

Conflation of Tribal Girl Child Trafficking and Modern Day Slavery in Delhi: A Sociological Analysis

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ABSTRACT

There is strong interconnectedness between girl child trafficking and slavery. The children also have a strong desire to escape their circumstances and also readiness to believe the false promises of the traffickers. The realities of tribal girls/children from Jharkhand, trapped in distress situation and trafficking differ according to specific contexts, reflecting the multi-faceted causes and consequences. The whole of Jharkhand state is in the grip of child trafficking racket and their networks are directly linked to many placement agencies in the capital of Delhi. This paper mainly looks at the interrelationship between trafficking of tribal children, specifically girls and the modern day slavery in the form of captive minor domestic servants which exists among the upper class society of Delhi. In this way the demand and supply, never ending chain of child labour is being perpetuated. And eventually both trafficking and modern day slavery gets sustained. This article also focuses on globalisation and its impact on child trafficking of the vulnerable tribal children of Jharkhand. This paper is a sociological analysis based on secondary data, case studies and personal observations.

Key Words : Trafficking, Slavery, Tribals, Globalisation, Jharkhand, Delhi

INTRODUCTION

Trafficking is not only a terrible crime, mainly sale of women and children but also, an abuse of human rights; it is also a process that contributes to statelessness; a status that denies citizenship rights to the victims of trafficking. United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons (also known as Palermo Protocol). India had signed it in 2002, but ratified it only in May 2011. The definition provided by the Palermo Protocol is applicable to all persons, including children. The Protocol states:

- (i) The recruitment, transportation, transfer, harbouring or receipt of a child for the purpose of exploitation shall be considered “trafficking in persons”;
- (ii) “Child” shall mean any person under eighteen years of age.

The Palermo Protocol is clear that it is not necessary for a child to have been subjected to abusive means of control, e.g., coerced or deceived, in the course of being recruited for the case to constitute trafficking. It is sufficient that a child under age 18 has been recruited and moved elsewhere to be exploited to be regarded as a victim of trafficking. Trafficking has now been adopted in the Indian Penal Code (IPC) under Section 370 in 2013 (CACT Report, 2016).

Trafficking and Slavery:

Trafficking in children is a complex and extremely sensitive phenomenon, inextricably linked to poverty, migration, work, sex, money and violence. Many children and woman are being trafficked for forced labour, child labour, forced marriage, sexual exploitation and bonded labour yet, the fact remains that slavery exists in our world today; human trafficking is directly connected with

modern-day slavery. Trafficking is a global crime and it is organized. It is a multi-billion-dollar industry that creates profits for those who are involved (Kempadoo *et al.*, 2016, pp. 335). It affects millions of people, particularly in poor countries and poor communities.

Interface between “modern day slavery” and “human trafficking”:

Child domestic workers, many of whom are forced to work long hours, in hazardous and often abusive environments, for little or no pay, and often far from home are almost like slaves. Although not all people in slavery-like situations are trafficked, over the years trafficking has come to be recognised as a way to bring human beings into modern day slavery. Human trafficking is the recruitment, transportation, delivery and harbouring of people by force or deception for the purpose of their exploitation. People are turned into goods to be traded within and across national borders, often involving a number of different middlemen. On the other hand, Modern day slavery is a state in which people are deprived of their liberty and treated as things, goods or chattels. This covers the sexual exploitation of victims and their exploitation as workers (“wage slavery”). In some sources, forced labour (involuntary work under threat of punishment) and modern-day slavery are synonymous. Life as a modern slave in the 21st century often involves a cruel combination of wage slavery, sexual exploitation and/or forced labour. This fate is typically initiated and repeatedly redirected by professional human traffickers. So slavery and trafficking cannot always be clearly distinguished (CACT Report, 2016, p.p. 27).

Crisis Situation in Jharkhand and Girl Child Trafficking:

Jharkhand is a state known to have a vast reservoir of natural resources in terms of forest areas as well as minerals. In spite of this immense potential, however, it has not been able to utilize it properly and is thus counted among the backward states in the country. At the same time, tribals have been the worse sufferers due to the process of industrialization, urbanization, globalization and modern development, which has resulted in severe problems of poverty and hunger, exploitation and social exclusion. Jharkhand is beset with many socio-economic problems and extreme poverty in the region facilitates both distress migration and trafficking of women and girls. More than 70 per cent of tribals live below the poverty

line. There is widespread illiteracy, especially among women. Displacement, land alienation, deforestation, detribalization, alcoholism, declining status of tribal women, exploitation by middlemen, ill health, in balanced demography, tribal–non-tribal tension problems related to rehabilitation of those displaced and those which are an outcome of development programmes (Singh and Jha, 2004, Xaxa Report, 2014, Munshi, 2012, Sunder, 2016).

