

Prerana's Anti Trafficking Centre



Trafficking Localised in the Neighbourhood



As human trafficking is a highly disguised crime there are not many reliable statistics on it, although a wide range of guesstimates keep making rounds. The only somewhat reliable statistics available are the number of complaints or cases registered at the police stations or at the courts. However, those in itself could be seen as poor indicators of what the actual incidents might be. The overall reporting of the cases is certainly going up because of increased mass awareness, additions of new offences, greater spread of communication channels, and provisions such as mandatory reporting. There are times, though, when one does get to see a pattern in the reporting of cases - that the victims are by and large, marginalized people from the lowest and vulnerable socio-economic and cultural categories.

Govandi is a slum area in a southeastern suburb of Mumbai. The Municipal Ward E that it represents, houses 11.6% of Mumbai's slum population that is largely comprised of legal migrants from various states of India. It is also home to the many legal and illegal migrants from Bangladesh. Govandi is also infamous for being Mumbai's largest dumping ground in which 4,500 tonnes of garbage gets added every day. Over 75 % of Govandi's population lives in slums with little access to basic civic amenities and thus, it is no surprise that this area is known for having one of the lowest human development indices in the city. The area is also unsafe for children as, in recent years a number of cases of trafficking and sexual maltreatment have been reported in and around Govandi.

In October 2018, the Mumbai Suburban Child Welfare Committee (CWC) referred to Prerana a case of a 17 year old girl from Govandi. The girl had been placed in a Children's Home for care and protection. In the initial statement given to the Probation Officer (PO) the child had disclosed about being sexually exploited. A case was thus registered under the Protection of Children from Sexual Offences Act 2012 (POCSOA) and the child was produced before the CWC who then sought Prerana's assistance in the case. This document would refer to the child as 'Aniya' henceforth. The name has been changed to protect the identity of the child.



Picture Credits:NDTV

Abuse in the Neighbourhood

In October 2018, Aniya's mother, a resident of Govandi slum discovered that Aniya was pregnant. Aniya was a minor so her mother took her to a nearby public Hospital where her pregnancy was medically terminated. It was reported that a civil society organization named Apanalaya had provided assistance in terminating Aniya's pregnancy. Apanalaya is well known for its work in urban slums. The procedure resulted in the reporting of the case to the police because of the mandatory reporting provisions in the POCSOA.

After an FIR was lodged at the police station, Aniya was transferred to a Child Care Institution (CCI), the Children's Home (henceforth referred as Home) where a case worker from the Post Rescue Operations (PRO) Team of Prerana met with Aniya. Upon meeting her, the case worker got to know that she had stayed at the same Home for a short time earlier as well.

Aniya had strained relations with her family and whenever altercations sparked in the family, she would take refuge in the house of one of her neighbors, a woman called Abida. Once Aniya lived with Abida for over 10 weeks and Abida ensured that Aniya's parents did not get to know the whereabouts of their daughter. Although Aniya's parents suspected that she was staying with Abida, they did not intervene much.

As per the information gathered from the interaction with Aniya, she had been inducted into the sex trade by Abida. The first time Aniya was sexually exploited was when Abida, the accused sent her in a burkha with a man to a lodge, located in Navi Mumbai (a planned city neighbouring to Mumbai). The man paid Aniya Rs. 500/- of which Abida took away Rs. 450/- and let Aniya have Rs. 50/-. After the first encounter, however, Aniya returned to her parents and refused to indulge in the sex trade or interact with Abida any more. In return, she was threatened and her parents were physically attacked. Over time, Aniya found it difficult to fight back and yielded to Abida's recurrent sinister demands.

Aniya mentioned to the case worker that while Aniya had stayed at Abida's place, she was repeatedly sexually assaulted by Abida's husband, Rahim. Rahim knew of his wife's involvement in the sex trade. Aniya also believed that the accused, Abida had not been arrested by the police because she was the mother to a small child. On a few occasions, Abida would also send Aniya to the client instead of going herself. However, the clients would find Aniya to be too young and would reject her.

The case worker sought the contact numbers of Aniya's parents from her, which she could not give as she could not recollect. However, she could give the phone contact of her friend who was an auto rickshaw driver, and in her version, her 'boyfriend'.

MANDATORY REPORTING

Under Section 19 of the POCSO Act, 'any person (including the child), who has apprehension that an offence under this Act is likely to be committed or has knowledge that such an offence has been committed, he shall provide such information to, – (a) the Special Juvenile Police Unit; or (b) the local police.

Following the initial interaction, Aniya was also accompanied by a case worker, along with the police for a *spot panchnama* (identification of places of abuse). As per her directions they tried to find the place in Kurla where she was sexually exploited for six days but since she could not remember the exact location, the place could not be found. They also went to the lodge where she had mentioned being taken thrice. The name of the man she mentioned was Babu Sheikh, but no such name was found in the register of the lodge. On 24th October, the case worker also accompanied Aniya for her statement before the Magistrate under Section 164 of The Code of Criminal Procedure, 1973.

Family and the Absence of a Safe space

Later in October, the case workers went for a Home visit to meet Aniya's parents, but in vain as the address given was inadequate. As Aniya had been assisted by Apnalaya, the Team met with the Apnalaya staff to find out more details. The Apnalaya staff knew the family and had observed that the parents would blame the child for being out of the house for nights at end, but did not carry out their responsibility to keep the child safe and secure.

