

**STUDIES IN THE HISTORY OF PROSTITUTION IN NORTH  
BENGAL : COLONIAL AND POST - COLONIAL PERSPECTIVE**

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## DECLARATION

I declare that the thesis entitled 'STUDIES IN THE HISTORY OF PROSTITUTION IN NORTH BENGAL : COLONIAL AND POST - COLONIAL PERSPECTIVE' has been prepared by me under the guidance of Professor Anita Bagchi, Department of History, University of North Bengal. No part of this thesis has formed the basis for the award of any degree or fellowship previously.

Date: 19.09.2016

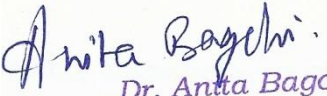
  
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## CERTIFICATE

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## ABSTRACT

Prostitution is the most primitive practice in every society and nobody can deny this established truth. Recently women history is being given importance. Writing the history of prostitution in Bengal had already been started. But the trend of those writings does not make any interest to cover the northern part of Bengal which is popularly called *Uttarbanga* i.e. North Bengal. An overview of the scholarly works makes it evident that there is not a single work which has dealt with this issue of prostitution in North Bengal in historical outline.

North Bengal is popularly called the second capital of West Bengal, playing an important role in the international market of money making. A large section of women in this region involve in sex trade and directly or indirectly they have taken part in this process of money making. Through this research work a humble attempt has been made to focus on the history of prostitution in North Bengal.

The first chapter of this thesis dealing with the definition, ingredients, origin and morality of prostitution.

The chapter second attempts to understand the history of prostitution in ancient, medieval and modern India. It also refers to the varieties of prostitution.

The third chapter namely 'Socio - Historical Situation of North Bengal' minutely analyses the causes and background in this part of Bengal for patronizing sex business.

The fourth chapter provides the references of prostitution in different districts of North Bengal. It also brings to light on the sources of recruitment in this profession, role of pimps and categories of clients.

There are various laws and regulations being made since the ancient time. Law givers are trying to control the sex business, chapter five has focused on those laws and their implementation as well as reaction.

Role of the Government, non - governmental organizations (NGOs), several individuals are trying to mitigate the problems of this marginalized class. They have taken lots of welfare missions for the sake of these women. It is described in chapter six.

Not only the organizations doing benevolent jobs for the sex workers, but also the women of this trade have become more conscious about their rights and demands. Their contribution, sacrifices to any kind of crisis of the country has been mentioned in chapter seventh.

In the conclusion the antiquity of this profession, anthropological concept about prostitution and contradictory issues of prostitution have been mentioned. An attempt of comparative discussion between the nature of prostitution in South Bengal and in North Bengal have also been made in conclusion.

## PREFACE

We are living in such a period when we talk about the eradication of all commercialized vices. We are trying to save our humanity from those vices, which are very active in blackening our human feelings. Prostitution is one of such vices or social diseases. State, Government, Administration as well as some social reformers are very much worried about this and are striving hard to eradicate this evil. But they are confronted with many difficulties and problems in their way, among which paucity of earnest co-operation of the individual as well as of the society is to be counted foremost.

Prostitution has been in existence in every society of the world from the long past, as history speaks us. From this point of view it can be regarded as the ancient evil. When I attained my adolescence, I asked myself why prostitution did exist? Why is this existing still now? Sukumari Bhattacharya seeks to trace its origin in the desire of the male's to satisfy their sexual hunger going beyond the limits of marital fidelity. This conclusion of Professor Bhattacharya has been attained on the basis of literary evidences of the past. This is the one side of the coin. On the other, chill penury in fact may be regarded as a compelling force leading the women to accept such a deplorable profession as means of livelihood. Poverty forces them to enter in this flesh trade. In many areas of our country girls are being forced into prostitution in the name of religion, culture and others.

Whenever I use to pass through the road beside Khalpara (Red Light Area in Siliguri, which is my home town), I feel bewilder and frustrated. This feeling gives birth to so many questions in my mind – Why is this area called *Nisiddhapally* (prohibited zone)? Why are these girls forced into this profession? What do they think about themselves? Do they have any dreams or aspirations in their life? What is about their parents? What is their family background? What are the views and role of the society towards these poor women? How society can come to their help and bring a shift in the traditional apathetic concept regarding this profession?

In this humble effort I have tried to investigate these questions and make a documentation as well as a socio – historical analysis of this issue. I have visited several red light areas in North Bengal, tried to make an intimate relation with them to make out my queries. I have also met some old citizens, some renowned persons, writers, some intellectuals as well as some administrative peoples who are all aware of this dark side of our society and even expressed their anxiety for this inhuman profession. In the local literatures, writings, most of the issues of North Bengal are covered, but nothing is mentioned of this vital problem in this region. What indifference still persists in the society with the problems of a considerable section of the whole population in this area!

In this article, the present writer is willing to delineate the whole transaction of women for trafficking in purpose of prostitution. How local women are made victim and what were the main factors behind such immoral activities carried out by the local brokers.

For carrying out this research I have taken the help from the ancient scriptures, epics, archival documents, news papers, magazines, pamphlets, journals as well as several reference books, electronic media etc. I have used a few archival materials directly from Sumanta Banerjee's book, which were dislocated and destroyed during shifting from the State Archive in Writers Building (Kolkata) to Shakespeare Sarani (Kolkata) and some of the documents could not be provided by the State Archive authority due to the renovation of State Archive at Bhawani Dutta Lane in Kolkata when I searched for in May, 2014.

For the scarcity of primary sources, I had to take help from several non-conventional sources like folk songs, folk tales etc. to reconstruct the history of prostitution in North Bengal. From all those sources we get the indication of prostitution and its changing condition in this part of Bengal. And the transformation of the attitude of this profession and the concerned women are the content of my thesis. More sources are available in three districts (Darjeeling, Jalpaiguri, Cooch Behar) comparatively Malda and Dinajpur.

I have tried to investigate the problem of prostitution situating it in its proper historical perspective and to attain a hypothetical conclusion after a thorough analysis. Though this is a very difficult job to make survey in the area and get real picture from the ladies engaged in such profession, which requires much of secrecy and privacy. Consequently gaps and incompleteness are obvious. So faults remains with me.

  
Tamali Mustafi

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Tamali Mustafi

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## **GLOSSARY**

*Adhiyari* - Practice of selling space for attract the attention of customer.

*Anna* - Pre - 1957 Sub-division of Rupee, 16 Annas = 1 Rupee.

*Arkathi* - Broker of tea garden labourers.

*Azura* - Wage.

*Babu* - Permanent client.

*Bakshis* - Tips.

*Barind* - The land of red silt (eastern part of *Mahananda* river).

*Bhadrolok* - Gentleman.

*Bharuya* - Pimp.

*Bheestie* - Who carries water.

*Bondar* - Market or port.

*Chakla* - Prostitute market near military barrack.

*Chaukidar* - Guard.

*Chukanider* - Tenants of agricultural land.

*Chhukri* - Tender-aged girls in prostitution.

*Dalal* - Pimp.

*Dewan* - A chief treasury officer in some Indian States.

*Dhanda* - Sex business.

*Dhawa* - Line hotels on highway.

*Diara* - The land of silt (the southern part of *Kalindi* river).

*Diwali* - Festival of lights.

*Duti* - Pimp.

*Gomostha* - One kind of agent related to land revenue collection.

*Gutka* - Chewable tobacco.

*Haat* - Weekly market.

*Hapta* - Forced Charges collected by the musclemans from the sex workers weekly.

*Kharap para* - Red light area.

*Khemtawali* - One kind of dancer.

*Koina Becha* - Selling of girl child.

*Kuttani* - Pimp.

*Mahazan* - Money lender.

*Masi* - Veteran women in sex business.

*Masohara* - Monthly paid wage.

*Morah* - A sort of stool made of cane or bamboo slits.

*Narayani Mudra* - Coin of Cooch Behar royal state.

*Nisiddhapally* - Prohibited zone (red light area).

*Sadar* - Chief town.

*Saheb* - White people (Tea planters).

*Sanjam* - To acquire purity in body and mind by taking veg. food once on the day before actual day of fasting and worship.

*Sanko* - Small bridge made of wood or bamboo.

*Sarder* - Money lender.

## **ABBREVIATIONS**

ACP - Assistant Commissioner of Police.

AHTU - Anti Human Trafficking Unit.

AIDS - Acquired Immune Deficiency Syndrome.

AIHPH - All India Institute of Hygiene & Public Health.

ANP - Archival Native Paper.

BE - Bengali Era.

BMOH - Block Medical Officer of Health.

BPL - Below Poverty Line.

BS - British Standard(s).

BSF - Border Security Force.

CDA - Contagious Disease Act.

CID - Criminal Investigation Department.

CINI - Child in Need Institute.

CMOH - Chief Medical Officer of Health.

CSSP - Civil Society Support System.

CSW - Commercial Sex Workers.

CWS - Centre for Women Studies.

DCRB - District Crime Report Bureau.

DFID - Department for International Development.

DFO - Department of Fisheries and Oceans.

DMSC - Durbar Mahila Samanway Committee.

DSP - Deputy Superintendent of Police.

FIR - First Information Report.

FOSEP - Federation of Societies for Environmental Protection.

GRP - Government Railway Police.

GUP - Gana Unnayan Parshad.

HIV - Human Immune Deficiency Virus.

IANS - Indo Asian News Service.

IC - Inspector in Charge.

ICDS - Integrated Child Development Scheme.

IED - Institute for Educational Development.

IGO - International Governmental Organization.

ITPA - Immoral Traffic Prevention Act.

MLA - Member of Legislative Assembly.

MNPW - Mamta Network & Prostitutes Women.

NACO - National Aids Control Organization.

NBA - National Book Agency.

NBU - North Bengal University.

NGO - Non Governmental Organization.

NJP - New Jalpaiguri.

NNSW - National Network of Sex Workers.

OC - Officer in Charge.

PA - Personal Assistant.

RCH - Residential Care Home.

SI - Sub Inspector.

SITA - Suppression of Immoral Traffic in Women and Girls Act.

SIV - Simian Immuno-deficiency Virus.

SP - Superintendent of Police.

SPC - Special Police Constable.

SRB - Self Regulatory Board.

STD - Sexually Transmitted Disease.

STI Treatment - Treatment for Sexually Transmitted Infection.

UNHCR - United Nations High Commissioner for Refugee.

UNICEF - United Nations International Children's Emergency Fund.

UNODC - United Nations Office on Drug and Crime.

VD - Venereal Disease.

WBIDC - West Bengal Industrial Development Corporation.

WBSAP&CS - West Bengal State Aids Prevention and Control Society.

WBVHA - West Bengal Voluntary Health Association.

WHO - World Health Organization.



# CHAPTER I

## INTRODUCTION

History of prostitution can not be considered as the conventional history, rather it is better to call it a rubric in subaltern studies but not yet duly addressed.

Women's vulnerability to seduction has been a stark reality in any society. Now-a-days, when different discourses on women history are emerging out in the academic arena, the issue of prostitution of women may be taken as a viable and examined as a subject of study resorting to valid evidences as much as available. For doing so, the whole of the social and political scenario related to the issue may be depicted in such a way that the basic object of the study never loses its connectedness with history.

Before entering into the main context, it is necessary to mention that women whether in eastern or western countries, have been denied any honour and dignity. 'The male bias manifested itself from time to time in the views and acts of misogynist intellectual and thinkers, preachers and priests, soldiers and rulers, fathers and husbands.'<sup>1</sup>

Prostitution is bound up with wider social process and permitted by assumptions current in society at large. The institution of prostitution has existed in one form or another in all class-based patriarchal societies. In ancient times, female prostitution in several societies was closely linked to religious practices. By contrast prostitution in modern times tends to be associated with promiscuity, crime and social condemnation.

The last few decades have seen female prostitution, in South-East Asia in particular, undergoing dramatic changes. Not only has the scale of the phenomenon reached alarming proportions, but the forms in which prostitution manifests itself have become widely diversified. In particular, evidence suggests a correlation between militarization in these regions and the growth of prostitution. An increase in prostitution as a result of the development of the tourist industry is another recent phenomenon. In countries where the sex business has assumed the dimensions of an industry, it has been suggested that prostitution makes a significant contribution to the process of the economic development at the macro-level through income remittances of prostitutes to their village families.

In the past, North Bengal was like a mofussil with a little population. The area was suffering from murderous beasts and animals, diseases like malaria, black water fever (*Kala-jwar*) etc. at the beginning of colonial period. Not only that, after the great famine of Bengal in 1869-70, this part of Bengal became actually a 'nomans land' due to desertion of the inhabitants, there grew thick and vast forests, impossible to penetrate and badly infested by robbers, *fakirs*, *sannyasis* (monks).

Slowly but steadily the scenario of North Bengal had been changed. The strategic as well as the geographical situation of North Bengal played an important role to make it prominent in the map of world. The grandeur and scenic beauty of the towering snow-capped mountains peaks of Himalaya, its salubrious climate, balmy breeze, the orchards, orchids, flora and fauna, ever-changing environment with mist, cloud sun and rains successively a beautiful illustration on a vast evergreen canvas and unparalleled in the country attracted the foreigners. North Bengal became the tourist destination. Tea, timber, tourism tempted the businessmen from different parts of India; even Europeans to invest capital in this part of Bengal. Extension of railway, immigration of evacuees from Bangladesh, Assam, Nepal made it crowd.

Gradually the introduction of market economy, globalization, establishment of international air-port enhanced the population of North Bengal. Presence of rich people like *zamindars*, *jotdars*,<sup>2</sup> British civilians, British troops patronized the practice of prostitution. Specially the people who didn't bought their family, used to go to prostitute to satisfy their natural sexual desire. Poverty which was the disease of society, forced those women (prostitutes) to gratify their demand by sexual service. Trans-border area of Northern Bengal also encourage trafficking of young girls for the purpose of prostitution.

There are several laws intended to govern the whole issue regarding prostitution. State even in the days of *Kautilya*, could not remain indifferent to the problem. Obviously, the welfare state at present cannot remain aloof to this class of women engaged in such profession.

As a natural social phenomenon the practice of the profession i.e. prostitution existed in North Bengal. The socio-economic condition in different phases enhanced the practice

of prostitution and the crisis gave birth to the movement of these women for legalization of the profession with the target of being termed as sex workers with the help of different organization.

Bengalee culture is somehow confined within Kolkata and its adjacent areas. But we can not ignore that the only one native state existed in the northern portion of Bengal. Nineteenth century *Babu* culture was not reflected in this region as it was in Kolkata, which extremely patronized and helped to flourish prostitution in Bengal. Although the above mentioned socio-economic situation of North Bengal was enough to enhance such a vile profession in this region.

### **Overview of Literature :**

Prostitution though developed in Northern Bengal, the issue is yet to be addressed and brought under academic investigation. For developing the proposition, books dealing with the profession in general may help to find out the research gap and to develop a well defined structure of the study.

**Barthwick, M., *The Changing Role of Women in Bengal 1849-1905*, Princeton University Press, New Jersey, 1984 :** It is an attempt to focus on the changing role of women in Bengal where some welfare and voluntary deeds for prostitutes had been mentioned. But nothing has been mentioned about this region of Bengal.

**Kumar, A., *Medicine and The Raj : British Medical Policy in India 1835-1911*, Sage Publications, New Delhi, 1988 :** It examines the growth of hospitals and pharmacy in India. Even this book referred the importance and necessity of lock hospitals in Bengal to resist venereal diseases. But it did not mention anything about the British lock hospital in Darjeeling, which was one of the important among the four others lock hospitals in the rest of Bengal.

**Sen, S., *Babubrittanta*, Dey's Publishing, Kolkata, 1991 :** It is an attempt to describe the connection between prostitution and Kolkata *Babu* culture.

**Sleightholme, C. & Sinha, I., (eds.), *Guilty Without Trial Women in the Sex Trade in Kolkata*, Stree, Kolkata, 1996 :** This is an exhaustive and intensive work on sex workers, but at the same time it is entirely Kolkata centric.

**Banerjee, S., *Dangerous Outcast : The Prostitutes of Nineteenth Century Bengal*, Seagull Books, Kolkata, 1998 :** Though the title of the book connotes the whole of Bengal but practically the northern part of Bengal escaped his attention.

**Gathia, J., *Child Prostitution in India*, Concept Publishing Company, New Delhi, 1999 :** In this book the author tried to trace the origin of child prostitution. He mentioned that prostitution has been noticed popping up around mainly military bases. In this context he has mentioned the name of Siliguri which is considered the capital of North Bengal but has not dealt in detail.

**Banerjee, S., *Ashruto Kanthaswar*, Subarnarekha, Kolkata, 2002 :** The work deals the culture of *varbanita* (prostitute) society in colonial Bengal but the work is entirely Kolkata centric.

**Joardar, B., *Purono Kolkatar Anya Sanskriti*, Digangan, New Delhi, 2009 :** This is considered as a unique work on prostitution but the author does not bear any reference to the condition of prostitution in North Bengal.

**Bhattacharya, M., *Veshyaparar Panchti Durlobh Samgraha*, Ananda Publishers, Kolkata, 2011 :** This work deals with the *bot-tola sahitya* (literature) of Kolkata. It described the *choudha ayin* (Act XIV), its implementation and reaction. But nothing has been written about North Bengal in this context.

**Bagchi, A., *Social Situation of Women in North Bengal through the Ages : Ancient and Early Medieval Period*, CWS, NBU, 2015 :** Professor Bagchi's book happens to an in depth analyses on the situation of the women in this region of Bengal. Her research work touched the points on which the study of prostitution in North Bengal could gain some inspiration or rather said impetus.

However; there are some others books like *Prostitution a bibliographical synthesis* by **Biswanath Joardar**, *Babu Gourober Kolkata* by **Baidyanath Mukherjee**, *Atmakotha* by

**Hirak Roy**, all these works are more or less dealing with the topic of prostitution, though these titles are not concerned in dealing with the studies in the history of prostitution in North Bengal.

As because a significant number of women has taken this profession as a livelihood in this area, an analytical study of the issue situating it in the proper historical perspective is highly needed. Hence, an attempt will be made to prepare a history of prostitution in North Bengal in this project. The lack of conventional sources conducting the advocacy of alternative sources for writing the history of prostitution in North Bengal.

### **Definition of Prostitution :**

‘If you see a woman who is always laughing, fond of gambling and jesting, always running to her neighbours, meddling with matters that are no concern of hers, plaguing her husband with constant complaints, leaguering herself with other women against him, playing the grand lady, accepting gifts from everybody, know that, that woman is a whore without shame.’ - The Perfumed Garden<sup>3</sup>

It is an admitted reality that, prostitution, as we understand it today, is a product of civilization and a by product of the marriage institution. The earliest history of every civilized nation testifies to the existence of this oldest profession of the world. India, the seat of ancient civilization is no exception to this rule.<sup>4</sup>

The lowering of the status of women and the social construction of women being the ‘property of men’ is not entirely unconnected with the question of prostitution. Promiscuity in the case of women came to be extremely condemned. On the other hand men could enjoy a great deal of sexual permissiveness in the form of polygamy and prostitution. An aspect of patriarchal arrangements that accompanies the structures of reproduction in any society is the institution of prostitution.<sup>5</sup>

Prostitution, known as the world’s oldest profession came to be recorded throughout history. While this is undoubtedly true it does not explain under what condition and exactly at what point of time it became institutionalized in a given society. We have no

way of knowing how and when prostitution arose as a recognizable profession in the ancient society. The problem still remains to identify factors that led women into prostitution. Historical inquiry is hampered by limited information available on certain aspects of these women's domestic or private life. Still, it might be helpful to focus on one striking feature i.e. their social origins.

In 'Arthashastra', *Kautilya* says that prostitutes were recruited from four sources : either they were born as prostitutes' daughters, or they were purchased, or captured in war, or they were women who had been punished for adultery. According to *Kautilya* public using prostitutes were called *Ganika*, women who lived by their beauty called *Rupajivas* and *Pumshali* perhaps meaning concubines.<sup>6</sup>

In general parlance the word 'prostitution' is used to describe the selling of sexual favours. Historically and generally, women are the objects of this activity. Oxford dictionary defines prostitutes as 'person who offers himself/herself for sexual intercourse for money.'

The word 'prostitute' has been derived from the Latin Word *Prostibula* or *proседа*. The houses of ancient Greek harlots were allowed to be opened in the afternoon. The girl stood or sat before the *lupanaria* to attract and entice passers-by. Therefore, they were called *prostibula* or *proседа*.<sup>7</sup>

The dictionary meaning of the word 'prostitution' is the act of practice of engaging in sexual intercourse for money and the word 'prostitute' connotes a person, usually a woman who engages in sexual intercourse for money.

The Suppression of Immoral Traffic in Women and Girls Act (1956) defines 'prostitute' as a female who offers her body for promiscuous sexual intercourse for hire, whether in money or in kind; and 'prostitution' means the act of female offering her body for promiscuous sexual intercourse for hire, whether in money or in kind.<sup>8</sup>

The Act was amended in 1978, wherein the definition of the word 'prostitute' was omitted and the expression 'prostitution' was redefined as the act of a female offering her body for promiscuous sexual intercourse for hire, whether in money or in kind, and

whether offered immediately or otherwise and the expression 'prostitute' shall be construed accordingly.<sup>9</sup>

Mamoria defines prostitution as sexual union by a woman with a person who is not her husband, for some consideration in cash or kind and prostitute is a woman who sells her sexual favours indiscriminately and takes money or other valuables for each act of intercourse; and who has no psychic involvement.<sup>10</sup>

The gist of the problem is that 'it is more or less a promiscuous sexual intercourse' that is; all women who are guilty of intercourse outside the marriage state may be regarded as prostitutes.

According to *Encyclopaedia Britannica* 'prostitution' means the practice of engaging in relatively indiscriminate sexual activity, in general with someone who is not a spouse or a friend, in exchange for immediate payment in money or other valuables.<sup>11</sup>

Also most definitions of prostitution, including that contained in the Indian law define the phenomenon as promiscuous sexual intercourse, either habitual or intermittent, for mercenary 'inducement'. It is thus characterized by payment, promiscuity and emotional indifference. This suggests moral acceptance of sexual intercourse within these unions is unpaid for. Thus sexual intercourse which is not paid for, which involves emotional attachment and occurs within socially prescribed institutions is morally accepted, while sexual unions outside these are morally condemned.

Other definitions indicate broad agreement among researchers that the element of payment is most basic, but that the economic criteria alone does not suffice. Disagreement revolves around the social confines in which prostitution manifests itself. Thus Davis argues that since some form of payment is found in social arrangements such as marriage and courtship, the element of promiscuity must be retained in the definition to differentiate prostitution from other types of relationships. This view is extended by Polaky who defines prostitution as the granting of non-marital sex as a vocation.<sup>12</sup>

Gagnon defines prostitution more precisely as ‘the granting of sexual access on a relatively indiscriminate basis for payment in money or in goods, depending on the complexity of the local economic system.’<sup>13</sup> Payment is acknowledged for the specifies sexual performance,’ with a view to differentiate the professional prostitute from the mistress or from females who accept a range of gifts while having sexual contract with a male. However, as often pointed out, this differentiation is an artificial one, since in patriarchal societies, the structural relationship between men and women in such that the control of women’s sexuality and female prostitution are two sides of the same coin-male domination. The separation between the wife (the respectable woman), the mistress (the kept woman) and the prostitute (the fallen woman), only serves to divide women, strengthen patriarchal ideology and conceal women’s consciousness of their common condition of dependency on men.

Kathleen Barry presents another dimension to our understanding of prostitution. She writes: ‘Female sexual slavery is present in all situations where women or girls cannot change the immediate conditions of their existence, where regardless of how they got into those conditions of their existence, they cannot get out and where they are subject to sexual violence and exploitation.’<sup>14</sup>

Though Barry’s definition draws out a very important dimension of prostitution ignored by others, namely coercion, it is at the same time too wide and too narrow. First, although slave labour in prostitution continues to exist to date, it is not the only form of prostitution. Second, not all women who are subject to sexual exploitation can be considered slaves, even when they cannot get out of the situation. Slavery carries with it connotations of social outcast, property and compulsory labour. In many societies however, there are women who are purchased as a piece of property through marriage, must perform compulsory labour, may be sexually abused, but are not social outcast.

According to the social scientist Truong, prostitution is the provision of sexual services in exchange for material gains.<sup>15</sup> Thus provision may be induced by one more of variety of conditions : physical coercion, socio-economic coercion and individual decision. Prostitution can take many different forms, the delineation of which involves

the following criteria : (a) the number of men to whom services are provided, (b) the nature of payment, and (c) the institutional confines.