The tribes in Jharkhand lead deprived and impoverished lives. Their economy is excessively dependent on agriculture and forest-based activities but these are seasonal in nature. The seasonal nature is due to lack of irrigation facility and thus they are heavily dependent of rain which ultimately leads to a severe situation of food insecurity. At the same time, the forest too is under threat because of considerable deforestation for activities such as mining, construction and other purposes. Their agricultural output is not sufficient to feed them during their lean season and inadequacy of funds many a times reduces their purchasing power even in case of buying from PDS or public distribution system that has ration shops. In the situation, migration becomes the only survival strategy. Most of the rural families experience great difficulty in trying to sustain themselves. Families’ vulnerability to the trafficking of their children is a symptom of the desperation that exists.

Jharkhand has emerged as a most vulnerable state for trafficking of young girls, children and women for forced labour, slavery and sexual exploitation. A report of UNODC (the United Nations Office on Drugs and Crime) 2010 revealed that forty two thousand young girls were trafficked in Jharkhand. The reports of NGOs working in Jharkhand and of media disclosed that the emerging and profitable human trafficking has attracted many more persons and as result of this human trafficking is said to have taken deep root in the state.

A recent UN Report ‘India country Assessment Report on Human Trafficking 2013’ gave a grim picture of Jharkhand where most of the districts are stuck in the vicious circle of human trafficking. According to the report, child trafficking is been flourishing, in Sahibganj, Dumka, Pukur (Santal Parganas Division), Garwah, West Singhbhum (Chaibasa), Ranchi Palamau, Hazaribagh, Dhandab, Bokaro, Simdega, Khunti, Giridih, Kodarma and Lohardaga districts. The report reveals that Jharkhand is a high source state for human trafficking in India. These districts are primary targets of the women traffickers. The trafficked boys and girls mainly belong

to tribal communities like Gond, Munda, Oraon, Pahari and Santal etc. In fact, with a large tribal population, Jharkhand is a high source state for human trafficking in India. Sanjay Mishra, the director of Bhartiya Kisan Sangh, an NGO in the state says, "There is huge demand for girl child from Jharkhand to work as domestic help, labourers and so on and they are sold for as little as one thousand rupee" (Verma, 2014, pp. 1241).

Trafficking of girls is common in Jharkhand's hinterland. According to the state CID, every year 207 minor (who are mostly tribal girls) are being trafficked from state to metropolitan cities like Delhi. Acute poverty coupled with negligible development and failure in implementation of social security schemes are reasons behind this unending migration and trafficking of girls (*Hindustan Times*, 15 October 2015).

At the other times, it is the desire to explore the world or breakdown in family relations that induces migration. Traffickers often used relatives and close friends of targeted women and girls to lure them and avoid detection by authorities or communities. Traffickers manage to convince and lure these girls to go the metros, promising a good job or marriage without informing her family. Most of the victims are drawn from rural and still very traditional backgrounds where kinship ties are still strong. The elder male or female relative is still regarded with respect and authority. This adds to the victim's dependent state and strengthens the trafficker's control over her youngest known victim being just 12 to 17 years, often who have not completed their school (Hembrom, 2020, pp. 49).

Haats (weekly markets) and Melas (village fairs) have become hotbeds of intermediaries and traffickers to track potential candidates. Haats and Melas usually attract huge gatherings of people and provide traffickers an easy opportunity for their illegal trade in human trafficking. In fact, these are social platforms where boys and girls meet and enjoy the gatherings. In the gatherings, the targeted young boys and girls are often lured with the promise of a good job with handsome salary and also for marriage. The promise of job and marriage profoundly attract them and virtually make them blind to dark side of the said promise because they belong to very humble family background. This made the work of traffickers easy, consequently boys and girls are entrapped by them and they are sent to Delhi, Mumbai, Pune and Goa. Recent cases of human trafficking confirm that young girls are also being pushed into prostitution by traffickers

(Verma, 2014, pp. 1241).

