



EDUCATIONAL STATUS OF CHILDREN OF TRADITIONAL SEX WORKERS IN INDIA

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**A Report by
NATIONAL COMMISSION FOR PROTECTION OF
CHILD RIGHTS**

Field Study by:-

Bal Kalyan Sangh in collaboration with NCPCR

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PREFACE & ACKNOWLEDGEMENT

Education is the fundamentally fundamental to the citizens of this country. The Article 21-A of the Indian Constitution as inserted through Eighty-sixth Amendment Act, 2002 provides for free and compulsory education of all children in the age group of six to fourteen years as a Fundamental Right in such a manner as the State may, by law, determine. However, this Constitutional provision is yet a distance dream for thousands of children belonging to certain communities who are traditionally involved in commercial sex work or known as traditional sex workers.

In the first place, existence of any kind of commercial sex work in the society is an issue of grave concern. It is one of the oldest social evil continues to exists in the society, wherein, women and girls are mainly involved in the commercial sex work. Sex work is a term inclusive of many activities in which resources are exchanged for sexual stimulation, gratification, or other sex acts (World Health Organization, 1994). Several studies have been conducted on the issue of prostitution or sex work. However, this study is of a different in nature for it covers some of the communities in the country that are traditionally involved in the commercial sex work and all the children born into the communities eventually become part of the profession.

Therefore, it is imperative to enquire in details the situation of children especially their education status belonging to the communities practicing traditional commercial sex work as their primary source of income. This is an effort to reach-out to the last child who otherwise left to be sunk into the profession of sex work. I am thankful to my Commission for considering my proposal to conduct a study on *“Educational Status of Children of Traditional Sex Workers in India”* and also like to thank Ministry of Human Resource Development (MHRD) for considering the proposal to fund under RTE Monitoring.

The study reveals that children are being affected because of the practices of sex work in their families. Several children are out of school and there is a notable developmental deficit due to factors inhibiting them accessing and completing their education especially the girl child. It is an established truth that education is the key to human development; therefore, the report tries to dwell in detail the educational situation of children and the factors affecting their development so that pathways can be devised for their reintegration and rehabilitation of these children. It further suggests that there is a need to invest on one generation of children for their education which has to be residential quality education, vocational training and handholding to break the cycle of traditional sex work amongst these communities.

I take the opportunity to thank “Bhartiya Kisan Sangh, Ranchi” for conducting the study on behalf of the National Commission for Protection of Child Rights. The work being done by the Research Team is appreciable for they have gone to the field and organized meetings and one-to-one conversations with the children and community members as well as the concern authorities and officials. I would like to extend my heartfelt gratitude to Shri Raghavendra Sharma, Chairperson-Madhya Pradesh MPSCPCR, Ms. Jagriti Ben Pandya, Chairperson - Gujarat SCPCR, Shri S.P.Singh Member, Rajasthan SCPCR , District Collector of Vidisha, Neemuch and Raisen of Madhya Pradesh, Hardoi-Uttar Pradesh, Bharatpur-Rajasthan, Banaskantha- Gujarat and South West District- Delhi and officers/officials from these districts including District Social Welfare Officer, District Education Officer, Police etc. for their support in the study. Opinion and support was also sought from the authorities like; Juvenile Justice Board, District Legal Services Authority and public representatives MLAs, of Municipalities, Gram Panchayats and NGOs working in these districts for their inputs have enriched the study.

At the end I would like to acknowledge my team members Shri Paresh Shah for his coordination and inputs in the project and Shri Dushyant Meher for helping and giving a shape to this report.

(Priyank Kanoongo)
Member, NCPCR

ACKNOWLEDGEMENT

Bhartiya Kisan Sangh (BKS) established in 1978 is engaged in addressing the multiple vulnerabilities being faced by women, children and marginalized communities in Jharkhand, Eastern India. Child protection and extending support services to the trafficked girls has been the mainstay of our work. Therefore, support and guidance from National Commission for Protection of Child Rights, Government of India in conducting the “Survey on Educational Status of Children of Traditional Sex Workers” was an opportunity in reaffirming our commitment towards children in margin of society. The study has enriched our knowledge and understanding towards children belonging to the traditional sex workers and the issue of prostitution which is an age old social evil exists in the country.

I take the opportunity to express my gratitude to the Chairperson, National Commission for Protection of Child Rights (NCPCR) and all the Members and officials of the Commission for awarding the project to BKS. My special thanks to Shri Priyank Kanoongo, Chairperson, NCPCR who has guided this project during his previous term as Member, Education from its inception till the completion of the report. I put on record my thanks to Mr. Paresh Shah, Technical Expert- Education, NCPCR for his coordination and support provided during the study and the support received from Shri Dushyant Meher, Technical Expert, NCPCR in preparing and shaping the report.

This is to acknowledge all the stakeholders for their valuable support and co-operation provided to Bhartiya Kisan Sangh (BKS) for conducting the Survey on “Educational Status of Children of Traditional Sex Workers in India”. The aim of the survey was to assess educational status, Facilities available and vulnerability of children of traditional sex workers in India and to know the actual situation of the issue and challenges and to address the problems related to the children and their community. The survey has been conducted with five communities in seven districts in five states i.e. Madhya Pradesh, Uttar Pradesh, Gujarat, Delhi & Rajasthan.

I take the privilege to express gratitude and thanks to all the stakeholders for their valuable contribution.

I would extend my special thanks to the organizations that participated and gave their valuable inputs in consultative meetings for the finalization of Research Tools held at Delhi.

My heartfelt gratitude goes to Dr. Raghavendra Sharma, Chairperson of SCPCR, Madhya Pradesh and Members of SCPCR’s Shri. S. P. Singh, SCPCR, Rajasthan; Shri. Ashish Kumar, SCPCR, Madhya Pradesh and Mrs. R. Desai , SCPCR, Gujarat who attended the meetings in their respective states and provided strategic inputs during the study. I also take the privilege to

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I would also put on record their valuable support received from District Magistrate/Collector of South -West Delhi; Hardoi- Uttar Pradesh; Bharatpur-Rajasthan; Vidisha, Raisen and Neemuch of Madhya Pradesh and Banaskantha (H.Q. Palanpur) of Gujarat and Sub Divisional Magistrate of Najafgarh, Delhi.

I also thank all the Govt. officials of all concerned districts and department specially Education, Welfare, Social Justice, Social Welfare, etc. for coordination and accompanying the Research Team in the field.

My special thanks to Shri. Bhuvan Ribhu of Kailash Sathiyarthi Children's Foundation (KSCF) and Mrs. Subhadra Menon, Director-Research, KSCF and their team member Dr. Purujit and Ms. Abza Bharadwaj for their valuable inputs and technical support in conducting the survey.

My thanks also goes to all the respondents- school going children, parents, teachers, school administrations, out of school children, elected representatives of Pranchayati Raj Institutions (PRI) and other Stakeholders CHILDLINE, District Level Service Authority (DLSA), concerned Govt. Departments, officials and others of 7 districts of 5 states in India.

Last but not the least; I would like to thank my research team of BKS comprising of Dr. Vijay Pani Pandey, Team Leader and Shri. Niraj Sinha, Research Associate who have been associated right from the stage of planning, implementation, field work till preparation of the report of the survey. I would put on record about the team members Ms. Anjali Kumari, Ms. Shelly Singh and Mr. Ravish Kumar who have done exceptional field work with the communities and especially Ms. Shilly Menon for her documentation and coordination during the study.

With regards and best compliments.

(Sanjay Mishra)

Secretary, BKS

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EXECUTIVE SUMMARY

National Commission for Protection of Child Rights (NCPCR) has been constituted by the Government of India, as a statutory body under section 3 of the Commissions for Protection of Child Rights (CPCR) Act, 2005 (No. 4 of 2006) for dealing with the protection of child rights and related matters. Under section 13(1) of the Commissions for Protection of Child Rights (CPCR) Act, 2005, has provided certain functions to ensure that the rights of children are protected especially the most vulnerable and marginalized. In addition, the Commission has also been mandated to monitor the implementation of the Right of Children to Free & Compulsory Education (RTE) Act, 2009.

Commission is committed to reach out to the last child to address the violations he/she is facing and alleviate its status from vulnerability to a secured social safety net through various interventions including complaint redressal, policy intervention, regulatory intervention, programme activity, special investigation, recommendation and conducting studies. There are children belonging to certain sections of the society who are vulnerable and victims of their own family traditions and parental pressures. One such group is the children of traditional sex workers. It is ironical, that despite constitutional rights of all citizens to life of dignity, development, protection and education; various policies, programmes and schemes – numerous children belonging to certain communities of traditional sex workers are eventually becoming part of the vicious circle of commercial sex work and leading a life of shame and blame.

NCPCR believes that education is the key to human development and a means to form an equitable society. Moreover, education is the instrument to break the chain of poverty, illiteracy, mal-nutrition and underdevelopment. For the children of traditional sex workers; education with quality is the only tool and mechanism available to prevent them from becoming victims of the traditional practice of sex work.

Therefore, keeping in view the situation of the children of traditional sex workers, a need was felt to systematically assess the educational status of the children of various communities engaged in traditional sex work in India. Accordingly, it was proposed to conduct a detailed survey study. The proposal was moved by the Education Division which was approved by the Commission. Subsequently, the proposal was placed in the PAB meeting of the Ministry of HRD for funding support under RTE monitoring fund with objectives i.e. (a) to identify such communities which are engaged in traditional sex work in different States/UTs of India, (b) to assess the educational status of children of traditional sex workers in India (c) to create a roadmap for repatriation and mainstreaming of children of traditional sex workers.

Methodologies adopted in the survey study are; identification of the habitations/villages and communities engaged in traditional sex work; interaction with District Administration and the concerned departments related to children i.e. ICPS, ICDS, Education, Legal Services, Police, Social welfare, Child Welfare Committee, District Child Protection Unit, Anti Human Trafficking Unit etc.; Meeting at habitation/village level with village heads and community leaders including women, children and male folks and meeting with school teachers and children at the school. A set of questionnaire was designed and administered with 1000 respondents.

Key Findings of the Survey Study are:

- A desk review, interactions with local heads and other sources give “Criminal Tribes Act” a highly responsible factor for the communities to depend on sex work. The Criminal Tribes Act, 1871 was fallout of Sepoy Mutiny and uprising of many revolutions led by tribal leaders. The nomadic and other communities who had been instrumental in providing arms and training to the settlers had to bear the brunt of the Act as many of them were included in the Act. Moreover, it was a systematic plan and conspiracy to suppress the rebellions mushrooming in various parts of the country. There were many communities and tribes declared as Criminal Tribes and their movements and their livelihoods were controlled by the Local Government. Therefore, the tribes started losing hold on their original occupations and also started losing confidence on them.
- The Act was repealed in August 1949 and former "criminal tribes" were de-notified in 1952, when the Act was replaced with the Habitual Offenders Act 1952 of Government of India, and in 1961 state governments started releasing lists of such tribes. There were many such communities de-notified and included in the categories of Scheduled Tribes with provisioning of schemes and programmes meant for them. The Constitution of India gives them some special provisions including the reservations in jobs. However, there are a few communities and tribes whose issues are much deeper and require special interventions and policies to root out their problems. They are marginalized even amongst the marginal communities. These communities live in isolation and do not interact with the general public. A few such communities have adopted commercial sex work as their livelihood option and they have been practicing this profession for survival and also for easy money.
- The communities under study prefer to live in isolation from rest of the society. In most of the cases, it was found that they live in separate village or locality and don't want to interact or mingle with outsiders or people from other communities. It was not easy to make them speak and discuss various issues related to their age old tradition and its impact on the lives of their children comfortably.

- Most of the children from the communities highlighted that the teachers were co-operative and sensitive. However, while capturing case studies of children it was revealed that teachers sometimes use harsh and derogatory words while addressing them.
- Interactions of these traditional sex workers communities with other communities and with neighbors are evidently poor. Children in group meetings revealed that although children from other communities are classmates and are acquaintances but they usually don't mingle, play or eat together.
- Given the socio-culture dynamics of these communities, while capturing the case studies, it was observed that children often didn't receive any support from their parents for their education.
- Parents are not enthusiastic for education of their children as they do not have any aspiration regarding future of their children.
- Most of the children said that they don't dare to ask teacher if they could not understand something that the teacher had taught in class.
- Children are discriminated in the school. Children of the communities shared that they are often abused and discriminated by the children from other communities.
- Children of the traditional sex workers community have the same potential as other children of society; however, they lack opportunity to develop their potential. There are many success stories that came to the knowledge of the research teams which are inspiring.
- It was also came to the notice of the team that some years back children from *Bedia* community from *Raisen* were put into hostels , however, this prospective children had to be discontinued as there were discriminated by other children.

Key Recommendations

There is a need to devise pathways for ensuring quality education, rehabilitation, repatriation and re-integration of the children of traditional sex workers.

There is a need to formulate strategies to prevent children from eventually becoming the part of the profession. These children need residential facilities, otherwise they eventually become part of the family profession.

Need to invest in education for an entire generation of the children by providing them residential education facilities which would help insulate the influence of their traditional practice.

