	Traffickers & Pimps	Methods of Recruitment	Methods of Movement	Methods of Initiation	Methods of Control	Customers	Health	Methods of Coping & resistance	Future goals & Recommendations
Victim	-	X	X	X	X	X	X	X	X	X	X
Police	X	X	X	X	X	X	X	X	-	-	X
NGOs	X	X	X	X	X	X	X	X	X	X	X
Health	X		X					X	X		X

2.5 CONSULTATION PROCESS IN PLANNING THE SURVEY

While planning for the survey, it was felt to be very important that all key groups agree on the goals of data collection as well as the practicalities. Keeping this basic premise in mind, the researcher initiated a systemic consultation process with all the key persons i.e. my guide Dr. A.K. Saxena, NPA Director Sh. Ganeshwar Jha and the other faculty members. These key persons continued to contribute ideas and exchange experience throughout the planning and the implementation of the survey.

2.5.1 Efforts To Reaching Consensus On The Survey Process

The researcher held a number of meetings with my guide Dr. A.K. Saxena, Sh. Ganeshwar Jha and other faculty members to build consensus on some basic issues of the survey process. Some of these key issues were:

- Which specific groups should be included in the survey?
- How to identify these groups?
- What core indicators and information needs to be collected from the selected respondent group?
- What should be the coverage of the study?
- What should be the sample size for each group of respondents?
- What sample design should be followed?
- What research techniques and tools should be followed in collecting the information?
- What quality assurance methods should be followed?
- How should the data be interpreted?
- Which case studies should be included in the report?

He had focused deliberations on each of the above points with Sh. Ganeshwar Jha, and Dr. A.K. Saxena who guided me on the basic methodological issues. They provided valuable inputs in finalizing the plan of the proposed survey among all the respondent groups.

2.6 TARGET RESPONDENTS

The researcher carried out a number of consultations with Dr. A.K. Saxena, Sh. Ganeshwar Jha, NGOs, Police officers and Administrators working on the issue of Human Trafficking for choosing the specific target respondent groups for the survey. After taking into account all probable options the following respondent groups were decided based on their role in the whole chain of human trafficking.

Commercial Sexual Exploitation

- Victims of commercial sexual exploitation
- Police officers of Red light areas who personally dealt with cases of trafficking.
- NGOs working with victims of CSE especially in Red light areas
- Health professionals working with CSWs especially in Red light areas

In selecting the type of victims of CSE to be covered in each state sampling unit, a rapid appraisal of predominant group of female sex workers practicing sex in each state, in terms of the population size was taken. If in a particular state the population of brothel based FSW was more, the predominately brothel based FSW were covered.

Sexual Slavery/ Forced Marriages

- Victims of sexual slavery/ forced marriages
- Police officers who personally dealt with sexual slavery/ forced marriage cases.
- NGOs working with victims of sexual slavery/forced marriages.
- Administrators working in the field of sexual slavery/ forced marriages

Organ Transplant

- Police officer who investigated the famous Amritsar kidney transplant case.

Begging

- Victims of trafficking for begging
- Welfare officers dealing with beggars.

2.7 CORE INDICATORS

After deciding on the target respondent groups, he finalized the core indicators in consultation with my guide Dr. A.K. Saxena. Standard core indicators, with their standardized definitions were selected for maintaining comparability of data across different populations. The list of core indicators selected for the target groups is presented below:

CORE INDICATORS for VICTIMS

Indicator 1	Personal information/profile
Indicator 2	Methods of recruitment
Indicator 3	Methods of movement
Indicator 4	Methods of initiation
Indicator 5	Methods of control
Indicator 6	Methods of coping and resistance
Indicator 7	Experience with others involved in the trade <ul style="list-style-type: none"> a. Pimps & Traffickers b. Customers c. Other victims/ trafficked women
Indicator 8	Experience with outside agencies

	<ul style="list-style-type: none"> a. Health effects b. Health provision c. Police NGOs/ Social Services/ Advocacy Agencies
Indicator 9	Future goals and recommendations.

CORE INDICATORS for POLICE OFFICERS

Indicator 1	Personal profile
Indicator 2	Knowledge of human trafficking trade/ CS Exploitation
Indicator 3	Knowledge of traffickers/pimps
Indicator 4	Profile of customers
Indicator 5	Methods of recruitment of victims of trafficking
Indicator 6	Methods of movement of victims
Indicator 7	Methods of initiation
Indicator 8	Methods of control
Indicator 9	Profile of victims
Indicator 10	Future goals and recommendations.

CORE INDICATORS for ADMINISTRATORS & NGOs

Indicator 1	Background of the problem
Indicator 2	Profile of trafficked victims
Indicator 3	Methods of recruitment
Indicator 4	Methods of movement
Indicator 5	Methods of initiation
Indicator 6	Methods of control
Indicator 7	Methods of coping and resistance
Indicator 8	Experience with others involved in the trade <ul style="list-style-type: none"> a. Pimps & Traffickers b. Profile of Customers c. Health effects and health provision d. NGOs/ Social Services
Indicator 9	Future goals and recommendations.

CORE INDICATORS for HEALTH CARE WORKERS

Indicator 1	Knowledge of human trafficking trade/ CS Work in the area <ul style="list-style-type: none"> a. Traffickers and pimps b. Customers
Indicator 2	Methods of recruitment
Indicator 3	Methods of movement
Indicator 4	Methods of initiation
Indicator 5	Methods of control
Indicator 6	Methods of coping and resistance
Indicator 7	Profile of trafficked women
Indicator 8	Health
Indicator 9	Future goals and recommendations.

2.8 COVERAGE OF THE SURVEY

The survey among victim respondent group were carried out across the following States:

- | | |
|-----------------------|---|
| 1. Andhra Pradesh- | NGO Protective home |
| 2. Delhi- | Red light area, Government & NGO Protective Home |
| 3. Haryana- | Government Protective Home |
| 4. Karnataka- | Government Protective Home, Central Jail |
| 5. Maharashtra- | Red light area, Beer Bars |
| 6. Punjab- | Government Protective Home |
| 7. Tamil Nadu- | Government Protective home, Non-brothel based FSW |
| 8. Uttar Pradesh-area | Government Protective home, Central Jail, Red light |
| 9. West Bengal- | Murshidabad district, NGO protective home, Redlight Areas |

The survey among Police officers group were carried out across the following states:

- | | |
|-------------------------|---|
| 1. Delhi- | Police Stations and Police Posts |
| 2. Haryana- | S.P office |
| 3. Karnataka- | C.P.Bangalore office, Central Jail |
| 4. Maharashtra- | Police Stations, Police Posts, Beat Box |
| 5. Punjab- | Police Station, District Police Office, Range office |
| 6. Tamil Nadu- | Police Station, AVS office, Commissioners office |
| 7. Uttar Pradesh-border | Central Jail, Police Stations, Range office, Nepal |
| | Police Post |
| 8. West Bengal- | Kolkata Police- Headquartes & Police Stations, West Bengal Police, Murshidabad Police, North 24 Parganas Police, Petropole International border |
| 9. Nepal | Border Police Post at Sanauli |

Administrators/ NGOs:

- | | |
|--------------------|---|
| 1. Andhra Pradesh- | Prajwala |
| 2. Delhi- | Member NHRC, Director Social Welfare office, Prayas |
| 3. Haryana- | Shakti Vahini |
| 4. Karnataka- | Director Women & Child Development office, Government Protective Home |
| 5. Maharashtra- | Perna, International Justice Society |
| 6. Tamil Nadu- | Director Social Defence office, Madras University |
| 7. Uttar Pradesh- | Manav-Seva, Collectorate office and Probation office |
| 8. West Bengal- | Sanlaap & Durbar Mahila Samanvey Samiti |

Health Care Workers:

- | | |
|-----------------|---|
| 1. Delhi- | Red light area, Mobile AIDS dispensary |
| 2. Maharashtra- | Male and female STD dispensaries in Kamathipura |
| 3. Tamil Nadu- | Protective Home/ Vigilance home |
| 4. West Bengal | Sanlaap |

2.9 DEVELOPMENT OF THE RESEARCH INSTRUMENTS

The researcher developed the research instruments for all the target groups in consultation with my guide to be able to effectively collect all relevant information. Four instruments were used for the data collection namely:

- I. Questionnaires
- II. Review of existing literature
- III. Structured observations and field visits
- IV. Structured review-collection of data from records

I. Questionnaires

The questionnaire used in the study was constructed and organized by topics related to the path trafficked victim may follow and operation of the sex industry in which they are normally exploited. Questionnaire for each target group of respondents were designed according to the topics on which this group would most likely have knowledge and experience. These questionnaires were referred as base document. The process used in designing the questionnaires was as follows:

1. Identified existing and appropriate instruments and contacted guide and other researchers.
2. Designed separate questionnaire for each target group, covering core indicators which each of these groups would most likely have knowledge and experience on.
3. Devised an open-ended questionnaire with some closed ended questions to all cover core indicators.
4. Reasons for choosing open-ended questions were:
 - a) Intricacies of the issue still unknown
 - b) Unanticipated answers
 - c) Describing the world as the respondent see it
 - d) Provide quotable material and qualitative analysis
 - e) Can probe further and in greater depths.
5. Questions purposeful, concrete and complete sentences. The questions were unambiguous and were intended to extract accurate and consistent information. Each of the questions was exclusive and represented one thought at a time.
6. The questionnaires were very elaborate and covered all aspects of trafficking.

II- REVIEW OF EXISTING LITERATURE

Documentation of some known cases and information on trafficking was taken as a literature and case review based on academic and professional journals and government reports.

1. Reviewed all possible books written by international and Indian authors on the subject.
2. Review of interventions, policies, programmes, publications, protocols on the subject.
3. Reviewed international and Indian best practices on the subject. Included cooperation & coordination, prevention, protection, prosecution, rescue, recovery, rehabilitation and reintegration.

III -STRUCTURED OBSERVATIONS AND FIELD VISITS

The researcher had proposed to cover metro six cities namely: Delhi, Mumbai, Kolkata, Chennai, Hyderabad and Bangalore for this research project. These cities have large sex industries that enable comparisons of geographical source, trafficking routes and operation of the sex industry. Besides he made visits to visit to Punjab, Haryana, Uttar Pradesh, Indo-Nepal border and Indo-Bangladesh border. Each metro attracts a variety of migrants.

1. Collected data visually and focused on specific actions and characteristics. Structured observations included socio economic profile of trafficked victim, customers, traffickers and establishment owners. Geographical profiling of the vulnerable areas.
2. Made a record of the structured observations.
3. Made the following field visitations:

TABLE 2.2 FIELD VISTATIONS

State/ City	Red Light Area/ Sex Establishment s	Protective Homes	Police Establishments	NGO/ Social Service Agency	Hospitals
Maharashtra Mumbai	-Kamathipura -Grant Road -D.B. Road -Kehtwadi -Sonapur -Bhandup -Beer-Bars in town & Suburbs	Government Homes -Deonar -Chembur Night care Centre- Kamathipura	DCP/Enforcement P.S. Nagpada D.B.Road Bhandup P.P. Shuklaji Road, Simplex, Sonapur	Prerna Sathi International Justice Society (IJS)	Male & Female BMC STD Clinics, Kamathipura
Andhra Pradesh Hyderabad	- City area	Faluknama	DGP, ADGP-CID, CP, DCP-Crime Hyderabad Office	Prajwala	-

Tamil Nadu Chennai	Mahabalipuram City area Beer Bars	4- Government Homes Chennai	CP Chennai, AVS Office Chennai Central Jail	Director Social Defense Madras University	Protective Home
Delhi Delhi	G.B. Road Yamuna Pusta	2- Government Homes Tihar jail Complex ' Prayas' NGO run home	P.S Kamla Market P.P. Shahgunj DCP North & Central Delhi Offices	NHRC NCW Director Social Welfare Prayas	Private doctors & AIDS society Mobile Van In G.B. Road
Punjab Garhshanker Nawashahar Ludhiana Mohali	-	Nawashahar	PHQ, Chandigarh DIG Ludhiana Range DIG Intelligence SSP Nawashahar SP- Mohali PS- Garhshanker & Nawashahar	-	-
Haryana Faridabad Karnal	Hathin sub- Division for forced marriages	Nari Niketan Karnal	SP Faridabad	Shakti Vahini- Faridabad D.C. Karnal	-
Karnataka Bangalore	City area	Government Home Bangalore-	C.P. Bangalore Central Jail Bangalore	Director Women & Child Development	-
Uttar Pradesh Kanpur Gorakhpur Sanauli Varanasi Mirzapur & Bhadoi	City area City Area Nepal Border Counseling centre Madwadi Carpet factories	Nari Niketan Kanpur & Gorakhpur	District Jail Kanpur & Gorakhpur Border Police Post at Sanauli P.S.Madwadi P.S.Bhadoi	Probation Officer at Kanpur & Gorakhpur NGO Manav Seva at Sanauli Indian Institute Of Carpet Technology,	-

				Bhadoi	
West Bengal Kolkata	Sonagachi Sealdah Kalighat Khiderpore	Sanlaap, Narenderpur	West Bengal CID Headquarters Kolkata Police HQs Bartala PS	Sanlaap Durbar Mahila Samanway Samiti	Sanlaap
Murshidabad	Behrampore Islampur Murshidabad		DPO Behrampore PS Islampur		
North 24 Parganas			International Border Immigration BSF Customs		

IV- STRUCTURED RECORD REVIEWS- COLLECTION OF DATA FROM RECORDS

1. Crime in India- NCRB
2. Crime figures from states
3. Figures of rescued girls and boys from Director Social Welfare
4. Figures from NGOs
5. Case files of important cases

2.10 PRE-TESTING THE RESEARCH INSTRUMENT

A small set of questionnaires for the four target groups were got printed. A small scale rapid qualitative research was undertaken by some experts in the field of trafficking, involving some target respondents, to develop a comprehensive understanding on the interpretation of the questions and correct terminologies ensuring that the original meaning of the questions was not lost.

Pilot testing was undertaken on 8 victims of sexual trafficking lodged in Protective home of a Delhi based NGO in the month of October 2003. The test was also administered to two NGO officials simultaneously. The questionnaire schedule was then finalized in consultation with my guide and other experts in the field based on the feedback of the pilot test.

2.11 TRAINING FOR FIELD WORK

Since the researcher did not have much previous experience of working on similar research projects, he underwent some training under my guide and 'Prayas' a Delhi based NGO deeply committed to the field of trafficking for many years. This was important, as he had to develop the right attitude and aptitude to positively influence the outcome of the survey, especially when working among very hard to reach target groups and enquiring about sensitive behavioral aspects. He received training on interview techniques, appropriate recording of responses, approach and field methodology to be adopted for successfully carrying out the research.

2.12 POPULATION AND SAMPLE SIZE CALCULATION

- Due to clandestine nature of the problem, the population is not definitive. However the cases of trafficking are spread all over the country. There are no accurate estimates of the population and their geographical

distribution. Inclusion criteria for the target population was all the stakeholders in human trafficking, i.e. victims, police officers, traffickers, Administrators and NGOs, health professionals.

- Sex trafficking is found in abundance in red light areas of metros and other big towns of India
- Forced marriage or sex slavery is common in parts of Haryana, Punjab and Western Uttar Pradesh. The sex ration has fallen to alarming levels in these states.
- Forced labour is found in many parts of the country. However from the review of existing literature, it is quite evident that frequency of these incidents is high in Punjab and Delhi.
- Organ transplant goes on clandestinely in many parts of the country, but the Kidney transplant scam of Amritsar appeared prominently in the media.
- Fake adoptions of children to the Western countries goes on surreptitious in India. I took up the Hyderabad adoption case as it received media attention.

SAMPLING & SAMPLE SIZE

To gather information on trafficking and illicit trade in India, as effectively and as efficiently as possible, target sampling was used in which individuals with knowledge on trafficking and the organized crime were interviewed. The goal was to gather information from the most informed experts on the topic, and not to do a broad survey of knowledge and attitudes.

- Probability sampling was not possible due to non-definitive nature of the population.
- **Non-probability sampling** was chosen, as it was convenient and appropriate.
- **Purposive/ Convenience samples with Snowball effect.** To gather information as effectively and efficiently as possible, individuals with knowledge on trafficking were interviewed. The goal was to gather information from the most informed experts and sources on the topic, and not to conduct a broad survey of knowledge and attitudes.
- **Quota/Cluster sampling:** Divided the population into four clusters/groups
 - a) Victims of trafficking who had been or were presently engaged in commercial sex work
 - b) Police officers who had the experience and expertise of this type of crime/ trafficking
 - c) Administrators and NGOs who provide services to victims in "a" above and have studied the problem of trafficking
 - d) Health professionals who provide medical services to victims in "a"

The procedure presented above are intended for surveys where the primary objective is to explore the phenomenon of trafficking in India. The sample size required to measure core indicators of the victims should be more than the other three target respondents as victims are the best source of information about trafficking.

Sampling size was kept to the following level to be able to get the sufficient information from target groups and to keep the sampling error low.

- a) Victims: 100

- b) Police Officers 20
- c) NGOs 15
- d) Health professionals 10

The response rate of the above respondents was 100%.

2.13 SAMPLING PROCEDURE

The following sections detail out the specific sampling design adopted for different target groups.

2.13.1 Commercial Sex Workers (CSWs)

The following Four-Stage Cluster Sampling Design was adopted for selecting target respondents in each State:

- Stage I: Selection of Cities/Towns
- Stage II: Selection of Red Light/ Brothel Areas, Protective Homes, and Jails
- Stage III: Selection of Brothels (Clusters), Homes and Jails with victims
- Stage IV: Selection of Target Respondents

Stage I: Selection of Cities/Towns

In each of the 9 states a rapid situational analysis was undertaken by me to identify cities and towns with high incidence of trafficking. An in-depth secondary research was carried out based on information available from different sources e.g. NCRB, key NGOs working among target community, previous research studies, National Aids Control Organization etc. In Tamil Nadu detailed mapping information was available. Efforts were made to utilize existing information to select Cities/ Towns for carrying out survey among the victims who would be available in brothels/ red light areas, protective homes and jails.

Once cities/ towns were selected, I undertook a rapid mapping exercise to identify all the red light areas/ protective homes/ jails. The number of victims in each institution was estimated with the help of key informants e.g. Police Chief of the area, Superintendent of Protective home, brothel owners, NGO peer educators etc.

Stage II- Selection of Red Light areas/ Protective Homes/ Jails

Most selected cities/ towns had one red light area. However, big metropolitan cities like Mumbai and Kolkata had more than one red light area from where at least three to four brothel chief areas were selected.

Similarly most of the cities had one or more protective homes where victims of trafficking were placed. Generally there were separate homes for minor girls and major women. In some jails were lodged women arrested under different sections of ITPA and with some hard search few traffickers could also be found in the jails.

Stage III- Selection of Sex Establishments (Clusters)/ Protective Homes

Each selected brothel area was segmented into two or three equally sized parts. The required number of brothels to be selected in the entire brothel area was equally distributed across three/four segments. All efforts were made to ensure a fair degree of randomness in selecting the required number of brothels in each segment. It was ensured that the main and the prominent brothels are covered in the survey. Mindful of the fact that since sex establishments differ in their character, quality of customers and price range, I tried to cover all types of sex establishments. Many Beer- Bars characterize Mumbai, which is very prominently included in my survey.

Trafficking is receiving a lot of media attention in recent years, and hence law-enforcement agencies with the help of NGOs are regularly raiding the sex-establishments for rescue of minor girls. It is very hard to find minor girls in sex-establishments engaged in commercial sex work. However, many such minor girls can be found in Protective homes engaged in some rehabilitation work and waiting for their repatriation to home and reintegration with their families. Some hardened commercial sex workers and traffickers can also be found lodged in the jails.

Stage IV- Selection of Target Respondents

In each sex-establishment a quick listing exercise was carried out. Since the premium in the industry is on young girls, I selected young girls as my respondents. This was based on the premise that there is higher probability of young girls to be trafficked against their will.

2.13.2. Victims of Forced Marriage/ Forced Labour etc. (Non-commercial sex workers)

Three stage cluster sampling design was adopted for selecting target respondents in each state:

- Stage I- Selection of Cities/Towns
- Stage II- Selection of Protective Homes
- Stage III- Selection of Target Respondents

Stage I: Selection of Cities/Towns

Cities/ Towns were selected according to incidence of trafficking reported in the media.

Stage II- Selection of Protective Homes/ Jails

After obtaining necessary information from Police and Social Welfare Department protective homes/jails were selected. The criteria for such selection was that they should have victims of trafficking as their inmates.

Stage III- Selection of Target Respondents

2.13.3 Police Officers

- Stage I- Selection of Cities/Towns with high incidence of trafficking
- Stage II- Selection of Police Stations/ Office around red light areas or which other forms of trafficking are prevalent
- Stage III- Selection of Target Respondents. Police officers who actually worked on cases of trafficking.

2.13.4 Administrators/ NGOs

- Stage I- Selection of Cities/ Towns with high incidence of trafficking.
- Stage II- Selection of Red light areas where the NGOs work among target community.
- Stage III- Selection of respondents, officials who actually provide social services to the victims.

2.13.5 Health Care Workers

Stage I- Selection of Cities/ Towns with high incidence of trafficking.

Stage II- Selection of health establishments in Red light areas.

Stage III- Selection of respondents who provide health services to victims.

TABLE 2.3 ACHIEVED SAMPLE SIZES

S. No	State	Victims Of CSE	Victims Of other Forms of Trafficking	Traffickers	Police Officers	NGOs	Doctors
1	Maharashtra	30	-		7	3	4
2	Tamil Nadu	7	-	1	6	1	1
3	Andhra Pradesh	3	-	-	-	1	-
4.	Delhi	22	3		4	3	2
5.	Punjab	-	-	1	3	-	
6.	Haryana	-	5		1	2	-
7.	Karnataka	3		6	3	2	
8.	Uttar Pradesh	7	2	2	5 + 1 Nepal	4	-
9.	West Bengal	2	7		5	4	1
	Total	74	17	10	35	20	8

2.14 FIELD WORK

The fieldwork was initiated in January 2004 and completed by June 2004. The entire fieldwork was carried out in nine phases, each state being covered in one phase. Researchers personally conducted the interview schedules with the assistance of local authorities.

After each phase of data collection, he got the same checked by his guide to ensure completeness and accuracy of the filled up questionnaires. He also initiated manual scrutiny of the filled up questionnaire and the coding exercise on the schedule.

2.15 DATA MANAGEMENT AND DATA ANALYSIS

The questionnaire was composed of open-ended and closed-ended questions on each topic. Analyses of responses include descriptive summaries of open-ended questions and descriptive statistics for closed ended questions. During the field visitations researcher came across some interesting case studies which he felt would be good training material for law-enforcement officials.

Quantitative data was entered in the ISSA package due to its inbuilt capacity of making range and consistency checks. Data was analyzed using SPSS package. Estimates of all the key variables including the core indicators for different target groups have been calculated and presented in following chapters.

2.16 QUALITY ASSURANCE MECHANISM

The researcher made all efforts for maintaining high quality of output at every stage of the research project. Dr. A.K. Saxena carried out checks for ensuring accuracy of the collected information. Every month he made a presentation regarding the progress of my research work before the entire NPA faculty and received their valuable inputs and feedback. All

questionnaires were manually scrutinized and coded after each phase of data collection for ensuring quality.

2.17 Delimitations of the Study

Due to limitations of time and resources the fieldwork was restricted to 10 states of India. However efforts were made to cover states with high incidence of human trafficking. Further, all forms of trafficking were included in the study. However due to clandestine nature of the problem large-scale data collection was not possible. Moreover the victims being in traumatized state, sometimes did not respond properly to the interview questions.

- i. The present study is an exploratory study. Further studies on the specific issues may yield more precise and incisive results.
- ii. The researcher being a serving police officer, found an advantage in carrying out an extensive study on a law-enforcement related subject. However his urge to downplay the negative role of the police in the whole phenomenon, some bias may have crept into the study.
- iii. The researcher had to depend on different police and civil officials as facilitators to conduct the interview schedules on the target respondents. Thus the control of the researcher on the selection of the respondents could not be adequate.
- iv. The theme of the research on human trafficking and related issues, having been first of its kind in India, called for hard pursuits, seemingly with partial success.
- v. The respondents were made aware of the researchers identity as a senior police officer, when they responded to the interview schedule. As such, the possibility of responses obtained getting influenced cannot be overlooked.

Annexure-I

Literature Review

Books:

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- 14) *Encyclopedia Britannica* (London: Chicago University Press, 1996)
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- 16) Sietske Altink *Stolen Lives: Trading Women into Sex and Slavery* (Scarlet Press, London, 1995)
- 17) Dennis Altman *Global Sex* (University of Chicago Press, 2001)
- 18) Mrinal Pande
- 19) David E Guinn and Elisa Steglich *In Modern Bondage: Sex Trafficking in the Americas* (Transnational Publishers, New York)
- 20) Department of Women and Child Development, Ministry of HRD, Govt. of India *Indian Child a Profile*, 2002

Documents:

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- 2) b) State Department of United States. *Trafficking in Persons (TIP) Report, 2001*
- 3) c) State Department of United States. *Trafficking in Persons (TIP) Report, 2002*
- 4) d) State Department of United States. *Trafficking in Persons (TIP) Report, 2003*
- 5) e) State Department of United States. *Trafficking in Persons (TIP) Report, 2004*
- 6) e) Human Rights Watch *The Small Hands of Slavery, 1996*
- 7) f) U.N. Commission on Human Rights *Integration of the Human Rights of Women and the Gender Perspective, 2000*
- 8) g) United Nations *Convention against Transnational Organized Crime, 2000 & Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, 2000*
- 9) h) Asian Development Bank *Combating Trafficking of Women and Children in South Asia: Country paper India, 2002*
- 10) i) Asian Development Bank *Combating Trafficking of Women and Children in South Asia: Country paper Bangladesh, 2002*
- 11) j) Asian Development Bank *Combating Trafficking of Women and Children in South Asia: Country paper Nepal, 2002*
- 12) k) Centre for Intelligence Studies (CIA) *International Trafficking in Women to United States: A Contemporary Manifestation of Slavery and Organized Crime, 1999*
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- 5) International Organization for Migration Journeys in Jeopardy: A review of Research on Trafficking in Women and Children in Europe, 2002
- 6) Documents on Human Trafficking from Nepal

Indian Legal Framework and International Instruments

- a) Constitution of India
- b) Laws of India
- c) International Legal Instruments

CHAPTER-5

HEALTH EFFECTS OF TRAFFICKING

The health effects of trafficking for sexual exploitation have not been well documented and analyzed. There have been a number of studies in the medical and social sciences to investigate the rate of HIV/AIDS and Sexually Transmitted Diseases/ Infections i.e STDs/ STIs of certain populations of women and men, there has been no focus on larger health consequences to victims of sex trafficking. In this study health care providers were asked about the physical, medical and emotional effects and aftereffects of trafficking of women for sexual exploitation.

Health Care Respondents:

Eight health care providers including six doctors, one counselor and one staff nurse of who worked with victims of trafficking were interviewed. The following was the break up of the respondents:

Table 1

S.No	Place	Name of health establishment	Job/Title Male/Female	Experience working with trafficked women
1	Mumbai	Male STD Clinic-Nagpada Mumbai Municipal Corporation	Medical Officer Male	9 years
2	Mumbai	Female STD Clinic-Nagpada Mumbai Municipal Corporation	Medical Officer Female	8 years
3	Mumbai	Female STD Clinic-Nagpada Mumbai Municipal Corporation	Medical Officer Female	18 years
4.	Mumbai	Female STD Clinic-Nagpada Mumbai Municipal Corporation	Counsellor Female	15 years

5	Chennai	Department of Social Defence, Government of Tamil Nadu	Medical Officer Female	22 years
6.	Delhi	Private Practitioner, G.B.Road	Doctor Male	40 years
7.	Delhi	Delhi Aids Society, G.B.Road	Staff Nurse Female	14 years
8.	Kolkata	Medical Officer, Sanlaap	Medical Officer	20 years- 1 year with Sanlaap

All the above health care workers had direct involvement with known cases of trafficking and had day-to-day interaction with victims of sex trafficking. Information about the trafficking trade with special emphasis to health effects was obtained primarily from scheduled interviews with the above-mentioned health care providers.

OPERATION OF THE SEX INDUSTRY:

Sex industry in various parts of India facilitates sexual exploitation and trafficking in women by capitalizing on both supply and demand. This section characterizes four sex trade centres in Delhi in the north, Mumbai in the west, Kolkata in the east and Chennai in the south- towns selected for geographical and demographic diversity. In their eagerness to make more money, sex establishments do not screen the customers for diseases or cleanliness. All the sex establishments that researcher visited all over the country are characterized by filth, bad hygiene, bad odour and claustrophobia. Sex trade in the four metros is prolific and diverse, and differs in operation, structure and management. Some operate legally, such as brothels in red light areas in Mumbai, Kolkata and Delhi and Beer bars in Mumbai. Chennai is characterized by makeshift and clandestine sex enterprises, operating out of private residences, dodges and hotels. Many of the sex business all over the country is transient and mobile, but

that does not involve trafficking of women and is not the subject of study in this research project.

Mumbai:

Since the health providers interviewed were based in Nagpada, they could provide me information about sex establishments in and around this place. Sex business in the area is highly visible, permanent legal business, with illegal operations on the side, with involvement of minor girls. The red light area is located in Kamathipura and Kehtwadi areas in the jurisdiction of Police Stations Nagpada and D.B. Road. Besides these brothel-based establishments, there are Beer Bars with dancing girls all over the city and suburbs and Mujra joints in Grant Road. Legitimate business like Beer-Bar is sometimes fronts for brothels, with backrooms and cordoned off sections used for sex work. In the Nagpada area it is estimated that there are 6000-15,000 sex workers. One female doctor stated that 50% of them are brothel based Commercial Sex Workers, 20% are non-brothel based sex workers and 30% are married women who regularly indulge in sex work. There are about 400-500 sex establishments in this part of Mumbai with sex work ranging from roadside soliciting, Pinjras, Ghars, Bungalows and some hotels. Women are regularly trafficked into the areas, as most of the victims are outsiders. These sex establishments operate under layers of deception so that it is often difficult to determine who are the real owners. According to one respondent the trade is financed or backed by organized crime groups. Others said that it is just controlled by gharwalis, madams and pimps and there was not mafia involved.

These establishments cater to all communities and they advertise through word of mouth, brokers and open soliciting. The traffickers are outsiders but the pimps are invariably locals. Two respondents said that the pimps are involved in other criminal activities and have linkages with other anti-social elements with about 10 of them in one crime ring. The sex establishment is owned by the brothel keeper who controls the money the customers pay the victims.

The customers of this red light area in Mumbai range from school boys, labourers to elderly men with age range from 16 to 60 years. Most of the customers are not highly educated but some are post graduates also. The customers are generally married workers living away from their families. Some foreigners also patronize this red light area with most frequent visitors being Negroes and Arabs. Average number of customers women had to provide sex to in a day is 3, with range from 1 to 10 depending upon the quality of girl. According to one respondent, the business was in its peak in 1992, but after the scare of AIDS it has gone down and as a result the number of clients have reduced.

Delhi:

The two health service providers interviewed were based at G.B.Road and thus they were familiar with sex establishments in that area. Swami Shradhanand Mard or more popularly known as G.B. Road is the main red light area of Delhi. There are about 20 sex establishments with about 2000 to 3000 sex workers. On the ground floor of the road is a busy machine parts market, and the sex establishments are located first floor upwards. Each sex establishment is spread on either side of the main staircase and on to many floors. One respondent said that these establishments were owned by managers while the other was very specific and named one Nimi Bai of Kotha No 51 and on Neta Bhola Nath, who is rumoured to solve everyone's problems. These establishments cater to all communities and the form of advertisement used is word of mouth and brokers. Women are trafficked into the area as there are no local girls involved in this trade.

Pimps are generally rickshaw pullers, drivers, petty labourers and moholla boys organized in gangs of about 2-7 persons. Pimps are involved in petty crimes and indulge in drug trafficking and are drug addicts as well. The traffickers are generally outsiders belonging to the source are of the victims. Nayika who owns the place controls the money.

Clients types range from school kids, drivers, petty businessmen, Chaudharys from Haryana & Western UP, Armed force personnel, police

personnel etc. The age range of customers is from 16 to 70 years. On an average the victim had to provide sex to 5 customers per day with range from 3-10.

Chennai:

Chennai has no earmarked red light area, but sex trade is scattered all over the city. Normally managers hire the victims on contractual basis for 15 days or more, rent houses in the outskirts of the city and live as family. The sex trade is carried out in clandestine manner operating out of private houses, lodges and hotels where women are moved from place to place. Managers and traffickers are outsiders and pimps are generally lodge workers, auto rickshaw drivers. All types of customers visit these establishments with age range from 18 to 60 years. Some of the clients are educated as well, while local businessmen are the most common client. On an average the victim had to provide sex to 2 customers per day.

Kolkata:

The doctor interviewed had a rich experience in clinical work and had come to work for NGO Sanlaap for the last one year. He regularly visited all the redlight areas of the city and the protective homes run by the NGO. In Kolkata there are 11 red light areas in different parts of the city in which about 40 to 50 thousand sex workers are employed on whole time and part time basis. According to the interviewee about 30 to 40% of them would be minors. There have been many studies done by various organizations and each of them puts a different number of sex workers and minors among them. The various redlight areas in Kolkata are Sonagachi, Bowbazar, Tollygunge, Kalighat, Lockermart, Kidderpore and many outskirts of the city. There is heavy roadside soliciting also. The sex trade caters to all communities and the mode of advertisement is word of mouth from customer to customer. Women are being trafficked into the city as

there have been many rescues of minor girls from other states and 9 districts of W. Bengal.

The pimps are locals while the traffickers are from source areas working in gangs of 10-12. The sex workers are controlled by madam, who takes the premises on rent from a landlord. The customers are normally migrant labourers living away from their families, businessmen, educated people, babus and clerks who are mostly locals and some from outside. The age range of the customers is from 15 to 70 and women have to provide sex to about 5 to 6 customers per day.

In Sonagachi, the high end of the trade is controlled by "Bedia" community girls from central India. Their establishments are cleaner, plush and cater to highest end of the customers.

**Table 2 PROFILE OF TRAFFICKED WOMEN WHO COME IN CONTACT
WITH HEALTH PROFESSIONALS:**

	Mumbai	Delhi	Chennai	Kolkata
No. of victims coming for health care	Total cases: 40-50/ day Old cases: 25-30/day New: 5-20/day	Total cases: 5-10 /day	Frequently	100 girls in 1 hour camp
Age Range	20-40 yrs	17-55 yrs	18-50 yrs	9-18
States of	Nepal, WB,	AP, TN,	Tamil Nadu, AP,	

origin	AP, TN, KTK	Orissa, Nepal, Bihar, WB, Bangladesh, KTK, Maharashtra	KTK	WB JKD, Bihar Assam
Castes	Generally lower castes	Lower castes, Muslims	All	Hindu Muslims
Are they accompanied by someone during their visit	Peer educators of BMC- Asha Mahila Sanstha/ Brothel Keepers	Brothel keeper	Parents/friends	Some come unescorted
Did that person speak for them	Yes	Yes	Both	Yes
Description of hometown	Rural/ small towns	Rural	Town	Rural
Highest level of education	Low- upto 12 th	Low	Low-upto 10 th	primary
Past work experience	Farm/domestic	Farm/domestic	Domestic work	Domestic work
Socio-economic status	Low	Low	Low	Low
No. of dependents	Family 2-8	Family 2-6	2-5	5-6 family
Do the	Private and	Private-small	Govt. General	Private

victims go to particular health centres	BMC Clinic	problems Govt. hospital- big problems Dr. Girdhari Lal for deliveries	Hospital	doctors/ NGO clinics for small problems Serious problems- Referral services
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METHODS OF RECRUITMENT:

Women get involved in sex trafficking due to:

Table 3

REASONS	METHODS
Poverty (100%)	Allurement for jobs (50%)
Illiteracy (15%)	Deceit of love and marriage (30%)
Orphans (15%)	Other forms of deceit (15%)
Alcoholic husbands (15%)	Force-kidnapping and abduction (30%)
Own volition (15%)	By chance (15%)
Glamour (30%)	

The victims are normally recruited by traffickers and sold off to the owner of the brothel.

WHO ARE THE TRAFFICKERS:

Table 4

Friend/neighbour

30%

Spouse/partner	15%
Pimps/dalals	30%
Women scouts	15%
Others	15%

Individuals and gangs are certainly involved in trafficking women into destination as the victim except those belonging to traditional communities, do not come on their own.(100%)

Women are generally recruited as individuals but it not uncommon for them to be recruited in groups of 2-5 women. They are normally assured of a good job, comfortable life, without any promise of the exact amount they will make. They are sold off to the brothel owners and this amount stands as a debt against the victims, which they have to repay through sex work with heavy interest. Respondents said that 30% of sex workers are old hands in the trades, just shifting from city to city , while 70% respondents are fresh. In Mumbai the victims are in the age range of 10-35 years with the average age of 20 years. In Delhi the average age of trafficked women is 22 and the age range is 17 to 35 years, with most victims from AP, TN, Bihar, Karnataka, WB, Nepal, Maharashtra and other backward areas. Delhi is characterized by presence of high percentage of Muslim victims. In Chennai some very old women upto the age of 55 are also in the trade. Most of the victims in Kolkata belong to Bengal, Bangladesh, Nepal, Orissa, Assam and other Eastern and Northeastern states.

METHODS OF MOVEMENT:

Train is the most preferred form of movement (100%) due to victims being from far away distances. In 34% cases combination of train and bus was used for travel. The fare is paid by the trafficker and the victims usually travel alone (85%) and in groups of 4-5 girls (15%). They arrive in the destination without any financial resources and are placed straight in the brothels in red light areas, beer bars and message parlours in Mumbai, kothas in Delhi and private house and

lodges in Chennai. The victims are lodged in one place and not moved from place to place, only old sex workers are allowed to change places. In Mumbai and Delhi, the victims are confined and not allowed to move out till they repay their loans, which may take a long time. In Chennai, since the character of sex work is totally contractual, the victims are allowed more freedom to move around. In Bengal the victims travel through boats, trains and bus before reaching their destination and sold to brothels in different parts of the country. In the red light areas the victims are mostly from Bengal, Bangladesh, Nepal, Bihar, Orissa, Jharkhand and Assam. In Kolkata the women are directly brought to the red light areas and sold there, the victims being confined initially and allowed no freedom of movement.

METHODS OF INITIATION:

Where violence against victims in sex trafficking is reported and noted, male managers of the brothel are generally assumed to be the perpetrators. However, it is not the pimps and traffickers alone, but also the customers who abuse victims.

Except in Chennai the victims are willing to do sex work, in the other three metros, the victims are initiated into the trade through force and abuse.

The common methods of violence during initiation used by pimps and traffickers are:

Table 5

Physical violence including cigarette butts and blade cuts	100%
Sexual assault including gang rape	100%
Psychological abuse	100%
Verbal threats	100%
Death threats	75%
Use of weapons-mostly danda	40%
Use of drugs/alcohol	80%

Isolation/confinement	100%
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The forms of violence during initiation used by the customers are:

Table 6

Physical violence	80%
Sexual assault	60%
Psychological abuse	80%
Verbal threats	60%
Alcohol/ drugs	40%

METHODS OF CONTROL:

Women are not free to leave in Kolkata, Mumbai and Delhi till repayment of their loan, but are allowed to do so in Chennai. The control in the three cities is exercised by brothel keepers and pimps. In Kolkata once the victims get into the act, they usually give acquiescence.

Except Chennai, where it is uncommon for the victims to be beaten, victim beating is very common in the other two cities (100%). The respondent from Chennai said that she had read in the newspaper about one victim being killed in the trade, while 40% others said that they had known about victims being killed in the trade. In Kolkata the victims are allowed no outside contact and it is quite common for them to be beaten. There were reports of some murders of sex workers in the last few years also.

INJURIES, ILLNESS AND SEXUALLY TRANSMITTED DISEASES:

A significant number of victims who have been trafficked suffer multiple health effects from violence and sexual exploitation. They suffer same kind of

injuries as women who are assaulted and raped and of more serious nature. The health providers stated that violence is an intrinsic part of sexual trafficking.

Generally women in Mumbai, Kolkata and Delhi report higher rates of injuries than women in Chennai. They are frequently punched, hit and struck with objects/dandas. Bruises are common and so are cigarette butts, blade cuts. Vaginal bleeding is very common among all the three cities. Rates of STD prevalence are the highest in Mumbai followed by Delhi.

Since the character of sex trafficking is less exploitative and less violent in Chennai, the victims there have the least health problems. Prevalence of sexually transmitted disease is common due to their nature of work.

