

Report to the National Human Rights Commission, New Delhi dated the 17th July 2004 on Trafficking in Girl Children in Krishna District of Andhra Pradesh.

Sub: Traffic in Girl Children in Krishna District of Andhra Pradesh – *suo motu* action initiated – Report- reg.

On receipt of information from our Nodal Officer Shri M Mohan Rao that he had seen a news item on the Television channel TV 9 that traffic in girl children was rampant in the village of Manthada in Krishna District, I made a surprise visit to this village late in the evening on the 8th July 2004. On reaching Krishna District I requested Shri P Sampath Kumar IAS, Joint Collector, Krishna District to accompany me to the village. He most kindly agreed to do so. Accompanied by Shri P Sampath Kumar and the Nodal Officer, NHRC Shri M Mohan Rao I visited the village of Manthada on the 8th July 2004 between 8.30 P.M. and 11.45 P.M.

2. I wish to place on record my sincere thanks to Shri P Sampath Kumar IAS, Joint Collector, Krishna who accompanied me to the village and extended his full cooperation to me in my inquiry at the village late into the night on the 8th July 2004.

3. During this visit I met Shri Suri, Sarpanch, Manthada Gram Panchayat, Shri Veera Babu, Panchayat Secretary, Manthada, Smt. Rajeswari, Anganwadi Worker in the ICDS Programme, Manthada and Smt. Kampa Suramma, a broker and elicited from them all information relevant to the alleged traffic in girl children from this village. I also spoke to Smt Lakshmi, aged 30 years, who informed me that she had been sent to Delhi from Manthada when she was only 11 years old. In addition to these persons, I spoke to a number of other residents of the backward classes colony in Manthada village about the alleged traffic in children including one Smt Rama Devi, group leader of the Chaithanya Self Help Group. While I spoke to Shri Suri, Sarpanch and Shri Veera Babu, Panchayat Secretary at the Gram Panchayat Office, Manthada I spoke to the rest of the

persons mentioned in this Report at the backward class colony of the village, in full public view.

4. My public enquiry lasting over 3 hours revealed the following facts:

Over the past two decades and more, girl children from this village are being regularly sent out to places like Vijayawada, Visakhapatnam, Guntur and Hyderabad within the State of Andhra Pradesh and to places like Chennai and Delhi out side Andhra Pradesh in the name of employment. While such children were sent out from among the children of Manthada at one time, girl children from the backward districts of Vizianagaram and Srikakulam are regularly now brought over to Manthada by their parents and such children are thereafter handed over by brokers, who belong to Manthada village, to prospective “employers” elsewhere. For this the brokers get paid Rs.1, 116 per child. The age of girls who are so handed over to the “employers” ranges from 11 years to 18 years. These “employers” pay to the parents of these girls, for each girl child, amounts ranging from Rs.5, 000 to Rs.20, 000, such payments varying dependant on the age of the girls, their capacity for work and the period for which they are initially sent out to various parts of the country. Thus, Lakshmi who belongs to Manthada was sent to Delhi when she was only 11 years against payment of an amount of Rs.5, 000 for as long a period as 5 years. In the very recent years the rates have varied from Rs.12, 000 to Rs.20, 000 per year for a girl child. On some occasions the rates have been Rs.15, 000 per child for two years. The rates have varied depending on the age of the girls. Smt. Suramma, a broker living in this village, told me in her own words that she arranges for the transfer of girls of poor parents from Vizianagaram to prospective “employers” at rates per year of Rs.8, 000 - 9, 000 for girls of 11-12 years of age and at rates of Rs.12, 000 to 15,000 for girls of 18 years of age. She told me that these “employers” know that girls such as these are routinely available in Manthada and therefore come to Manthada to get them. Last year, this broker sent 10 girls from Manthada while this year she has sent 5 girls to Hyderabad, Guntur and Vijayawada. The “employers” of the girls so taken away pay Smt. Suramma Rs.500 per girl for her services as broker. Smt. Suramma who receives these girls from their native places in Vizianagaram District lodges them in her own house before

transferring them to the “employers”. Answering questions from me she stated that all these girls are doing well in their places of work. She justified such involvement of hers in the transfer of girl children to “employers” to be taken away to far off places on the ground that such children would otherwise live in great poverty. She was quite forthright and aggressive about her action and seemed convinced that she was serving the cause of the poor.