The interventions by NACO have to be sensitive towards the children and comprehensive for the overall development of the communities rather than having a singular objective of HIV prevention. The HIV interventions should be in convergence with the other programmes from other Departments like; education, nutrition, health, child development, skills etc. The officials and the outreach workers under NACO programme should be sensitized on POCSO Act, 2012 also.

Based on the experience and interventions by the researchers in the field; it is suggested that there is a need for proper investigation by the police authorities to find out whether the children are also engaged in the family trade. There may be cases of violations as per the POCSO Act, 2012 and a detailed inquiry may be required.

There is a need for a special scheme meant for the communities engaged in traditional sex work as the conventional schemes of the States or Union Government do not address the core issues faced by these communities.

There is a need for a convergent action by all the Departments at Block, District and State levels to take care of the needs of the communities, prevent the children from becoming part of the family profession and for their rehabilitation.

Children after the age of 15 may be provided life skills and vocational training and handholding till they get a job or capable to earn their livelihood and sustain themselves.

A convergent action is required amongst the schools, tinkering labs and vocational training Centers for effective coordination, exposure to the children and skill building.

Incubation facilities, training and infrastructure like looms may also be made available at the residential facilities for the children for them to develop interest and skills for their effective rehabilitation.

There is a need to adopt two pronged strategy and schemes of facilities meant for two generations of children of traditional sex workers i.e. who are currently staying with their parents and the new generation for whom a targeted intervention is required from their early childhood.

INTRODUCTION

The existence of commercial sex work is an issue of grave concern in the society. Prostitution is one of the oldest social evils in the society, wherein, women and girls are mainly involved in the commercial sex work. Sex work is a term inclusive of many activities in which resources are exchanged for sexual stimulation, gratification, or other sex acts (World Health Organization, 1994). The term sex work, or commercial sex work, is generally understood to include a wide range of behaviors and venues, such as stripping, street prostitution, brothel prostitution, paid domination, and sexual massage, among others. There are several studies conducted on the issue of prostitution or sex work. However, the current study is a different one for it covers some of the communities that are traditionally involved in the commercial sex work and the children born into these communities eventually become part of the profession.

It is ironical, that despite constitutional rights of all citizens to life of dignity, development, protection and education; various policies, programmes and schemes– many children belonging to certain communities eventually are becoming part of the vicious circle of commercial sex work and leading a life of shame and blame.

Therefore, keeping in view the mandate of the Commissions for Protection of Child Rights (CPCR) Act; it is imperative for the NCPCR to enquire in details into the situation of children, especially their education and well being, belonging to the communities practicing traditional commercial sex work as their primary source of income. Consequently, an initiative is being taken up to reach-out to this last child who would otherwise is left to be sucked into the profession of sex work.

On the basis of a primary desk review and news reports like by CNN-IBN on child sex trade - geographical pockets and communities were identified to cover in the study. Five communities of traditional sex workers i.e. *Nat, Bedia, Banchhada, Saraniya & Perna* residing in five states in Northern and Central India are the universe of the study.

ABOUT THE STUDY

The constitution of India guarantees fundamental rights to all children in the country and empowers the State to make special provisions for them for their protection and development. The State is responsible for ensuring that childhood is protected from exploitation and from moral and material abandonment. The Government has accordingly made laws, policies, plans and programmes to this effect.

Education is the key and the foundation stone for creating an inclusive society and strengthening the social fabric of democracy. The Directive Principles of State Policy enumerated in our Constitution lies down that the State shall provide free and compulsory education to all children up to the age of fourteen years. With the insertion of Article 21A in the Constitution by the Eighty-sixth Amendment Act, 2002; the Right of Children to Free and Compulsory Education Act, 2009 popularly known as Right to Education Act came into being. Simultaneously, the Sarva Siksha Abhiyaan (SSA) which is the vehicle for the implementation of the Right to Education Act is being implemented by the Ministry of Human Resource Development to fulfill the provisions being provided under the Act. As per section 31 of the Right to Education Act, 2009; National Commission for Protection of Child Rights (NCPCR) has been mandated to monitor the implementation of the provisions of the Act.

The National Commission for Protection of Child Rights (NCPCR) has been constituted by the Government of India, as a statutory body under section 3 of the Commissions for Protection of Child Rights (CPCR) Act, 2005 (No. 4 of 2006) for dealing with the protection of child rights and related matters. Under section 13(1) of the Commissions for Protection of Child Rights (CPCR) Act, 2005, has provided certain functions to ensure protection of rights of children.

The Commission has been engaged in several initiatives to ensure that the constitutional entitlement of right to education is available by all the children in the country especially for children in difficult circumstances and belonging to the vulnerable communities. Children being Out of School is also one of the issues being pursued by the Commission. Commission had raised this issue in the meeting of 64th Central Advisory Board on Education (CABE) chaired by the Minister of Human Resource Development. Subsequently, a Sub-Group was formed in the CABE where NCPCR was a part of the group. As approved by the CABE, NCPCR organized a two days consultation workshop to devise pathways for re-engagement of Out of School Children in the mainstream of education. The outcomes of the consultation formed major part of recommendations of the Sub-Group. In addition, the definition of the Out of School Children emerged in the consultation was also reflected in the Child Labour Rules, 2017.

Although, India is one of the fastest growing economies, the economic benefits have not filtered down to the poor. There are plethora of schemes and developmental programmes however, there are certain communities and families that are still out of the developmental fold. Most significantly, these are traditional sex workers. They are alienated from the modern world and the lack of education is one of the prime reasons for it. There are certain communities who have traditionally adopted the profession of prostitution for their survival. The girls and women in these communities have little choice except to succumb to the profession.

To understand the phenomenon of traditional sex workers especially to devise a strategy to bring their children into the school education fold; Commission decided to undertake a survey namely “Educational Status of Children of Traditional Sex Workers in India”. To identify the communities and their geographical locations, all the Chief Secretaries of the States were requested to provide information. It was mentioned that, currently, in India there are several children and women belonging to certain communities that are engaged in age-old tradition of commercial sex work as an occupation. Children of these communities often by force or with no choice take on to this traditional occupation of commercial sex work, thereby depriving themselves of their guaranteed fundamental rights enshrined under the Constitution of India. It was also mentioned that in order to wean away children belonging to communities of traditional sex work, the Commission is initiating a survey to assess their educational status. It was requested that the States may identify and provide names and numbers of any/all communities along with the areas of concentration by residence of your State/UTs, who are engaged in traditional sex work as an occupation. However, no response was received from any State.

The Criminal Tribes Act 1871 and the Communities Practicing Traditional Sex Work.

The Britishers branded a number of marginalized population groups (‘tribals’) who were innately criminal and made elaborate arrangements for their surveillance. This sat well with the larger strategy of imperial governance— the policy of keeping the subject population segregated and sequestered into various divisions. This was a well planned conspiracy especially after the 1857 uprising against the East India Company and subsequent events of voices being raised against the Company and the British rule. The Company's rule lasted until 1858, when, after the Indian Freedom Movement of 1857, it was abolished. With the Government of India Act 1858, the British government assumed the task of directly administering India in the new British Raj.

The year 1857 and 1858 were the most traumatic years faced by the British Army in India. The Indian Mutiny resulted in the soldiers of many regiments turning against their British Officers, often murdering them, and pillaging the area. As a direct result of the Indian Mutiny all troops in India were transferred from the service of the East India Company to that of the Crown. Queen Victoria assumed direct responsibility for the government of India and the East India Company virtually ceased to exist.

The experience of Indian Mutiny compelled the British Raj to adopt various means and policies to control the territories and people of India. One of the strategies was to empower the local

administration to exert power to control local voices and rebellions led by various groups and communities which were a challenge to the British Raj. One of the strategies was the adoption of Criminal Tribes Act, 1871. When the Bill was introduced in 1871 by T. V. Stephens, stress was laid on ethnological theories of caste which linked profession, upbringing and background. The 1871 Act came into force with the assent of the Governor-General of India on 12 October 1871. Under the act, ethnic or social communities in India which were defined as "addicted to the systematic commission of non-bailable offences" such as thefts, were systematically registered by the government. Since they were described as 'habitually criminal', restrictions on their movements were also imposed; adult male members of such groups were forced to report weekly to the local police.

As per the Act, if the Local Government has reason to believe that any tribe or class of persons is addicted to the systematic commission of non-bailable offences, it may report the case to the Governor General in Council, and may request his permission to declare such tribe or class to be a criminal tribe. Further, it mentioned that if such tribe or class has no fixed place of residence, the report shall state whether such tribe or class follows any lawful occupation and whether such occupation is in the opinion of the Local Government facilitating the commission of crimes will be reported. If upon the consideration of any such report, the Governor General in Council is satisfied that the tribe or class to which it relates ought to be declared criminal then he may authorize the Local Government to publish in the Local Gazette a notification declaring that such tribe or class is a criminal tribe, and thereupon the provisions of this Act shall become applicable to such tribe or class. It was a dangerous provision in the Act that states "No Court of Justice shall question the validity of any such notification and every such notification shall be conclusive proof that the provisions of this Act are applicable to the tribe or class specified therein".

The term Criminal Tribes Act (CTA) refers to various pieces of legislation enforced in India during British rule; the first enacted in 1871 as the *Criminal Tribes Act, 1871* applied mostly in North India. The Act was extended to Bengal Presidency and other areas in 1876, and, finally, with the *Criminal Tribes Act, 1911*, it was extended to Madras Presidency as well. The Act went through several amendments in the next decade and, finally, the *Criminal Tribes Act, 1924* incorporated all of them.

The Criminal Tribes Act, 1871 is fallout of the Sepoy Mutiny and uprising of many tribal leaders. The nomadic and other communities who had been instrumental in providing arms and training to the settlers had to bear the brunt of the Act and many of them were included in this Act. It was a systematic plan and conspiracy to suppress the rebellions mushrooming in the various parts of the country. There were many communities and tribes declared as Criminal Tribes and

their movements and their livelihoods were controlled by the Local Government. Therefore, the tribes started losing hold on their original occupations and had to look for alternate livelihoods.

At the time of the Indian independence in 1947, it was estimated that around thirteen million people in 127 communities faced search and arrest if any member of the group was found outside the prescribed area. The Act was repealed in August 1949 and former "criminal tribes" were de-notified in 1952, when the Act was replaced with the Habitual Offenders Act 1952 of Government of India, and in 1961 State Governments started releasing lists of such tribes.

Today, there are 313 Nomadic Tribes and 198 De-notified Tribes of India, yet the legacy of the past continues to haunt the majority of 60 million people belonging to these tribes, especially as their historical associations have meant continued alienation and stereotyping by the police and the media along with economic hardship. A large number of them can still only subscribe to a slightly altered label, Vimukta jaatis, or "Ex-Criminal Tribes".

There were many such communities de-notified and included in the categories of Scheduled Tribes with the provision of schemes and programmes meant for them. The Constitution of India provides them with some special provisions including the reservations in jobs. However, for a few communities and tribes their issues are much deeper and require special interventions and specific policies to resolve their problems. They are marginalized amongst the marginal communities. These communities live in isolation and do not interact with the general public. A few such communities have adopted commercial sex work as their livelihood option and they have been practicing this profession.

To understand the situation of children especially their status of education, 5 such communities were identified for this study. The status of these communities in respect to the Criminal Tribes Act is given as under:

Name of the Community	State of Residence	Status of Classification		
		De-notified	Nomadic	Criminal Tribe
NAT COMMUNITY	Bihar		Nat (Muslim)- Nomadic	
	Chandigarh		Nomadic	
	Chhattisgarh		Nomadic (kalbela)	
	Delhi	De-notified (Nat, Rana)	Nomadic (Nat, Bazigar)	

Name of the Community	State of Residence	Status of Classification		
		De-notified	Nomadic	Criminal Tribe
	Gujarat		Nomadic	
	Haryana	De-notified		
	Himachal Pradesh	De-notified		
	Jharkhand	De-notified		
	Karnataka	De-notified		
	Madhya Pradesh	De-notified		
	Maharashtra	De-notified		
	Punjab	De-notified	Nomadic	
	Rajasthan		Nomadic	Criminal Tribe
	Tripura	De-notified		
	Uttarakhand	De-notified		
	West Bengal		Nomadic	
	Uttar Pradesh			Criminal Tribe
BEDIA COMMUNITY	Assam		Nomadic	
	Bihar		Nomadic	
	Chhattisgarh	De-notified		
	Jharkhand	De-notified		
	Madhya Pradesh	De-notified (schedule caste)		
	Odisha	De-notified		
	Rajasthan	De-notified		
	UP	De-notified		
	West Bengal		Nomadic	Criminal Tribe
PERNA	NCT of Delhi	De-notified	Nomadic	
BANCHHADA	Madhya Pradesh	De-notified		Criminal Tribe

(Report on Denotified Tribes, Nomadic Tribes and Semi-Nomadic Tribes of India- National Commission for De-notified, Nomadic & Semi-nomadic Tribes, Ministry of Social Justice & Empowerment, 2016)

Nat also spelled “Nut”: The Nat community is inhabiting in several states of India. They are basically a community of acrobats and performers. The name Nat is derived from the Sanskrit word nata (dancer), a term associated with their acrobatic skills. The Nats are mainly Hindu, with a small number who are believed to have converted to Islam. A small percentage of the community is involved traditionally in commercial sex work.