Table 7

City	Injuries	STD	Illness
Mumbai	<p>HIGH:</p> <p>Bruises</p> <p>Vaginal bleeding</p> <p>Cigarette butts</p> <p>LOW:</p> <p>Broken bones</p> <p>Head injury</p>	<p>Syphilis,</p> <p>Gonorrhea,</p> <p>Genital discharge,</p> <p>Herpes genitalia ,</p> <p>Genital warts,</p> <p>LGV,</p> <p>Urethrites,</p> <p>Vaginitis: Candid</p> <p>Bacterial</p> <p>Trichomonal</p> <p>Cervicitis: Specific</p> <p>Gonorrhea</p> <p>Molluscum Contagiosum</p> <p>HIV/AIDS</p>	<p>TB,</p> <p>Malaria,</p> <p>Cough, cold,</p> <p>fever,</p> <p>ulcers,</p> <p>lower abdominal pain,</p> <p>weakness</p>
Delhi	<p>HIGH:</p> <p>Bruises</p> <p>Vaginal bleeding</p> <p>LOW:</p>	<p>Gonorrhea,</p> <p>syphilis,</p> <p>vaginal infection,</p> <p>skin diseases,</p> <p>Change in menstrual</p>	<p>Cough,</p> <p>cold,</p> <p>fever,</p> <p>tonsil,</p> <p>meningitis,</p>

	Blade cuts Acid marks Teeth bite- (customers)	date, HIV/AIDS	voice disturbance, dysentery, gastro problems, mouth infection
Chennai	Vaginal bleeding(low), bruises (low)	All venereal disease infections , gonorrhea syphilis, Lymphogranuloma vanosum, Herpes genitalia, Venereal warts. AIDS	Scabies Fever
Kolkata	Bruises, Mouth and teeth injuries and vaginal bleeding, scars, cigarette butts, blade cuts	Gonorrhea, Syphilis, Vaginal warts, Candida, Pruritis STD/AIDS Urinary tract infection Infective Hepatitis etc	Infection, Gastro-entritis diseases, Skin infection, Anemia, cough cold, respiratory tract diseases, TB, Jaundice

Birth control and pregnancy:

Many women become pregnant as a result of sexual exploitation by pimps/manager, traffickers and customers. An additional factor is inconsistent birth control use. Campaigns promoting "safe sex" and condoms have tended to take little account of the fact that condoms break. Health providers attested to the weakness of relying on condoms to protect the women. As women under the influence of drugs are less careful about condom use and agree to do sex for more money without condom, there are inconsistencies in condom usage. Given the rates of violence and abuse from traffickers, pimps and buyers, it is not surprising that women do not consistently convince men to use condoms. The victims even if they have the knowledge, really don't have choice of exercising birth control and infection prevention. Their pregnancies, abortions and live births are decided by brothel madams.

Table 8

	Mumbai	Delhi	Chennai	Kolkata
Do women use birth control/ what type	Yes/ Condoms, Oral pills, IU Device, C.T	Yes/ Condoms Oral pills Mala-D After 2/3 kids Get operated	Yes Sterilization Permanent method	Not many
Do men use condoms when having sex with women	Most do But not all	Yes But agree to do sex without condoms for extra money	Yes	Majority Don't Low Awareness

Do women report that condoms irritate them or make them bleed	No- breaks/ tear off	No Only in few cases	Sometimes	No
How many women become pregnant Estimate No. of live births No. of children No. Of miscarriages No of abortions	1/3 women become pregnant Keep 1-4 children Average 2 kids Rest 2-4 miscarriages or abortions	1/3 rd women become pregnant Keep 2/3 kids rest abortions	10% become Keep 1 child Rest 2/3 abortions Miscarriages	30-40% 1-2 1-2 5-10 abortions madam pay for it

EMOTIONAL CONSEQUENCES OF TRAFFICKING:

The emotional consequences of trafficking can just be as, and sometimes more serious than the physical health effect. Women who are sexually exploited continue to experience depression and sadness, even after being out of the sex industry.

Women who are victimized in the sex industry often blame themselves for what happened to them. This internalization of responsibility is not surprising given that there is little understanding and little sympathy about the situation of women in the sex industry.

Table 9

Emotional state of all Victims	
Emotion	% of women interviewed
Depressed	67

Unable to feel	67
Hopeless	16
Difficulty sleeping	-
Nightmares	33
Easily startled	33
Anger/ Rage	33
Self blame/guilt	33
Loss of appetite	33
Suicidal thoughts	67
Hurt/Kill self	33
Use of drugs/ Alcohol	100

HEALTH PROVISION:

Health treatment is not readily available to these women when they need it. The women are mostly confined and it is difficult for the government health providers to penetrate the system of slavery in which they are kept. In Mumbai and Delhi, the women generally tend to visit private doctors for small problems and Government hospitals/clinics for major problems. Only in the case of emergency is the doctor brought to the health establishment. These women are always taken to these health facilities under escort of brothel keeper or in Mumbai- peer educators who were ex-sex workers. In Kolkata the NGOs and other health providers are focused on condom usage by the sex workers, but pay little attention to the overall health provision to the victims.

METHODS OF COPING AND RESISTANCE:

Table 10

	Mumbai	Delhi	Chennai	Kolkata
What do women do on daily basis?	4 pm to 2 am sex work. In between rest and meals	10 am to 2 am sex work. Almost 24 hr. customer	Sex work	Get up late-wash-Afternoon-wait for

		service. In between meals/ rest. Relieve other victims in the brothel		customers – Sex work till late night
How do they cope up emotionally and physically on daily basis?	Emotionally dead/ No say physically. Tick 20 mixed with beer to increase their libido.	Keep good physical care. Dead emotionally.	Emotionally dead	Physical- By addiction Emotional By sharing With co workers
Do they use drugs/alcohol/ tobacco?	Yes	Yes	High class/very low class	Yes Gutka Cigarettes Country liquor (more) Drugs
Do the women try to escape/ leave ?	Initially try. Later accept fatality.	Yes-escape. Later on accept fatality.	Yes- they leave industry	Initial stages Later give In
Do they have history of abuse?	Yes- most	Yes- uncaring parents/ husbands + assault	Yes-most	Physical Psychological Incest Child sexual abuse- By relatives Neighbours.

				Uncared by parents & husbands
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FUTURE GOALS AND RECOMMENDATIONS:

Table 10

No	Recommendation	Mumbai	Delhi	Chennai
1	Causes of trafficking	Poverty, Illiteracy, Lack of guidance, Left by husbands Male dominated society No say of women	Poverty, Lack of awareness	Poverty, Orphans, Alcoholic husbands Destitute
2.	Do women voluntary choose sex work	Not most-some do	No	No
3.	Once they get out of the trade, are they safe from pimps/traffickers?	No-very few	No Some come back	No
4.	Should prostitution be legalized?	No-25% Yes-50% NR-25%	No- Will increase trafficking	No More women enter due to ea money

				Spread of AIDS
5.	What should women do not to fall prey to this type of situation?	Empowerment, Social mass Awareness, Financially sound Focus-on high risk girls	Education	Education, Rehabilitation, Knowledge of AIDS
6.	What should happen in the criminal justice system to: a) Traffickers b) Customers c) Victims d) Establishments	a) Punished b) Legal action c) Empowerment & social mass awareness d) Closed	d) Punished e) Taken action against f) Rehabilitation g) Closed	h) Punished/ Educated i) Punished j) Rehabilitated k) Controlled & Checked police
7.	What do you feel is necessary to stop sex trafficking?	Education- Awareness Service coord. Change in laws Enforcement Prosecution NGOs at Rly. Stn & Bus stands	Education Awareness- Service coord. Change in laws Enforcement Prosecution Employment	Education Awareness Stricter penalties For traffickers
8.	Is the law and penalty adequate?	Yes-25% No-50% NR-25%	Yes-50% No-50%	Yes-50% Penalties accordi to income earned
9.	Coordination among agencies?	Yes-75% No-25%	Yes-100%	Yes-100%

AIDS and Human Trafficking¹

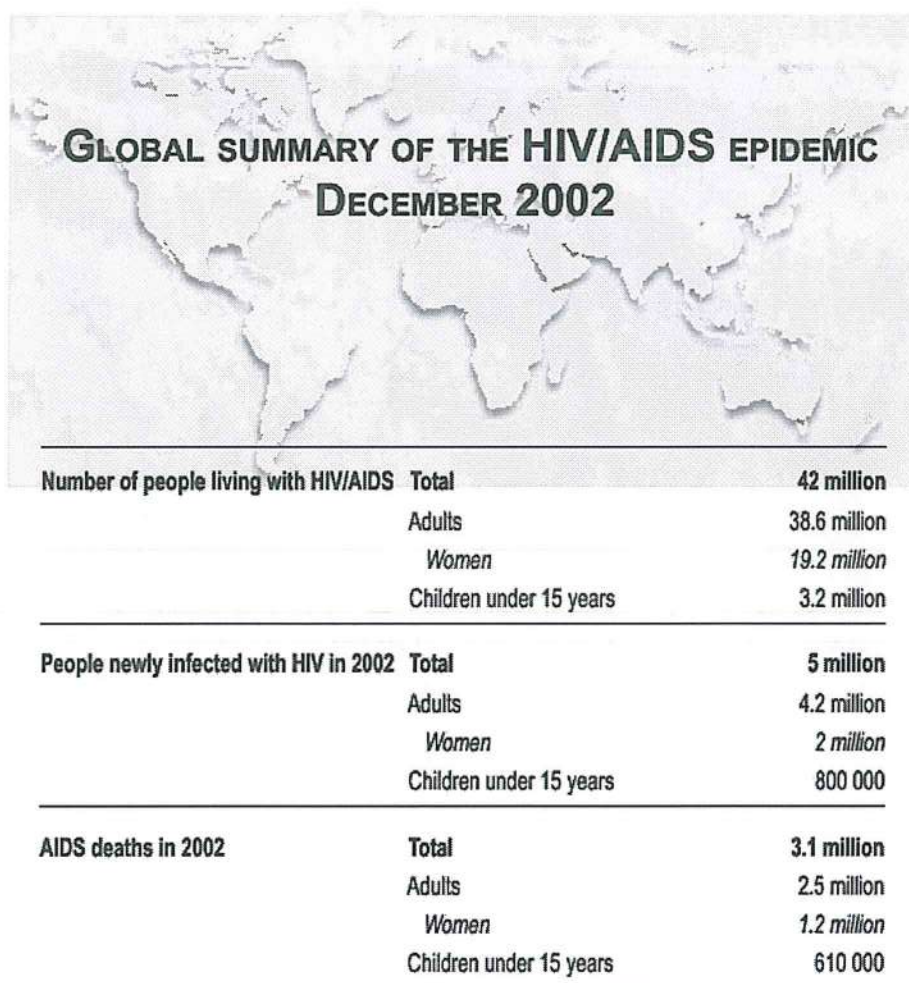
BACKGROUND

The human immunodeficiency virus (HIV), which causes Acquired Immuno Deficiency syndrome (AIDS), has brought about a global epidemic far more extensive than what was predicted even a decade ago. UNAIDS and WHO estimates show that the number of people living with HIV or AIDS globally at the end of the year 2002 stood at **42 million**. This is more than one and half times higher than the estimate made by WHO's Global Program on AIDS in 1991 on the basis of the data then available (UNAIDS, 2002). The HIV/AIDS epidemic continues its expansion across the globe with approximately **5 million new infections in the year 2002**. It is estimated that there were nearly 7.1 million HIV/AIDS in Asia and the Pacific by 2002 and the epidemic claimed the lives of 4,35,000 people in the region during the year².

The first case of AIDS was reported in India in 1986 from Chennai and ever since the Indian scenario has turned serious with nearly **4.58 million HIV** infected people at the end of 2002³. HIV infections have been reported from almost all States and Union Territories. A shift in the epidemic has been observed from the high-risk group to bridge group and then to the general population. In India female sex workers (FSW), men who have sex with men (MSM) and intravenous drug users (IDU) represent the high-risk groups while the clients of female sex workers represent the bridge population⁴.

In the six States of Maharashtra, Tamil Nadu, Andhra Pradesh, Karnataka, Manipur and Nagaland, the HIV prevalence in the general population is more than one percent. Out of all the reported AIDS cases in 2002, it is estimated that 75% of the infections are in male population and 86% of the transmission is through sexual route. Significant variations among and within the States have also been observed. These estimates are based on the annual sentinel surveillance data collected from selected sites all over the country (NACO, 2002)⁵.

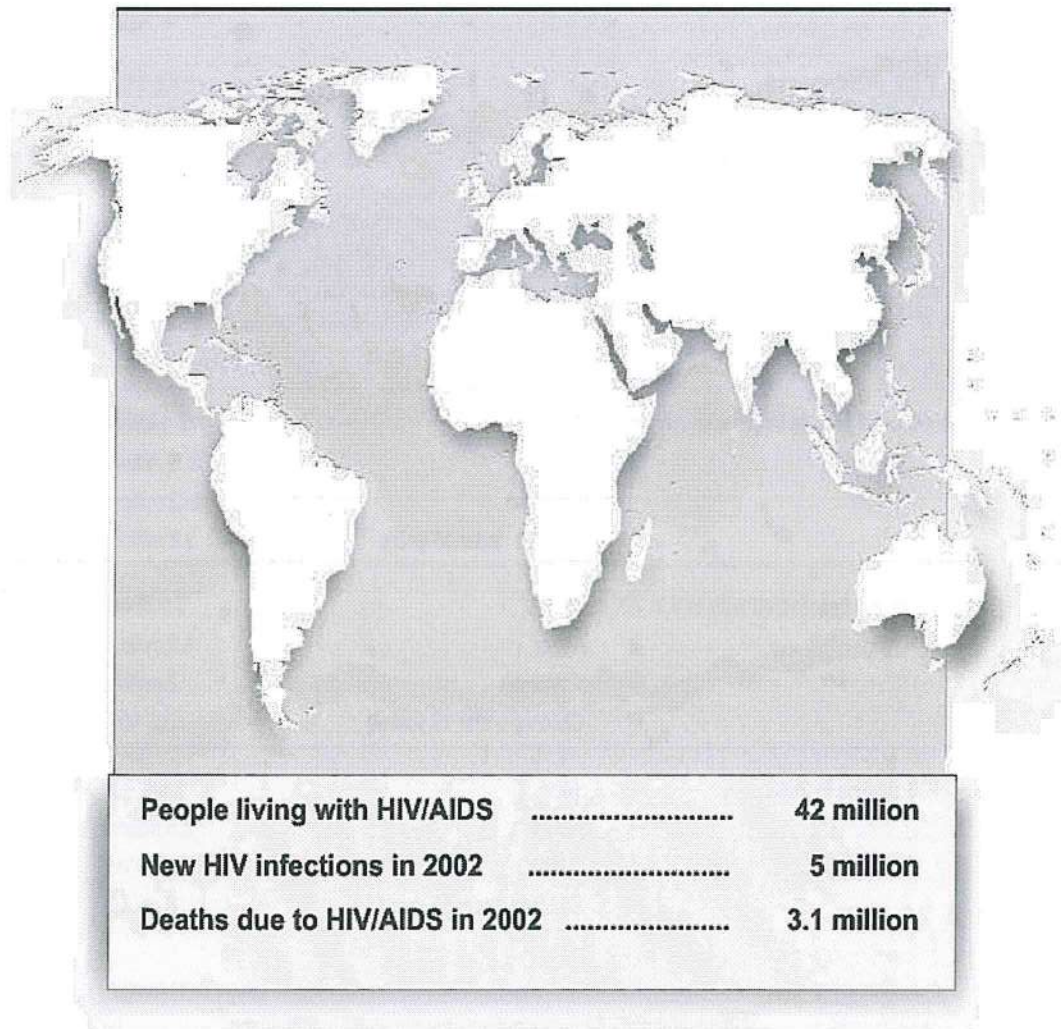
Figure 1



Source: UNAIDS

Figure 2

GLOBAL ESTIMATES FOR ADULTS AND CHILDREN, END 2002



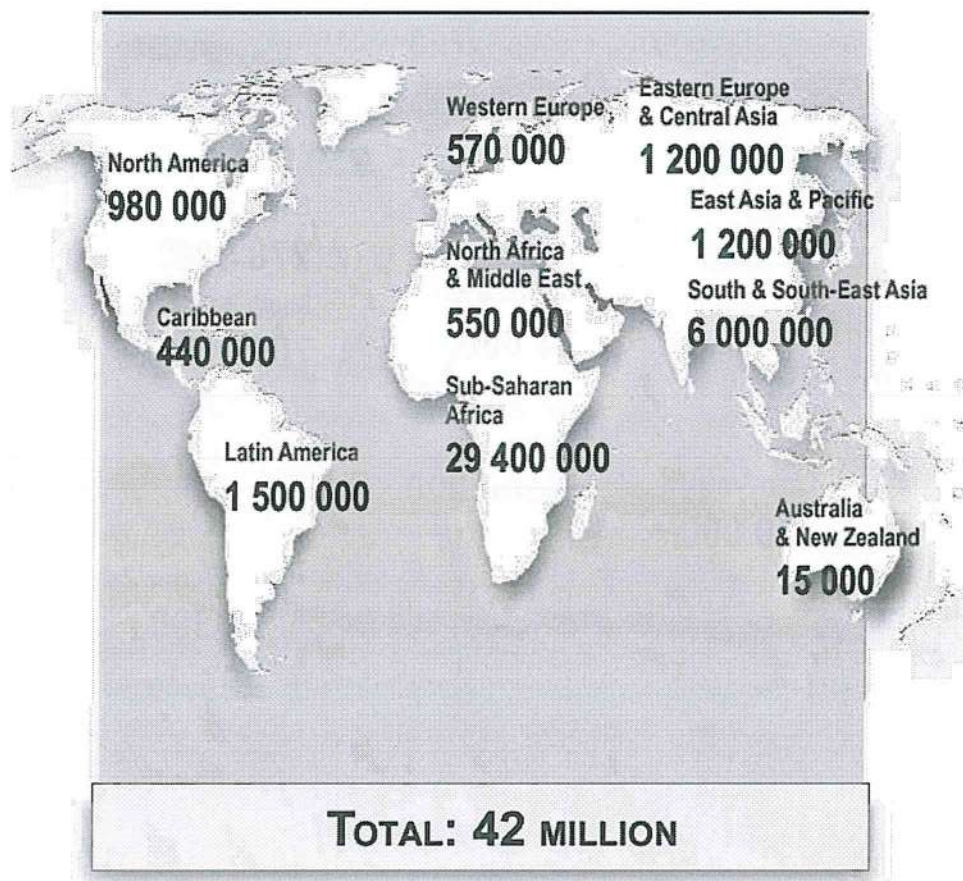
AIDS epidemic update: December 2002



Source: UNAIDS

Figure 3

**ADULTS AND CHILDREN ESTIMATED TO BE LIVING
WITH HIV/AIDS, END 2002**

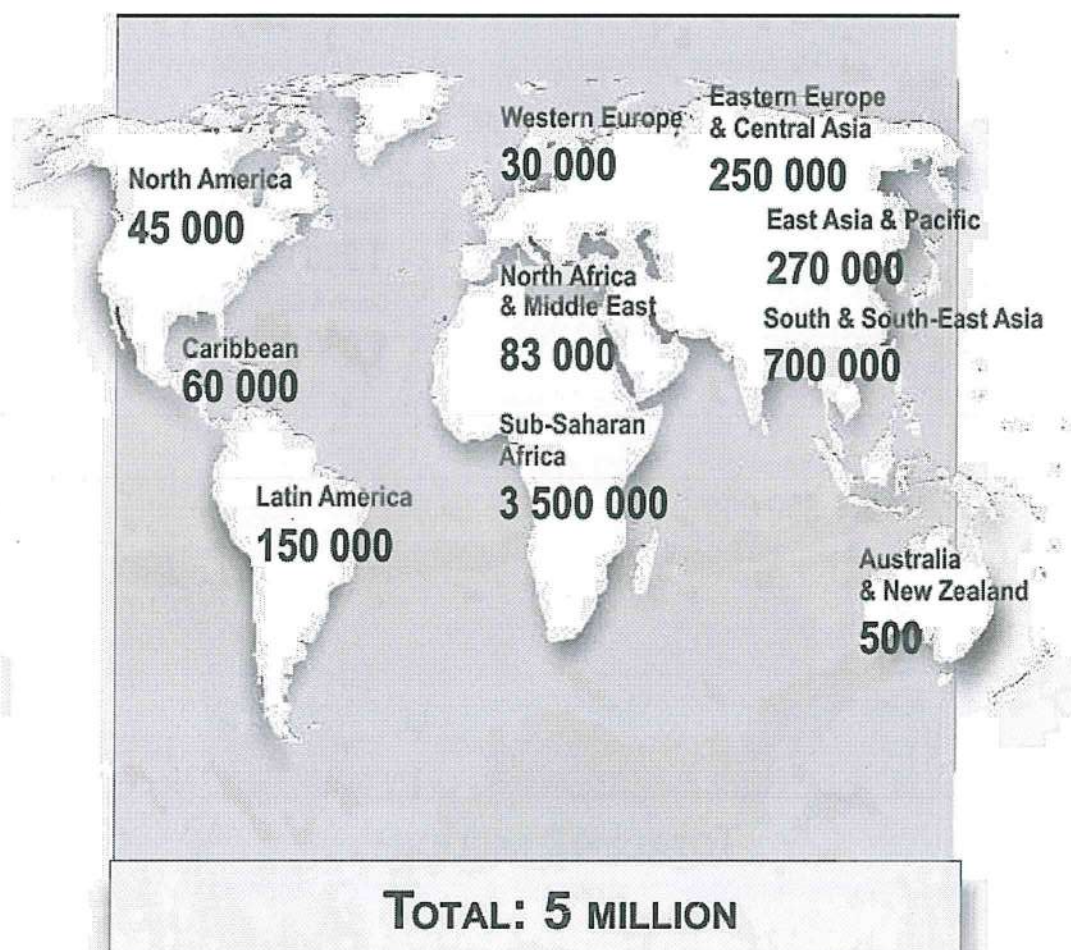


AIDS epidemic update: December 2002

Source: UNAIDS

Figure 4

ESTIMATED NUMBER OF ADULTS AND CHILDREN NEWLY INFECTED WITH HIV DURING 2002



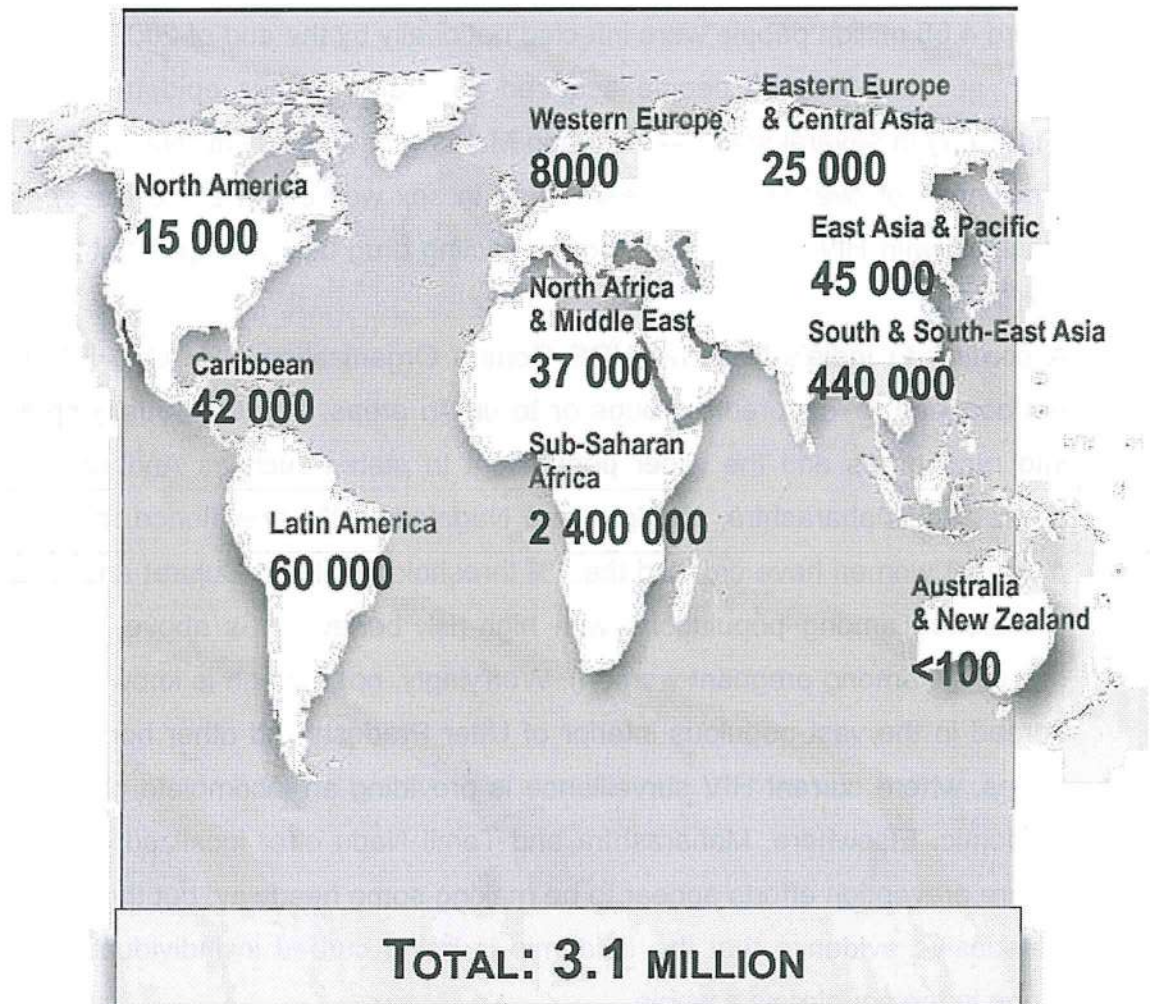
AIDS epidemic update: December 2002



Source: UNAIDS

Figure 5

ESTIMATED ADULT AND CHILD DEATHS DUE TO HIV/AIDS DURING 2002



AIDS epidemic update: December 2002

Source: UNAIDS

AIDS and South Asia⁶

The HIV/AIDS picture in **South Asia** remains dominated by the epidemic in India, where 4.58 million people were infected nationally by the end of 2002. In the past year, at least 300,000 people acquired HIV, and serious epidemics are now under way in several states—including Maharashtra and Tamil Nadu (where HIV prevalence of over 50% has been found in sex workers in some cities), and in Manipur (with HIV prevalence among injecting drug users ranging between 60% and 75%).

According to India's National AIDS Control Organization (NACO), HIV/AIDS is not confined to vulnerable groups or to urban areas, but is gradually spreading into rural areas and the wider population. In states such as Andhra Pradesh, Karnataka, Maharashtra, Manipur and Nagaland, HIV prevalence rates among pregnant women have crossed the 1% threshold, while, in Gujarat and Goa, HIV prevalence among populations with high-risk behaviour is above 5% (though below 1% among pregnant women). Worryingly, not enough is known about HIV spread in the vast populous interior of Uttar Pradesh and other northern Indian states, where current HIV surveillance is providing an incomplete picture of the epidemic. Elsewhere, Maharashtra and Tamil Nadu offer localized examples of where prevention efforts appear to be making some headway, but there is not yet persuasive evidence that the epidemic is being curbed in individual states, let alone in the country as a whole.

In neighbouring Bangladesh and Nepal, national HIV prevalence has remained under 1%, but risky behaviour in parts of the population is so extensive that it could be just a matter of time before wider epidemics erupt. In the Nepalese capital, Kathmandu, HIV epidemics are centred around injecting drug users and sex workers, most of them young. Among the former, HIV prevalence of up to 68% has been detected in recent years, while, among the latter, prevalence is around 17%. Young people are at the hub of Nepal's AIDS challenge. While studies suggest that their HIV/AIDS knowledge is passable, they remain prone to

HIV exposure. Sexual activity starts early (almost one in five Nepalese teenagers have had sex by the time they turn 15) and condom use is very low. Recent small-scale studies have revealed that sex between men is relatively common, especially in Kathmandu. Unsafe sex is the norm, between male partners and between these men and their female partners.

Bangladesh poses as big a challenge, despite the fact that HIV has a tentative presence currently (even among vulnerable populations). Almost half the population is under 15 years of age, and risky behaviours—including high rates of unsafe injecting drug use, a thriving sex trade and unsafe blood-transfusion practices—are widespread. And the people involved in these activities overlap; many sex workers also inject drugs, injecting drug users often frequent sex workers; and some studies indicate that users often sell blood. Condom use is almost non-existent. In central Bangladesh, more than 90% of sex workers do not use condoms; elsewhere in the country, virtually all surveyed sex workers have reported at least occasionally having sex without condoms. Meanwhile, it is estimated that more than 90% of injecting drug users are exposed to contaminated injecting equipment. In addition, knowledge of AIDS is slight: only about 65% of young people, and fewer than 20% of married women and 33% of married men have heard of AIDS. The upshot is a very high potential for rapid HIV transmission. In the most recent surveillance round, up to 4% of injecting drug users in central Bangladesh were found to be HIV positive—up from around 1% in surveillance rounds in previous years.

The few HIV surveillance studies available for Pakistan suggest that HIV prevalence among injecting drug users and sex workers has been low (ranging from 0% to 11.5%), with a median prevalence of 0%. However, a growing number of the estimated 3 million heroin users in Pakistan have begun injecting since the late 1990s. A recent study among drug users in Quetta found that 55% of injecting drug users had used unclean injection equipment, and roughly the same proportion had had sex with a sex worker. Only 4% had ever used a condom, and only 16% of drug users had heard of AIDS.

Table 11

Adults HIV prevalence rate (15-49 years) in some selected countries in Asia % of total population⁷	
Cambodia	2.77
Myanmar	1.99
Thailand	1.85
India	0.75
Malaysia	0.36
Nepal	0.30
Vietnam	0.29
Pakistan	0.10
Indonesia	0.09
Sri Lanka	0.07
China	0.08
Bhutan	0.01

HIV Estimates in India**Assumptions:**

The following assumptions on different parameters for estimation of the size of the risk group populations were taken for estimation.

1. The 2001 census figures was the basis for calculating:
2. STD prevalence rates in both urban and rural populations was assumed as follows:

STD prevalence in urban areas will be 10% in high prevalent States, 7% in medium prevalent States and 5% in low prevalent States. It will be the same for both males and females. 5% prevalence in rural populations in all States/ UTs, for both males and females.

3. For the purpose of HIV estimation in high-risk population, urban rural differential was taken to be 3:1 in all the States. Similarly, for HIV prevalence in low risk population, the urban-rural differential is taken to be 8:1 in all the States.

4. As there are more infected males than females, the following ratio would be applied: -

In high prevalent States, for every infected female there are 1.2 males, in moderate prevalent States, for every infected female there are 2 males and in low prevalence States, for every infected female there will be 3 males.

Similarly, for every male STD patient from highly prevalent States, it is assumed that there would be 0.83 females, for moderate prevalent States, there will be 0.5 females and for low prevalent States, there would be 0.33 female patients.

5. For estimation of HIV infection among IDUs, the HIV prevalence rate will be applied to the estimated size of IDUs population in the State.

6. The States will be categorized as high, moderate or low, based on following definition:

- **High prevalent States**
 - States where HIV prevalence in antenatal women is 1% or more.
- **Moderate prevalent States**
 - States where the HIV prevalence in antenatal women is less than 1% and prevalence in STD and other high-risk groups is 5% or more.

- **Low prevalent States**

- States where the HIV prevalence in antenatal women is less than 1% and HIV prevalence among STD and other high-risk group is less than 5%.
- The justification for urban-rural and male-female gradient is as follows:
- It is assumed that HIV spreads from urban to rural area and this differential is maintained even at very high level of HIV prevalence.
- It is assumed that higher percentage of males have risk behaviour as compared to females in India. In the beginning of the epidemic, males outnumber females and ratio gets closer to 1 with the progression of the epidemic in general population. In all the South-Asian countries, males outnumber females and in a high prevalence country like Thailand and Cambodia, this ratio is between 1.6:2. It is also assumed that the infection shifts from high-risk population to general population over a period of time. Therefore, all the States go through a stage of low and then concentrated and finally generalized epidemic in the absence of effective interventions.

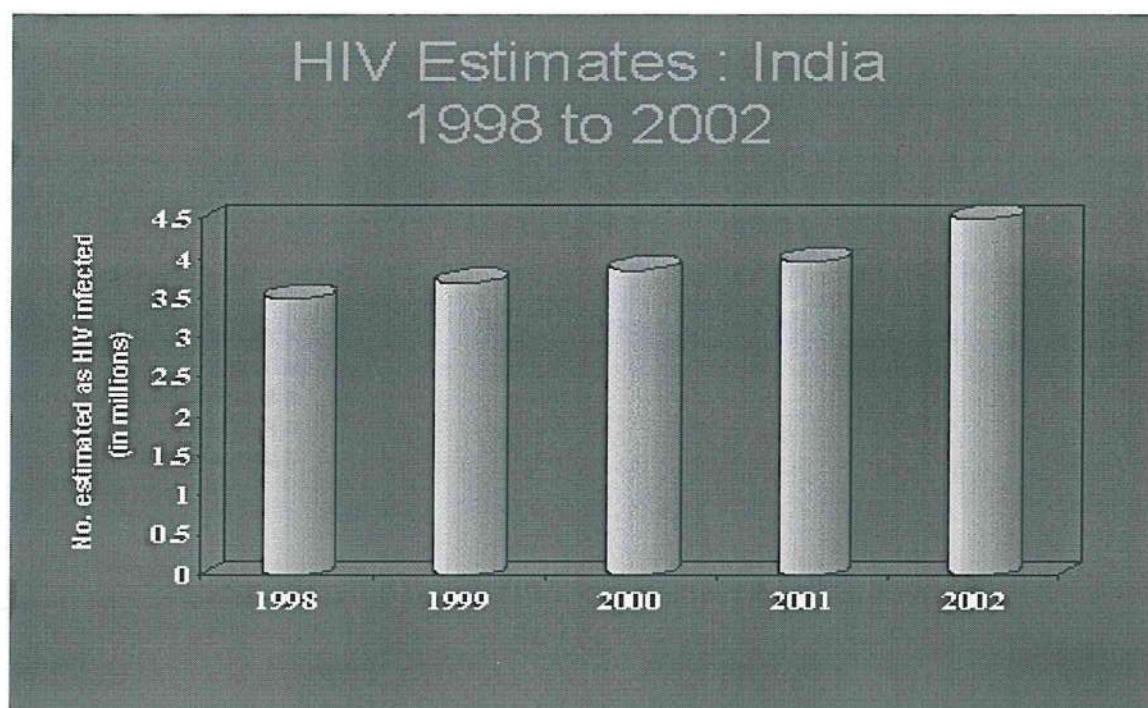
Year 2002:

During year 2002, the sentinel surveillance round was conducted from 1st August 2002 to 15th November 2002 in 384 sentinel sites with inclusion of 64 new sites. The risk group wise distribution of these sites is, 166 sites in STD clinics, 200 sites in Antenatal clinics, 13 sites among IDUs, 3 sites for MSM and 2 sites for CSWs. A statement indicating State-wise HIV prevalence in various risk groups during 2002 and its comparison since 1998 is enclosed. **HIV Estimates for the years 1998- 2002⁸**

Table 12

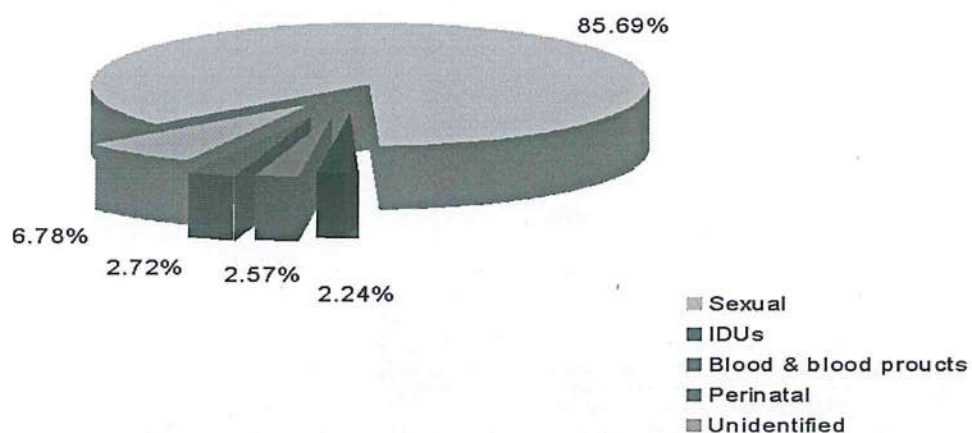
Year (estimates in millions)				
1998	1999	2000	2001	2002
3.30-3.47	2.98 - 3.68	3.21-3.86	3.31 - 3.97	3.82-4.58

Figure 6



The HIV estimates for the year 2002 were worked out to be 3.82 million HIV infections in the adult population (15-49 years age group in the country). These estimates have been pegged up for 20% as range (as in previous years) to take care of unaccounted number of high-risk groups and other age groups to provide upper range as **4.58** million HIV infections.

Considering the above analysis and limitations of the estimation process, the estimate for 2002 ranges from 3.82 million to 4.58 million HIV infections in the country. In year 2002 there has been an increase of about 6 lakhs infections over the previous year. This increase has been noticed primarily from ANC sites in States of Karnataka, Rajasthan and West Bengal, while in the States of Andhra Pradesh, Tamil Nadu, Gujarat, Bihar, Madhya Pradesh and Rajasthan, the increase has been noticed in STD clinic sites.