Depending on the forms, the institutions and the people involved, prostitution can be simultaneously condoned and condemned in every period. At one extreme prostitution may be disguised in the legal institution of marriage through which a woman is contracted to be sold or contracts to sell herself to a man in exchange for social conformity, economic security and some limited rights. In this case sexual services form only a part of the relationship. At the other extreme, prostitution is a practice involving the exclusive provision of sexual services on a relatively indiscriminate basis, in a manner similar to the sale of any form of unskilled or semi-skilled labour. The *hetaera* including courtesan who provide sexual services to a select number of parties, sometimes as a form of exotic art, and usually on payment, which ranges from money, expensive gifts or access to social mobility. Equally there is the mistress or hired wife is maintained by a partner in exchange for the occasional provision of sexual services, without a binding marriage contract and its legal implications. The social conditions of women who practice prostitution are determined by the institutional confines, e.g., slave labour can exist in brothels while within hetaerism women can have limited social mobility and can be largely free of moral condemnation. The institutions in which prostitution manifests itself vary according to socio-economic changes and equally, relations of exchange in prostitution are also transformed in relation to institutional changes.

The following five main issues emerge from this definition :

- (1) Sexual services in prostitution cannot be conceptualized as being limited to sexual intercourse, but must be extended to include other dimensions of human existence such as leisure and nurturing, which are often included in the services provided by prostitutes as professionals and as women.
- (2) Material gains cannot be seen only in terms of money or gifts but must also be seen in terms of social mobility for the individual as well as for groups.
- (3) The social conditions of prostitutes be assessed beyond the institution of slavery and brothels, so as to include other institutions because each institution is

governed by a different set of social relations, which determine the status of the individual prostitute.

- (4) The act of prostitution must not be seen only at the level of individual motives, but must be analyzed in relation to the structure of the social relationships between men and women and the class structure of society because these structures generally condition the act itself.
- (5) The conditions governing the lives of individual prostitutes are subject to changes. The personal dimensions of such change include the physical attributes of the individual prostitute and her consciousness of her social situation and the institutional dimensions include the legal and the socio-economic structure of society in which they operate.

Foremost among these assumptions is that prostitution is the oldest profession, a universal and inevitable social evil, necessary to satiate an uncontrollable male sexuality. Prostitution is therefore considered society's safety valve against the rape of 'innocent women' and the disintegration of the institution of the family. Late Sir Gurudas Banerjee considered it as a moral safety-valve to the social organism as a whole.<sup>16</sup>

Prostitution is a kind of sex satisfaction which a prostitute grants her client with full consent in exchange of money. It differs from sex shows and pornography etc. as it normally provides sexual satisfaction to the client through direct physical contact of some sort. It is a commercial or mercenary sex activity. The Marxist view of prostitution is that a woman is forced to sell her sex by economic necessity. According to Marx bourgeois marriage is no less a product of capitalist social and economic relations. He calls it a marriage of convenience, not of love. The supporting view may be that prostitution is not worse than marriage of convenience and if such marriage is perfectly legitimate then prostitution also belongs to the same category.<sup>17</sup>

### **Ingredients of Prostitution :**

The important ingredients of prostitution, according to Weaver, are<sup>18</sup> :

1. Promiscuity, barter and emotional indifference;

2. It is different from the broader concept of sexual immorality due to the commercial nature of the relationship, and

3. It is distinguished from illegitimacy, which invariably involves an illicit sex relationship but refers particularly to the production of a child outside the social approval.

There are many women, mostly from the first world, who claim it is their right to work as prostitute. But the women from the third world or developing countries consider themselves victims of economic crisis. Poverty and economic insecurity can be considered the single most decisive factor that drives women into prostitution. However, there are other contributory factors also. The traditional practice of sexual slavery of women and girls is prominent among them.

Merely with the modification of socio-economic background, this profession is being changed in its characteristics.

### **Tracing the origin of prostitution in India and Beyond :**

For self protection people used to live in a clan. From this stage of human life there was free sexual relationship between man and women. In that system each and every male members of a clan enjoyed the same right upon the women members of that race. This state of affairs reminds us of the days when the concept of monogamous family or private property did not surface on the screen of history.

In Savagery period we found group marriage. In Barbarism there was pairing family and in civilized society we found monogamy. This was the chronology of marriage system in human life. But here, the Marxian philosophy opined that, from the internal feud between man and women, the monogamy came. According to Marxist philosophy, the women were not subordinate to men at the beginning of human society. Even there was existence of matriarchy. Marx emphasized, class exploitation was the main reason of women subordination. And the class exploitation gradually led to economic exploitation and the creation of private property right. From this period the men used to treat the women as their private property. When people turned towards agricultural production, the

surplus production was gathered to a particular section of man. The women were pushed to domestic life. They become dependent on man for their livelihood. The end of matriarchy marked a revolution also. “For this revolution - one of the most decisive ever experienced by mankind-need not have disturbed one single living member of a gens.... The over throw of mother right was the world historic defeat of the female sex. The man seized the reins in the house also, the woman was degraded, enthralled, the slave of the man’s lust, a mere instrument for breeding children.....”<sup>19</sup>

There is no strong evidence regarding the origin of prostitution in Indian civilization. From the opinions of some scholars regarding the nature of the bronze image of a dancing women in Mohan-jo-daro we may get an idea about the antiquity of this profession. The oldest literary work *Rigveda* mentioned the term ‘*Hastra*’, and ‘*Agru*’ as prostitute.<sup>20</sup> In the ‘*Mahabharata*’ and ‘*Matsya Purana*’ we are given fictitious accounts of the origin of prostitution.<sup>21</sup> *Vatsyana* refers them as *Ganika*, *Rupajiva* in ‘*Kamasutra*’.<sup>22</sup>

Coming to the context of prostitution in ancient India, *Kautilya’s Arthasastra* appears to be a very important source. The setting up of the brothel was recognized as a state activity in the *Arthasastra*.<sup>23</sup> There is categorical provision for an office under the control of *ganikadhyaksa* who would remain in charge of the courtesans or prostitutes. The provisions of the *Arthasastra* throw light on a grey area of history involving the structural relation between the state authority and the women engaged in sex works. That the physical charm and beauty of such women mattered much is known from the text. It is said that the officer in charge of this department was expected to appoint the chief courtesan preferably a young, beautiful woman, well versed in arts. Furthermore, the specific guideline for transfer establishment of a deceased or run away courtesan to her daughter, sister or mother etc. makes it clear that the state did not stay indifferent and took steps for assigning the household to another by following the textual prostitutions. But whether the real picture corresponded with the said norms can not be decisively said at present. Besides the *Arthasastra*, two more texts of ancient India are most vital to be alluded to understand the courtesanal tradition of India as well as other sex workers in the ancient past. An examination of the texts relating to the early historic period suggest

that the presence of the courtesans as well as the sex workers known by different nomenclatures was intrinsic to urban culture.<sup>24</sup> These two texts are *Kamasutra* and *Mrichhakatika*. Exploration in these texts help us to examine and get at the entire gamut of relations between the courtesans and their clients and at the same time the hierarchical structure of the sex workers having heterogeneous social and economic background and clientele resources.

Kumkum Roy rightly pointed to the *Vaisika* section of the *Kamasutra* in order to delineate the differences amongst women who earned their livelihood by rendering sexual services. The list at the end of the said section begins from the lowest rung like *Kumbhadasi* (water carrier/slave women) goes on to different categories in the middle and finishes with the *ganika* at the top of the hierarchy. Roy's interpretation makes it evident that this list attempts to combine economic and socio-sexual criteria as markers of status.<sup>25</sup>

There are many causes for taking prostitution as a profession according the view of the feminist critique of prostitution. Such as - inequality, exploitation, oppression in the socio-cultural context. The society of ancient India had depicted the picture clearly. Once upon a time women had the license of free sexual relation with others and the most surprising was that the license given by their husband.

From the above mentioned incidence it is cleared that the performance of rites of the males and females were approved in different ways and it was the pattern of the patriarchal society. But if we discuss about the *Manu's* rule the condition of the women was very degraded. In the society governed by *Manu*, the adulterous women were brutally treated and tortured. In that society adultery of females was strictly restricted. But there was no restriction on male's promiscuity. While *Manu* repeatedly asked the women to become home bound; the male's had not yet changed their attitude and life style. As a result the brothels were naturally flourished here and there all over the country. There may be development or progress of a country in economic and cultural terms but the system of the prostitution operates in the same traditional form that indicates institutionalization of the use of women as commodities to satisfy the aggressive lust of the male.

In the ancient Buddhist society the prostitutes were considered as intelligent, educated and accomplished in many virtues. That was why sometimes their counsel and advice were given importance in administrative sector. The prostitutes increased the glamour of any kind of social festivals, feast by their presence. They were cordially invited by the organizers of such functions. Those ladies were given honorable titles namely *Janakalyani*, *Nagarshavini* etc. Their free movement was allowed everywhere. They attended the speeches of *Gautam Buddha* sitting before the legend. *Buddha* founded the women organization '*Sangha*'. *Avaymata*, *Gurakesh*, the female from prostitute community were the members of '*Sangha*'. The liberal religion of *Buddha* accepted the so-called outcasts where transformation of character set examples for others to follow and thereby help the progress of the society.

Prostitution had been started at the primitive age. At that phase people used to involve in illegal sex and at the later period prostitution became a regular practice in the name of religion. Bechofen said this custom is still practiced among a few groups of tribes in India, South Arab, Madagascar and New-Zealand. Those unmarried tribal girls had to sacrifice themselves to the entire clan. Prostitution was considered as a part of religious function in Babylon, Lidia, and Phonisia.<sup>26</sup>

There was a law in Babylon (the capital of Babylonian) that, each and every unmarried girl had to visit the temple of Goddess *Mylitta* and entertain all the male pilgrims of the temple.

Goddess *Anaitis* was also worshipped in the same way in Armenia. The same was practiced in Egypt, Syria, Phoenicia, Cyprus, Karthez, Greece and Rome. Prostitution was a religious custom in the Jewish, The Old Testament proved it. Without any hesitation Abraham received award from Pharaoh in exchange of her wife Sarah.<sup>27</sup>

In Lidia, Karthez and Cyprus, the unmarried girls earned their dowry by prostitution. Cheops, the king of Egypt made a pyramid. The Pyramid was constructed by the money which was earned by his daughter from prostitution.<sup>28</sup>

In previous days, Greece used to keep brothel publicly. At 594 BC, Solon opened brothels in Athens as the govt. institution. That was why his contemporaries appreciated

him and said: “thanks Solon. You bought prostitutes and protected the town. Otherwise the young generation would violated the morality of the town and they might disturb the aristocrat women”.<sup>29</sup> Thus the adultery activities of the male were accepted by the law of the state while it was punishable and humiliating for women. Solon could punish or even give to death sentence to a woman if she enjoyed sex with her lover. Even her husband could sell her as maid.

A valuable temple was dedicated to ‘*Hetaera*’, the goddess of prostitutes, in Athens.<sup>30</sup> The Greek term ‘*Hetaera*’ means woman companion. The word used to denote ... If a woman does at all times use fair moderate language, giving her services favourable to all who stand in need of her, she from her prompt companionship does earn the title ‘*Hetaera*’. Or .... regular professional *Hetaera* - those who are able to preserve a friendship free from trickery; whom Cynucius does not venture to speak ill of, and who of all women are the only ones who derived their name from friendship, or from that goddess who is named by Athenians, Venus *Hetaera* ... .<sup>31</sup> In 400 BC, at the time of Plato, there was about one thousand prostitutes (Hierodules) at the temple of Aphrodite in Corinth and it was famous for its luxury and grandeur all over Greece as in the middle of 19th century Hamburg was famous among the Germans. The *Hetaeras* were famous for their beauty and intellect - as Phryne, Lais of Corinth, Gnathoena and Aspasia (who later became the wife of Pericles) were patronized by the dignified people. They were accompanied at royal dinner and legislative assembly. The housewives of Greece were home interned. There was *pardah* system for them. They were neither well educated nor beautiful. The married people were very much fond of prostitute rather than their legal wives. Ironically the males were the guardians to look after the purity of their family life.

Demosthenes described the sexual life of Athens. He described - wife as the machine for producing children and a reliable care-taker of house. In his own words - “Mistresses, we keep for pleasure, concubines for daily attendance upon our person, wives to bear us legitimate children”.<sup>32</sup> Plato believed in group marriage system. Socrates regarded the homosexual relationship was the good characteristics of a highly civilized society. Once

the people of Greece also thought the same way and there was equal number of male pros-quarters as that of the female.

In Bourgeois society, the sexual life of man was viewed as being divided between marriage and prostitution. When a person can not get satisfaction he turns to prostitute. On the other hand, an unmarried man is also attracted by prostitutes. It is the social system where the man can satisfy his sexual desire by any means. But all these substitutes are prohibited for women. Engels had said about the marriage institution of Bourgeois society - '... the wife differs from the ordinary courtesans only in that she does not hire out her body, like a wage-worker, on piece-work, but sells it into slavery once for all'.<sup>33</sup>

According to the natural rule woman conceives the child, the man only enjoys, and he has no responsibility here. And taking this advantage, a huge part of male section are engaged in sexual adultery, transgressing the legal rules. As a result, prostitution becomes the essential profession of the society constituting of police, army, church, capitalist etc.

It has been already mentioned that how did the ancient society treat prostitution. At that period it was considered as essential. Greece and Roman state controlled the pros-quarters. Even, St. Augustine, the pillar of Christian religion, opined that if the pros-quarters would be removed; the society might be deluged by sexual adultery. 'The Provincial Spiritual Council' of Milan stated the same in 1665 AD. F. S. Hegel had mentioned in his book titled '*History, Statistic and Regulation of Prostitution of Vienna*' that with progress of civilization the profession of prostitution would be well furnished but never be wiped out. Wichern of Rauhe Haus near Hamburg, Palton of Lyous. William Tret of Edinborer and Parent Duehatelet of Paris (the famous researchers on prostitution) had stated the same that it was impossible to wipe out prostitution as it was an inseparable organ of society and it should be controlled into state. But it is more surprising that, none of them said that the society should be changed which needs no such a defiled profession.

J Kuhn, the Police Sergeant of Leipzig, had mentioned in his book namely '*Prostitution in the Nineteenth Century from the Stand Point of the Sanitary Police*' that, though prostitution is harmful, but there is no way but to tolerate it.<sup>34</sup>

As the German State and France did not approve or control this profession, however, it still existed there. Federal banned all the pros-quarters by the council law. As a result a huge applications were submitted to Reichstag to control adultery and syphilis disease. Reichstag sent a commission of Doctors to examine the issues. Lastly, they sent the applications to Imperial Council to approve prostitution for saving the moral life and the health of the society.<sup>35</sup> All these prove that there is no way to get rid of this soiled profession.

Recently the eighteen years old Elina Persina, resident of German sold her virginity in cost of 13 thousand 827 dollar to a mid-age businessman of Italy. She was born and brought up in German. Before that incident she has also given an advertisement in online to sell her virginity.<sup>36</sup> It proves prostitution or flesh trade was no illegal in German.

In Florence 12 percent women were nun, 15 percent family had at least one widow member and every 300 had a courtesan. In 1490 BC, at the city of Rome, there was 6,800 registered prostitutes when the total population was 90,000. The stories of mistresses, aristocrats and high profile prostitutes are attached with the rich merchants, artists and humanists.<sup>37</sup>

At the Venus temple in Corinth, the prostitutes gathered at the time of prayer. This city at that time celebrated occasional festival on the goddess Aphrodisia. This was a different festival where the courtesans enjoyed feast.

At the time of economic rising, the Thailand king declared it would be accepted by god and society if the girls of his country adopt prostitution as their profession. And it also imports the most precious foreign currency.<sup>38</sup>

In several countries including India specify the 'Red Light Area' for prostitution. But the scenario in Bangladesh is somehow different. The prostitutes or sex workers of teen

ages in Dhaka used to giving service to their clients wherever they could find place even in jungles. They did not possess any floor or roof and just used a bed sheet on the ground.<sup>39</sup> It proves this primitive profession don't have any compulsory necessity of brothel or red-light area for its survival.

At the period of group marriage system, even, after the introduction of monogamy, the free sexual relationship between man and women still existed like the ancient period. Ultimately *Hetaerism* abolished this system. According to Morgan, the *Hetaerism* was the free sexual relation between a man and an unmarried woman. Gradually this system gave birth to prostitution. Through the group marriage system and the female ritual offering in religious purposes, the *Hetaerism* took birth. Offering her body in exchange of money became the part of religion. In the temple *Hetaera*, this business was going on and all the money came from this business stored in trusty for religious sake. The slaves of *Anaitis* temple in Armenia, Aphrodite temple in Corinth, *Devdasis* (dancers of Indian temple) and the so-called *Bayads* (Portuguese *Baila Deira* - a section of dancing women) were the first prostitute in this world.<sup>40</sup> At the first stage it was the duty of women to dedicate herself as a *devdasi*. Later only the worshipper of temple sacrificed herself for this system. In a single word we can say, prostitution was the extreme result of Monogamy and *Hetaerism*. On the other hand, this practice of *Hetaerism* adversely affected the fate of wife. She came to be treated with negligence as the husband found pleasure and happiness in pros-quarter. Monogamy created the transgressing husband, side by side the paramour of wife.

German philosopher Emanuel Kant opines that the differences between a prostitute and a wife is that a prostitute has no dignity in her job as she sells her body exchange of money but a wife has the dignity in the society.<sup>41</sup>

### **Morality in Prostitution :**

The moral status of prostitution in Indian society from the socio-cultural aspect is a big question. Actually the question of morality and immorality may be raised since this type of contractual sexual service where the satisfaction of the client's sexual demand is the main priority to a sex worker. Because exchange of certain amount of money for

sexual satisfaction plays a vital role in a civilized society. Depending upon varying contexts the question of both right and wrong may be arised regarding the same action or practice. Prostitution has been condemned or considered as a vice in many societies. But if we go through the book namely '*The Origin of the Family, Private Property and the State*' by Frederic Engels, we can see the family structure rather it is better to call the social structure may have been the cause of prostitution. Monogamous family is the establishment of men who also framed the patriarchal society. Engels said : 'We have then, three forms of marriage, which by the large, conform to the three main stages of human development. For savagery - group marriage; for barbarian - pairing marriage, for civilization - monogamy, supplemented by adultery and prostitution'.<sup>42</sup>

To maintain a life is very difficult for a prostitute, particularly in matters like finding a room-mate, setting up a family and even in renting an apartment to live and work. The question of price of the prostitute is her greatest stigma. Although the countries like Germany and Austria are exceptional in this context as prostitution is regulated by law in these countries.

Let us look at the feminists' view regarding this occupation. There is a contrast in their thinking between the liberal and radical feminists. The liberal feminists do not accept the rejection of prostitution by the radical feminists. A question may arise about the feminist approach to prostitution as an occupation of women. A 'prostitute' does not necessarily refer to a 'female' alone, there are male prostitutes as well in some countries.

Two arguments in this context may be placed. The first one is mercenary sex is impersonal and it is more or less acceptable in our society. But the answer would be that we have personal relation only with a limited number of people; our family, friends and acquaintances, all our remaining social transactions and relations may be impersonal. From the another point of view there are a clear difference between a client of prostitution and a rapist. The clients' attitude to the prostitute is purely instrumental. Being a customer rather than a rapist he gets sexual gratification from her for a change on the basis of a mutual understanding. The prostitute has a vital role that she does her part in the bargain willingly.

The question of morality is strongly attached with prostitution, pornography etc. The amendment to the Immoral Trafficking Act has some distinctive features. There is no doubt that the Immoral Traffic Act is obviously ambiguous. It would be more meaningful if it was 'social traffic act' instead of 'immoral traffic act',

The world of prostitution exists on the mutual relation of the prostitutes and their clients. From this point of view the relation of both of them is complementary. In this society the prostitutes are only considered as outcasts, but not the clients. Prostitutes are being criticized by the elite society as well as by the government. It is only recently that the amendment has been made in Immoral Trafficking Act, 2006 accusing the persons who used to go to the brothel or work as agents in the brothels.

The issue of morality and immorality regarding prostitution should be assessed on the basis of the factors which contribute to the existence of flesh trade. Once upon a time women took this profession for the sake of their survival. Economic necessity or poverty is undoubtedly one of the causes of prostitution. But it is not the only reason of prostitution today. There are other push factors behind the sustenance of this profession. Let it be discussed later in detail.

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## CHAPTER II

### HISTORY OF PROSTITUTION IN INDIA

#### A cursory glance on Ancient India :

The growing number of studies on prostitution is making up for the years of neglect, or rather the avoiding of what had seemed to some historians as a frivolous topic of research. There is in fact no single model for the analysis of prostitution with moral, demographic, commercial and social dimensions. Despite the age-old opprobrium attached to the profession, curiosity persists about how Indian society viewed it through the ages. Further, in such study, we need a bird's eye view of the profession and its development through the ages in India.

There was a distinguished mark between sexual immorality or promiscuity on one hand and prostitution in its technical sense on the other. The former may be, in fact, as old as human being while the latter is not so. Most of the scholars have inclined to postulate, prostitution as a profession or institution started from a set of peculiar circumstances. The clear hint in the great Epic and some of the *Puranas* is that prostitution as such was just a further step from concubinage, which was a super-abundant luxury with the princes and aristocracy.

Among the masses of Indian people, civilized or otherwise, prostitution as a commercialized vice did not gain ground until at a late period when the charm and glamour of court life and paradise fascinated them. Thus, historically viewed, prostitution descended gradually from the high to the low to spread its contagion and network all over the country.

As a profession, prostitution is very ancient. It is the religious provision, which legitimates the profession *Baranganabritti* or prostitution. According to the scriptures for the gratification of the sexual desire of the men, prostitution emerged.<sup>1</sup> Women have been considered as a commodity of entertainment from the starting of human civilization.

Moti Chandra said -“In Buddhist literature courtesans are very closely associated with dancing, singing, drinking and other forms of amusements .... In *Jataka* wherever people gathered .... courtesans followed. Whether she evoked pity or whether she was condemned the courtesan flourished and no stigma seems to have been attached to the profession.”<sup>2</sup> He also stated according to *Kurudhammajata* the *ganikas* belong to the lower class called ‘*Dwarika*’.

For various purposes men are forced to go outside where they are not accompanied by their wives. But sex is inevitable. Until or unless the concept of *Satitwa* (chastity) was prevalent there was no necessity of prostitution. When chastity was institutionalized prostitution became obvious. It is said that at the time of king *Prithu* prostitution flourished.<sup>3</sup>

Towards the end of the *vedic* age, we find, in India, the emergence of a class of women who trafficked in their virtue and were protected and authorized by the laws of the state. This was what we may call the birth of legal or real prostitution.<sup>4</sup> It needs to be borne in mind that before the term *ganika* came into usage, it went through centuries of transformation both literally and conceptually. There were other terms used, synonymous with *ganika* but the proliferation of different terms is also connected to difference in the constituents of their status. In Sanskrit works, we can find numerous examples of the use of the word *ganika*. It also frequently used with other synonyms. It is not possible to quote all of them but a few of them may be referred to. In *Purans*, *Ramayana*, *Mahabharata*, *Kautilya’s Arthasastra*, *jataka*, *Samhita*, *Vinoy Pitaka* and *Vatsayana’s Kamasutra* they are mentioned in different terms. Such as - *Rupajiba*, *Kamini*, *Barmukha*, *Barjuboti*, *Madanduti*, *Angana*, *Brishali*, *Baronari*, *Veshya*, *Barbilasini*, *Sadharani*, *Pungshali*, *Janapadakalyani*, *Samanya*, *Rojoyitri*, *Muhutiya*, *Rupdasi*, *Bannadasi*, *veshi*, *Gamoni*, *Kulta*, *Barostree*, *Barbonita*, *Kamrekha*, *Barbati*, *Randa*, *Vogya*, *Khudra*, *Swairini*, *Brisholiand* many others.<sup>5</sup>

There is reference in the *Mahabharata* where *Arjuna*, the great *Pandava* hero was married, he was desired by many women with whom *Arjuna* had to make sexual unions and give them the dignity of wife. *Shetketu*, the son of sage *Uddyalok* was very infuriated when he saw his mother carried off by an unknown person in the presence of

his father. In order to pacify his son *Uddyalok* he said : ‘My dear boy, don’t be angry, it is natural and common practice of the time. Women like cows are not undefiled if they involve themselves in sexual relationships with people of the same caste.’<sup>6</sup>

The courtesans were the dancers of royal court. They were trained in sixty four *kalas* i.e. art at the royal expense. They were regarded as the symbol of aristocracy to the *Kshatriyas*. Courtesans played an important role in politics also. The courtesans were also extensively employed as spies by the government to watch over and report on the movements of the suspects within the palace and without.<sup>7</sup> It was probably a common principle of politics to employ charming young courtesans to ensnare an aggrandizing king and weaken his position and degrade his morale. Like the *Magadhas*, the *Gandharva* girls were trained to the art of singing and dancing from their very childhood. On the basis of their merit they were appointed as *Rajchhatradharin* (who holds umbrella), *Chamardharini* (who holds fan), *Atordandharini* (who holds perfume container) etc. Sometimes the beautiful courtesans adorned the throne or chariot or royal court with their glamorous presence. Besides these, they accompanied the kings in their battle front, festivals, soldiers camp hunting. The *Mahabharata* tells us that the *pandava* army was followed by host of prostitutes who went in the rear of the army on baggage carts.<sup>8</sup> They participated in the victory celebrations. we know about the succession ceremony of *Shree Ramchandra* as *juvaraj*, where the courtesans were also present, as Rishi Vasistha narrates in *Ramayana*. The physicians, soldiers, emperors, traders who left their land for a long time, were accompanied by prostitutes.

