

## Child Prostitution in India and Ujjawala Project

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The use of child for sexual activities to gain financial benefits, called juvenile prostitution or child prostitution, is not a new phenomenon. Though in many countries there are specific laws against child prostitution but still it is prevalent as a social problem. It involves both boys and girls, and female child prostitution is more common than male. It is estimated that in the last 30 years, trafficking in women and children in Asia for sexual exploitation alone has victimized over 30 million people<sup>1</sup>

Practice of child prostitution is economically unsound, psychologically disastrous, and morally dangerous and physically harmful for a child. One can hardly imagine the extreme trauma that a child under goes. There is a case of a child prostitute who lost her speech after being raped by one who had hired her.<sup>2</sup>These are the scars that the child prostitution leaves on the child prostitutes cannot be erased but to a certain extent can be minimized by welfare measures. Many institutions, NGOs, welfare organizations, government programs provide services to prevent, rescue and rehabilitate the victims of child prostitution.

Present piece of work is an attempt to elaborate the UJJWALA scheme, which is supposed to be most comprehensive scheme to tackle the problem of child prostitution in India. The importance or significance of a welfare programme will be in grey without understanding the nature and magnitude of the social problem in a society for which a programme has been implemented. Keeping this in view this paper is divided in two parts – nature and magnitude of child prostitution in India. After this background information second part of the paper elaborate UJJWALA scheme in rehabilitation of child prostitution.

### CHILD PROSTITUTION IN INDIA: NATURE AND MAGNITUDE

Biologically, childhood is the span of life from birth to adolescence. **According to Article 1 of UNCRC1 (United Nation's Convention on the Rights of the Child), "A child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier."** A child domiciled in India attains majority at the age of 18 years. However, various legal provisions address children with differing definitions.<sup>3</sup>

At present the total population of India is about 1.2 billion, almost a quarter of this total are under 18 years of age. Among them majority of children living in rural and slum areas under the prevalence of poverty ignorance, illiteracy, lack of resources etc. this part of the child population is very vulnerable to the issue of Child Prostitution. Gopal Swaminathan also reported that poverty and lack of employment are the two major reasons for children being trafficked and pushed into prostitution.<sup>4</sup>

But the problem of child prostitution in India is not only the result of poverty, unemployment or lack of resources etc. It is more complicated in Indian social system due to its associations with religion, tradition and myths for example; in some parts of Indian society child prostitution is acceptable through the practice of Devdasi tradition. Devdasi is where young girls are "married" to the "gods" and they then become religious prostitutes, sleeping with priests and others. . There are believed to be around 3 300 devdasis in Belgaum area alone<sup>5</sup>. This act of Devdasi is technically illegal, after the Prohibition of Dedication Act was passed in 1982. However, no one pays any attention to those laws, as many believe it is part of their culture to continue these acts. There is the myth that a man can get rid himself of sexually transmitted diseases if he sleeps with a virgin. Henceforward the fear of HIV/AIDS has increased the demand for virgins and **children**.

In a Sub Group report of MOW&CD, Govt. of India it is found that over the last few years, there has been an increase in trafficking of girls for and through Marriage. In States where there is gender imbalance due to low sex ratio, finding brides for eligible men is becoming difficult. As a result buying brides from other States has become common. In Haryana and Punjab for instance, girls are bought from Assam and other parts of Eastern India for marriage. While trafficking of girls for marriage is a relatively new phenomenon, using marriage as a means to traffic girls into prostitution and farm labour has been an old practice in India. Organizations working in the Balasore district of Orissa have reported an increasing trend of girls belonging to poor families being trapped by middlemen to Eastern Uttar Pradesh with promises of good dowry-less marriage. Inevitably, the aspiring grooms are already married or old. These girls are forced to work as agricultural labourers during the day and cater sexually not only to their husband but to others too at night<sup>6</sup>. This scenario reveals that in India Child sex workers are not restrained to big cities. A survey in Bihar revealed that roadside

brothels for truck drivers in the Aurangabad and Sasaram districts offered sex workers aged between 6 and 18 years. The Agra-Delhi-Jaipur belt is spawning a flourishing trade in child prostitution among Rajasthan's nomadic tribes and entertainers with girls as young as 10 years serving in sex shops along the highway 10 year old tribals forced into sex trade in Rajasthan<sup>7</sup>.