Figure 7**India: Probable Source of Infections in AIDS cases⁹****The risk of transmission of HIV through different modes¹⁰****Table 13**

Route	Efficiency (%)
Sexual	0.01 to 1
Transfusion of blood/blood products	>90
Sharing of needles/syringes	3-5
Percutaneous exposure	0.4
Muco-cutaneous exposure	0.05
Mother to child transmission	25-30

HIV Prevalence levels State wise: 1998 -2002¹¹

Table 14

S.No	Name of State/UT	Number of sites in 2002	HIV Prev. 1998 (%) (180 sites)	HIV Prev. 1999 (%) (180 sites)	HIV Prev. 2000 (%) (232 sites)	HIV Prev. 2001 (%) (320 sites)	HIV Prev. 2002 (%) (384 sites)
1.	Andhra Pradesh	STD 8 ANC 14	24.90 2.25	29.50 2.60	30.00 2.00	26.60 1.50	30.40 1.25
2.	Arunachal Pradesh	STD 4 ANC 2	0.00 0.40	0.00 0.00	0.10 0.00	0.00 0.00	0.00 0.00
3.	Assam	STD 5 ANC 4	2.10 0.00	2.40 0.00	0.61 0.00	1.49 0.00	0.75 0.00
4.	Bihar	STD 8 ANC 7	1.35 0.00	0.60 0.00	0.50 0.10	1.20 0.13	1.60 0.25
5.	Chattisgarh	STD 3 ANC 5	- -	- -	- -	1.40 0.33	0.80 0.25
6.	Delhi	STD 4 ANC 4 IDU 1	1.60 0.25	0.80 0.30	3.26 0.25 5.00	4.65 0.13 2.40	3.23 0.25 7.20
7.	Goa	STD 2 ANC 2 CSW 1	19.40 1.20	13.50 0.80	12.02 1.17 53.20	15.00 0.50 50.79	11.29 1.38 24.00
8.	Gujarat	STD 8 ANC 8	2.50 0.00	6.70 0.40	4.65 0.50	4.14 0.50	6.17 0.38

9.	Haryana	STD 5 ANC 4	2.60 0.00	5.30 0.00	2.75 0.00	1.08 0.41	1.14 0.38
10.	Himachal pradesh	STD 5 ANC 7	2.00 0.36	0.40 0.30	0.40 0.89	0.26 0.13	0.40 0.00
11.	Jammu & Kashmir	STD 2 ANC 3	1.83 0.00	1.20 0.00	0.40 0.12	0.80 0.25	0.95 0.08
12.	Jharkhand	STD 3 ANC 6	- -	- -	- -	0.25 0.08	0.13 0.00
13.	Karnataka	STD 7 ANC 10 IDU 1	16.70 1.75 -	15.50 1.00 1.30	12.80 1.68 4.23	16.40 1.13 2.00	13.60 1.75 2.26
14.	Kerala	STD 4 ANC4	2.60 0.10	3.20 0.00	5.20 0.00	6.42 0.08	2.45 0.38
15.	Madhya pradesh	STD 10 ANC13	3.50 0.00	0.20 0.30	1.60 0.12	2.69 0.25	2.35 0.00
16.	Maharashtra	STD 9 ANC 14	16.00 2.00	20.00 2.10	18.40 1.12	9.20 1.38	7.60 1.25
17.	Mumbai	STD 3 ANC 6 IDU 1 MSM 1 CSW 1			33.33 2.00 23.68 23.94 58.67	21.06 2.25 41.37 23.60 52.26	14.84 0.75 39.42 16.80 54.50
18.	Manipur	IDU 3 STD 2 ANC 10	70.70 4.15 0.75	48.80 12.00 2.30	64.34 11.60 0.75	56.26 10.50 1.75	39.06 9.60 1.12
19.	Meghalaya	IDU 1 STD 2 ANC 2	0.00 0.13 0.00	0.00 0.30 0.00	1.41 0.00 0.00	1.39 0.00 0.00	0.00 0.90 0.00
20.	Mizoram	IDU 1	1.00	1.50	9.61	2.00	1.60

		STD 2	1.49	0.76	2.00	2.20	2.60
		ANC 3	0.48	0.48	0.37	0.33	1.50
21.	Nagaland	IDU 3	13.20	7.60	7.03	5.50	10.28
		STD1	11.10	4.40	6.90	7.40	2.42
		ANC4	0.70	1.30	1.35	1.25	1.25
22.	Orissa	STD 8	2.86	1.20	2.60	0.80	0.80
		ANC4	0.00	0.10	0.27	0.25	0.25
23.	Punjab	STD 3	0.00	2.00	0.80	1.61	1.60
		ANC 4	0.00	0.40	0.00	0.40	0.49
24.	Rajasthan	STD 7	5.20	3.20	2.84	4.00	6.00
		ANC 6	0.00	0.30	0.25	0.00	0.50
25.	Sikkim	STD 1	0.00	0.00	0.00	0.00	0.00
		ANC 2	0.13	0.10	0.00	0.00	0.13
26.	Tamil Nadu	STD 11	16.30	10.40	16.80	12.60	14.7
		ANC 10	1.00	1.00	1.00	1.13	0.88
		IDU 1			26.70	24.56	33.80
		MSM 2			4.00	2.40	2.40
27.	Tripura	STD 2	0.00	0.80	1.34	3.20	1.40
		ANC 1	-	-	-	0.25	0.00
28.	Uttar Pradesh	STD 17	1.60	0.60	1.80	0.90	0.80
		ANC 17	0.24	0.00	0.12	0.00	0.25
29.	Uttanchal	STD 4			-	0.40	0.26
		ANC 3			-	0.00	0.23
30.	West Bengal	STD 8	0.40	1.40	1.96	0.60	0.47
		ANC 9	0.62	0.10	0.50	0.13	0.00
		IDU 1			-	-	1.50
31.	A & N Islands	STD 2	1.20	0.40	1.20	1.20	2.60
		ANC 3	0.00	0.00	0.25	0.16	0.00
32.	Chandigarh	STD 2	2.95	1.80	3.35	3.78	0.80

		ANC 1	0.47	0.80	0.00	0.00	0.25
33.	D & N Haveli	STD 0	0.00	0.00	-	-	-
		ANC 1	0.00	0.00	0.00	0.25	1.00
34.	Daman & Diu	STD 0	0.00	0.00	-	-	-
		ANC 2	0.13	0.00	0.00	0.25	0.22
35.	Lakshdweep	STD 1	0.00	0.00	0.00	-	0.00
		ANC 2	0.60	0.00	0.00	-	0.00
36.	Pondicherry	STD 3	7.20	5.80	4.10	2.0	2.02
		ANC2	0.50	0.90	0.25	0.25	0.25

**Districts with high prevalence of HIV among
STD, IDU and ANC attendees : State-wise 2001¹²**

Table 15

S.No	Name of State/UT	Name of the district	
1.	Andhra Pradesh (7)	Hyderabad Vishakhapatnam Guntur East Godavari	Chittoor Kurnool Warrangal
2.	Goa (1)	South-Goa	
3.	Gujarat (3)	Ahmedabad Surat	Baroda
4.	Karnataka (10)	Bangalore Mysore Dharwad(Hubli) Bellary Belgaum Gulbarga	Dakshin Kannada (Mangalore) Udipi Bijapur Shyamraj Nagar (Kollegal)

5.	Maharashtra (14)	Nagpur Sangli Pune Aurangabad Chandrapur Latur Ratnagiri	Kolhapur Nasik Satara Solapur Thane Mumbai Jalgaon
6.	Manipur (4)	Imphal Churachandpur	Bishnupur Thoubal
7.	Nagaland (3)	Kohima Tuensang	Mokok Chung
8.	Tamil Nadu (7)	Madurai Trichy Salem Coimbatore	Namakkal Tirunelveli Chennai

It is evident that there is high co-relation among the districts affected by sex-trafficking and districts affected by serious HIV/AIDS epidemic. Since the overwhelming cause of spread of AIDS is sexual contact, the infection spreads due to trafficking of women for sexual purposes.

SPREAD OF AIDS

High risk-Bridge – general population

Table 16**High risk category**

- Female Sex workers
- Intravenous drug users
- Men who have sex with men
- Babies of pregnant mothers infected with HIV

Bridge category

- Clients of female sex workers
- Drug sharing partners
- Homosexual partners
- Partners of persons having sex with HIV infected persons

Surveillance for AIDS Cases in India¹³(as reported to NACO as on 31st March 2004)**Table 17**

AIDS CASES IN INDIA	Cumulative	This Month
MALES	50342	946
FEMALES	18467	447
Total	68809	1393

Table 18

RISK/TRANSMISSION CATEGORIES			
		No. of cases	Percentage
Sexual		59383	86.30
Perinatal transmission		1939	2.82
Blood and blood products		1660	2.41
Injectable Drug Users		1386	2.01
5History not available		4441	6.45
Total:		68809	100.00
Age group	Male	Female	Total
0 - 14 yrs	1606	1007	2613
15 - 29 yrs.	15053	8428	23481

30 - 44 yrs.	29881	8088	37969
> 45 yrs.	3802	944	4746
Total	50342	18467	68809

Table 19

S. No.	State/UT	AIDS Cases
1	Andhra Pradesh	7198
2	Assam	171
3	Arunachal Pradesh	0
4	A & N Islands	33
5	Bihar	155
6	Chandigarh (UT)	846
7	Delhi	888
8	Daman & Diu	1
9	Dadra & Nagar Haveli	0
10	Goa	401
11	Gujarat	4014
12	Haryana	333
13	Himachal Pradesh	149
14	Jammu & Kashmir	2
15	Karnataka	1907
16	Kerala	267
17	Lakshadweep	0
18	Madhya Pradesh	1108
19	Maharashtra	11545
20	Orissa	128
21	Nagaland	417

22	Manipur	1238
23	Mizoram	52
24	Meghalaya	8
25	Pondicherry	302
26	Punjab	261
27	Rajasthan	938
28	Sikkim	8
29	Tamilnadu	29782
30	Tripura	5
31	Uttar Pradesh	1307
32	West Bengal	930
33	A,bad Mun.Corp.	267
34	Mumbai M.C	4148
	Total:	68809

KEY INDICATORS FIGURE 8: AWARENESS OF HIV/AIDS-ALL INDIA¹⁴

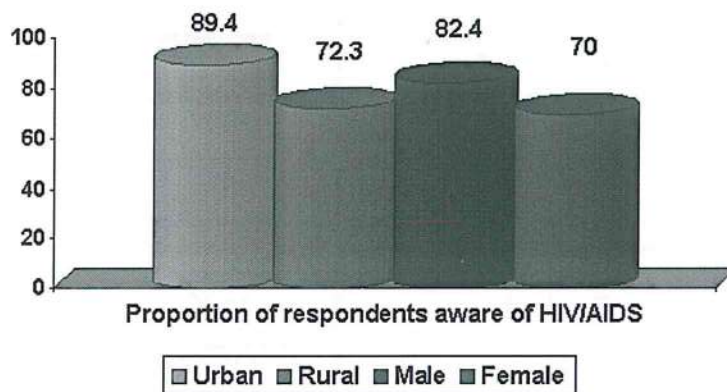


FIGURE 9: AWARENESS OF TRANSMISSION MODES - ALL INDIA (BY LOCATION)

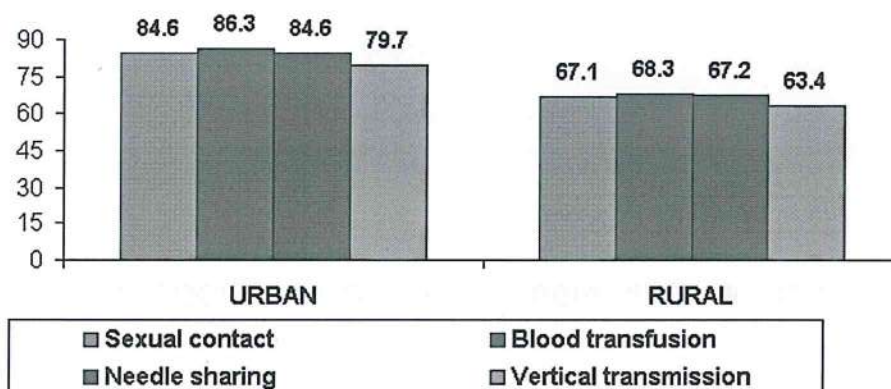


FIGURE 10: AWARENESS OF TRANSMISSION MODES – ALL INDIA (BY GENDER)

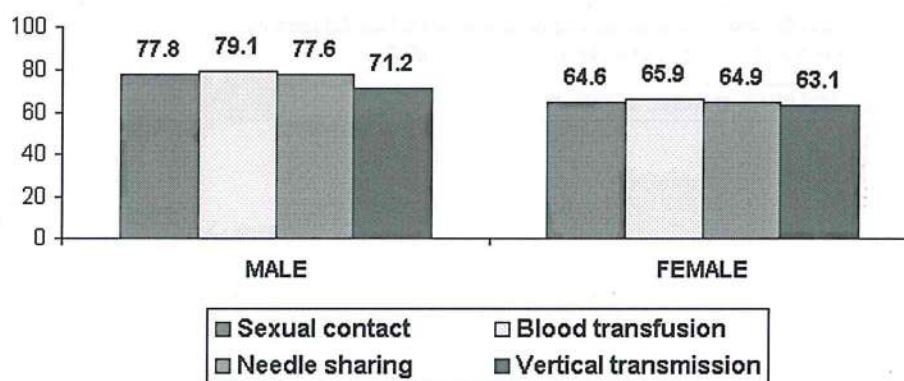


FIGURE 11: INCORRECT KNOWLEDGE ON POTENTIAL OF TRANSMISSION BY MOSQUITO BITES AND BY SHARING MEAL WITH INFECTED PERSONS- ALL INDIA

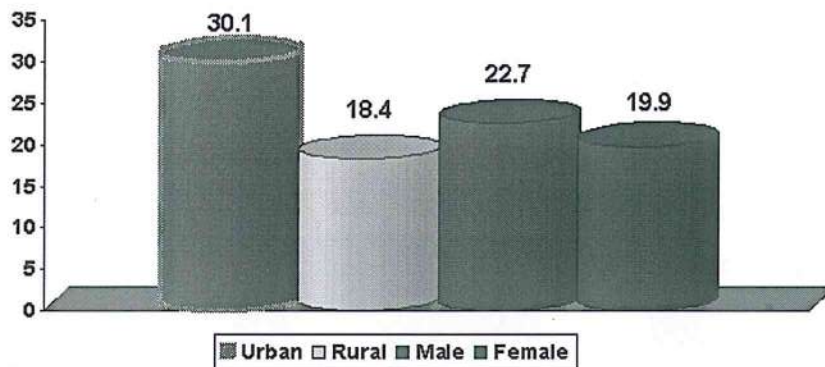


FIGURE12: KNOWLEDGE OF HIV/AIDS PREVENTION METHODS- ALL INDIA

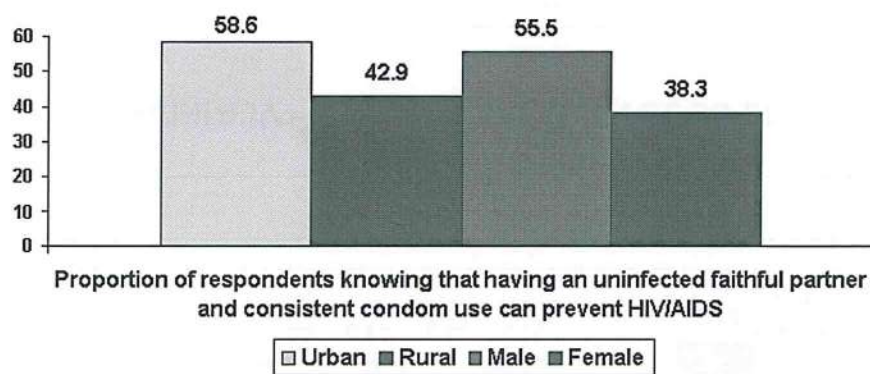


FIGURE 13: TIME TAKEN TO PROCURE A CONDOM-ALL INDIA(URBAN)

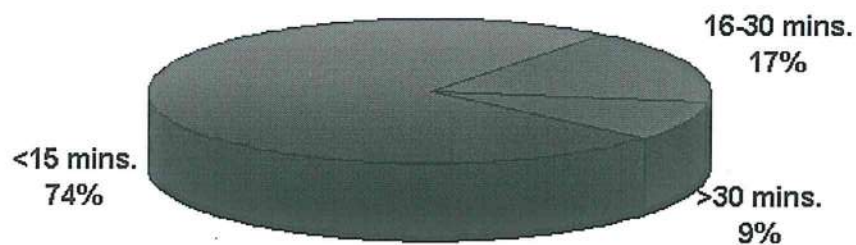


FIGURE 14: TIME TAKEN TO PROCURE A CONDOM-ALL INDIA (RURAL)



FIGURE 15: SEX WITH NON-REGULAR PARTNER IN LAST 12 MONTHS-ALL INDIA

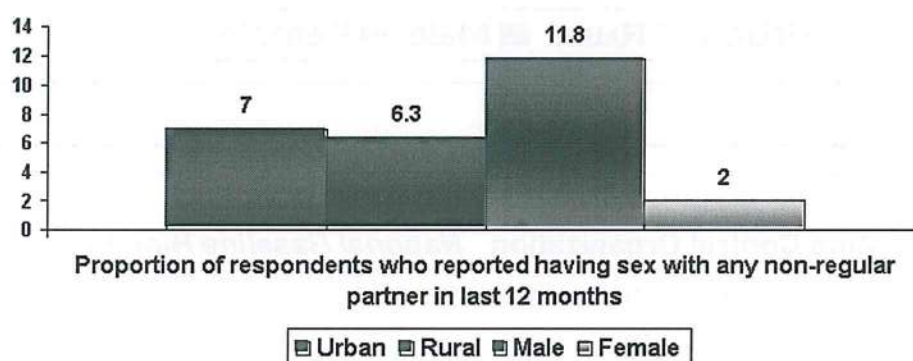


FIGURE 16: LAST TIME CONDOM USE WITH NON-REGULAR SEX PARTNER – ALL INDIA

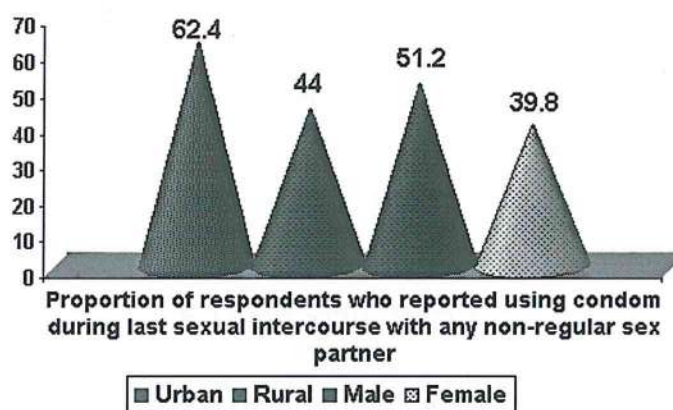
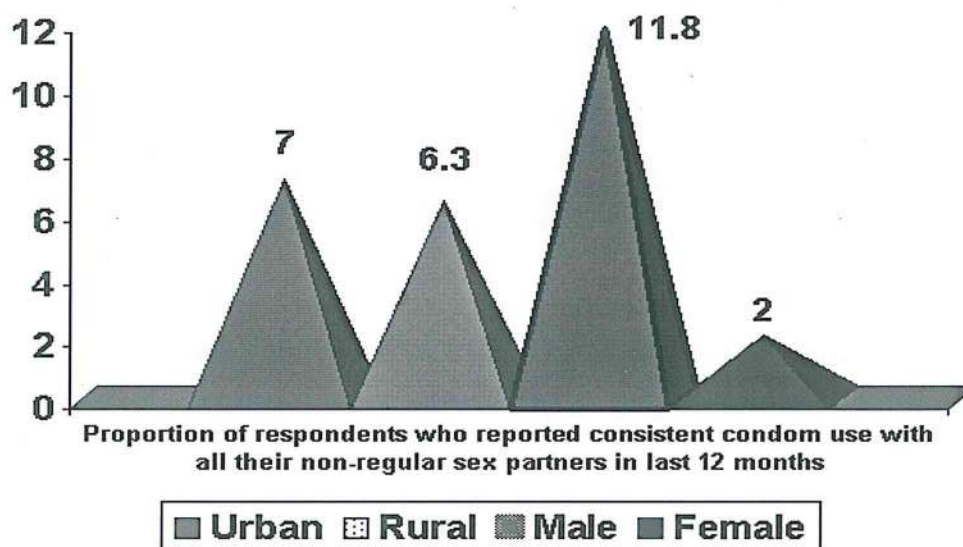


FIGURE 17: CONSISTENT CONDOM USE WITH ALL NON-REGULAR SEX PARTNERS IN LAST 12 MONTHS- ALL INDIA



References:

1. National Aids Control Organization *National Baseline High Risk and Bridge Population Behavioral Surveillance Survey*
2. UNAIDS, *AIDS Epidemic Update: 2002*
3. NACO *Indian Scene 2002*
4. National Aids Control Organization *National Baseline High Risk and Bridge Population Behavioral Surveillance Survey Pg 8*
5. National Aids Control Organization *National Baseline High Risk and Bridge Population Behavioral Surveillance Survey Pg 2*
6. UNAIDS/WHO *AIDS epidemic update -Asia and the Pacific Pg 21 December 2003.*
7. NACO 2003 *National Aids Control Policy Pg 1*
8. NACO 2003 *Indian Scene Pg 8*
9. NACO 2003 *HIV Aids state wise Pg 3*
10. NACO 2003 *National Aids Control Policy Pg 14*
11. NACO 2003 *Indian Scene- Estimates HIV dated 5/5/2004*

12. **NACO 2003** *Indian Scene- Estimates HIV* dated 5/5/2004
13. **NACO 2003** *HIV Aids State wise* dated 5/5/2004
14. **NACO 2003** *HIV Aids State wise* dated 5/5/2004

CHAPTER-7

CHILD TRAFFICKING FOR BEGGING

A CASE STUDY OF MURSHIDABAD DISTRICT

1 Introduction:

The menace of begging outside the holy great mosques is increasing in Saudi Arabia and both expatriates as well as Saudi nationals are involved in the trade. The total number of beggars in the country is estimated at about 100,000, with an average individual daily income of about SR50¹. Many say that begging is organized as efficiently or more so than many legitimate professions². The situation is not helped by the fact that there are about half a million unemployed expatriates in Saudi Arabia. But Saudi nationals too are involved in the profession. Another survey conducted by Dr. Abdullah Al-Yousif of Imam Muhammad ibn Saud University, says 69 percent of child beggars in Riyadh are Saudis, including 56.6 percent of them girls³.

The annual income of a beggar ranges between SR18,000 and SR35,000, the study said. A Pakistani beggar was recently arrested in a market in Jeddah with SR72,000 in his pocket⁴. The Saudi government cracks down on begging ahead of Ramadan. More than 7,000 beggars including women and children were arrested in the recent past in Jeddah alone, of which the majority were African nationals⁵.

Trafficking in children for forced begging persists. Foreign criminal rings reportedly bought and imported disabled children for the purpose of forced begging. Children, mainly of South Asian and African origin, frequently are used for the purpose of organized begging, particularly in the vicinity of the Grand Great mosque in Mecca during Islamic holidays⁶. There were reports that some of these children were smuggled into the country by organized rings.

An estimated 1,000 to 1,500 Indian children are smuggled out every year to Saudi Arabia for begging during the Haj season. From Murshidabad alone, some 400 children accompanied by their chachas leave every year, and not all of them return home again⁷. Local touts took poor Bengali Muslim children of the age group 5 to 14 years, with serious physical disabilities to Saudi Arabia. Their parents consented for their travel to Saudi Arabia under the custody of the traffickers to work as beggars outside major great mosques. In Mecca alms giving is considered a big virtue among Haj pilgrims, and beggars with disabilities do evoke pity and make good money.

- *In January 1997, **seventy-six girls** of Murshidabad, Birbhum and Nadia districts were deported from Jeddah to Mumbai by flight. From Mumbai 75 girls were taken to Behrampore and kept at the After Care Home before their parents were fixed and properly identified. All the girls were restored to their parents on due verification and scrutiny of records. One girl named Sabina Khatoon (5 yrs) daughter of Mohammed Hanif of Rajmahal, Malda stated before the Juvenile Court in Mumbai that her parents reside in Mumbai. On this disclosure, the court did not hand her over to the escorting team from Kolkata, and she was left in Mumbai for restoration to her parents.*

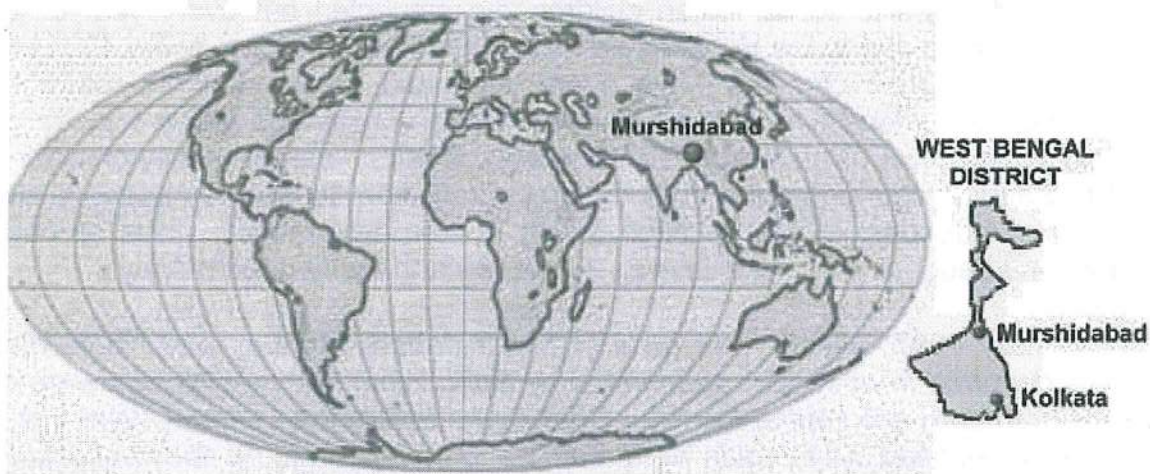
- Within a month of the return of this group, **48 boys** who were trafficked for begging were deported from Jeddah to Mumbai. Most of these physically deformed boys belonged to Murshidabad district. The officers of WB Social Welfare Board escorted them from Mumbai to Behrampore, for restoration to their parents in Murshidabad.
- On 23.6.97 a message was sent from Sahar Airport Police Station, Mumbai to Murshidabad, Nadia and Kolkata police. The message stated that on 18.6.97 **sixty-five juvenile boys** aged between 6 to 14 years, with deformities were deported from Jeddah to Mumbai through flight AI-802. They were detained at the Sahar International Airport Mumbai under section 13 of the Juvenile Justice Act. Nadia and Murshidabad district police were requested to come to Mumbai and take charge of the juvenile boys from the chairperson of Juvenile Board, Dongri.

Bold

(Source: West Bengal Criminal Investigation Department, Kolkata)

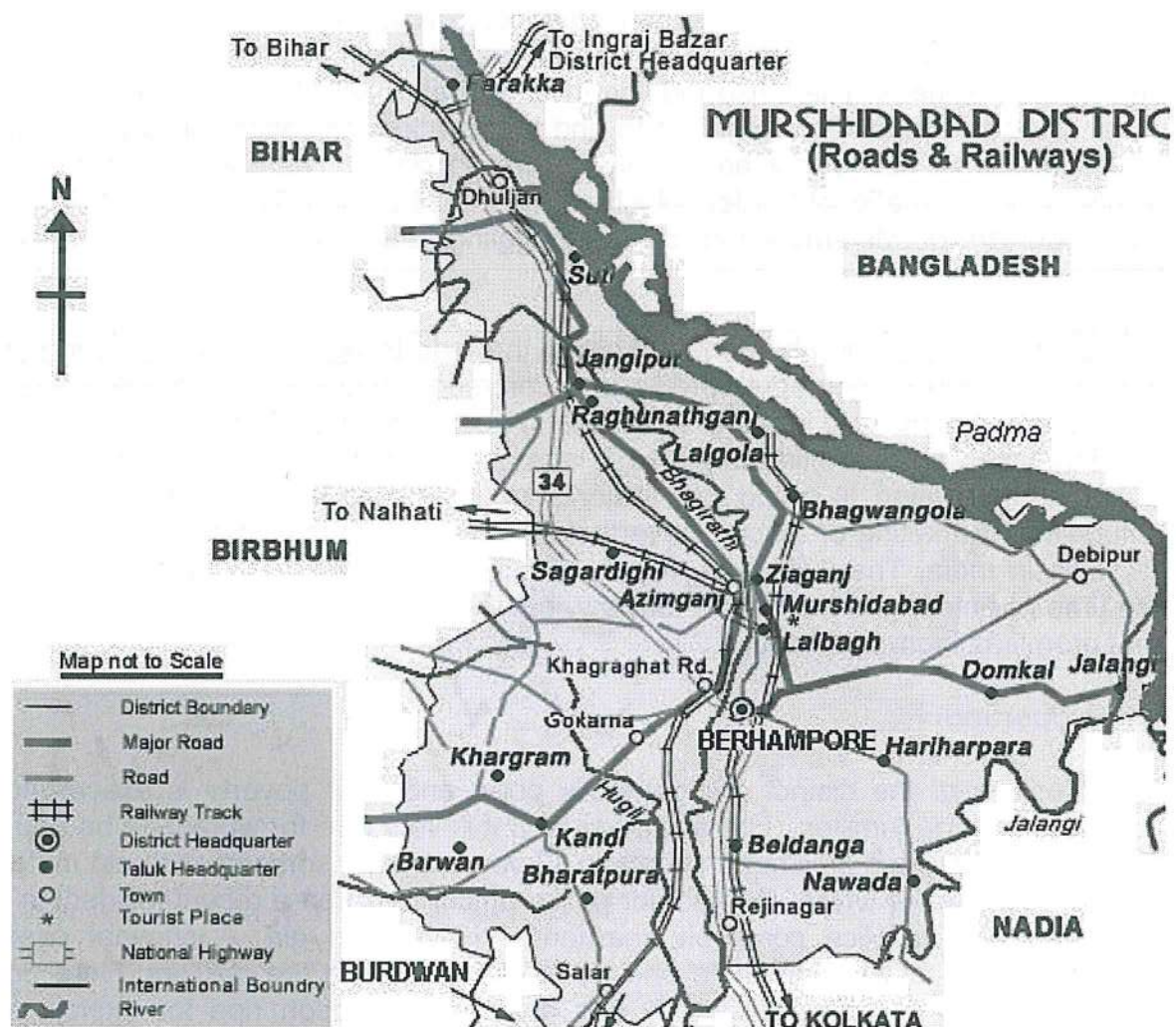
1.1 Complicity of the parents: Prior to the deportation of minor children from Saudi Arabia to Mumbai, none of the parents made any complaint with the police. The parents consented to their minor children to travel on passports with fake identities along with the touts to Saudi Arabia. Only after the news of deportation surfaced in the media, did 8 parents who claimed to have accorded consent on misrepresentation of facts, get criminal cases registered. The police authorities claim that co-operation expected from the parents to unveil the racket was not forthcoming especially after the restoration of their children.

2.0 Murshidabad, one of the eighteen districts of West Bengal, is an agricultural, trade and silk weaving centre. It is located 250 kms north of Kolkata from latitudes 23-43'-30" to 24-50'-20" North and from longitudes 87-49'-17" to 88-46'-00" East⁸. There being no big industry in the district, the people are mainly engaged as cultivators, agricultural labourers and workers in the household industry.



2.1 History: Originally called Makhsudabad, it was founded by the Mughal emperor Akbar in the 16th century. In 1704 the nawab Murshid Quli Khan (following Aurangzeb's orders) transferred the capital from Dhaka to this town and renamed the city Murshidabad. It continued to be capital of the Bengal Suba comprising Bengal, Bihar and Orrisa under the British East India Company until 1790.

2.2 Land and People: The district with an area of 5,341 sq km comprises of two distinct regions separated by the Bhagirathi river⁹. To the west lies the *Rarh*, a high, undulating continuation of the Chota Nagpur plateau. *Bagri*, the eastern portion, is a fertile low-lying alluvial tract, part of the Ganges delta. The Bhagirathi and Jalangi rivers and their tributaries drain the district. Rice, jute, legumes, oilseeds, wheat, barley, and mangoes are the chief crops in the east; extensive mulberry cultivation is carried out in the west.



Population¹⁰ of the district according to 1991 census was 47 lacs, with 61.40% being Muslims and the rest 38.39% being Hindus, Christians and tribals. In 2001, the population rose to 58.64 lacs, with Muslim share increasing to over 65% and share of the rest dropping to less than 35%. The district had a high density of 1,101 and sex ratio of 952. The decadal growth rate of Murshidabad population was a high 23.7% compared to the state growth rate of 17.84%.

The literacy rate¹¹ of the district, which in 1991 was abysmally low at 38.28 % increased to 55.05 % in 2001. Compared to state average of 69.22%, the district literacy rate is still low. The decadal increase in the female literacy rate of the district was from 29.57% to 48.33%.

2.3 Smuggling & Infiltration: The district has total of 26 police stations out of which 8 police stations are along international border with Bangladesh. Murshidabad has 125.35 km long unfenced international border with Bangladesh out of which 42.3 kms is land border and the rest 83 kms is riverine. There are 29 Border Out Posts (BOPs) manned by BSF and 34 BOPs manned by the Bangladesh Rifles (BDR) along this international border. As the border is unfenced, regular infiltration and transborder smuggling is common.

There is a natural connection among the Muslims on either side of the border. Taking advantage of the similar demographic profile, religion and ethnic contiguity, large number of people cross international border everyday to carry out their legitimate and illegitimate business. They also indulge in undesirable activities along the border with impunity and escape. The illegal trade and immigration infiltration takes place through 34 illegal transit points that are locally known as *ghats*. There are many vulnerable points along international border, which act as transit camps. The main activities along the border are goods smuggling, cattle smuggling, drug trafficking, fake currency and infiltration.

Infiltration is a common phenomenon along the Indo-Bangladesh border. Long porous border, common demographic profile and common language have made it easier for the infiltrators. The very fact that in the last 5 years the population of the border areas has increased by approximately 6 to 7 lacs, is an ample testimony to the belief that unabated infiltration is going on. Majority of infiltrators enter India with a view of smuggling, marketing or labour, nevertheless a section of them have quietly managed to settle in India. The infiltrators, mostly Muslims (95%) have no political affiliation at the time of entering in the Indian territory, but they adopt ideology of the political party that promises them the most.

3 Modus operandi:

The Muslims of the district are generally poor, and their poverty is exacerbated by having very large families. Literacy is low and it is very rare for women to be educated. The girls are married off when they attain 13 years of age, sometimes to old males who already have many wives. One senior police officer narrated a recent incident in which one 45-year-old police constable married a 12-year-old girl. A criminal case was registered against the constable and he is absconding in the present. Here poverty, large size of families and illiteracy has created a situation ripe for exploitation by traffickers and their touts.

3.1 The researcher managed to procure the statement of missing persons for the year 2002 and 2003 of Murshidabad district. This extremely high figure is of the cases of missing persons reported to the police. In 2002, total 238 persons were reported missing to the police and in 2003 the number rose to 348. Only 19 of those reported missing in 2002 returned back and the corresponding figure for the next year was 6. What is alarming is that more female are reported missing, both major and minor. According to a young IPS officer, 31 boys and girls were reported missing in the last

from

one-year in PS Hariharpada. Most of the girls land up in red-light areas and boys are trafficked for begging. These figures clearly illustrates the high levels of trafficking taking place in the district.

3.2 The whole trafficking network had linkages from Saudi Arabia to Mumbai, Kolkata and Murshidabad.

At the local level, pimps scouted for very young girls and boys with conspicuous physical deformities among the poor and uneducated Muslim families. The pimps were Muslims persons who had worked earlier in the Gulf as labourers, but found that begging trade especially outside the great mosques was a very profitable business. These pimps invested some time with the families of these children to gain their confidence. These families found it difficult to oversee the handicapped child's needs because there were other children in whom making investment makes sense. Once confidence was established, they made an offer of money and gold to the parents to allow their children to go with the trafficker for begging to the Gulf. If the parents agreed, a fake identity of the child was created and a fake family arranged. One elderly woman was arranged to act as the mother and she would actually manage the household chores in Arabia. Another handicapped child was recruited to make a complete family. Transportation, boarding and lodging of the fake family was arranged both within India and in Saudi Arabia.

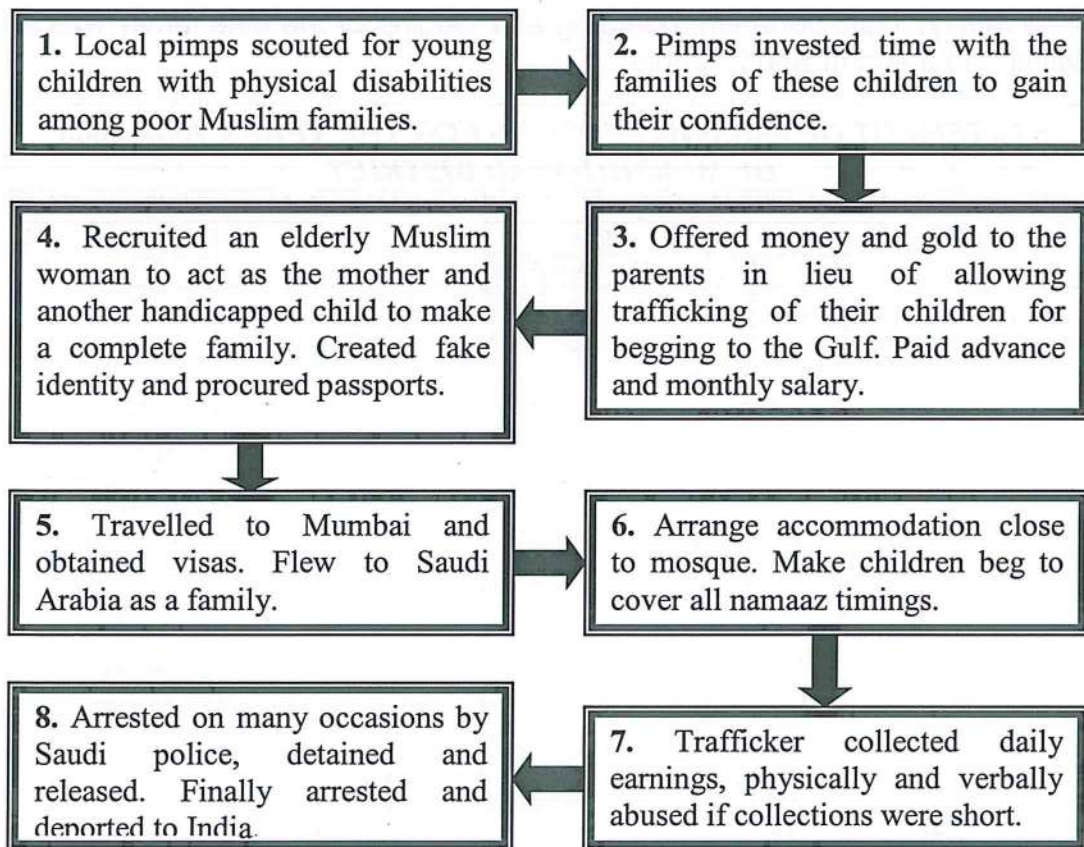
**STATEMENT OF MISSING PERSONS FOR THE YEARS 2002-2003
OF MURSHIDABAD DISTRICT**

Year	Month	Missing				Total	Returned			
		Adult		Minor			Adult		Minor	
		M	F	M	F		M	F	M	F
2002	January	2	5	2	3	12				
2003		9	7	1	5	22		1		
2002	February	6	3	5	10	24				1
2003		4	5	4	6	19	2		3	3
2002	March	3	3	2	5	13				
2003		4	9	2	9	24		1		1
2002	April	4	6	8	7	25			2	2
2003		9	7	6	14	36		2	1	1
2002	May	5	3	8	10	26		2	1	1
2003		9	7	4	7	27	1	2		1
2002	June	7	7	2	9	25	1	2		1
2003		4	12	12	9	37				
2002	July	8	5	5	5	23			1	2
2003		9	9	11	11	40				
2002	August	2	4	7	12	25			2	5
2003		7	11	4	1	23				
2002	September	8	5	5	6	24	3		2	2
2003		5	4	5	5	19				
2002	October	5	3	4	2	14	1	1	1	
2003		9	11	4	5	29				
2002	November	1	2	3	6	12		1	1	1
2003		9	12	6	11	38				
2002	December	3	5	3	4	15			1	3
2003		8	8	8	10	34				
Total 2002		54	51	54	79	238	5	6	11	19
Total 2003		86	102	67	93	348	3	6	4	6

Source: Missing Persons Squad, Murshidabad Police

- A sizable chunk of the smuggled children were from neighboring Bangladesh, where gangs active in the sordid business, use the routes for moving human consignment through Bengal to the Gulf.
- At Kolkata level, the gang procured passports with the fake identities of the victims and traffickers. This trade is known as "**disco**" business. Some of the informants reported that local politicians are well aware of the existence of child trafficking to West Asia since 1980. However, fear of threats and violence keeps their mouth shut.
- In Mumbai, there was a gang that managed to get visas and arrange for accommodation during transit.
- In Saudi Arabia: The organized crime heads controlled the network from Saudi Arabia by investing in the whole operations. They kept a tight control of the money earned by children in begging.

FLOW CHART: MODUS OPERANDI



4.0 Case Studies of the trafficked girls: This researcher travelled to Murshidabad and visited Behrampur, Murshidabad, Islampur and the border areas of the district. He conducted interview schedules on 7 victim girls and 5 police officers in relation to the child trafficking in the district. These interviews were conducted between 1st and 3rd June 2004. These portraits provide a key to understanding how trafficking in children, which is assuming alarming proportions, takes place.

CASE I**Profile:**

Hamida Khatoon aged 14 year is a Bengali Muslim girl from village Chatiani of Murshidabad district. She was trafficked when she was only 6 years old and made to beg outside Mecca great mosque for 20 days before she was arrested by the police. She now studies in 8th class, but when she was trafficked she did not attend school. She belongs to a poor family and her father is a fish vendor who earns about 20 to 40 rupees per day. Her large family comprises the parents, three brothers and two sisters.

Disability: She has no left hand.

Recruitment:

One person named Tauheed from village Dayanagar 3 kms from their home, used to visit them very often. He was previously working in Saudi Arabia as a labourer. He proposed to her parents to allow him to take Hamida along with him to Saudi Arabia for making her beg outside the great Mecca great mosque. He also promised to take Hamida's eldest sister one widow named Aliya bewa aged 41 years with him. He paid an advance of Rs. 4000/- to her parents and Rs. 2000/- to her sister Aliya. He also promised to pay her parents some monthly salary as long as she was Saudi Arabia.

Hamida(now) was 6 years old when she was trafficked along with her eldest sister Aliya. Tauheed, the trafficker, created a fake family with himself as the husband, Aliya as his wife and Hamida as their handicapped daughter. Both the sisters used to beg outside great mosque but were arrested within a month of their arrival and deported.

**Travel:**

Tauheed, Aliya and Hamida travelled together as a family. Tauheed and Aliya were shown as husband and wife and Hamida as their handicapped daughter. Fake passports were obtained and visas arranged for. From home they went by train to Sealdah station, where they boarded another train bound for Delhi. They stayed in a rented accommodation in Delhi for a couple of days, while Tauheed arranged for all papers, and then flew to Saudi Arabia.

