

Person Not ‘Possession’, Child Not ‘Commodity’- A Study on Child Trafficking in Jharkhand, India

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I. INTRODUCTION

Jharkhand has today emerged as a major source area for intra-country trafficking in India. Most of the trafficking in Jharkhand is of tribals for domestic labour to metropolitan cities where there is a demand for such work. In cities like Delhi, a number of illegal placement agencies have proliferated. These agencies take advantage of legal loopholes to traffic mostly innocent girls in the name of providing employment but instead are put into extreme condition of forced labour. 12-14 hours of work every day is a routine practice for these girls. Many of those rescued also report physical and sexual abuse. Several cases of sexual slavery have also been reported from the victims rescued in Delhi. Some of the victims were trafficked to Haryana and Punjab for the purpose of bonded labour and forced marriage.

Recent news reports also point to the emergence of trafficking of women from Jharkhand for surrogacy, deliver babies who are then sold off.¹

The research portrays about trafficking of children from Jharkhand which mostly takes place through the well-organized placement agency rackets in Delhi. These placement agencies supply tribal children to the homes of national Capital Region consisting of Delhi, Faridabad, Gurgaon and Noida. These agencies mostly target the children of age group 11-16 who remain tight lipped even after exploitation. The trafficked victims are kept in congested rooms, fed barely enough for survival till they are placed somewhere. The luckier ones land in a ‘Kothi’ as a domestic help. The others are sold in marriage or to a brothel where they suffer never-ending abuse in all forms. These victims of trafficking have to go through series of exploitation starting from the source-traffickers, placement agents and employers. The Times of India reports how the death of two girls who were allegedly trafficked from Jharkhand had pushed the Delhi Government to drag its feet on draft bill on placement agencies.² According to UNODC’s (United Nations office on Drugs and Crime) (2013) India Country Assessment Report: Current Status of Victim Service Providers and Criminal Justice Actors on Anti Human Trafficking, red light areas exist in the districts of Dhanbad, Bokaro and Hazaribag. The trafficking affected districts include Garwah, Sahibganj, Dumka, Pakur, West Singhbhum (Chaibasa), Ranchi, Palamu, Hazaribag, Dhanbad, Bokara, Giridih, Kodarma and Lohardaga. Most of the women trafficked from Jharkhand belong to Oraon, Munda, Santhal (including endangered Pahariya) and Gond tribes, out of which, maximum are from Oraon and Munda.

According to the Census of India the number of children between the age group of 5 to 14 years working in Jharkhand is 90,996 in 2011³ In such a situation it would be important to draw attention to missing women and children. In a landmark study of trafficking in India, Sen and Nair (2005) revealed a link between missing women and children and trafficking. Records of rescued revealed that they had been reported missing in their native places. According to Hindustan Times a trafficked tribal girl had been found dead under mysterious circumstances⁴. Hence, it becomes pertinent to also look at data on missing children in the context of Jharkhand.

Data on missing children from Districts of Jharkhand accessed through Right to Information.

Information of missing children of various Districts of Jharkhand collected through RTI Application reveals the following data from 2009-2013

Districts	No. of missing	No. of traced	FIR registered
Seraikela-Kharsawan	62	55	5
Garhwa	78	55	10
Gumla	77	26	0
Singhbhum	246	115	0
Pakur	30	14	0
Simdega	17	8	10
Godda	12	9	12
Palamu	182	100	82
Dhanbad	543	400	23
Koderma	40	22	1
Ramgarh	118	94	19
Jamtara	22	19	6
Chatra	35	33	1
Sahebganj	84	50	8

From the above data total number of missing children were 1546, number of traced were 1000 and among which only 177 children’s FIR was registered.

In order to tackle the problem of missing children the CID, Jharkhand started a missing children helpline with an organisation named Diya Seva Sansthan since October 2013. This helpline alone recorded 2298 calls in the year 2014. Out of these cases were registered by them and 79 FIRs were filed with the police. This resulted in the recovery of 112 children.