Abject poverty, lack of employment opportunity at home, lack of quality education, vocational training and skill training which lead to high dropout rates from school and colleges are the main cause of trafficking. At the social level, the tribal community system is breaking down due to the increasing individualism created by money economy. The complete disappearance of traditional institutions such as youth dormitory, *akhara*, *tabenjom*, *bitlaha* has led to disorientation and unrest among tribal youth in villages and failed to safeguard the position of women which gets further deteriorated. Alcoholism is another problem which led to break down in the family. There is also a constant breakdown of joint family structure in rural areas. These girls are mostly illiterate, semi-literate and school drop outs. During the last few years, tribal girls have been trafficked by chain of agents in cities for domestic works.

The incidents of trafficking disclose that often traffickers operate through intermediaries and with their active cooperation they successfully convince the guardians of poor families. Unaware of the evils of city and town life, the poor and uneducated tribals are, therefore, the softest targets of human traffickers. It is also said that human traffickers use a variety of methods to create a vulnerable condition for the victims so that the victims do not have any other choice but to obey and follow the traffickers. The girls are promised good jobs by touts but they end up as domestic help bounded agricultural labourers and brick kiln labour (Verma, 2014, pp. 1244).

This trafficking from Jharkhand is highly organized. Illiteracy, lack of sustainable employment, poor irrigation facilities for agriculture, single crop patterns, lack of awareness, political instability are some reasons that make people vulnerable to trafficking. Traffickers take advantage of these situations that make people vulnerable to agreeing to unsafe migration that then ends up as victims of trafficking. There is a network of well organized routes and trains that get frequently used by traffickers for this. The Traffickers mostly use the Jharkhand Sampark Kranti Express, Muri Express and Swarna Jayanti Express to take the children (Situational Report, 2015, pp. 16).

Globalization and Girl Child Trafficking::

Globalization has a profound effect on human trafficking. It has increased the economic gap between

countries and also between regions and communities within a country. Tribes in a developing country like India, experience the threat of globalization, specifically those living in a poor state like Jharkhand as the investment on public welfare has started to decline during this period. Though the growth rate of gross domestic product (GDP) has accelerated since 1990, the major part of foreign investment which flowed into India after liberalization gets invested mostly in developed states like Delhi, Gujarat, Tamil Nadu, Karnataka and Maharashtra, whereas poor states like Jharkhand, Bihar, and so on, received far less, on account of their adequate infrastructure. These poor states are usually dependent on central grants, which get declined due to fiscal constraints (Rath, 2006, Munshi, 2012, Sunder, 2016). This shows that the international capital that has flowed through globalization contributes less to the welfare model of development, and the internal investment made by state is also declining. In this whole process the position of tribal population becomes highly vulnerable. Globalization has accelerated the process of industrialization and gradual erosion of tribal rights over natural resources like land, forests, and commons. There is a constant decline in the tribal working population hence increase in unemployment. At the same time agriculture and forest-based work, which is the main source of income, remained in a stagnant position even in the days of economic reforms because tribes were unable to break from their traditional sources of employment or diversify their occupations (Rath, 2006, Munshi, 2012, and Sunder, 2016). Ironically, due to lack of professional education or skill building, tribes are unable to get jobs in the various industries, mining projects, government and private jobs in their states. So, agriculture and forest resources continue to form their primordial economic activities, but these barely provide food for six months. So migration becomes a survival strategy and tribes mostly work as labourers in the construction sites, brick kilns and other informal sectors. But again, due to poverty, and also because they are innocent and semi-literate, they are severely exploited.

On the other hand in metros like Delhi, as a result of globalization, the realignment of social and cultural relations and radical changes in the labour market, more and more women, who are traditionally confined to the homes, are now seeking alternative, preferred and more viable livelihood options elsewhere like in I.T. sector or multinational companies. The globalized world is experiencing rapid transfer of goods, service and social

aspirations. In the post-reform era the number of women in paid employment has risen. If women in Delhi make a career for themselves and devote a great deal of time to demanding professions, their maids and helpers arrive as a result of the increasing demand for help at home which has become veritable industry.