Initiation & Control:

In Mecca, Tauheed positioned them in a rented room close to the Mecca shrine. Aliya used to accompany her during begging sessions and they placed themselves at a good location outside the great great mosque of Mecca. They used to start off

from their accommodation and reach the great mosque and take position well in time before the commencement of the five daily namaaz. Rubbiya sat with her sister and acted as her mother, and to gain sympathy she yelled that all Indian Muslims were poor and the Hindus had driven them out of their house. ?

Tauheed collected all their earnings and kept a tight control over them. He used to regularly hurl verbal abuses when the collections were poor, but did not physically assault them. Aliya did all the household chores, besides accompanying her sister for begging sessions. Other beggars in the vicinity were mostly Bengali speaking kids from different parts of West Bengal and Bangladesh. The sisters were in the begging business only for 20 days, before Mecca police arrested both of them and placed them in a jail for a month and later deported them to Mumbai.

Future goals:

Hamida feels that she was duped in the whole process. And her future goal is to get educated and then take up a job. She would forbid other girls to get into this business and recommend that other Muslim girls should be educated to not to fall prey to this type of situation. Aliya on the other hand is happy that a widow like her could visit the great shrine Kabba.

Legal Action:

Case FIR No 27/97 dated 14/3/97 was registered in P.S. Rejinagar u/s 363A, 420IPC, 41,42 JJ Act on the statement of the father of the victim. No arrests were made in the case.

CASE II

Profile:

Farana Khatoon @ Laila now aged 17, was only 7 years when she was trafficked and made to beg outside the great Mecca great mosque for 2 ½ years. A Bengali Muslim girl belonging to village Najizpur, she was studying in class I when she was trafficked, but did not pursue her education on her deportation to India. Her father owns a bigha of land, which is not sufficient to make ends meet so he works as a labourer and earns 30 to 40 rupees per day. She has a large family of 5 sisters and 4 brothers, and the only extra earning hand is a brother who works as a casual labourer.

Disability:

She suffers from serious deformity in both her polio-affected legs.

Recruitment:

One person named Duggu from their village and his brother in law Hakim, used to visit them very often. Hakim lived in Saudi Arabia and was in the business of taking handicapped children to Arabia. He proposed to her parents to allow him to

take Farana along with him to Saudi Arabia for making her beg in Mecca for a period of six months. He promised to pay them Rs. 10, 000/- and 2 ^{tola} gold, and as an advance paid Rs. 3000/- to her parents. He also promised to pay the parents some monthly salary as long as their daughter was in his custody. Another handicapped girl Tanjila from village Jumha was also recruited with her.

Farana (now) was 7 years old when she was trafficked and made to beg outside Mecca great mosque of 2 ½ years. She used to beg all night and during the afternoon namaaz. She was told to say that they are being tortured by Hindus and made to leave their homes. Hakim, the trafficker collected all her earnings and beat her up if the collections were short.



Travel:

Hakim, his aunt, Farana (name change to Laila), Tanjila and one more girl from Hakims village were shown as a family. Their fake passports were arranged and they left Murshidabad for onward journey ^{through} Sealdah to Mumbai. In Mumbai they stayed in a rented accommodation for 9 days while Hakim made arrangement for visas. The girl from Hakims village could not obtain the necessary visa and she was sent back home. Hakim and his aunt were shown as husband and wife and Farana and Tanjila as their handicapped daughters. After arrangement of the valid travel documents, they flew to Saudi Arabia.

Initiation and Control:

In Mecca, Hakim positioned them in a rented room close to the Mecca shrine and kept them confined to prevent detection by police. His aunt was responsible for management the household chores. The two girls used to beg outside the great mosque all night and during the afternoon namaaz. The girls were told to say that they are being tortured by Hindus and made to leave their homes. Most of their patrons were Arabs, and once she received a gold chain alms which Hakim took from her with the false promise that it would be delivered to her parents. He assured that he was paying her parents regularly, but that too was false. Hakim collected all their earnings and beat them up if the collections were short. The two girls had no freedom, were tortured, inflicted with verbal and physical abuse and cried to return home.

There were 60 other handicapped girls begging outside the great mosque and most of them spoke Bengali and some Urdu. Many of these girls belonged to Hakim's village. Most of the Bengali girls had become quite professional in begging and managed to escape the regular police raids. She was once hit by a taxi and received bruises and injuries in mouth and teeth. The case was compromised by and the driver paid Hakim the compensation including her hospitalization charges.

Many a times she suffered from high fever and was made to drink holy water; Aab-e-Zamzam -which cured her.

She always yearned to return home as Hakim often used filthy language and physically abused her. She was arrested by Police many a times and detained for a few days each time. Hakim used to warn her not to tell the police that he has brought her to beg. Finally Mecca police arrested and placed her in a jail for a month and later deported her to Mumbai

Future goals:

Her future goal in life is to learn Arabic and read Koran. She wishes to marry and settle down. She would not recommend this experience to anyone and girls like her should not be trapped like she was.

Legal Action:

Case FIR No. 26/97 dated 14/3/97 was registered in PS Rejinagar u/s 363A, 420 IPC and 41,42 JJ Act. In the case tout Duggu was arrested but the main trafficker Abdul Hakim has not been so far not arrested.

CASE III

Profile:

Sania Tara aged 14 years, was less than 6 years of age when she was trafficked and was made to be outside a great mosque in Jeddah for 3 months before she was arrested in a police raid. A Bengali Muslim girl she belongs to village Mogrampur in PS Beldanga area. She now studies in 4th class, but did not attend school when she was trafficked. Her father is an agricultural labourer and makes about 40 rupees in a day while her elder brother works as a mason in Kolkata and earns about 80 rupees a day. She has a family of 2 brothers and 2 sisters.

Disability:

She is afflicted in the leg by polio.

Recruitment:

One person named Badshah, a mason from their village, and his uncle Sadiq, used to visit them very often. Sadiq was a travel agent from Kharga and was in the business of taking handicapped children to Arabia. He proposed to her parents to allow him to take Sania along with him to Saudi Arabia for making her beg outside a great mosque in Jeddah for a period of six months. He promised to pay them Rs. 10,000/- and two and half tola gold, and paid an advance of Rs. 2000/- to her parents. He also promised to pay the parents some monthly salary as long as their daughter was in his custody. Her poor parents were advised by others to accept this arrangement as it would fetch them good money. About 25 more kids were

recruited by the same trafficker including another girl from her village. Some of them were of her age, some elder but all of them were handicapped.

Sania was 6 years old when she was trafficked along with 25 other kids to Jeddah for begging. When their earnings were short, trafficker used to physically assault them and whip them with belts. She had a serious accident when a vehicle hit her and she had to be hospitalized for 15 days.



Travel:

Sadiq arranged for fake passports and her name was changed to Reena and she was shown as his daughter. Another elderly woman was picked up to do the household chores and she was shown as the mother. Badhsah took the kids by bus upto Kolkata and then they were transported by train to Mumbai under the escort of Sadiq. In Mumbai they stayed in a rented accommodation before the travel documents could be arranged. The whole bunch of 25 kids flew with Sadiq to Jeddah in Saudi Arabia.

Initiation and Control:

In Jeddah, the kids were put up in rented accommodation close to the great mosque. All the kids were sent for begging and positioned around the great mosque. She felt homesick and used to cry to return home, Sadiq used to console her by saying that he will take her home after Baker-Id. Once in Jeddah, Sadiq did not make any of the kids contact their homes by phone. He collected their earnings and the if collections during the day were low, he used to physically abuse them with belts and slaps. Their begging schedule depended on the prayer timings; in the mornings kids were off for begging at 8 am and were back for lunch at 12 noon and in the afternoon they were again sent off to beg from 1.30 pm to 5.30 pm.

Once while crossing a road a 4 wheeler dashed against her and she was injured. She received stitches and was hospitalized for 15 days. Once Jeddah Police arrested and then left her. Second time she was detained for 5 days in different jails and then deported to Mumbai.

Future goals:

Her future goal is to receive education, get married and settle down. She would not recommend this experience to others. She believed that if people report such matters to the police and there is awareness campaign, this menace can be stemmed. She felt that extreme poverty and greed are main causes of this kind of trafficking.

Legal Action:

Case FIR No 45/97 in this relation was registered in Beldanga police station and both the accused Sadiq and Badshah were arrested. The case is presently in trial stage in the court.

CASE IV**Profile:**

Saira Khatoon @ Lovely was 7 years of age when she was trafficked and was made to beg outside the great great mosque of Mecca for 2 years before she was arrested in a police raid. A Bengali Muslim girl, she belongs to village Natungram in PS Murshidabad area. She now studies in 5th class, but did not go to school when she was trafficked. Her father is mason and makes about 80 rupees in a day. She has a family of 2 brothers and 3 sisters

Disability:

She is afflicted by polio on her right leg.

Profile:

Habba Khatoon, now 16 years old, was 8 years of age when she was trafficked and was made to beg outside the same great mosque for 2 years before she was arrested in a police raid. She is a Bengali Muslim girl belonging to village Illahiganj of PS Murshidabad area. She did not go to school when she was trafficked but now studies in 5th class. Her father left her mother when she was in the womb. Her mother works as a domestic servant to make her ends meet.

Disability:

She is afflicted by severe polio on both legs and hands, cannot walk and has to be lifted.

Recruitment:

Both the girls were recruited together by one Imran from Balrampur who was on look out for handicapped girls. He visited their families for over a month before striking a friendly relationship. He proposed to their parents to allow him to take the girls along with him to Saudi Arabia for making them beg in Mecca for a period of three months but they remained in Mecca for over 2 years, during which time he kept paying their families money. The trafficker promised Rs. 10,000/- and 1.5 tola gold to the parents of both the girls. He paid some money and clothes as an advance to them. One more woman from Mirzapur was recruited as part of this family and shown as the fake mother of the girls.



Both Saira (7 years) and Habba (8 years) were trafficked together as siblings and made to beg outside the Mecca great mosque for over 2 years. They used to beg all night from 6pm to 4 am and in the afternoons as well. They felt very cold and hungry in the night, and some pilgrims taking pity on them would give them bread to eat. They were regularly roughed up and assaulted by more powerful Nigerian beggars.

Travel:

Their fake passports were arranged from Kolkata and they left Murshidabad for onward journey thorough ^{through} Sealdah to Mumbai. In Mumbai they stayed in a rented accommodation for one and half months while Imran made arrangement for the visas. After arrangement of the valid travel documents, they flew together as a family to Saudi Arabia.

Initiation and Control:

In Mecca they were put up in a rented accommodation close to the great mosque in Jabalhindi area (mountain). It took them half an hour's walk to reach the great mosque and positioned themselves outside the great mosque.

They used to beg all night from 6 pm in the evenings to 4 am in the mornings, i.e. from dusk to dawn. They had to be in time before the evening namaaz and work beyond the morning namaaz. In the night they used to feel extremely cold and hungry, and some pilgrims taking pity on them would give them bread to eat. During the day they used to rest and eat, while the fake mother did the household chores.

Both of them yearned to come back and cried very often. They were allowed to go out but warned to stay out of police or trouble. Once they phoned home and were tutored to tell they are fine. Imran kept tight control of the money and if they failed to bring enough money they were physically assaulted and their legs & hands tied to ceiling fan. Imran often threatened them that he would take them to Bombay and throw them in a train.

Other beggars in Mecca were from West Bengal, Bangladesh and from Bihar. The physically stronger Nigerian beggars who were in big numbers were generally rough to the Indian beggars.

Once Saira had high fever and Imran brought a doctor home. They generally kept good health by drinking Aab-e-Zamzam. During their long stay in Mecca they picked up Arabic in good measure. Mecca police arrested them on many occasions and released after detaining them for a couple of days. In December 1996, the Mecca police arrested them and detained them for a month and then deported the two girls to Mumbai.

Future goals:

Their parents are too poor and directionless to decide the future of their daughters. Future goal for Saira is to get educated and she has tremendous will power to stand on her own feet in life. Habba wants to receive education, get married and stay in house. Both feel that they have lost two precious years of their lives. They would not recommend this experience to others and suggest that girls need to be educated to not to fall prey to these types of situations.

Legal Action:

Case FIR No 44/97 was registered in this relation in PS Behrampore dated 28/1/97 u/s 363A/ 120 B and 42 JJ Act. The fake mother and Imran continued to live in Saudi Arabia after the girls were deported to India. After investigation charge sheet was submitted against 7 persons.

CASE V

Profile:

Zeenat @ Mumtaz (now aged 19 years), was 9 years of age and studying in 2nd class when she was trafficked and was made to be outside the great great mosque of Mecca for 2 years before she was arrested in a police raid. A Bengali Muslim girl belonging to village Kulutia, P.S Mayureswar in Distt- Bhirbum, she now studies in 10th class. Her father is an rickshaw puller and makes about 45 rupees in a day. She has a family of 2 brothers and 2 sisters.

Disability:

She has a severe deformity; her both hands are burnt.

Recruitment:

One person named Annes, a farmer from Behrampore town, used to visit them very often. He proposed to her parents to allow him to take Zeenat along with him to Saudi Arabia for making her beg outside the great Mecca great mosque for a period of one year. He promised to pay them Rs. 30, 000/- and a gold necklace, and paid an advance of Rs. 1500/- to her parents. He also promised to pay the parents some monthly salary as long as their daughter was in his custody. One more handicapped girl belonging to Bangladesh and an elderly lady from village Hatpadi of PS Kandhi area were recruited by the same trafficker.

Travel:

Their fake passports were arranged as a family and they left Murshidabad for onward journey thorough Kolkata to Mumbai. In Mumbai they stayed in a rented accommodation for 15 days while Anees made arrangement for visas. After arrangement of the valid travel documents, they flew to Saudi Arabia as a family. In Mecca, Anees positioned them in a rented room in Jiya, close to the Mecca shrine and kept them under control to prevent detection by police. The fake mother was responsible for management of the household chores.

Zeenat was 9 years old when she was trafficked along with a Bangladeshi girl. They were made to beg outside Mecca great mosque for over two years. The trafficker used to beat up the Bangladeshi girl, as she did not earn well enough.

**Initiation and Control:**

Both the girls used to beg outside the great mosque. As her deformity was very glaring she used to get good alms and thus escape the beatings from Imran. The Bangladeshi girl had poor luck and did not earn as well thus was regularly beaten. Their schedule for begging depended on namaaz timings, i.e. they had to position themselves well before the commencement of the namaaz and sit beyond the conclusion of namaaz. She felt very home sick and tried to escape but to no avail. Anees collected all the money while the lady did the cooking. She got friendly with about 10 other Bengali beggars who used to sit close to her. She felt sick many a times and had high fever and chronic pain. Once Anees took her to hospital for treatment.

Mecca police arrested her on 5 occasions and after a couple of days detention left her. In December 1996 she was finally arrested and jailed for 1 month and eventually deported to Mumbai.

Future goals:

She is now married and studying in class 10th. She wants to settle down and start a family. She two that she lost 2 precious years of her life. She would not recommend this experience to others.

Legal Action:

Case FIR No 43/97 was registered in this relation in PS Behrampore dt. 28/1/97 u/s 363 A, 120B IPC & 41, 42 JJ Act. After investigation Charge sheet was submitted against 6 persons.

CASE VI**Profile:**

Razia (aged 14 years), was 7 years of age when she was trafficked and was made to be outside the great great mosque of Mecca for 11 months before she was arrested in a police raid. She is an illiterate Bengali Muslim girl belonging to village Bahadurpore. Her father is labourer and earns about 40 rupees in a day. She has a large family comprising her grandparents, parents, 3 brothers and 3 sisters.

Disability:

She does not have one hand.

Recruitment:

One person named Bashir haji of Qutubpur, used to visit them very often. He proposed to her parents to allow him to take Razia along with him to Saudi Arabia for making her beg outside the great Mecca great mosque for a period of three months. He promised to pay them Rs. 5, 000/- and some gold, and paid an advance of Rs. 1500/- to her parents. He also paid the parents the remaining promised amount in due course. Her poor parents were advised by others to accept this arrangement as it would fetch them some money. Basheer sold her further to Shamsher. One more handicapped girl and Shamsher's sister were recruited by the same trafficker.

Razia was 7 years when she was trafficked for a paltry sum of Rs. 5,000/-. She was resold to another trafficker. She was made to beg outside Mecca great mosque for 11 months. She was beaten up and hurled abuses by the trafficker when her collections were low.

Travel:

Their fake passports were arranged as a family and they left Murshidabad for onward journey thorough Kolkata to Mumbai. In Mumbai they stayed in a rented accommodation while Shamsher made arrangement for visas. After arrangement of the valid travel documents, they flew to Saudi Arabia as a family.

Initiation and Control:

In Mecca, Shamsher positioned them in a rented room close to the Mecca shrine and kept them under control to prevent detection by police. The fake mother was responsible for management of the household chores. Both the girls used to beg outside the great mosque. When both the girls failed to earn well, they were physically assaulted by Shamsher. Their schedule for begging depended on

namaaz timings; i.e. they had to position themselves well before the commencement of the namaaz. She felt very home sick and tried to escape but to no avail. Shamsheer collected all the money while the lady did the cooking. She got friendly with about 50 other Bengali beggars who used to sit close to her.

Mecca police arrested her on many occasions and after a couple of days detention left her. In December 1996 she was finally arrested, detained and eventually deported to Mumbai.

Future goals:

She is extremely poor, illiterate and directionless to think about her future. Her parents are also clueless to guide her except offering her for marriage to some Muslim labourer in the vicinity.

Legal Action:

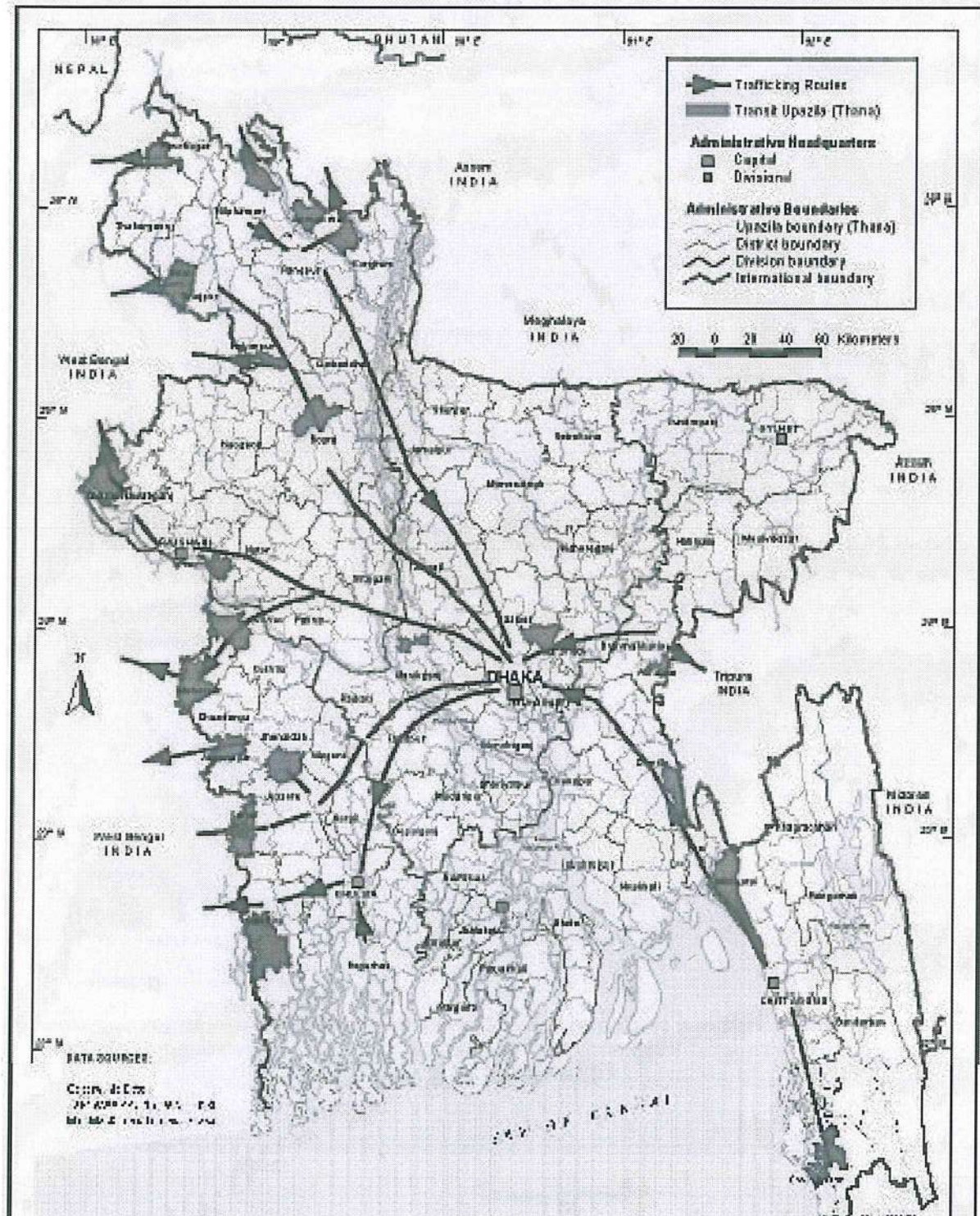
Case FIR No 45/97 dt. 28/1/97 was registered in PS Beharampore u/s 363A, 120 B IPC and 41,42 JJ Act. Shamsheer was arrested and charge sheet has been submitted against 7 persons in the court.

LAW-ENFORCEMENT RESPONSE

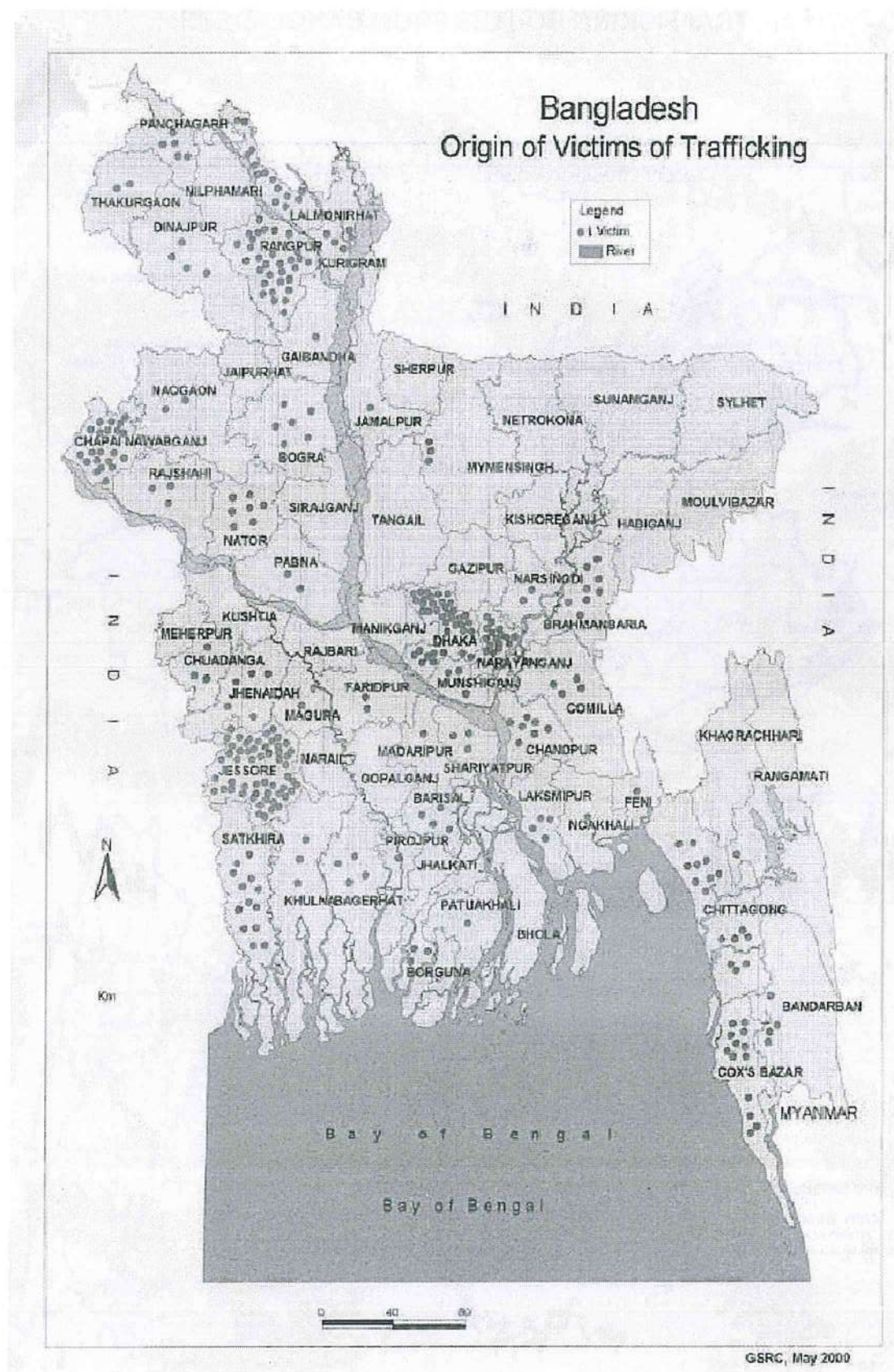
- 8 specific criminal cases were registered, 3 in Beharmpore PS, 2 in Beldanga PS and 3 in Rejinagar PS for the purpose of investigation and identifying the persons responsible for taking the juvenile girls to Mecca and to take legal steps for their prosecution. Total 9 accused persons were arrested including 3 named in the FIRs. The guardians were not interested to lodge complaint against the touts as they themselves sent their wards in lieu of money or assurance of good remuneration. However 8 individual complaints could be collected and cases registered.
- According to the Officer in-charge Murshidabad Police Station the problem of child trafficking amongst Muslims is due to their poverty and illiteracy. Girls are kidnapped or taken to Mumbai and Saudi Arabia for the purpose of begging. He has investigated many cases of trafficking of children from Murshidabad. The form of advertising used by the traffickers is word of mouth and extensive network of pimps. He came in contact after specific complaint by the parents of the kidnapped girls- arrested some touts i.e. actual culprits and forwarded them to the court. The practice is to register specific cases against organized crime agents u/s 363A/366 IPC and 41,42 Juvenile Justice Act. The police tries to arrest the culprits and forward them to courts, rescue kidnapped girls and hand them over to parents.
- Police sources say that on an average the trafficker spends about Rs. 1.7 lacs per child on the entire trip. In return, the child earns upto Rs. 2,000/- per day in begging and hands over the entire sum to the trafficker. It is in the interest of the trafficker to keep the child in the Gulf for longer periods to make greater profit.

- The political parties are aware but no one brings up the issue. According to the informant passport authorities, policemen and businessmen are also involved.
- According to the district ASP, the problem hasn't stopped, but is somewhat controlled. He further informed that in largely Muslim inhabited area of PS Khargam, birth of a girl child is celebrated as they are sold to the brothels by their parents. The traffickers and parents have found novel and more clandestine ways of sending their disabled children to the Gulf for begging, and are taking greater precautions both at home and in the foreign land to avoid arrests, detention and deportation. The researcher interviewed some persons who had visited Mecca for Haj recently, and he confirmed that young Muslim Bengali children are continuing with their trade of begging outside the great mosque.
- The following two recent cases further illustrate the ongoing trafficking trade from these poor areas to the Gulf.
 - In 2003, a girl from Murshidabad was being trafficked to Saudi Arabia for begging. At Mumbai airport she started crying before the CISF personnel, and while the CISF officials were attending to her, the traffickers and other persons involved ran away. CISF handed her over to the local Haj committee, which in turn contacted the DM/SP Murshidabad. She was rescued and brought back to Murshidabad and restored to her guardians. Police took a complaint from guardian and lodged a case. During investigation it transpired that for the purpose of going to Saudi Arabia a fake family was created and passports and visas procured with fake identities. It also transpired that kingpin of the crime was in Saudi Arabia and had a vast network of traffickers. Before his extradition could be effected the person expired. Lower level officials including those in police were bribed to get passports with fake identities, and lower embassy functionaries were bribed to procure visas for the fake families.
 - In 2002, nine Indian passports were intercepted by the West Bengal Detective Department when they were being sent by speed post to Delhi from Behrampore Head post office. During investigation it was found that 2 passports were made from Kolkata, 6 from Patna and one from Mumbai. The passport holders belonged to Murshidabad district and managed to get them on fake identity and address. The case is under trial in the court and police has managed to get a vital confessional statement u/s164 Cr. P.C in the court.

TRAFFICKING ROUTES FROM BANGLADESH



Source: International Organization for Migration.



Source: USAID Bangladesh

CAMEL JOCKEYING IN THE MIDDLE EAST



Poverty and greed are the two main reasons that result in the smuggling of a large number of innocent young children usually aged below seven years - to the Gulf States, particularly the United Arab Emirates. It is the most important factor that forces poor parents, normally having large families with many children, to give away their young to greedy human smugglers who use fake travel documents to smuggle out children, terming them as their own, with the concerned government agencies in connivance. The parents are also lured into the trap by the promise of lucrative jobs in the Gulf, in order to escape hopeless poverty. Initially, the camel race organizers bought children from next door Oman or Sudan, impoverished African countries, but when the Sheikhs started coming to South Asia, they saw the poverty among the people and recruited children from Bangladesh, India and Pakistan¹².

Traditionally, camel races have been taking place in the Gulf and other Arabian countries for centuries and nothing wrong is considered with it. The inhuman aspect creeps in when race organizers look the other way when young children are mounted on camelback. A child is strapped to the back of the camel with a rope and belts. The camel, which is whipped into a frenzy, is further propelled by the petrified shrieks of the frightened child. The younger and lighter the child, the louder the screams of terror and greater the speed of the camel. The cruel camel race organizers prefer children that are below seven years, and weigh between 15 to 17 kilograms. Many of the children die in these races. When a child falls during a race there is a very high probability of his being crushed under the feet of the camels that follow.

Cases of child trafficking for the purpose of camel jockeying are common in north Bengal Districts of Cooch Behar and Jalapaiguri, as these districts fall in the transit route from Bangladesh to Nepal. This Researcher during this field visit to West Bengal came across many cases of Camel Jockeying involving children from Bangladesh. The following case study will lucidly illustrate the illicit trade for camel jockeying.

CASE STUDY

Due to some diplomatic arrangement between UAE and Bangladesh, no visa is granted to Bangladeshi children for their first visit to Dubai from Bangladesh. Therefore for their first visit to Dubai, Bangladeshis had to travel to Kathmandu and fly from there. In Kathmandu, arrangements for visas were made and therefore it became an important transit point for child trafficking for camel jockeying. Bangladeshi children who were trafficked for camel jockeying along with their fathers had to transit through Cooch Behar or Jalpaiguri districts to reach Nepal. In the process network of traffickers developed both in Bangladesh and Bengal with an elaborate system of safe houses.

Police Station Setai: Case FIR No.27 dated 21-05-2001 under sections 367, 370, 371 IPC. This case is linked with Police Station Jalapaiguri Case FIR No.181 dated 24-05-01 under sections 367, 370,371 IPC.

In the above said case of child trafficking from Bangladesh two persons were arrested namely: Upendra Mohan Roy Sarkar Aged 65 years of Dhakshin Bharuli PS Setai, district Cooch Behar and his son Nayan Roy Sarkar Aged 16.

Two Bangladeshi children were rescued in the case namely: 1) Mrinal Sarkar Age 8 son of Sharat Mia of Dola, PS Trishal, District Maymansingh and 2) Antar Mia Age 3 1/2 years son of Ashadul Mia of the same village.

Minor children between the age group of 3-8 were brought to the house of Upendra Mohan Roy Sarkar and then smuggled to Dubai via Kathmandu for camel races in Arab nations. Uttam Kumar Roy, his eldest son was the kingpin of the racket in Setai. He had links with child traffickers in Bangladesh, and the victim children were generally accompanied by their fathers. He received the children and their parents at the Indo-Bangladesh Border especially during the night, and brought them to his house for night halt. After a stop over at his house for the night, Uttam took them to Kathmandu by early morning bus via Siliguri and Kakarvita where more children were assembled taken to Kathmandu for onward air journey to Dubai.

The rescued child Mrinal Sarkar stated that about a month back he went to Kathmandu accompanying this father for going to Dubai for camel race. His father encouraged him by telling that he would be tied on the camel back with rubber belt for an interesting race. During the race he should constantly take the name of "Allah" and if his camel won the race, it would fetch them large sums of money and they would be very rich for rest of their lives. Since the matter got him excited he agreed to go to Dubai with his father. His mother and little sister had also agreed to the arrangement. But due to the problem of visa he could not go out with the batch of 32 little children who flew from Kathmandu for Dubai with their fathers. Antar Mia, the other rescued child, arrived Kathmandu few days later accompanied by his father. He also could not go due to visa problem and his father left the child in the custody of Uttam and Mrinal's father, and himself flew to Bangladesh to get the problem sorted. After staying in Kathmandu for more than a month Mrinal Sarkar, Mrinal's father, Antar Mia and Uttam came back to Setai by bus. At Setai, Mrinal's father left them in the custody of Uttam and proceed to Bangladesh for collection of visa. They were secretly kept in Uttam house till 21-5-2001 when Uttam's father shifted them to another house during the day.

One Bichehu Mia of same village in Bangladesh is the "Malik" of camel jockeying trade to Dubai. Bichehu Mia regularly flew from Bangladesh to Kathmandu and made all arrangements for sending children and their fathers to Dubai. Mrinal stated that many children from his native village have already gone to Dubai accompanied by their fathers. Bichehu Mia was the kingpin of the business who allured parents to go to Dubai with their children for earning huge amount of money through camel race. On an average the parents could make Rs.10, 000 to Rs.15, 000 per month, and if they stayed in Dubai for two years they could make huge fortune. Bichehu Mia charged Rs.70, 000-80,000 for passage to Dubai and other expenditure. The parents generally collected this money either by selling their land and property or by raising loans. Bichehu would refund the entire money if he was unable to send the anyone to Dubai. If any party did not have required child of their own, they would borrow the child from their near relatives by paying Rs.15, 000 to Rs.20, 000 in advance and accompany the child to Dubai as assumed father. This donor party was to pay Rs.2, 000 per month through an arrangement to the original parents in Bangladesh.

On a tip of police raided Uttam's house. However, Uttam's father got information of the eminent police raid and removed the two boys to the house of one Aftaruddin Mia of Dhakshin Singimari Police Station Setai. This person also smelt danger and felt these two children abandoned on a riverbed through his daughter.

Upendra Mohan Sarkar originally belonged to Bangladesh and migrated to India in 1983. He maintains strong links with Bangladesh, as all his three daughters are married there. His son Uttam Roy Sarkar was directly involved in child trafficking business and had links with child traffickers in Bangladesh and the kingpin Bichehu Mia. Uttam regularly visited Bangladesh for this purpose. Uttam was involved in child trafficking business for many years now and in the last couple of months had dispatched 10 parties from Bangladesh to Dubai. The children were boys of 3 to 8 years of age and were accompanied by either their real or fake parents. Parties who did not manage to get visas in Kathmandu had to return back and stayed in Uttam's house. His house was used as a safe house by those going to Kathmandu and the ones returning from Kathmandu. This Uttam Sarkar was arrested by Kotwali PS in Case FIR No.181/2001 dated 24-05-2001 U/s. 367,370,371 IPC and remanded to police custody. This is also a case of child trafficking in which four Bangladeshi children were recovered from him.

The four rescued children from his possession were namely:

- (1) Sikandar Ali, age 5yrs s/o Latif Ali
- (2) Rani Haque age 5 years S/o Jabbar Mia
- (3) Farak Khan age 5 years S/o Motin Haque
- (4) Nazrul Haque age 4 years S/o. Asmal Hekmat Ali, all of Dola PS Trisal District Maymansingh, Bangladesh,

After their rescue they were lodged in Rescue Home, Jalapaiguri run by the State Government of West Bengal. These children were too small to give any statement, however on prolonged interview they stated that they came to Kathmandu accompanying their father for going to Dubai for camel race.

Uttam Sarkar during his interrogation to the police stated that he was earlier in trans border smuggling business along with his relatives in Bangladesh acting as links. One of his links proposed that he should facilitate transfer of Bangladeshi nationals going to Dubai

with their children via Kathmandu. His duty was to reach children and their parents through Kakarvita to Kathmandu for which he would be paid some commission. Initially, Uttam did not know the purpose of these people going to Dubai but later came to know it was for camel racing. His rate of commission for each child was fixed at Rs.1, 000/- excluding journey and other costs. He started off in the child trafficking trade in the year 2000 and his business expanded and his name spread far and wide. Gradually many children accompanied by their father regularly came to him. His business picked up and he received many batches of children to be transported to Kathmandu.

Shahid from Bangladesh¹³

Shahid is now 12 years old, and was trafficked when he was only 7 years old. His father died when he was 5. He used to live with his family in Dholaikhal, Jatrabarim where his father earned an income as a truck driver. His father had two wives and Shahid's mother used to work in a garment factory. Five years ago one day while he was playing in front of my house, a man came and talked to his stepsister who he later found was a trafficker. His stepsister helped to take him away to Dhaka, and she had actually sold him to the trafficker.

In Dhaka, he was confined in a house in the Mirpur area for 4 months, while the trafficker arranged his passport. Then they entered India crossing the Comilla border and went further on to Kolkata and then Bombay. In Bombay, he was handed over to two other men who took him to the airport in Bombay next night and further handed him over to an Indian lady trafficker. Both of them took a flight and reached Dubai the following morning, where he was sold to an Arabian man for 30,000 Dinar. The Arabian man brought me to his house and I was engaged as a camel jockey.

His Arabian master owned a herd of 50-60 race camels and asked him look after the camels and also appointed an instructor to train him camel riding. After going through very strenuous training, he started to work as a camel jockey in the professional camel race. He was not paid for his work but now and then his master used to tip him 100-200 Dinar if the camel won the race. They did not give him much food to eat, so he was always very hungry. Whenever he asked for some food, he was beaten. He only weighed 20 kilo. When he grew a bit older, he was no longer fit for camel jockeying because he could not keep his weight under 20 kilo, and became useless for the Arabian Master, who asked somebody to send him back to Bangladesh.

Using the same route as when going to the Middle East, the man took him to India and left him near Comilla border in India. While crossing the border into Bangladesh, the border police arrested him and sent me to Camilla jail where he stayed for one and a half months.

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CHAPTER-8

ORGAN TRAFFICKING IN INDIA

A CASE STUDY OF PUNJAB KIDNEY SCAM



Background:

1.1 India is one of the largest centers for kidney transplants in the world, offering low costs and almost immediate availability. In a country with large poverty, a huge transplant industry arose after drugs were developed in the 1970's to control the body's rejection of foreign objects¹. The dramatic success rates of operations and lack of proper legislation in India also fueled the kidney transplant growth. The result has been that *"supply and demand have created a marriage of unequals; with the rich patients depending on transplants from poor unrelated donors, as medically suitable living-related donors were often unavailable or unwilling to donate."* Thus, the pace of demand for kidneys hasn't kept up with the supply. Consequently, the poor and destitute, victims of poverty, have either willingly sold their kidneys for lure of money or have been conned into giving up their kidneys unknowingly. Ironically, medical technology meant to advance and save human lives has been abused to such lengths, that in some cases, it has resulted in the death of innocent donors².

1.2 Renal disease is a major public health issue in India, one that cuts across the regional and socio-economic divides. An estimated 100,000 people develop End Stage Renal Disease (ESRD) each year. This is in addition to a pre-existing pool of an estimated 2 million persons who suffer from this affliction³. A person with ESRD requires renal replacement therapy in the form of either dialysis on a continuing basis or a renal transplant. Both are expensive options that require recurrent expenditure over the person's lifetime. Compared with long-term dialysis, renal transplantation generally offers a longer life span and better quality of life⁴.

Furthermore, treatment for renal disease is still largely in the private health care sector where the costs are high. There are no accurate figures for the number of kidney transplants done in India, as there is no national registry for organ transplants in place, a practice that is mandatory in most Western countries where transplant procedures are performed routinely. However, a rough status of renal transplants in India is as follows:

TABLE 1: STATUS OF RENAL TRANSPLANTS IN INDIA⁵

New patients who develop ESRD per year	100,000
Pre-existing pool of patients suffering from ESRD	2 million
Renal transplants done in India per year	3000
Percentage of renal transplants: By related donors	30%
Percentage of renal transplants: By unrelated donors	64%
Percentage of renal transplants: Cadaveric/Brain dead	6%

1.3 Most countries require living donors to be family members, or that organs must be removed from cadavers, usually accident victims. There are stringent rules to remove kidneys from live donors, as transplantation for money is illegal and unethical. With the shortage of kidneys world over, India and China have become an international centers for the transplantation of kidneys. Furthermore, until the passage of the Organ Transplantation Act in 1994,⁶ there was no legislation prohibiting the sale of organs in India. Due to the naiveness and desperation of poor, along with the fact that donating a

kidney isn't particularly risky, kidneys have become easily available in India. Combined with low costs and the emergence of an illegal kidney black market which caters to the kidney buyers from around the world, many foreigners and the rich in India have taken advantage of and benefitted from the kidney trade.