Vatsayana defines them as *Ganika, Rupajiva*.<sup>9</sup> He has laid down that unless a *veshya* is well versed in sixty four *kalas*, she can not be properly called a *ganika*. A *ganika* by virtue of her high intellectual attainments, singularly good qualifications and fine beauty received a seat of honour in the assemblage of man. She is held in esteem by the king and highly eulogized by the appreciative people. Her company and favours are always sought for and she becomes the cynosure of all eyes. The *Kamasutra* describes in the different sports and festivals of rich barons to each of which they were invited.<sup>10</sup> By the epic age the *ganika* and *nata* probably formed a community. We get such a term as *Natanartaka Ganika* and it seems that actors and female dancers were employed by the

king in service on fixed salaries. Though from the income of the *ganika*, a huge portion was sent to the royal treasury. In the period of crises state used to confiscate half portion of their income.<sup>11</sup> Sometimes they were treated as *Upapatni* of the king.

There were another type of prostitutes in that period, who were poor, about whom *Kautilya* mentioned in his valuable treatise on Hindu polity. He did not forget to mention about the retiring prostitute who could be appointed in a royal household. She could be engaged as a midwife or a nurse or a cook or even as a queen's maid of honour. She also adopted the profession as a weaver.<sup>12</sup>

From the long past it is believed that by donating land, man can easily go to *shivaloka*, by planting tree he can reach the heaven. Sometimes the issueless people promised to give their first daughter to serve the god in temple. Later those girls were called *Devdasi*. According to Maryse Choisy "Temple prostitution is on the fleshy level a native attempt at universal love .... The transition from sacred prostitution to profane prostitution most likely took place during the great Punic War ... Patriarchal societies made out temple courtesans mere street walkers ..... What had been holy became shameful."<sup>13</sup> The *Kshatriya* women expert in dancing and singing also were donated to temples. The earliest inscriptional evidence of religious prostitution is found in the Jogimara cave.<sup>14</sup> The introduction of dancing girls in temples tended to lower their moral and spiritual atmosphere as well as to commodify the women in guise of *devdasis*. Some people felt more attraction for the company of *devdasis* than visit the deities of the temples in early medieval period. A group of Brahmins and ascetics opposed it. But the king, the aristocrats support the *devdasi* system. According to *Rajtarangini*, once king *Durlav Protapaditya* fell in love with a merchant's wife. The merchant proposed to the king to offer her to the temple, so that she would be available to the king as a temple dancer. On the other hand a king had given his beautiful wife to temple and declared that his wife would be further sold from temple.<sup>15</sup> Sukumari Bhattacharya said women had been a chattel or commodity in India ever since the *Vedic* times as she was included in the list of *dakshina* along with items like cattle, horses, chariots etc. Such gifts were given to priest. The same can be said about the above mentioned incidence. From this evidence it can be supposed that married, damsel as they were chattel-like

there might be such practice of sale and re-sale of women. This was not illegal. *Padmapuran* orders to buy beautiful woman for donating to temple. *Vabishyapuran* refers if a group of *baranganas* were donated to the sun temple, the donor would enjoy the pleasure of *suryalok*. Even now, we find the sculptures of dancing girls on the walls of sun temple at Konark and Khajuraho. Those erotic sculptures are enough to invite the customers. The scholars said about the *venares*, *somnath* and *pradumneswar* temples which became popular for *devdasi* system. The Indian temples are specially marked for *devdasis*. Not only the temples, but also few holy places became the centres of prostitution. *Brahmapuran* mentions the *Astatirtha Ekamra* in this respect. Manu prohibited the *brahmanas* to take food from a prostitute; though they were allowed to enjoy sexual pleasure from those women. So it can be said that the *veshy as* acted as the safety valves of a highly organized and refined society hence their obvious existence in the religious field was granted too.<sup>16</sup>

During the heyday of this system *devdasis* were employed by the temples and received definite endowment for maintenance, it is evident through the Tanjore inscription. In the *Samayamatrika* we hear of grants being given to *devdasis* who danced in rotation.<sup>17</sup> But gradually as the sanctity of this system waned generous endowment became rare. The process from the offering became meager with the result that the food received by them for the *Bhog* (offered food to god) of the deity was reduced to such extent that it became impossible for the *devdasis* to sustain. Hence, the *devdasis* were became forced to seek other means of subsistence beyond their legitimate duty like drama or prostitution etc.

From the written history we have known about some rich and wealthy *ganikas* and courtesans. *Ambapali* the famous *ganika* of *Vaishali* took fifty *karshapanas* for a single night. Some courtesans were really rich as we have known from *jataka*, where is a story of *Sama*, whose price was a thousands of money and who had a suit of five hundred of female slaves. During the early medieval period we have reference of rich courtesans. Some inscriptions mentioned such *ganikas* from south who had constructed temples or donated for temples. As for example *Vinapoligal* is mentioned in a dateless inscription of *Vijoyditya's* reign. It records her performance of *Hiranyagarvadana*. Similarly *Chhelebe*

who endowed three pillars in the *Vijoyaswara* temple. The amount of their donations indicates that they were well off. At a later date courtesans *Kumudika* is mentioned in *Kathasaritsagar* also seems to have belonged to the same economic status because she owned one hundred elephants, twenty thousand horses full of precious jewels. She had her own army.

A person, who is in full bloom of youth, a rich man, a person of known profession and income, were always most preferable customers to the prostitutes. When brokers come to her with varied offers from new customers, she should prefer one whose offers exceed those of the rest. But she should not all at once dislodge the present lover. Whenever the courtesans disobeyed to entertain the customers, send by the king, had to pay fine. It was very much interesting that the attention of the state was drawn to the colony of public women to bring it under the obligation of a stabilized taxation. In ancient India drinking, gambling and prostitution went hand in hand. The *Mauryan* period was no exception to this general rule. *Arthashastra* refers, during the *Maurya* reign the courtesans had to pay the state the earnings of two days in every month. She should bedeck herself daily with dresses and ornaments, she should lovingly offer him betel, betel nuts, sweets, scents etc. and for this purposes they need a lot of money. Sometimes the prostitutes felled into disputes, clashes with their customers. So it is proved that providing sexual entertainment to the public using prostitutes (*ganika*) was an activity not only strictly controlled by the state but also one which was, for the most part, carried on in state own establishments.<sup>18</sup>

The courtesans used to procure money from their paramour's pocket on various pretexts. Such as for repairs houses, celebration of birthdays, christening festival of friend's child, giving to a pregnant friend or help her mite in her treatment etc. The courtesans should create occasions for performing various charitable deeds such as observance of *vrata* (religious ritual), planting trees on the roadside, raising gardens and groves, digging tanks, arranging festivals, making gifts to deserving peoples.<sup>19</sup>

From the above discussion we can say without any hesitation that the emergence of prostitution in this land is the consequence of women exploitation and oppression and this practice was embedded in the socio-religious structure. On the one hand man

sexually abused woman, on the other he is the man revile to her. Even now when a man insults a woman, reviles her as a *veshya*. *Manu* said all the *ganikas* were thief and frod.<sup>20</sup> As we have seen *Draupadi* was reviled as *veshya* by *Karna*.<sup>21</sup> King *Dushmanta* compared *Shakuntala* as *pungsholi*. *Baranganas* always tried to keep her paramour in a happy life, but she got contempt and deception in return. According to the religious law, the family life with husband and son is the real dignity of a woman, which is not permissible for the prostitutes. Though occasionally a prostitute was married. *Vatsayana* lays down a provision whereby a *vesya* could be given in marriage to one who could provide special musical assistance to the establishment; such a marriage leads to greater prosperity.<sup>22</sup> *Basantasena*, the inborn prostitute hated herself. She had a severe attraction to a married life and progeny. She sold her ornaments to purchase a toy for *Rohsen*, the son of her lover *Charudatta*. *Sudraka*, the author of *Mrichhakatika*, was a kind hearted person, as he ended his drama with marriage ceremony of *Basantasena* and *Charudatta*. *Sarbilak* had to pilfer to pay the fine for rescue his lover *Madanika* (maid of *Basantasena*) from prostitution. This type of exceptional marriages are very rare incident in our society. We may quote *Sudraka* from *Mrichhakatika* - '*Basantasena*, in your next birth you must take birth in a reputed family, but not a prostitute'.<sup>23</sup> In *Dashakumarcharita*, we find, *Ragamanjuri* daughter of a *ganika*, did not accept her mother's profession but behaved like a *kulastree* i.e. housewife of reputed family. *Basantasena* was a literary character, though literature is the mirror of society. But not *Amrapali*, she was *janakalyanibodhu*.

The daughter of a prostitute became a prostitute, it was quite natural or the destiny. The prostitute's son was called *Bandhul*. The *Bandhul as* introduced themselves in *Mrichhakatik* :

‘*Porer grihe lalito, porer anne pushto, por purusher dwara*

*Poro narite janmo amader.*’<sup>24</sup>

It means, we have been brought up in other's home, fed by anyone else and we have been born by the other people in other's womb (free translation). The same may be applicable for the girl child of a prostitute. No door was opened for her; rather she had

to adopt the same profession. Sometimes she was *ganika*, sometimes *rupojiba*, sometimes *oborudhha* or without youth, beauty and any other quality she was nothing but a *veshya*.

The exact situation of the public women is very difficult to define. Dichotomous attitude in the society towards these women is explicit in the texts and practices prevailing in the country. The *Baranganas* are remained outcast in our society. On the other side of the coin the idol of *Swarini Sri Radhika* and *Sri Krishna* is worshiped in our house. *Vishnu-Samhita* proclaimed with authority that to circumambulate a prostitute was an auspicious observance. *Matsyapurana* has placed the prostitute among other objects as portending good luck, if anybody falls across her at the time of starting for a journey, what more Hindu society and religion could bestow on these dealers in sensuality? In many places of southern India in indispensable *mangalsutram* (thread to be tied rounds the wrists) of a new bride was, and still, is made by hands of a prostitute, while in north eastern India a handful of earth from the threshold of strumpet's house is still required in the making of the holy image of goddess Durga as the symbol of liberty because prostitute or *veshya* are regarded as the independent women. The hymn is found as : '*Veshya dwar mrittika om hring katyayanyai namah.*'<sup>25</sup> It means, you exist (even) in brothel's dust, salutation to thee *Katyayani* (the sixth form of *Nabadurga*) (free translation).

From the references mentioned above, it may be stated that prostitution as an institution persisted in variant forms and catered to the needs of the patriarchal social order, sometimes it served the political purpose, sometimes commercial or economic purpose under pretext of religion. Practically it never ceased to exist.

### **The picture of Medieval India :**

No recognizable change had been seen in the practice of prostitution in the medieval period of India. They had to lend themselves to constant male gazes but as the other, to the wife were allowed certain rights.<sup>26</sup> Hierarchy was still existed in the society of prostitutes. The *ganikas* of lower status are referred in the writings of *Mukundaram*.<sup>27</sup> The Telegu literature of medieval age narrated the status of *ganikas*. In 18th century

*Muddopalini*, the dancer (*baiji*) of the court of king *Pratapsingh* had written *Radhikasanthabamanu*.<sup>28</sup>

According to *Alberuni's* description the common people regarded that the Hindu scriptures recognized prostitution. But when Kabul was conquered by Islam then Ispabad Islam made a condition that he never be forced to eat beef and to enjoy abnormal sexual company. On that condition he converted into Islam. The emperor placed the dancing girls, prostitutes to give an attractive look to the city. They were used as bait of amusement for the subjects. The earning from prostitution was used to maintain the huge army. The Buyide king Adud Aldaulao followed the same. Besides this, he wanted to prevent the subjects from the sexual desire of the unmarried soldiers.<sup>29</sup>

In Delhi sultanate, there also existed a class of public women known as *veshya* or *ganika* who were looked down upon by the people. The state cleverly commissioned them as spies who collected intelligence. *Champakali* was one of the most accomplished prostitute whose services to the court as a spy did stand unchallenged. The courtesans were also employed for the entertainment of royal guests. A separate office was created to deal with the courtesans under a superintendent who controlled fees, expenditure and inheritance. The courtesans had to pay two days income per month to the state as tax. Some courtesans were employed at the royal court and received salary but did not enjoy rights of inheritance. While their properties were bequeathed to their daughters after death. The state seized their assets if they had no son. The dancing girls preferred daughters to sons in order to keep up their profession.<sup>30</sup>

However, the institution of the public women was quite active during the sultanate period. Though public women were looked down in the society, yet they were considered to be the main source in diverting the attentions of the youth and the soldiers by driving them to sensual pleasures.

*Sayed Naruddin Mubarak Ghaznavi*, a saint who flourished during the days of sultan *Itutmish* failed to take the extreme step of wiping off the presence of the public women. To him the absence of public women meant the perverted men to encroach upon the pious women. It was probably due to this reason he did not consider it

appropriate to abolish this institution completely, but was anxious that these public women should carry on their profession in a quiet subservient manner. In the absence of any restrictions imposed by the state the number of these public women swelled and by the reign of sultan *Alauddin Khalji* it reached to the extent of explosion.

Once they resolved to undertake this profession all their families were cut off and they led a life devoid of family love and emotions. *Biwi Tabha* received a humiliating reception at the hand of *Amir Khusrau*. The poet placed her on an ass and took her round the city to investigate as to whom did she belong. To his surprise none came forth to claim her. Thus Amir Khusrau finally took her to the hakim to punish her for undesirable acts. The poet failed to understand why these immoral women could not remain satisfied with one man. Instead they claimed themselves to be the favourite of the masses.<sup>31</sup>

*Amir Khusrau* refers to *Argwan Khatun* (a prostitute) who was also seen in her attire with ornaments and jewels. There was a necklace around her neck and *bindi* on her forehead. She was fond of betel leaves. Another prostitute, *Bagmachi Khatun* was devoid of physical charm yet she was adored by sensuous men. In spite of her swollen body and large teeth. She was very charming and much a demand. *Gajcha Khatun* was another public women who attracted *Amir Khusrau's* attention. She was short necked; one of her shoulder was higher than the other. She was bereft of physical charm. These references show that physical beauty mattered a lot in the popularity of public women. Moreover, they applied various beauty aids to add charms to their personality.

Some amusing information about the public women are available e.g. the wishes of some of these public women were strange. *Garara Khatun*, a prostitute (with one leg in her grave) aged ninety years was passionately in love with a youth of eighteen years and her earnest desire was to marry him. But whenever the boy saw her he fled. Thus all her hopes were shattered. *Mushba Khatun* was fond of eating all the time she used to keep ten seers of roasted gram in her *dupatta* and all the time she was busy eating it. Her mouth produced sound like that of a grinding machine.<sup>32</sup>

Thus it seems that public women were quite popular during the sultanate period. The names given by *Amir Khusrau* are fictitious (which the poet himself confessed) but their activities indicates forces which were prevalent in the society. The system of keeping concubines and the prevalence of the harems as among the royal families had also been practiced at that period.

The courtesans and public women might have been largely responsible for the growing moral laxity in the society. That is why, the Mughal emperors, particularly Akbar and *Aurangzeb* took drastic steps against them. *Akbar* for example, made noteworthy attempts to check prostitution. A particular area was set apart for the habitation of these public women, and the emperor insisted on sending all women of all ill-repute to that area. An officer was appointed for this purpose, and if anybody wanted to visit any of these prostitutes or to take her home he had to give him (the officer) his name and address. *Badayoni* observes, these (the prostitutes) be made to live outside the city and he appointed a keeper, and a deputy, and a secretary for this quarter, so that any one who wished to associate with these people, or take them to his home, provided he first had his name and conditions written down, might, with the connivance of the imperial officers have connection with any of them that he pleased. But he did not permit any man to take dancing girls to his house at night, without confirming to these conditions, in order that he might keep the matter under proper control. He writes further, 'And a number of well known prostitutes he called privately before him, and enquired who had seduced them. And after learning their names, several important *Amirs* were severally reprimanded and punished or imprisoned for a considerable time.' In spite of all these, it appears that *Akbar* could not eradicate this evil, yet, in dealing with it, he was certainly far ahead of his age.

Akbar appreciated if his nobles maintained high standards of morality.<sup>33</sup> He did not like them to fall a prey to social vices such as drinking, prostitution, sodomy and intoxicants. On a number of occasions he made his contempt known for such nobles as betrayed their weakness. *Badayuni* referred to *Raja Birbal* as one of them.<sup>34</sup> The public women and dancing damsels were engaged on special occasions of mirth and gaiety e.g. festivals, marriages and the like.

The *kotwal* and the *Muhatasib*, of the city along with the administrative staff kept a strict watch over drinking, prostitution and public morality. The separate area outside the city for prostitutes was called *Shaitanpurah* or Devils place.<sup>35</sup> Rules were formed to regulate their profession and they were put under the charge of a *darogha*.<sup>36</sup> In the time of emperor *Shahjahan*, these public women were scattered in different areas of the city of Agra, but in the time of *Aurangzeb*, orders were issued to them to leave the cities or get married. Obviously this order must have applied to the public women of the city of Agra also.<sup>37</sup>

Rajatkanta Roy said, 'Late Mughal society was essentially a society of cavalries and courtesans... The wife, being a member of the household is readily absorbed amongst the pieces of furniture.'<sup>38</sup>

With the spread of trade and urbanization population also increased in medieval India. Simultaneously numbers of prostitutes were raised in the medieval towns. The profession which women used to undertake in medieval India was dancing and singing. Women were employed to carry messages from market. *Chamoo*, a common woman ran a shop in Delhi, where she sold opium. The saints enjoyed the services of females in several ways. The *Khanquah* of sufi saints and the *piri* system<sup>39</sup> indeed had a number of female workers.

The courtesans of Lucknow were usually divided into three categories. The first were the *Kanchanis*, women of the *Kanchan* tribe, who were actually harlots and whose primary and regular profession was to sell their virtue. They were actually inhabitants of Delhi and Punjab, when they had started to come at the time of *Shuja-ud-daula*. Most of the well known prostitutes of the town belonged to this category. The second category was the *Chuna-walis*. Originally their work was to sell lime but later they joined other groups of *bazaar* women and became well known. *Chuna-wali Haider*, who was renowned for her voice, belonged to this category and collected a large group of courtesans of her caste. The third category was *Nagarni*, from the Gujrat area. These three classes were the queens of the *bazaar*. They established themselves and worked in groups. Some women who had already gone astray joined these groups. Enormous influx

into Avadh and Lucknow of musicians and troupes of singing courtesans advanced the art and dance of the cities.

In addition to these courtesans who sang and danced, there were two groups of female dancers in Lucknow. Perhaps it would not be wrong to say that these dancers were peculiar to Lucknow. This is the group, which performs *rahas*. The art of *raha* belong to Mathura and Braj and the constant flow of dancers from these areas made it popular in Lucknow.<sup>40</sup>

Muslim *Sultans* appointed ‘*Sinduki*’ (women spy) to collect the information regarding the Hindu ladies and then forcefully married them. The story of ‘*Vorar Meyer kotha*’ and ‘*Amir Sadhu o Beluya Sundari*’ (in Bengali) refer to the evidence. The picture of prostitution in Bengal has been depicted in the following verses of ‘*Monosamongol*’ :

*‘Chando bole ardhek kori boisia khaibo*

*Aar ardhek kori ami notire bilaibo.’<sup>41</sup>*

It means, the merchant Chand *Sodagar* is stating that he will spend half of his money on his living and the rest half for amusement in the association of dancing girl (free translation.)

From *Vijoygupta’s Padmapurana*, we have an interesting information about the charge for having the company of a dancing girl. Gupta says :

*‘Aar ekpon kori diya noti bari jabo.’<sup>42</sup>*

The chest women had to abide by the desire of the husband who was crazy for getting company of the prostitute. To which degree the wife succumbed to the decision of the husband is revealed from the following lines :

*‘Nana subesh ami koribo jotone*

*Agya koro monosukhe thaki dujone*

\*\*\*

*Veshyar nikot giya kon phol dhore*

*Airupe probodh dey sati patibrata*

\*\*\*

*Rogi bole mor mone na laage anno kotha*

*Veshyar songe thakibo heno bolichhi nischoy.*<sup>43</sup>

It means, the wife is trying to assure his husband to live with her happily as she would take care of. She is requesting him not to go to the *veshya*. But the patient did not hear his wife rather expressed his will to go to *veshya* (free translation).

### **Prostitution in Modern India :**

From mid-eighteenth century, the impact of European occupation of Asia and Africa was felt in the development of new forms of market relations as well as new forms of production. This affected women universally as women wage workers in British textile mills, Afro-American slave women in plantations and Indian women spinning in remote villages fared badly under the economic changes ushered in by colonial rule.<sup>44</sup> In 1858, India became the part of British empire. At that period *baranganas* were in Bengal, but there is no clear information about prostitution.

At the first phase of company's rule, with the emergence of new economy and society, the women from frontier parts of the country started a new era of prostitution.<sup>45</sup> From then prostitution spread vastly all over the country. Pros-quarters and bars began to grow like mushroomed around the *bhadropallis* (locality of elite) of Kolkata. American sociologist Vern Bullough had remarked - 'One of the best ways of studying prostitution is to examine the literature of past'.<sup>46</sup> Bankim Chandra Chattopadhyay, Bhawani charan Bandopadhyay, Kaliprasanna Singha all of them mentioned *babu* culture which patronized the *veshyabritti* in their writings. Rajnarayan Basu in his '*Ekal and Sekal*' (Bengali Book) expressed his deep grief on the prevalence of prostitution and the habit of intoxication in the society. In those days even the schoolboys did not get rid from this vile habit.<sup>47</sup> Other Bengali literary fictions of that period speak volumes of such characters (*patita* or

prostitute). Sarat Chandra Chattopadhyay's *Rajlaxmi* (in the Bengali Novel 'Srikanta') narrates the harmful effect of *Kulinism* on contemporary society. Sarat Chandra's *Sabitri* (in Bengali Novel 'Charitraheen'), Bankimchandra Chattopadhyay's *Sreemati* (in Bengali Novel 'Brishabriksha') were characters portrayed in that fashion in those novels. Tarasankar Bandopadhyay introduces us to these women thus : "The women gather in groups beside the road, now (in the evening) wearing fine thin - bordered saris and their thinning hair stuffed into knots. Even in the dark, their eyes burn with a hunger. Their greedy gaze is trained on men, but they also seek the gleam of silver. Their eyes, searching and scorching, reflect not merely their hearts' desires. Their fire in their bellies has kindled the lusts of the flesh."<sup>48</sup>

Not only in the literary works but also through the celluloid the picture of contemporary society has been depicted. Deepa Mehta's film 'Water' made on the poor condition of the widows in Benares. A documentary film 'All Roads Are Closed' by the social scientist Jayati Guha, the recent Bengali movie of Srijit Mukherjee 'Raajkahini' and so many others are remarkable in this context.

In 1880, out of 7001 prostitution in Calcutta, 65 were European and 46 Eurasian. The number of European prostitutes was 70 in 1893 and 50 in 1894.<sup>49</sup> The famous *Bot-tola* literature and the *potchitra* of Kalighat tried to draw the picture of that society.<sup>50</sup>

We have heard about the Fancy Fair, which used to be organized on every 1st January at Belbhedere in Kolkata (now National Library is situated there) for the purpose of buying and selling of prostitutes in 19th century. As we have seen the royal persons employed the prostitutes in various jobs like to entertain their guests to fulfill their self-interest. The *Zamindars*, *Jotdars* or the landlords set up some pros-quarters to attract the people, when they used to inaugurate new markets or trade centres.