The Apnalaya staff helped the Team locate the child's house. After asking around, the Team finally found the house, but in a locked condition. Aniya's cousin, who was around, helped them connect with the family on call. Upon contacting the father, the Team got to know that the father was a labourer and returned home late in the night not before 11 PM. The mother was not home either. The Team informed the father that they would visit again in the morning of the following week.

Meanwhile, a few days later, the Prerana Team prepared and submitted Aniya's interaction report to the CWC. The Investigating Officer (IO) from the local Police Station submitted his report as well. In the FIR, the police had initially added only IPC Section 376 (Punishment for Rape) and Protection of Children from Sexual Offences Act (POCSOA) sections since Aniya had been found pregnant whilst being a minor. However, the victim statement in the FIR clearly stated that the female accused in the case had repeatedly forced her to provide sexual services to different clients in exchange of money, making Aniya a minor victim of commercial sexual exploitation and trafficking. This angle of trafficking had not been brought out in the FIR. The same was brought to the CWC's notice. It was strongly recommended by the Team that the CWC direct the Investigating Officer (IO) to add IPC 370 (Trafficking) and Immoral Trafficking Prevention Act (IPTA) sections in the case after due investigation. Aniya was also presented before the CWC where she admitted to being made to consume narcotics before being sexually exploited.

Following the first unsuccessful visit, the Team paid a second visit to Aniya's house in the following week, where it found both the parents present. The house was located in a narrow by-lane in a slum. The father had a lot of complaints about Aniya and claimed that she had a habit of lying, hated her parents and didn't keep her parents informed about her whereabouts. When the Team asked if Aniya ever borrowed money from him or her mother, he denied giving her any money. The Prerana social workers asked the father and mother, if they ever tried to find out how Aniya was surviving outside the house without any money, to which the parents had no answer.

The Team also found that earlier Aniya had been placed in an institution in Pune by Apnalaya but there was no proof of her stay with that Home nor did the parents remember the name of the Home. The parents told the Team that Aniya had run away from that institution to come back to Mumbai but claimed to not know how she had managed to come back. The parents had also lodged a Missing Child complaint with the local police station.

A couple of days after Aniya had returned from Pune, she was placed at the Children's Home for the first time. In her later interactions with the Team, Aniya also spoke about having been placed at the institution at Pune to facilitate a beauty parlour training course. Even though she could not recollect the address, she mentioned of having stayed there for eight days and left after that as she had been unable to adjust. During the Home Visit, the parents were asked by the Team if they knew the accused, Abida. The parents denied knowing the accused which was in disagreement with Aniya's earlier statement of her mother's acquaintance to the accused.

Rehabilitation of Aniya

After meeting her family, Aniya's case was presented before the CWC wherein her Social Investigation Report prepared by the Team was submitted. The Team discussed the case with the CWC, and it was mutually agreed upon that it was prudent to shift Aniya to another CCI at the earliest. The outcome of the discussion was that it was in Aniya's best interest if she was transferred to the Government Rehabilitation Center for Girls without any further delay.

In the second week of November, 2018, the case worker from the Team received a call from the local police station informing that the police had managed to catch an individual called Babu and since one of the accused persons in the case also had the name Babu, the police wanted to ascertain if they had got the right man. The police informed Prerana that they were taking a photo of the individual so 'caught' to ask Aniya whether he was one of her assailants. An inquiry was made by the case worker on the day of the follow up visit, regarding the identification of the accused by Aniya. The Probation Officer informed the case worker that Aniya had not identified the man in the photo to be the accused and denied having any knowledge about him.

During the case worker's interaction with Aniya in the follow up visit, she was also informed about the Team's visit to her house. The child enquired about her parents' reason for not visiting her till then. She was told that the CWC had asked the local police station to notify the parents that they have been called before the CWC (*if they would have failed to respond to this first call, the CWC would issue summons on the subsequent day*). Aniya was told about her parent's denial of knowing the accused but she stood by her statement and insisted that the parents were not telling the truth.

Aniya wanted to continue her formal education and also desired to be transferred to a different institution. She also wanted her parents to visit her, so that she could inform them about her decision to be institutionalised and instead of staying with them. The case worker explained the concept of an Individual Care Plan and advised Aniya to think of her interests, likes and a direction for her future. An Individual care plan for Aniya has been made and submitted to the CWC.

Towards the end of November, Aniya was transferred to a different Special Home. A day later, she was presented before the CWC by the local police station. The parents were also called before the CWC and informed of the child's transfer. They were also reprimanded for not taking proper care of her. Following this meeting, within a few days the child also met her mother during the parents' meeting, though under supervision. Aniya has also started receiving counselling to help her deal with the trauma that she has been subjected to.



While discussing this case and monitoring the data within Prerana, we realised that in the previous three years from the area close to Govandi there were about 6 to 7 cases of girls being lured into the sex trade. During the same time period, two cases of infants being sold were also reported. These children were to be 'bought' by families who did not want to go through the legal process of adoption. The eventual purpose of this sale of children still happens to be unknown.

There is a greater vulnerability among the children of economically poor backgrounds to be pushed into the sex trade. Thus, to address this observed pattern a meeting was scheduled with Apanayala and other organisations working closely with the communities in this area. The preliminary meeting with the field team of Apanayala resulted in the discussions of cases based on Prerana's field experience and sharing of similar experiences of the field teams in the area.

P.S: We are sure that most of you must be doing such data gathering and analyzing exercises at your end too. If you are, please do share the same with us. We shall be more than happy to share it on our website -

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human trafficking*

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