- Only in January 1995, did the kidney scandal first come to the surface through a series of incidents, which received wide media coverage and prompted public outrage causing the Indian Parliament to pass legislation banning kidney trade.
- On 15 January 1995, Customs officers in Delhi uncovered a "kidney tour" racket in which donors were enticed to go abroad for removal and subsequent transplant of their kidneys. Hundreds of donors were believed to have gone on such kidney tours⁷.
- On 23 January 1995 it was discovered that residents of a rehabilitation colony for leprosy patients near Madras, were found to donate kidneys for money offered by agents⁸.

- Then, on 29 January 1995, police busted a massive racket in Bangalore, in which kidneys of nearly 1,000 unsuspecting people were removed in a leading city hospital by prominent doctors. The "donors" had been lured with offers of jobs and their kidneys removed under the pretext of removing blood. The kidneys were destined for patients from the Middle East and Far East⁹.



A donor shows a scar on his abdomen, the result of surgery performed in a Bangalore hospital. He alleged that he went to the hospital to donate blood but woke up to find that one of his kidneys had been removed.

- A similar kidney racket was discovered in a nursing home in Bombay¹⁰.

The law and the lacunae: Features of the Transplantation of Human Organs Act, 1994

2.1 The Government of India, in keeping with international covenants and progressive legislation in place in other societies, banned the practice of organ trade. The Transplantation of Human Organs Act, 1994, was enacted to stop the trade and clear the legal decks to enable a cadaver-based human organ donation programme to be put in place. Ten years later, there is ample evidence in the public domain that the law has singularly failed in stopping the trade.

2.2 This Act came into force in 1995 was intended "to provide for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs." The Central Act illegalizes the buying and selling of human organs and makes cash-for-kidney transactions a criminal offence. It establishes an institutional structure to authorize and regulate human organ transplants and to register and check hospitals that are permitted to perform transplants. It recognizes, for the first time in Indian law, the concept of brain-stem death, thus opening the way for a programme of organ transplants from cadavers.

2.3 The Act details actions that amount to direct participation in or abetment of the organ trade; these offences are punishable under Section 19 of the Act. The offences invite punishment with a term of imprisonment ranging from two to seven years or with a fine not less than Rs.10,000 and not greater than Rs.20,000.

2.4 The Act defines two categories of donors; first, it permits a near relative, defined as a patient's spouse, parents, siblings, and children, to donate a kidney to the patient. Secondly, in Section 9(3) of the Act, live donors who are not near relatives but are willing to donate kidneys to the recipients "*by reason of affection or attachment towards the recipient or for any other special reasons,*" are permitted to do so, provided that the transplantations have the approval of the Authorisation Committee, established under the Act.

2.5 The Act makes the offence of kidney trading *non-cognizable*. In other words, *the police cannot look into complaints of kidney trading independently* but must wait for a complaint to be made by the Appropriate Authority set up under the Act or by an officer authorized by it or by an individual who has given prior notice of not less than 60 days to the Appropriate Authority.

2.6 It is not clear whether Section 9(3) was deliberately meant - under pressure from special interests - to provide a loophole which is its most serious weakness that could be exploited in practice, or whether the lawmakers thought they were sympathetically making provision for donations from second-degree relatives and others who might act out of genuine love and affection or altruism. But whatever be the reasoning and motivation behind the provision of a loophole, the practical operation of Section 9(3), combining with the non-cognizability of the offences to be prosecuted, has rendered the 1994 Act virtually unenforceable. Investigation of famous Punjab Kidney scam illustrates that it is this provision in the law that provides the springboard for abuse.

2.7 A unique feature of the implementation of the Act is that no one is reported to have been prosecuted for its violation. That fact stands as testimony to the failure of the Authorisation Committee in each State to perform effectively its function as a watchdog. As for the Appropriate Authority, the authority vested with the power to take legal action against those involved in the continuing commerce in kidneys, it has simply not done its job.

2.8 In almost all cases of unrelated transplants that take place in India, it is reasonable to assume that money had changed hands. The uncovering of a major racket in kidneys by the Indian police, in which network of agents was involved in sourcing the kidneys of the poor to patients, is a clear pointer to this. Looming large on the organ donation scene is the organ trade, an unconscionable and unethical practice that needs to be stamped out.

The Illegal Organ Bazaar:

3.1 Unrelated organ donation in India has always been one way traffic- "*the poor donating the rich*". There is a strong case for campaigning for more cadaveric transplants. In the absence of cadaveric transplants, India continues to have a thriving bazaar for illegal trade in organs, which flourishes despite legislation banning it. In fact the law has only put up the price for the recipient by creating opportunities for several people to make money out of the transaction. The money in the illicit trade goes not only to the middleman, but also other beneficiaries along the way to a successful transplant.

3.2 Last year, New Delhi police had swooped down on an Andhra-based gang, which was successful in inducing bankrupt farmers - victims of crop failure - to part with their kidneys in various private hospitals of New Delhi.

3.3 In recent years the Garden City - Bangalore - has been in the limelight for unethical trading in this most vital human organ. In fact, local newspapers in Bangalore had reported that a massive kidney racket continues to thrive in the city as no efforts had been made to rectify the loopholes in the existing law. The kidney racket in Bangalore is booming and the touts are coming from other states to take advantage of the situation¹¹.



Kaveri Nagar, situated in Bangalore, has a concentration of donors

3.4 A residential colony of largely poor people in Madras in south India called Villivakkam became infamous as 'Kidneyvakkam' because almost every house had a resident who had sold his or her kidney for money. Visitors to Villivakkam can still see women with large, curving scars peeking out from

under their sari tops. Residents of the slum may not know how to read or write, but they're savvy about blood types, tissue-matching factors and going rates.

3.5 The kidney-sale racket has been thriving in Andhra Pradesh for a number of years with leading hospitals involved. Police sources say nearly 400 kidney transplants have been conducted at various hospitals during the first nine months of 2003; of these, nearly 70% were illegal, with hospitals using brokers to reach out to needy 'donors' to obtain the organs. The illegal trade in organs apparently involves mainly people from the east and northeast of the country. The hospitals have done roaring business in the Dussehra season, with most of the visitors from Bengal towns bringing donors as part of a tourism package to Andhra towns.

3.6 Mumbai Police recently arrested a ^Nephrologist at a leading hospital for his alleged role in facilitating trade in human kidneys, after claiming to have established links between him and agents who recruited kidney donors for his patients. The doctor would pass requests for kidney to agents who would find poor donors and fabricate documents to show that the donors were distant relatives or close friends of the patients. Each donor would receive Rs. 30,000-50,000, but a recipient would be charged upto Rs. 2 lac for a kidney¹².

3.7 It is widely reported in the western media that Canadian patients desperately needing transplants are travelling to India, China and the Philippines where they pay between US \$50,000 and \$145,000 for a kidney transplant, a practice condemned by the World Health Organization¹³.

3.8 Deeply concerned about the illegal trade in human organs especially in kidneys, Chairperson of the NHRC wrote to the Prime Minister and Chief Ministers of all States in January 2004. He stressed that illegal trade in human organs often involved exploitation of poor people and violation of their human rights. There were reports of organ trafficking involving clinicians, managers of clinical centers, middlemen and others. The practice of 'organ purchase' had acquired the dubious dimensions of 'organ trade' with touts operating as middlemen, and creation of allegedly false records of a

compassionate donation. There were disturbing reports of this pernicious practice being widespread in Tamil Nadu, Andhra Pradesh and a number of other States. This illegal trade in human organs was unethical and was a serious violation of human rights. NHRC had come across a number of instances in which the 'compassionate donor' provision in the Organ Transplantation Act was abused. In many cases, the donor was an unrelated and unacquainted person and was lured into donating an organ such as the kidney by financial offers made by or on behalf of the prospective recipient¹⁴.

3.9 Economic and Health Consequences of Selling a Kidney in India:

In a study to determine the economic and health effects of selling a kidney a cross-sectional survey was conducted in February 2001 among 305 individuals who had sold a kidney in Chennai, India, an average of 6 years before the survey¹⁵. The **results** of the survey were:

- Ninety-six percent of participants sold their kidneys to payoff debts.
- The average amount received was \$1070.
- Most of the money received was spent on debts, food, and clothing. Average family income declined by one third after nephrectomy and the number of participants living below the poverty line increased.
- Three fourths of participants were still in debt at the time of the survey. About 86% of participants reported deterioration in their health status after nephrectomy.
- Seventy-nine percent would not recommend that others sell a kidney.

Conclusions of the survey were that:

- Among paid donors in India, selling a kidney does not lead to a long-term economic benefit and may be associated with a decline in health.
- Physicians and policy makers should re-examine the value of using financial incentives to increase the supply of organs for transplantation.

PUNJAB KIDNEY TRANSPLANT CASE

METHODS

The study was conducted during March 2004 in the cities of Amritsar, Jalandhar, Mohali and Chandigarh, in the state of Punjab. As most of the transplants were done secretly using fictitious names of donors and recipients, authentic record was not available. Therefore the researcher relied on snowball sampling, a standard method for contacting difficult to reach populations for face-to-face interviews.

This researcher toured many places in Punjab including cities Amritsar and Jalandhar referred to as C1 and C2 respectively, for investigating into the famous Kidney Transplant case, which received wide media attention. He interviewed the young Superintendent of Police (S.P.) who was key in bursting this organized crime gang and assiduously pursued the case despite receiving personal threats from the vested interest in the trade. The researcher also interviewed a Deputy Inspector General of Punjab Police who remained posted as Senior Superintendent of Police in C1 during 1998-99 and then as DIG/ Range in C1 during 2002-04. Both the officers personally knew a great deal about the whole illicit trade since they were in forefront in fighting this crime and then successfully investigating the same. The researcher also accessed the police records, which gave vital insights into organized nature of the crime and the modus operandi.

INTERVIEW:

The nature of the study was explained to the police officers interviewed. The interview schedule contained the profile of the police officers, profile of donors, methods of recruitment, method of movement & control, knowledge of middlemen, health effects and health provision of donors after transplant, criminal cases and investigations done. Perusal of police investigation records filled in many gaps created by fake identities of donors and recipients. *and*

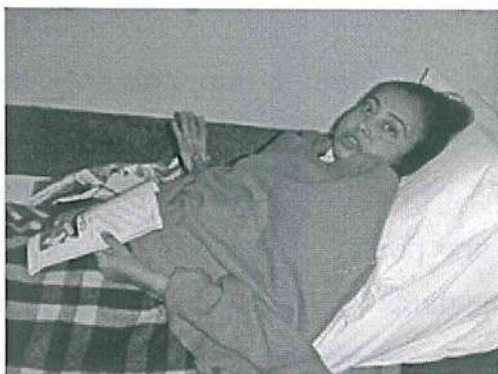
MAIN OUTCOME MEASURES:

The main outcome measures were the reasons for selling kidney, amount promised and amount received, commission of the middlemen and the kingpin, modus operandi, health status of donors after operation.

4.1 Nature of the problem

The famous kidney transplant racket of City C1 was unearthed by a young S.P City who remained posted in the city from April 2002 to November 2003. In the eye of the storm was one Hospital 'H' a famous institution of the city. This hospital besides being involved in other types of medical business was authorized to conduct kidney transplant.

The nephrology department of the hospital was headed by Dr. 'D1' and he was assisted by a team comprising Drs. 'D2', 'D3' and 'D4', some technicians and paramedics. The administration of the hospital was run by its manager 'M'. This team was in the business of kidney transplant for around 10 years, attaining a great degree of skill and proficiency in the trade and thus creating a niche for themselves. The hospital became the key centre of kidney transplant in North India; conducting some bonafide kidney transplants but majority illegal ones. So great was the rush for kidney transplant cases on hospital that many patients got recommendations VIPs including political and bureaucratic big-wigs of the country "for providing assistance for kidney problems to the recipients".



A patient at hospital 'H' awaiting kidney transplant

The hospital needed middlemen to arrange for donors to cater to the huge demand for kidneys. Further since the Organ Transplant law was very strict about “unrelated donors”, it needed a very pliable Authorization Committee. While the donors had to file an affidavit before the magistrate to “show their love and affection to the recipients”, a set of advocates and notary public were needed to get the papers in order. In fact the whole thing had become an organized nexus, which received abundant legal protection of senior police officers and politicians.

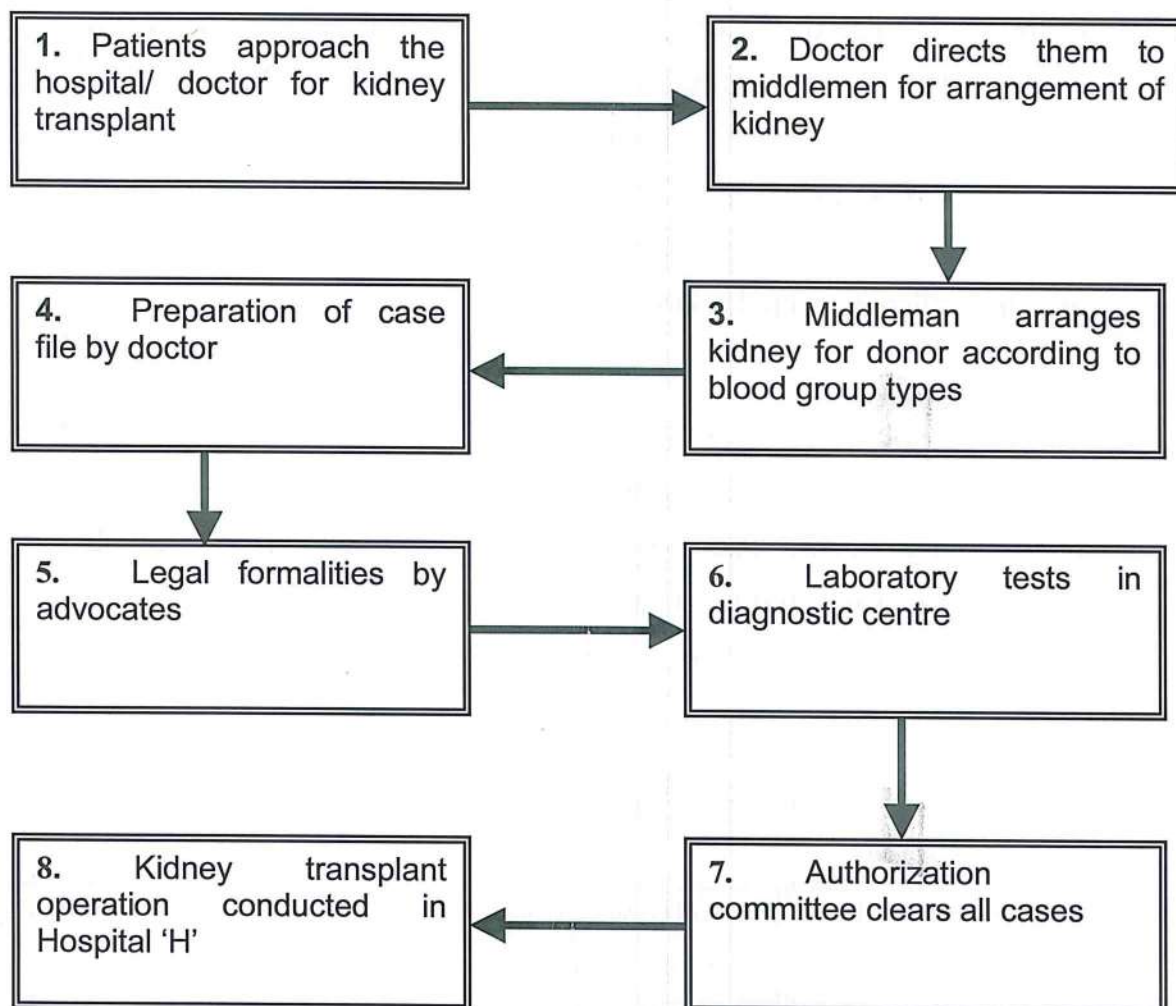
4.2 Key Players:

The key players in the organized crime of kidney transplant were the doctors, hospital staff, middlemen, authorization committee members, lawyers, police officers and politicians. The victims ^{of} course were the naïve donors. The kingpin of the whole illicit transplant network was Dr. D1 a senior nephrologist.

Table 2: THE KEY PLAYERS

Doctors and Hospital Staff	Dr. D1, D2, D3 and D4, manager M (Absconding), Technical Staff + Paramedics
Members of Authorization Committee	Dr. 'A1', Principal, Government Medical College, Dr. 'A2', Professor and Head Forensic Medicine, Medical College (Both arrested)
Middlemen/ Touts	'T1', 'T2', 'T3' and 'T4' (Tea shop owner) -all arrested.
Lawyers/Advocates	'L1', 'L2' and 'L3'.
Police	Senior police officers, middle rank and low ranking police officers. Many police officials including staff officer of the Inspector General were arrested in this racket.

4.3 Modus operandi of the traffickers



4.3.1 Patients coming to the hospital 'H' for kidney transplants were directed to the middlemen by doctors. The patient did have the option of arranging the donors themselves also which was almost never possible. The patients would then approach the middleman for arrangement of suitable donor, since they maintained a regular stock of donors of different blood group types.

4.3.2 After arrangement of the donor, a case file was prepared in the private clinic of Dr. D1 the operating doctor. He charged the patient anywhere between Rs. 5,000 to 75,000/- for this service.

4.3.3 As a legal requirement under section 9 (3) of the Act, the unrelated donor and the recipient had to file an affidavit in a magistrate's court clearly

stating that the donor was donating the kidney *"for reasons of affection or attachment towards the recipient"*.

Some selected advocates who were part of this organized gang, got the affidavits drafted and attested. Most of the affidavits were found to be fake, made after forging the signatures of the magistrates. In the affidavits the fake names and addresses of the donors were mentioned. All the affidavits filed on behalf of the donors had exactly the same language, *"My parents have expired. I am unmarried and alone. No blood relation is alive. I have been living with family of the patient for the last 8-10 years. I am donating kidney on humanitarian ground and due to love and affection"*. The lawyers charged Rs. 5000/- for preparation of such false affidavit per case.

4.3.4 Laboratory tests for suitability of removal of kidney from the donor and transplant to the recipient were conducted in the "Advance Diagnostic Centre", in which Dr. D1 got a fat commission of 40%. The tests cost around Rs. 75,000/- to 1,00,000/- per case.

4.3.5 The case was then put up before the Authorization Committee constituted under section 9 (4) of the Act for its approval. The Authorization Committee for C1 and C2 areas was headed by the Principal, Government Medical College and comprised the Head of the Forensic Medicine Department and the District Civil Surgeon. The said committee was supposed to hold a mandatory inquiry under section 9 (5) of the Act, and only after satisfying itself that the applicants have complied with all the requirements, grant to the applicants approval for removal and transplantation of the human organ. Moreover, if the said committee was satisfied that the applicants have not complied with the requirements, they were empowered to reject the application after recording the reasons. The committee approved cases without even making preliminary enquiry from the donors and the patients. It adopted an easy process of taking affidavits from the donors and recipients. In all the cases the addresses and other particulars of donors and patients were found fictitious as they usually gave 3-4 known addresses of C1. In many cases the donors and patients never appeared before the Authorization Committee. Investigations revealed that the committee

approved the kidney transplant cases for monetary considerations in connivance with the operating doctors and the middlemen. It was exposed in the police investigations that middlemen used to regularly attend the Authorized Committee meetings.

During the police investigations, a former member of the Authorization Committee, gave a statement in the court that he had been opposing the "wrongdoings" involving the unrelated kidney cases, but in vain. The doctor, who deposed in the court that the indifferent attitude of the chairman and other members of the committee proved that they were allegedly in league with the main accused and the middlemen.

OFFICE OF THE PRINCIPAL GOVT. MEDICAL COLLEGE AMRITSAR

No. 2001 /SS/Pnd, Dated: 23-1-2002

The Authorisation Committee after holding an enquiry on the joint application made by the donor

Sh. _____ s/o _____

R/o _____

and Recipient Shri. Kamla Yadav s/o Sh. Ramesh Yadav

s/o 289/0 Ward and Nursing, Sahlgrenska Hospital, H-1, Delhi, H-110017

R-1 Green, Nursing Institute

and after going through the affidavit by the donor and recipient and the certificate given by the Medical superd., In-charge Surgeon and Transplanting surgeon of Ram Saran Dass Kishori Lal, Charitable Trust Hospital, Amritsar/Kidney Hosp. Hospital, Jalandhar/New-Ruby Hospital and Nursing Home Pvt. Ltd., Jalandhar is satisfied that the applicants have observed the Rules and regulations of the Act and gives approval in good faith for the removal and transplantation of kidney.

(Specimen's signature of the donor).

(Specimen's signature of the Recipient).

Chairman, Authorisation Committee, Principal, Govt. Medical College, Amritsar.

Member, Authorisation Committee, Civil Surgeon, Amritsar.

Member, Authorisation Committee, Prof. & Head Medicine Medical College, Amritsar.

Member, Authorisation Committee, Prof. & Head Forensic Medicine, Medical College, Amritsar.

Blank certificates issued by the Authorization Committee

4.3.6 Dr. D1 charged a sum of Rs. 75,000/- to 1,25,000/ underhand from the recipient before the operation. The operation was conducted in hospital 'H' where the patient was charged an amount of Rs. 1,00,00- 1,50,000/ as

hospital fee including the doctor's fee. The conniving police officers and politicians also got huge money to protect the racketeers from the legal action.

4.4 Profile of the Victims involved/ Donors

4.4.1 Supply: Donors were easily available and the main target was the migrant labour coming from different parts of the country to seek jobs in Punjab. They got involved in donating their kidneys due to the allurements of money offered by the middlemen. Victims were recruited individually or in groups of 5-7, with the middlemen making their travel arrangements. Some of the migrant labourers were even brought from the Labour market, Chandni Chowk, Delhi. The profile of the donors was as follows:

TABLE 3: PROFILE OF DONORS (N: 14)

Age	Average 20; Range 17-35
Male%	100%
Education	Illiterate
Languages spoken	Punjabi, Hindi
State of origin	Punjab, U.P, Bihar, MP, Rajasthan, Maharashtra, AP, Manipur etc.
Socio/ Economic Status	Rural background/ Lower caste, Poor
Profession	Unskilled/ beggars/ migrant labour/ unemployed youth
No. of dependents	Avg. 5 / Full family
Donors known to have died due to lack of after care	24
Amount promised	Average Rs. 1 lac (Range Rs. 50,000/- to Rs. 5 lac)
Amount received	Average Rs. 25,000/- (Range Rs. 10,000 to Rs. 40,000)



The hapless migrants who sold their kidneys to rich persons through middlemen for meagre amount

4.4.2 Demand: The donors were arranged by the middlemen working for the doctors and kept in bondage in certain houses owned by the musclemen till their kidneys were removed. The donors were wrongly shown as living with the recipients for the past 8 to 15 years as domestic servants. The demand areas for the donors were the whole of north India, and the operations were performed in cities C1 and C2 in Punjab where the huge illicit kidney transplant industry needed a regular supply of donors.

4.4.3 Amount received from sale:

The amount promised for selling a kidney averaged Rs. 1 lac (Range Rs. 50,000/- to Rs. 5 lac) which considering their poor background was a windfall. While the amount actually received averaged Rs. 25,000/- (Range Rs. 10,000-Rs. 40,000/-). Both middleman and the hospital promised on an average four times more money than actually paid.

4.4.4 Methods of control:

The donors were subjected to physical violence, verbal threats, death threats and administered drugs and alcohol when they were in the custody of the middlemen. They were kept under confinement by the middlemen till the operation. Some of them reported broken bones and weakness, which generally required hospitalization. After the transplantation, the donors were not kept for long in the hospital for postoperative care but quickly discharged. Most of the donors lost their physical strength due to lack of postoperative care and remained depressed. In some of the cases the poor

donors expired on the operation table or due to the lack of postoperative care. Their dead bodies were thrown in the jungles or in rivers or cremated as unclaimed.

Unconfirmed reports said the bodies of donors who died on the operation table were cremated after declaring them unclaimed. The dead body of a donor, who died in Hospital 'H', was disposed off under mysterious circumstances. Although he died on 19th July 2001, but in the hospital records he was shown to have been discharged from the hospital on 9th July 2001. Many others had been killed, but due to fake identity of the donors it was difficult for the investigating agencies to get to the bottom of the matter.

The police did arrest 14 donors during the initial stages of investigation of the case on the charges of donating kidneys for money. However further arrests of donors were stopped on humanitarian grounds because they had already been exploited by the traffickers, and it amounted to their double jeopardy.

4.5 Cases of some donors:

4.5.1 Donor 1, a resident of City C1, was married and lived with his wife and two children. He got his hair cut and was cleared by the Authorization Committee on 20 June 2002 as fictitious Vijay Kumar, shown as unmarried and working as a servant of one recipient 1 resident from Gwalior, Madhya Pradesh. His one kidney was transplanted to recipient 1. In the affidavits it was mentioned that *'Vijay Kumar was living with the recipient 1 for the last 9 years and working as a servant. His father and mother had expired and he had no brothers and sisters. He wished to offer his kidney to his master purely out of love affection and humanitarian ground without any monetary consideration'*. He was operated at Hospital 'H' by D1 and D2.

However the affidavits after verification were found to be fake and forged by an advocate L3. Arrest warrants were issued against the advocate who attested these affidavits. During the investigation it was revealed that

advocate L3 had attested many fake affidavits after forging the signature of Executive magistrates to facilitate illegal transplantation of kidneys.

4.5.2 Donor 2, a resident of a small town , was a 17-year minor who belonged to a poor family. He had gone for a visit a famous temple in city C1, where he met a middleman. The middleman on the pretext of teaching him driving forcibly abducted him and took him to the residence of a police inspector in city C3. His hair was trimmed and his identity was changed to Raju resident of city C2. He was shown as a migrant in the records and then his case was cleared by the Authorization Committee. Before removing his kidney, he was kept in illegal confinement in city C3 and threatened with dire consequences if he reported the matter to the police. His kidney was removed at gunpoint in a hospital in C2 and transplanted to the police inspector. In the affidavits it was shown that the *'age of Raju was 22 years, he was living with the recipient police inspector for the last 10 years and working as a domestic servant. His father and mother had expired and he had no brothers and sisters. He wished to offer his kidney for transplant purely out of love, affection and humanitarian grounds without any monetary consideration'*. The victim was however even denied the promised sum of Rs 40,000.

The parents of donor 2 are alive and he has 2 brothers. A separate case FIR no. 118/02 was registered in this matter in the PS Kotwali, C1u/s 95A, 363, 367, 368, 420, 468, 469, 471, 506, 120B IPC, 18, 19, 20 the Transplantation of Human Organs Act, 1994.

The Authorization Committee headed by the A1 cleared the case on 6 June 2002 without any verification for obvious reasons. He was operated upon one Hospital in city C2 by two doctors and his kidney was removed and transplanted on to police inspector.

4.6 Middlemen/ Touts:

The main middlemen were T1, T2, T3 and T4 (Tea shop owner). T1 was educated in Dubai and quite suave. Some of the middlemen were locals while others belonged



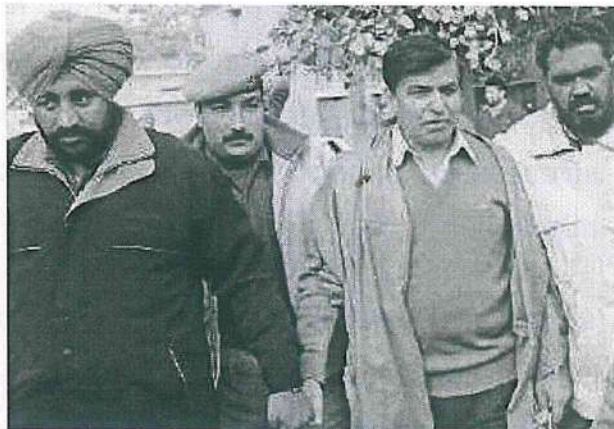
Tout T4

to Rajasthan and Haryana. Some old donors had become middlemen and used to entice new donors for fat commission. They had rented some apartments in C1 where they lodged 8-10 donors in each facility, sometime shifting them from one location to the other. There were about five such gangs in Amritsar controlling this illicit trade. The doctors and the middlemen kept tight control of the money paid by the recipient. All the key players of this organized crime kept in contact with each other through mobile phones.

4.7 Police Response to the Kidney Scam

4.7.1 On receiving specific and reliable information, a case was registered in the Police Station D Division C1. Two more cases were registered in different police stations. In one case in which the donor died during the operation and case was registered under appropriate sections of law in Civil Lines Police Station of C1.

4.7.2 Around 30 persons were arrested in the cases including middlemen, donors, recipients, operating doctors, members of Authorization Committee. Three charge sheets have been submitted in the court against 27 persons so far. The main accused Dr. D1 was bailed out after remaining in judicial custody for seven and half months. Since professional medical body did not suspend his license, he is now practicing in C2, and continues to perform kidney transplant operations.



Above left: The Kingpin doctor D1 being arrested
Above right: Authorization Committee head A1, Principal Medical College, being arrested

4.7.3 Realizing the seriousness of the case, the government of Punjab constituted a Special Investigation Team headed by a Director General Police (DGP) rank officer. The other members of the team were a Zonal IGP, a Range DIG and three S.Ps. Each officer was given a certain number of cases of kidney transplant to ascertain the magnitude of the illicit trade. The Range DIG was given total of 219 cases to examine and verify. During his investigations he found that all addresses of recipients were fake.

Teams that were sent from four districts of Punjab to other states to serve notices on 437 kidney donors and recipients returned 'empty handed' as their addresses were found to be 'fake'. It was clear that the kidney recipients had tried to hoodwink the enforcement agencies in connivance with all concerned.

One S.P rank officer of the SIT recorded the statements of 30 patients including two kidney donors. During his investigation it was revealed that only Rs 10,000 to 40,000 had been given to each kidney donor whereas the major share of amount taken from the patients had been shared between the middlemen and doctors. As many as 143 files of kidney patients were given to this officer for investigation out of which 84 were from UP, Bihar, Rajasthan, Himachal Pradesh, Delhi, Mumbai and Jammu and Kashmir. This officer issued letters to 84 recipients, for their personal appearance before him for recording of their statements. 35 letters were received back undelivered due to fake addresses and 49 had not replied or responded so far. Besides, 87 letters had been issued to the kidney donors out of which 56 had come back due to fake addresses whereas 31 had not replied so far. He said during investigation donors and patients had come out against the doctors and middlemen¹⁶.

4.7.4 The Punjab Human Rights Organization (PHRO) demanded an enquiry into the functioning of magistrates, oath-commissioners and public notaries who had attested blatantly and clearly false affidavits. It further demanded that it must be found out whether these paralegals committed these frauds for a consideration or otherwise.

Taking serious view of the whole case, the Punjab Chief Minister said murder charges would be brought against those responsible for the death of donors in the kidney scam. Expressing concern over the death of poor donors, many of whom allegedly died on the operation table at the Hospital 'H', he said the special investigation team probing the scam has been asked to find out the exact number of such deaths. The Chief Minister said that after the probe, whoever is found guilty for such deaths would be booked for murder¹⁷.

4.7.5 In an affidavit filed before the High Court, the key police officer involved in investigations into the kidney scam sought directions for proper security to police officers who busted the racket and brought it to its logical conclusion. The officer apprehended in his affidavit that the officers investigating the scam face threat from kidney mafia and the influential high-ups involved in the racket¹⁸.

4.8 The vulnerability factors that led to trafficking:

The traffickers enjoyed protection of the police of all ranks and thus the illicit trade continued and flourished unabated. The senior police officers had liaison at the level of doctors, while the junior police officers were very friendly with the middlemen. The whole organized crime ran in such a well-oiled manner, that C1 and C2 towns became the centres for kidney transplant in India. The key component of the trade i.e. adequate supply of donors was maintained by forcing the victims to sell kidneys by threat or deceit. Though 7 FIRs were registered in C1 in relation to this trade since 1995, no doctor or big middleman was ever nabbed for obvious reasons.

The police had failed to handle the kidney scam properly from the beginning as the it ignored affidavits submitted by a donor in June 2000, who was lured to donate his kidney for Rs 5 lakh but got only Rs 45,000. According to the DIG interviewed in the case, some senior police officers enjoyed the largesse of Dr. D1 and got their acquaintances operated in the Hospital 'H'. One senior police officer is reported to have made several foreign jaunts with Dr. D1.

4.9 Economics of the illegal transplant trade:

Since this organized crime was carrying on for the past 10 years, the Investigating agencies estimate that the total volume of illegal business done during this period was around 40-100 crore rupees¹⁹. According to the Range DIG that this researcher interviewed, the hospital used to get foreign clients as well who were brought to Amritsar through chartered flights. After arranging for proper donors for the foreign recipients, they were operated in the hospital, taken proper postoperative care and then discharged. Even the poor patients were charged nothing less than Rs 4 lacs.

Kingpin of the trade Dr. D1 is reported to have made lots of money and was making his own hospital in collaboration with a leading hospital chain of India, which was nearing the stage of completion. The Income Tax Department was separately requested to look into the financial aspect of the whole illicit trade.

TABLE 4: The economics of kidney transplant trade

Estimated number of kidney transplants performed per month in the hospital	Average 20 (Range: 10-30)
Money charged from the recipients	Average: Rs. 8 lac (Range: 4-15 lacs)
Hospital fee	Rs. 1-1.5 lac
Middlemen commission	Rs. 60,000-1 lac
Charge for preliminary tests	Rs. 1-1.5 lac
Money paid per case to Authorization Committee	Rs. 35,000/-
Money paid to the donor	Rs. 25,000/-
Underhand charges of the doctor	Rs. 1 lac
Estimated nephrectomy operations performed till date	3000 (Confirmed 2384)
Estimate of total illegal business done till date	Rs. 40-100 crores.

4.10 Conclusion

The kidney transplant racket in Punjab was going on for the last ten years during which about 3000 operations were carried out. It operated as an organized crime network with ^Ddoctors, ^Pparamedics, ^Hhospital ^Mmanagement, Authorization Committee, ^Ppolice ^Sofficials and ^Aattorneys as members of the team. The loophole in the law in respect of the unrelated donors was exploited by this crime network to carry out its tasks.

The donors were poor locals or outsiders, who were paid a quarter of the promised amount. The money promised was a windfall compared to their poor economic status. The middlemen kept a stock of donors of all blood group types and controlled them through violence and threat. The doctors made most of the money with other members of the organized crime network getting their share. The health status of the donors declined after the operation and at least 24 were killed due lack of postoperative care. The law-enforcement response to the earlier complaints was poor and lacked of professionalism and ethics.

LIMITATIONS

Due to clandestine nature of the crime, it was not possible to get wide samples. The problem was exacerbated by false addresses of donors and recipients. However, the police officers interviewed were the key investigators of the case and had knowledge about every aspect of the crime. Access to police records including interview records of victims and perpetrators covered the gaps created by lack of samples.

IMPORTANCE OF RESULTS:

The quantitative findings along with the previous qualitative studies support evidence to the fact that sale of kidneys for unrelated donors encourages development of unethical practices and organized crime networks. Such networks develop due to unequal demand and supply in kidney market of India, and the loopholes in the law:

- i) The reason for unrelated donors to agree to nephrectomy was allurements for money and not altruism.
- ii) Unrelated kidney transplant, on a large scale is an organized crime. The fake addresses of donors and recipients amply prove the point.
- iii) The law-enforcement response lacked sensitivity, professionalism and ethics. There is ample scope for training and upgradation of skills for law-enforcement officials in respect of organ trafficking related investigations.
- iv) Selling a kidney did not help poor donors to overcome poverty as they were paid substantially less than they were promised. Nevertheless the recipients were charged huge amounts of money and the doctors and middlemen pocketed major share.
- v) The health status of the donors declined substantially after the operation. Many of the donors died on the operation table and their bodies were summarily disposed off.
- vi) Potential donors are unlikely to sell a kidney if they were better informed about the consequences of selling kidneys. Most of the donors felt duped, and they would not recommend the experience to others.
- vii) Legal safeguards of having an Authorization Committee or Appropriate Authority did not appear to be effective. In fact the Authorization Committee was the part of the problem and not the solution.
- viii) In the whole process of kidney transplant, it is the poor donor who is exploited, violently controlled, physically assaulted and psychologically abused.

SUGGESTIONS:

- i) The unequal marriage of demand and supply of kidney in India has created a large black market; which considering ever increasing number of people developing ESRD, will flourish in the future. There is a lot of money to be made from the whole enterprise, and it has taken the form of an organized crime.

- ii) The Indian legislature should consider modifying the Transplantation of Organs Act, 1994 to prevent sale of unrelated transplants. The offences should be made cognizable as at present the law has no teeth and unscrupulous persons are making merry. It should consider making serious offences as organized crime.
- iii) Law-enforcement officials have to be sufficiently sensitized, trained and motivated to tackle this crime.
- iv) The potential donors need to be protected from being exploited, physically and psychologically abused. They should be made aware about the likely outcomes of selling a kidney. There should be a mechanism in place that ensures that they are paid what they are promised.
- v) Provide financial incentives to encourage donations to reduce the content of exploitation in kidney transplant.
- vi) On the health front; undertake programs for primary prevention of common diseases that lead to kidney failures, development of national cadaveric program, development of dialysis facilities, and other alternatives for treating renal failure should be explored..
- vii) Since allurements for money was the main reason for the poor to sell their kidneys, social and economic programs in the unorganized labour sector should be undertaken to reduce poverty.
- viii) Appropriate Authority and Authorization Committee should have members from the civil society besides health professionals to act as watchdogs.

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CHAPTER-9

TRAFFICKING IN HARYANA AND PUNJAB

CASE STUDIES IN COERCED MARRIAGE, FORCED LABOUR

AND ILLICIT MIGRATION

Introduction

The present ^Presearch is a result in response to efforts made after many rescues of minor girls from the villages of Haryana and Punjab, who were sold into coerced marriages and domestic servitude. There were several media reports at various levels both in print and electronic media, about the ongoing large scale trafficking of women and children in the above states¹. The objectives of this research are to:

- Find the magnitude of the problem,
- Identify the causes and
- Assess the government's response to the problem.

The information gathered is mainly based interview schedules conducted on ^Vvictims, NGOs, ^Ppolice ^Oofficers and ^Aadministrators. The secondary source of evidence is media reports; information provided by local people, buyers and their families, victims and their families and traffickers. 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. This researcher visited many areas; especially the Mewat and Karnal in Haryana, Doaba area in Punjab and Chandigarh. He interviewed victims in Nari Niketan Karnal, Nari Niketan Jalandhar and Nirmal Chaya Delhi. He also interviewed police chiefs of Nawanshahar and Faridabad, Range DIG of Ludhiana and SHOs of many districts in Punjab and Haryana.

It is an irony that despite trafficking of women and children being a serioius issue for the past ten years, Haryana and Punjab were not even in the "Trafficking Map" of India till recently². There are unconfirmed reports that thousands of women are being traded into

coerced marriage and domestic servitude, and some places there are clandestine markets for such trade in existence. These victims including minors who are forced to live under all kinds of exploitation, being sold and resold and waiting to be rescued and yearn for their care and protection. However, due to government apathy, non-implementation of relevant legal instruments and non-existence of the required infrastructure, rescue efforts don't offer them any better option.

The exploitation of victims of coerced marriage is probably same if not greater than of that of victims of sex trafficking. The sex trafficked victims after a certain period of time become a part of the system and they rise within the hierarchy and their exploitation to some extent is reduced, though they remain optionless and the reduction in exploitation is only at the cost of exploitation of others. The victims of coerced marriage never become the part of the society and are sold several times in their lives. Their children remain children of the illegitimate wives and never get the legal or social rights. Living for a period of time as a wife and bearing children does not guarantee them any security. There are cases of women with three children being sold along with children. She at times is also separated from her children when sold, as 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 bachelors, who contributed to her cost, and then she has to cater to all of them and face heavy physical and sexual assault.

The victims of sex trafficking after a period of time gain freedom of movement though they may not leave the profession due to lack of options and confidence, but the victims of coerced marriages are kept in bondage for the whole life with the only movement being is 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 slaves. As their health provision costs are high, they normally die early due to infliction of various kinds of diseases and infections, and lack of any health provision.

Coerced Marriage and Forced Labour in Haryana & Punjab

For the past few years, there have been increasing media reports about number of girls being trafficked / for coerced marriage, domestic servitude and agricultural labour from poverty-ridden states to Haryana and Punjab. The source areas for such forms of trafficking in guise of migration are: Assam, Jharkhand, West Bengal, Orrisa, Bihar, Madhya Pradesh and Himachal Pradesh. The victims are bartered at prices depending on their age, beauty and virginity, and exploited under conditions that amount to a modern form of slavery.