The women of the colony assembled during my visit told me that they had heard no complaints of abuse of these children who had been taken away to Delhi, Vijayawada and other similar places. However, Shri Veera Babu, the Panchayat Secretary told me that 2 or 3 children had come back to the village for good on grounds of their treatment at the hands of their “employers” having been bad, like excessive work and absence of proper feeding. Those girls had complained of “being made to do work which they did not want to do”. He did not clarify what such work was. While generally it was mentioned that most of these girls came back once a year for a short stay of a few days in the village to return again to their places of employment, Shri Suri, Sarpanch told me that in the past 3 years two or three girls did not do so and that they have gone untraced and their whereabouts have been completely lost. He stated that to the extent the villagers knew, these girls were engaged in domestic work including cooking but that they had no clear or complete information as to the kind of work for which these girls are used in the homes of their “employers”.

Lakshmi, who is now 30 years, had been sent out to Delhi when she was only 11 years old and had come back to the village of Manthada after an absence of 5 years. Her parents had taken Rs.5, 000 as her wages all at one time for all of those five years. She returned from Delhi after 5 years and got married but was deserted by her husband nine years ago. At the age of 25 she went to Bangalore and is working there as a cook in a home in Bangalore. She does not know her employer’s name or address in Bangalore. Her parents had taken an amount of Rs.15, 000 from her employer for her services for 2 years. She herself does not get paid any wages in Bangalore. All that she gets is food and two saris at Dussehra and Diwali. Her two girl children aged 11 and 9 live at Manthada

with her mother and they are not going to school. Lakshmi's mother Somamma said to me that she had sent Lakshmi to Delhi when she was only 11 because she (Somamma) was a helpless widow. At present Lakshmi gets from her employer bus charges to come once a year (for a stay of 20 days) to Manthada and get back to Bangalore. She gets a telephone call from her employer from Bangalore when her time comes to return and on her reaching Bangalore she is picked up by her employer at the bus stand and taken to her work place.

Answering specific questions from me, the Anganwadi Worker of the ICDS Programme, Rajeswari acknowledged that this kind of traffic in girls was not correct. She said that this situation was discussed in the meetings of the Self Help Group (SHG) but that she had been unable to convince the members about the incorrectness of this. This was because the members of the group were of the view that such "migration" on the part of the girls had become essential for their livelihood and their future plans such as their marriage etc. Smt. Rama Devi, group leader of the Chaitanaya SHG said that this subject was not discussed even once during the six months since the group was formed.

It emerged during my investigation in the village that in May 2003 the Revenue Divisional Officer and Sub-Divisional Magistrate (SDM) of Nuzvid in whose jurisdiction the village Manthada falls had visited the village to enquire into similar complaints. At the time the parents had told the SDM that they were sending their children out for employment in this fashion because they had "no means" of providing adequately for their children and they had felt that their children would have better lives if they went out in this manner for work. It also emerged that people belonging to a particular backward caste called Reddikha living in this village had been indulging in this practice of sending children out on "employment" over a period. Reddikhas had come here originally from Srikakulam district in the North East of Andhra Pradesh over 30 years ago and settled down in Manthada village of Krishna district, doing agriculture labour work and working in the KCP Sugar Factory in near by Vuyyur during the crushing season.

5. Comments

The facts emerging from my investigation show:

(a) In the past 3 years about 50 girls seem to have been taken out of this village through the brokers each year though it has been said that this number has come down in the very recent past. About 15 girls are being received by the brokers from the poverty stricken areas of Vizianagaram/Srikakulam Districts of Andhra Pradesh every year in the age group of between 11 and 18 years in the village of Manthada in Krishna District. These girls are handed over by the brokers to their future masters on payment to their parents of amounts ranging from Rs.8, 000 to Rs.20, 000 per year depending on their age. The brokers get paid a commission for their services from the “employers”. **Their masters take them to places like Vijayawada, Visakhapatnam, Guntur, Hyderabad, Chennai and Delhi.** There have been cases of the whereabouts of a few girls being completely lost while a few have managed to return complaining of their being forced to do work “of a kind they do not want to do”. There is no clear information as to the exact nature of the “work” to which these children are put. The existence of brokers, their getting a commission, the age of the children, the sex of the children and the payment of advance by masters to the parents of these children through the brokers, all put together point to traffic in girl children. It is also clear that these are classical cases of Bonded Labour and Bonded Child Labour.