The social composition of prostitutes was gradually changed. The dominant gender ideology constructed women as dependent housewives; the reality was that thousands of women worked to survive. Urban areas acted as magnets, not just for men seeking jobs, but for women without guardians. Poor and uneducated, they found work as maid servants, coolies, and prostitutes. These unregulated occupations flourished in the

modernizing urban sectors. No legalization limited their hours of work or improved their working conditions. Only prostitutes were discussed by the voluntary social workers. Prostitution was viewed by them as social problem and they tried to rescue them from their work.<sup>51</sup> At the first phase the prostitutes came from higher class, mainly they were widow or deserted wife. Widows were also vulnerable to sexual abuse. The use of the word *rarh* to denote both widows and prostitutes indicates that widows were thought to be sexually available.<sup>52</sup> The widows were the main victims of *babu* culture. In this context we can again mention a few literary works like *Golok Chattapadhyay*, the rich landlord in Sarat Chandra's '*Bamuner Meye*' (Bengali Book), how he exploited the poor widow namely *Gyanada*. The same incident was found in the story of *Ekadoshi*'s life in '*Ekadoshi Bairagi*' (in Bengali) or *Lalana*'s life in '*Subhada*' (in Bengali). Some of the married women who were deprived of familiar resources of marital infidelity, the victims of *Kulinism*, widow, the escaped *sati*<sup>53</sup> went to places of pilgrimage like Mathura, Benares or Brindavan. These pilgrimages were famous for prostitution. This was felt to be the most deleterious consequence of the widows, especially the child widows.<sup>54</sup>

Part time maid servants were presumed to inevitably take to prostitution to supplement their poor income. The Hindu prostitutes maintained caste rituals and operated within codes of caste. They would not accept Muslim or European clients. Moreover, Muslim prostitutes may marry and relapse several times and many Hindu prostitutes converted to Islam in order to get married.<sup>55</sup>

Majority persons of them came from lower caste like weaver, potter, cobbler and other labour class. Poverty and starvation forced them to come into town from their native land.

In *babu* culture<sup>56</sup> the *babus* used to live with their kept (as *upapatni*). Various of them were very wise and literate also. The *babu* culture patronized theatres. In 1874 the great National Theatre of Kolkata, offering western inspired theatre, staged '*Benisamhar*' by Haralal Roy. Generally male actors played female roles, but in this case *Binodoni*, a daughter of a prostitute, played the female lead. Another name is remarkable here, the great actress Sukumari Dutta, popularly called *Golap*, who was also a prostitute.

It was very natural that whenever the kings and soldiers left their countries for long days, they were always equipped by foods, weapons, medicines as well as *baranganas*. British government also gave importance on that issue. That was why the British government established brothels near the cantonments for their self-interest.

From the seventies of nineteenth century the British government made the questionnaire for enlisting the names of prostitute girls. The Vice District Magistrate of Rajsahi, Kashikinkar Sen expressed his view ‘ ..... Men who are habitually idle and averse to work or who are very poor become generally converts of *Vaishnavism* in as much as it holds out to them an easy means of subsistence by begging which the profession of this class of people..... polygamy exists to a certain extent amongst them.’<sup>57</sup>

Prostitution was a practice in Kamrup (Assam) at the period of our discussion. Some references are given bellow.

Colonel M . Hopkins had reported from Assam that :

“..... In Assam there are several temples which in time of the Assam *Rajas* (kings), were endowed with valuable grants of land and for the service of the temples, a class of people known as ‘*nots*’<sup>58</sup> were induced to settle down there, on the condition that each family was to dedicate one female child as a singer and dancer before the idols. With the fall of the Assam *Raj*, the daily dancing in these temples has discontinued, and is only now seen on festive occasions... These bands of singers and dancers are now regularly available as prostitutes among the residents of the grants and the pilgrims and others visiting the places. The local patronage so obtained being deemed insufficient, large bands of these female dancers and singers... proceed to Gowhatty and Gowlpara, where they settle down as professional...<sup>59</sup> A similar custom also existed in Orissa connected with the *Jagannath* temple. These women were known as *Khoontries* and ‘if not regular prostitutes, are often women of the most infamous character.’<sup>60</sup>

The picture of prostitution whether in town or village, court or temple in Assam, is found in both the records and contemporary or post contemporary literature or in Tezpur Grant of Vanamala V.24 and Bargaon Grant Line 31. There were female temple dancers

(*Kumaris* i.e. unmarried damsel) as in *Kamakhya*, *Madhava* temple at Hajo and other *Shiva Shakti* shrines, introduced under the influence of the *Tantric Buddhist* tenet, evidenced by the *Kalika Purana* and the *Jogini Tantra* as well.

*Gambhireswar* temple in Benaras, *Somnath* temple and the south Indian temples were famous for *devdasi* system. At the beginning of 20th century the *devdasis* were converted into *patitas* or prostitutes in South India. Various laws were passed in between 1920 to 1930 to eradicate this business. Andhrapradesh *Devdasis* Prevention of Dedication Act, 1947 and Andhrapradesh *Devdasis* Prohibition of Dedication Act, 1988 were passed, but all in vain, the temple prostitution has not disappeared. As a result the *devdasi* system is still found in 21st century even.<sup>61</sup>

The British Government regarded the prostitutes alluring and dangerous at once symbolizing India's degradation.<sup>62</sup> At the same time sexual degradation and sexuality were looked down upon and low morality of poor white prostitute even were considered to be a threat to the Empire. The issue of prostitution in Indian society so far as has been discussed may be viewed from the perspective under the British *Raj*. The British imperial government, whatever measures they felt necessary for betterment of administrative management of the colony like India, always formulated their policy keeping in consideration the exclusive interest of the British *Raj*. The series of legislation involving the control management of venereal and contagious diseases by the government was aimed at preventing the army from being infected with such fatal diseases through contact with the diseased prostitutes. Specific legislations by British Government enacted exclusively to cover prostitutes were the Cantonment Act of 1864 (to be followed by several amended versions in the late 1880s), and the Contagious Diseases Act (CDA) of 1868.<sup>63</sup> The second one was popularly known as *Chouddo Aayin*.

From an official note prepared by the Military Department of India, it is clear that the British Govt. became conscious of the spread of the venereal diseases in the British cantonment.<sup>64</sup> The main objective of the CDA (Contagious Diseases Act) was to counteract the spread of venereal diseases among troops posted in British colony. The two main features of the CDA became controversial in India. The first one was the provision of compulsory registration of all the prostitutes and the second was the compulsory medical

treatment of them in lock hospitals. The system of compulsory medical treatment was so dangerous that a large number of prostitutes committed suicide or were forced to leave their shelter.

### **Types of Prostitutes :**

There are different types of prostitutes. Classification among the prostitute women never ceased to exist throughout the historical period. Coming to the 19th - 20th centuries we find that evolving some changes with the passage of time. It is therefore important to understand the phenomena and various types of prostitution which are prevailing in the society.<sup>65</sup> According to the *Brahmabaibarta Puran* the woman who lends her couch to two husbands (or paramours) is called a *Kulta*, to three is a *Dharsini*, to four is a *Brishali* or *Pungscholi*; and to five is branded a *Veshya*. The woman who gives herself to people more than five in number is to be known as a *Mahaveshya*.<sup>66</sup>

We may categorize the prostitutes into two categories such as (A) **Traditional** and (B) **Recent types**.

#### **(A) Traditional Prostitutes :**

Generally we find five types of prostitutes under the (A) **Traditional category** viz. 1. public women, 2. common prostitutes, 3. the dancing and singing women, 4. prostitutes patronized by *darbars* or royal court and 5. religious prostitutes.

**1. Public Women :** Mothers enjoyed great respect and were held in high esteem in the Indian society. On the other hand, there also existed a class of public women known as *veshya* or *ganika* who are looked down upon by the people. They were given to the enjoyment of material pleasures. Often these women of easy virtue lured men to abandon their houses, thus running the lives of young men, breaking up families and causing social disruption.

The existence of this class in the country is reported since the earliest times. The very survival of this institution speaks of its popularity among the common men and patronize it received from the royal house and aristocracy. These women who were in touch with the undesirable elements of the society - murderers, rebels and outlaws were

often able to ferret out secrets when they blurted out their plots and designs against the state. These were then reported to the court.

Although many of the public women were not sufficiently cultured, yet quite a few among them were women of culture and learning, well versed in poetry, music and dance. Teachers were assigned by the state patronage to instruct them in art, literature and culture. Under these instructors, they mastered the popular books like *Kama Sutra* by *Batsayana*.

**2.Common Prostitutes :** The second type are called common prostitutes. These comprise the unfortunate women and girls who are recruited through pimps and procurers who have been sold or landed in brothels and vice - dense maintained by old or retired prostitutes and the pimps. Their induction into the trade is often through allurements, misguide about nature of work and many time through false promise of marriages, even through false marriages. If the pimps fail to win over the girls through other means then the procuring gang may resort to kidnapping and abduction. Several young women and girls got into prostitution because they were raped and neither their family nor society was willing to accept them. The pimps are constantly on the look out for destitute willing to sell their children.<sup>67</sup>

**3.The Dancing and Singing Women :** This is a class in itself, who have a heritage from the Mughal period. They are drawn both from Hindu and Muslim communities. Among them, the prostitution is handed down from mother to daughter as a profession with no stigma attached to a life of immorality. They are trained in the art of singing and dancing and the girls in the family are trained in this art from early age. As a matter of fact, a large number of them have acquired an excellence in the rendering of classical and semi classical music so much so that they have earned a place of pride and respect among the knowledgeable persons. They do not indulge in open prostitution and entertain or attend to very selected clients. Their status is considered higher than that of common prostitutes. They also take pride in calling themselves as '*Khandani*'.<sup>68</sup>

**4.Patronized by Darbars :** This class of prostitutes comprised beautiful women and girls who were raised by the kings, chieftains and landlords. They were well trained in

the art of singing and dancing and were required to render special services for the rulers at the times of festivals to entertain audiences and guests. Sometimes, they had to enter into competitions with similar artist from outside and their excellence and performance had a bearing on the prestige of *darbar*. They were known as various terms as ‘*Kalvanathis*’, ‘*Mangalmukhis*’, and ‘*Nrityamangalis*’.<sup>69</sup>

**5. Religious Prostitutes :** Religious prostitutes are known by different names e.g. (a) *devdasis*, (b) *sevadasis*, (c) *jogins*, (d) *basavi*, (e) *jalpatra* etc. They all start at an early age i.e. at puberty and pre-puberty stage.<sup>70</sup> Brief description of categories of religious prostitutes is given below.

(a) **Devdasi :** The term *devdasi* literally means servant (slave). Her duties comprise a combination of propriety, ritual, entertainment to assert positive fertility and prosperity. They on account being married to god or goddess. In *Dhoyi’s Pavanduta* there is reference to temple girls or public prostitutes. There are also the following classification in this category:<sup>71</sup>

- i. *Datta* : Parents devote their daughter to gain *punya* i.e. virtue.
- ii. *Hrita* : Those are stolen and dedicated to god.
- iii. *Bikrita* : They are sold to the temple authority.
- iv. *Vritya* : They are served as maid in temples.
- v. *Bhakta* : Those are devoted themselves to god willingly.
- vi. *Salankara* or *Alankara* : Firstly these girls adorned with ornaments and then donated to temple.
- vii. *Gopika* or *Rudraganika* : These girls are paid dancers of temple.

*Devdasis* dance before god, and priest. *Rajdasis* dance before king and royal court. *Swadasis* entertain the general people and pilgrims in temple.<sup>72</sup>

According to various research, the practice is socially acceptable in some sections of Indian society through ‘*devdasi*’, whereby young girls are given to the gods and become religious prostitutes. There are believed to be around 3,300 *devdasis* in the Belgaum area (Karnataka) alone. The *devdasi* practice is banned by the Prohibition of Dedication Act 1982 and parents or guardians dedicating their girls to this sordid system are liable to

five years in jail and a Rs. 5,000 fine. Anecdotal evidence suggests that through these outlawed religious practices like *devdasi* and *jogin* temple priests use their position to trafficked girls for prostitution.

(b) **Sevadasis** : In *vaishnavism* these girls were recruited into *Ankhra* i.e the *vaishnav* hermitage by money or sometimes forcefully. They were strictly recruited to serve the *vaishnavs* but not the general people.<sup>73</sup>

(c) **Jogins** : The prevalence of *jogins*, a similar practice like *devdasi* continues in large part of Andhrapradesh. In this system the girls are married to god before puberty and they enter into prostitution when they reach puberty.

(d) **Basavi** : It means ‘female bull’ and it connotes the bulls freedom to wonder. Historically *basavis* are forbidden to marry and expected to spend their lives performing religious duties. The system is known to exist in Andhrapradesh and in scattered form in some areas of Karnataka. The *basavis* do not immediately enter into long career of prostitution. They are still required to perform certain ritual duties. Since such work does not yield sufficient income they turn to prostitution.

(e) **Jalpatra** : To render service to a *brahmana* by a woman as his concubine was not condemned in the society. The women were initiated in *vaisnava* mantra. As the custom of maintaining such concubines by the males was a common feature of the society, the legal wives mostly had to accept their fate without any grudge. Often it has been found, wealthy people even maintained Muslim girls converted to *vaisnavism* for sexual exploitation in later days. Such women not legally married, were termed as *jalpatra*.<sup>74</sup>

### **(B) Recent types of prostitutes :**

They are known as 1.**Call Girls**, 2.**Cage Brothel Prostitutes**, 3.**Hitch Hiking Prostitutes**, 4.**High Profile Prostitutes** etc. This form of prostitution is considerably of unique types and not a much old practice.

1.**Call Girls** : Prostitution has been noticed popping up around market, port, military bases and also tourist spots. Prostitution connected with tourism is the most institutionalized and the most lucrative since recent past. This phenomenon has grown

with modernization and globalization. Some hotels, inns, guest house, tourist lodge managements maintain their contact with society girls belonging to the elite or upper middle class families, who live in private houses very often quite educated. They are well dressed and well-mannered and enter into the trade not on account of any compulsion or financial constraints but for fun and extra income needed for meeting the expense of their luxurious life. They are called 'call girls' and are classed among voluntary prostitutes. Mostly it is believed that girls above 18 would be involved in this trade. But recent exposure through media indicates that large numbers of school going girls, middle class house wives are engaged in using themselves as commodities for meeting their expenses. They are also belong to this category. The psychologist Smt. Anuttama Majumder has considered this type of prostitution as 'free floating fun or surplus sex'.<sup>75</sup> Comparing a call girl with a prostitute we can say that a call girl does not satisfy all customers but a selected rich and aristocratic people only.

**2.Cage Brothel Prostitute :** They are mostly found in Mumbai and they are basically young girls. They are referred to as caged brothel prostitutes because of their virtual confinement to small cubical or cage like situation in brothels. All their earnings go to the brothel keeper till such time that the brothel keeper's investment is made in procuring them has been recovered.

**3.Hitch Hiking Prostitutes :** They basically operated on road sides of national and state highways of different cities. They usually serve the truck drivers and fun seekers, moving in trucks and lorries. They operate on temporary and casual basis, often on contact basis, thereby bringing the element of call girl system, mostly under the guidance of an elderly prostitute or brothel keeper.<sup>76</sup>

**4.High Profile Prostitutes :** There is also social stratification within the community of the prostitutes in several red light areas. A group of prostitutes regarded as high profile workers. They live in the rooms in the front road but do not stand or sit on road side to attract the attention of the people. In this sense they are privileged group. They possess physical beauty and refine personality and for this natural privilege they do not care either the middleman or the mistress of brothel. Their standard of living is higher than of the common prostitutes. They maintain a sort of distance with the common

inmates of red light area. They take special care to their children. Few of them send their children into reputed school. Their children are not allowed to play with the rest of the children of the colony. They are also well dressed, play with expensive toys. One or two of them (high profile prostitutes) also possess separate flat in the affluent area of the city and they left their rooms of red light area in rent. The prostitutes of high profile category frequently go to market for shopping.<sup>77</sup>

There are two more categories of prostitutes e.g. -

**Registered and Unregistered Prostitutes :** The enforcement of the contagious diseases act did not prove easy. The women stubbornly resisted registration, examination and internment in the Lock Hospitals. Soon after the act was in operation a very large number of the public women left the city and sojourned in the suburbs and the further away. However, as more poor women drifted into the city, the problem of unregistered and 'clandestine' prostitution grew intractable. The police mounted vigilance on all widows and destitute in particular, and poor women in general.

The categorization of prostitutes into 'registered' and 'unregistered' was futile; it seemed impossible to spatially and geographically separate registered and unregistered women, since these apparently faceless women could with ease melt into the poorer quarters of the city.<sup>78</sup>

There were large numbers of women, with no connection to religion or the arts like singing or dancing, who were prostitutes in the conventional sense, that is selling sexual favours for money. Most accounts agree that there were large number of widows among the prostitutes, which suggests that brothels were heavens for women with nowhere else to go. Girls were also seduced or stolen from their homes and forced into this business. Among the ranks of prostitutes were married women who found their lives intolerable and escaped from one kind of oppression to another. Some working women turned to prostitution to make ends meet; others had drifted to the cities in times of economic hardship and were unable to find employment of any other kind. Some women provided sexual favours in exchange for protection.<sup>79</sup>

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## CHAPTER III

### SOCIO - HISTORICAL SITUATION OF NORTH BENGAL

#### History of North Bengal :

After getting a cursory view of the overall aspects of the problem, we may now throw our focus on changing context of geographical situation in North Bengal. There was no region or territory designated as North Bengal in pre-colonial Bengal.<sup>1</sup> The present area of North Bengal in ancient period was known by the name of *Pundravardhana*. Alexander Cunningham found the remains of the city of this name in *Mahasthangarh* in the district of Bogura (present Bangladesh).<sup>2</sup>

The exact area of North Bengal may be stated in the words of R. C. Majumdar - "North of the main branch of the Ganges presently known as the Padma and west of the Brahmaputra, lies the extensive region which embraces the modern Rajsahi division and the State of Cooch Behar."<sup>3</sup> The most important part of this area constituted the ancient land of *Pundravardhana*<sup>4</sup> of which *Varendri*<sup>5</sup> was a well known district.

North Bengal has at present a distinct identity situated within Jalpaiguri Division of West Bengal. It has also a chequered characteristic feature which is anchoring people of different ethnic lineages in her fold. The emergence of modern North Bengal in 1869 was the stepping stone of the historical growth and development of the so-called North Bengal in the administrative collage of undivided Bengal. The term 'so-called' is used because the terminology 'North Bengal' was not officially used by the colonial government of Bengal. Only the nomenclature may be traced in colloquial use in different contexts.<sup>6</sup>

In the pre-1869 phase the inmates of this region glorified themselves as the inhabitant of the ancient *Pragjyotispur-Kamrupa-Kamtapura* Kingdom. This was specifically visible in the case of people of North Bengal i.e. of Cooch Behar, Jalpaiguri and plains of Darjeeling district. On the other hand, the people of southern North Bengal i.e. Malda, two Dinajpur districts gave expression to their pride in their uttering the names of *Pundravardhana - varendra Gauro* - Kingdom. Two groups of people cherished the

different kind of identity, but after 1869, a new identity was required for their existence. This requirement psychologically first led to the birth of a new kind of identity i.e. 'North Bengal' or '*Uttar Banga*'. However it is already acknowledged that North Bengal has a distinct kind of identity. It does not mean that it is separated from the mainstream Bengali culture.

The Rajsahi division was created in 1832. The head quarter was located at Berhampur. After the Anglo - Bhutan war in 1865 the head quarter was shifted from Berhampur to Rajsahi. The regional historians opined that it was military necessity and security which had exerted pressure on the colonial government to shift the head quarter division from Berhampur to Rajsahi first and then Rajsahi to Jalpaiguri. However, it is that there was no sound reason behind the transfer of the headquarter from Rajsahi to Jalpaiguri in 1876.

The history and people of the plains of North Bengal was to some extent determined and shaped by the geography of the Sub-Himalayan region. We can not separate plain of North Bengal from the genesis and development of Sub-Himalayan region. It is difficult to trace any distinction on the basis of geography between the people residing in Sub-Himalayan region and the people of the plains of North Bengal including neighboring Assam. In fact, the Anthropologists like to delineate the region basically the region of the Indo-Mongoloids.

The Royal Bhutan Government passed a law against the Nepali settlers in southern-east Bhutan. The Bhutan government stated that henceforth the Nepalese of Bhutan will use the language of *Jankha*<sup>7</sup> and Bhutanese dress. This proposal was rejected by the Nepali settlers in Bhutan. Consequently, lot of Nepali people had been forced to leave Bhutan and took shelter in different parts of North Bengal.

The late 19th and early 20th century saw a steady and systematic extension of British control in the region. For colonial penetration in North Bengal various measures were taken up by the British. The British launched different types of land revenue settlements in North Bengal. Another significant way of colonial penetration in this area was the commencement of plantation industry. The process of the commercialization of agriculture

was the greatest considered stimulus for disseminating colonial hues in North Bengal. Another remarkable channel of colonial penetration in this part of Bengal was undertaking of trade and commerce by the British. Nepal, Bhutan, Bangladesh are the bordering countries of North Bengal. Situated along the border areas North Bengal carved out a special place of interest in the minds of the British. Besides, Cooch Behar, being the princely state, attracted the special attention of the British. All these factors worked as a catalyst and formed a uniform and viable way for the dissemination of colonial culture and ideas in different parts of North Bengal.

The situation of North Bengal in post independent period has dramatically changed. In the post partition and post-independence era, the important segment of North Bengal was incorporated in East Pakistan. On territorial grounds, North Bengal was also divided into three districts on 17th August 1947. The group one comprised Dinajpur and Malda. The second group consisted of Jalpaiguri and Darjeeling. And the third group consisted of Native state of Cooch Behar.

Although North Bengal is rich in natural resources but five districts - Darjeeling, Jalpaiguri, Cooch Behar, Maldah or Malda, West Dinajpur are industrially backward. Here it is mentionable that West Dinajpur district was divided into North and South Dinajpur in the year of 1992. Other than tea there is no big industry. But the present scenario is entirely changed. At present tea industry of North Bengal is also facing severe crisis. In spite of implementation of land reforms the number of landless agricultural labourers has increased by 59.34%. In West Bengal average literacy rate is 70% whereas the literacy rate in North Bengal is only 59%. The drop-out rate in North Bengal is next to Rajasthan. Irrigation facility of North Bengal is very poor in comparison to South Bengal. The Teesta Project which started in the 70's has not yet been completed. On the other hand Teesta Project has created a large number of development ousters. WBIDC spends 87% for the growth of small scale sector in South Bengal. But North Bengal gets only 13% for the growth of small scale industries.<sup>8</sup> Most of which are sick industries. As a result regional disparities are increasing day by day. Due to lack of job a large section of young people are migrating to different parts of North India. Above all it has been already mentioned that influx of refugees from East

Bengal has totally changed the demographic pattern of North Bengal. And different indigenous ethnic groups have been marginalized due to the huge refugee influx. Political and economic activities are guided by the immigrants. This marginalization had helped to create commotion among the indigenous people.

Along with the *Gorkha* land and *Kamtapuri* movements the tribals of North Bengal who belongs to Indo-Austic group are clamouring for the introduction of sixth schedule in the tribal dominated Terai - Dooars are under the banner of '*Akhil - Bharatiya - Adibasi - Bikash - Parishad*'. The counter *Gorkha - Janamukti - Morcha*'s claim over *Terai - Dooars Adibasi Bikash Parishad* was formed. The demand for the introduction of sixth schedule has given a new dimension to the on going separatist movement in North Bengal.

### **The Socio - Economic - Political Culture and Religious Traditions through the Ages :**

Following Bipan Chandra we may state that - The construction of Railways had a revolutionary impact on the life, culture and economy of Indian people. North Bengal also was not exception in this respect. The labourers, specially the tribals, for the construction of railway were coming from different parts of Bengal and outside of Bengal.