Thus the magnitude of the problem is keep growing day by day a comprehensive study on 'Girls and Women in Prostitution', conducted in 2004, which was sponsored by the Ministry of Women and Child Development, had estimated that there were about 2.8 million prostitutes in the country of which 36% are children<sup>8</sup>. The age of girls entering prostitution gradually decline. In 1998, the average age of girls was 18 years. By 2000, it was 15. In 2003, minors as young as 12 were freely available<sup>9</sup>.

In a report, of Swaminathan it was revealed that "about 200 girls and women enter prostitution daily of which 20% are below 15 years of age"<sup>10</sup>.

60% of the estimated 2.3 million women and child commercial sex workers in India come from Scheduled Castes/Scheduled Tribes/Other Backward Classes<sup>11</sup>.

About 15% of the prostitutes in Mumbai (Bombay), Delhi, Madras, Calcutta, Hyderabad and Bangalore are children<sup>12</sup>. Though child prostitution through tourism is prevalent in Goa, Kerala, Orissa, West Bengal, Rajasthan. Mumbai is believed to be the biggest center for Pedophilic Commerce in India<sup>13</sup>.

According to MOSPI Govt. of India (2012), in the crime of procurement of minor girls West Bengal is highest with 34% followed by Bihar(183 cases) Assam (142), Madhya Pradesh(106)

No doubt Prostituted children suffer from many psychological disorders such as anxiety, insomnia, depression, and post-traumatic stress disorders. They also suffer from poor health conditions such as scabies, tuberculosis, and other communicable diseases. Two studies from India found HIV rates were higher among prostituted girls than among prostituted women (12.5% vs. 5.4% and 27.7% vs. 8.4%)<sup>14</sup>.

The above facts clearly indicate that the problem of child prostitution in India is complex particularly when communities are most often silent and unwilling to speak about this phenomenon. There is an urgent need to tackle this problem seriously. As trends of previous two years shows an overall increase cases under the heads of procurement and importation of minor of girls, selling and buying of girls for prostitution. Nearly 3422 cases in 2010, it increased to 3517 cases in the year 2011. Though during 2006 - 2011 with 5000 cases in 2006, it declined lowest in 2009 with 2848 case<sup>15</sup>.

### **Governments interventions for Prevention of Child Trafficking**

The Government of India has taken significant steps to combat and prevent trafficking and buying and selling of child and women for the purpose of prostitution. Some of the major steps are –

1. Article 23 of the Indian Constitution prohibits trafficking in human beings and beggar and other similar forms of forced labour.
2. "Immoral Traffic (Prevention) Act, 1956". This act protects women and children's use, as commercial commodity in any form. Act also provides protective homes for victims through state government.
3. Under the Indian Penal code, a trafficked girl child has been subjected to the violation of section 372 and 373 IPC, in case of Selling minor and buying for purposes of prostitution etc. respectively.
4. Trafficking of Persons (Prevention, Protection and Rehabilitation) Bill, 2016. "This bill was billed as the country's first ever anti-human trafficking law. The main purpose the bill is to unify existing anti-trafficking laws cover various aspects of trafficking by including various offences pertaining to trafficking and also for prevention, protection and rehabilitation of victims of trafficking, At the district level District Anti Trafficking Committee shall perform such functions and duties in relation to preventing, rescue, protection, medical care, psychological assistance, skill development, need-based rehabilitation of victims"<sup>16</sup>

### **UJJAWALA Scheme: A RADIANCE OF LIGHT**

India has emerged as a source, destination and transit for both in-country and cross border trafficking. The problem of trafficking of women and children for commercial sexual exploitation is especially challenging due to its numerous complexities and variation. Keeping the above issues and gaps in mind the Ministry has formulated a, Central Scheme "Comprehensive Scheme for Prevention of Trafficking for, Rescue, Rehabilitation and Re-Integration of Victims of Trafficking for Commercial Sexual Exploitation—Ujjawala". The new scheme has been conceived primarily for the purpose of preventing trafficking on the one hand and rescue and rehabilitation of victims on the other<sup>17</sup>. The scheme was launched in 4 December, 2007. An outlay of Rs. 5.00 crores was approved for this scheme in 2009-2010. 96 projects of Ujjawala with 58 Rehabilitation homes are operational all over the country<sup>18</sup>. This is the first time when the Women and Child Development departments in the States have been asked to coordinate with the nodal Anti-Human Trafficking Units (AHTUs) for convergence of initiatives for prevention of trafficking, Since 2008, 188 Ujjawala projects across 19 states have been sanctioned.<sup>19</sup>