(b) It also needs to be emphasized that none of these girls gets paid any thing by way of wages for the work they do in the homes of their masters in these far off places. All they get is some food and clothing and some of the girls who had managed to come back for good have complained that they did not get enough to eat and the kind of work that they were made to do is something they would not want to do. All this is testimony to the kind of forced labour to which these children are subjected to and the inhuman conditions in which these children are made to work. These conditions obviously border on slavery.

(c) Such traffic in children takes place from some neighbouring villages as well.

(d) In the past the District administration seems to have known of the existence of this racket and the Revenue Divisional Officer and Sub-Divisional Magistrate, Nuzvid seems to have visited this village on complaints. However, there has been failure in taking appropriate legal action including under the Bonded Labour System (Abolition) Act 1976 for which there are ample powers under the Act conferred on the Executive Magistracy and regarding the need for the earnest implementation of which I, as the Special Rapporteur, National Human Rights Commission, Hyderabad have held a large number of meetings at the highest levels in the Government of Andhra Pradesh these past few years. Any comment on the response of the State Government is superfluous. Hopefully, this Report would make a difference.

(e) The facts of the case investigated by me would attract, in addition to the Bonded Labour System (Abolition) Act 1976, some, if not all, of the following Sections of the Indian Penal Code as well:

1. S 362. Abduction. By force compelling or by deceitful means inducing any person to go from any place.
2. S 366-A. Procurement of minor girl. Inducing minor girl under 18 to go from any place or to do any act with intent or knowing that the girl will be forced or seduced to illicit intercourse.
3. S 367. Kidnapping or abducting in order to subject person to grievous hurt, slavery etc.,
4. S 370. Buying or disposing of any person as a slave.
5. S 371. Habitual dealing in slaves.
6. S 372. Selling minor for purposes of prostitution etc.,
7. S 373. Buying minor for purposes of prostitution etc.,
8. S 374. Unlawful compulsory labour.

There could be violations of provisions of other laws as well.

(f) An extremely disturbing fact emerging from my investigation is the sense of resignation and insensitivity all round which justifies this sort of traffic in girl children on grounds of poverty and the conviction that this is the only way out of poverty. That does not speak highly of the poverty alleviation efforts made hitherto by the Government. Even the Self Help Groups of Women about whom we hear a great deal in Andhra Pradesh in the context of women's empowerment are found in this village to be in a state of resignation and helplessness. The State Government needs to examine these issues in the context of its obligation relating to the eradication of child labour practices in Andhra Pradesh.

(g) The number of brokers in the village seems to be any where between 5 and 10, which testifies to the presence of a flourishing ring.

(h) A point that requires emphasis is that those "masters" who come to Manthada to take the children away to far off places are not relatives of the children. They are total strangers.

6. Conclusion.

I am of the view for the reasons shown above that the facts of this case would attract Section 12 (a) of the Protection of Human rights Act, 1993.

The State Government needs to initiate immediate action at the highest level to break this traffic in girls ring and its total eradication in the light of the comments made at paragraph 5 above. I may add that while a few persons including women belonging to the backward Reddikha community living in Manthada village are found to be acting as brokers, I suspect that there must be more powerful forces engaged in this racket and, therefore, this case would need the personal guidance and attention of the highest authorities at the district and State levels. This case needs, therefore, to be investigated from all these angles by a special team of investigators to bring all concerned to justice and to provide for

the children of this State the rights guaranteed to them under the Constitution of India, the relevant International Conventions and the relevant laws of the land.

Because of the serious nature of this case I have already addressed the Collector and District Magistrate, Krishna requesting him to take immediate action to uproot this ring. I have also addressed the Chief Secretary to the Government of Andhra Pradesh seeking similar action, under intimation to the Principal Secretaries in charge of the Departments of Labour and Social Welfare, they being respectively the nodal Secretaries concerned with the implementation of the Child Labour and Bonded Labour laws. I forward for favour of information of the Commission copies of these letters.