North Bengal is the home of about 30 distinct tribal groups, which have a population of 14,54,330. This constitutes 33% of the total tribal population of West Bengal. In the second half of the 19th century, many of them have migrated from Chhotonagpur and North Eastern states of the country. The tribal families in North Bengal are traditionally landowning cultivators.<sup>9</sup> Proper education and skill are lacking among them. Since mid - 1950s, after the abolition of *Zamindari* system, many of the tribal families have actually been becoming landless. A large contingent of tribal work force, comprising of men and women, was brought to construct rail lines in different parts of North Bengal and for tea plantation. The tribes of North Bengal belong to *bhitia*, *lepcha*, *medh*, *lodha*, *oraon*, *santal*, *bedia*, *munda*, *malpaharia*, *mahi* and *koras*. It is said that a group of brokers called *Aarkanthis*<sup>10</sup> collected jobless tribal people from Chhotonagpur, Santal Pargana and Jangalmahal. To draw the attention of those jobless people, the *Arkathis* used to say :

*'Daiyare daiya / Siliguri, Naxalbari, Bagdogra, Matigara /*

*Bhaiya mora dekhe alobore rijuare sachche kahat.'*<sup>11</sup>

It means, hello brothers, Siliguri, Naxalbari, Bagdogra, Matigara are very good place to live in. Believe me I myself have visited the places (free translation). The *arkanthis* tried to allure the innocent tribal people with false hope of prosperity and happy life in the tea producing places. Methods of recruitment of labour involved all sorts of unscrupulous practices, deceptions and not infrequently even outright violence to recruit men, women and children. The labours had to do the most back breaking work. Any indiscipline resulted in severe punishment. Coolie women fell victim to the lust of lascivious planters of the tea - garden.<sup>12</sup>

It seems that prostitution was not prevalent among the tribal tea workers in early phase. But gradually the scenario has been changed. Now a days the media reports have revealed that the tribal girls of garden areas of North Bengal are the targets of the traffickers. The ultimate destination of these trafficked women is the brothels shooting up in different parts of the country. There are several push factors behind the adoption of flesh trade by the tribal women of this area.

In the tribal societies women contributes to the work force in a more substantial way than the women in non-tribal societies. But the tribal women's contribution to work force has been confined largely to meeting the needs of their own subsistence agricultural economy and to some extent in the tea gardens of the plantation areas. They work in gardens as labour. The negligence in developing skill among this community through general and technical education has kept them as labour and has prevented their scope for white color jobs. Eventually their economic insufficiency and poverty have forced them to take entry into the world of crime and illegal activities.

The tribal families continue to lose control over land primarily due to land division through inheritance and all the family members take up manual labour mostly in the agriculture or in the plantations. In North Bengal tea estates except for the terai tea gardens, the number of permanent workers has declined considerably both in the hills and dooars. In dooars and hills the number of male workers has declined sharply partly

due to retrenchment and due to closure of some gardens. Closure and lock out of tea gardens have become everyday news. The plantation workers are deprived of their provident fund, gratuity benefit and medical facilities. Role of trade union leaders in the gardens are dubious. Often they positively helped the tea garden owners to declare lock out by their disunity or may be sometime in lieu of financial benefit.<sup>13</sup> The developmental programmes of the government are not yielding the desired results and as a consequence the tribal men and women continue to be haunted by poverty and the related hazards. The percentage of people living below the poverty level is still very high among the schedule caste and schedule tribe categories.

There are several factors working against female education among tribal communities. From the long past, there is a high gender disparity among the tribal in India. Some psychological factors among the tribal society work against girls' education which is not dissimilar to that of the middle class section. Parents in rural areas in general perceive that education is not necessary for their daughters. It indicates the discrimination between the son and daughter. The tribal parents consider the sons as their old age support but any economic gain of an educated girl would go to her future husband and husband's family. So they think it is better to engage the girls in the domestic chores. The working mothers keep their small children under the supervision of the girl child.

Security is another big concern of parents. In rural areas the schools could be located in areas far from their home. Communication problem, absence of proper transport system, problem of sanitary facilities in schools are the major crisis for the grown up girls and stand like as tumbling block on the way of their development.

As an outcome the incidence of drop out is much higher among the girls, although the enrolment rate at the primary level is more or less same for the boys and girls. The missing link between education and job opportunity, alien medium of education, alien syllabus, high rate of failure in annual examination, parents' indifference, inability to avail the scope of private tuition, practice of early marriage, over dependence on garden for jobs are together responsible for the drop out of girls. The tribal girls are withdrawn early from schools to be engaged in domestic chores or married out early. Most of the parents are illiterate and unaware so they never motivate their girls for education. In the

lack of supportive culture and favourable atmosphere in the family the girls of the tribal community often drop out at primary or junior high school levels. Even to collect half the regular fees is not easy for the tribal families. In this condition they consider continuing with education is a luxury and the drop out girls readily take up the job as wage labourer in tea gardens. Thus the tradition of exploitation of the girls continues in the region unabated and functions as a push factor in adopting the primitive profession by the girls.

The tribal society is highly patriarchal. So gender disparity which is very common in this community, is clearly reflected in the economic right of the women. The girl has no property right. The patriarchal tribal society strongly denies the land right to girl. With their marriage the women lose all rights on the jobs or the retirement benefits of their parents.<sup>14</sup>

Since the last decade, both agriculture and industry have been facing some kind of stagnation and alienation, and fragmentation of tribal land continues to be a problem. It is creating unemployment among the tribal young generation. They are forced to leave their native place in search of job opportunities. For the girls their low access to higher education and technical education reduces their employability. The sudden closure of the tea gardens in this region has been leading to large scale exodus from the gardens to the far away places and to the metropolises even to the other states. Beside closure and lock out, tea garden workers are afraid of another danger. In 1997 West Bengal Government gave permission to establish housing complex ('*Uttarayan*', in Matigara, Siliguri) on the 406.64 acre plot of *Chandmoni* Tea Estate land. As a result plantation workers are evicted and they were employed under the construction company. It has been known from the former workers of the garden who are now working at '*Uttorayan*' as care takers. Sometimes the exodus are misguided by some people and push into the world of crime and darkness. The media reports show that most of the tribal girls are being lured away with the promise of job opportunity.

Collapse of the rural economic structures has left people with no employment options and that has increased rural-urban migration. In a subsistence economy it is always the choice between work and starvation. The women suffer the most as every bit of their

labour is put to use in order to make best use of whatever income opportunity come by their way.<sup>15</sup> From the studies of some tribal communities in North Bengal it has been drawn that the social locale of the tribal women in their respective communities is largely determined by their value as labour, their ability to work and earn for their family even at the low wage and inspite of other exploitation at their place of work. Some women are predominantly involved in *hariya* (native rice liquor) making. They are seen to sell *hariya* in local *hat* or market. It has been seen that the tribal women are engaged in smuggling of poppy seed, betel nut, velvet from Nepal in guise of passengers in public buses in the route of Siliguri - Naxalbari - Panitanki. When they are caught by the custom, the officers bit them publicly.<sup>16</sup>

In the terai dooars region malnutrition, starvation deaths, diseases, joblessness, child trafficking dominate the life of tribal people. Modes of women subjugation in tribal society by way of over exploitation of women labour, feminization of low rank works with low pay and low status, treatment of women as objects of sex, commodification of women by the market forces, marginalization of women in decision making, disrespect and mal treatment meted out to women in everyday life in the family and social space are very common and clearly visible.

The misconceptions and frustrations of the parents, misunderstanding between mother and alcoholic father creep into the personality of the tribal daughter and thus ruin the possibility of blossoming woman self. The tribal women are not protected by their men like their upper caste sisters, and have been often forced into prostitution due to situational pressure.

Besides all these things the family indebtedness, marriage expenditure, dowry system, practice of witchcraft in tribal society push the girls into the life of darkness.

During the long past the foreigners specially the British showed interest to invest their capital to the tea gardens of this zone. They did not take their family with them. In such a lonely atmosphere of jungle, mosquito and malaria, they brought beautiful girls from the coolie line (quarter of workers in tea garden) for entertainment. They looked upon the male coolies as the instruments of labour, and upon the female coolies as

instruments for the gratification of their passions. Occasionally few of them married those women. We find such an reflection in the Bengali film ‘*Chameli Memsahab*’.

Like the tribals the *Rajbanshis* are also closely attached to the heart of North Bengal. They are the indigenous community of this area. The socio-economic as well as the cultural history of North Bengal can not be imagined without studying the *Rajbanshis*. Basically they are the man of cultivation. Through the ages they are giving their best to moulding North Bengal.

*Lahankari* song of *Rajbanshis* prevails in Terai, Dinajpur, Malda, Jalpaiguri, Cooch Behar, the adjacent areas of Siliguri and bank of Tista river. This song is also called *paharia* as it is usually sung outside the house for its nature of illicit love. The word *lang* means *upapati* or paramour and *langli* is *upapatni* or concubine. The synonyms of *lang* are *soki*, *bondhuya*, *bondhu*, *kalar chaan*, *bapoi*, *dada* etc.

The *lahankari* song or *langla langlir gaan* is as follows :

*‘Aaji chalot phole chalkumra ro he*

*maai jhikot phole kodu*

*aaji dekha dekhi maanchhi hon o ge*

*oho maai pore khabe modhu.’<sup>17</sup>*

The song indicates the indecent gesture of *Chalkumra* or one kind of pumpkin on the roof as a young girl and *kodu* or gourd as a young boy which is condemned and prohibited to all (free translation). The above quoted song is called *pahariya*, which means song of outside the home. It is one category of *Lahankari* song.

The following proverb and songs of *Rajbanshi* society denote that the extra marital relation and adultery existed in this community.

*‘Avagini addas kore*

*Jadumoni dhokloso na kore.’<sup>18</sup>*

The meaning is that the fond mother advises the son, the spoilt son heeds them none (free translation).

*'Pubiya poschiya bay nore bhatar hari*

*Ekta maiya pushir na pare*

*Aaro chanday aari.'*<sup>19</sup>

It means, abject poverty is his lot, wind shakes the cooking pot, can not maintain the single wife, still runs after a widow to add to the vice (free translation).

In North Bengal, earlier the *Jotdars* and the *zamindars* had a strong hold. They belonged to an affluent class. Their oppression on the peasants had been narrated in several writings on *Tebhaga* movement in North Bengal. The movement burst out in the region in 1946. At the last phase of the second world war, peasants uprising namely *Tebhaga* and *Adhiyar*<sup>20</sup> had taken a dangerous shape in Dinajpur, Rangpur, Jalpaiguri, Cooch Behar and Malda. The *jotdars* extracted a huge revenue from the poor farmers. In *haats* (local weekly markets) and fairs, they collected tax from the peasants and the traders. They appointed the prostitutes in those markets and fairs to plunder money from the people. The prostitutes used to live in the tent at the market place. There are references of such type of incident at the fairs of Patiram in Balurghat and Bonchaganj in Thakurganj sub-division.<sup>21</sup> Besides this, the *Tolabati* movement extended to Kanthalbari haat, Uliipur haat (Kashimbazar), Lalmonir haat (Murshidabad), Mustafy haat (near Teesta area), Lohakunchi haat (near Setai area of Cooch Behar), Laalbag haat at Rangpur. The *zamindars* and *jotdars* of Dinajpur district sacked the women from the farmers' house.

When the movement had taken a vigorous form police started to arrest the people who participated in the movement. Even police did not escape the women. They raped women, destroyed crops, beat the peasants. The women were hidden by their men at the time of police raid. The *jotdars* and the police jointly started their tyranny upon the peasants. Somewhere people left their houses and land.

In 1943, black market and stock market swallowed the country. Famine spread out, people lost lives in starvation and epidemic. Debiganj, Boda, Panchagarh came under the grip of famine. Radhanath Das (the communist) had written :

*‘Chhaoya poya morilo, bou beti ijor (Ijjat) dilo*

*Pora peter jalayre jwolo.’<sup>22</sup>*

It means, the children are dying, women are selling their chastity and they are suffering from starvation (free translation).

Not only the poor people but also few *jotdars* left their ancestral house. Some of them could not face the aggressiveness of the revolt and the others were in high indebtedness for their luxury, recreation and lawsuit.

There was prevalence of sexual abuses by the land holding *Jotdars* and *Zamindars* in this part of North Bengal. A report published in the ‘*Mihir O Sudhakar*’, Kolkata, dated 30th March, 1900 would corroborate the exact situation that prevailed. It was reported :

‘A *Raja* of North Bengal is in the habit of amusing himself in the company of wives of his *raiyats*. Every evening more than a hundred women of the village repair to the *Raja*’s palace with their beddings, after finishing their toilet. The conduct of the *Raja* has displeased the village people, but there seems to be known remedy for his vicious indulgence. Most of the women, who have been corrupted by the *Raja*, are *Musalmans*, and the temptation of money and ornaments has proved too much for them and their guardians. To tell the truth, the husbands and fathers of these women are encouraging them to gratify the *Raja*’s lust. Corruption has entered the *Raja*’s family, and while he passes the entire night in company of these women, one of his wives carries on an intrigue with one of his servants. The *Raja*’s son also is extravagant, and is wasting money. The estate has incurred a debt of about five or six lakhs of rupees.’<sup>23</sup>

The song ‘*Ulto Bhutan Jatra*’ is very relevant in this context. The song is :

*‘Bonuser haat dhorì Omesh Votanot jay*

*Gona Dhena ebar beti chhayoa pay.’<sup>24</sup>*

The story behind the song is, *jotdar Ramesh* started his journey for Bhutan with his wife (*bonus*) due to the horrible condition of the *tolabati* movement. Having seen this, the most eligible bachelor (*dhenā*) called *Gona* is very happy (free translation). Because as that only the rich people had the right to pay the dowry or *Kanyapon* and get marry.

Buying and selling of animals in the market is very common. Simultaneously the buying and selling of people was very primitive. There is a proverb :

‘*Chhele noshto haate, bou nostho ghate*’

It means, male are spoiled at local market as the *veshyas* are available there (free translation).

In the medieval period slaves were sold in the market. Prostitutes were also sold in the market or *haat* and in the fairs on any local festivals. Prostitutes were gathered in those places as a part of entertainment and amusement. This culture is not uncommon in North Bengal. We find the reference of such kind of amusement like singing, dancing which prevailed in the local *haat* in the Bengali novel ‘*Tistaparer Brittanto*’ by Debesh Roy. Here the novelist mentions about Kranti Haat, Changmari Haat, Madari Haat (Jalpaiguri). The term ‘*Heto Veshya*’ (prostitute of market) came from this concept. A group of women came in bullock carts, stood with peculiar make up in their face - in market, temple, fairs wherever their presence inevitable.<sup>25</sup> The *subochonir Brotokotha*, *Dayobayor kotha* also refers that girls were sold in the different market of North Bengal.

Prostitution in the name of religion or temple prostitution (*Devdasi* system) was existed in North Bengal in the past. *Bangarh Prasasti*, Deopara inscription, terracotta plaque, *kalhan’s Rajtarangini* are testimonies to the practice of temple prostitution in different parts of ancient *Pundravardhana*. Later it will be discussed in detail.

Dhritikanta Lahiri in his reminiscent work ‘*Haatir Boi*’, has furnished an information which is important for writing a social history. He remembers his days of childhood in Moymonsingh (Bangladesh). He observes - ‘..... each and every estates had their own man power, upper class employees, middle class employees, and the countless others, even far

from the house they had their own brothel. In local language it was called *Khandepara*.....<sup>26</sup>

We find some references of outrage from several reliable evidence e.g. weekly. It was complained that a brisk traffic in immorality was going on in Calcutta and its neighbourhood. Young girls married and unmarried, were being bought and sold by the prostitutes.<sup>27</sup> Police also created problem. A *Gurkha* woman was kept locked up all night in the police station at Silchar as she refused to gratify the immoral desires of some *Babus* (police officers apparently).<sup>28</sup>

Surprisingly an enquiry into the woman's complaint has been made by a sub-inspector, and the police defense is that the woman was locked up for being drunk. She is now threatened with a prosecution under section 211. '*Power and Guardian*', the weekly paper appeals to the Chief Commissioner, who alone can vindicate the cause of justice in a case like this.<sup>29</sup>

The case of outrage on a girl by some police constables, which was reported by the '*Rangpur Varta*' on 1st June, 1901.<sup>30</sup>

The '*Bikash*' (name of the news paper) says<sup>31</sup> that "at the night of the 30th last a young widow, named *Chintamoni*, aged 15 or 16 years, was kidnapped from the house of her father's neighbor in village Chikanikandi under the Galachipa thana, in the Backerganj district. The next day, after a long search, she was found in the house of one Hazif Munshi in the neighbouring Kachua village. In their depositions before the sub-inspector of the Galachipa thana, Chintamoni and some witness charged Totamber Ali, the son of Mehar Ali Jamader, of village Chikanikandi and Altapaddin Ahmed, the son in law of the same, with having kidnapped and ravished her with the help of others. But for some unknown reason the sub-inspector reported the case in a C form. Against this an application was made to the Deputy Magistrate of Patnakhali, who ordered the sub-inspector to submit an A form. This enraged the ruffians, who, on the 28th *Jaistha* (Bengalee month) following forced themselves into the house of Chintamoni's father, severally beat him and went away with the girl. Some of the offenders have been challenged. Hafiz Ali and some others have absconded. Chintamoni is still missing."

Is not Eastern Bengal a part of the British empire? History says that in the days of the Muhammadan rule in India people having beautiful wives and sisters could not sleep quietly at night. But should such tales of outrage and oppression repeat themselves under the British rule? According to the *shastras*, the country and the empire in which the honour and purity of the sex do not remain inviolate should be far shaken. Week after week accounts of outrages of women are lacerating the hearts of the Indians live under the British Govt.? What can be more shameful than that in the enlightened twentieth century the subjects of the most civilized British Emperor can not live in security with their family.<sup>32</sup> These incidences depicted the picture of the contemporary society where women security was a big question.

The polygamy of the *kulin brahmans* is one of the most opprobrious practices of the Hindu system. Certain individuals, as being the descendants of men who were eight centuries ago learned in the *Vedas*, and possessed other excellent qualities, are privileged to roam about the country and marry as many wives as they please, and then to abandon them, to the perils of society. Such a practice went on the pretext of religion.

According to the report of the '*Hindu Patriot*'<sup>33</sup> '..... the evils which arise from the subject (*kulinism* and polygamy), are various and countless. How many families of high reputation have been ruined and how many women of noble blood have gone beyond the *paths* (way) of virtue is beyond description.

Selling of daughters (*kanya bikroy or bacheya khaoya*<sup>34</sup>) prevailed in this locality. Specially the *Brahmins* of less respected caste and the *Kayastha* of high caste sold their sisters and daughters to the aged, octogenarian persons for the sake of money.

Even women were lost in gambling by the men. This has been practiced from the time of Manasamangal<sup>35</sup>:

*'Kormophole harailam sobdhonjon*

*Jeï dekhe sei bole juyar teton*

*Emon darun khela eraite na pari*

*Kolyokar khelay harailam nijo naari.'*

It means, for addiction in gambling he lost his all properties including his wife (free translation).

### **Locational Advantage for Prostitution :**

A survey of the local literatures of the development of North Bengal makes it clear that this region in the past was nothing but a mofussil with a few population. Tea plantation, extension of railway and afforestation program brought vigorous changes in the society and economy of the region. Strategically this region was important from the beginning but the partition of India (1947) was a turning point in the History of North Bengal. The large number of countless refugee people migrated to this part of Bengal being uprooted from their original settlement in the Eastern part of erstwhile Bengal. Refugees and displaced women, uprooted from their homes and countries by war, internal strife, or natural catastrophe are vulnerable to violence both as a result of the surrounding problem and because of their dependency on outsiders for relief provisions. In addition to this a large number of evacuees from Assam and the neighboring states further enhanced the economic and social crisis in this zone. After the Chinese aggression (1962) great changes took place in this area. It is relevant to mention that the *Bangalee Khedao* movement (expel the Bengali people) is still going on in Assam.

The locality attracted the attention of outsiders as a business spot for its three T i.e. tea, timber and tourism. The military importance of this region can't be ignored. The introduction of market economy and globalization concept make a further change in the region. The existence of long international and inter-state borders within this region, the economically weaker sections within the community namely the SC, ST, Muslims and the other community groups living below the poverty line (B.P.L), presence of a large number of patron class, constant mobility of people due to trade, tourism, good transport system through National Highways, National Railway Network connecting different parts of India combined together are creating a peculiar suitable atmosphere for flourishing sex business in North Bengal. The factors of physical charms of the hill girls from different parts of Darjeeling and Nepal for the growing flesh business in this area can not be

ignored. From the long past Nepal and the hill region of North Bengal are playing the hinter land in this business. A very large proportion of a women eventually find themselves trapped in the sex trade within North Bengal or at distant cities. Certain parts of North Bengal that adjoin international borders have served as a conduit for the trans-border trafficking of women and children from Nepal and Bangladesh, particularly in order to feed the sex trade in India.<sup>36</sup> A large number among these victims belong to economically and socially depressed groups and communities, including various tribal groups residing in North Bengal. Women from this region are also trafficked as forced brides for marriage with the grooms of states like Rajasthan and Haryana, as they have not been able to find a nuptial partner because of disparity in male female ratio of the population in these states. Detail study of media reportage on trafficking of women and children covering the North Bengal region reveals that the maximum number of victims rescued is from the district of Darjeeling, Jalpaiguri, North and South Dinajpur.<sup>37</sup>

Trafficking of women and girls for the purpose of sexual exploitation is a growing phenomenon all over the world. In Western Europe alone, the International Organization for Migration estimates that around 500,000 women per year are trafficked from poorer regions to the affluent part of the world. The present condition of tea industry in North Bengal leaves almost no doubt to see North Bengal as a poorer region. A very large portion of such women of the poverty stricken regions eventually find themselves trapped in the sex trade at distant cities. It also appears from the current media reports that certain parts of North Bengal have become an operational base for the brokers of prostitution and their agents. North Bengal is a region where they easily trap the victims. North Bengal is a region from where they traffic the girls for flesh trade to the other parts of the country. This region thus appears to have become a safe heaven for traffickers who can usually carry out their operations without the immediate fear of detection. Ms. Rangu Souria, secretary of *Kanchanjangha Uddhar Kendra*, an organization that works in Darjeeling districts against girls trafficking has considered North Bengal as the den of the traffickers. Ms. Ruchira Gupta, whose documentary film deals with the search of few girls trafficked from the tea gardens of Jalpaiguri district said that the tea gardens of Jalpaiguri and Darjeeling districts are the most favourite destination for the traffickers.<sup>38</sup> Flesh trade run by women in broad daylight is rampant

in Islampur (North Dinajpur). With its 227 km. International border with Bangladesh and 206 km. inter-state border with Bihar, North Dinajpur has thus become a prime transit corridor, since it is well connected through roads by means of the arterial National Highway 34 and also offers easy access to the National Railway network through the adjacent city of Kishanganj on the Bengal-Bihar border (corroboration is given in Appendix E).

It appears that the following routes are followed by the traffickers in North Bengal - (a) Bangladesh to Cooch Behar, Cooch Behar to Jalpaiguri, Jalpaiguri to Siliguri, Siliguri to Kathmandu, Kathmandu to Dubai (b) Bindu to Jhalong, Jhalong to Chalsa, Chalsa to Siliguri and (c) Jaigaon to Lolegaon, Lolegaon to Kalchini, Kalchini to Alipurduar, Alipurduar to Siliguri, Siliguri to Kishanganj and Kishanganj to Bihar.

For the scenic beauty of North Bengal, tourism brings the foreign currency in every year. The tourist lodge, resorts, hotels are mushroomed in dooars and plain. The line hotel business beside the National High Way is equally profitable. And the business of prostitution is running in these places without any care.

### **Physical survey of the districts of North Bengal :**

#### **DARJEELING :**

The district of Darjeeling consists of four sub-divisions, viz. Darjeeling Sadar, Kalimpong, Kurseong, and Siliguri. Geographically the first three sub-divisions are hill regions while Siliguri falls in the foothills. In the north of Darjeeling Sikkim is situated, in the south is North Dinajpur, in the east is Bhutan and Jalpaiguri and in the west Nepal is situated. Historically, the well known district of Darjeeling today was parts of two kingdoms during the British period - the kingdom of Sikkim and Bhutan. Following wars and treaties signed with these two kingdoms, this territory came under the control of the British Empire in India.