Following this better data has been retrieved from CID, Jharkhand for the years 2011-2013.

Table 3.1.3: Number of missing children in Jharkhand, 2011-2013

S r. N o	Distri ct	2011				2012				2013			
		R	T	U t	F I R	R	T	U t	F I R	R	T	U t	F I R
1	Ra nch i	3 5	2	3 3	0	6 0	0	6 0	0	1 1	2 4	8 6	2 3
2	Lo har dag a	1 4	1 3	1	1 4	1 2	8	4	6	3	2	1	3
3	Gu mla	2	0	2	2	1 6	1 5	1	1	4 5	3 8	7	4
4	Si md ega	3	2	1	1	6	6	0	0	5	1	4	4
5	Kh unti	7	6	1	0	1 2	1 1	1	1	5 3	2 0	3 3	4
6	Ch aib asa	3 4	3 1	3	2	2 7	2 0	7	2	1 3	8	5	5
7	Sar aik ela	2 6	2 3	3	0	1 7	1 7	0	0	1 5	1 4	1	1
8	Ja ms hed pur	2 6	2 4	2	2	5 0	4 8	2	2	3 7	3 2	5	6
9	Pal am u	2 9	2 6	3	3	1 6	1 4	2	2	2 1	2 0	1	1
10	Gar hw a	1 3	1 3	0	-	2 4	3	2	-	1 8	3	1 5	-
11	Lat eha r	6	6	0	0	1 1	1 1	0	2	1 3	1 3	0	0
12	Haz arib ag	6	6	0	0	3 7	3 3	4	4	5 1	4 5	6	1
13	Ko der ma	1 8	1 6	2	0	1 0	7	3	0	2 2	1 6	6	0
14	Gir idih	4 4	4 2	2	0	5 6	4 7	9	4	4 0	3 6	4	4
15	Ch atra	8	5	3	0	1 5	4	1	0	2 0	1 4	6	0

16	Ra mg arh	1 5	1 1	4	0	1 4	8	6	0	2 8	1 4	1 4	2
17	Bo kar o	4 1	4 0	1	1	3 5	3 2	3	3	3 6	3 2	4 4	4
18	Dh anb ad	7 9	7 8	1	1	6 9	6 8	1	1	4 3	4 3	0	0
19	Du mk a	5	5	0	-	2	1	1	-	0	0	0	0
20	Go dda	1 4	1 4	0	0	1 5	1 3	2	2	1 1	8 3	3	3
21	Sah ebg anj	7	5	2	0	3 2	2 2	1	1	1 1	6 5	0	0
22	Pak ur	4	4	0	0	6	6	0	0	9	3	6	1
23	De oga rh	3 2	3 2	0	0	4 2	4 2	0	0	3 4	3 4	0	0
24	Ja mta rah	1 1	6	5	-	1 6	5	1	-	5	1	4	-
25	Rai l Dh anb ad	4	0	4	-	1	0	1	0	0	0	0	0
26	Rai l Ja ms hed pur	3	2	1	0	4	3	1	0	2	1	1	0
Tota l		4 8 6	4 1 2	7 4	2 6	6 0 5	4 4 4	1 3 1	3 6 1	6 4 5	4 2 8	2 1 7	6 6

R- Number of Children Reported Missing
T- Number of Children Traced
Ut- Number of Children Untraced
FIR- Number of First Information Reports Filed
source: CID, Jharkhand

From the above data a total no of 1736 children were reported missing of which 452 remained untraced. Attention needs to be given to the fact that only 123 FIRs were filed, which is less than even 10% of the cases. These missing children could be exploited for forced labour, commercial sexual exploitation, adoption rackets, armed conflict, organ trade, or could be used by adults to commit crimes.