### **OBJECTIVE OF THE SCHEME**

The main objectives of UJJWALA scheme are -

- To prevent trafficking of women and children for commercial sexual exploitation through social mobilization and involvement of local communities, awareness generation programmes, generate public discourse through workshops/seminars and such events and any other innovative activity.
- To facilitate rescue of victims from the place of their exploitation and place them in safe custody.
- To provide rehabilitation services both immediate and long-term to the victims by providing basic amenities/needs such as shelter, food, clothing, medical treatment including counselling, legal aid and guidance and vocational training.
- To facilitate reintegration of the victims into the family and society at large
- To facilitate repatriation of cross-border victims to their country of origin.

### **TARGET GROUP/BENEFICIARIES**

- Women and children who are vulnerable to trafficking for commercial sexual exploitation.
- Women and children who are victims of trafficking for commercial sexual exploitation.

### **IMPLEMENTING AGENCIES**

The implementing agencies can be the Social Welfare/Women and Child Welfare Department of State Government, Women's Development Corporations, Women's Development Centres, Urban Local Bodies, reputed Public/Private Trust or Voluntary Organizations. The organization must have adequate experience in the field of trafficking, social defence, dealing with women and children in need of care and protection, children in conflict with law, etc<sup>20</sup>

### **THE COMPONENTS OF SCHEME AND PATTERN OF ASSISTANCE**

The Scheme comprises of five components: -

1. PREVENTION
2. RESCUE
3. REHABILITATION
4. RE-INTEGRATION
5. REPATRIATION

#### **1. PREVENTION**

Under the scheme women and children who are vulnerable to commercial sexual exploitation is being prevent through Formation and functioning of Community Vigilance Groups, Balika (adolescent girls)/Balala (adolescent children) Sanghas, Sensitization Workshops/Seminars. Awareness generation through mass media including kalajathas, street plays, puppetry or through any other art forms, preferably traditional, pamphlets, leaflets and posters (in local language)

#### **2. RESCUE**

Under the scheme victims rescued through the safe withdrawal of victims from the place of exploitation. This can be done through gathering the information of such places and rescue operations.

#### **3. REHABILITATION**

To rehabilitate the victims of prostitution, the scheme provide safe shelter homes with basic amenities and needs such as food, clothing, medical care, legal aid, education, vocational training and income generation activities. A NGO named North East Rural Welfare Society sending 30 children victims to the Doboka High School, B.R. Ambedkar Girls High School and Madrassa School which is located near the home and convenient from the administrative point of view for the organization providing Text Books, Note Books, Stationery, School Uniform, Tuition fees and other incidental expenses to the inmates.<sup>21</sup>

#### **4. RE – INTEGRATION**

Re-integration of the victim can be done by two ways- **Half Way Home** :Running a Half Way Home where a group of victims within the community ready for re-integration, live and work out of this place. The Half Way Home is for a group of victims who are gainfully employed and can live socio-independently with minimum supervision. This is a phased approach to re-integration into community.

**Restoration to Families**—The scheme would cover travel of the victim and an escort from destination area to her home town/village, expenses incurred towards her food during her travel and incidental expenses.

## 5. REPATRIATION

Under this component the scheme provide support to cross-border victims for their safe repatriation to their country of origine.

The is now completed only four years ,therefore there are very few studies and research available to elaborate it on practical grounds. Let it is hoped that the scheme will tackle the problem of child prostitution at all level due its comprehensive nature and wide range of services from prevention to repatriation victims of child prostitution.

## CONCLUSION

In concluding remarks we can say that the profession of child prostitution is flourishing in India in recent years is a complex issue due its connection with religion, tradition and certain myths. The consequences of this bad practice leave wounds on the children for whole life . there is a urgent need eliminate child prostitution. In this regard it is hoped that the implementation of UJJAWALA scheme can tackle and potential to eliminate child prostitution due to its comprehensive nature.

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