In many villages that the researcher visited in the states of Haryana and Punjab, there were women from the source areas who were lured through deceit for a better life or sold by their poor parents to traffickers. 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 out rightly deny the existence of any such problem. The problem has been acknowledged by the governments but there are no serious efforts to book the perpetrators of the crime due to fear of giving rise to a serious law and order problem as the number of buyers in the states of Haryana and Punjab is enormous.

In Haryana and Punjab, the buying of women for marriage is directly fueled by and result of adverse sex ratio. 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. The widespread unemployment and the discriminated status of women in above states have only added to the problem.

The clandestine character of trafficking makes it very difficult to establish definite figures as many trafficked women and girls are kept in captivity. 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 Haryana and Malwa area of Punjab 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, and other forms of labour. The high development of this region in comparison to poor source states, is one of the major causes behind the 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.



Sixteen-year-old Sabeena Begum who was sold off to Hanif of Chaiyyansan village in Hathin block of Faridabad for Rs 5000 in year 2003.

The geographical profile of the trafficking follows a pattern throughout Haryana and Punjab. In Mewat region of Haryana there are about 10,000 women, mostly from Assam and West Bengal². The number of women from West Bengal is particularly high in the fringes of Mewat, while those from Assam is particularly high in the core of Mewat. In Malwa area of Punjab, there is a very high proportion of girls from West Bengal. In the Doaba region of Punjab, the maximum number of girls is from Jharkhand while some are from Bihar, West Bengal, Assam, Orrisa, Madhya Pradesh and Uttar Pradesh.

As a whole process of this bridal migration is gaining momentum, trafficking for coerced marriage needs immediate attention. This researcher came across women from Bangladesh and he estimates that there is a fair sprinkling of such women in the villages of Haryana and Punjab. If the sex ratio any indication the importation trend will increase manifolds in coming years and more and more youth will be buying a bride for themselves.

As the findings show generally money exchange is involved in almost all the cases and agents make a fortune out of it. The monetary exchanges are not limited to one time payment and traffickers periodically try to extract money from the buyer for themselves as well as on behalf of the family of the girl victims, which is never delivered to them.

While a very small percentage of the “coerced 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. 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 traffickers.

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 general migration of girls for once and ever. 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 cannot speak the local dialects and this reduces their capacity to communicate about their sufferings and search for help.

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, commodification 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 society or government structure. Women and girls who have been trafficked can rarely escape or negotiate the conditions of their employment or marriage.

On the demand side there are quick profit involved in sale – due to huge market for cheap labour, sex work and coerced marriages with males who face problems in getting married due to various reasons.

The traffic in women and children follow a common general pattern 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 Orrisa 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.

The consequences of trafficking are always devastating on victims both physically and psychologically. 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. All trafficked victim 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.

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 and buyers etc and are not in a position to negotiate the terms of sex. There always remains a strong possibility of pregnancy, which are ultimately terminated through very crude methods, by untrained and practitioners, exposing the lives of such women to risk.

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.

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 Eastern and North Eastern states. The supply areas in North East are mainly Assam, Nagaland and Sikkim. While the supply areas in the East are West Bengal, Jharkhand, Orissa and Bihar.

The trafficking of North East girls directly for sex work is mainly for Bombay as most of girls finally land up there in course of time. This takes place through the two major routes; the first is eastern route, which passes through eastern Bihar, West Bengal and to Bombay. The second route is the more preferred northern route where the girls are brought first to Delhi where a part of the victims are absorbed in the metropolis itself and the other part is re-routed to Bombay. Even for those who are taken to Bombay, the preferred route is via Delhi as a transit point.

The girls trafficked into coerced marriage to Haryana and Punjab from Assam and are brought mainly through the northern route. While most of the girls are brought by train, some are also brought by trucks. Few Assamese girls are brought through the eastern route to Bihar, West Bengal and Jharkhand where few of them are absorbed while the remaining finally lands up in Delhi. For girls from West Bengal who are trafficked both for sex work and coerced marriage to Haryana and Punjab travel through Delhi as a transit.

The girls trafficked from Orissa, for the purpose of coerced marriage are trafficked directly by their buyers through dalals directly from the villages or some transit points. Girls from Orissa are also trafficked for forced labour purposes in domestic servitude, brick kilns, and construction work.

From Jharkhand the girls are brought to Delhi and Punjab mainly for the purpose of sex work and forced labour. In Delhi and Punjab mostly the girls double up as domestic servants during the day and function as sex workers in the night. A few of the women from Jharkhand are also sold into coerced marriage. Most of the women trafficked from Jharkhand belong to Oran, Munda, Santhal and Gond tribes. Another aspect of girls trafficked to Delhi from Jharkhand, Bihar, Orissa is for domestic work. A great number of these women are brought and then sold to the brothels and send to other places.

The trafficking from West Bengal, Jharkhand and Bihar is mainly through train and only a small percentage is through other means. The most infamous Tata Moorie Express, alone brings around fifty girls per week to Punjab and Delhi, with a large network of agents. 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; paid less than minimum wages and are also sexually exploited in several cases, by the traffickers, land lords and other male migrant labours.

The Glimpse of the Trend

Mewat area of Haryana-South Haryana³

In village Kufurpur of Gurgaon district in Haryana, the cloth vendor of the village, had bought a new girl from Bengal and that it was a common news here to bring a girl from other states⁴. The reasons for finding a good groom for their daughters and brides for the males from their village was that; "All their youth were playing cards, taking to liquor, drugs and becoming over age for marriage because of unemployment. Due to same they were not getting married, there is a severe social crisis in this regards in Haryana."



Mehboob (extreme right) of Chaiyyansan village in Faridabad with his latest acquisition — 13-year-old Majida from Baripada in Assam. (Extreme left).

In the IMT Economic Zone in Manesar, 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. Presently there were two girls from Assam in this village and all the youth 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. Since they need money, once they have got a wife for themselves 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. By buying a bride they don't get just a wife but also an alternate source of income. With the help of their wife they can get many others married and make a fortune out of it. They feel that 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 therefore the marriage.



Tahira (13) who was bought for Rs 3000 from Bildang in Bihar and sold off to 40-year-old Hassan in Malab Nuh village, Gurgaon, on August 22, 2003

According to one lady panchayat representative "In reality these women from Assam are not wives but 'Rakhels', no one marries them they bring and keep them. They are helpless souls, from poor 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. It's not the fault of these boys; it's the fault of middlemen 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."

Malwa area of Punjab- South West Punjab⁵

In Malwa the major purpose behind the trafficking is coerced marriage due to adverse sex ratio and other socio- economical, cultural factors. Traditionally, the farmers of Malwa area due to economic reasons of keeping land holding intact followed a polyandry system of marriage. The brothers used to get married to one local Punjabi girl, who had all the social and legal rights. But to cater to their sex needs they used to buy poor women from the east who worked as sex slaves, with no social or legal rights for herself and her children. The locals estimate that there are around 5000 such trafficked women in Malwa.

Officer in Charge of a Police Station in Punjab 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. There was a fair sprinkling of girls from states of Assam and Bengal in many villages of the area.



Usha, alias Rani, of Chaanga Khurd village, Ferozepore, with her daughter Bimla. 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.

The police chief of the district of a ditrict did not view the situation as alarming and agreed that there were possibilities of such cases happening due to the adverse sex ratio but he said that actually there was a tradition of reverse dowry in Punjab and all the present cases were of such nature.

Doaba, Punjab- Central Punjab- (the land between Sutlej and Beas Rivers)

In the economically prosperous Doaba region of Punjab including Nawashahar, the problem of trafficking and exploitation is equally grave in magnitude. Some girls are being trafficked into coerced marriage, but majority of trafficking cases are for economic exploitation due to existence of high demand for cheap labour in agriculture, animal rearing, domestic services, brick kilns, dhabas, and other forms of labour. An official from Jaharkhand, 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 was an age old practice in Jharkhand, it is only recently that the trafficking aspects have come into force. The migration of tribals in such a great magnitude was a new phenomenon. Though there are no red light areas 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. There was no improvement in the conditions of people's life, rather there condition was getting worse due to new kind of influences. There was no government Policy or Plan of Action in state to check trafficking".

Another person from Jharkhand said that 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 are not couples, but are women eloping or lured by traffickers. 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. More than 20 people are forced to live in the small rooms of 10 square foot, meant for stationing electric motors, where the danger of electrocution remains high

A minor couple, who were brought by agent Raju, are employed with Ajmer Singh of village Bheen, for past one year, the wife as domestic worker and husband in the farm. Both get Rs. 800 each for the month's work, much below the minimum wages of Rs 74/- per day fixed by the government. None of the migrant workers here get more than Rs. 1000 for a month and have to work under inhuman and exploitative conditions. It forces the local workers of Punjab to remain unemployed, because they have organised themselves in unions and are not ready to let themselves get exploited in the manner the helpless migrants from other states work.

In all the cases of migrant labours it was found that the local agents take their two months salary as their commission and its only in the third month they start earning for themselves. The work conditions are gravely exploitative, and there is no escape from it even if the labourer doesn't like the work and wants to leave his present master; because they are penniless to go back and nowhere to go 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.

The landlords are all praise for 'Bhaiyaa's', as they are very good labourers. These landlords feel that the Punjabi labourers are not good, they work only fixed hours, and demand more money than Bihari's, and they don't work for less than Rs. 2500. They think that they are doing a charity by giving jobs to "Bhaiyaa's", they come here by themselves and are ready to work long hours for less money, we give them food and place to stay. They acknowledge that Punjab can not survive without 'Bhaiyaas'. It is said that if Bihari's don't milk the cattle in the early morning, whole Punjab will not get even tea.

According to one 16-year-old farm labourer from Jharkhand, he has no other option but to migrate. In Jharkhand the farms are not as good as Punjab in terms of quality of land, irrigation, and access to markets. The landlords allege that the local labour has organized themselves on caste and religious lines, and the landlords have the final say in whom they should employ. Some of them say that the whole talk of exploitation is a bogey as they look after their labourers well in terms of working hours, rest and food. Some of the Punjabi landlords justify the forced labour by saying that they had to put up such hard work and exploitative conditions when they migrated to the west as labourers and earned a fortune for themselves. They don't agree to the minimum wages as it was a simple

question of demand and supply, if labour is available at low wages no one will pay them higher.

The migrant labour condition is more prevalent in the border regions including Ferozepur, Amritsar, and Gurdaspur. Feudal background 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. 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, and other forms of labour.

THE CAUSAL FACTORS

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

There are many factors that encourage and increase the vulnerability, the trafficking of women and children. Among the most common are: poverty and the desire to earn a living or help support the family; lack of education and training; natural disasters that devastate local economies; cultural attitudes toward children and girls in particular; and inadequate laws and regulations in general. 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 source areas to Haryana, Punjab and Delhi regions, is overwhelmingly poverty pushed, 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 with local population migration to the greener pastures of the western countries. There are also additional patterns of seasonal movement for labour in agriculture. 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.

- **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
All India	1932.43	27.09	327.56	670.07	23.62	454.11	2602.50	26.10

With agriculture as the main stay in 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 land holdings is a common factor in the majority of the trafficked cases, and in some cases lack of productivity in agriculture are also factors causing women and child to 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.

- **Education**

Literacy Table

S.No	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 Office of Registrar General of India

Education is an important tool to change the status of women and level of literacy is an equally important indicator of the status of women in any society. In India about 25% of children cannot afford to attend the school and thus have to work. The staggering 400 million of children out of school is a huge number. According to Government of India-UNICEF Report 1999, India has the highest number of working children in the World. 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 the source and destination areas, 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 capable 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. 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. An overwhelming majority of parents of trafficked victims are illiterate. Similarly an overwhelming majority of trafficked women and children are illiterate and a few have only primary school education or have dropped out of secondary school.

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.

- **Discrimination/marginalization on the basis of gender**

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 due to patriarchal setup of the society. Girls are often seen as expendable, and are provided 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.

The 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 source areas, women work for more than 16 hours in house keeping 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

SOURCE: SAMPLE SURVEY REGISTRAR GENERAL, INDIA 1998-99

Gender ratio table

S.No.	State	Gender Ratio	Gender Ratio (0-6)
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

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



OFFICE OF THE REGISTRAR GENERAL, INDIA

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.**

Betrayal by their own people is also one major reason, especially in the case of young girls from low and middle class families of small towns and rural areas. Husbands sell them after a few years, especially where marriage has taken place secretly, or the girls fall in love and flee from their homes. Desire to be independent, non-acceptance of relations by families 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.

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.

- **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. 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 abuse involving migrants. The most telling evidence of women's continuing marginalization and unequal status is their pervasive commodification and sexual exploitation all across the country. 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."

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. Competition has permeated down the general population and has resulted lower costs, thus lower wages. Competition has also resulted in, increase of

migration flows particularly of women towards the high growth and rich regions within the country.

Feminization of Migration

In fact 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. 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.

Women and children are encouraged to travel voluntarily by traffickers, creating among the vulnerable masses a general perception that there is money to be earned elsewhere. 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, physical, psychological and sexual abuse, and denial access to health facilities.

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.

Female migrants, especially domestic workers, 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 weighed heavily in the employer's favour and there exists no system for monitoring

of the working conditions. 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 and stress on the functioning of the family.

- **Unemployment**

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 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.

In Haryana there has come into existence a large army of unemployed youth, who 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 themselves. Unemployment 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.

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.

- **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.

- **Dowry**

Dowry though prohibited in India by law, it is prevalent all over the 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.

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 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.

- **Poor law enforcement⁶.**

Despite the Supreme Court direction in 1998 no nodal agency to tackle the illicit trade had been set up till date. Lack of judicial will 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 is the major part of the problem, making victims and community members reluctant to come forward as witnesses due to fear of reprisals. 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. The key government functionaries of Punjab and Haryana were equally ignorant of the scale and magnitude of the problem and their role in the law enforcement.

However taking a serious view of the whole situation the Director General of Police, Punjab has directed his staff to conduct a thorough enquiry to assess the quantum of human trafficking in general and women in particular besides identifying organised gangs involved in this illegitimate activity⁷.

Moreover, tackling the problem of trafficking becomes more difficult due to 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. 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 Statistics regarding Child Marriage Restraint Act, can give a view about implementation and effectiveness of child marriage laws.

- **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. The already poor sections of the society with no savings in hand, natural disasters bring acute

starving conditions and make women and children in such families highly vulnerable to trafficking.

In Orissa after natural calamities women from the poor and marginalised sections of the population in the affected areas have taken to prostitution for livelihood and taking care of their families and the magnitude of trafficking and migration of women and children from these districts has increased drastically.

The situation at home compels them to migrate to the cities within the state or in other states. 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, droughts and cyclones in some states, 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 an opportunity to the traffickers to develop well established networks due to regular and continuous availability of the victims.

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.

Case Studies

1. Asrita Tapno and others⁸:

A case FIR No.198 Dt. 05/08/03 was registered on the statement of Asrita Tapno D/o Mukand Tapno R/o Vill. Kut But Toli PS Kumudla Distt. Ranchi (Gosalan) Jharkhand, aged 15 years. According to her statement, she alongwith her friends were promised jobs in Delhi by the local agent near Ranchi. In July, 2003 they boarded the train Mori Express which brought them to Punjab. From the Railway Station they were brought to the house of Jagdish Singh of village Bheen, Nawanshahar who confined them in a room. There were 7 more girls with her. Everyday the girls were being sent

to different people for work. A week after she came to Jagdish's house, Asrita alleged that his son had tried to rape her during the day when no other women were present in the house. The same day she managed to escape from the house and hid in the fields. The next day she was noticed by a Bihari labourer who took her to the Sarpanch's house in Karnana, Nawanshahar. She stayed with them for few days and then met some people from Bihar who were working as agricultural labourers in Nawanshahar. They took her to the Pendu Mazdoor Union, who brought the girl to the police.



The three Jharkhand girls who were allegedly sold for Rs 2,000 each at a village near Nawanshahr.

The two other girls who also ran away in June 2003 from the Jagdish's house were Somi (16 years old) and Sangita (19 years old) who also approached Pendu Mazdoor Union. According to Somi she was promised a job in Delhi by her local agent in Ranchi. She along with her friend Mariam boarded the train to Delhi, which brought them to Phagwara. They along with four couples were brought to Jagdish's house in village Bheen, Nawanshahar. Her friend Mariam was sold to a person for Rs.2, 000/-. Somi got scared and wanted to go back to Ranchi. When she told Jagdish that she wanted to go back he refused to let her go. So, she escaped from his house late in night and hid in the fields. She was found by Bihari labourers working around Kamam village and took her to Pendu Mazdoor Union, so that she would be placed in a suitable job.

The third girl Sangitha worked in Chandigarh for 2-1/2 years in the past and was brought to Punjab through Jagdish again. She returned from Jharkhand and wanted to work with the same couple in Chandigarh. As Jagdish refused to send to the same people in Chandigarh and confined her in his house, she ran away and approached Pendu Mazdoor Union.

Jagdish Singh S/o Pal Singh R/o Bheen, Nawanshahar has been acting as agent in the distribution of Jharkhand labour in Nawanshahar and Punjab for last 4 years. The agents from Jharkhand send young girls, boys and couples to Jagdish who in turn sends them to local people who need domestic and farm help. He takes a commission of Rs.2, 000/- to Rs.4, 000/- per person. People who are hired in households and as farm help are given a monthly salary of Rs.600/- to 800/- per month for girls and Rs.1,000/- to 1200/- for men. They are not paid 3 months salary, which is taken as commission by Jagdish. These people work for a year in the houses and come back to Jagdish after a year. He sends them to different households after taking his commission.

Illicit trafficking of young boys and girls from Jharkhand for forced labour is quite commonplace and there is no proper check on their conditions of work. A case FIR No.198 dated 5.8.2003 under sections 342/370/374/376/420/120-B IPC and 18,117 Bonded Labour System Abolition Act, 1976 was registered by police against Jagdish and his son. Investigations in the case were on and arrests were made so far⁹.

According to the investigation, Asrita was sexually exploited by her agent from Jharkhand while she was staying with him in Delhi for a month. She was handed over to her parents who took her back to their village in Jharkhand. The other two girls Sangeeta and Somi were sent to Nari Niketan, Jalandhar and information was sent to Ranchi Police to inform their parents.

A survey of district Nawashahar was conducted and all labourers from Jharkhand, Bihar, and U.P, Nepal were registered at the police station. Due to unemployment and poverty there is large migration of labour from Jharkhand and Bihar to Punjab. It is suggested that the Social Welfare Department of these states may be directed to monitor the migration of labour, work conditions at the new place of work and ensure minimum wages is paid to these people. The official monitoring will ensure that sexual exploitation of young girls does not take place and also employment of minors will be under check. Legal action should be taken against agent in Jharkhand and Bihar who indulge in human trafficking.

The researcher interviewed 5 girls in Nari Niketan Karnal, where the superintendent informed me that there were total of 8 girl victims of coerced marriage lodged in their

facility. Seven of them were released by the court and only one victim remained in their facility awaiting orders of release from the court.

2. REHANA SHEIKH

Rehana Sheikh is a 15 year old girl presently lodged in Nirmal Chaya, Delhi. She belongs to a poor Muslim family and lives in the slums of Yamuna Pusta area of Delhi. Her father is a tailor master and he has deserted her mother and lives with another woman. She has a younger sister, and her mother does domestic work in other households to make the ends meet. One woman named Najma in the neighbourhood got friendly to their family, and one day she drugged her and abducted her. Another girl Hasina a few years elder to Rehana was also abducted along with her. Both were transported in a bus to a village named Basiya in Moradabad district where Najma's sister lived. There both the girls were locked in a room for 2 days. She was sold to a man named Chotu, a havildar in UP Police. In the night Rehana ran away from the room and reached the village pradhans house. She narrated her story to the village pradhan who then rang up her mom to confirm her story, and later called the police. The police rescued her and restored her to parents. The buyer did request the village pradhan to release Rehana to her custody, but he refused. Then he asked Najma to sell the other girl Hasina to him instead of Rehana.

Rehana had a past history of physical abuse by her father. Najma was in the business of selling girls of the basti. She used to sell girls to old men who did not have children or were not married. The number of girls of the basti was slowly reducing, but after this case most of the girls were rescued including Hasina. She was put up in the Nirmal Chaya where she is receiving education, job skills in tailoring. She wants to go home, but says she has to be extra careful. She wants to gain confidence and stand on her own feet.

The researcher interviewed 5 girls in Nari Niketan Karnal, where the superintendent informed me that there were total of 8 girl victims of coerced marriage lodged in their facility. Seven of them were released by the court and only one victim remained in their facility awaiting orders of release from the court.

3. PINKI SARKAR

Pinki Sarkar is 15 years of age and belongs to village Natun Rasta, Mohiyakhola in Nadia district of Bengal. She was interviewed in Nari Niketan Karnal where she is presently lodged. He is the youngest member of a poor Bengali family and has studied upto 2nd class. Her father used to beat her mother, and left her with 2 sons and a daughter, she being the youngest in the family. Her eldest brother is unemployed and the other brother works in a hotel. Her mother works as a domestic maid in other peoples house and earns about Rs. 4,000/- per month. A close neighbour from her village " Krishna didi" told her mother that she would get Pinki a job in Delhi which would fetch her about Rs. 3,000/- per month. So she traveled to Delhi with Krishna and some of her relatives.

They stayed in Delhi in a jhuggi belonging to Krishna's relative for 10 days after which they went to Rewari. Krishna was married to a carpenter in a village in Rewari, and has one daughter and a son. She owns a pucca house of her own. She told Pinki that she will get her married to a boy in the village and asked permission of her mother to do so. Krishna had earlier sold two girls from their village for marriage in Haryana. Pinki was confined for a month by Krishna and pressurized to get married to the man selected by her. Once when she went to visit a nearby Hanuman temple, she narrated her story to the priest, who inturn informed the police. Police raided the place and arrested Krishna and lodged her in jail, and registered case u/s 363, 366,372, 511/506 IPC. Pinki was rescued and shifted to Nari Niketan Karnal by order of the court on 28-1-04.

She is totally blank about her future as she does not want to go home and her mother also has not responded to official letters sent by the Nari Niketan authorities.

4. REKHA ALI

Rekha Ali is 20 years old and belongs to Bengali Muslim girl. She is resident of village Belanbari, PS Okuma, district Dhumbri, Assam and belongs to a poor rural background. She has studied till 2nd class in Bengali medium. She has a large family of 3 brothers and 3 sisters. She was married in Assam to an autorickshaw driver for 2 years and had a child from him who is now with her in the Nari Niketan. He indulged in gambling and used to beat her up and left her after 1 year of marriage.

She was approached by Mujibar Ali - her "cousin son" to come with him to Haryana and look for some future prospects there. In addition they would meet her cousin was already married in Hisar for two years and had a young son. Her cousin was earlier called by the name "Munzila" but after marriage it was changed to "Asha". She stayed in her cousin's house for 5 days before it was raided by police and she was rescued.

However the police story is different as it involves a case of fake "Marriage Bureau", operated by some locals to procure girls for marriage from the north east. A case was registered u/s 366, 368, 370, 371, 120 B IPC in PS Civil Lines, Hisar and her cousin was arrested for rape. Two members of the marriage bureau Jaipal and Kiran were also arrested by the police. She was rescued and sent to Nari Niketan, Karnal on 13-8-04 under courts orders.

5. SIRIJA

Sirija is 18 years of age Bengali Muslim girl from Jalpaiguri district. She comes from a poor rural background and is illiterate. Her father is a mason; she has a stepmother and three more sisters.

She was recruited by her sautela Mama, whom Ajay had approached for marriage. She married one Ajay who was originally a resident of UP, but now working and living in Mohindergarh. She came from Jalpaiguri by train to Delhi and then by bus to Mohindergarh along with Ajay. They stayed in village Khatut with Ajay in his rented house and had sexual contact with him. Ajay went out to work with his landlord and she stayed back home and do the cooking.

On a tip off the police rescued her and a case u/s 366A, 376 IPC was registered and Ajay arrested and is still in jail. She was lodged in Nari Niketan Karnal on 30-10-03 under court orders. Her parents haven't responded to official communication sent by Nari Niketan. She wants to go back to Ajay, and his brother has already met her father to get her custody. Her father of course is not keen to have her back in the family.

6. LAILA SARKAR

Laila is 19 years old Bangladeshi national who belongs to Village Kashipur in district Fulwadi. She comes from a poor rural background and is second child of large family of six children. Her father is a labourer who works at the brick kiln. She came

with her Buas family and crossed over from Bangladesh to India by traveling by boats, rickshaw, bus, train and finally reaching Delhi. In Delhi they worked in a brick klin for 3 months where she used to make Rs. 1,500/- per fortnight a large sum compared to what they made back home. She used to work all day from 6am to 5 pm. Her Bua talked dirty to her and wanted to sell her for marriage. Some people came with gifts to her bua, and sensing danger, her nani told her to run away. She ran and reached Rohtak and was sitting outside a teashop. She narrated her story to a person there who turned out to be a Bengali. He intimated the police and she was rescued. Later she was shifted to Nari Niketan Karnal on 20-5-02 under courts orders.

No member of her family seems interested to get her back as official communication from Nari Niketan have not met with any response.

Now she wants to get married locally, which Nari Niketan is organizing. She doesn't want to go back to Bangladesh as her parents are poor and she will get stuck in poverty there.

7. MINI DHADOY

Mini is a 17-year-old Assamese Christian girl from rural outskirts of Gauhati. She belongs to a poor family and her father is a farm worker. She used to do domestic work in one home in Assam. Her mother is dead and she has a large family of 3 brothers and 3 sisters.

An engineer from their village in Assam who was posted in Delhi recruited her for domestic work. She worked in their house in Ashoka enclave in Delhi for 3 years and was paid Rs. 100/- per month for that. The man was transferred to Mumbai. His family continued to stay back in Delhi. She had a quarrel with his wife, and the man told her parents to take her back.

Her job was to take kids to school and take care of the house. She was with this family right from her childhood, and earlier she was working with his aunty's house.

She ran away from their house due to illtreatment. She didn't like the place. Police caught her and lodged in Nari Niketan since 11-11-03. Her parents never bothered to get her back.

She doesn't want to go back to Assam, has learnt sewing here. The Nari Niketan has organized for their marriage and she wants to get married locally.

8. FORCED CHILD LABOUR IN AMRITSAR

Amritsar police rescued 53 minors, aged between nine and 15 years who were forced to work under different establishments of jewellers in the famous Guru Bazar one of the largest jewellery market in Asia on July 24th 2002. The search for livelihood brought them to Amritsar all the way from West Bengal. Some were even suspected to be Bangladeshis. It was also learnt that these children were also being used for smuggling gold, diamond and other precious stones in the Guru Bazar area.

Mustakin, a 12 year Bengali minor, complained to the Amritsar City Superintendent of Police that he was beaten by his master Rabial mercilessly with 'Belan ' on the charge of not having prepared food on time. Mustakin was brought by his master Rabial two years ago and was put as labour in his master's jewellery shop in Guru Bazar. He was paid at the rate of Rs.10 per week. The boy narrated to police similar pathetic stories about the plight of other children working in different jewellery shops. Police officers were convinced about the genuineness of the allegation and the extreme exploitations of young children. The police launched a big operation and raided the suspected jewellery establishments and rescued 53 child labourers. 15 persons were held for trafficking the children from Bengal and pushing them into forced labour. The modus operandi of the traffickers was almost commonplace viz., capitalize and exploit the vulnerability and poverty of children from West Bengal on the allurements of getting them employed on attractive wages. On reaching Amritsar they were pushed into cheap labour, apart from being subjected to brutal physical and mental torture. The masters didn't even allow them to go home if they desired to do so. These boys have been subjected to the exploitation at the hand of the contractors who were extracting work from them for long hours for a paltry payment.

According to the boys, their respective contractors had assured their parents of promising future before being brought here. But on the contrary they were made to live under very exploitative and unhygienic conditions. All of them were bundled into one small room.

A case was registered under sections 308, 371, 374, 34 IPC, 26 of the Juvenile Justice Act 2000 and 14 of the Child Labour Act 1986. The allegations made by victims were serious; with charges of slavery and forced labor by the traffickers.

Shakti Vahini:

NGO based in Faridabad working on the issue of coerced marriages and forced labour. Working on the issue since last 4 years they feel that coerced marriage is prevalent in Haryana and Punjab due to poor sex ratio. The areas affected are Mewat belt of Haryana and Malwa belt of Punjab. The source areas for the girls are Assam, Bengal and Bangladesh. Old girls who have got married in the north are trafficking new girls, and only few traffickers were caught till date, as there is poor network among law enforcement agencies.

He feels that this trade, which has been going on for quite sometime now must be stopped or else there will be serious social consequences. He stated that in Sirsa district of Haryana one trafficker Ranjit Singh was arrested and gave lead to seven girl victims who had been sold by him in last five years. Similarly one girl from Eastern UP was kidnapped and brought to Kurukshetra for prospective buyer. These girls are recruited through allurements, deceit and force and promised a good job with comfortable living or a marriage to a rich male.

ILLICIT MIGRATION FROM PUNJAB

In the four districts of Jalandhar, Hoshiarpur, Nawashahar and Kapurthala of Doaba region of Punjab there exists a serious problem of illicit migration. The impetus is due to early migrations to the west and the stories of riches they bring back home. The earliest immigration was in the 19th century of Mehto Rajputs of Phagwara to Vancouver and other places in Canada. Post-World War II they were encouraged and taken by the British as England needed a lot of labour for reconstruction of their war damaged economy. During 15 year long militancy period in Punjab many Sikh youths went abroad and on political asylums.

When British ruled India they identified Punjabis as martial race and helped many Sikhs to settle in U.K and other African Countries. Punjabis being adventurous by nature, are foot loose, enterprising people who seek opportunities and do not hardships and uncertainties.

Due to rise in population in Punjab there is great pressure on land and very few employment opportunities. The present day youth do not want to soil their hands in

agricultural work and therefore they want to migrate out. They make use of the loopholes in the immigration rules in the western countries. The extreme lure for the people from Doaba region is illustrated by the fact that Regional Passport Office Jalandhar which caters to six districts of Punjab issued 1,43,000 passports in the year 2002. While Regional Passport Office Chandigarh which serves rest of the districts of Punjab, Haryana and Himachal Pradesh states issued a lesser 1,42,000 passports in the year 2002.

The system of illicit migration in Punjab is run by extensive network of agents from Delhi upto sub agents in villages and is a very well oiled machinery and a big economic activity¹⁰. Although people of all communities are on lookout for going abroad Labanas, landless scheduled castes and Jat Sikhs are in the forefront. The method of advertising used by this trade is word of mouth network of brokers with facade in the form of visa advisory services. There are some neat labour agents but most of them are dirty fly by night operators. It is a very organized crime network with a legal façade. The main destination points for illegal immigrants are U.K, U.S, Canada and other western countries like Spain and Italy¹¹. The transit points may be anywhere in CIS countries, Yanmen and Bangkok, but the ultimate aim of these people is to go to western countries. The network includes makers of fake identities, false pass books, passports etc. Police come to know of these only if someone is duped in the whole process and that too through tip offs and cases are registered under sections 420, 406,467 of I.P.C. The accused donot stay in custody very long and are bailed out, and most of the cases end in acquittal or out of court compensation. In Kapurtala District there are over 200 FIRs or complaintst of cheating by the agents. The agents are normally local white collar criminals who work in gangs of 8-10 with other side business.

The profile of victims is normally 18-30 year old boy. About 10% of them are below matriculate while rest of them have above matric education; and some are even postgraduates. 20% of them are skilled and the rest 80% of them are unskilled. Girls normally follow the marriage route for going to the west. These victims are normally recruited through a friend, neighbour or a business agency. They may travel in groups or as individuals. The family of the victims pays advance to the agent and the rates may vary between 15 lakhs for U.S and Canada to 7-8 lakhs for Italy. In the transit they frequently use gurudwara as safe houses. In Italy and Spain these persons do illegal farm labour especially in citrus and olive frams. In U.S it is very common to see such victims working in Gas Station in the night and as farm labour Once they reach their destination they tear

off and damage their passports so that if they are apprehended their national status cannot be verified.



Illustration by Sandeep Joshi

The western countries follow a due process in status and address verification of the victims before they are deported back to India. Recently UK government has signed a MOU with the Indian government for early identification and priority status verification of illegal migrants from India to that country. The families of the victims on the other hand bribe the local law enforcement agencies to delay the same and buy time.

Police comes to know of these cases only if the agent dupes the victim and does not honour this commitment to take the victim to the foreign country after accepting full advance from him. There are three main ways in which illegal migration takes place to the western countries from Punjab¹²

- 1) Sports, cultural and political troupe
- 2) Through containers and
- 3) Thorough network of transit routes.

One ADGP from Punjab Police Mr. R.S Gill narrated me an incident. "Once while in USA, he was traveling with his relatives during the night. In Stattle, before crossing over to Canadian border his relative stopped his car in a gas station to fill. A person rushed towards Mr. Gill and touched his feet. Mr. Gill was taken aback, who on a person

touching his feet in the middle of the night at a gas station on US/Canada border. He asked Mr. Gill whether he could recognize him or not. When Mr. Gill replied in the negative, he was recruited by Mr. Gill as a constable many years back when he was SSP in district in Punjab. He was a Kabbadi player and entered US as member of Kabbadi Team from Punjab as a part of sports troupe. He stayed behind in US when rest of the team went back to India. He had been working during the night in Gas Station to avoid detection by law enforcement agencies of U.S. Generally other illegal immigrants from Punjab worked in gas stations at night or as farms labourers as farm labour was not recorded in U.S.



Parvesh Rani, one of the five cricketers who went missing in the UK.

Many officers feel there is no specific law in India to prevent illicit migration. This is a soft area for police and only when the cases like Malta Boat Tragedy happen that the public outcry is raised. They feel that it is the question of demand and supply of labour from India to the West and there are economic forces driving this trade. This phenomenon is a crime and a problem for western countries, but for Punjabis it is a great step towards economic attainment in life. However, these officers feel these rackets should be stopped as they facilitate other crimes.

Taking serious note of human trafficking cases in Punjab, the Punjab and Haryana High Court has expressed desire for getting a study conducted in the matter¹³.

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Interview Schedule for Victims of Trafficking

PERSONAL INFORMATION- NAME (OPTIONAL):

1. Age
2. Caste
3. Languages spoken
3. Address:
Distt. / State /Country
4. Description of hometown
Urban/ rural
5. Highest level of education/ school dropout?
6. Past work experience/ unemployed/ underemployed?
7. Wages earned before leaving home
8. Household income before leaving home
9. Family history (Broken Home?)

9. Do you have any dependants? If yes, how many?
10. Children: Age, Living Situation (where, with whom)

METHODS OF RECRUITMENT

1. How did you get involved in CSW/ trafficking?

What work did you expect at the destination?

2. Were you recruited / trafficked by someone to the destination?

By whom?

Friend/Neighbor,

Spouse/Partner,

Family member,

Stranger,

Business/Agency,

Print/Media advertisement,

Other, explain.

3. Were others recruited with you?

If so, how many?

4. How much money were you promised?

5. Were you/your family paid any advance?

If so, how much?

6. Did you have to pay it back? How?

7. Were you already in CSW in your hometown?

10. If yes, where were you in CSW earlier?

Describe the location and establishment:

11. At what age did you begin in CSW?

12. In retrospect, is there anything you wished you had known before entering CSW?

METHODS OF MOVEMENT

1. Describe your travel to the destination.

Mode of travel?

Who paid for travel?

Travel alone/ or group/ number in-group?

Were they all traveling for the same purpose?

2. Did you know what you were required to do in the destination?

3. Did you have access to any financial resources?

4. Once in the destination where did they put you?
5. Were you moved from place to place in the destination?
6. Once in the destination, were you free to move about as you pleased?
If no, please describe.

METHODS OF INITIATION

1. Did you work anywhere else in the destination. before entering the CSW?
If yes, what did you do?
2. Was CSW the first business that you were put into?
What did you do after that?
3. Describe the establishment(s) where you were in CSW in the destination? Where?
Type (e.g. brothel, hotel, lodge, apartment, bar, club, street, etc.)

4. How did you learn to do the sex acts?
5. Was there any violence inflicted on you when you first started?
Were you forced to do things you were uncomfortable with?

Physical violence	Yes/ No	Frequency _____	Describe _____
Sexual assault	Yes/ No	Frequency _____	Describe _____
Verbal threats	Yes/ No	Frequency _____	Describe _____
Death threats	Yes/ No	Frequency _____	Describe _____
Use of weapons	Yes/ No	Frequency _____	Describe _____
Usage of drugs/alcohol	Yes/ No	Frequency _____	Describe _____
Other Describe			

7. What would happen if you resisted or tried to leave?

METHODS OF CONTROL

1. In your opinion, did you have freedom?
Were you free to return home or find different job?
2. If you did not have freedom, please describe who controlled you and how you were kept from having personal freedom.

Physical violence	No/ Yes	Frequency _____	Describe _____
Sexual assault	No/ Yes	Frequency _____	Describe _____
Psychological abuse	No/ Yes	Frequency _____	Describe _____
Verbal threats	No/ Yes	Frequency _____	Describe _____
Death threats	No/ Yes	Frequency _____	Describe _____
Use of weapons	No/ Yes	Frequency _____	Describe _____
Usage of drugs/alcohol	No/ Yes	Frequency _____	Describe _____
Isolation/confinement/restraints	No/ Yes	Frequency _____	Describe _____
Other Describe			

3. Were you allowed contact with family or friends?
4. Were you ever allowed to move about outside of the establishment on your own?
(e.g. go to the store, hospital, take days off)
5. Did you witness others being beaten/harmed?
If yes, describe how many women and how often.
6. Did you ever see or hear of anyone being killed? If yes, describe who and how often.

METHODS OF COPING AND RESISTANCE

1. Describe your daily schedule.
2. How did you get by emotionally and physically on a daily basis?
3. Did you ever use drugs/ tobacco/ alcohol or take medication? If yes, please explain.
4. Did you ever try to escape/leave this industry? If yes, please describe

History of Abuse

1. Were you ever abused/assaulted in your life (physical, sexual, psychological)?
If yes, by whom?
For how long?

EXPERIENCE WITH OTHERS INVOLVED IN THE TRADE

A. Experience with Pimps/Traffickers

1. Who were your pimps? Where were they from?
2. Who were your traffickers? Where were they from?
3. How many were there?
4. Were they employed or connected with the place that you worked at?
5. Were the traffickers/pimps involved in any other criminal activity?
6. Were they involved in any other type of business? If yes, please describe.
7. Who did you report to? Who was the boss?
9. Who owned the establishment?
10. Who collected the money?
11. Who else worked there? What did they do?
12. Were there other men/women who were not in CSW working in the establishment?
13. Did any of these people above ever assault you or threaten you?

B. Experience with Customers

1. Describe your customers?
2. How many men did you have sex with in a day?
3. What kind of sex did the men who paid for you want?
4. Did the establishment screen men for diseases/cleanliness?
5. Were you forced to have sex with men without a condom?
6. Did men pay more money for that?
7. How did you get men to wear a condom?
8. Did men generally use condoms when asked?
9. What percentage of men used condoms?
10. Did the men ever get violent/hurt you? If so, how?
11. Did they ask you to do abnormal things? What?
12. Did you have the right to refuse to perform any of these acts?
13. Did the establishment do anything to any man who was violent towards you?

C. Experience with Other Women in Prostitution

1. How many other women were in CSW in the establishment?

Can you describe who these other women were?

Ages, state, language spoken.

Are they still in the sex industry?

2. Please describe your relationships with other women in the industry?

How did you communicate?

EXPERIENCE WITH OUTSIDE AGENCIES, SERVICES

Medical / Health

A. Health effects

1. Did you ever receive any injuries? If yes, what type of injury?

Broken bones,

Bruises,

Head injury,

Mouth/teeth injuries,

Vaginal bleeding,

How much? How often? Other hemorrhage? Explain.

2. Did you become very ill while in CSW?

Fever

Chronic pain,

Loss of appetite/Nausea,

Exhaustion,

Other.