Bedia: Bedia is a community/clan found in North India and some parts of Eastern States. The community is listed as a de-notified tribe and schedule caste in six States and also as a nomadic tribe in two States. In addition, the Bedia community is also listed under Criminal Tribes Act 1871. Bedia's are famous for Rai dance. The community is synonymous with the Rai dance - frowned upon by many for its suggestive moves - performed by young girls in a group with drummers and singers.

Perna: Perna community is found mainly in the state of Haryana and NCT of Delhi mostly in the districts of Rohtak, Gurgaon, Faridabad and Sirsa and also in Najafgarh area of South – West Delhi. Perna is a de-notified and nomadic tribe listed in the Ayangar Committee report. Though, the law was repealed and the tribes de-notified, the identification of these communities as ethnic groups with criminal antecedents continues to this day, leading to everyday discrimination in terms of access to education and jobs, as well as brutal violence by neighboring communities and police personnel.

Banchhada: The Banchhada community is listed as de-notified tribe and also listed under the Criminal Tribes Act, 1871. They are mainly settled in Ratlam, Mandsaur and Neemuch districts of Madhya Pradesh mainly near NH 79. The community is dependent on commercial sex work for their livelihood. The members of this community consider the birth of a girl child auspicious, as she is a prospective earning member of the family.

Sarania: Saranias are mainly from Gujarat. Trained in shining and sharpening swords, their job was to upkeep the weapons of the troops, while the womenfolk tagged along to entertain the soldiers in their spare time. Over a period of time, the trained Sarania women singers and dancers started entertaining the rich landlords and small princes. But with the abolition of the *zamindari* system after Independence, commercial sex became eventually a source of income for their families.

There are sufficient indications and reasons for the British Government to adopt such means to deal with tribes who do not confirm to their ideals and rebelled against the British Rulers. The so called “Kala Kanoon” a black law is a systemic step of the British raj to tackle the rebels who otherwise can be a problem for them. Many of these tribes were well trained in making different arms including Bow and Arrows and knew how to use these arms. The Criminal Tribes Act was passed by the British raj on the basis of experience and feedback received from the East India Company that had several confrontations with the tribal groups. The Army of the East India Company had a hard time quelling the uprising of the tribes. Therefore, after declaration of British raj in India, adoption of such a law was necessary for the Britishers.

After independence, several steps have been taken up to address the issues of nomadic tribes. National Human Rights Commission, in February 2000 recommended repeal of the Habitual Offenders Act, 1952. Later in March 2007, the UN's anti-discrimination body Committee on the Elimination of Racial Discrimination (CERD), noted that "the so-called denotified and nomadic which are listed for their alleged 'criminal tendencies' under the former Criminal Tribes Act (1871), continue to be stigmatized under the Habitual Offenders Act (1952) (art. 2 (1)), and asked India to repeal the Habitual Offenders Act (1952) and effectively rehabilitate the denotified and nomadic tribes. According to the body, since much of 'Habitual Offenders Act (1952)' is derived from the earlier 'Criminal Tribes Act 1871', it does not show a marked departure in its intent, only gives the former notified tribes a new name i.e. Denotified tribes, hence the stigma continues and so does the oppression, as the law is being denounced on two counts, first that "all human beings are born free and equal", and second that it negates a valuable principle of the criminal justice system – innocent until proven guilty.

In 2008, the National Commission for Denotified, Nomadic and Semi-Nomadic Tribes (NCDNSNT) of Ministry of Social Justice and Empowerment recommended that same reservations as available to Scheduled Castes and Scheduled Tribes be extended to around 110 million people of denotified, nomadic or semi-nomadic tribes in India; the Commission further recommended that the provisions of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 be applicable to these tribes also. Today, many governmental and non-governmental bodies are involved in the betterment of these denotified tribes through various schemes and educational programs.

In spite of all the facilities provided by the Government of India, the social position of the criminal tribes is quite the same as before. The stigma is still thrust on them. These people are unable to free themselves from stigma.

The communities have also experienced interventions that are going against their interest including the interventions by the National AIDS Control Organization (NACO), Ministry of Health & Family Welfare targeting the commercial sex workers for use of contraceptive methods to prevent HIV infection. The targeted interventions have brought shame to the community and they got more stigmatized. As a result, the communities are apprehensive about the government interventions.

There are programmes/schemes like Residential Special Training Centre (RSTC) and Non Residential Special Training Centres (NRSTC) to reach out to the children who are otherwise do not come into the mainstream of education.

In addition to Schemes and Programmes of the Ministry of Human Resource Development; there are other schemes under various Ministries and Departments to benefit children especially children who are vulnerable and children belonging to vulnerable families and communities. However, a large number of children are out of school and not benefiting by the schemes like Kasturba Gandhi Balika Vidyalays (KGBV) designed for them.

Keeping in view the above mentioned facts, in order to systematically assess the educational status of children of various communities engaged in traditional sex work in India, it was proposed to conduct a detailed study. The proposal was approved by the Commission and the proposal was placed in the PAB meeting of the Ministry of HRD for funding support with following objectives of the study:

- a) **To identify such communities which are engaged in traditional sex work in different States/UTs of India.**
- b) **To assess the educational status of children of traditional sex workers in India.**
- c) **To create a roadmap for rehabilitation and mainstreaming of children of traditional sex workers.**

Precursor to the Study

- Member, Education during his field visits to Madhya Pradesh interacted with the children of Bedia Community to understand their educational status socio-economic condition of their parents. Prima facie it was observed that to understand their education and wellbeing, a detailed interventions or study is required.
- A letter was sent to all the Chief Secretaries of all the States. It was requested to identify and provide names and numbers of any/all communities along with the areas of concentration by residence of the State/UTs, who are engaged in traditional sex work as an occupation. However, no response was received from any State.
- Desk Review and news review conducted in the Commission reveal that there are several communities traditionally practicing sex work and their children are affected by their profession and becoming part of it.

METHODOLOGIES OF THE STUDY

The universe of the study is certain communities of traditional sex workers in India covering various aspects of the education of their children. Accordingly, the study included school-going children and drop-out children, teachers, parents and community members. The target groups are chosen in such way that only the status of education of the children but also the factors that lead them to seek education and the reasons for dropping out. The data collection work was carried out by a team of researchers from Bhartiya Kisan Sangh (BKS), Ranchi with the help of District Administration and States under the guidance of NCPCR.

Tool and questionnaires: A set of questionnaire was drafted by the core research team of BKS and was submitted to NCPCR for examination. A consultative meeting was organized at the Conference Room, NCPCR with a few expert agencies and technical staff of the Commission. The feedbacks received in the consultation were incorporated in the tool devised. It was also advised to conduct piloting of the questionnaire for fine tuning to administer with all the stakeholders. Accordingly, a piloting drive was carried out with Perna community in Delhi.

Training of Researchers & Planning: An orientation programme was organized for the Researchers wherein entire research plan was discussed. Various stages of the Research work and the issues related to organize focus group discussion, administering of the individual questionnaire, meetings with officials, arrangement of data and information, tabulation and reporting format were thoroughly discussed and strategized. The Research teams were formed for different zones/locations to carry out the field work.

A dedicated team was identified for the quality checking, transcription, compilation and writing reports for various sections of the main report.

Sample Size

The aim was to cover a minimum of 1000 respondents from the selected communities including school going children, drop-out children, parents, teachers and community leaders. The coverage of respondents was based on availability of children, parents and other stakeholders in the field. Table 1 presents the community-wise number of respondents who participated in the study.

Table 1: Sample Coverage

SN	Community	State	District	Meeting with District level Officials	Number of Teachers Interviewed	No. of School Going Children			Number of Parents	No. of Drop-out Children		
						Boys	Girls	Total		Boys	Girls	Total
1	Perna	Delhi	South - West Delhi	21	19	16	28	44	22	2	6	8
2	Nat	UP	Hardoi	14	2	54	73	127	20	3	4	7
3	Bedia	Rajasthan	Bharatpur	15	23	92	89	181	15	2	10	12
4		MP	Vidisha	36	22	44	56	100	14	0	13	13
5			Raisen	21	6	36	22	58	20	7	5	12
6	Bachhara	MP	Neemach	9	14	69	59	128	23	22	2	23
7	Saraniya	Gujarat	Banaskata	38	2	36	14	50	12	10	20	30
	Total			154	88	347	341	688	126	46	59	105
NUMBER OF RESPONDENTS : 1161												

1. Focus Group Discussions & Group Meetings:

Focus group discussion is one of the established methods of collecting data and information through a dialogue or group discussion. It is a way of brainstorming on a particular issue. Therefore, focus group discussion was adopted as one of the strategies, wherein, group of respondents were engaged in an open-ended discussion to discuss the status of education, behavioral aspects of teachers, school staff, attitude of other communities towards the children of traditional sex workers communities. It also helped to understand the laxity and negligence being faced by the children at home or biases in social or school environment. During the discussions, the responses of the group members were being captured in a set format. Focus Group Discussions were organized with the following three target groups i.e. (a) Children in School (b) Drop-out Children (c) Teachers.

2. Interviews of Parents: Parents are the most important stakeholders, providers and most influential factors for the children. To understand their perspectives, a structured schedule was prepared and used to understand major issues concerning educational status of children and their mindset.

3. District level Meetings: A District level meeting/workshop was conducted with officials from all concerned departments, agencies and voluntary organizations to obtain preliminary

information about the said communities of concerned districts. It was also intended to sensitize district level officials on issues related to children of those communities who are traditionally involved in the commercial sex work.

CONSTRAINTS/CHALLENGES FACED IN CONDUCTING THE STUDY :

- a) The rapport building with these communities was a challenge, the as the community was suspicious about the interventions of outsiders'. With some communities, it was difficult even for ice breaking.
- b) Most of the people of said communities were found introvert and even hostile in responding on issues which they did not like to discuss. In some of the villages, we also encountered non – cooperation and even mild threat for asking questions regarding the practice of sex work in society.
- c) It was also a major limitation of the study that communities like Bedia, Bachhara and Saraniya did not want to involve adolescent girls in a one to one interview. Most of the time, any male person used to be present during the FGD or personal interviews.
- d) A percentage of drop-out children are involved in some petty works like daily labor, running small shops, working as hawkers etc. So, it was difficult to find them in villages and those who available in village were reluctant to converse with the research team as it was observed and suspected that they also work as pimp.
- e) Some of the children said anonymously that they work as pimp for the women of their community and are not at all interested to say anything about their community.

ANALYSIS & FINDINGS

A) Children's Profile

The focus of the study was on children, aged 6-18 years, who were of the school-going age. For the purpose of this study both school-going and drop-out children were interacted. The teachers, parents and other community members were also interacted in the study so that the trends in absenteeism and drop-out of these children can be understood.

Age Distribution

Figure 2.1 Age- Distribution of Children

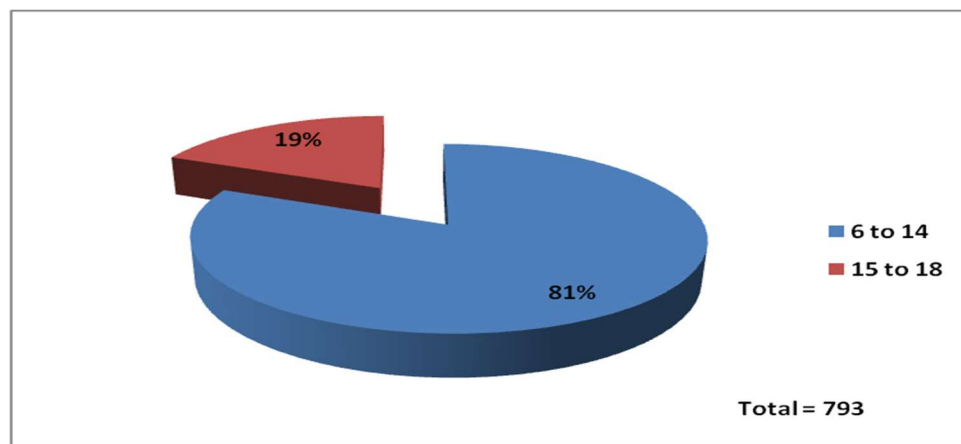


Table 2.1: Gender-Age Distribution of Respondents: School Going & Out of School Children

Children	School Going Children		Out of School Children		Total
	6-14 Years	15-18 Years	6-14 Years	15-18 Years	
Boys	299	48	9	37	393
Girls	309	32	29	30	400
Total	608	80	38	67	793

The given tables show that out of 793 children including school going and drop-out children covered, 81% i.e. 646 are from the age group 6 to 14 years whereas 19% i.e. 147 are from the age group 15 to 18 years. The gender distribution of children is almost balanced for the study with 393 boys and 400 girls being interviewed.