II. STRATUM OF EXPLOITATION:

Tribal women and girls account for the most of the trafficking victims and survivors of trafficking. They are mainly exploited for domestic labour, marriage and to brick kilns. Migration of the tribal population from Jharkhand, Orissa,

Madhya Pradesh and Chhattisgarh has been taking place since the last three centuries and more. During the period 1950 and 1980, tribal people migrated to the rural areas of Bihar, West Bengal mainly to work as agricultural labour, but from 1980 onwards, they started migrating to bigger cities like Delhi, Kolkata and Mumbai (Society for Regional Research and Analysis (2010)). Also, migration of single women has increased. These migrating women and girls are vulnerable to trafficking through placement agencies whose agents are spread across Jharkhand.

- **Domestic Labour through Placement agencies:**

This is the most common sector where trafficked victims from Jharkhand are exploited. Delhi, Mumbai and Bengaluru are the most common destinations. A number of placement agencies have come up in Jharkhand and Delhi that supply women and girls as domestic servants. While all this does not sound illegitimate, the situation on the ground is not as straightforward. Intermittently the trafficked women and girls end up working in conditions they may not have agreed to in the beginning. Cases of sexual abuse by the placement agency have been recorded by police. The agencies do not pay them and ensure that the employers pay the agencies instead of the employed person. Some even experience sexual abuse at the hands of the employers apart from physical abuse. Most of the trafficked are minors and are forced to work 12-14 hours a day. ATSEC (2010) also found that a mere one fourth of the trafficked were in contact with their families. In a case stated by Hindustan time on 28th of august 2014 stating how traffickers target Jharkhand school girls to sell them in Delhi.⁵

- **Trafficking in the name of 'Bride' :**

Apart from the burgeoning business of placement agencies in Delhi, women and girls from Jharkhand are also getting trafficked for marriage to Haryana and Punjab. Given the low sex ratio in these regions, trafficking women and girls from poverty stricken tribal villages of Jharkhand is turning out to be profitable for traffickers.

Minor girl sold for Rs 1 lakh to a man thrice her age for marriage in Punjab

15 years old Shanti (name changed) was rescued in a joint rescue operation of Jharkhand Police, Punjab Police and NGO Shakti Vahini in January, 2015 from Karoda village, Sangrur district in Punjab. The girl was allegedly trafficked from her village in Khunti for the purpose of forced marriage and was sold off for Rupees 1 lakh in the Karoda Village which is the land of Bhakra Nangal Dam. She was subjected to all kinds of slavery. Police arrested two source traffickers and two destination traffickers in the case. After a registration of an FIR at the AHTU Police Station, Khunti, the Police could apprehend the source traffickers and could learn that the child was sold off to a person in Karnal for rupees 80,000 along with two other girls. Accordingly, Shakti Vahini and Jharkhand Police planned out a rescue operation of the minor girl and after struggling for two days the team could rescue the child and also arrest two more traffickers who were involved in the case. The girl was sold off by one Mahima and her husband, a native of the same village to one Surrender in Kurukshetra who then further sold her off to one Ranvir Singh @ Nannu aged around 50 years for rupees 1 lakh. Police succeeded in arresting Surrender by letting Pradeep as a decoy customer who was asked to call the former for a deal.

Eight persons arrested for alleged Human Trafficking case in Jharkhand

- **Nefariousness at Brick Kilns:**

Cases have been reported of trafficking of men and boys to brick kilns in Tripura, Bihar, West Bengal, Haryana & Jharkhand. According to the Times of India, Jharkhand haats, melas are the hotbeds of traffickers. Here the gullible tribal youths lure with jobs and marriages are shipped to Delhi and Mumbai.⁶

- **Sexual Exploitation:**

Although not recorded in high numbers in brothel based prostitution, women and girls from Jharkhand are forced into prostitution in unorganized and movable brothels (UNODC, 2013). Cases intervened by the Anti-Trafficking organizations revealed that the victims of human Trafficking are also being exploited sexually by the placement agents and the employer as well in some of the cases. Hindustan Times states how a 13 year old girl from Lohardaga, Jharkhand was forced to act as a surrogate mother and deliver six children by human traffickers.⁷