3. Did you have to go to the emergency room/hospital?
4. While in CSW did you know about birth control and infection prevention?
5. Did you use any form of birth control at that point?
6. Did you ever have any sexually transmitted infections?
Did you have any symptoms? (e.g. bleeding during intercourse, itching, burning, sores, warts)
7. When the men used condoms, did the condoms ever irritate you/make you uncomfortable?
8. Did the condoms ever break?
9. Were you ever told that you might get HIV or other sexually transmitted infections from CSW?
10. Have you ever been tested for HIV or any other diseases?
11. Did you ever get pregnant while in CSW?
12. If yes, did you ever have to have an abortion/were forced to abort?
Or did you have the child?
- Number of live births,
Number of abortions.
13. If you had the child/children, where are they now?
15. How would you describe your own emotional well being?
Depressed,
Unable to feel,
Hopeless,
Difficulty sleeping,
Nightmares,
Easily startled/always on guard,
Rage,
Self blame/guilt,
Other.
16. Are you currently suicidal?
17. Have you felt suicidal while in CSW? Did you try to kill yourself in the past?
18. Have you/are you using drugs or alcohol? If so, when and why did you start using?

B. Health provision

1. Did the owners of the establishment ever bring in a doctor to the establishment?
If so, when did that happen?
2. Did you visit particular health center/hospital? If yes, where?
4. If yes, was your medical provider aware of your situation in CSW?
5. Did you ever have to have sex with your medical provider?
6. Were you ever referred to any social services from the hospital?

Police

1. Have you ever had to deal with police in the destination?
Outside the destination?
2. If so how did you come to have contact with the police?
Through a raid, Sought assistance yourself, Patrolling, Other.
3. Describe your experiences with Police in the destination.
Were you charged with any crime?
Detained?
Bailed out? If yes by whom?
4. Where were you detained?
5. What were the conditions of this place?
6. Were you required to appear in court?
7. Were you informed of your legal rights?
Appointed a lawyer?
8. Was information presented to you in a way that you could understand?
9. Were you ever referred to any social services from the police station?
10. Describe the outcome or status of your case.
11. Did you ever have to have sex with any Police Officer?

NGOs/Social Service / Advocacy Agencies

1. Have you ever dealt with any advocacy/ social service agencies?

If yes, please describe which agency.

2. Was the agency knowledgeable about how to deal with your situation?

3. Was information presented to you in a way that you could understand?

4. What relief was sought or what services were provided to you?

Shelter/homeless/ Trafficked women's Legal services

Substance abuse treatment/ Religious support

Child Protection Services/ Law enforcement

Healthcare / Mental health services/ Job skills

Financial aid for relocation, etc Other

5. Did you ever have to have sex with any social service providers?

FUTURE GOALS/RECOMMENDATIONS

1. Are you in or out of the sex industry at this point?

2. Do you feel that you are safe from your traffickers/establishment?

If no, what do you need to be safe?

3. What do you see as the best option for yourself presently and in the future?

4. What do you need to be able to achieve these goals?

Education,

Job skills training,

Financial aid,

Housing/Safe relocation,

Other, please describe.

5. Would you ever recommend this experience for other women?

Please explain.

6. Would you ever want for your daughters or your sisters to ever have to be in the sex industry?

7. What do you think needs to change to make things better for women who may find themselves in this situation?

8. Some have suggested that prostitution should be legalized and considered a job. Do you think that governments should recognize prostitution as a form of work?

9. What do you think needs to happen to?

Victims?

Traffickers?

Customers?

Establishments?

10. What do you feel would be necessary to stop sex trafficking in this country?

Education/informational campaigns,

Service coordination/collaboration,

Change in laws,

Consistent/uniform enforcement,

Stricter penalties for traffickers,

Other.

11. Do you believe that the laws and penalties for this crime adequately address the issue?

12. Anything else you wish to say.

Interview Schedule for Police Officials

NAME:

DESIGNATION:

WORKING SINCE:

THE SEX INDUSTRY

1. Tell me about the sex industry in this area?
2. How many establishments are there?
3. Who controls it?
4. Where is it located in the city?
5. Do these establishments cater to certain communities? Or all?
6. What method of advertising is used by the industry?
Word of Mouth,
Print media,
Internet,
Brokers,
Travel industry,
Clubs/bars,
Other.
7. To what extent is the sex industry controlled by organized crime?
8. Are women being trafficked into this area?
If yes, what indicators do you have of that?
9. Where in the destination do you think trafficked women first enter?
10. What are the main destination points for trafficked women?

EXPERIENCE OF TRAFFICKING CASES:

1. Have you worked on cases involving:
Trafficked women? Local/ Outsiders?

Traffickers? Locals/ Outsiders?

Organized crime rings? Locals/ Outsiders?

Customers? Locals/ Outsiders

2. Tell me about the cases you've had.

3. How did you come in contact with the people listed above?

Through a raid,

Walk-in victim seeking assistance,

Patrolling, Other.

4. Have there been arrests or were they charged with any crime?

If yes, describe charges.

How many times?

Detained?

Bailed out? If yes, who posted bail?

5. Describe arrest/legal procedure practiced by your department with regards to:
Trafficked women,

Traffickers,
Organized crime agents,
Customers.

6. What percentage of each category are detained, released, convicted and deported?

Trafficked women?

Traffickers?

Organized Crime Members?

Customers?

Trafficked women

Place and length of detention

Returned to their home?

Convicted of crime/s?

Traffickers

Place and length of detention

Returned to their home?

Convicted of crime/s?

Customers

Place and length of detention

Returned to their home?

Convicted of crime/s?

Organized crime members

Place and length of detention

Returned to their home?

Convicted of crime/s?

7. Do they appear in court after bail? What happens to their cases?

8. What safety planning do you do with women in CSW who come to seek assistance from police ?

9. If the traffickers are also apprehended at the same time as the victims, are there any measures taken to assure safety of the women from their perpetrators while in detention centers?

10. Who is responsible for the deportation of the victims?

11. Do you refer women in CSW and other trafficked women to other services? If yes, what services?

12. What more information would be useful to you in anti trafficking work?

13. Is there anything else you would like to tell us about the trafficking?

KNOWLEDGE OF PIMPS/RECRUITERS/TRAFFICKERS

1. Who are the pimps? Where do they belong?

2. Who are the recruiters/traffickers? Where do they belong?

3. Are traffickers/recruiters/pimps involved in any other criminal activity?

4. Numbers of pimps/recruiters/traffickers within one ring?

5. Are they involved in any other type of business? If yes, please describe.

6. Who controls the money that Customers pay women?

7. Who are the women working in CSW?

Describe age, state, nationality etc.

8. Who owns the sex establishments where trafficked women are placed?

PROFILE OF CUSTOMERS

1. Describe the Customers of women in the sex industry.

Age range

Caste

State

Occupation

Highest level of education

Marital Status

2. How many men do women have to provide sex to in a day?
3. Do sex establishments screen Customers for diseases/cleanliness?
4. Do the establishments control men's abuse of the women?
5. Describe trends in whom Customers prefer?
(with regards to age, race, standards of beauty, etc.)
6. Is there anything else you would like to tell us about the sex industry?

METHODS OF RECRUITMENT OF TRAFFICKED WOMEN

1. How do women get involved in sex trafficking?

Friend/Neighbor,
Spouse/Partner,
Family member,
Stranger,
Business/Agency,
Print/Media Advertisement,
Other, explain.
3. Are women recruited in groups?
If so, how many are recruited at a time?
4. How much money are they told they will make?
5. Are they/ family paid any advance? If so, how much?
6. Do they have to pay it back? How?
7. Were they in CSW in their hometown, before entering the destination?
Describe the establishments and their location
8. What is the age range for trafficked women?
9. Are you aware of what individuals/gangs/organizations are trafficking women into the destination?
10. Are there indicators that tip you off as to whether or not an individual/gang/organization is involved in sex trafficking?
If yes, what are they?

METHODS OF MOVEMENT OF TRAFFICKED WOMEN

1. Describe the conditions or circumstances under which victims were brought to the destination?
Mode of travel
Who paid for travel? How much?
Travel alone? Or in a group? Number in group?
2. Do they have access to any financial resources in the destination?
3. Once in the destination where are victims placed?
4. Describe the establishments where trafficked women are in prostitution?
Typical areas (e.g. urban, rural, red light districts, suburban, isolated, districts with heavy migrant population)
Other Type (e.g. clubs, massage parlors, hotels, residences, street)
5. Are they typically moved from place to place in the destination?
6. Once in the destination, are they free to move about?
If no, please describe e.g. Confined, aware of surroundings

METHODS OF INITIATION

1. Do women work elsewhere in the destination or do other types of work before entering CSW?
If yes, what did they do?
2. Was CSW the first sex business they are drawn into?
3. Are they abused or threatened when they first start?

Pimps/Recruiters/Traffickers

Physical violence

No/ Yes Frequency _____ Describe

Sexual assault

No/ Yes Frequency _____ Describe

Psychological abuse	No/ Yes Frequency_____	Describe_____
Verbal threats	No/ Yes Frequency_____	Describe_____
Death threats to them/family	No/ Yes Frequency_____	Describe_____
Use of weapons	No/ Yes Frequency_____	Describe_____
Use of drugs/alcohol	No/ Yes Frequency_____	Describe_____
Isolation/confinement/restraints	No/ Yes Frequency_____	Describe_____
Other Describe_____		

Customers

Physical violence	No/ Yes Frequency_____	Describe_____
Sexual assault	No/ Yes Frequency_____	Describe_____
Psychological abuse	No/ Yes Frequency_____	Describe_____
Verbal threats	No/ Yes Frequency_____	Describe_____
Death threats to them/family	No/ Yes Frequency_____	Describe_____
Use of weapons	No/ Yes Frequency_____	Describe_____
Use of drugs/alcohol	No/ Yes Frequency_____	Describe_____
Isolation/confinement/restraints	No/ Yes Frequency_____	Describe_____
Other Describe_____		

METHODS OF CONTROL

1. Are women free to leave the industry?
2. If not, how and by whom they were controlled?

Pimps/Recruiters/Traffickers

Physical violence	No/ Yes Frequency_____	Describe_____
Sexual assault	No/ Yes Frequency_____	Describe_____
Psychological abuse	No/ Yes Frequency_____	Describe_____
Verbal threats	No/ Yes Frequency_____	Describe_____
Death threats to them/family	No/ Yes Frequency_____	Describe_____
Use of weapons	No/ Yes Frequency_____	Describe_____
Use of drugs/alcohol	No/ Yes Frequency_____	Describe_____
Isolation/confinement/restraints	No /Yes Frequency_____	Describe_____
Other Describe_____		

Customers

Physical violence	No/ Yes Frequency_____	Describe_____
Sexual assault	No/ Yes Frequency_____	Describe_____
Psychological abuse	No/ Yes Frequency_____	Describe_____
Verbal threats	No/ Yes Frequency_____	Describe_____
Death threats to them	No/ Yes Frequency_____	Describe_____
Use of weapons	No/ Yes Frequency_____	Describe_____
Use of drugs/alcohol	No/ Yes Frequency_____	Describe_____
Isolation/confinement/restraints	No/ Yes Frequency_____	Describe_____
Other Describe_____		

3. Were they allowed contact with anyone outside of the CSW?
(e.g. family, friends)

4. Have women described witnessing other women in CSW being beaten/harmed?

If yes, describe circumstances and how often this happened.

5. Do you know if trafficked women are killed while in CSW?

If yes, describe who and how often

PROFILE OF VICTIMS

1. Estimated numbers of victims you see per month
2. Age range
3. Language(s) spoken
4. Caste/State of origin
5. Description of hometown/location of origin-(rural/urban)
6. Highest level of education
7. Past work experience

8. Economic status
9. Number of dependants

FUTURE GOALS/RECOMMENDATIONS

1. What are the causes of trafficking?

Who or what factors do you believe are responsible for this problem?

2. Do you think that most victims voluntarily choose to enter CSW?

3. Some have suggested that prostitution should be legalized and considered a job. Do you think that governments should recognize prostitution as a form of work?

4. Do you think that once they get out of the industry they are safe from the traffickers?
If not, what do they need to be safe?

5. What do victims need in order not to fall prey to this type of situation?

6. What do you think needs to happen in the criminal justice or immigration system to?

Victims?

Traffickers?

Customers?

Establishments?

7. What do you feel would be necessary to stop trafficking in this country?

Education/informational campaigns,

Service coordination/collaboration,

Change in laws,

Consistent/uniform enforcement,

Stricter penalties for traffickers,

Other.

8. Do you believe that the laws and penalties for this crime adequately address the issue?

9. Do agencies work together around issues of trafficking? If no, explain why?

Interview Schedule for NGOs, Researchers and Advocates

NAME:

WORK EXPERIENCE:

BACKGROUND

1. How big a problem is trafficking?
2. In your opinion, what are the causes of trafficking?
What factors do you believe are responsible for this problem?
3. Do you think that most women voluntarily choose to enter CSW?
4. Where in India do you think trafficked women come?
5. What are the main destination points for trafficked women?
6. What method of advertising is used by the industry?
Word of Mouth,
Print media,
Internet,
Brokers,
Travel industry,
Clubs/ bars,
Other.
7. In your opinion is trafficking linked with organized crime?
8. In your experience do agencies work together around issues of trafficking?
If no, explain why.

GENERAL PROFILE OF TRAFFICKED WOMEN

1. In your experience, how many trafficked women on average have you discovered in a raided establishments ?
Describe some recent cases.
2. Describe how these women interacted and communicated with each other?
3. Were there other trafficked women who were non-prostitutes who worked in the establishment?

PROFILE

1. Estimated numbers of women you see per month
2. Age range
3. Language(s) spoken
4. Caste/State of origin
5. Description of hometown/location of origin
6. Highest level of education
7. Past work experience
8. Economic status
9. Number of dependants

METHODS OF RECRUITMENT

1. How do you believe women get involved in trafficking?
2. Are women recruited or brought by someone to destination?
Friend/Neighbor,
Spouse/Partner,
Family member,

Stranger,
Business/Agency,
Print/Media advertisement,
Other. Explain.

3. Are women recruited in groups? If so, how many are recruited at a time?
4. How much money are they promised?
5. Were they/ family paid any advance?
6. Did they have to pay it back? How?
7. Were they in CSW in their hometown?
If yes, describe establishment and their location
8. At what age do women typically begin in CSW?
9. Are you aware of what individuals/gangs/organizations are trafficking women into the destination?
10. Are there indicators that tip you off as to whether or not an individual/gang/organization is involved in sex trafficking?

METHODS OF MOVEMENT

1. Describe travel experience of trafficked women to the destination.
2. Who paid for travel?
Travel alone or in a group? Number in group?
Were they all traveling for the same purpose?
3. Do the victims know what they were expected to do?
4. Do they have access to any financial resources?
5. Once in the destination what happens to these women? Where were they placed?
6. Describe the establishment where women are put in CSW?
Typical areas (e.g. urban, rural, red light districts, suburban, isolated, slums, other)
Type (e.g. clubs, massage parlors, hotels, residences, street)
7. Are they typically moved from place to place in the destination?
8. Once in the destination, are they free to move about?
If no, please describe e.g. Confined, aware of surroundings

METHODS OF INITIATION

1. Do you know if women do other kind of work elsewhere in the destination before entering CSW?
If yes, what did they do?
2. Is CSW the sex business they are put into?
3. How do they learn to do the sex acts?
- 4.. Is there any violence inflicted on them when they first start or are they forced to do things?

Physical violence	Yes/ No	Frequency _____	Describe _____
Sexual assault	Yes/ No	Frequency _____	Describe _____
Verbal threats	Yes/ No	Frequency _____	Describe _____
Death threats	Yes/ No	Frequency _____	Describe _____
Use of weapons	Yes/ No	Frequency _____	Describe _____
Usage of drugs/alcohol	Yes /No	Frequency _____	Describe _____
Other	Describe _____		
6. What would happen if they resist or try to leave?

METHODS OF CONTROL

1. Are women free to enter, remain or leave the industry?
Are they free to return home or find another job?
2. If they do not have freedom, please describe by whom and how they are controlled?

Physical violence	No/ Yes	Frequency _____	Describe _____
Sexual assault	No/ Yes	Frequency _____	Describe _____
Psychological abuse	No/ Yes	Frequency _____	Describe _____
Verbal threats	No/ Yes	Frequency _____	Describe _____
Death threats to you	No/ Yes	Frequency _____	Describe _____
Use of weapons	No/ Yes	Frequency _____	Describe _____

Usage of drugs/alcohol No/ Yes Frequency _____ Describe

Isolation/confinement/restraints No/ Yes Frequency _____ Describe

Other, describe

3. Were they allowed contact with anyone outside of CSW, family or friends ?

4. Were they ever allowed to move about outside of the establishment on their own? (e.g. go to the store, hospital, take days off)

5. Have you heard of victims being beaten/ harmed?

If yes, describe how many victims and how often.

6. Do you know if trafficked women have been killed while in the industry?

If yes, describe who and how often.

METHODS OF COPING AND RESISTANCE

1. Are you aware of how these women got by emotionally and physically on a daily basis?

2. Do women use drugs or alcohol or take medication? If yes, please explain.

3. Have any women ever tried to escape/leave this industry? If yes, please describe.

History of Abuse

1. Do you know if victims were ever abused/assaulted in their lives (physical, sexual, psychological)? If yes, by whom?

For how long?

EXPERIENCE WITH OTHERS INVOLVED IN THE INDUSTRY

Experience with Pimps / Recruiters / Traffickers

1. Who are the pimps and where are they from?

2. Who are the traffickers and where are they from?

3. Numbers of traffickers within one ring? Are they employed or connected with the place that trafficked women are placed at?

4. Are traffickers/recruiters/pimps operate involved in any other criminal activity?

5. Do you know if they are involved in any other type of business? If yes, please describe.

6. Who owns the sex establishments where trafficked women are placed?

7. Who controls the money that Customers pay women?

8. Are there other women who are not prostitutes who work in these establishments?

9. Are you aware if trafficked women's lives or safety are at risk from traffickers or the sex establishment?

Profile of Customers

1. Describe who the Customers of trafficked women are?

2. How many men do trafficked women have sex with in a day?

3. Do sex establishments screen Customers for diseases/cleanliness?

4. Are trafficked women forced to have sex with men without a condom?

5. Do men pay more money for that?

6. Have trafficked women reported that they've been asked to do things sexually that they didn't want to? If yes, what were those things?

7. Did they have the right to refuse or choose not to perform any of these acts?

8. Have trafficked women reported that the sex ever got violent? If yes, how often have you heard this?

9. Do you know if the establishment does anything to any buyer who is violent toward the CS Worker?

Health Effects and Health provision

1. What kind of injuries do women in the sex industry present?

Broken bones,

Bruises,

Head injury,

Mouth/teeth injuries,

Vaginal bleeding, How much?

Other hemorrhage? Explain.

2. What kind of illnesses do women in the sex industry typically present with?

3. Did these problems require ongoing medical treatment?

If yes, please explain.

4. Do the trafficked women you see know about birth control and infection prevention?
5. What kind of sexually transmitted infections do women in the sex industry present?
6. Do they use any form of birth control?
7. Do they use condoms when servicing customers?
8. Do women report that condoms ever irritate them or make them uncomfortable?
9. Did women ever report bleeding with the use of condoms?
10. How many women in the sex industry do you see that become pregnant while in the industry?
11. How would you describe the emotional well being of sex trafficked women/women in the sex industry?
Depressed,
Unable to feel,
Hopeless,
Difficulty sleeping,
Nightmares,
Easily startled/always on guard,
Rage,
Self blame/guilt, Other.
12. Are they suicidal while in the sex industry?
13. Do the women you see using drugs or alcohol?
14. Do the pimps or owners of sex establishments ever bring in a doctor into the establishment?
16. Do you think women in the sex industry visit particular health centers, hospitals or clinics?
If yes, where?
17. Is there anything that need to know more about trafficked women in CSW?

Social Services / Advocacy Agencies

1. Have you ever dealt with trafficked women?
2. What relief did trafficked women seek? What services were provided?
Shelter/homeless or Trafficked women's Legal services
Substance abuse treatment/ Religious support
Child Protection Services/ Law enforcement
Healthcare /Mental health services/ Job skills
Financial aid for relocation, etc
3. What kind of safety planning do you do with women in this situation?
4. Is there anything that you as an advocate/NGO/social service agency need to know more about trafficked women in the sex industry?

FUTURE GOALS/RECOMMENDATIONS

1. In your opinion, what do women who are out of the industry, see as the best option for themselves in the future?
2. Do you think that once they get out of the industry they are safe from their owners?
If not, what do they need to be safe?
3. What do women need in order not to fall prey to this type of situation?
4. What do you think needs to happen to:
Victims of Trafficking?
Traffickers?
Customers?
Establishments?
5. What do you feel would be necessary to stop sex trafficking in this country?
Education/informational campaigns
Service coordination/collaboration
Change in laws

Consistent/uniform enforcement

Stricter penalties for traffickers

Other

6. Do you believe that the laws and penalties for this crime adequately address the issue?
7. Some have suggested that prostitution should be legalized and considered a job. Do you think that governments should recognize prostitution as a form of work?

Interview Schedule for Doctors/ Health Care Workers

NAME:

EXPERIENCE:

THE SEX INDUSTRY

1. Tell me about the sex industry in this area?
2. How many establishments are there?
3. Who controls it?
4. Where is it located in the city?
5. Do these establishments cater to certain communities or all?
6. What method of advertising is used by the industry? Print media, Internet, Brokers, Travel industry, Clubs/ bars, Other.
7. Are women being trafficked into this area?

Pimps / Recruiters / Traffickers

1. Who are the pimps and where are they from?
2. Who are the recruiters/ traffickers and where are they from?
3. Do traffickers/recruiters/pimps operate independently or are involved in any other criminal activity?
4. Numbers of pimps/recruiters/traffickers within one ring
5. Are they involved in any other type of business? If yes, please describe.
6. Who controls the money that Customers pay women?
7. Who are the women working in the industry?
Describe age, state, nationality, etc.
8. Who owns the sex establishments where trafficked women are placed?

Customers

1. Describe the Customers of women in the sex industry.
Age range
Caste/state/ Occupation
Highest level of education
Marital Status
2. How many men do women have to provide sex to in a day?
3. Do sex establishments screen Customers for diseases/cleanliness?

METHODS OF RECRUITMENT OF TRAFFICKED WOMEN

1. How do women get involved in sex trafficking?
2. Are recruited or brought by someone to the destination?

By whom? Friend/Neighbor, spouse/partner, family member, stranger, other business/agency, print/media advertisement.

3. Are women recruited in groups? If so, how many are recruited at a time?
4. How much money are they told they will make?
5. Do they sign a contract?
6. Are they or their families paid any advance?
7. Do they have to pay it back? How?
8. Were they in CSW in their hometown, before entering the destination?
If yes, describe the establishment and the location?
10. What is the age range for trafficked women?
11. Are you aware of what individuals/gangs/organizations are trafficking women into this country?

METHODS OF MOVEMENT OF TRAFFICKED WOMEN

1. Describe the method under which women were brought to the destination.
Mode of travel

Who paid for the travel? How much?

Travel alone or in a group? Number in group?

2. When they arrive in the destination, do they have access to any financial resources?

3. Once in the destination, are you aware of what happens to these women?

Where were they placed?

5. Describe the establishment(s) where women are in CSW?

Where? Typical areas (e.g. urban, rural, red light districts, suburban, isolated, within district heavily populated by new immigrants, other).

Type (e.g. clubs, massage parlors, warehouses, hotels, residences, street)

6. Are they typically moved from place to place in the destination?

7. Once in the destination, are they free to move about?

If no, please describe

METHODS OF INITIATION

1. Do women do other kinds of work in the destination before entering CSW?

If yes, what did they do?

2. What was the first sex business they were drawn or put into?

And what did they do consequently?

3. Are they abused or threatened when they first start?

PIMPS/RECRUITERS/TRAFFICKERS

Physical violence No/ Yes Frequency _____ Describe

Sexual assault No/ Yes Frequency _____ Describe

Psychological abuse No/ Yes Frequency _____ Describe

Verbal threats No/ Yes Frequency _____ Describe

Death threats to them/family No/ Yes Frequency _____ Describe

Use of weapons No/ Yes Frequency _____ Describe

Use of drugs/alcohol No/ Yes Frequency _____ Describe

Isolation/confinement/restraints No/ Yes Frequency _____ Describe

Other Describe

CUSTOMERS

Physical violence No/ Yes Frequency _____ Describe

Sexual assault No/ Yes Frequency _____ Describe

Psychological abuse No/ Yes Frequency _____ Describe

Verbal threats No/ Yes Frequency _____ Describe

Death threats to them/family No/ Yes Frequency _____ Describe

Use of weapons No/ Yes Frequency _____ Describe

Use of drugs/alcohol No/ Yes Frequency _____ Describe

Isolation/confinement/restraints No/ Yes Frequency _____ Describe

Other Describe

METHODS OF CONTROL

1. Are women free to leave the industry?

2. If women are not free, describe how and by whom they were controlled?

PIMPS/RECRUITERS/TRAFFICKERS

Physical violence No/ Yes Frequency _____ Describe

Sexual assault No/ Yes Frequency _____ Describe

Psychological abuse No/ Yes Frequency _____ Describe

Verbal threats No/ Yes Frequency _____ Describe

Death threats to them/family No/ Yes Frequency _____ Describe

Use of weapons No/ Yes Frequency _____ Describe

Use of drugs/alcohol No/ Yes Frequency _____ Describe

Isolation/confinement/restraints No/ Yes Frequency _____ Describe

Other Describe

CUSTOMERS

Physical violence No/ Yes Frequency _____ Describe

Sexual assault No/ Yes Frequency _____ Describe

Psychological abuse No/ Yes Frequency _____ Describe

Verbal threats	No/ Yes	Frequency_____	Describe
Death threats to them/family	No/ Yes	Frequency_____	Describe
Use of weapons	No/ Yes	Frequency_____	Describe
Use of drugs/alcohol	No/ Yes	Frequency_____	Describe
Isolation/confinement/restraints	No/ Yes	Frequency_____	Describe
Other	Describe		

3. Were they allowed contact with anyone outside of the sex industry? (e.g. family, friends)
4. Have you seen CSW being beaten/harmed?
If yes, describe circumstances and how often this happened.
5. Do you know if trafficked women are killed while in the industry?
If yes, describe who and how often.

METHODS OF COPING AND RESISTANCE

1. What do women do on a daily basis?
2. How do they cope emotionally and physically on a daily basis?
3. Did women ever use drugs or alcohol or take medication?
If yes, please explain
4. Do women try to escape/leave this industry?
If yes, please describe.

History of Abuse

1. Do you know if women were ever abused/assaulted in their lives
(physical, psychological, sexual such as incest, child sexual abuse...)?
If yes, by whom?
For how long?

PROFILE OF TRAFFICKED WOMEN

1. Do you see women you think are in the sex industry coming to you for healthcare?
If yes, how many and how often?
2. Age range
3. What caste/state/ backgrounds do they come from?
4. Describe languages spoken
5. Were they accompanied by someone during their visit/appointment with you?
6. Did that person speak for them?
7. Description of hometown/location of origin
8. Highest level of education
9. Past work experience
10. Economic status
11. Number of dependants

HEALTH

1. Does the client normally disclose that she is in CSW?
2. What injuries do women in the sex industry present?

Broken bones	Yes/ No	Frequency_____	Describe
Bruises	Yes/ No	Frequency_____	Describe
Head injury	Yes/ No	Frequency_____	Describe
Mouth/teeth injuries	Yes/ No	Frequency_____	Describe
Vaginal bleeding	Yes/ No	Frequency_____	Describe
Other hemorrhage?	Yes/ No	Frequency_____	Describe
Other			
3. What illnesses do women in the sex industry typically present with?
4. During the course of your examination, what other injuries, infections or illnesses do you see?
5. Do you seen the same women more than once?

- If yes, how often?
6. Do women in the sex industry use birth control?
If yes, what kind?
 7. What kind of sexually transmitted infections do women in the sex industry present?
 8. Do men use condoms when having sex with women?
 9. Do women report that condoms ever irritate them or make them bleed?
 10. How many women in the sex industry do you see that you think become pregnant as a result of being industry?
Can you estimate the following:
Number of live births
Number of children
Number of miscarriages
Number of abortions
 11. How would you describe the emotional well being of women in the sex industry?
Depressed,
Unable to feel,
Hopeless,
Difficulty sleeping,
Nightmares,
Easily startled/always on guard,
Rage,
Self blame/guilt,
Other.
 12. Have women tried to harm themselves/ attempted to kill themselves while in the sex industry?
 13. Do the women you see using drugs or alcohol?
If yes, what do they use?
 14. Do women in the sex industry go to particular health centers, hospitals or clinics?
If yes, where?
 15. Do you think you have ever seen trafficked women at your health center?
If yes, what made you suspect they were trafficked?

FUTURE GOALS/RECOMMENDATIONS

1. What are the causes of trafficking?

What factors do you believe are responsible for this problem?

2. Do you think that most women voluntarily choose to enter the sex industry?
3. Do you think that once they get out of the industry they are safe from the pimps?
If not, what do they need to be safe?
4. Some have suggested that prostitution should be legalized and considered a job.
Do you think that governments should recognize prostitution as a form of work?
5. What do women need in order not to fall prey to this type of situation?
6. What do you think needs to happen in the criminal justice to:
Trafficked women?
Traffickers?
Customers?
Establishments?
7. What do you feel would be necessary to stop sex trafficking in this country?
Education/informational campaigns
Service coordination/collaboration
Change in laws
Consistent/uniform enforcement
Stricter penalties for traffickers
Other

8. Do you believe that the laws and penalties for this crime adequately address the issue?

9. Do agencies work together around issues of sex trafficking? If no, explain why.

INCIDENCE OF CRIMES COMMITTED AGAINST CHILDREN DURING 2001

SL. NO./STATE/UT	MURDER	INFANTICIDE	OTHER MURDER	RAPE	KIDNAPING & ABDUCTION	FOETICIDE	ABETMENT OF SUICIDE	EXPOSURE AND ABANDONMENT	PROCURATION MINOR GIRL	BUYING OF GIRLS FOR PROSTITUTION	SELLING OF GIRLS FOR PROSTITUTION	CHILD MARRIAGE RESTRAINT ACT	OTHER CRIME	TOTAL
1 ANDHRA PRADESH	35	1	34	84	57	0	7	22	12	0	0	6	47	270
2 ARUNACHAL PRADESH	0	0	0	0	0	0	0	0	0	0	0	0	0	0
3 ASSAM	0	0	0	0	18	0	0	0	0	0	0	0	0	18
4 BIHAR	2	0	2	16	26	0	0	1	16	1	1	2	18	83
5 CHHATTISGARH	14	6	8	150	46	5	1	15	0	0	0	0	354	585
6 GOA	1	0	1	10	6	0	0	3	2	NR	0	0	12	34
7 GUJARAT	78	1	77	39	120	4	0	112	18	0	0	11	190	572
8 HARYANA	31	0	31	108	124	3	0	16	5	0	2	0	74	363
9 HIMACHAL PRADESH	5	0	5	35	20	0	0	15	0	0	0	0	7	82
10 JAMMU & KASHMIR	2	0	2	6	15	0	0	4	0	0	0	0	1	28
11 JHARKHAND	5	3	2	11	4	0	0	0	1	0	0	0	20	41
12 KARNATAKA	29	17	12	11	14	1	0	7	0	0	0	3	7	72
13 KERALA	76	1	75	64	28	0	0	9	4	0	0	3	63	247
14 MADHYA PRADESH	103	31	72	390	100	7	8	69	4	0	0	4	740	1425
15 MAHARASHTRA	203	26	177	367	210	17	4	281	21	1	1	43	473	1621
16 MANIPUR	0	0	0	0	0	0	0	0	0	0	0	0	0	0
17 MEGHALAYA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
18 MIZORAM	0	0	0	0	0	0	0	0	0	0	0	0	0	0
19 NAGALAND	0	0	0	0	0	0	0	0	0	0	0	0	0	0
20 ORISSA	2	0	2	17	22	0	4	1	0	0	0	0	22	68
21 PUNJAB	20	3	17	38	35	7	0	3	7	0	0	0	13	123
22 RAJASTHAN	19	3	16	35	62	8	1	54	0	0	0	10	29	218
23 SIKKIM	1	0	1	4	0	0	0	0	0	0	0	0	0	5
24 TAMIL NADU	24	1	23	20	7	0	1	1	0	0	0	0	8	61
25 TRIPURA	0	0	0	0	0	0	0	0	0	0	0	0	0	0
26 UTTAR PRADESH	489	39	450	562	1185	1	0	0	29	1	1	1	1440	3709
27 UTTARANCHAL	9	0	9	9	16	0	0	0	7	0	0	0	5	46
28 WEST BENGAL	3	0	3	12	86	0	0	0	9	3	2	0	52	167
TOTAL (STATES)	1151	132	1019	1988	2201	53	26	613	135	6	7	83	3575	9838
29 A & N ISLANDS	0	0	0	0	0	0	0	0	0	0	0	0	0	0
30 CHANDIGARH	0	0	0	8	32	0	0	5	0	0	0	2	11	58
31 D & N HAVELI	0	0	0	0	0	0	0	0	0	0	0	0	0	0
32 DAMAN & DIU	0	0	0	0	0	0	0	0	0	NR	0	0	0	0
33 DELHI	22	1	21	113	612	2	0	60	3	0	1	0	99	912
34 LAKSHADWEEP	1	0	1	0	0	0	0	0	0	0	0	0	0	1
35 PONDICHERRY	1	0	1	4	0	0	0	0	0	0	0	0	0	5
TOTAL (UTs)	24	1	23	125	644	2	0	65	3	0	1	2	110	976
TOTAL (ALL-INDIA)	1175	133	1042	2113	2845	55	26	678	138	6	8	85	3685	10814

SOURCE: CRIME IN INDIA

INCIDENCE OF CRIMES COMMITTED AGAINST CHILDREN DURING 2000
(STATE & UT-WISE)

SL.NO.	STATE/UT	RAPE*** (BELOW 16 YEARS)		INFANTI- CIDES	FOETICIDE	ABETMENT OF SUICIDE	EXPOSURE & ABANDONMENT	KIDNAPPING & ABDUCT- TION	POCURATION OF MINOR GIRLS	SELLING OF GIRLS FOR PROSTITUTION	BUYING OF GIRLS FOR PROSTITUTION	CHILD MARRIAG RESTRAINT ACT***		TOTAL
1	ANDHRA PRADESH	222		8	8	10	22	51	2	3	0	0	7	333
2	ARUNACHAL PRADESH	16		0	0	0	0	5	1	0	0	0	0	22
3	ASSAM	92		4	0	2	0	5	21	1	1	0	0	126
4	BIHAR	94		4	1	0	3	47	27	1	0	1	1	178
6	GOA	10		0	0	0	2	0	1	0	0	0	0	13
7	GUJARAT	68		4	0	0	88	76	19	0	43	31	0	329
8	HARYANA	137		1	13	1	16	66	1	0	0	2	2	237
9	HIMACHAL PRADESH	39		0	0	0	10	2	0	0	0	4	4	55
10	JAMMU & KASHMIR	13		1	0	0	3	3	0	0	0	0	0	20
12	KARNATAKA	67		2	1	0	9	57	7	0	0	2	2	145
13	KERALA	136		2	0	1	5	19	9	0	3	1	1	176
14	MADHYA PRADESH	738		31	14	0	132	26	24	1	0	3	3	969
15	MAHARASHTRA	367		20	41	2	265	74	24	5	1	33	33	832
16	MANIPUR	0		0	0	0	0	0	0	0	0	0	0	0
17	MEGHALAYA	12		1	0	0	0	2	0	0	0	0	0	15
18	MIZORAM	27		0	0	0	0	0	0	0	0	0	0	27
19	NAGALAND	6		0	0	0	0	0	0	0	0	0	0	6
20	ORISSA	119		0	1	0	0	13	4	0	0	0	0	137
21	PUNJAB	96		6	0	0	4	5	0	0	0	2	2	113
22	RAJASTHAN	85		5	9	2	57	11	0	0	0	4	4	173
23	SIKKIM	2		3	0	0	0	0	1	0	0	0	0	6
24	TAMIL NADU	80		8	0	0	0	0	0	0	0	0	0	88
25	TRIPURA	14		0	0	0	0	0	0	0	0	0	0	14
27	UTTAR PRADESH	309		0	0	0	0	14	0	0	0	0	0	323
28	WEST BENGAL	127		2	0	0	0	74	4	4	5	0	0	216
	TOTAL (STATES)	2876		102	88	18	616	550	145	15	53	90	90	4553
29	A & N ISLANDS	2		0	0	0	0	0	0	0	0	2	2	4
30	CHANDIGARH	11		0	1	0	7	15	1	0	0	0	0	35
31	D & N HAVELI	0		0	0	0	0	0	0	0	0	0	0	0
32	DAMAN & DIU	0		0	0	0	0	0	0	0	0	0	0	0
33	DELHI	239		2	2	0	37	145	1	0	0	0	0	426
34	LAKSHADWEEP	1		0	0	0	0	0	0	0	0	0	0	1
35	PONDICHERRY	3		0	0	0	0	1	0	0	0	0	0	4
	TOTAL (UTS)	256		2	3	0	44	161	2	0	0	2	2	470
	TOTAL (ALL INDIA)	3132		104	91	18	660	711	147	15	53	92	92	5023

SOURCE: ** CRIME IN INDIA REST FROM MONTHLY CRIME STATISTICS

Incidence of Crimes committed against children during 1998

Sl. No.	States/UTs.	Rape* (Minors)	Infanticides	Foeticide	Abetment of suicide	Exposure & abandonment	Kidnapping & abduction of children	Procurement of Minor Girls	Selling of Girls for prostitution	Buying of girls for prostitution	Child* marriage restraint act.	Total
1	ANDHRA PRADESH	288	16	0	7	4	22	2	0	0	1	340
2	ARUNACHAL PRADESH	10	0	0	0	0	0	0	0	0	0	10
3	ASSAM	209	0	0	0	0	1	13	0	0	0	223
4	BIHAR	197	11	2	0	0	102	50	1	0	5	368
5	GOA	6	0	0	1	3	4	0	0	0	0	14
6	GUJARAT	135	0	1	1	95	124	2	1	0	30	389
7	HARYANA	131	1	12	0	14	57	8	1	0	3	227
8	HIMACHAL PRADESH	33	0	1	1	8	4	0	0	0	4	51
9	JAMMU & KASHMIR	15	2	1	0	1	5	0	0	0	0	24
10	KARNATAKA	79	4	0	0	11	41	2	2	0	2	141
11	KERALA	171	1	0	3	2	7	6	0	0	1	191
12	MADHYA PRADESH	806	59	12	6	95	29	26	0	0	1	1034
13	MAHARASHTRA	452	14	25	3	288	59	43	1	3	0	888
14	MANIPUR	7	0	0	0	0	0	0	0	0	0	7
15	MEGHALAYA	11	0	0	0	0	0	0	0	0	0	11
16	MIZORAM	49	0	0	0	0	0	0	0	0	0	49
17	NAGALAND	4	0	0	0	0	0	0	0	0	0	4
18	ORISSA	216	1	0	0	0	28	2	0	0	0	247
19	PUNJAB	91	3	2	1	1	9	0	0	0	2	109
20	RAJASTHAN	157	2	4	4	34	1	1	0	0	5	208
21	SIKKIM	2	0	0	0	0	0	0	0	0	0	2
22	TAMIL NADU	91	0	0	1	3	12	6	0	0	0	113
23	TRIPURA	16	0	0	0	0	0	0	0	0	0	16
24	UTTAR PRADESH	516	0	0	0	0	20	0	0	0	0	536
25	WEST BENGAL	214	0	0	0	0	65	9	5	10	0	303
	TOTAL-(STATES)	3906	114	60	28	559	590	170	11	13	54	5505
26	A & N ISLANDS	2	0	0	0	0	1	0	0	0	2	5
27	CHANDIGARH	4	0	0	0	4	0	0	0	0	0	8
28	D & N HAVELI	2	0	0	0	0	0	0	0	0	0	2
29	DAMAN & DIU	0	0	0	0	0	0	0	0	0	0	0
30	DELHI	239	0	2	0	12	104	1	0	0	0	358
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0
32	PONDICHERY	0	0	0	0	0	4	0	0	0	0	4
	TOTAL (UTs)	247	0	2	0	16	109	1	0	0	2	377
	TOTAL (ALL INDIA)	4153	114	62	28	575	699	171	11	13	56	5882

SOURCE: MONTHLY CRIME STATISTICS.
NOTE : 1) FIGURES ARE PROVISIONAL.
2) SOURCE : * CRIME IN INDIA DATA.