B) Profile of Parents

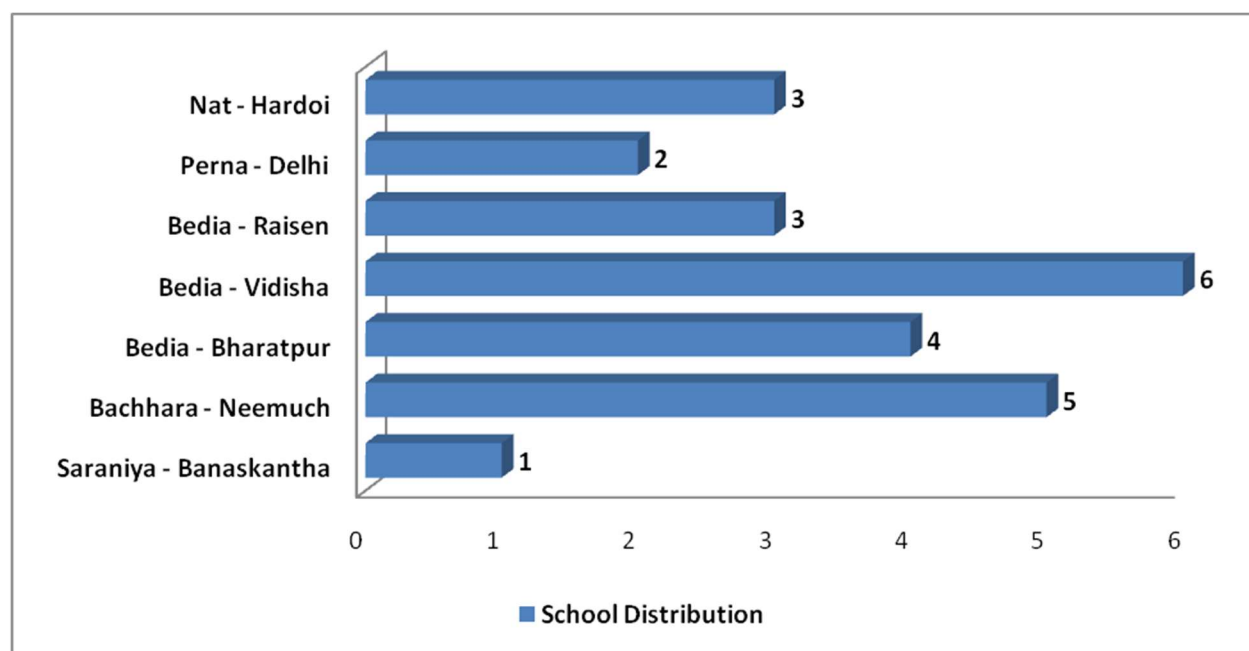
The following profiling of the community members have been done on the basis of interview with parents and group meetings with children.

General Information	Profile
Literacy	According to our findings, most of the parents were illiterate, and most of the women were unable to read and write even in their mother tongue. Some of the men were literate but most of them had not completed primary level of education.
Father's Occupation	In almost all the communities, it was found that the male members of the families do not have any kind of regular income and dependent upon their wife and female members. Some male members are reportedly involved in the activities like agricultural work as labor, driving, security guard, salesman etc., however, no evidence of the male members being involved in any kind of mainstream sustainable economic activities.
Mother's Occupation	The women of these communities were mainly involved in sex work but very few of them disclosed their identity in front of an outsider. It was also observed and confirmed by local people and police officials that barring few, most of the people of these communities consider sex trade as socially and culturally acceptable within the society.
Monthly Household Income	Perna, Delhi – It ranges from Rs. 5000/- to 25000/- per month Nat, Hardoi, UP – around 5000/- per month Bedia of Bharatpur, Rajasthan – Those living near highway areas had a much better earning capacity than others who lived in the village. The range of monthly income varied from 5500/- to maximum 10000/- per month Bedia of Raisen and Vidisha, MP – It ranged from 10000/- to 15000/- Bachhara of Neemuch, MP - Those living near highway areas had a much better earning capacity than others who lived in the village. The range of monthly income varied from Rs. 7000/- to maximum 15000/- per month. Sarania of Banaskantha, Gujarat – It ranged from 7000/- to 15000/-

General Information	Profile
Type of House/ accommodation	More than 75% of the houses were pakka i.e. constructed with cement and concrete. Most of the pakka houses were found –furnished and few of them have all modern amenities. Only 25% of the houses were found kachha or having thatched roof.

C) Schools in the communities

Figure 2.2: Number of schools around the habitations of the community



The given figure shows the school-wise distribution in each community. In Perna community Delhi, 2 senior secondary schools were visited for data collection. In Nat Community, 1 primary, 1 middle and 1 senior secondary was visited. In Bedia Community in Madhya Pradesh and Rajasthan 5 Primary, 2 Middle and 6 secondary and senior secondary schools were visited. In Bachchra Community in Madhya Pradesh 1 Primary, 3 Middle and 1 Senior Secondary Schools were visited. Finally in the Sarania community of Gujarat, 1 Primary school was covered.

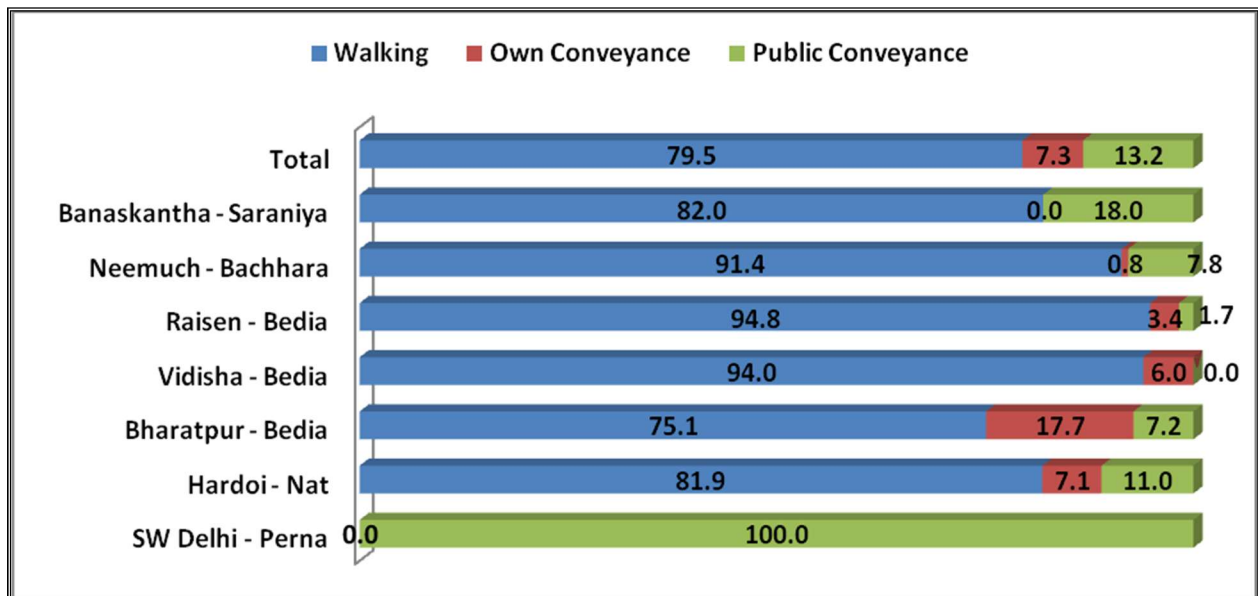
Despite the availability of the government schools near the habitation, some children are going to private schools also.

Distance of School

The distance of school (primary) from the villages of these communities is not more than 3 km, across the 7 districts, covering 5 communities. 97.2% of children have access to school which is less than 3 km from home. 2.8% of the total children covered have to travel more than 3 km to attend school. All primary schools covered in the study happen to be in the vicinity of the village whereas middle schools are a little farther away which ranges from 1 to 3 km. Only one senior secondary school covered in Bansi Paharpur, Bharatpur Rajasthan is more than 3 km from the village Nagla ka Khar. So based on the above mentioned facts, it can be inferred that government Primary and Middle schools are available near the villages covered and there is an effort by the State Governments and SSA to ensure enrolment of all children in the age-specific classes.

Mode of Transport

Figure 2.3 Mode of Transport (in %)



Total (N) = 688

The above graph reflects the fact that Perna Children residing in Delhi have good road conditions, and availability and preference of public conveyance. It was a general perception among girls of Perna community in Delhi that government should provide bicycle to all students who are studying in class 6 or above.

Apart from Delhi, children of the other 6 districts prefer walking, to reach school. Overall, 79.5% of total children reach school by walking, 13.2% of them use public conveyance like auto rickshaw, mini bus etc. to reach school and only 7.3% said that they go to school by their own bicycles.

D) State of Education of Children :

This section of the report presents major findings of the study with reference to educational status of children of communities where women are traditionally involved in commercial sex work. The study also covered major issues and other factors that are significant in ascertaining type and intensity of bias and discrimination prevalent in school, peer group, teachers, school staff etc. against these children. The group interviews of teachers reflected many expected responses but deep beneath the general perception, many significant facts are unearthed which will be discussed in the relevant section of the report. The conversation with parents, mainly mothers, showed that they have not yet understood the role of education in life.

Article 21-A of the Constitution of India and its consequent legislation, the Right of Children to Free and compulsory Education (RTE) Act, 2009 became operative in the country on 1st April 2010. The RTE Act confers the right to elementary education on all children, in the age group of 6-14 years, on the basis of equality of opportunity in a formal school which satisfies certain essential norms and standards. All States and UTs have notified their State Rules. Sarva Siksha Abhiyan (SSA) supports States and UTs in their efforts to implement the RTE Act. The interventions include, inter alia, opening new schools, construction of toilets and drinking water facilities, provisioning for teachers, in service training for teachers and academic resource support, free textbooks and uniforms, support for improving learning environment.

Some important definitions considered for this study are as follows:

1. Absenteeism, however, has not been defined and the meaning may vary across States, a broader definition for the purpose of these studies has been articulated. Chronic absenteeism is usually defined in terms of a certain percentage (10%) or numeric value (15 or more) of school days missed in a year.
2. A drop-out is someone who leaves school before the completion of a school stage or leaving at some intermediate or non-terminal point of a given level of education. ¹

¹Statistics of School Education (2011-12). Ministry of Human Resource Development Bureau of Planning, Monitoring & Statistics.

E) School Going Children

Factors Leading to Retention of Children in School

The purpose of this section is to understand various factors play a vital role in attracting children towards schools especially children of those communities who live in the most vulnerable conditions within family and society as a whole. The stigma attached to these children due to the traditional practices of commercial sex work in our society is so deep that they feel isolated, discriminated and are victim of biased behavior in school as well as other places. During the focus group discussion with children of different age group and gender in school, the research team tried to find out feelings of children vis-a-vis their school, teachers, school staff and children of other communities.

Figure 3.1 Factors affecting retention of children in school (in %)

Factors leading to retention in School	SW-Delhi Perna	Hardoi-Nat	Bharatpur-Bedia	Vidisha-Bedia	Raisen-Bedia	Neemuch-Bachhra	Banaskantha-Saraniya
Teachers are cooperative and Sensitive	75	81.9	82.3	83	60.3	79.7	96
Children from other communities are friendly	68.2	70.9	72.4	89	86.2	90.6	96
Ample Play time and facilities in school	86.4	92.1	97.2	100	81	98.4	92
Exposure to Co-Curricular activities	81.8	73.2	90.6	94	70.7	71.9	52
Availability of toilets and safe drinking water	100	78.7	71.8	78	70.7	73.4	48

Across all communities, the following three factors were more or less pertinent for retaining children in school:

I) Teachers being co-operative and sensitive

Majority of the children from different communities said that this factor attracted them to go to school regularly. It was a common feeling among children of all communities that teachers should not scold them before other children. However, while capturing case studies of children it was revealed that teachers sometimes used harsh and derogatory words while addressing them. Children of Bachhara community in Neemuch openly shared that teachers discriminated

against them. They revealed that children from other communities were always preferred and listened to, in case of any dispute among children. Upon probing teachers on the same issue, explicitly denied having discriminated against children from the sex workers community and said they take care of all children in similar way.

II) Children from other communities being friendly

This reason also was most popular among respondents from all communities. When children were asked about the approach of other children towards them, 80.5% of them said that generally, they behave well in school but in-depth discussions revealed that often they remained reluctant in becoming good friends as they were hesitant in taking food or playing with them.

III) Provision for play time and space in school

It is known that play allows children to use their creativity while developing their imagination, dexterity, and physical, cognitive, and emotional strength. It is through play that children at a very early age engage and interact in the world around them and school is a place where children find the time and facilities to play games. While assessing the school infrastructure, it was found that sport equipment was available in a good condition in the schools of Delhi and Vidisha. Most of the primary schools in selected villages for study did not have a playground.