This dynamic has created a spate of 'survival migrants' to seek employment opportunities as a means of survival as jobs disappear in their place of origin. The desperate needs to migrate for work, combined with high demand for cheap labour in destination cities like Delhi render these migrants, specifically minor tribal girls, highly vulnerable to trafficking. The tools of globalization are beneficial to traffickers. For instance, technology is helping them use all kinds of gadgets, which make it easier for traffickers to operate their trafficking networks, keep in touch with each other, and find out where girls can be sold cheaply. The business of human trafficking became desirable because of least risk, high profits and large demands.

Child Trafficking and Illegal Placement Agencies in Delhi:

Trafficking of children from Jharkhand 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 (Situational Report, 2015, pp. 13).

In Delhi, a large number of illegal placement agencies are involved in trafficking of minor tribal girls and selling them as domestic slaves. For years, the agencies have flourished in this way. These agencies liaise with natives of remote villages, mostly from the eastern part of India like Jharkhand, who, as 'local agents,' carry out the first step in the trafficking process. The agents sell them for about Rs. 20,000 to Rs. 22,000 each to a domestic worker placement agency. The agency then re-sells her to a family as domestic maid, charging

between Rs. 50,000 to Rs. 70,000. The girls are made to work 14 to 16 hours per day and do all household chores, from cooking, cleaning to baby-sitting. They are paid almost nothing. Often their monthly wage is paid to the agencies-not to them. Most of the girls get trapped in this vicious cycle forever. Unaware and often illiterate, they have little knowledge of their rights and no clue of how to return home. The traffickers and agencies make the most of their vulnerability and for years move them from one household to another. Many are also sexually exploited (Sur, 2013).

Most of the placement agencies which recruit domestic maids to different households are not registered and are illegal. The agents act as middlemen who handle the employment of these migrated tribal girls. They take hefty amounts from the employers as commission to provide a maid and on the other hand take away the tribal domestic worker's salary in the name of safety and give a merge amount to her. This way these placement agencies have made it a huge money-minting business. In Delhi, these illegal placement agencies are run by both tribals and non-tribals. Kujur and Jha (2008, pp. 126) have mentioned around 200 placement agencies in their work, but according to Sur (2013) there are around 5000 such illegal agencies only in one neighborhood, SakurBasti. One thing is clear that all of the agencies in different period of time send their agents (both men and women) who have kinship ties in the village, so that they can traffic more minor girls. Lately these agencies have realized that selling of young minors as domestic helps is a lucrative business and also a safe one without any police hassles. One prominent NGO (Bachpan Bachao Andolan) has rescued many minor girls working as domestic maids; most of them were trafficked and got jobs through placement agencies in Delhi. Now the placement agencies have increased their commission from Rs. 20,000 to Rs. 60,000 from employers, which reflect their growing demands for domestic workers. According to the chairman of this NGO, the agents now work through cell phones and don't run offices. They tell their employers to give the salary of the workers to them and don't allow the girls to talk to their parents.

It is almost impossible for trafficked persons to escape from the vicious grip of a placement agency. It is very significant that there is no law to regulate domestic work and placement agencies at the Centre or State (Verma, 2014 pp. 1243).

The Delhi Upper Class and Modern day Slavery: Mindset and Practice:

The high growth in demand for cheap labour generates, promotes and perpetuates trafficking. This is a vicious cycle which includes the exploitative employment practices. The upper- and middle-class mentality to consider domestic work as degrading and dirty and low so they like to engage very young minor tribals (generally between the age group of 12 to 15 are in very high demand). Adult, experienced and literate women are mostly rejected. As these girls are outside the caste system so the notion of impurity is also not attached to them as in the case of dalits, so they are easily allowed to work inside the house and kitchen. The employers are specifically looking for minor girls as they come cheap, complain less and remain tight-lipped while being exploited. And at times it is also possible to hold them in captive as modern-day slaves inside the household. These tribal girls are being reportedly ill-treated at work. Insufficient and stale foods are given to them and they are made to sleep in bathrooms and balconies. One girl complained that she was made to sleep in the rooftop room which had a water tank and every morning she used to get wet as the tank overflows. They have to work for 15 to 16 hours per day. Often beaten and injured very badly with sticks, iron rods, brooms and burnt them with hot tawa and iron. They are being sexually assaulted by their employers or other male relatives in that house or by other male workers like drivers, watchman. A case, of Vasant Kunj, in which a lady executive working in an MNC tortured and injured her domestic help, a tribal teenage girl. One 12 years old Tusu said that she had to take care of an infant the whole day and the owner who was a businessman used to come at 12 midnight. And she had to make chapatti for him and serve him dinner and rest of the family used to sleep. She used to go to bed by 1 pm. And the next morning the owner's family used to sleep but she had to wake up at 5 am and get the breakfast ready. She finally got very sick and they left her with the placement agency. The upper and upper middle class ill treat these trafficked kids like slaves and are completely ruthless with them. The agents provide them with very small girl children and ask for 50 to 60 thousands and tell them that the child is orphan (aage – peeche koi nahi hai). You can keep them to work for their entire life. The owners are well aware about the crime of trafficked children, but they readily agree to pay this amount to the tout or agent. And held the child