Incidence of Crimes committed against children during 1997

Sl. No.	States/UTs.	Rape* (Minors)	Infanticides	Foeticide	Abetment of suicide	Exposure & abandonment	Kidnapping & abduction of children	Procurement of Minor Girls	Selling of Girls for prostitution	Buying of girls for prostitution	Child* marriage restraint act.	Total
1	ANDHRA PRADESH	347	0	0	0	0	15	3	0	0	0	365
2	ARUNACHAL PRADESH	27	0	1	0	0	1	0	0	0	0	29
3	ASSAM	195	0	0	0	0	0	0	0	0	0	195
4	BIHAR	198	11	4	0	1	97	33	1	0	23	368
5	GOA	8	0	0	0	6	2	0	0	0	0	16
6	GUJARAT	130	2	0	1	101	125	1	0	0	29	389
7	HARYANA	156	0	3	0	6	18	1	0	0	0	184
8	HIMACHAL PRADESH	48	1	1	0	8	6	0	0	0	6	70
9	JAMMU & KASHMIR	0	2	0	0	3	1	0	0	0	0	6
10	KARNATAKA	71	3	0	0	4	44	1	0	0	1	124
11	KERALA	167	2	0	0	1	7	1	1	1	4	184
12	MADHYA PRADESH	1018	45	21	5	115	29	9	1	0	0	1243
13	MAHARASHTRA	501	25	19	4	279	61	26	1	0	0	916
14	MANIPUR	3	0	0	0	0	2	0	0	0	0	5
15	MEGHALAYA	4	0	0	0	0	0	0	0	0	0	4
16	MIZORAM	11	0	0	0	0	0	0	0	0	0	11
17	NAGALAND	3	0	0	0	0	0	0	0	0	0	3
18	ORISSA	122	4	0	0	0	26	3	0	0	0	155
19	PUNJAB	75	1	0	0	4	6	2	0	0	1	89
20	RAJASTHAN	143	6	3	0	37	2	0	0	0	10	201
21	SIKKIM	4	0	0	0	0	2	0	0	0	0	6
22	TAMIL NADU	108	0	0	0	0	7	0	0	0	1	116
23	TRIPURA	23	0	0	0	0	0	0	0	0	0	23
24	UTTAR PRADESH	472	1	0	1	0	53	0	0	0	1	528
25	WEST BENGAL	273	0	0	1	0	92	7	5	12	0	390
	TOTAL-(STATES)	4107	103	52	12	565	596	87	9	13	76	5620
26	A & N ISLANDS	6	0	0	0	0	0	0	0	0	1	7
27	CHANDIGARH	3	0	2	1	2	2	0	0	0	0	10
28	D & N HAVELI	1	0	0	0	0	0	0	0	0	0	1
29	DAMAN & DIU	0	0	0	0	0	0	0	0	0	0	0
30	DELHI	295	4	3	0	15	21	0	0	0	0	338
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0
32	PONDICHERRY	2	0	0	0	0	1	0	0	0	1	4
	TOTAL (UTs)	307	4	5	1	17	24	0	0	0	2	360
	TOTAL (ALL INDIA)	4414	107	57	13	582	620	87	9	13	78	5980

SOURCE: MONTHLY CRIME STATISTICS.

NOTE : 1) FIGURES ARE PROVISIONAL.

2) SOURCE : * CRIME IN INDIA DATA.

Incidence of Crimes committed against children during 1996

Sl. No.	States/UTs.	Rape* (Minors)	Infanticides	Foeticide	Abetment of suicide	Exposure & abandonment	Kidnapping & abduction of children	Procurement of Minor Girls	Selling of Girls for prostitution	Buying of girls for prostitution	Child* marriage restraint act.	Total
1	ANDHRA PRADESH	269	2	0	1	0	38	3	0	0	1	314
2	ARUNACHAL PRADESH	14	0	0	0	0	0	0	0	0	0	14
3	ASSAM	147	0	0	0	0	0	0	0	0	1	148
4	BIHAR	217	7	5	1	2	89	27	0	0	0	348
5	GOA	5	0	0	0	0	1	0	0	0	0	6
6	GUJARAT	117	10	6	0	92	104	8	0	0	60	397
7	HARYANA	127	0	2	0	7	5	2	0	0	0	143
8	HIMACHAL PRADESH	52	0	0	0	4	4	0	0	0	4	64
9	JAMMU & KASHMIR	20	0	0	0	1	0	0	0	0	0	21
10	KARNATAKA	88	2	0	0	7	35	3	0	1	0	136
11	KERALA	135	0	0	0	4	12	4	0	1	4	160
12	MADHYA PRADESH	893	33	13	7	93	59	11	0	0	3	1112
13	MAHARASHTRA	453	43	12	0	288	65	24	0	17	4	906
14	MANIPUR	7	1	0	0	0	0	0	0	0	0	8
15	MEGHALAYA	10	0	0	0	0	1	0	0	0	0	11
16	MIZORAM	29	0	0	0	0	1	0	0	0	0	30
17	NAGALAND	0	0	0	0	0	0	0	0	0	0	0
18	ORISSA	83	1	0	0	1	13	3	0	0	0	101
19	PUNJAB	106	0	1	0	6	4	0	0	0	1	118
20	RAJASTHAN	118	14	0	0	28	6	0	2	0	9	177
21	SIKKIM	4	0	0	0	1	0	0	0	0	0	5
22	TAMIL NADU	107	0	0	0	0	0	0	0	0	2	109
23	TRIPURA	20	0	0	0	0	0	0	0	0	0	20
24	UTTAR PRADESH	535	0	0	2	0	47	0	0	0	0	584
25	WEST BENGAL	251	0	0	0	0	78	9	4	3	0	345
	TOTAL (STATES)	3807	113	39	11	534	562	94	6	22	89	5277
26	A & N ISLANDS	4	0	0	0	0	0	0	0	0	0	4
27	CHANDIGARH	1	0	0	0	4	0	0	0	0	0	5
28	D & N HAVELI	0	0	0	0	0	0	0	0	0	0	0
29	DAMAN & DIU	0	0	0	0	0	0	0	0	0	0	0
30	DELHI	269	0	0	0	16	8	0	0	0	0	293
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0
32	PONDICHERRY	2	0	0	0	0	1	0	0	0	0	3
	TOTAL (UTS)	276	0	0	0	20	9	0	0	0	0	305
	TOTAL (ALL INDIA)	4083	113	39	11	554	571	94	6	22	89	5582

SOURCE: MONTHLY CRIME STATISTICS.

NOTE : 1) FIGURES ARE PROVISIONAL.

2) SOURCE : * CRIME IN INDIA DATA.

Incidence of Crimes committed against children durin

SL NO.	STATE/UT	RAPE*	INFANTI-CIDES	FOETICIDE	ABETMENT OF SUICIDE	EXPOSURE & ABANDONMENT	KIDNAPPING & ABDUCTION OF CHILDREN
1	ANDHRA PRADESH	322	5	0	0	1	59
2	ARUNACHAL PRADESH	0	1	0	0	1	1
3	ASSAM	157	1	0	0	0	0
4	BIHAR	349	9	2	1	0	61
5	GOA	11	2	0	0	1	4
6	GUJARAT	96	8	8	2	86	97
7	HARYANA	112	1	0	0	0	15
8	HIMACHAL PRADESH	53	2	0	0	5	8
9	JAMMU & KASHMIR	12	0	0	0	1	0
10	KARNATAKA	79	3	1	0	2	13
11	KERALA	102	0	0	0	4	9
12	MADHYA PRADESH	935	49	14	4	106	50
13	MAHARASHTRA	506	40	8	2	313	99
14	MANIPUR	3	1	0	0	0	0
15	MEGHALAYA	7	0	0	0	0	1
16	MIZORAM	7	0	0	0	0	0
17	NAGALAND	0	0	0	0	0	0
18	ORISSA	101	1	1	0	1	10
19	PUNJAB	31	4	0	0	5	3
20	RAJASTHAN	124	4	3	0	17	14
21	SIKKIM	3	0	0	0	0	0
22	TAMIL NADU	56	5	0	0	0	2
23	TRIPURA	18	0	0	0	0	0
24	UTTAR PRADESH	484	2	0	0	0	104
25	WEST BENGAL	360	1	0	0	0	126
	TOTAL (STATES)	3928	139	37	9	543	676
26	A & N ISLANDS	1	0	0	0	0	0
27	CHANDIGARH	2	0	0	0	4	0
28	D & N HAVELI	0	0	0	0	0	0
29	DAMAN & DIU	1	0	0	0	0	0
30	DELHI	134	0	1	0	22	46
31	LAKSHADWEEP	0	0	0	0	0	0
32	PONDICHERRY	1	0	0	0	1	4
	TOTAL (UTs)	139	0	1	0	27	50
	TOTAL (ALL-INDIA)	4067	139	38	9	570	726

SOURCE: MONTHLY CRIME STATISTICS.

NOTE : 1) FIGURES ARE PROVISIONAL.

2) SOURCE : * CRIME IN INDIA DATA.

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PROCURATION OF MINOR GIRLS	SELLING OF GIRLS FOR PROS- TITUTION	BUYING OF GIRLS FOR PROS- TITUTION	CHILD* MARRIAGE RESTRAINT ACT	TOTAL
6	0	2	3	398
0	0	0	0	3
9	0	0	0	167
31	2	1	3	459
2	0	0	0	20
8	0	1	21	327
2	0	0	0	130
0	0	0	6	74
0	0	0	0	13
2	0	1	2	103
0	0	0	3	118
4	1	0	4	1167
23	2	0	11	1004
0	0	0	0	4
0	0	0	0	8
0	0	0	0	7
0	0	0	0	0
5	0	0	0	119
1	0	1	0	45
3	0	0	4	169
0	0	0	0	3
0	0	0	0	63
0	0	0	0	18
0	0	0	0	590
10	12	13	0	522
106	17	19	57	5531
0	0	0	0	1
1	0	0	0	7
0	0	0	0	0
0	0	0	0	1
0	0	0	0	203
0	0	0	0	0
0	0	0	0	6
1	0	0	0	218
107	17	19	57	5749

INCIDENCE OF CASES COMMITTED AGAINST WOMEN DURING 2002

SL NO.	STATE/UT	RAPE	KIDNAPPING & ABDUCTION	DOWRY DEATHS	CRUELTY BY HUSBAND & HIS RELATIVES	MOLES- TATION	EVE-TEASING	IMPORTING OF GIRLS (UPTO 21 YEARS)	SATI PREVENTION ACT	I.T.P ACT
1	ANDHRA PRADESH	975	897	574	5771	3692	3672	38	0	294
2	ARUNACHAL PRADESH	38	36	0	8	51	0	0	0	0
3	ASSAM	903	872	34	923	475	14	6	0	12
4	BIHAR	835	618	772	1116	337	5	3	0	5
5	GOA	966	208	70	522	1484	532	3	0	10
6	CHHATTISGARH	12	5	2	6	20	8	0	0	31
7	GUJARAT	245	713	86	2888	730	65	13	1	47
8	HARYANA	311	314	255	1287	391	1150	29	0	19
9	HIMACHAL PRADESH	131	124	9	215	307	9	0	0	1
10	JAMMU & KASHMIR	192	594	10	58	785	368	0	0	3
11	JHARKHAND	633	257	240	424	230	1	0	0	2
12	KARNATAKA	292	365	276	1653	1648	122	16	0	1388
13	KERALA	486	105	15	2859	2195	109	0	0	130
14	MADHYA PRADESH	2256	573	492	2263	5806	2146	33	0	7
15	MAHARASHTRA	1277	782	350	5065	2665	1349	3	0	165
16	MANIPUR	16	81	0	4	49	0	0	0	3
17	MEGHALAYA	38	9	0	1	25	0	0	0	0
18	MIZORAM	74	4	0	1	68	0	0	0	0
19	NAGALAND	13	0	0	0	0	0	0	0	0
20	ORISSA	634	396	312	715	1637	184	0	0	2
21	PUNJAB	265	431	174	795	297	137	1	0	27
22	RAJASTHAN	1051	2022	496	5691	2730	40	0	0	45
23	SIKKIM	4	4	0	3	17	0	0	0	0
24	TAMIL NADU	509	702	186	1076	1749	1617	0	0	3353
25	TRIPURA	108	48	15	236	128	0	0	0	0
26	UTTAR PRADESH	1366	2302	1908	5221	1978	1702	5	1	9
27	UTTRANCHAL	63	126	51	277	107	99	0	0	0
28	WEST BENGAL	759	658	290	2538	964	37	1	0	41
	TOTAL (STATE/UT)	14452	13246	6617	41616	30565	13366	151	2	5594

29	A & N ISLANDS	2	1	0	4	17	3	0	0	0
30	CHANDIGARH	18	44	2	57	36	182	0	0	3
31	D & N HAVELI	5	1	0	0	0	0	0	0	0
32	DAMAN & DIU	0	2	0	6	0	0	0	0	0
33	DELHI	322	946	132	388	437	157	0	0	67
34	LAKSHADWEEP	1	0	0	0	1	0	0	0	0
35	PONDICHERY	6	4	5	9	60	23	0	0	27
	TOTAL (UTS)	354	998	139	464	551	365	0	0	97
	TOTAL (ALL)	14806	14244	6756	42080	31116	13731	151	2	5691

INCIDENCE OF CRIMES COMMITTED AGAINST WOMEN DURING 2001

SL. NO.	STATE/UT	RAPE	KID. & ABDUC-TION	DOWRY DEATHS	CRUELTY BY HUSBAND AND RELATIVES	MOLES-TATION	SEXUAL HARASS-MENT	IMIMPORT-ACTION OF GIRLS	SATI PREVEN-TION ACT	I.T.P.A.	INDECENT REPRE-OF WOMEN PROH. ACT	DOWRY PROH. ACT	TOTAL
1	ANDHRA PRADESH	871	765	420	5791	3544	2271	7	0	1338	925	551	16483
2	ARUNACHAL PRADESH	33	55	0	11	78	3	0	0	0	0	0	180
3	ASSAM	817	1070	59	1248	850	4	0	0	6	10	179	4243
4	BIHAR	888	518	859	1558	562	21	83	0	29	3	835	5356
5	CHHATTISGARH	959	172	70	840	1763	161	0	0	12	0	13	3990
6	GOA	12	6	2	11	17	7	0	0	28	0	0	83
7	GUJARAT	286	857	67	3667	756	111	0	0	61	0	0	5805
8	HARYANA	398	297	285	1513	478	401	0	0	21	0	0	3393
9	HIMACHAL PRADESH	124	105	10	317	310	14	0	0	1	0	9	890
10	JAMMU & KASHMIR	169	504	13	50	622	288	0	0	7	0	3	1656
11	JHARKHAND	681	245	192	439	273	3	2	0	3	0	360	2198
12	KARNATAKA	294	271	220	1755	1665	81	0	0	1356	0	361	6003
13	KERALA	562	97	27	2561	1942	81	0	0	132	42	6	5450
14	MADHYA PRADESH	2851	688	609	2562	7063	751	0	0	15	0	30	14549
15	MAHARASHTRA	1302	611	308	6090	2823	1120	1	0	233	9	27	12524
16	MANIPUR	20	62	0	5	21	0	0	0	4	0	0	112
17	MEGHALAYA	26	11	0	4	25	0	0	0	0	0	0	66
18	MIZORAM	18	3	0	1	54	0	0	0	2	0	0	78
19	NAGALAND	17	6	0	0	6	0	0	0	1	0	0	30
20	ORISSA	790	434	294	1266	1655	458	0	0	24	0	436	5357
21	PUNJAB	298	324	159	1128	372	47	0	0	32	1	0	2361
22	RAJASTHAN	1049	2165	376	5532	2878	56	1	0	68	46	4	12175
23	SIKKIM	8	0	0	0	14	0	0	0	0	0	0	22
24	TAMIL NADU	423	607	191	815	1773	1012	14	0	5232	11	33	10111
25	TRIPURA	102	35	16	227	58	0	0	0	0	0	0	438
26	UTTARANCHAL	74	126	56	301	103	84	0	0	0	0	5	749
27	UTTAR PRADESH	1958	2879	2211	7365	2870	2575	0	0	26	3	340	20227
28	WEST BENGAL	716	705	277	3975	960	48	3	0	34	0	6	6724
TOTAL (STATES)		15746	13598	6721	49032	33535	9597	111	0	8665	1050	3198	141253
29	ANDAMAN & NICOBAR ISLANDS	3	2	0	9	19	1	0	0	0	0	0	34
30	CHANDIGARH	18	50	3	36	24	15	0	0	3	1	0	150
31	DAMAN & DIU	6	2	0	4	7	0	0	0	0	0	0	19
32	DELHI	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	0
33	DELHI	381	964	113	138	502	90	0	0	95	1	7	2291
34	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0	0
35	PONDICHERY	9	3	1	3	35	27	0	0	39	0	2	119
TOTAL (UTs)		417	1021	117	190	587	133	0	0	137	2	9	2613
TOTAL (ALL-INDIA)		16163	14619	6838	49222	34122	9730	111	0	8802	1052	3207	143866

SOURCE: CRIME IN INDIA DATA

NOTE: 1. NA STANDS FOR NOT AVAILABLE.

2. FIGURES ARE PROVISIONAL.

INCIDENCE OF CRIMES COMMITTED AGAINST WOMEN DURING 1999													
SL. NO.	STATE/UT	RAPE	KID. & ABDUC-TION	DOWRY DEATHS	CRUELTY BY HUSBAND AND RELATIVES	MOLES-TATION	SEXUAL HARASS-SMENT	IMPORT-ATION OF GIRLS	SATI PREVEN-TION ACT	I.T.P.A.	INDECENT REPRE. OF WOMEN	DOWRY PROH. ACT	TOTAL
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
1	ANDHRA PRADESH	895	708	452	4666	3238	1763	0	0	737	15	282	12756
2	ARUNACHAL PRADESH	39	40	0	5	65	1	0	0	1	0	0	151
3	ASSAM	703	1149	40	843	720	21	0	0	5	0	23	3504
4	BIHAR	1447	939	1021	1423	547	55	0	0	38	25	1211	6706
5	GOA	18	7	2	15	26	7	0	0	28	0	0	103
6	GUJARAT	331	1074	94	3886	1083	172	0	0	40	1	13	6694
7	HARYANA	372	350	288	1369	553	300	0	0	14	0	2	3248
8	HIMACHAL PRADESH	109	89	5	258	297	23	0	0	0	0	3	784
9	JAMMU & KASHMIR	170	473	6	39	507	341	0	0	4	0	2	1542
10	KARNATAKA	301	320	217	1560	1501	147	0	0	1225	1	361	5633
11	KERALA	423	123	31	2488	1643	50	0	0	62	9	9	4838
12	MADHYA PRADESH	3561	942	584	3012	8054	693	0	0	33	0	197	17076
13	MAHARASHTRA	1320	727	395	7026	2766	825	0	0	390	147	14	13610
14	MANIPUR	12	38	0	2	13	0	0	0	0	0	0	65
15	MEGHALAYA	27	10	0	0	17	0	0	0	0	0	0	54
16	MIZORAM	71	0	0	0	74	0	0	0	0	0	0	145
17	NAGALAND	11	5	0	0	3	0	0	0	0	0	0	19
18	ORISSA	820	431	234	1208	1494	158	0	0	22	0	349	4716
19	PUNJAB	282	280	193	562	198	2	0	0	14	0	7	1538
20	RAJASTHAN	1198	2652	443	5425	3109	51	0	0	85	8	3	12974
21	SIKKIM	7	0	0	0	21	0	NA	0	0	0	0	28
22	TAMIL NADU	430	1000	197	620	1959	1776	0	0	6462	0	226	12670
23	TRIPURA	72	27	17	113	71	0	0	0	0	0	0	300
24	UTTAR PRADESH	1593	2746	2088	5372	2481	2255	0	0	24	6	347	16912
25	WEST BENGAL	819	804	257	3777	1200	33	1	0	39	0	1	6931
TOTAL (STATES)		15031	14934	6564	43669	31640	8673	1	0	9223	212	3050	132997
26	A&N ISLANDS	6	2	0	8	13	2	0	0	5	0	0	36
27	CHANDIGARH	16	36	7	42	26	18	0	0	7	0	0	152
28	D&N HAVELI	3	0	2	5	8	0	0	0	0	0	0	18
29	DAMAN & DIU	4	2	0	5	0	0	0	0	0	0	0	11
30	DELHI	402	986	122	88	588	146	0	0	78	10	8	2428
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0	0
32	PONDICHERRY	6	2	4	6	36	19	0	0	50	0	6	129
TOTAL (UTs)		437	1028	135	154	671	185	0	0	140	10	14	2774
TOTAL (ALL-INDIA)		15468	15962	6699	43823	32311	8858	1	0	9363	222	3064	135771
SOURCE: CRIME IN INDIA													

SOURCE: CRIME IN INDIA

INCIDENCE OF CRIMES COMMITTED AGAINST WOMEN DURING 1998														
SL. NO.	STATE/UT	RAPE	KID. & ABDUC-TION	DOWRY DEATHS	CRUELTY BY HUS-BAND AND RELATIVES	MOLES-TATION	SEXUAL HARAS-SMENT	IMPORT-ATION OF GIRLS	SATI PREVEN-TION ACT	I.T.P.A.	INDECENT REPRE-OF WOMEN PROH. ACT	DOWRY PROH. ACT	TOTAL	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)
1	ANDHRA PRADESH	869	738	500	4310	2967	1050	8	0	507	40	212	11201	11201
2	ARUNACHAL PRADESH	32	38	0	8	46	1	0	0	0	0	0	125	125
3	ASSAM	744	1117	32	739	648	12	0	0	34	0	62	3388	3388
4	BIHAR	1421	1043	1039	1507	432	89	1	0	37	48	1488	7105	7105
5	GOA	16	14	3	16	22	8	0	0	30	0	0	109	109
6	GUJARAT	368	1182	90	3602	1210	139	57	0	8	2	0	6658	6658
7	HARYANA	364	318	309	977	611	385	25	0	4	1	8	3002	3002
8	HIMACHAL PRADESH	128	115	7	228	283	15	0	0	1	0	1	778	778
9	JAMMU & KASHMIR	178	629	9	18	516	361	0	0	1	0	0	1715	1715
10	KARNATAKA	233	312	200	1501	1340	139	0	0	1403	4	384	5516	5516
11	KERALA	589	130	21	2125	1773	96	0	0	27	30	8	4799	4799
12	MADHYA PRADESH	3354	925	598	2765	7310	741	26	0	16	2	128	15865	15865
13	MAHARASHTRA	1154	772	420	7728	2923	765	0	0	444	36	24	14266	14266
14	MANIPUR	13	60	0	0	13	0	0	0	0	0	0	86	86
15	MEGHALAYA	42	16	1	0	12	0	0	0	0	0	0	71	71
16	MIZORAM	84	4	0	0	53	0	0	0	0	0	0	141	141
17	NAGALAND	13	14	0	0	4	0	0	0	0	1	0	32	32
18	ORISSA	799	484	298	993	1499	165	0	0	11	0	338	4587	4587
19	PUNJAB	219	222	219	397	150	10	7	0	5	7	2	1238	1238
20	RAJASTHAN	1266	2499	433	4947	2908	54	3	0	47	1	1	12159	12159
21	SIKKIM	7	4	0	2	22	2	0	0	0	0	0	37	37
22	TAMILNADU	362	993	176	440	1779	1230	5	0	5937	10	269	11201	11201
23	TRIPURA	73	39	10	115	73	0	9	0	0	0	0	319	319
24	UTTAR PRADESH	1605	2882	2229	5113	2423	2571	3	0	31	7	633	17497	17497
25	WEST BENGAL	757	783	249	3704	1243	27	2	0	43	0	3	6811	6811
TOTAL (STATES)		14690	15333	6843	41235	30260	7860	146	0	8586	189	3564	128706	128706
26	A & N ISLANDS	4	2	0	3	15	2	0	0	0	0	0	26	26
27	CHANDIGARH	11	31	5	25	10	10	0	0	5	0	0	97	97
28	D & N HAVELI	7	2	0	7	1	0	0	0	0	0	0	17	17
29	DAMAN&DIU *	0	0	0	1	0	1	0	0	0	0	0	2	2
30	DELHI	438	978	126	103	653	172	0	0	75	1	10	2556	2556
31	LAKSHADWEEP	0	0	0	1	1	0	0	0	0	0	0	2	2
32	PONDICHERRY	1	5	1	1	19	9	0	0	29	0	4	69	69
TOTAL (UTs)		461	1018	132	141	699	194	0	0	109	1	14	2769	2769
TOTAL (ALL-INDIA)		15151	16351	6975	41376	30959	8054	146	0	8695	190	3578	131475	131475

INCIDENCE OF CRIMES COMMITTED AGAINST WOMEN DURING 1997

SL. STATE/UT		RAPE	KID. & ABDUC.	DOWRY DEATHS	CRUELTY BY HUS-BAND AND RELATIVES	MOLES-TATION	SEXUAL HARASS-SMENT	IMMPOR-T OF GIRLS	SATI-PRE. ACT	I.T.P.A. OF WOMEN	DOWRY PROH. ACT	TOTAL	
NO.													
1	ANDHRA PRADESH	947	730	520	3870	2899	1023	6	0	613	0	149	10757
2	ARUNACHAL PRADESH	43	23	0	1	37	0	0	0	0	0	0	104
3	ASSAM	717	1113	22	775	686	34	0	0	20	0	40	3407
4	BIHAR	1457	968	761	974	612	48	9	0	21	0	1038	5888
5	GOA	15	5	3	8	15	7	0	0	134	0	0	187
6	GUJARAT	375	973	87	3183	1077	90	8	0	5	11	0	5809
7	HARYANA	373	291	267	533	546	287	9	0	7	0	1	2314
8	HIMACHAL PRADESH	129	130	12	221	288	18	1	0	1	0	1	801
9	JAMMU & KASHMIR	166	588	12	7	425	319	0	0	2	0	4	1523
10	KARNATAKA	244	358	195	1450	1405	147	11	0	1645	0	224	5679
11	KERALA	588	160	25	1675	1561	70	0	0	41	12	2	4134
12	MADHYA PRADESH	3518	941	550	2479	7822	748	8	0	16	0	88	16170
13	MAHARASHTRA	1246	820	420	8111	3131	835	0	0	1653	30	24	16270
14	MANIPUR	9	62	0	1	13	0	0	0	0	0	0	85
15	MEGHALAYA	37	16	0	3	29	1	0	0	1	0	0	87
16	MIZORAM	52	0	0	1	56	0	0	0	1	0	0	110
17	NAGALAND	17	21	0	1	5	0	0	0	0	0	0	44
18	ORISSA	679	514	240	935	1586	234	3	0	11	2	249	4453
19	PUNJAB	184	171	185	235	158	1	12	0	3	2	0	951
20	RAJASTHAN	1255	2409	356	4304	2815	38	0	0	41	1	2	11221
21	SIKKIM	7	9	0	1	32	1	0	0	0	0	0	50
22	TAMILNADU	324	989	153	424	1461	1532	8	0	3863	1	289	9044
23	TRIPURA	98	56	9	119	93	0	0	0	0	0	0	375
24	UTTAR PRADESH	1457	2460	1786	3393	2023	105	2	1	57	4	561	11849
25	WEST BENGAL	824	853	247	3728	1277	63	1	0	28	0	2	7023
TOTAL (STATES)		14761	14660	5850	36432	30052	5601	78	1	8163	63	2674	118335
26	A & N ISLANDS	9	1	2	5	10	0	0	0	0	0	0	27
27	CHANDIGARH	9	25	4	30	9	5	0	0	1	0	0	83
28	D & N HAVELI	2	3	0	8	2	0	0	0	0	0	0	15
29	DAMAN&DIU	1	0	0	0	0	0	0	0	0	0	0	1
30	DELHI	544	925	148	113	675	185	0	0	117	8	10	2725
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0	0
32	PONDICHERRY	4	3	2	4	16	5	0	0	42	2	1	79
TOTAL (UTs)		569	957	156	160	712	195	0	0	160	10	11	2930
TOTAL (ALL-INDIA)		15330	15617	6006	36592	30764	5796	78	1	8323	73	2685	121265

SOURCE: CRIME IN INDIA DATA.

SL. NO.	STATE/UT	RAPE	KID. & ABDUC.	DOWRY DEATHS	CRUELTY BY HUSBAND AND RELATIVES	MOLESTATION	SEXUAL HARASSMENT	IMMPORT. OF GIRLS	SATI-PRE. ACT	I.T.P.A. OF WOMEN	DOWRY PROH. ACT	TOTAL
1	ANDHRA PRADESH	812	682	411	3478	2559	994	33	0	559	8	71
2	ARUNACHAL PRADESH	37	35	0	4	29	1	0	0	0	0	106
3	ASSAM	580	984	28	553	569	8	0	0	23	0	2793
4	BIHAR	1453	1003	478	675	533	107	10	0	19	0	5349
5	GOA	10	9	1	13	17	7	0	0	25	0	82
6	GUJARAT	306	864	105	2666	1077	81	29	0	4	3	5139
7	HARYANA	336	307	223	490	529	434	11	0	5	0	2335
8	HIMACHAL PRADESH	132	125	6	227	295	16	0	0	0	0	803
9	JAMMU & KASHMIR	157	474	0	33	376	166	0	0	0	0	1210
10	KARNATAKA	222	193	182	1382	1310	166	20	0	1660	0	5379
11	KERALA	389	149	25	1079	1166	40	0	0	36	29	2916
12	MADHYA PRADESH	3265	960	577	2493	6838	705	1	0	18	0	14959
13	MAHARASHTRA	1444	732	443	9156	3227	870	17	0	615	43	16567
14	MANIPUR	14	59	0	2	19	0	0	0	0	0	94
15	MEGHALAYA	33	13	1	0	24	1	0	0	0	0	72
16	MIZORAM	49	0	0	0	54	0	0	0	1	0	104
17	NAGALAND	9	27	0	2	4	1	0	0	0	0	43
18	ORISSA	617	451	178	861	1690	175	1	0	15	0	4163
19	PUNJAB	178	166	180	225	129	1	21	0	3	2	910
20	RAJASTHAN	1162	2485	349	3920	2583	44	1	0	24	5	10575
21	SIKKIM	9	8	0	0	47	0	0	0	1	0	65
22	TAMILNADU	327	858	112	353	1253	1514	0	0	4491	0	9232
23	TRIPURA	90	43	19	66	94	1	0	0	0	0	313
24	UTTAR PRADESH	1854	2501	1983	3989	2526	118	36	0	36	5	13614
25	WEST BENGAL	855	786	77	3437	1254	22	2	0	19	0	6453
	TOTAL (STATES)	14340	13914	5378	35104	28202	5472	182	0	7554	95	112883
26	A & N ISLANDS	7	2	0	5	9	2	0	0	0	0	25
27	CHANDIGARH	9	26	2	13	13	4	0	0	3	0	70
28	D & N HAVELI	3	3	0	8	7	0	0	0	0	0	21
29	DAMAN&DIU	1	2	0	0	0	0	0	0	0	0	3
30	DELHI	484	925	132	114	694	189	0	0	131	0	2673
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0
32	PONDICHERRY	2	5	1	2	14	4	0	0	18	1	48
	TOTAL (UTs)	506	963	135	142	737	199	0	0	152	1	2840

INCIDENCE OF CRIMES COMMITTED AGAINST WOMEN DURING 1995

SL. NO.	STATE/UT	RAPE	KID. & ABDUC.	DOWRY DEATHS*	CRUELTY BY HUSBAND AND RELATIVES*	MOLESTATION*	SEXUAL HARASSMENT*	IMMPORT. OF GIRLS*	SATI-PRE. ACT*	I.T.P.A.	IND. REP. OF WOMEN*	DOWRY PROH. ACT	TOTAL
1	ANDHRA PRADESH	856	676	362	2829	2677	769	64	0	507	357	65	9162
2	ARUNACHAL PRADESH	25	31	0	1	11	0	0	0	0	0	0	68
3	ASSAM	588	1119	44	485	572	15	2	0	6	0	86	2917
4	BIHAR	1312	832	383	622	563	22	7	0	21	28	982	4772
5	GOA	19	14	2	13	27	6	0	0	62	0	0	143
6	GUJARAT	309	974	61	1926	1042	45	21	1	5	8	1	4393
7	HARYANA	311	297	218	426	483	296	10	0	1	0	0	2042
8	HIMACHAL PRADESH	116	125	6	219	296	14	0	0	5	0	5	786
9	JAMMU & KASHMIR	109	287	5	35	235	140	1	0	0	0	3	815
10	KARNATAKA	263	301	202	1488	1356	192	6	0	1851	0	337	5996
11	KERALA	266	110	21	787	810	14	0	0	39	16	9	2072
12	MADHYA PRADESH	3119	1028	417	2640	7355	765	17	0	16	1	78	15436
13	MAHARASHTRA	1362	782	471	8760	3475	808	13	0	560	109	11	16351
14	MANIPUR	12	64	0	0	24	0	0	0	1	0	0	101
15	MEGHALAYA	17	8	0	0	14	0	0	0	0	0	0	39
16	MIZORAM	41	0	0	0	59	0	0	0	0	0	0	100
17	NAGALAND	16	11	0	0	0	0	0	0	0	0	0	27
18	ORISSA	553	463	196	554	1446	109	0	0	23	0	249	3593
19	PUNJAB	96	140	130	133	73	8	27	0	5	2	0	614
20	RAJASTHAN	1036	2579	369	3202	2121	65	4	0	46	0	2	9424
21	SIKKIM	3	4	0	0	37	0	0	0	1	0	0	45
22	TAMILNADU	268	661	94	345	1212	1078	4	0	5110	2	319	9093
23	TRIPURA	75	40	7	57	80	1	0	0	1	0	0	261
24	UTTAR PRADESH	1808	2337	1850	3165	2631	154	3	0	19	9	653	12629
25	WEST BENGAL	787	811	89	3319	1314	26	12	0	24	0	4	6386
TOTAL (STATES)		13367	13694	4927	31006	27913	4527	191	1	8303	532	2804	107265
UNION TERRITORIES:													
26	A & N ISLANDS	5	4	0	2	13	1	0	0	0	0	0	25
27	CHANDIGARH	5	26	1	18	10	2	0	0	0	0	0	62
28	D & N HAVELI	1	5	1	5	5	0	0	0	0	0	0	17
29	DAMAN&DIU	2	0	0	0	0	0	0	0	0	0	0	2
30	DELHI	372	330	160	95	520	223	0	0	125	3	10	1838
31	LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0	0
32	PONDICHERRY	2	4	3	1	14	3	0	0	19	4	0	50
TOTAL (UTs)		387	369	165	121	562	229	0	0	144	7	10	1994
TOTAL (ALL-INDIA)		13754	14063	5092	31127	28475	4756	191	1	8447	539	2814	109259

SOURCE: MONTHLY CRIME STATISTICS AND CRIME IN INDIA-1995.

NOTE: * - DATA FOR THE STATE/UT OF BIHAR, DAMAN & DIU, GUJARAT AND MEGHALAYA TAKEN FOR MONTHLY CRIME STATISTICS DUE TO NON-AVAILABILITY OF ANNUAL DATA.

Incidence of Crimes committed against children during 1994

STATE/UT	RAPE*	INFANTI- CIDES	FOETICIDE	ABETMENT OF SUICIDE	EXPOSURE & ABANDON- MENT	KIDNAPPING & ABDUCTION OF CHILDREN	PROCURA- TION OF MINOR GIRLS	SELLING OF GIRLS FOR PROS- TITUTION	BUYING OF GIRLS FOR PROS- TITUTION	CHILD* MARRIAGE RESTRAINT ACT	TOTAL
1 ANDHRA PRADESH	360	10	1	0	0	46	2	8	0	0	427
2 ARUNACHAL PRADESH	17	0	0	0	0	0	0	0	0	0	17
3 ASSAM	142	0	0	0	0	12	19	2	0	1	176
4 BIHAR	213	23	0	0	0	77	69	5	0	9	396
5 GOA	3	1	0	0	1	1	0	0	0	0	6
6 GUJARAT	113	4	6	1	43	98	27	0	0	20	312
7 HARYANA	119	2	0	0	4	26	6	0	0	2	159
8 HIMACHAL PRADESH	39	0	0	0	7	22	2	0	0	5	75
9 JAMMU & KASHMIR	5	0	0	0	0	0	0	0	0	0	5
10 KARNATAKA	99	1	0	0	5	7	4	0	0	1	117
11 KERALA	62	1	0	0	1	7	3	0	0	3	77
12 MADHYA PRADESH	809	21	17	3	97	61	10	1	0	3	1022
13 MAHARASHTRA	491	49	17	1	287	102	45	1	1	5	999
14 MANIPUR	1	0	0	0	0	0	0	0	0	0	1
15 MEGHALAYA	7	0	0	0	0	0	0	0	0	0	7
16 MIZORAM	17	0	0	0	0	0	0	0	0	0	17
17 NAGALAND	0	0	0	0	0	0	1	0	0	0	1
18 ORISSA	80	9	0	0	4	30	4	0	0	0	127
19 PUNJAB	42	4	0	0	0	8	0	0	0	0	54
20 RAJASTHAN	205	4	4	2	14	3	1	0	0	3	236
21 SIKKIM	4	0	0	0	0	0	0	0	0	0	4
22 TAMIL NADU	32	1	0	0	1	7	1	0	0	0	42
23 TRIPURA	13	0	0	0	0	2	1	0	0	0	16
24 UTTAR PRADESH	538	0	0	0	4	170	5	0	0	1	718
25 WEST BENGAL	359	0	0	0	0	53	6	1	3	0	422
TOTAL (STATES)	3770	130	45	7	468	732	206	18	4	53	5433
UNION TERRITORIES:											
26 A & N ISLANDS	1	0	0	0	0	0	0	0	0	0	1
27 CHANDIGARH	3	0	0	0	1	2	0	0	0	0	6
28 D & N HAVELI	1	0	0	0	0	3	0	0	0	0	4
29 DAMAN & DIU	0	0	0	0	0	0	0	0	0	0	0
30 DELHI	200	1	0	0	22	123	0	15	0	0	361
31 LAKSHADWEEP	0	0	0	0	0	0	0	0	0	0	0
32 PONDICHERRY	3	0	0	0	0	4	0	1	0	0	8
TOTAL (UTs)	208	1	0	0	23	132	0	16	0	0	380
TOTAL (ALL-INDIA)	3978	131	45	7	491	864	206	34	4	53	5813

SOURCE: MONTHLY CRIME STATISTICS.
NOTE : 1) FIGURES ARE PROVISIONAL.
2) SOURCE : * CRIME IN INDIA DATA.

INCIDENCE OF CRIMES COMMITTED AGAINST WOMEN DURING 1992

STATE/UT	RAPE	KIDNAPPING & ABDUCTION	DOWRY DEATHS	CRUELTY BY HUSBAND & HIS RELA- TIVES	MOLESTATION	EVE- TEASING	TOTAL
1 ANDHRA PRADESH	763	531	424	1842	1773	1079	6412
2 ARUNACHAL PRADESH	25	27	1	2	36	0	91
3 ASSAM	442	611	11	247	113	96	1520
4 BIHAR	1019	267	170	315	151	24	1946
5 GOA	12	13	1	16	37	14	93
6 GUJARAT	285	575	123	1224	852	1199	4258
7 HARYANA	215	228	209	237	306	417	1612
8 HIMACHAL PRADESH	83	147	18	119	233	9	609
9 JAMMU & KASHMIR	123	359	30	1	209	217	939
10 KARNATAKA	150	259	209	985	884	53	2540
11 KERALA	212	72	18	290	553	1	1146
12 MADHYA PRADESH	2658	1052	353	1469	6291	601	12424
13 MAHARASHTRA	961	965	727	6168	2778	352	11951
14 MANIPUR	17	111	0	2	20	10	160
15 MEGHALAYA	25	2	2	1	13	1	44
16 MIZORAM	34	0	0	1	52	0	87
17 NAGALAND	1	0	0	0	1	0	2
18 ORISSA	302	202	152	257	799	106	1818
19 PUNJAB	61	101	101	33	17	1	314
20 RAJASTHAN	818	2434	250	1836	1740	15	7093
21 SIKKIM	11	6	0	0	12	0	29
22 TAMIL NADU	232	467	75	294	635	680	2383
23 TRIPURA	73	55	3	31	122	0	284
24 UTTAR PRADESH	1735	2218	1783	2329	2081	2727	12873
25 WEST BENGAL	615	631	174	1920	384	120	3844
TOTAL (STATES)	10872	11333	4834	19619	20092	7722	74472
26 A & N ISLANDS	5	2	0	6	13	2	28
27 CHANDIGARH	15	19	1	8	9	30	82
28 D & N HAVELI	1	1	0	4	5	0	11
29 DAMAN & DIU	1	1	0	2	0	0	4
30 DELHI	215	709	121	106	226	2303	3680
31 LAKSHADWEEP	0	0	0	0	0	0	0
32 PONDICHERRY	3	12	6	5	40	694	760
TOTAL (UTs)	240	744	128	131	293	3029	4565
TOTAL (ALL-INDIA)	11112	12077	4962	19750	20385	10751	79037

SOURCE : MONTHLY CRIMES STATISTICS.

NOTE: FIGURES ARE PROVISIONAL.