IV) Other relevant factors

The availability of drinking water has been ensured through deep bore wells in most of the schools covered except in Primary School, Bagdhari, Bharatpur and Primary School, Vadiya, Banaskantha where scarcity of water remains a major issue. A deep bore well attached with a hand pump was available in all schools but it was also found that the platform made around the hand pump was so dirty and unhygienic that it is hard to say whether children were getting safe drinking water or not. Except schools in Delhi, the issue of safe drinking water more or less existed in all schools across all other districts. It is also noteworthy that toilets are available in all schools covered in the study. But cleanliness in toilets is not maintained by many schools. Toilets in 2 schools covered in Delhi were found to be good but not better maintained than those for teachers and staff members.

Responses of Teachers regarding Children of Bedia Community, Bharatpur, Rajasthan

- Children are forced into sex trade at a very young age. Children (mostly girls) from other communities are also brought to engage in sex trade. Girls from this community also go to other cities for sex trade. However, regular raids by police in Bedia villages have helped in curbing the menace in a certain extent.
- Mostly, children attend school till class 5 and then leave school to join their traditional work despite the fact that they want to study further, however, there is no willingness and support from parents, family and community. Children, especially boys work as pimp to persuade the customers.
- It is also seen that children of other communities discriminate against Bedia children. Bedia children also don't mingle with other children. Bédias are very closed community; they don't like to mingle with people from other communities.
- Children from other communities do homework regularly but Bedia children hardly do their homework. The absenteeism rate becomes high during marriage season and festivals. Sibling care is also an important factor in absenteeism of girls.
- Children mostly girls are more interested in Rai Dance than education. The main reason of absenteeism of girls is sibling care and dancing during the marriage season.

Factors affecting children's regular attendance in school

The above question was very pertinent to ask children as most of children in group meetings revealed that they attend school daily but the group meetings with teachers portrayed a different scenario. The teachers mentioned that there is a trend of absenteeism among these children.

Lack of motivation and seriousness about education happens to be one of the major reasons for absenteeism. Most of the children said that they don't dare to ask a teacher, if they could not understand something that the teacher had taught in class. It was observed during the focus group discussion that overall 41.1% of children expressed that lack of motivation towards studies happens to be major reason for absenteeism. The lack of interest in studies is not a very uncommon phenomenon in the Indian context essentially, as there exist a broad spectrum of possible causes that compel children not have interest or lose interest in studies. Ranging from the poor quality of teachers to bullying, to issues related to syllabus, assessment and lack of remedial support, the reasons are many. The onus is always on the teachers/instructors to generate interest in the child by using child friendly mechanisms. But not only is there a lack of ample support extended to the child, even some of the basic entitlements guaranteed under RTE are not fulfilled.

The second most common cause for irregular attendance was lack of motivation from family. Given the socio-culture dynamics of these communities, while capturing the case studies, it was observed that children often did not receive guardian support from their parents. Overall 25.5% children said that the environment in their home is not conducive for study. Further in-depth discussions with children also revealed that during marriage season or any festival, absenteeism increases drastically especially among girls.

This was further confirmed during interviews of parents, especially mothers of the children. Children complained about not having anybody at home to consult regarding school and studies. Most of the mothers said that they send their children to school but don't care much about what they do in school. On the other hand some parents are sensitive towards the education of their wards and they want their children to achieve as much as they can in life.

Table 3.1: How long do children stay in school (% of total children)

Districts	Children's stay in school		
	Leaves school after Mid-Day Meal	Bunks some classes	Attends all classes
SW Delhi - Perna	7.0	4.0	89.0
Hardoi – Nat	11.0	15.0	74.0
Bharatpur - Bedia	9.9	12.7	77.4
Vidisha – Bedia	8.0	11.0	81.0
Raisen – Bedia	0.0	13.8	86.2
Neemuch - Bachhara	11.7	8.6	79.7
Banaskantha – Saraniya	14.0	36.0	50.0
Total	8.8	14.44	76.75

Total (N) = 688

1. **Aspirations of children:** 38% of the children want to continue their education to at class 12th or so. Some of the girls whispered among themselves that it is futile to study till graduation as ultimately their parents are going to impose their will on the girls' future. It is sad that children's dreams and aspirations are varied but they fear that their dreams may or may not be fulfilled. There is no hope amongst the children as they see themselves getting into the family tradition after a point of time.
2. **Eve- Teasing as a leading cause of drop-out among girls:** With girls walking to schools, eve teasing among young girls is a regular phenomenon in almost all the places. The Girls of Nagla ka Khar, Panchhi ka Nagla in Bharatpur, Premnagar in Delhi, Dulai in

Vidisha and Piplia Hadi, Charauli in Neemuch expressed their agony and said that if the situation continues, then they would be forced to leave school, despite their desire to continue their education. They said that being in school also protect them from forceful entry into sex trade. The children of these communities live in vulnerable conditions at home and in society, especially girls in the adolescent age group who are bound to live in fear of lewd remarks and taunting by their elders and people of other communities. Many of the drop-out girls in Premnagar, Piplia Hadi, Natpurwa, Nagla Ka khar etc. expressed their concern in this context. It was a general perception among people of these communities that the police are biased against them, with rude behavior and outright blame for any crime occurring in the area. It is necessary to sensitize police that not all people of the community are violating the law.

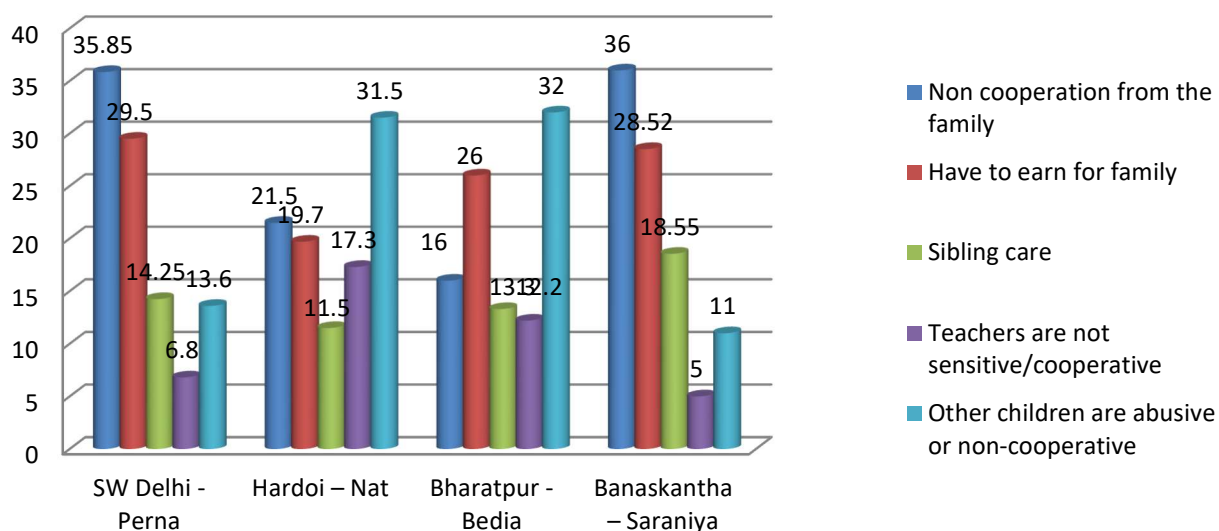
Responses of Teachers regarding Children of Perna Community, Nazafgarh, Delhi

- Children mostly boys are not interested in study. There are instances of discriminatory behavior towards students belonging to Bedia community. Sometimes, these children are abused by other children. Children of Perna community like to sit together and usually do not mingle with other children. Children from Perna community are comparatively exhibit violent behavior than other children.
- Most of the girls leave school after class 8th and join their traditional work. The absenteeism among girls is mostly during festival season and marriage. Children from community live in an unhygienic environment and there is no awareness on health and hygiene at home. Parents of the children who attend the PTM are found drunk as they are alcoholic.

Community-Wise Analysis of factors leading to absenteeism

Districts/Communities	Non cooperation from the family	Have to earn for family	Sibling care	Teachers are not sensitive/cooperative	Other children are abusive or non-cooperative
SW Delhi- Perna	35.85	29.50	14.25	6.8	13.6
Hardoi – Nat	21.5	19.7	11.50	17.3	31.5
Bharatpur- Bedia	16.00	26	13.3	12.2	32.00
Banaskantha – Saraniya	36.00	28.52	18.55	5.00	11

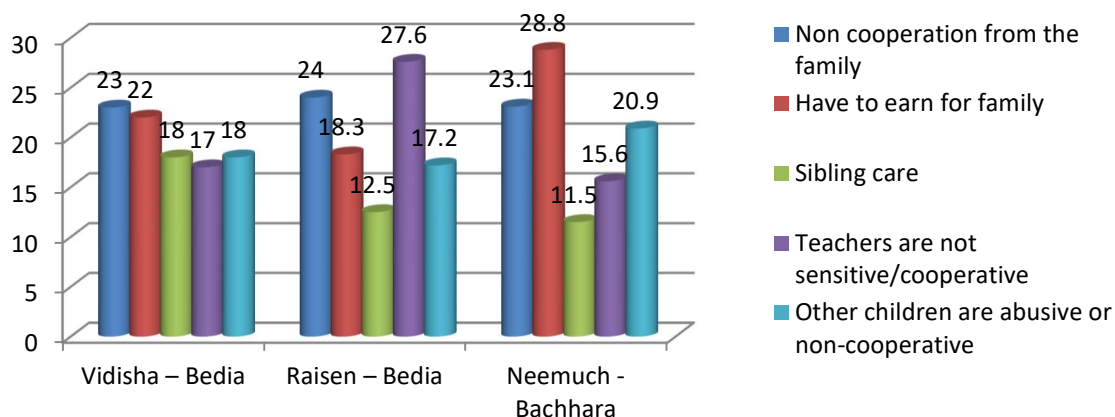
Community-Wise Analysis of factors leading to absenteeism



Community-Wise Analysis of factors leading to absenteeism

District/Communities	Non cooperation from the family	Have to earn for family	Sibling care	Teachers are not sensitive/cooperative	Other children are abusive or non-cooperative
Vidisha – Bedia	23	22	18.	17	18
Raisen – Bedia	24	18.3	12.50	27.6	17.2
Neemuch - Bachhara	23.1	28.8	11.5	15.6	20.9

Community-Wise Analysis of factors leading to absenteeism



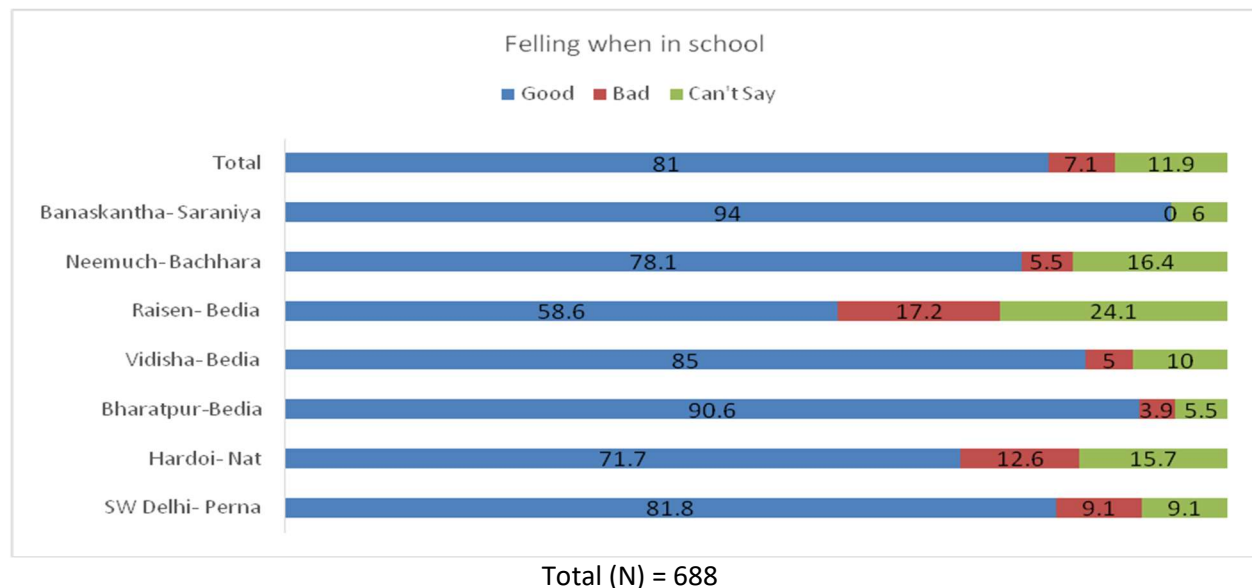
Responses of Teachers regarding Children of Banchhada Community, Neemuch, Madhya Pradesh

- The pattern in absenteeism of Bachhanda children is chronic. During festivals and marriages in community, most of the children remain absent for many days. Children of this community are discriminated very often.
- Children, especially boys of Bachhanda community generally leave school after class 8th and start earning by doing petty works. Most of the boys who left school also act as pimp and earn money out of it. In Bachhanda community, men have to pay dowry to girls for marriage. They start earning at an early age to save money for dowry.

F) State of children in school environment.