7. Recommendation.

I request that this Report may kindly be placed before the Honourable Chairperson and the Commission for considering the facts stated in this Report and for issuing an appropriate notice to the Government of Andhra Pradesh in terms of Section 12 (a) of the Protection of Human rights Act, 1993. I further recommend that this Report may be communicated in full to the Chief Secretary to the Government of Andhra Pradesh for the State Government's comments, response and urgent necessary action.

K. R. VENUGOPAL.

Encl:

1. Copy of the notes made by me during my investigation in the village running to 7 pages.
2. Copy of my DO letter dated 13th July 2004 addressed to the Chief Secretary, Government of Andhra Pradesh forwarding the letter addressed by me to the Collector and District Magistrate, Krishna District requesting action to eradicate

the trafficking ring operating in Manthada village, Nuzvid Revenue Division,
Krishna District, Andhra Pradesh.

14th June 2005.

Dear Shri. Venkateswara Rao,

Sub: Mandate of the Honourable Supreme Court of India in regard to the abolition of the Bonded Labour and Child Labour Practices in Andhra Pradesh – district level review - Vizianagaram - reg.

I am writing this to thank you for sparing your valuable time in the midst of all your work on the afternoon of the 8th June 2005 for a review of the status of the work relating to Bonded Labour and Child Labour practices in your District. I found the meeting most useful, particularly in the context of the assurance that you gave during this review, and the appreciation of the issues involved by the District officers. I shall be grateful if the decisions taken in our meeting to take a fresh look at the need to identify Bonded Labour and Bonded Child Labour in the District could be implemented and action taken to rehabilitate them and their families so as to ensure that there is no relapse back into bondage by those released. As mentioned by me in our review, we have the Centrally Sponsored Scheme on Bonded Labour, which can be effectively used to rehabilitate the families in conjunction with other funds available with you under various anti-poverty programmes. We need to take up prosecution as well in order to deter the violators of the laws. The work of the Vigilance Committees is most relevant in the areas of identification and rehabilitation.

2. Against this background I invite your attention to the trafficking of children that is taking place from some parts of your District to far off places as revealed from my investigations in Manthada village of Krishna District in 2004 and confirmed by my personal verification in Velduru village of your District in the presence of your officers on the morning of the 8th June 2005. These are classical cases of Child Bonded Labour and trafficking and need your immediate personal attention and intervention as also of the officers who are in charge of the anti-poverty programmes, including Education in the District. I am confident that the extensive observations made by me about what I saw in Velduru in our review meeting will receive focused attention so that this practice is immediately halted and eradicated from everywhere in the District. We have to deal with the source and the root causes of this problem, and considering that the problem is originating from Vizianagaram district, your leadership in this regard will be crucial in comprehensively eradicating this pernicious practice.

Contd. 2.,

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3. In this connection, for your use and reference I enclose an extract of the Honourable Supreme Court's directions regarding the manner of implementation of its orders on Bonded Labour to which I made a reference in our review. I am sure that you also have the proforma sent to you by the Principal Secretary, Social Welfare for submission of the progress reports in regard to this work.

4. We in the National Human Rights Commission are planning a meeting of NGOs of the North Andhra Region who are working in the area of Human Rights shortly. Dr Justice Shivraj V Patil, Honourable Member, NHRC, New Delhi would preside over this meeting, which we plan to hold in Visakhapatnam some time in September-October 2005. This meeting would facilitate interaction in regard to all Human Rights issues among all the stakeholders. I shall be grateful if you could kindly suggest the names of NGOs from your District who could be invited for this meeting, at a very early date.

5. I forward herewith for your information a copy of the Joint Report of the National Human Rights Commission and the Government of Tamil Nadu on a Two-Day Sensitization Workshop for Field Level officers and NGOs of Tamil Nadu on Bonded Labour and Child Labour issues that we held on the 4th and 5th March 2005 at Chennai. I am certain that you would find this Report interesting from the point of view of your work in the District and at a later date as well. You might like to share this with your officers against the background of our review on the 8th June 2005.