“When the East India Company in 1835 first acquired the nucleus of the Darjeeling district from the *Raja* of Sikkim, it was almost entirely under forest and practically uninhabited ... this hill tract of 138 square miles contained a population of 100.”<sup>39</sup>

The present territory of Darjeeling came under British occupation during the nineteenth century in three stages, In 1835, by a deed of grant signed on 1st February, the *Raja* of Sikkim ceded a portion of the hills to the British to help them to set up a sanatorium. The second stage followed war with Sikkim, which resulted in the annexation of 'Sikkim Morang' or 'Terai' at the foot of the hills. The third stage was marked by a war between British India and Bhutan, which led to the annexation of the hill tract to the east of Tista, west of Ne-chu and De-chu rivers and south of Sikkim. Finally Anglo - Bhutanese war was ended by the Treaty of Sinchula in 1865. The victorious British power acquired Kalimpong which was transferred to Darjeeling in 1866.<sup>40</sup>

The decision of the Company to develop Darjeeling as a hill resort gave the opportunity to neighbouring peoples to immigrate and take part in the development. The original inhabitants, probably Lepchas, were rapidly outnumbered by settlers from Nepal and Sikkim. By the year 1850, Dr. Campbell, the first superintendent reported that the number of inhabitants had risen to 10,000. The rapid influx was noted by Sir Joseph Hooker when he visited Darjeeling about the time. When in 1869 a rough census was taken of the inhabitants of this tract, the total was found to be over 22,000.

Sir Joseph Dalton Hooker appreciated the scenic beauty and healthy atmosphere in the following lines :

“I believe that children’s faces afford as good an index as any to the healthfulness of a climate, and in no part of the world is there a more active, rosy and bright young community than as Darjeeling. .... The most eloquent descriptions I have read fail to convey to my mind eye the forms and colours of snowy mountain, or to my imagination the sensations and impression that rivet my attention to these sublime phenomena when they are present in reality; and I shall not therefore obtrude any attempt of the kind upon my reader. The latter has probably seen the Swiss Alps, which, though barely possessing half the sublimity, extent of height of the Himalaya, are yet far more beautiful.”<sup>41</sup>

The above portion proves that the foreigners including the British officials were attracted by Darjeeling and came here repeatedly.

Campbell had written in his diary that the settlement of Darjeeling advanced rapidly, its population having risen from not more than 100 souls in 1839 to about 1000 in 1849 chiefly by the emigration from the neighbouring state of Nepal in which slavery is still prevalent.

This increase of population in Darjeeling was mainly connected with the development of tea industry and the opportunities for wasteland cultivation. The tea plantation, beginning in 1850s, increased to 74 estates covering 14,000 acres in 1872, 153 estates and 30,000 acres in 1881, and 177 estates and 45,000 acres in 1891. While the labourers for the tea estates in the Terai plains were mostly tribal from Bihar, in the hills the great majority of the workers were from Nepal. Once the tea industry developed, this led to the further economic activities and created demand for more immigrants.<sup>42</sup>

From the preceding account it will be observed that Darjeeling owes a large proportion of its population to the advent of immigrants. Barely half of the inhabitants have, in fact, been born in the district. In the Terai it received numerous settlers from the adjoining districts of Purnea and Jalpaiguri, who engaged in cultivation, and a large number of coolies from Chhotonagpur and the Santal Parganas, who were attracted by the wages given in the tea gardens. The migration from Nepal was still continued in subsequent years. Even in 1931, out of a total population of 3,19,635 fifty nine thousands sixteen had come from Nepal, in addition to the vast number of offspring from the earlier waves of migration from Nepal, who constituted the majority.<sup>43</sup>

The peaceful Himalayan region of West Bengal, with a Nepalese majority, is largely known for its tea gardens and scenic beauty. It is a major tourist attraction in the country. Tea, Tourism and Timber, the three Ts form the backbone of the hill economy. Darjeeling's weak point is agriculture, as a comparatively much smaller proportion of the total area is available for cultivation. The topography in the hills does not favour the development of a highly productive agriculture, though the hardworking local farmers try

to make the most of the difficult terrain. Like the rest of West Bengal, or of India, the majority of the people in the hills of Darjeeling are poor, and their basic needs of food, shelter, clothing and jobs are far from satisfied.

The indebtedness of the people of Darjeeling is one of the most serious economic problems. This is due to the reckless manner in which they contract debts, owing to the customary obligation to bear heavy expenditure on various festivals like marriage, other ceremonies even at the time of funeral. They are very much fond of drinking probably for cold climate. They drink far more than the people of any other part of Bengal. They are also addicted to gambling and the other improvident habits. They turn for a loan to the money lenders, the Marwari, as they locally called *Kanya* or *Kaya*.<sup>44</sup> Where there is no house or other immovable property, they are to give money lenders their ornaments, jewelry and other valuable as a pledge.

There is a brewery at Sonada, called Victoria Brewery. There is also a small brewery attached to the St. Mary's Seminary at Kurseong, at which beer is brewed for the consumption of the inmates.

Until the recent happenings, the four major communities in the hills and plains of Darjeeling district - the Nepalis, the Tribals, the Bengalees and the original inhabitants (*Mech, Rajbanshi, Lepcha, Bhutia* etc.) lived peacefully and amicably. There had been no instance of any major communal tension between these communities. But unfortunately the scenario is being changed, which have a very obvious impact on society.

Siliguri is located in the Northern part of West Bengal with locational advantages and proximity to Countries like Nepal, Bangladesh, China and Bhutan and states like Bihar, Assam, Sikkim and other Northern Eastern States. The importance of Siliguri, located on the plains of Darjeeling, the largest urban centre in North Bengal, is largely derived from its proximity to Darjeeling hills, its trade in timber, tea and tourism and the transport needs. Siliguri is in the midst of region with strong agriculture, horticulture, floriculture base. A major railway junction, Siliguri provides the living link between the hills and the plains, and its university, medical institutions and other facilities cater to various needs of the common people of the locality as well as the large number of

people of the hill area. The International Air Port is situated at Bagdogra. With the opening up of Nathula Pass and Fulbari International Check Post trade to China, Bangladesh and Nepal can be increased the importance of this place many fold. The symbolic relationship between these two areas is emphasized by its timber industry, tea auction centre and road - rail linkage. These two economies are closely integrated also in terms of the provisions supplied through Siliguri to the hills.

After the introduction of market economy and globalization concept Siliguri is changing very fast. Simultaneously its culture is being also changed. It is one of the most important business marts all over India as well as the junction for communication. It will be not exaggerated if we take Siliguri informally as the capital of North Bengal. Not only that but Siliguri, the subdivision of Darjeeling district is also the second biggest metropolis (after Kolkata) in West Bengal. It is also the gateway to north eastern part of India.

The region shares international boundaries with Nepal, Bhutan and Bangladesh. This serves as a transit area for trafficking. And from the ancient period this hill zone is considered as the hinter land in the field of prostitution. Such charming women suggestively were from the mid Himalayan and Trans-Himalayan regions and mostly belonged to the *Gandharva* race.<sup>45</sup> From the *Brahmanic* period, some of the *Gandharva* women used to come down from their mountainous abode to the principal cities of northern India to seek amatory adventures often coupled with the material prospect. These girls belonging fair complexioned hill tribes were apt in the art of dancing and singing as they were trained in this trade from their childhood.<sup>46</sup> In India's red light districts, the demand is growing for Nepali women and girls as prostitutes, especially virgins with fair skin and Mongolian features. Nepali women and girls are largely segregated in brothels located in what are known to their Indian counterparts and their customers as '*Nepali Kothas*' or compounds. However, the border with Bhutan via Jaigaon and major entry points at Kakarvita, Pasupatinagar with Nepal had made it a vulnerable location. In the famous tourist spot Mirik, the trafficked women of Nepal are first brought via Pasupatinagar in Darjeeling and finally huddled out of Siliguri to other destinations.

In North Bengal, New-Jalpaiguri had the unique destination of having two international borders - Bhutan in the north and Bangladesh in the south west. Hidden Sex work is on the rise in this area, as a fast developing tourist centre. Resorts and hotels double up as centre for sex work. The presence of two BSF camps and high mobility from nearby villages adds to the traffic. The flats and rented houses are available in Siliguri town for sex business.<sup>47</sup>

The British officials, tea planters, engineers, office workers and others who were sent to this part of the country by the British East India company or the government had set in a process of peoples' settlement of mixed culture and variant economic activities for livelihood. The new market economy now in fact is causing sport of sex business in the area. With the urbanization in this area the *jotdars*, doctors, lawyers, railway employees came to settle here. At the period of *Mukti Juddha* (liberation war) in Bangladesh the evacuees also started to come.

Earlier the affluent class of this region used to keep *upapatni* or kept. The *Babu* culture of Kolkata did not extend towards North Bengal. The *natchnewali* or dancers (prostitutes) gathered in Matigara, Fansidewa, Fulbari *haat* (local weekly market).

The coolies of the tea garden were given salary at the weekend. Having get the wages they rushed to the local market. Their main attraction was *hariya* (*chulai* or one kind of wine). In the *haats* of Lebongspar, Dhuturiya, Pandas, Singen *hariya* or *dhenomod* (one kind of wine) was very popular.

The British tea planters married the Nepali and tribal girls. The physical appearance of their children witnessed that. The British employees had given them their bungalows when they left.<sup>48</sup>

The sex business or prostitution in any form in this part of Bengal flourished with its distinctive features. The women associated with so called immoral works of sex trade and living in the then capital of colonial India. The main centre of urban culture were depicted off and on in the Bengali literature, drama, *Jatra* etc. from which we can get some ideas about the contemporary society and its look out to those women. But the question of North Bengal women alike is enveloped in obscurity. The socio-economic

structure of North Bengal, planters seduced life in the tea gardens, surplus resources in the hands of the land owning *jotdar* class and *mahajans*,<sup>49</sup> chill penury of the tribal labours, it may be stated in no uncertain terms, that acted as a push behind the growth of such sex business here. The dynamics of the problem have a different characteristic in this semi-urban semi-rural settlement of North Bengal. Besides the single most native state of Bengal i.e. Cooch Behar existed in this northern part of Bengal.

Frequent external raids and capture of girls from the territory, practice of slavery or some other kind of traditional vestiges resembling feudal culture made the situation to a large extent different. All the districts situated within the jurisdiction of previously Rajsahi division and later within the Jalpaiguri division needs to be considered as separate area of study in a sequence.

### **JALPAIGURI :**

According to the Jalpaiguri district gazetteers, jalpaiguri is said to have derived its name from the olive trees (*jalpai* in Bengal) which grows in the town and were seen even in 1900. The suffix *guri* means a place. The name might as well as be associated with *Jalpes*, the presiding deity (*siva*) of the entire region who had been in the minds of men there from time immemorial.

On March, 1894, Sir Joseph Dalton Hooker arrived Jalpaiguri and he described - 'Jeelpigoree, a large straggling village near the banks of Teesta, a good way south of the forest'.<sup>50</sup>

David Field Rennie had narrated the Pre-Bhutan war condition of Jalpaiguri 'The station and village of Jalpaigorie are prettily situated, and straggle along the bank of the Teesta for some two miles. All the houses, European and Native, are built of the same material - namely mats supported on framework of bamboo.'<sup>51</sup>

Jalpaiguri district formally constituted in 1869, had two different arrangements for administration. There were several internal and external factors which made Jalpaiguri the head quarter of Rajsahi Division. The external factors was the presence of Bhutan in the northern frontier of Bengal. To keep watch upon Bhutan's movement, Jalpaiguri was the

best place. It was not possible on the part of the British Government to watch the movements of Bhutan from Berhampur or Rajsahi. Apart from this, Rajsahi was not well connected by the Railways. The second external factor was the growing interest of the colonial government towards the affairs of North East India. Jalpaiguri was on the way of Assam, the gateway of North East India. So the selection of Jalpaiguri as a headquarter of the Rajsahi division was strategically and commercially compulsive one.

The internal factor was also interesting one. The colonial government's policy was to set up a new class of people in the new centres who will not challenge their social and political legitimacy. In the traditional town or urban centres they found a kind of social challenge from the caste dominated elite. Naturally, we observe that in all places the East India Company or the colonial government had promoted the cause of the foundation of new towns in the early phases. For example, they had preferred new Darjeeling not traditional Kalimpong town, not traditional Malda but new Englishbazar, not Murshidabad but Berhampur. Another internal factor was the interests of the European planters and businessmen. All these factors led to the phenomenal growth of population in Jalpaiguri district. None of the districts of colonial India had experienced such rapid growth of her demographic atlas. What is more interesting that even after the passing of the one hundred thirty seven years, of North Bengal districts; Jalpaiguri has had highest influx of population as per the census 1991 from the other districts of West Bengal as well as from other states and countries.<sup>52</sup>

In case of post colonial phase, we use the vocabulary 'influx', in the colonial period we use the vocabulary 'migration'. Whatever the difference in vocabulary, the basic issue remains same i.e. the unprecedented growth of population in Jalpaiguri district. The population consisted overwhelmingly of Hinduized and Islamized autochthons and immigrant tribals like Oraons, Mundas and Santals. They constituted the basic producers, while Bengali Hindus and Muslims immigrating from east Bengal dominated services and professional occupations and the Marwaris, wholesale and retail trade. Thus the society in Jalpaiguri was a plural society marked by considerable socio-cultural differentiations. The closing decades of the century saw a constant stream of immigration from the neighbouring Cooch Bihar State and Rangpur district. At the western Dooars end, pull

factors operated in the form of low rent, easy availability of land and fertility of soil. Those migrants who had necessary resources settled as *jotdars* and *chukanidars*. But most of the immigrants were impoverished and were absorbed as *adhiars*.

As a result of the hectic economic activities, Jalpaiguri had been emerging as a vibrant economic district in the impartitioned mofussil Bengal. The most distinguishing economic feature was the introduction and consolidation of the European owned and controlled tea plantation economy. Though the agrarian society of Jalpaiguri consisted of *zamindars*, big *jotdars*, small *jotdars* and *adhiars*. The combination of large landholding with money lending and grain dealing and also trading activities made the big *jotdars* a formidable power in the social and economic life in the country side of Jalpaiguri. D. H. E. Sunder mentioned - 'The Muhamadans of Duars, originally, belonged to the adjoining state of Wuch Bihar as also to Purnea, Rangpur, Dinajpur and regulation portion of Jalpaiguri'. That the outsiders exploited the honest local residents of Jalpaiguri is known the letter of lawyer Esarat Ali and book of Charu Chandra Sanyal referred.<sup>53</sup>

The first penetration of capitalist enterprise in the Western Dooars in the form of tea plantation took place in 1874.<sup>54</sup> Subsequent years of the nineteenth century saw rapid expansions and large growth of the tea plantations and large growth of tea garden labour force from Chhotonagpur, Santal Parganas. Those years also witnessed the extension of roads, railways and communications. The Jalpaiguri town was linked to Calcutta and Siliguri by what was called in the 1870s the North Bengal State Railways (later known as the Eastern Bengal State Railways) as far back as 1878. All these helped to open up markets and *bandars* (port) for agricultural products - rice, jute, tobacco, mustard etc. Some of the important *bandars* and markets were - Jorpakri, Maynaguri, Falakata, Madarihat, Buxa, Tetulia, Rajnagar, Saldanga, Deviganj, Bhotpatti, Bakali, Belakoba and Jalpaiguri town. Domohani grew as a railway settlement with a small loco-shop of the Bengal Dooars railway. All these provided stimulus for commercialization of Jalpaiguri.

The present district of Jalpaiguri consists of the western dooars, annexed in 1865 after the war with Bhutan, and the *thanas* (police stations) of Jalpaiguri (formerly Fakirganj), Boda, Rajganj (formerly Sanyasikata or Siliguri) and Patgram, separated from the Rangpur district in 1869 and 1870. It is bounded on the north by the district of

Darjeeling and the independence state of Bhutan, on the south of the district of Rangpur and the state of Cooch Behar, on the west by the district of Darjeeling, Purnea and Dinajpur and on the east by the eastern dooars, which forms part of the district of Goalpara. Alipurduar the headquarters of the subdivision of the same name and the second large settlement, acquired the status of non-municipal town as late as 1951.

Jalpaiguri town deserves detailed consideration. The place had been the headquarters of the *Raikots* since the second decade of the eighteenth century. The Baikunthapur Estate of the *Raikots* consists with a few portion of Dooars, *sadar*, entire Rajganj block of present Jalpaiguri district, Siliguri sub-division of Darjeeling district, Boda of Rangpur district, Patgram, Nababganj, Mortaganj, Jibanpur, Bhabanipur, chitli, Boldibathan, Dullapur, Pirganj, Kishoreganj, and Mahiganj. The entire Estate extended to nine hundred and half square mile. But it grew and gained importance during the period of British rule. At the southern part of the present town of Jalpaiguri, British government established cantonment. Another British cantonment was established at the irrigation banglow in Falakata. Jalpaiguri witnessed a lot of momentous incidents. Various socio-political activities and movements took place in the district. For example, the social mobility movement among the *Rajbansi* Hindus, short lived *Tana-Bhagat* movement, *Tebhaga* movement in Debiganj - Pachagar - Boda in 1946-47, Dooars Plantation Organization movement etc.

The records of Jalpaiguri Municipality state that after the partition of the country the countless evacuees crossed the border and took shelter into the refugee camps in Jalpaiguri. From 1946 onward murder, rape, religious conversion, kidnapping, plundering became the regular incidence of day to day life. In the Bengali novel titled 'Tistaparer Brittanta' the novelist had depicted the picture of a rape; how the distressed homeless girl from refugee camp became the victim of rape at the time of flood in Teesta.<sup>55</sup> The evacuees took shelter into the camp of Sonallah school, patgola at Kadamtola and Nawab palace in Jalpaiguri town. And the women of refugee colony were the target of sexual exploitation.<sup>56</sup>

During the *Tebhaga* Movement famine swallowed Boda, Pochagar, Moynadighi, Sankoya, Panchpeer, Debiganj and several other places. The *jotdars* dominated the life of

poor peasant. The social and financial condition of the farmers were incredible. The women of the poor families were sent to the *jotdars* every night. It was published in the sub-division called Nilofmari (Rangpur) that within one month almost hundred peasants sold their family to the *jotdars*.<sup>57</sup> From Deshibai, fifty families out of hundred lost their everything. Basanta Chakraborty (the communist leader) had written at Kishoreganj Union, the secret group of women traffickers formed. This group bought ten to fifteen girls in Rs. 8 - 10 and sold them in Jalpaiguri. One girl was sold twice. Thus the traffickers earned money.<sup>58</sup> The picture has been drawn in the song of a woman :

*'Jalpaia mui naari,*

*Ampure mor bari,*

*Swami bechaile dhonir ghore-*

*Khudar jwalay pranpotire,*

*Mui naarir deho bechaye khaile.'*<sup>59</sup>

It means, a woman of Jalpaiguri is telling that her ancestral home is in Ampur. As her family suffering from starvation, she has been sold to a rich man by her husband (free translation).

The persons who belonged to an affluent family could marry more than one. Mussabbar Basunia, Gayanath Das, Bholanath Mallick, Bhelbhela Mallick the *jotdars* of Jalpaiguri kept more than one wife.<sup>60</sup> They arranged all types of facilities like house, land, property for those ladies. But in several times they tortured on their wives in many ways. A person of Rajsahi shackled his wife in a locked room and gave the key to his *upapatni* (kept). His kept put fire to this closed room, the poor woman died.<sup>61</sup>

Sashi Kumar Niyogi, a social worker who came in Jalpaiguri from Dacca. By profession he was a lawyer. Having seen the youth of the society had been floating down to the darkness, he established '*Aryanatta Samaj*'<sup>62</sup> and started to publish '*Trisrota*' magazine for their entertainment. This indicates again, there might be adultery in the contemporary society.

The growth of the population of the western dooars is due partly to the rise of the tea industry and partly to the influx of settlers from other district and from the Cooch Behar state. Many tea garden coolies after working for a time, saving a little money settled permanently in the district. Sunder had reported - 'the labourers (tea garden labourers) are comfortably housed, good drinking water is supplied to them .... they are regularly looked after by a native doctor, often by a qualified European doctor on a high pay... .' But official reports of as late as 1946 or 1948 admitted that the houses made of bamboos with thatched roofs and sides were nothing but hovels with insufficient light and air, and sanitations had no standard worth mentioning. Indian doctors were not qualified, and European doctors, Arbuthnot reported, were not available for treating the coolies and any regular hospital did not exist.<sup>63</sup>

Because of meagre earnings, the *Paharia* (Nepalese) coolies became indebted to the *sardars* and in some cases to the garden management. Mr. H. Bold, Manager of the Chunabati tea estate, who came out to this country in January, 1882, and has most of his experience in Darjeeling district, came to western dooars about 1900. He writes - 'There is no doubt about it that the indebtedness of the *sardar* to the money lenders, and the indebtedness of the coolies to the *sardar* are the greatest evils retarding progress amongst the coolies. The debt hangs as a heavy weight round their necks and, and as a result, more drink is taken than otherwise would be taken, and this in time leads to gambling and a general want of thrift .... the indebtedness leading to increase drinking.'<sup>64</sup>

The condition of tea garden coolies had been depicted as follow :

“Let the ordinary labour rules be enforced in the case of coolies, and we shall raise no objection, but we can not approve of the policy of keeping ignorant coolies bound by as contract under threats of imprisonment or other punishment. The relations between the coolie and his employer ought to be nothing more or less than the relations obtaining between master and servant. If the servant is not satisfied with his pay, or if he thinks that his work is too hard for him, he may leave the master. The servant should leave as much liberty to leave his master as the master has to dismiss the servant. We fail to understand why the relations between the tea garden coolie and his employer should be regulated by a different law or principle ..... The

supply of labour in this country is plentiful, and labour is cheaper here than in any other country. The Indian labourer is satisfied with a small remuneration. He is very economical, very obedient, and very faithful. We do not know whether such good labourers can be had in any other country than India. Adequately remunerated, the Indian labourer does any amount of work. They never cease working so long as they are not completely tired. We, therefore, fail to understand why there should be a penal law to regulate the relations between the tea garden coolie and his employer. It can not be believed that the prospects of adequate remuneration are not enough to draw any number of coolie. ....

Those who employ coolies are capitalists, and they are guided only by considerations of profit and loss. Their sole care is to make the largest possible profit out of their business. They are Europeans who look upon natives as no better than cattle. They do not always remember that native life has some value, and that a native is capable of feeling pain and pleasure. They, therefore never hesitate to increase the work of a coolie and reduce his pay. This is the grievance of the coolie. This is why so much difficulty is experienced in recruiting a coolie, and coolie recruiters have to use so many devices to recruit a coolie for the tea garden.

The treatment of coolies is as hard and cruel as the manner in which they are recruited is objectionable and inhuman. The tea planters are generally unmarried Europeans living beyond the pale of European society and its laws. Their ideas about the purity of character are low. They look upon the male coolies as the instruments of labour, and upon the female coolies as instruments for the gratification of their passions. These are the reasons why it is so difficult to get coolies for tea gardens. It is hoped that the authorities will take these facts into consideration before passing the new Coolie Bill.’’<sup>65</sup>

Coming to the present we may notice a new development in economic flow to this place. There are a lot of tourist spots surrounding this district like Gorumara, Jaldapara, Lataguri, Buxa fort. Throughout the whole year the tourists come to enjoy the scenic beauty of dooars, which developed the tourist industry of Jalpaiguri. Gradually hotel and

transport system progressed. Trafficking and prostitution, as inseparable part of such progress is flaring up in the district. (corroboration is given in Appendix B)

### **COOCH BEHAR :**

Cooch Behar was the only native state of undivided Bengal as well as a part of greater Bengal. It occupied a place in the north-east corner of the province. The present district of Cooch Behar was extended from Jalpaiguri district in north to Rangpur in south and from Goalpara (in Assam) in east to Rangpur and Jalpaiguri in west.

It is quite impossible to give the exact boundary of Cooch Behar state as it was in the second half of the eighteenth century. The extension of the state during the reign of Naranarayan, the kingdom extended to the east to the wild tribes near the borders of Burma, to the north to Tibet, to the west to the borders of Mithila or Tirabhukti (Trihut) and to the south to Ghoraghat.

British expansion in the North-East Bengal was not so rapid as in other parts of the country. East India company's contact with Cooch Behar in 1772 was the stepping stone of the British in the northern frontiers of Bengal.

The appeal for military help by Cooch Behar at the period of Bhutan's aggression, offered the company not only a golden opportunity to fulfill their long cherished commercial interests, but also opened a new horizon to the company for political foothold in this region of Rangpur, the last frontier of the British. The system of political residencies - emerged from the sixteen of the eighteenth century as the character of the British presence changed from almost exclusively commercial to primarily political.<sup>66</sup> The geographical and strategical position of Cooch Behar attracted Warren Hastings and Charles Purling, the collector of Rangpur very much. The economic importance of Cooch Behar also provoked the company to response to the appeal of the Cooch Behar authorities. The company under the Governor Generalship of Warren Hastings agreed to help to Cooch Behar and a treaty was concluded in the year April 5th, 1773. The Anglo Cooch Behar treaty marked a turning point in the history of Cooch Behar. A new relationship with the British developed there from. The far reaching impact of that treaty was not confined to the Cooch Behar state only. In the long run, it

re-shaped the political boundaries of the entire north eastern part of India. Because Cooch Behar was the first native state of this part of India which come into contact with the company.