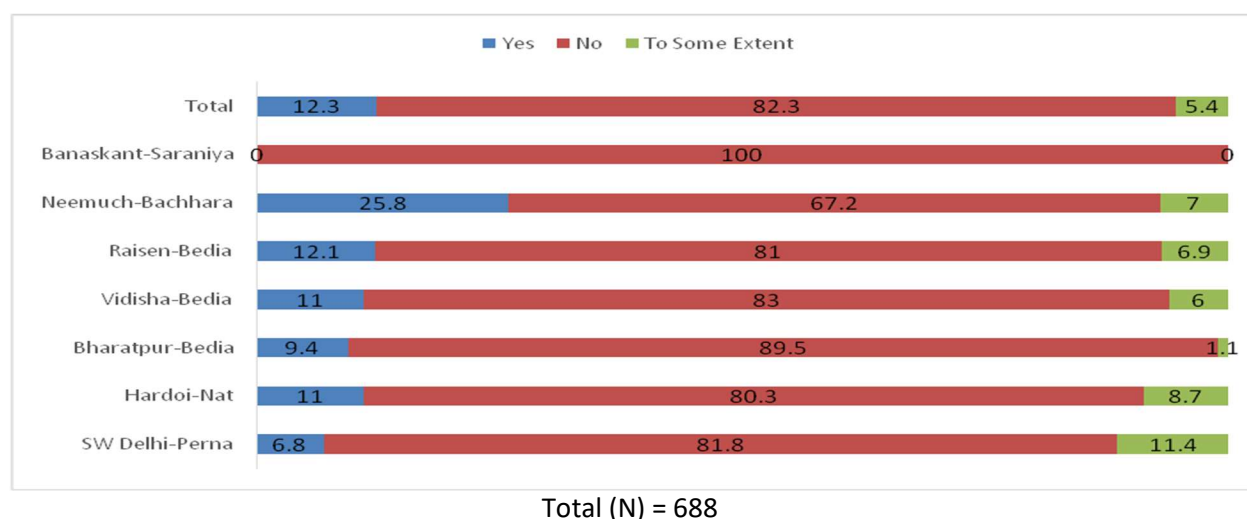
The purpose of this section was to map the challenges that children of traditional sex workers communities face every day in school. It was challenging for the research team to build a rapport with children during Focused Group Discussion and convince them to express their feelings openly and raise their voice if they felt secluded or suffered from bias or differential behavior from teachers, school staff and other children. The questions asked in the group of children were simple and indirect, intended to make them feel comfortable while responding.

Figure 3.4: What Children Feel when in School



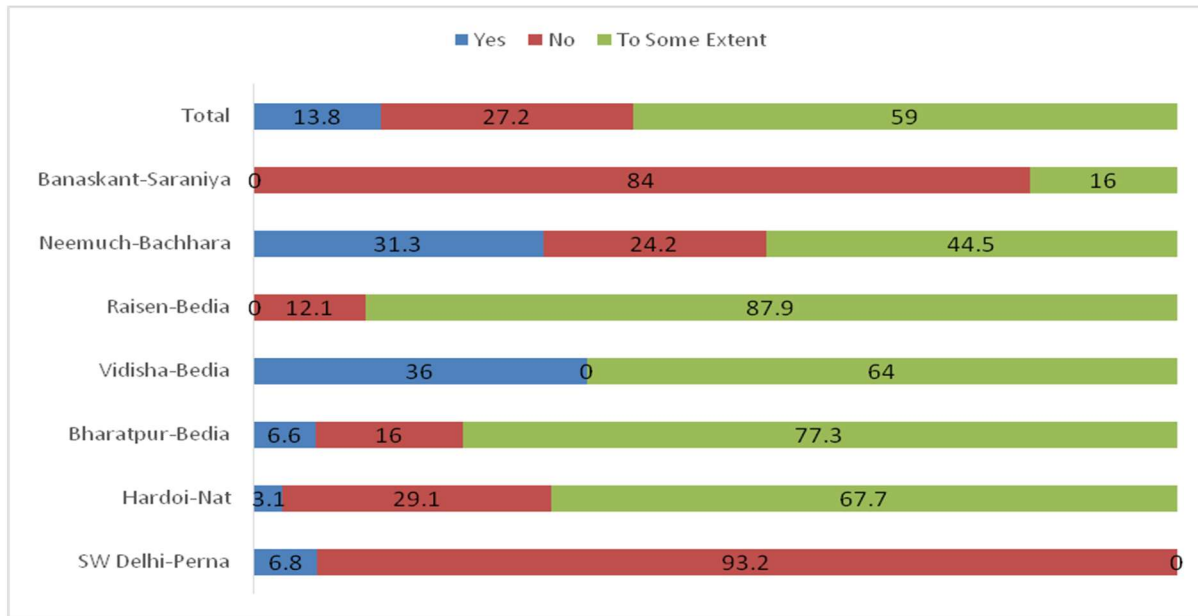
The first question in this section was asked lightly to make them comfortable and answer further questions without any fear or having any confusion in mind. When asked how they feel when they come to school, overall 81% of total 688 children covered said that they feel good whereas 7% of them said they don't feel good and 12% of them were not sure about their answer. Upon further questioning, children who feel bad or were not sure about the reasons of some of their answer. Some said that teachers were very strict and would sometimes scold them for petty reasons. On further probing, we came to know that due to an open and undisciplined family environment, they take time to adjust in the disciplined environment of school. The above situation is prevalent in almost all of the communities but it reflects more prominently in the case of Bedia Children in Raisen as 17.2% of them feel bad and 24.1% were unsure about their answer.

Figure 3.5: Lack of proper guidance and support from teachers or other school staff



The above graph shows that 82.3% of children say that they get proper guidance and support from teachers but a good chunk of children (17.7%) expressed their agony regarding lack of proper guidance and support from teachers. This is a common problem found in many schools, that teachers devote less time interacting with children during class time or teaching. Many a times, children don't understand a concept or a problem but feel shy to ask their teachers.

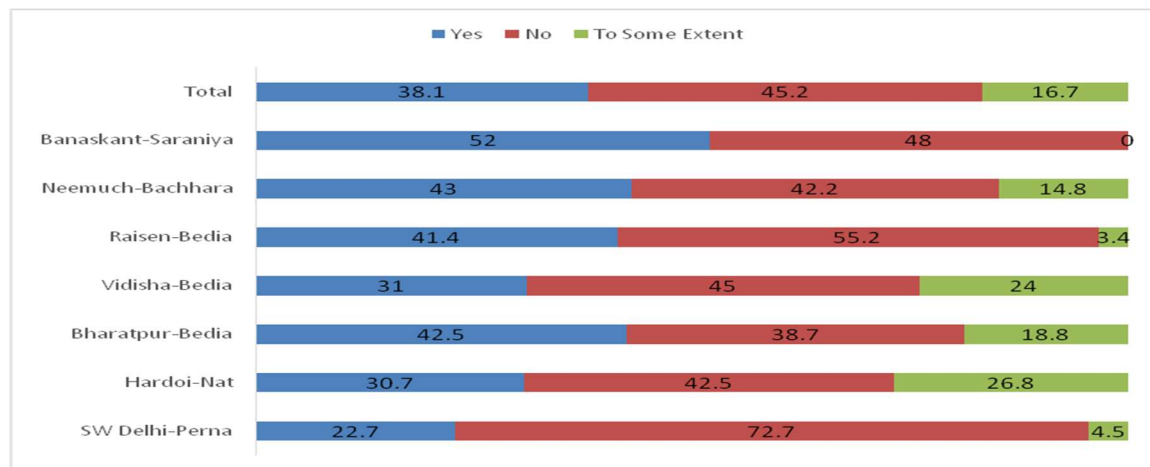
Figure 3.6: “Children of other communities and localities don’t mingle with us”



Total (N) = 688

This remained one of the most tricky question asked from the children of all communities during the focussed group discussion. Overall, only 27.2% of children said that this statement (Children of other communities and localities don’t mingle with us) is not true. 13.8% of them agreed that this happens in school where as 59% of them said that the statement is true to some extent.

Figure 3.7: Corporal Punishments in School



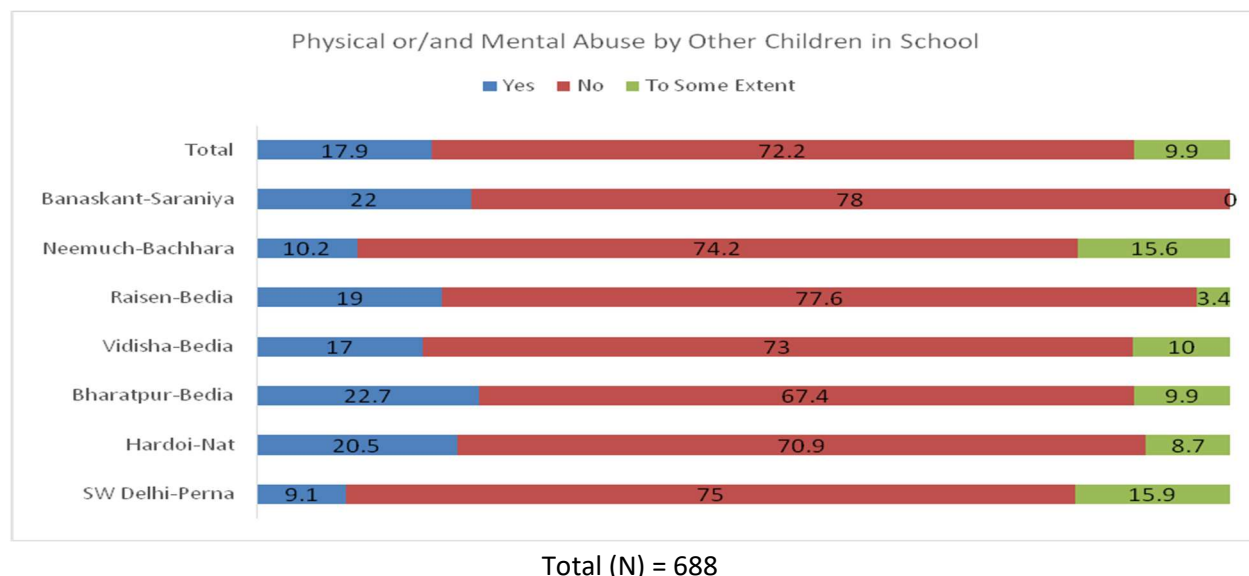
Total (N) = 688

Corporal punishment in its different forms (physical punishment, mental harassment and discrimination) existed in almost all schools covered in the study. As per the above chart, it is

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evident that more than 55% of children accepted that some form of corporal punishment is prevalent in these schools. Although, the children also mentioned that their teachers punish all children when they don't act in a disciplined manner or disobey them. The above chart also reflects that, except the schools in Delhi, all other schools covered in the 6 districts noted a high response of children with regards to corporal punishment.

Figure 3.8: Physical or/and Mental Abuse by Other Children in School



It was also important to understand if children of other communities abuse these children on the basis of the community they belong to 72.2% of the total children covered said that this was not true but almost 27.8% of children agreed that the children of other communities abuse them or physically harm them by using derogatory names for them and their community.

H) Learning Levels of Children

The purpose of rapid assessment of learning levels of children who were involved in the focus group discussion was to link the responses of the children, teachers and parents with respect to what the children actually learn and how they grasp the basics. The study was intended to understand various factors that affect the educational status as well as vulnerability of a child who belongs to a community which is stigmatized as traditional sex workers. It is significant to mention that despite our efforts to convince them that this is not an examination, almost 50% of total children covered in FGD refused to participate in rapid assessment.

The concept of rapid assessment for this study is inspired by “Learning Indicators and Learning Outcomes at Elementary Stage by National Council of Educational Research and Training

(NCERT)". However, the exercise does not follow its exact design and processes. The rapid assessment takes a cursory look at the children's learning levels. The exercise suggests for an in-depth study covering children of these communities and compare with other communities living in same area or village.

Based on the field situation, it was decided to segregate children in three groups: class 1 to 5, 6 to 10 and 11 to 12. Each child was provided one flash card and asked to write answers on it.

Assessment Methods

Every group of children was assessed broadly on the following subjects;

Group 2: Class 6 to 10

1. Hindi Sentence Writing: Few sentences about their school, their likes and dislikes etc.
2. English Sentence Writing: One to two sentences about his/her name and which class they study in.
3. Simple Arithmetic: Table of 15 and above

Knowledge of Hindi/ Regional Language

In this group of children, the number of children who could be able to write the sentences correctly was relatively better from first group (Class 1 to 5). 48 Children i.e. 35.5% could write correctly without any mistake. 24% of children could be able to write the given sentences with few mistakes and 32.5% were not able to write correctly.