- **Trafficking in the name of Orphanage:**

The Godda district of Jharkhand witnessed trafficking of children in the name of Orphanage in Kerala for better education. The children in such cases are being sent by creating fake documents in their name and their ultimate fate is uncertain. In a recent case at least 120 children were trafficked to orphanage in Kerala. The children were among the 466 from West Bengal, Bihar and Jharkhand taken into protective custody by the Railway Protection Force in Palakkad, soon after they had got off trains en route to orphanages in Kozhikode and Malappuram. Many of them were found to be returning to the orphanages after the summer vacation, but others, including the 186 above, were new children being brought by agents with the promise of enrolling them at the Mohammed Abdurahiman Memorial Orphanage at Mukkom in Kozhikode and Anwarul Huda Orphanage at Vettathoor in Malappuram. In Godda district, from where 216 children went this year alone to Mukkom. From three children six years ago, there are now more than 300 between 4-15 years of age from Godda at the Mukkom orphanage. Following a directive by the deputy commissioner to profile all such children, the Godda district administration has tracked down 171 of them.⁸

- **Carpet Industry :**

Majority of the children working in the carpet sector, be it in Uttar Pradesh (UP) or in Jharkhand are migrant child labourers from Palamau and Garwa district in Jharkhand. These districts are the prime catchment area for child labourers, especially Garhwa. In any village in the district there is hardly a home where child labour does not exist. Estimates are that there are 11,000 children in Garhwa alone who are child labourers within the carpet industry (UNODC, 2013). Apart from these, trafficking for illegal adoption rackets and forced surrogacy have been reported recently⁹

III. INITIATIVES TAKEN BY THE STATE GOVERNMENT:

The Jharkhand government has of late taken a lot of initiatives but most of them remain on paper and are poorly

implemented. Though the State Advisory Committee on trafficking was set up, the same has not been functioning. The Jharkhand State has formulated a state action plan to combat human trafficking but this has not been implemented so far. This section briefly glances upon some initiatives.¹⁰

Gumption on Child Protection Systems:

Jharkhand has appointed Child Welfare Committee in all districts. Child Protection officers and Child Protection units have also been created. Though the implementation of the ICPS has been slow since 2010 but in the last two years the Government has fast tracked it. Training and Sensitization of Child Protection mechanisms continues to be an area of concern. Child Welfare Committees were also seen to be working without basic infrastructure. There is a need for proper training of CWC members and also to ensure regular sittings of the CWCs. It is important to discuss some initiatives in details here. These initiatives mainly deal with prevention of trafficking and rehabilitation of survivors.

Inhumane Torture: State Government extends support.

Rosy (name changed), a resident of Sahibganj, Jharkhand was employed as a domestic maid in Delhi since four years from the day she was rescued in a joint intervention of Delhi police, Delhi Commission for Women and Shakti Vahini. At the time of rescue the girl was found in a terrible condition with both her ears swollen, her body bearing deep gashes and several injuries and also a deeply injured scalp. According to the medical report, she was being physically abused by her owner causing multiple injuries by hitting her with sticks, brooms, knives and hot pans. She had to undergo plastic surgery in the Safdar Jung hospital, Delhi. After all the legal procedure she was restored to her family in Jharkhand. The Govt. of Jharkhand admitted the girl in a residential school-cum-rehabilitation facility in Khutti under a central government sponsored Mahila Samakhya Project with a motive to provide a better life to the child. In an interview the girl also put forth her desire to return back to Delhi as a teacher to provide education to children. The case is now under trail in Delhi court.