The expansion of the town including from the frontier road to Cooch Behar rail station completed within 1819, just one year ago of the starting of railway. When Maharaja Nripendra Narayan sat on the throne, the development became faster. Population also increased.

Besides all these, the immigration of the refugees from the different districts of eastern Pakistan to Cooch Behar did not stop; which helped in the demographical change of Cooch Behar.

**Table No. 3:1**

STATISTICS OF REFUGEE IMMIGRATION IN COOCH BEHAR FROM THE DISTRICTS OF EASTERN PAKISTAN, 1946 TO 1951, (UP TO FEBRUARY) :

District	1946	1947	1948	1949	1950	1951	Total
Kushtiya	121	13	10	06	24	03	177
Jashohor	95	80	48	34	41	41	339
Khulna	01	76	55	26	84	07	249
Rajsahi	46	250	139	319	210	99	1063
Dinajpur	113	256	248	317	895	63	1892
Rangpur	904	2458	2941	7071	29319	1181	43878
Bogra	30	357	199	564	1489	24	2663
Pabna	27	330	450	439	991	68	2405
Dhaka	125	1269	1394	1765	4605	236	9394

Maymonsingh	496	2528	2783	4459	19468	763	30497
Faridpur	19	590	369	523	913	54	2548
Bakharganj	12	176	155	113	229	19	704
Tippera	04	261	232	94	224	27	842
Noyakholi	22	72	108	84	219	16	521
Chattagram	03	191	52	169	74	06	495
Silet (Sylhet)	00	31	48	30	46	05	160
Total	2018	8938	9231	16013	58911	2612	97723

**Source : Census Report of Cooch Behar, 1951**

Bhutanese merchants carried their trade in Cooch Behar and through Cooch Behar into Rangpur. It is an admitted view that the East India Company originally settled down in this land with the explicit purpose of trade. It is true that their main occupation as traders out-weight any desire to make territorial acquisitions. As W. K. Firminger wrote ‘..... We find that the company was on the whole, averse to the acquisition of ‘territory’ or ‘possessions’ and that their servants in Bengal, unless actuated by some momentous emergency were unwilling to interfere in native politics or to depart from the position of traders.’<sup>67</sup>

Cooch Behar state, during the second half of the 18th century, was suffering from the chaos and dissension of the ruling authorities which encouraged Bhutan to meddle in Cooch Behar’s affairs and make her own position secure in the state. The situation was aggravated by the accession of Dhurjendra Narayan who was a weak and suspicious king. Mutual animosity, internal disorder, unlimited powers in the hand of the ministers, incapacity and weakness of the ruler to maintain his position - formed the dismal features of the state during this period. The aggression of the Bhutias on Cooch Behar kingdom had been going on increasingly and Cooch Behar had to conclude a treaty with the East

India Company in 1773 whereby Cooch Behar became a subordinate ally of the English.<sup>68</sup>

After the introduction of Permanent Settlement in 1793, the rate of agricultural production decreased and the peasants had fallen into the trouble of debt. The *ryots* (peasants) were oppressed severely, but there was no justice in the law court. The group of Imperial Historians opined, the peasants themselves were responsible for their indebtedness. Major Jack, the writer of '*Economic life of Bengal District*', had written - 'The great majority of agricultural debtors get into debt through in - provident expenditure upon marriages.'

The officers of the company also began a money lending business in Cooch Behar. In 1784 Captain Duncason lent Rs. 14,901 to the Maharaja and was apparently dissatisfied with a return of Rs. 21,000 after one year. The company's *sepoys* (soldiers) engaged themselves in the money lending business and lent money to the peasants and charged a monthly interest of two to three *anas* in the rupee. Even they used force to collect their dues. The tone of the society was that of medieval age. Usury was a thriving occupation and any one who could spare some money for investment had the chance of a lucrative return. As a result, on account of that undesirable conditions many people left the country.<sup>69</sup> The chief export from the state were tobacco, jute, mustard seed, rice and mustard oil. Gradually all the commerce of Cooch Behar gone into the hands of the foreign merchants, who were basically Marwaris from Bikanir. They had more energy and enterprise than the Koch Beharis. Famine and epidemic spread into the state which was referred by Maharani Brideswari Devi in '*Beharodanta*.'<sup>70</sup>

W. W. Hunter had drawn a picture of general economic condition of Cooch Behar. Between the years 1797 to 1801, the price of paddy in Cooch Behar was 4.5 mds to the rupee. In the middle of the 19th century it was 2 mds to the rupee.

The economic degeneration of the Bengal *Subha* can be viewed not only by the oppressions of the company's servants and *gomosthas* but was a natural sequel to the general political disorders which had began many years before the plassey. In Cooch Behar, the weakness of royal authority, want of strong governance in the country,

conflicts amongst the elites for power, the oppression of the Revenue Collectors all these together led to its economic degradation very quickly. The material condition of the people was poor. Beveridge, the Deputy Commissioner, in his Report of 1865 - 67 points out that mal-administration and want of communication caused the degeneration in Cooch Behar.

Corruption was rampant amongst the police officers of the state. Their pay was poor and irregular. Naturally, they let loose upon the country, if not by express order of the ruling power, to earn their daily bread by plundering its inhabitants. Under a corrupt system of native administration and owing to the want of proper arrangement for the suppression of crimes and maintenance of peace, the prosperity of the people of Cooch Behar was at a low-ebb, notwithstanding its excellent natural resources. Such a deplorable economic and social situation can't be detached from the women's compulsion and degradation in the society. The hard economic realities often cause human action for survival in some way or other. Absence of suitable means of communication kept the farmer and his produce confined within a limited market, and the product of agriculture fetched a fabulously low price. For the deplorable state of road construction, the transport system was nothing worthy of mention.<sup>71</sup> The existence of number of rivers along with innumerable streams used to make the state completely water-logged. As there was no embankments, the floods of *Torsha*, *Mansai* and *Sutunga* were frequent and devastating.

Slavery was practiced in the society and there was a regular slave trade. The trafficking of slaves started during the reign of Maharaja Laxminarayan (1857-1621). Poor people mortgaged or sold themselves as slaves. Every year, boys and girls from Cooch Behar and Assam were sent to various parts of Bengal for sale. About 100 of boys and girls were annually sold to Bengal. The price of a girl varied from Rs. 12 to Rs. 15. A Koch boy cost Rs. 25. Children of the lower castes were sold to *Garos*. Some of them were exported to Burma through Assam. People of the neighbouring *Bhot* or *Garo* tribe often abducted men and women from Mughal or Cooch Behar territory and made them slaves.<sup>72</sup> On *Bhadra* 22, 1257 in Bengali calendar, Jhalu Das (40 years old) and Jentu Das (30 years old) sold themselves to Ishan Chandra Mustafi, the royal

employee of Dashgram Gobrachhora in Rs. 50 narayani and 25 narayani respectively. Vendri of Kulidanga, Sudharam Das of Balarampur, Fika Nasya of Singimari, Yatri Beyoa of Khagrabari sold their wives and daughters. Agni, a girl of seven years old, Futke, of five years old were sold by their fathers as the families suffering from starvation.<sup>73</sup>

Unrestrained sexual enjoyment by the powerful and rich people or the royal personalities was a very common feature of the age. Women were made victim in every possible way when institution demanded so for political benefits. The victors were given gifts of girls even from the royal family by the vanquished after a defeat in the battle. The kings maintained many queens and concubines. As conventional practice, the royal people of Koch dynasty used to keep more than one wife; Maharaja Biswasingha brought a lots of women from Nepal, Gaur, Kamrup, Kashmir, Kashi, Shonitpur, Mithila and he married those women.<sup>74</sup>

Like the *Roykots* of Baikunthapur Estate the Koch king used to marry more than one. The queens were called - *Dangar Aai*, *Boro Aai*, *Boro Aai Deboti*, *Chhoto Aai*, *Sejo Aai*. *Aai* denotes wife. '*Raj-Upakhyan*' (in Bengali) states Maharaj Harendra Narayan married more than once. According to the royal custom the relatives presented several ladies to the king. Finally the '*Patrani*', the principal queen was chosen from them by the king. The rest were also married to king and considered as '*Rajmohishi*'. Though they were comparatively degraded. This custom is referred in '*Nripendea Smriti*' (in Bengali) by Dindoyal Upadhyay (ed. by Nripendranath Paul).<sup>75</sup> Maharaj Birnarayan (1621-1626) had more than one queen who were called *upapatni*. He used to enjoy luxurious life. This evidence tells that polygamy was practiced in the society.

The kings had not even connection with their daughters and one information is furnished by Joynath Munshi in the '*Raj-Upakhyan*' that Birnarayan, the king of Cooch Behar, once he cast covetous eyes on a beautiful girl who actually was his own daughter by relation. He could not identify his own daughter. According to the writer, she drowned herself into river water out of mental agony.<sup>76</sup> Whether the information is exaggeration or not, it indicates the vulnerability of women in any way. keeping huge numbers of *dasdasi* (slaves) was a symbol of aristocracy. The prisoners of war,

criminals, mortgaged men women were sold in *Bhutiya's* market. In 1808, Dr. Buchanan Hamilton came to visit Ragnpur. He noticed slaves at Kapasgola, Alamganj near Dhubri. The rate of slaves was higher in Cooch Behar to Dinajpur according to him.

*Ahomraj* (Assam king) gave sixty beautiful women to Maharaj Naranarayan as gift.<sup>77</sup> Iban Batuta purchased a beautiful lady from Kamrup in Rs. 15.<sup>78</sup> The *Mogh* and Portuguse invaded upon Koch and took away the women forcefully. Moranga-raj send '*Morongiya Dasi*' to Maharaja Naranarayan in the time of marriage ceremony.

The official documents of Mathabhanga settlement in the year of 1876, referred some *jaigirdars* lived in Kodalkheti, Bhogmara taluk. Their ancestors were Morangi Das. Dewan Kalikadas reported : 'The system must have been introduced when land did not possess much value, and when the personal liberty of the subjects was not much respected. Some years ago the *Jaigirdars* were looked upon as slaves (*golams*). They could be imprisoned or made to suffer corporal punishment of any description by their superior'.<sup>79</sup>

Captain R. B. Pemberton visited Bhutan in 1836 and recorded : 'In addition to these several tribes, all of whom are of pure or mixed Mongolian races, there are some thousands of Bengalees and Assamese, the Helots of the country, who have been carried off at various times from the plains by the Booteahs in their several incursions, and who led a life devoted to the most menial and degrading offices. Whenever men are seized and carried up into the Hills, they are forced into a connubial union with some Booteah women of the inferior grades of society, who are made responsible for their continuance in the country..... Captive women are in a similar manner united to low Booteah men, and with a similar result; whenever it may not be convenient to provide prisoners either with Booteah wives or husbands, orders are transmitted to the Dooars to capture a man or woman, as the case may be, to be sent into the Hills, and ultimately so disposed of.'<sup>80</sup> The Bhutiyas called the slaves as '*jou-mi-I*'. Those slaves were used in invading and plundering Cooch Behar kingdom.

Turner had written : 'In the district of Cooch Behar an usage of a very singular kind has prevailed from remote antiquity, and I was assured by many of the inhabitants of its

actual existence at this day. If a *Rayat*, or peasant, owes a sum of money, and has not the ability to satisfy his creditor, he is compelled to give up his wife as a pledge, and possession of her is kept until the debt is discharged. It sometimes happens, as they affirm, that the wife of a debtor is not redeemed for the space of one, two or three years; and then if during her residence and connection with the creditor, a family should have been the consequence, half of it is considered as the property of the person with whom she lived, and half of her real husband.

The country has a most wretched appearance, and its inhabitants are a miserable and puny race. The lower ranks without scruple dispose of their children for slaves, to any purchaser, and that too for a very trifling consideration; nor yet though in a traffic so unnatural, is the agency of a third person ever employed. Nothing is more common than to see a mother dress up her child, and bring it to market, with no other hope, no other view, than to enhance the price she may procure for it. Indeed the extreme poverty and wretchedness of these people will forcibly appear, when we re-collect how little is necessary for the subsistence of a peasant in these regions. The value of this can seldom amount to more than one penny per day, even allowing him to make his meal of two pounds of boiled rice, with a due proportion of salt, oil, vegetables, fish and chilli.’<sup>81</sup>

In 1843, British government legally ceased all those markets where human selling and buying was going on. Maharaj Shibendra Narayan, Maharaj Narendra Narayan tried to stop human selling. But they failed due to the self seeking efforts of a group. Finally Maharaj Nripendra Narayan stopped this inhuman practice with the help of Commissioner Cornel Haughton in 1864. Talboys Wheeler narrated in ‘*Summary of Affairs of the Government of India in the Foreign Department (1864-69)*’ : ‘.... the existence of actual slavery in Kuch Behar forced itself upon the attention of the Commissioner, and the matter was laid before the Governor General. On 7th September 1864, the abolition of slavery was formally proclaimed at a public Darbar; and a Regulation in Bengali language, embodying the provisions of the Penal Code respecting kidnapping and abductions, was declared to be in force as regards all future seizures, sales, or detention of persons, male or female.’<sup>82</sup>

According to the crime reports, crimes or offences were categorized into the following three sections in Cooch Behar State, which are as follows<sup>83</sup> :

Class 1 - offences against the State, Public tranquility, safety and Justice. Such as - Offences Relating Army or Navy, Offences Relating to Coins, Stamps and Govt.

Class 2 - serious offences against the person. Such as - Murder by robbers, Rape, Kidnapping, **Prostitution**.

Class 3 - serious offences person and property or against property only. Such as - Dacoity, Robbery with hurt, preparation or assembly for dacoity etc.

On the basis of the above mentioned report we can say that prostitution was in practice at that time,

Some cases of kidnapping have come out through the research work for conducting the study of contemporary social situation of Cooch Behar State. Some references are given below :

One Gundari Dasya, a girl under 16 years of age was forcibly taken away from the custody of her legal guardian and adoptive mother (Bhurkughi Dasya of Kharimala Khagrabari) by Krishna Nath Das and Radha Nath Das and made over to one Magha Das. The first 2 defendants were sentenced to 4 months rigorous imprisonment each, and the last 2 to rigorous imprisonment for 3 months.<sup>84</sup>

There were 10 cases of kidnapping reported during the year under report against 5 of the previous year. Of these 6 were false, 2 fell under section 498 Indian Penal Code and the remaining 2 are summarized below<sup>85</sup> -

1st case : One Batay Hari of Kheti lodged complain with the police that his minor wife Shito, about 10 or 11 years old had been kidnapped by Chemti Harni. The police sent up 2 persons for trial who have been committed by the Naib Adhikar of Mathabhanga to the court of sessions, where they are awaiting trial.

2nd case : One Ramanath Gope of Kheti complaint that his minor wife Shitol aged about 11 or 12 years had been kidnapped by Dulal Gopini, Daibiki Gopini and Santara

Gopini. The police sent up the accused who were awaiting trial before the Naib Ahilkar of Mathabhanga at the end of the year.

The *lahankari* song or '*langla-langlir gaan*' in some rustic words which one is already mentioned, indicates that adultery, extra marital relation was not uncommon amongst the *Rajbanshis*.

Selling of girls was a reality in the society. A few lines from a local poem may be quoted here to reflect the vile practice that prevailed in the society :

*'Sedinto chhilo -*

*Kono ek utsab mukhorito din*

*Oi janoarera graas korlo,*

*Amar adorer Sonamonike -*

*Boner biye holo na,*

*Bikri holo sastadore -*

*Ek bridhha zamidarar kachhe*

*Tarpor*

*Aar kono khonj millo na.'*<sup>86</sup>

It means, that day was a festive day on that gay day, the furious wolf gang lacerated *Sonamoni* - my sister, marriage did not come to her life but was sold off cheap to a lord senile and then lost forever into oblivion (free translation). That lines reveal that the moneyed people could purchase a girl for enjoyment and these girls lost all their past.

### **MALDAH / MALDA :**

The present Maldah district was a part of Gaur kingdom. *Kautilya* (in *Arthasastra*) and Panini mentioned the term Gaurpur to denote the area situated in Eastern India. It is assumed that, present Gaur and Gaurpur is the same place. In *Brihat Samhita*,

Barahmihir described Gaur as a part of Bengal. It was a territory of *Mauryan* empire. Historically, Gaur indicates the zone of Maldah and Murshidabad in West Bengal. After the downfall of the Gupta empire, Gaur emerged. Sasanka was the king of that kingdom and *Karnasubarna* was the capital. Cunningham states that the name of Gaur was derived from Guda or molasses i.e. raw sugar for which the province had much fame.<sup>87</sup>

The district of Maldah is bounded on the north by the Purnea and Dinajpur districts, on the east by Dinajpur and Rajsahi, on the south by Murshidabad, and on the west by Murshidabad, the Santal Parganas and Purnea.

The district was formed of outlying portions of the Purnea and Dinajpur districts in 1813, though it did not formally become an independent administrative unit till 1859. It takes its name from the town of Malda, which is situated on the left bank of the Mahananda river at its junction with the Kalindi river, and is about four miles north of English Bazar (Engrezabad).

The district does not contain any outlying sub-division. The *sadar* sub-division is coterminous with the district. The district is divided into the police stations of - Englishbazar, Kaliachak, Malda, Habibpur, Ratua, Manikchak, Kharba, Harishchandrapur, Gajole, Bamangola.

There are a lot of myths behind the name of Maldah. A story is current of an old woman buying up the entire stock of mercury of a merchant who had come to the place to trade and who had been unable to dispose of his goods. Her wealth (*mal*) was such that she was able to devote all her purchase to cleaning one tank only, called the *parpukur* (mercury tank) to this day, and thus to give the place the name of Maldah or the place of wealth. Another fanciful derivation is from Maldah, a string of deep pools, a feature of the town being the deep depressions left by old water course.<sup>88</sup> Someone says '*Mal*' means wealth and '*Dah*' means sea. So Maldah is the sea of wealth.

Gaur produced huge amount of excellent molasses. That was why the place called Gaurpur. *Kautilya* referred '*Gaurik Swarna*' which means silk. From this concept the region is named Gaurpur.<sup>89</sup>

The East India company early established a trade connection with the district, having its factory at old Malda, where also was a Dutch factory, of which there still remains vestiges. The British connection with the district of Malda began with the establishment of a factory there in 1680 AD. After the *dewani* or fiscal administration of Bengal had been granted to the company, a fortified commercial residency was built in 1771 at Englishbazar.

Alexdander Hamilton had written - 'Maldah was a large town, well inhabited and frequented by merchants of the different nations'. Renel said - 'Malda is a pretty, neat city. This as well as Cossimbazar is a place of trade'. Statistical Account of the District of Malda (1876) by W. W. Hunter stated - About three hundred years ago Shaikh Bhika who use to trade in *Maldahi* clothes such as *Katar* and *Musri*, set sail for Russia with three ships laden with silk clothes and that two of his ships were wrecked somewhere in the neighbourhood of the Persian gulf.'<sup>90</sup>

From these above statements, we find that Maldah flourished as an important trade centre. Besides cotton and silk weaving, the other industries are - food processing, manufacturer of sundry hardwires, manufacture of gold and silver ornaments, pottery, *bidi* (smoking item) making, tailoring, wooden furniture and fixtures, bamboo and cane, bricks and tiles, leather foot-wears, brass and bell metal.

By the end of the 18th century there were a number of European indigo planters in the district, beside the commercial resident and his assistance. Amongst the planters may be mentioned Mr. Creighton of Goamalti, from whose drawings the ruins of Gaur have in recent years been restored. Singatala, was the most ancient '*kuthi*', (centre for indigo cultivation) which lasted long.

In 1905 the district was transferred from the Bhagalpur division to the Rajsahi division on the formation of the province of Eastern Bengal and Assam. It was formerly a part of the Rajsahi division, but was transferred from that division to Bhagalpur in 1876. The district from 1912 again became part of the Rajsahi division of Bengal till 1947.

There is practically no immigration from the district except into the neighbouring districts. If we leave out the women who marry across the border, the emigration is mainly attributable to the constant changes of jurisdiction caused by variation in the course of the Ganges and to the settlement of the surplus *diara*<sup>91</sup> population in the vacant *chars* (a part of land in the river) of *Purnea*, west of Ratua and in the *doabs* (land of river side) of the *Tangan* and *Purnabhaha* in Dinajpur.

The first census was carried out in the district in 1872. The population composition of Maldah was influenced by the immigration of the Santals from Santal pargana. Santal immigration on large scale continued up to 1921 chiefly from the Santhal Parganas, into the high lands of *barind*<sup>92</sup> and to some extent from Bihar, they came for service and settled down to cultivation very largely in the west of Ratua and Tulsihata, though they are to be found in every police station.

The towns are different from the villages by the presence of a comparatively large number of professional men and educated men in government services and others attracted by business, and in the case of Englishbazar and Nawabganj also by the judicial courts. This element is on the whole progressive and contributes largely to the working of local and municipal administration and to increasing the amenities of town life. An instance of this activity is the small agricultural and industrial exhibition founded in 1901 and held almost annually since then at Englishbazar.

The years of high flood in Malda were 1871, 1885 and 19806. The main loss to property, other than standing crops, was that in the *diara* tracts, the floods caused changes in the stream of the river, with the result that areas of cultivated and homestead lands were washed out by the river, and the inhabitants of entire village settlements were reduced in a night to the position of landless labourers.

The parts of the district which suffer from draught are the high winter rice lands of the *barind* and parts of the Sibganj, Kaliachak and Kharba thanas. No precise information is available of the extent to which the district has been affected by drought and famine before 1874. It is, however, mentioned in the life of Dr. Thomas, the first Bengal missionary, that, in 1787 he and the East India Company's officers at

Englishbazar brought children six *annas* each, to prevent their being sold into slavery by their famished parent.<sup>93</sup>

During *Tebhagha* Movement, the greedy landlords and the black market holders captured the district. The following '*Tebhagar - Gaan*' (song) by Gobinda Seth describes the situation :

*'Ore zamidarar char aiysachhe kaariya nite dhan*

*Chhairbana bhai ghorer laxmi*

*Dehe thakite pran.*<sup>94</sup>

The above mentioned song means, the employee of landlord is coming to snatch paddy. But they are determined not to give their resource until or unless they are alive (free translation).

The other side of the picture of both rural and urban life is, practice of gambling, drinking and looseness of moral characteristic. Women are generally economically dependent on the men. Women were tortured by the *Foujdar, Ijarader*<sup>95</sup> and also by the British. They harassed and molested the pilgrims of *Haz* (Macca and Modina). *Tabakat - I - Nasiri* described how the innocent people including women were persecuted by Bakhtiyar Khalji.

*Tantrik shastra* which was very popular in Bengal, giving importance to addiction of wine and women. '*Pavandut*', written by *Dhoyi*, the court poet of Laxman Sen, had narrated the presence of *Barbilasini* in the capital of Vijoypur.

In the last phase of 19th century, during *babu* culture, the feudal society of Maldah engaged into the world of obsession. *Jalsa* (programme of singing and dancing), *baiji-naach* (dance by professional dancers called '*baiji*'), playing cards, *pasa*, chess, carom or drinking, visiting prostitutes were the regular practice.

Some newly educated (specially in western education) young people could not get fun into *baiji-naach* or prostitution. They were not interested in cards or idle talks. Those young people started proscenium theatre in Maldah.

Rich people used to appoint *dasi* (maid), *nortoki* (dancer) in their house. They purchased them from market. The maid servants made unopposed sexual relation to the masters. The text '*Haatpattan*', which was composed in the reign of *Pathan*, giving description of those local market (*haat*). *Sura* (wine) and prostitutes were the common item there.<sup>96</sup>

Not only in *haats* (weekly markets), but in *melas* (fair) the prostitutes find customers. They had their own stall which were called '*tonge*' (long in shape). They adorned themselves with *kasarmol*, *rupar kharu*, *bala*, *nolok* (ornaments) and other gilded jewelry. Prostitutes wore variety of *sarees* - *dhakai saree*, *bombai saree*, *gulbahar saree*, *baluchori*, *dhupchhaya cheli* etc.<sup>97</sup> Prostitutes of lower class came from Nabadwip, Katoya, Murshidabad.<sup>98</sup> The chap books published from *Bat-tala* were available in the fairs. Youth were quite interested to purchase those books like *Banbibir Jahuran or Sujju - Ujjwal Bibir Kechha*, these books are difficult to obtain now a days.<sup>99</sup> The landlords patronized prostitution in *melas* for earning money.<sup>100</sup>

A group of people was working as pimp. They collected clients and also trapped the women who lost their relatives in the crowd. *Ramkeli Mela* and the assemblage of *vaishnavis*, is undoubtedly remarkable in this aspect. Let it be discussed detailed in next chapter.