Table 1 Analysis of Hindi writing (Class 6 to Class 10)

Sl. No.	District- Community	No. of Children Assessed	Hindi Writing (Class - 6 to 10)			
			All Correct	Few Mistake	Many Mistake	Unable to write
1	SW Delhi - Perna	31	14	6	6	5
2	Hardoi - Nat	0	0	0	0	0
3	Bharatpur - Bedia	16	9	1	6	0
4	Vidisha - Bedia	31	14	11	6	0
5	Raisen - Bedia	13	1	2	8	2
6	Neemuch - Bachhara	44	10	13	18	3
7	Banaskantha - Saraniya	0	0	0	0	0
Total		135	48	33	44	10

Knowledge of English

Almost similar trends can be seen in children of class 6 to 10 also. Only 15% of children were able to write sentence correctly whereas almost 67% were unable to write even their name in English

Table 2 Analysis of English Writing (Class 6 to Class 10)

Sl. No.	District - Community	No. of Children Assessed	English Writing (Class - 6 to 10)			
			All Correct	Few Mistake	Many Mistake	Unable to write
1	SW Delhi - Perna	31	5	7	1	18
2	Hardoi - Nat	0	0	0	0	0
3	Bharatpur - Bedia	16	6	0	9	1
4	Vidisha - Bedia	31	4	2	1	24
5	Raisen - Bedia	13	0	0	0	13
6	Neemuch - Bachhara	44	5	4	1	34
7	Banaskantha - Saraniya	0	0	0	0	0
Total		135	20	13	12	90

Knowledge of Basic Arithmetic

In this group of children, 48% of them solved the problem correctly whereas 43% of them either did not understand what to do or they were unable to write anything.

Table 3 Analysis of Basic Arithmetic Skills (Class 6 to Class 10)

Sl. No.	District - Community	No. of Children Assessed	Basic Arithmetic (Class - 6 to 10)			
			All Correct	Few Mistake	Many Mistake	Unable to write
1	SW Delhi - Perna	31	20	3	1	7
2	Hardoi - Nat	0	0	0	0	0
3	Bharatpur - Bedia	16	12	1	2	1
4	Vidisha - Bedia	31	10	1	0	20
5	Raisen - Bedia	13	0	0	0	13
6	Neemuch - Bachhara	44	23	4	0	17
7	Banaskantha - Saraniya	0	0	0	0	0
Total		135	65	9	3	58

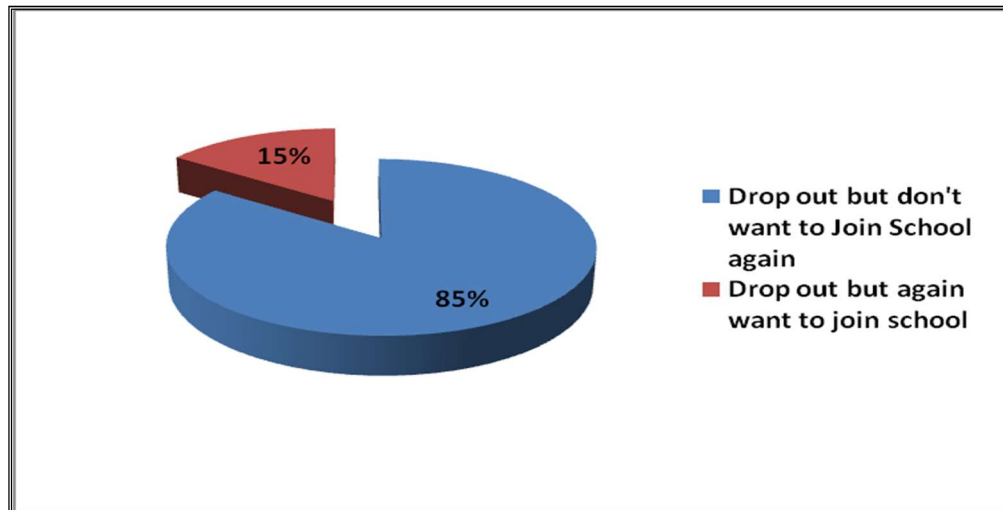
- Children don't get proper care and attention in school in comparison to children of other communities. Education is important for our children but we prefer traditional work for earning- **A Parent from Perna Community, Delhi.**
- Sex work is our livelihood and engaging girls into the trade is unavoidable as we are not used to do any other work for our livelihood- **A Parent from Banchhada Community, Raisen, Madhya Pradesh**

G) OUT OF SCHOOL CHILDREN

This section of the report mainly deals with reasons for drop-out, and findings on whether the children wanted to continue with their studies again or be involved in earning their livelihood. It was extremely hard to find children who were not in school. Most of the boys were either involved in petty works or roaming aimlessly but not willing to talk to outsiders. It was also observed that adolescent boys who left school mid-way were the ones who raised suspicions regarding outsiders and in many cases, didn't allow them to enter the immediate vicinity of their village. In some places, it was really hard to find, meet and have a discussion with adolescent drop-out boys and girls. Most of them were responding reluctantly and were not comfortable with the research team. They held the view that people come to help them with funds and other benefits in their name and left them without genuinely contributing to their community.

Out of 105 drop-out school respondents, 47 boys and 58 girls from Perna, Nat, Bedia, Bachhara and Saraniya were met and discussions were held regarding the reasons for their drop-out from school, and their aspirations for life. The following graph indicates that 85% of the total respondents who had left school mid-way were involved in some kind of an income generation activity and didn't want to join school again. Whereas, 15% of them still wanted to continue their study and said that they would require some sort of a special course or bridge course to join the age appropriate class again.

Figure 3.3: Status of Drop-out Children



Marital Status of Drop-out Children

12 out of 105 drop-out youth in the age of 14 to 18 years were found married and rest 93 were unmarried. It is interesting to note that all the married youth were found in Bachhara community in Piplia Hadi village in Neemuch. There is a unique tradition in the Bachhara community, wherein the groom has to pay a bride price to the bride's parents and it is directly connected to the drop-out rate of boys before matriculation. Most of them said that they needed to earn money to pay the bride price or else face difficulty in finding a girl in their community to marry. Most of them were involved in labor and other petty works.

Out of the 105 drop-out children covered, 64 of them had completed primary level of education and the rest 41 had completed 9th class and then dropped out.

Reasons for Dropping Out

Figure 1 Reasons for Drop-out (in %)

Reasons for Absenteeism in Children	SW-Delhi Perna	Hardoi - Nat	Bharatpur - Bedia	Vidisha - Bedia	Raisen - Bedia	Neemuch - Bachhra	Banaskantha - Saraniya
Lack of interest in studies	75.0	71.4	33.3	7.7	50.0	47.8	66.7
Lack of motivation in family	50.0	28.6	16.7	0.0	25.0	21.7	83.3
Need to earn for family	37.5	28.6	16.7	92.3	33.3	52.2	53.3
Teachers aren't cooperative and insensitive	25.0	42.9	16.7	7.7	58.3	21.7	50.0
Children from other communities are non-co-operative	10.0	28.6	33.3	15.4	25.0	8.7	16.7

Total (N) = 105

The given table reflects the main reasons for drop-out in children of the above mentioned communities. It can be seen in the table that lack of interest in study remains the main reason for drop-out in Perna, Nat, Bedia in Raisen and Sarania in the Banaskantha district whereas earning for family become a compulsion in many places, especially Bedia children in Vidisha, whereas 92% of them clearly said that it was hard to survive without their earnings and hence had to leave school at an early age. More than 60% of the total drop-outs in Vidisha could not complete their primary education. A similar situation was found in the Bachhara community in Neemuch as 52% of children left school after class 9th. They started working as laborers or got involved in petty works as they had to earn money for paying bride price. Lack of motivation in family is also an important factor especially in case of Perna (50%) in Delhi and Saraniya (83%) in Banaskantha districts. Teachers' insensitive behavior also remained one of the significant factors of drop-out in Nat, Hardoi, Bedia, Raisen and Saraniya in Banaskatha districts.

DISTRICT LEVEL MEETINGS: HIGHLIGHTS

As per the research design of the study, it was envisaged to take stock of the initiatives taken at district level for the children of the selected communities and also to sensitize officials of different concerned departments about issues that affect educational status and other developmental aspects of children of the said communities who are bound to live in vulnerable condition within the society. It also helped the research team to acquire understanding of many lesser known facts about the community, the stigma attached with them and ground realities with respect to educational status of children.

The role of departments like; Education, Women and Child Development, Health, ICPS, DLSA and Police departments is important as they are the actual stakeholders who directly and regularly interact with the parents, community leaders, adolescent boys and girls and children as a whole.. Some of the points highlighted in the District level meetings are in the box given below:

- There is a need to reach out to the marginalized communities like Perna (one of the communities of traditional sex workers) where practice of sex work for livelihood is still prevalent. In the given condition, children especially girls remain main sufferers and victims who either leave school mid way or drowned in the dirty sex trade. There are numerous incidents of violation of the rights of a child, however, given the structure of the community which is intertwined that nobody comes out and register the case. **(South-West Delhi).**
- Children of the Nat community have long been stigmatized due to socially accepted sex trade in the community. However, in recent years, there are examples of children breaking the boundary of stigma and have obtained jobs including job with the government. The problem lies with those who believe that there is no other livelihood option except sex work. **(Hardoi, Uttar Pradesh)**
- Bedia community living in Vidisha and Raisen districts of Madhya Pradesh are bound to live in such circumstances that even if they want to change their livelihood option, it will take time to de-stigmatize and people have to come out of the mindset and views about the community. It is crucial at this juncture to think about children of Bedia community who face challenging situation in home, society and school. It is high time for a solution where at least children can be spared and given equal opportunity to grow, to develop and become a responsible citizen of the country. Both boys and girls are equally vulnerable as girls lives under threat that they will be drowned into sex trade sooner or later where as boys are bound to become pimps. The male members of the Bedia community are mostly alcoholic who don't bother to care about education of their children. The Jawali Scheme launched for the

welfare of women and children of communities who are traditionally involved in sex work not implemented effectively. It will be in the best interest of the children to isolate them from the society and provide them residential facility and proper schooling so that they can visualize world from their own perspective and build their future as they want to. **(Vidisha, Madhya Pradesh)**

- It was shared that men of Bedia community are habitual of enjoying on the earnings of females hence they are the main perpetrators of sex trade. It is also a fact that those living adjoining areas near Jaipur Highway are mainly involved in sex trade whereas most of the Bedias living in villages of mix population are working as laborer in agriculture field or they are involved in casual-menial works. There are number of cases related to child rights violation received at the DCPU. It is a fact that adolescent girls are the major victim of the ill practice of sex trade within the community. **(Bharatpur, Rajasthan)**
- It was noticed that adolescent boys and girls of Bedia community drop out at the early age. Effort is made to convince girls not to leave school at early age, but due to familial and societal pressure most of the adolescent girls bound to enter the sex trade at very age. Many of girls however, have achieved recognition in education, sports and other activities and they want to achieve something big in life. There are number of livelihood programs are running in the district. NRLM also gives scope for tailor made training program for marginalized communities who can be benefitted and start their own enterprises. The children who are in need of care and protection, if not taken care of properly, shall fall in the trap of criminals and become Children in conflict with law. **(Raisen, Madhya Pradesh)**
- Due to the practice of traditional sex work- the Bachhara community has been alienated from main stream society and people from other communities don't want to mingle with them. The worst sufferer of this discrimination is children who face biased behavior everywhere including in school. More than 600 women are registered who are vulnerable to sexually transmitted disease mainly Aids. Health Department organizes check up camps and aware them about benefits of safe sex practice. Till now, 7 cases of HIV positives have been identified whom treatment facility is provided. It is necessary to isolate them from their own society for some time so that they can come out of the traumatic family situation.
- It is not easy to convince adolescent girls and women to take benefit of ICDS services. Due to practice of sex work by the members of the Bachhara community, people of this community have been alienated from main stream society and people from other communities don't want to mingle with them. The worst sufferer of this discrimination is children who face biased behavior everywhere including in school. **(Neemuch, Madhya Pradesh)**

- The cultural and traditional aspects of the practice of sex work in Saraniya community stand as barriers in taking these women out of the trade and the vicious circle of sex work. Many of them explicitly said that they are doing this for long time and it is not possible to leave this tradition. At the same time, they shared that they don't want to put their children in this work and like to send them to school instead. Many of the children in the community are enrolled in the school, however, the Upper Primary school is at more than 3 k.m. away from the habitation. There are instances wherein adolescent girls are forced into the practice of sex work profession. **(Banaskantha, Gujarat)**

KEY OBSERVATIONS & RECOMMENDATIONS

Key Findings of the Survey Study are:

- A desk review, interactions with local heads and other sources give "Criminal Tribes Act" a highly responsible factor for the communities to depend on sex work. The Criminal Tribes Act, 1871 is fallout of Sepoy Mutiny and uprising of many revolutions led by tribal leaders. The nomadic and other communities who had been instrumental in providing arms and training to the settlers had to bear the brunt of the Act as many of them were included in the criminal Act. Moreover, it was a systematic plan and conspiracy to suppress the rebellions mushrooming in various parts of the country. There were many communities and tribes declared as Criminal Tribes and their movements and their livelihoods were controlled by the Local Government. Therefore, the tribes started losing hold on their original occupations and also started losing confidence on them.
- The Act was repealed in August 1949 and former "criminal tribes" were de-notified in 1952, when the Act was replaced with the Habitual Offenders Act 1952 of Government of India, and in 1961 state governments started releasing lists of such tribes. There were many such communities de-notified and included in the categories of Scheduled Tribes with the provision of schemes and programmes meant for them. The Constitution of India gives them some special provisions including the reservations in jobs. However, there are a few communities and tribes whose issues are much deeper and require special interventions and policies to root out their problems. They are marginalized amongst the marginal communities. These communities live in isolation and do not interact with the general public. A few such communities have adopted commercial sex work as their livelihood option and they have been practicing this profession for survival and also the easy money.