captive as slave for domestic work, ironically they themselves are equal partners in this crime. But justify it, by saying that, they are doing a great service just by giving food and shelter to these poor children, as they come from very poor family where there is hunger and starvation. The upper class considered these children as slaves in the sense that they should be treated completely different from their own children. Absolutely devoid from any rights to schooling or to play, away from their family held in captivity for forced domestic labour and servitude.

There is a strong role of illegal placement agencies and their active participation in trafficking of tribal minor girls. The existing laws do not provide them the protection to domestic worker's needs. It is well known that there is no system of social security on which they can fall back upon, many of these tribal domestic workers have become contemporary slaves; many women and children are trafficked and exploited by the placement agencies, which operate openly without any form of restrictions and regulations. In the last decades there has been a tremendous growth in the demand for domestic workers which has led to the trafficking and other forms of exploitation of millions of tribal young women and girls and to meet this growing demands, there has been a spurt of hundreds of placement agencies, providing domestic workers in Delhi, remaining outside the purview of any legislative control.

The tribal girls were sold to families for 40 thousand rupees to work as a maid-servant and ultimately subjected to torture and exploitation. According to Beti Bachao Sanstha's local unit in Jharkhand, only in Delhi more than one lakh tribals are engaged as maid-servant and child labour. They are also sexually exploited by the employer and the staff of placement agencies (Verma, 2014, pp. 1245).

There is very strong government apathy in relation to trafficking of minor tribal girls. There are around 100,000 full-time domestic workers in Delhi and many more part-time helps. However, lack of laws leaves these workers, mostly women and girls, at the mercy of employers and placement agencies (Times of India, 30th October 2013). The Delhi Private Placement Agencies (Regulation) bill, which is being drafted to regulate placement agencies, is yet to be placed before the state assembly (Times of India, 21st July, 2014). In 2010, the National Commission for Women drafted the Domestic Workers Welfare and Social Security Act to shield domestic help against low wages, long work hours and

abuse. But it has been gathering dust. While domestic workers do come under the ambit of laws such as the Unorganized Workers' Social Security Act, 2008, and the Sexual Harassment of Women at Workplace Act, 2013, they have gaps and cannot address all their issues (Indian Express, 23rd May 2020).

Conclusion:

Many a times trafficking is not by coercion but it is out of oppressive or abusive or extreme poverty conditions at home place. The traffickers are very much involved into it creating a whole network of criminals. The Mahatma Gandhi National Rural Employment Guarantee scheme and other welfare and social security schemes are not properly implemented in countryside of Jharkhand. In this backdrop, the human traffickers and placement agencies do their work and successfully trafficked boys and girls by luring them with false promises of high paying jobs, fraudulent marriages and better life etc. (Verma, 2014, pp. 1243).

Tribal children are more vulnerable as they are poor and socially neglected ethnic groups from rural social milieu. The assurance from the recruiters and brokers of earnings lots of money, good jobs, of long-term love and married life, free education and similar false promises raise in these kids hope of escape from their current existence. However, collapse of local economy, rising unemployment, endemic poverty, illiteracy, failure in implementation of social security schemes, a turbulent situation caused by Naxal conflict, a weakened social structure and key role played by the intermediaries (both relatives and local people) have resulted in the newly formed state of Jharkhand to become the latest target for the recruitment of minor tribal girls into modern day slavery of domestic work and as indentured servants and silent slaves. There is absolute no political will from the elected tribal representatives to tackle the issue of child trafficking. Although Social activists, NGOs and community leaders played crucial roles in the rescue efforts of these trafficked kids both in Jharkhand and Delhi.

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