Initiatives by Jharkhand State to Combat Human Trafficking

Sr.No	Initiative	Presence in number of District	Names of Districts (if not in all district)
1	Anti-Human Trafficking Units (Police)	Eight	Dumka, Khunti, Simdega, Gumla, West Singhbhum/ Chaibasa, Ranchi, Lohardaga, Palamu

2	Child Welfare Committees (CWCs)	All 24	-
3	District Child Protection Units (DCPU) under ICPS	All 24	-
4	CHILDLINE	Five	Ranchi, Chaibasa/ West Singhbhum, Dhanbad, Deogarh, Pakur
5	Jharkhand Mahila Samakhya Society	Eleven	Garhwa, Chatra, Giridih, Godda, Sahebganj, Pakur, Ranchi, Khunti, West Singhbhum, Saraikela Kharsawan, East Singhbhum
6	Special Juvenile Police Units (SJPU)	All 24	-
7	Shelter Homes	Under ICPS- 10	Hazaribag, Bokaro, Dhanbad, Gumla, Simdega, Ranchi, Deogarh, West Singhbhum, East Singhbhum, Dumka
		Specialized Adoption Agencies- 3	Bokaro, Ranchi Khunti
		Homes for children with Special Needs- Shelter Homes run by NGOs- 7	Bokaro, Dhanbad, Hazaribag (Govt.) Jamtara, Ramgarh, Chaibasa (NGOs) Jamshedpur, Hazaribag, Jamtara, Khunti, Simdega, Koderma, Palamu

		Swadhar Homes-1	Bokaro
8	Mahila Thana (All Women Police Station)	All 24	-

2017 REPORT ON CHILD TRAFFICKING:

Sr.no	Districts	MB	MG	RB	RG	No Evidence
1	Ranchi	06	01	01	00	05
2	Khunti	14	08	11	07	04
3	Gumla	07	34	02	21	18
4	Simdega	16	31	14	28	05
5	Lohardaga	01	00	01	00	00
6	East Singhbhum	09	07	01	23	14
7	West Singhbhum	02	27	02	00	04
8	Saraikela	01	00	01	02	00
9	Palamu	11	08	08	00	09
10	Garhwa	01	00	00	02	01
11	Hazaribagh	02	09	00	00	11
12	Ramgadh	03	01	03	00	01
13	Koderma	03	01	03	01	00
14	Giridih	01	02	00	01	02
15	Bokaro	07	10	06	08	03
16	Devgarh	03	01	02	01	01
17	Sahebganj	03	01	01	01	02
18	Pakud	02	00	00	00	02
19	Rail Dhanbad	03	03	03	01	02
20	Rail Jamshedpur	12	04	09	02	05
21	Total	107	148	09	96	91

MB- Missing Boys MG- Missing Girls RB- Recovered Boys RB- Recovered Girls

According to the table above total of 255 minors were missing from Jharkhand. Among them 107 were boys and 148 were girls. In various police station FIR has been filed regarding missing children. According to the survey, police have recovered 164 missing children and 91 children are still missing and no evidence have been found. Among them 39 are boys and 52 are

girls. It has been assumed that maximum children had been a victim of Human Trafficking.¹²

IV. CONCLUSION

Given the magnitude of trafficking of mainly women and girls through placement agencies and also the freedom with which these agencies operate, there is an urgent need for the state of Jharkhand to pass a law to regulate these agencies. At present they are taking full advantage of this legal lacunae. The Delhi Government passed an order on 25th September, 2014 recognizing this urgency for the regulation of placement agencies in Delhi. It requires a domestic worker to be above the age of 18 years. All placement agencies are to register with the Labour Department under the Delhi Shops and Establishment Act, 1954 and then also apply for a license to run a placement agency. It also has provisions for opening bank accounts for domestic workers and giving them control of the accounts where their salaries will be deposited.

With there being lack of education, employment and a vulnerable population to trafficking, safe migration practices need to be stressed to prevent trafficking. Apart from a law for regulating placement agencies, the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 needs to be implemented to protect workers from any exploitation from contractors and employers, regular payment of at least minimum wages. Apart from this migrating workers need to be made aware of their rights before migrating, the wages they should be demanding. They need to be provided with helpline contacts in case of any need. Police and helpline providers need to be circumspect at transit points like railway stations and bus stops where traffickers lure potential victims.

Awareness campaigns cannot only put spotlight on the negative effects of migrating. The awareness campaigns should rather make the target population aware of the legal mechanisms in case they find themselves in trouble. They should be catered with helpline numbers. They and their families should be made aware of the need of maintaining contact.

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