Thanking you once again for sparing your valuable time on the 8th June 2005 for the Review meeting on Bonded Labour and Child Labour issues,

Yours sincerely,

K R VENUGOPAL

Shri B. Venkateswara Rao IAS
Collector and District Magistrate
Vizianagaram District
Vizianagaram.

Encl: As above.

24th June 2005.

Dear Ms. Rani Kumudhini,

Sub: Mandate of the Honourable Supreme Court of India in regard to the abolition of the Bonded Labour and Child Labour Practices in Andhra Pradesh – Formulation of an Action Plan – Traffic in Girl Children from Krishna District of Andhra Pradesh – sources in Vizianagaram District - Reg.

I am writing to thank you for so kindly finding time on the 10th June 2005 to discuss issues relating to the above subject and in particular the formulation of an Action Plan for elimination of Child Labour practices in Andhra Pradesh. I am grateful for the action taken by you to prepare the draft Action Plan and for furnishing me a copy of the same. I shall revert to this subject very shortly.

2. On the 8th June 2005 I was in Vizianagaram District reviewing the work being done in the District in regard to Bonded Labour and Child Labour. I enclose a copy of my letter to the Principal Secretary, Women's Development and the Collector, Vizianagaram in this regard for your kind information. I shall be grateful if the Department of Labour could also take interest in this matter since these children are being sent to Manthada against advances being paid by brokers from the villages of Veldur and Konada of Pusapatirega Mandal of Vizianagaram District and Kancheru of Bhogapuram Mandal of the same District. I shall be grateful if the work relating to such trafficking of Bonded Child Labour could be coordinated by the Departments of Women's Development and Child Welfare, Labour and Social Welfare to rescue them from their predicament. I have also addressed the Principal Secretaries, Women's Development and Child Welfare and Social Welfare in this regard separately.

Yours sincerely,

K R VENUGOPAL

Smt. I Rani Kumudini IAS
Commissioner of Labour
Government of Andhra Pradesh
Tanguturi Anjaiah Karmika Bhavan,
Hyderabad 500 020.

24th June 2005.

Dear Shri Prabhaker Thomas,

**Sub: Traffic in Girl Children from Krishna District of Andhra Pradesh –
Sources in Vizianagaram District - Reg.**

Ref: Notice in NHRC (Law Division) Case No.300/1/2004-2005/WC-UC to the
Chief Secretary, Government of Andhra Pradesh dtd. 23-07-2004.

I invite your kind attention to the reference above.

2. Since my investigations in Manthada village of Krishna District showed that the brokers of this village receive girls from their native villages in the Bhogapuram and Pusapatirega areas of Vizianagaram District after which they transfer the children to “employers” to far off places like Chennai, Delhi as well as Vijayawada, Visakhapatnam and Hyderabad, I visited these areas in Vizianagaram District on the 8th June 2005. After discussions at Bhogapuram with Revenue and Police officers I visited the village of Velduru in Pusapatirega Mandal, 15 km. from Bhogapuram. I conducted a public inquiry in the village of Velduru in the presence of the Sarpanch, the MRO, the ICDS Supervisor and Anganwadi workers. My inquiry showed that while in the last 10 years about 150-200 girl children have been taken to Manthada village, such a situation continues even at present and according to one person between 20 and 30 girl children were sent from this village last year. I was also informed that three of the girls who had left from the village in the past had even died about 4 years ago. As recently as about 7-8 months ago, one girl who had been sent 2 or 3 years ago to Vijayawada had died there. Investigation showed that that the brokers of Manthada go to Velduru to persuade the poor among the villages to send the children and that they actively promote this trade.

3. I am separately formulating my Report to the National Human Rights Commission, New Delhi for their information but feel that the Government of Andhra Pradesh should be kept informed of this.

4. I shall be grateful if in the meantime this matter could receive the attention of the three Departments of Women and Child Development, Social Welfare and Labour, in a coordinated way, as there is a combination of the elements of

trafficking, Bonded Labour and Child Labour in what is happening in Vizianagaram and Krishna Districts. In this connection I send herewith copies of my letter addressed to the Commissioner of Labour and the Collector, Vizianagaram for your kind information.

I shall be grateful if you could kindly initiate required action.

Yours sincerely,

K R VENUGOPAL

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Encl: As above.