- The communities under study prefer to live in isolation from rest of the society. In most of the cases, it was found that they live in separate village or locality and don't want to interact or mingle with outsiders or people from other communities. It was not easy to make them comfortable and discuss various issues related to their age old tradition and its impact on the lives of their children.
- Most of the children from the communities highlighted that the teachers were co-operative and sensitive. However, while capturing case studies of children it was revealed that teachers sometimes use harsh and derogatory words while addressing them.
- Interactions of these traditional sex workers communities with other communities and with neighbors are evidently poor. Children in group meetings revealed that although children from other communities are classmates and are acquaintances but they usually don't mingle, play or eat together.
- Given the socio-culture dynamics of these communities, while capturing the case studies, it was observed that children often didn't receive any support from their parents for their education.
- Parents are not enthusiastic for education of their children as they do not have any aspiration regarding future of their children.
- Most of the children said that they don't dare to ask teacher if they could not understand something that the teacher taught in class.
- Children are discriminated in the school. Children of the communities shared that they are often abused and discriminated by the children from other communities.
- Children of the traditional sex workers community are as potential as any other children of the society; however, they lack opportunity to develop their potential. There are many success stories came to the knowledge of the research teams that are inspiring.
- It was also came to the notice of the team that some years back children from Bedia community from Raisen were put into hostels, however, these children had to be discontinued as there was discrimination by other children.

KEY RECOMMENDATIONS

There is a need to devise appropriate pathways for ensuring quality education, rehabilitation, repatriation and re-integration of the children of traditional sex workers.

There is a need to formulate strategies to prevent children from eventually becoming part of the profession for which residential facilities are essential as otherwise they eventually become part of the family profession.

Need to invest in education for an entire generation of the children by providing them residential educational facilities which would help insulate the influence of their traditional practice.

The interventions by NACO have to be sensitive towards the children and comprehensive for the overall development of the communities rather than with the singular objective of HIV prevention. The HIV interventions should be in convergence with the other programmes from other Departments like; education, nutrition, health, child development, skills etc. The officials and the outreach workers under NACO programme should be sensitized on POCSO Act, 2012. .

Based on the experience and interventions by the researchers in the field ; it is suggested that there is a need for proper investigation by the police authorities to find out if the children are also engaged in the family trade. There is a need of close vigilance to prevent any such incident.

There is a need for a special scheme meant for the communities engaged in traditional sex work for the conventional schemes of the States or Union Government does not address the core issues faced by these communities.

There is a need for a convergent action by all the Departments at Block, District and State levels to take care of the needs of the communities, prevent the children from becoming part of the family profession and for their rehabilitation.

Children after the age of 15 may be provided life skills and vocational training and handholding till they get a job or capable to earn their livelihood and sustain themselves.

A convergent action is required amongst the schools and vocational training Centres for effective coordination, exposure to the children and skill building.

Incubation facilities, training and infrastructure like looms may also be made available at the residential facilities for the children for them to develop interest and skills for their effective rehabilitation.

There is a need to adopt two pronged strategy and schemes of facilities meant for two generations of children of traditional sex workers i.e. who are currently staying with their parents and the new generation to come whom a targeted intervention is required from their early childhood.

There is a need to create convergence platform or facilitation centre for effective delivery of the benefits of the schemes (both central and state govt.) to the communities of traditional sex workers. This may be done on a special drive with designated officers at State and district level. If needed a special scheme may be formulated for the communities because current schemes of the States or Union Government have not been able to address the core issues faced by these communities.



PATHWAYS FOR REHABILITATION OF CHILDREN OF TRADITIONAL SEX WORKERS IN INDIA

January, 2019

**Based on Study Conducted by
NATIONAL COMMISSION FOR PROTECTION OF
CHILD RIGHTS**

2nd FLOOR, CHANDERLOK BUILDING, 36 JANPATH, NEW DELHI-110001

Field Study by:-Bhartiya Kisan Sangh, Ranchi

National Commission for Protection of Child Rights (NCPCR)

INTRODUCTION

Existence of any kind of commercial sex work in the society is an issue of grave concern. It is one of the oldest social evils and continues to exist in society, involving women and girls mainly in commercial sex work. Sex work is a term inclusive of many activities in which resources are exchanged for sexual stimulation, gratification, or other sex acts (World Health Organization, 1994). The Commission has taken note of the plight of children belonging to traditional sex workers. It is ironical, that despite constitutional rights of all citizens to life of dignity, development, protection and education; various policies, programmes and schemes – numerous children belonging to certain select communities of traditional sex workers often do not have any other option but to become part of the vicious circle of commercial sex work.

The Commission believes that education is the key to human development and a means to move towards an equitable society. Education is also the instrument to break the chain of poverty, illiteracy, mal-nutrition and economic challenges. For the children of traditional sex workers; education with quality is the only tool and mechanism available to prevent them from becoming victims of the traditional practice of sex work. Therefore, a study has been undertaken by the Commission on “Educational Status of Children of Traditional Sex Workers” covering five communities of traditional sex workers, in seven districts in five States i.e. Delhi, Gujarat, Madhya Pradesh, Rajasthan & Uttar Pradesh.

Methodologies adopted in the survey study are; identification of the habitations/villages and communities engaged in traditional sex work; interaction with State Authorities, public representatives including MLAs, District Administration and the concerned departments related to children i.e. ICPS, ICDS, Education, Legal Services, Police, Social Welfare, Child Welfare Committee, District Child Protection Unit, Anti Human Trafficking Unit etc.; Meeting at habitation/village level with village heads and community leaders including women, children and male folks and meeting with school teachers and children at the school. A set of questionnaire was designed and administered to 1000 respondents.

Based on the findings of the study a pathway has been designed for rehabilitation of the children of traditional sex workers.

PATHWAYS FOR REHABILITATION OF CHILDREN OF TRADITIONAL SEX WORKERS

The Principles of Rehabilitation:

- a) Identification and rescue of children if engaged in the activities of traditional sex work and penalizing the perpetrators who are forcing or pushing children into sex work or using them as pimp.
- b) Investment in education for the present generation of children belonging to families of traditional sex workers, by providing them residential educational facilities, which would help insulate the influence of their traditional practice.
- c) An appropriate strategy for the new generation of children who are to be born in families of traditional sex workers through sensitization, ensuring social security and rehabilitation measures of the families of the traditional sex workers.
- d) Convergence of services and benefits for the upliftment of the communities of traditional sex workers through a comprehensive single window scheme with additional resources as per need.
- e) Providing a social environment free of stigma and discrimination of children of traditional sex workers through activities sponsored by States.

1) Mapping of Communities & Children:

- i) **Locations of the communities of traditional sex workers and children** : The concerned Departments of States, may conduct a survey or examine the Census data for all the communities practicing the traditional sex work. The mapping may be conducted on caste basis with sub-caste, and community wise at the district level identifying the geographical pockets, to prepare decentralized plan for the rehabilitation of these communities.
- ii) **Mapping of the communities**: Geographical pockets-wise mapping exercise may be carried out with the communities. The enumeration should include details of

caste, sub-caste, location, number of families, socio-economic information of the families including their assets, education etc.

- iii) Mapping of Children:** Children in the communities may be mapped and segregated age-wise for different interventions. The age segregation could be 0 to 6 years, 6 to 14 years, 15- 16 years and 17-18 years.

2) Rescue of Children engaged in activities of traditional Sex Work:

Though the National Commission for Protection of Child Rights (NCPCR) has guided the field study, however, there is a limitation in carrying out the operation which would most suitably can be carried out by the State and local administration. It is felt that , there is a need for keeping a close vigil on the communities, if the children of the communities are engaged in the activities of traditional sex work including; soliciting, engaged in sexual act, pimping etc. or if the parents and guardians are pushing them into the profession. The vigilance may be linked with the monitoring of attendance in the school. The rescue team should comprise of Child Line, Police (Special Juvenile Police Unit) , District Child Protection Unit (DCPU) and the rescue operation may be carried out periodically based on information along with regular inspection.

- 3) Sensitization of the officials and staff from NACO & other Departments and NGOs engaged in targeted interventions with the communities or any such programmes :** The interventions by NACO and other Departments/NGOs have to be sensitive towards these children and adopt a comprehensive approach for the all-round development of the communities rather than a singular objective of HIV prevention. Since, it attracts violations under POCSO Act, 2012 and Juvenile Justice (Care & Protection of Children) Act, 2015, there is a need of sensitization of all the officials and staff carrying out targeted interventions under HIV prevention especially distributing contraceptives.

Strategic Activities for Rehabilitation of the Children

Protecting Umbrella of Education for ensuring healthy environment for the development and successful rehabilitation of these children.

Education and Skill Building/Vocational Training are key to transform the lives of children and youth especially those belonging to disadvantageous category that desperately look for economic opportunities. Interestingly, the present eco-system on education and vocational training is very conducive to reach out to any group of children and youth who are in difficult situations. It may be mentioned that, there is an independent Ministry for Skill Development supported by the institutes like; National Skill Development Corporation (NSDC) and Sector Skill Councils (SSCs). In the field of education, implementation of Right to Education Act, 2009 is a

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landmark decision that ensures school education to the children between the ages of 6 to 14 years, National Institute of Open Schooling (NIOS)- an active and innovative institution that offers off campus open school education and vocational training modules. More interestingly, the relevant law i.e. Child Labour prohibition and Regulation Act, 2016 also provides scope for vocational training to the children below 18 years for non hazardous sectors.

Taking in view the need of the communities of traditional sex workers the following activities are placed for consideration:

4) **Special Residential Schools for Children:** To break the chain of traditional Commercial sex work, a generation of children has to be targeted for various interventions especially to provide residential facilities and education. The hostels should be located conveniently near the communities or at the district headquarter. The residential facilities may be provided in such a manner that children will stay in the residential hostels for maximum time in a year without visiting their villages /habitations in order to prevent these children from being influenced by their traditional profession. However, parents to be allowed to meet their wards in the hostels periodically.

Transit Home Facilities for Parents: There may be transit home facility attached to the hostel of children for parents to stay in the school premises. This way it can be assured that the children do not go to their parent's home to stay with them and children will be insulated from the practice of commercial sex work.

5) **Seats in Residential Schools run under different programmes:** Residential school facilities provided under various schemes including KGBVs, Ashram Schools, Hostels for SC & ST Children, National Child Labour Project (NCLP) may be offered to these children. In addition, provision of additional residential schools in the localities where the communities are living may be created.

6) **Special programme with the State Department of Skill Development for skilling of children and their placement:** Need to establish collaboration with the Ministry of Skill Development for the enrollment of the children in the skilling programmes and future job placement. The placement of job should be in such a manner that these children work in a different location from their native place so that the children/youth to be protected from social stigma.

7) **After Care Programmes for the Children:** Children after completing the age of 18 may also need support for further education, training and placement. Therefore, provision for after care programmes need to be provided to the children till they get a job. During this phase, hand holding activities like; life skills, personality building, communication, job placement may be provided.

8) **Attendance Monitoring:** The schools may monitor the attendance of the children closely especially during the marriage season as the girls tend to be absent in the schools to perform dance at marriage functions. Coordination Committee may be formed at district level with District Child Protection Unit (DCPU) , Child Line and school authorities for monitoring of the attendance of children in the schools. In case children are absent, Child Line staff may visit their homes to inquire about the children and reasons for not attending school. If required parents may be explained about the provision of POCSO and Juvenile Justice Act.

9) **Mechanism to prevent trafficking of children:** The children of the families belonging to communities like traditional sex workers are one of the vulnerable sections for trafficking. Therefore, there is a need for a close monitoring and setting up a mechanism led by AHTU with several measures including linking and tracking of the attendance of children in the school. NCPCR would like to extend its support in setting up the mechanism.

10) **Prohibition of children from performing dance for the client:** Though dance form like Rai is a rich form of dance, however, children up to the age of 18 years should be prohibited to perform the dance in public where there is a danger of children being mobbed, molested and lured for sexual activity. Children may not be used or exposed to such platform where children would be vulnerable to be victimization. If required, relevant sections under Juvenile Justice Act may be applied to the organizers of such events.

11) **Convergence of Schemes for the Communities:** There is a need to create convergence platform or facilitation centre for effective delivery of the benefits of the schemes (both central and state govt.) to the communities of traditional sex workers. This may be done on a special drive with designated officers at State and district level. If needed a special scheme may be formulated for the communities because current schemes of the States or Union Government have not been able to address the core issues faced by these communities.

12) **Support for developing Mechanism & Strategies:** National Commission for Protection of Child Rights (NCPCR) would be happy to extend its technical support in devising strategies and mechanisms specific to any state if needed.