The regional culture always reflected in festivals, customs, music, and songs. *Bolbahi* song or *Bolai*, *Bolbai*, *Bolahi* - other names, which varied region to region was very popular in Maldah. It is practiced in *barind* of Maldah. In some villages of Gajole, it is called '*Tamsa*' or '*Tamasa*'. Somewhere, it is popular as '*Kechha*' or '*Kuchha*' song. The theme of this *Bolbahi* song is immoral relation between man and woman.<sup>101</sup>

The festival of *holi* is considered a custom of agricultural society. For the prayer of eminent agricultural production, people used to immolate and involve into sexual dancing and singing. Similarly, on '*Bara Tamasa*', the third day of *Gambhira*,<sup>102</sup> they celebrate the function called '*kisi*'.<sup>103</sup>

From the above discussion, one thing is clear that, prostitution being existed in this society, both in rural Maldah and urban Maldah. It is carried on either openly or surreptitiously.

### **DINAJPUR :**

In A.D. 1765, the British obtained the *Diwani*<sup>104</sup> of Bengal, with the right of collecting the revenues, and in A.D. 1772 or thereabouts an English Collector or chief of the revenue was appointed to the *zamindari* of Dinajpur. With the arrival of British revenue collector, British government had started their colonial experiment in Dinajpur. As a district, Dinajpur came into existence in 1786.

A group of historians said, the powerful landlord of North Bengal, *Danujmardan Deb* lived in this region. That is why, the region named Dinajpur. On the other hand, one British historian said, the people of this area were severely exploited by the lease holders and the landlords. Economically the people were very poor (*'Din'* in Bengali term). So the place is known as Dinajpur.

The district is notable for the very small number of its inhabitants who live it, while the number of immigrants it receives is very great. The large influx of immigrants from the Santal Parganas and the Chhotonagpur Plateau to the *Barind*, and other sparsely populated portions of the district, which has occurred in recent years, has already been described. Besides these aboriginal tribes we find a fair number of permanent settlers, who have come from Murshidabad, Nadia, Behar and the central provinces, servants, but the great majority of these foreigners are of the periodic type, and come in the cold weather in search of employment as agricultural labourers or earth workers, returning to their homes in the spring.

The district of Dinajpur lies in the Rajsahi commissionership of the province of Eastern Bengal and Assam. The district is bounded on the north-east by Jalpaiguri; on the north-west and west by Purnea, on the east by Bogra; on the south by Rajsahi and the north west by Maldah.

Before 1947, there was no existence of West Dinajpur district. It was known as Dinajpur district. The headquarter was in Dinajpur. With the partition of India, it was also divided into East and West Dinajpur in 1947. After a long time gap, West Dinajpur was divided again into North and South Dinajpur, on 1st April in 1991.

The important cities of this district are - Raiganj, Islampur, Dalkhola, Chopra, Balurghat or previously called Balohorghatta, Itahar, Karandighi, Hemtabad, Kaliaganj, Gagarampur, Kumarganj, Tapan, Hili etc. The National Highway i.e. NH 34 and State Highway 10 is running through the district. The famous tourist spots are - Kulik, Durgapur, Rindal, Tanahari.

Having taken the advantage of nearest border facility, people from Bangladesh, trespassing into India through Hilly and other places. Now-a-days, the human traffickers are still carrying out their business through this route. The traffickers and the agents of human trade can manage to bribe the Border Security Force easily.

In 1873-74 the whole of North Bengal from Champaran to Rangpur was visited by a severe famine. In April, 1874, relief works were opened in Kaliyaganj, Raiganj, Hemtabad, Pirganj, Ranisankoil and Thakurgaon thanas, which were the most severely affected.

The first of these scarcities of which any record has been kept occurred in 1865-66, when the price of rice rose. In the years 1891 and 1897 partial failure of crops occurred and the scarcity in the latter year was aggravated by the high price prevailing elsewhere. In the autumn of 1908-1909 real scarcity again made its appearance in the district due to long drought in the area.

*Tebhaga* Movement left a crucial impact on the society and economy in Dinajpur district. Irrespective of men, women, children were tortured by the *jotdars*, *zamindars* as well as by police during the movements. *Tolabati* and *Adhiyar* movement collapsed the normal life of Thakurgaon, Bochaganj of Lahiri Estate, Patiram, Nawabganj, Parvatipur, Fulbari, Dhibir-bandar, and various other places.

Indigo planters carried on their tyrannical activities on the poor cultivators in between 1780 to 1800. They abused the poor peasants. The planters violated the chastity of the daughters, wives, sisters and widows from peasant family. They fired their (farmers) house, plundered crops, send them into lock up. Having lost everything, the peasants were begging. One of such oppressive indigo planter was Creigoton. He sent the peasants into jail within his indigo factory at Sadamahal under Birol police station in the last phase of 1789.

In this respect, it is undoubtedly relevant to utter the name of the most oppressive revenue collector of Dinajpur, Devi Sing. Devi Singh had to pay rupees three lakhs to Lord Hasting for obtaining the right of *Dewani*.<sup>104</sup> And that was why, it is said that, he collected this amount from the subjects. His employees such as *payik*, *borkandaj* forcefully realized the interest from the peasants. They used to destroy their houses, rape the women, even whip nude women in front of all. The peasants of Rangpur were in starvation. They left their wives forever, sold their children.

*Sannyasi* movement was a terror in the history of Dinajpur. The picture of women oppression in the hands of *Fakirs* and *Sannyasis* (monk) is depicted in '*Majnur Kabita*' (poem)<sup>105</sup>:

*'Bhalo manusher kulobodhu jungole palay*

*Lutura fakir joto pachhe pachhe dhay...*

*Basan kariya loy chahe alingan*

*Juboti kakuti kori ki bole bochon.'*

It describes, in fear of *fakirs*, the women left homes, hidden into jungles. The *fakirs* chased them, snatched their clothes to embrace and the women entreating most earnestly (free translation).

Simultaneously the raped women cursing those fakirs :

*'Laaje nahi kotha rakhe guptavabe*

*Dharmasakshi kori tara mojnuke shope*

*Tara bole iswar ehi koruk*

*Mojnu Golamer beta shighra moruk.'*

It means, the raped victims cursing those criminals. They are praying for the prompt death of Majnu Golam's (the rapist *fakir*) son (free translation).

Slave trade had been existed in the society. From the account of Masyemers and Chovet (1787), it is known that, the young boys and girls were sold in the local markets.<sup>106</sup> One girl was sold in Rs. 12 and a boy in Rs. 25 to 50 at Mogolhat, Debiganj, Ghoraghat. Poor people used to sell their children in scarcity of food. In this context, it is mentionable that, from the place of Ghoraghat, Mughal Badsah Akbar bought lots of *das - dasi* (slave), according to *Ayin - I - Akbari*.<sup>107</sup> The tribal people sold *hariya* in those markets. People were quite addicted in intoxicant.<sup>108</sup>

With the abolition of *zamindari* system, Dinajpur district also had to face a lot of problems at the end of 18th century. The employees of previous landlords became jobless, started theft and robbery. Safety and security been arisen as a big problem.

Some mention has already been made of the fairs or *melas*, of which no less than 47 are held annually.<sup>109</sup> There is reason to believe that the older fairs were originally religious of some festival either Hindu or Muhammadan. Now-a-days they are held to all intents and purposes for commercial purposes only, though the worship of some god or Muhammadan saint may or may not be associated with the opening of the fair. On the occasion of the holding of the big *Alowa-khowa* (important cattle fair in the district, which held in October or November, at the time of *Raas purnima* i.e. lunar day, it is situated in the Thakurgaon sub-division, some 18 miles north west of Thakurgaon close to the main road running through Baliyadangi and Lahiri hat) and *Nekmarad* (in Thakurgaon sub-division, 16 miles south west of Thakurgaon and 37 miles north of west of Dinajpur, the cattle is famous here) fairs several police officers and a force of constables take up their barrack on the fair ground.<sup>110</sup> *Sarala mela* and *jinpir mela* was also remarkable.

These gatherings i.e. fairs are sometimes attended by *nautch* (dancing) and singing parties. Either on their own account, or engaged by the proprietor for the amusement of the people.<sup>111</sup>

*Kalir Mela* at Demdemi in Baliyadangi police station, was the holy place, where *Tolabati* Movement first started at the end of 1939.

Famine, oppression by landlords like *Devi Singh*, Indigo planters, stock market holders, and the *Sannyasi* Movement, *Tolabati* Movement, scarcity, starvation, price hiking - under all those eventful circumstances, Dinajpur turned into a crematorium in those days.

From the above discussion throughout this chapter, it is clear that the socio-economic culture as well as the traditional customs of North Bengal advocating the practice of prostitution both in colonial and post-colonial period.

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## CHAPTER IV

### PRACTICE OF PROSTITUTION IN NORTH BENGAL

#### Sources of Recruitment :

Many social scientists believe that women become prostitutes largely for economic reasons, though other social and psychological causes also play a role. The surrounding incidents and situations occasionally work as push factors.

Prostitutes generally came from the following classes :

**The daughters of prostitutes :** These girls have scarcely any other life to choose. They labour under a fearful social stigma by reason of their birth and are outcast for life. Consequently a married life to them is impossible to imagine. No one, however low in caste and low in society will accept them in marriage. Bengali society offers no means of livelihood to unmarried women except that to which the mothers of these unfortunate creatures unavoidably trained them up.

**Women belonging to ordinary society who voluntarily adopt a prostitute's life :** A very large proportion of the prostitute class are recruited from this source. Grown up women brought up in the bosom of their houses, come to a town and there take up a prostitute life. It may be interesting to know what are the causes or motives, which lead deliberately to prefer such a degraded and miserable life to domestic virtues and comforts. It may be desirable to enumerate the principal of them are - seduction, domestic misery, e-loss (sic) of excitement.

**Constitution unfavourable to moral restraints :** The extreme vigilance with which hindu society watches female propriety renders indulgence except out of its pale a matter of difficulty. Women with vicious tendencies are therefore obliged to place themselves beyond its power.

Women become prostitutes because of the lure of quick financial gain not easily available elsewhere. Much prostitution is linked with such social problems as drug use.

Women may turn to or stay in prostitution in order to pay for the drug habit. In a single word we can say, it is the easiest way to earn money for women.

Prostitution has also been noticed popping up around military bases. Meerut, Agra, Siliguri, Bombay, Secundrabad, Machhlipattanam etc. are example in India.<sup>1</sup> Prostitution connected with tourism is the most institutionalized and the most lucrative. In the 1970s Japanese package to the Philippines Bangkok and Taiwan included hotel, golf facilities and sexual services of women at prepaid. The resorts and guest houses surrounding the Dooars in North Bengal also provide sexual service for the tourist. Media reports publish the news of sudden police raids on these tourist centres. There is a special high class prostitution catering to visiting businessmen. It is said to be part of the standard operating procedure of local subsidiaries to include these in their hosting obligation. They usually choose women from middle class families especially students in elite colleges.

The joint women programme now has the proof of the fact that girls are sold by near relations on account of acute poverty. Nearly one third of the total population of prostitutes come from this source. A mother, in lieu of a *sari* (one kind of dress), money, dedicate the child in her womb to goddess *Yellamma* in southern part of India, should the child so born be a female and thus condemned her to a life of shame even before her birth.<sup>2</sup> A girl from Bihar who was sold just for Rs. 1000 because she was raped and the family did not want to keep a girl in the house with a stigma. On the other side of the coin is like that the prostitutes can be found at truck stands, small town hotels and road side tea stalls. They often do double duty as kitchen help and sex workers. And they have little choice when their parents, siblings and other relatives depends so much on their earning power.

**Religious causes** : We have already seen religious prostitutes are known by different names e.g. *devdasi*, *khudikar*, *murloi*, *devali*, *basavibhavin*, *neikin*, *jogins* and *baisnavi* etc.

Though the term *devdasi* did not figure earlier than *Chola* times (850 AD to 1280 AD). It is largely believed that the practice started about the 3rd century AD. The term *devdasi* literally means servant or slave. Her duties compromise a combination of a

property, ritual, entertainment to assert positive fertility and prosperity. They on account of being married to god or goddess, such as *Yellamma* or *Mathamma* were called *Nityasumangai*.

The system presently exists in Andhrapradesh, Maharastra and Karnataka and some of parts of Goa. A girl whose mother is *devdasi* usually becomes *devdasi*.

*Baishnavis* the loose morality of whose sect is separated by a very slight from the alter negation of feminine morality which constitutes prostitution, a live of separation which is in most cases easily and imperceptibly overstepped.

Biologically women are weak than men. A man can easily dominate a woman physically. But we can not ignore the psychological causes for adopting such a profession. The women's attitude towards sexual behavior is also important in this choice.

Bollywood glamour is also a reason. Usually the pimps are well equipped with star-studded style of romantic images that popular television and movies have promoted. Pimps exploit girls boredom that results from traditional female socialization which leaves many young girls looking for some excitement and glamour in their lives.

Pimps look for and target young girls or women who appear to be naive, lonely and bitter and rebellious. Such girls and women are often runways from their houses or from violent marriage. They are without jobs and normally in search of shelter. The pimp would play good Samaritan for days and weeks. For many girls it is a new experience; from neglect and scolding to caring and attention.

Other causes exist, which need to be enumerated. Young girls kidnapped from different parts of the country by men or women, the later mostly, for the purpose of prostitution.

Several young women and girls got into prostitution because they were raped and neither their family nor the society was willing to accept them. The pimps are constantly on the look for destitute willing to sell their children.

It has been seen that the girls and women belong to a reputed affluent family, are involved in this business.<sup>3</sup> They hanker after money. Mostly the school, college and university going students who are living out side their homes like hostel or P.G (Paying Guest). They are not satisfied with their pocket money. Very easily they slipped into this slime. They earn enough from this flesh trade.

The dominant gender ideology constructed women as dependent housewives; the reality was that thousands of women worked to survive. Urban areas acted as magnets, nor just for men seeking jobs, but for women without guardians. Poor and uneducated, they found work as maid servants, coolies and prostitutes. These unregulated occupations flourished in the modernizing urban sectors.

Most women were forced to enter domestic services; in the cities and towns some worked in petty traders and services and increasingly in the mills and factories. Many of these occupations were synonymous with prostitution because wages were low and the fear of seduction so great. Prostitution was thought to be leisured and lucrative, an irresistible temptation to women toiling for a pittance. The factories were the most dangerous; not only were women poorly paid, but men and women worked together. Their physical proximity was itself felt to be an invitation to licentiousness.

Even amongst the lower castes, the elderly or aged widows who could not hope to remarry were thrown upon the most menial occupations, like spinning and weaving jute, for meager remuneration. Economically deprived, forced into drudgery and indignity, widows were also vulnerable to sexual abuse. The use of the word *rarh* to denote both widows and prostitutes indicates that widows were thought to be sexually available.<sup>4</sup> The concerned moralists, officials, managers, trade union activists, professionals, and even novelists discovered that women working in the jute mills almost invariably practiced prostitution or lived in concubinage. Sarat Chandra Chattopadhyay in his short story 'Mahesh', had said jute mills women have neither *izzat* (honour) nor *abru* (*purdah*). The workers of mills and factories had dual identity - worker by day and prostitute by night. These women were public women, and such were vulnerable to any kind of violence including sexual exploitation.

In 1924, '*Mahila*', a journal, published a series of articles by Narendra Deb. According to him, many women take to prostitution secretly for extra earnings. He also identified maid servants as irregular prostitutes.

It is quite possible that some women in a few or even all of these poorly rewarded occupations sought to supplement their meager resources in exchange for sexual favours. Women were paid lower wages on the ground that their earnings were supplementary and it was assumed that their maintenance would be subsidized by fathers, husbands, and sons. It is hardly surprising that when such expected subsidies were not forthcoming, as was frequently the case, women sought other alternatives. But the more these alternatives narrowed to extra marital sexual activities or even sexual commerce, these women abrogated their claim to a social identity as a worker. Thus, in asserting that maid servants were common euphemism for prostitutes.

Sexual violence against refugees is a global problem. The wide range of abuses against refugees and displaced persons due to war or famine, frequently, rape and other sexual assault. Women refugees commonly fall prey to the lust of the males only because they are refugees, because of their floating position, actual or perceived political or ethnic affiliations, and because they are women. The use of this gender specific form of abuse frequently has political or ethnic, as well as gender specific, components. In some cases, refugee and displaced persons' camps are relatively close to the site of the conflict that caused displacement. We may get an idea of the deplorable situation of women in the refugee camps from Sunil Gangopadhyay's novel '*Arjun*' (in Bengali).

In host countries, local residents and even police, military and immigration officials, often view refugee women as targets for assault. After displacement and sexual harassment these women roaming constantly here and there, and finally take shelter into the brothels of different part of the country. The lack of responsibility of the relief community, inefficiency of refugee asylum law caused the incidence of sexual assaults and displacement.

Between 1872-73 Bankim Chandra along with a number of Indian officials were asked to submit an insider's report on the recruitment of young girls for prostitution. In

a very perspective note Bankim Chandra focused on widows and middle class women who voluntarily joined the profession of prostitution. According to him the principal causes were -

‘Seduction : unprincipled villains who seduce women from their household, often leaving them to their fate, after their novelty wears off.’

‘Domestic misery’ : the cruelty of a husband or relatives making life miserable for the woman who is forced to desert her home and finding no other shelter takes herself to the brothel.

‘Ennui and love of excitement’ : Bankim’s indictment here is directed more at the leaders of hindu society who according to him ‘tolerate no compromises and who shuts their doors forever against those who break through these restraints even but once and from whatever motive. These women are therefore found to lead the prostitute’s life for want of a better one.’

This report was being prepared simultaneously with the serialized publication of *Brishabriksha* in *Bangadarshan* (April 1872 onwards).<sup>5</sup>

Gradually ‘woman of easy virtue’ became a common term in the society. Uncertain widowhood, unhappy married life, unsuitable husband, poverty forcing a particular group of women to prostitution. In this context Sukumari Bhattacharjee had said : ‘when they did so, they found themselves in a unique position.’

To conclude, the sources of recruitment in prostitution may be revised. So it has been seen that there were large numbers of women, with no connection to religion or the arts, who were prostitutes in the conventional sense, that is, selling sexual favours for money. Most accounts agree that there were large numbers of widows among the prostitutes, which suggests that brothels were haven for women with nowhere else to go. Girls were also seduced or stolen from their homes and forced into this business. Among the ranks of prostitutes were married women who found their lives intolerable and escaped from one kind of oppression to another. Some working women turned to prostitution to make ends meet; others had drifted to the cities in times of economic hardship and were

unable to find employment of any other kind. Some women provided sexual favours in exchange for protection.

The following table shows the figure of how many women gathered in Kolkata and suburbs from Rajsahi Division to adopt prostitution during the first phase of last century:

**Table No. 4:1**

NUMBER OF WOMEN CAME FROM RAJSAHI DIVISION TO CALCUTTA AND ITS SUBURBS AND ADOPTED PROSTITUTION

Districts of	Calcutta-Suburb	Calcutta	Suburb
<u>Rajsahi Division</u>	<u>No. of Prostitutes</u>	<u>No. of Prostitutes</u>	<u>No. of Prostitutes</u>
Rajsahi	11	11	–
Dinajpur	2	1	1
Darjeeling	10	10	–
Rangpur	1	1	–
Pabna	28	28	–
Malda	3	3	–

**Source : The Census Report of India, 1911, Vol. VI, City of Calcutta, Part 1, p. 75**

*Sanlaap*, the NGO, has given the following compiled chart of reasons for becoming Sex workers :

- Economic difficulties.
- Violence from husband.
- Family Problems.
- Cheated or misled.
- Came with husband/lover.
- Widowed.

- Divorced or deserted.
- Choose to come.
- Sold.
- Brought by friend/relative.
- Mother's profession.
- Orphaned.
- Violence from in-laws
- Born in red light area.
- Child marriage.

And finally

- To escape destitution after riot.

### **Role of the Pimps :**

A study on the issue of prostitution can never carry any socio-economic significance without referring to the brokers or pimps. Without explaining the role of the agent, the structure can not be understood. The pimps or brokers are playing an important role in this business from the past. *Yajnavalkya* endorses the role of the middleman or pimps in women trafficking for prostitution. On the basis of textual evidences it is proved that, issues of trafficking of women in *Gauda* country was not uncommon. During the early medieval period some women were used to make illegal arrangement for union between man and woman. Those women were known as *duti* or *Kuttani*. The *Kuttanimatam* is the earliest datable work of an erotic activity. The *kuttani's* role in procuring immoral sexual relations between males and females of the society was much vital. *Aryasaptasati* by *Govardhan Acarya* states that some women took this work as their profession. They earned money from this service. They worked as middleman between the interested parties in lieu of money. *Dutis* of different categories designated by different names are mentioned in the *Kuttanimatam* of Damodar Gupta. The names are as follows - *Nisrstartha*, *Parimitartha*, *Svayamduti*, *Mukaduti* and *Bataduti*.

In the *Aryasaptasati*, Govardhan Acarya depicted in a verse a vivid picture, how a clever *duti* or *kuttani* is enticing a chaste and modest housewife to come out of her house and to enjoy with young man. The relevant verse is quoted here :

*'Rupamidam kanti-rasabayamutkarsah suvarna racaneyam*

*durgatamilita lalite bhramasi pratimandira dvaram.'*<sup>6</sup>

(*Rakaravrajya*, V. 492)

The poor beautiful wife who was unhappy with her poverty stricken husband but not ready to agree the reality. Though having seen that the *duti* was not discouraged. Rather she was repeatedly attempts to convince the poor beautiful lady with metaphorical dialogue to enjoy with unknown males without felt disheartened (free translation). The following verse is mentioned in *Aryasaptasati* :

*'Mule svabhabamadhuram samarpayanto rasm puro birasah*

*Ikssaba iva parapurusa bibidhesu rasesu binidheyah.'*

(*Mkaravrajya*, V. 444)

The *kuttani* is encouraging a woman to enjoy with a paramour. She draws an analogy between a paramour and a sugarcane which is apparently hard but juicy and sweet in kernel (free translation).

Now-a-days, the *kuttanis* are no longer addressed as *kuttanis*. They are known by the name pimp and 80 to 95% of all prostitution is largely dependent on the pimps.<sup>7</sup> Pimping is understood as living off the earning of a prostitute.

A close analysis indicates that pimp control their women. Rape, kidnapping, physical abuse and torture as systematically practiced as form of control over women in prostitution by en Barry - 1998.<sup>8</sup>

Pimps control their women in a number of ways. First verbal abuses and psychological terror that make women feel that they are worthless. This way the pimps keep the women or girls in a state of perpetual fear.

When the psychological weapons fail the pimps resort to physical torture. It usually starts with slapping and kicking in the abdomen thus rendering her unfit to carry her business alone. According to anthropologists Christina and Richard Milner, 'A pimp wants his woman's mind more than her body.'

A prostitute of Khalpara (the red light area in Siliguri), stated that 'the brokers such as leech.' In pros - area, they are popular as '*Bharua*' or '*Nang*'. Most probably the term '*Nang*' came from the word '*Nagar*'. Actually they are the old customer of Khalpara, now they are working there as middleman or broker. Their income is to take a share on prostitutes' income. On the other hand they don't hesitate to rob the customers of the area. Mainly the local public, rickshaw puller, small shop keepers like tea, betel, gutka, cigarette, wine keepers or bootlegger - they are the brokers in this area.<sup>9</sup>

Most of the pimps are typically men of twenties or thirties or women of thirties and forties who have travelled the route to the city several times and know the hotels to stay and the other local brokers to contact. The pimps frequently work in groups of two or more. Male and female pimps are sometimes referred to as *dalals* and *dalalis*, which means commission agents, who are either employed by a brothel owner directly or operate independently. Professional agents who recruit for the bigger brothels reportedly may be paid up to Rs. 6,000 per girl. But most pimps are small time, local recruits who earn considerably less. In either case, to stay in business they need the patronage of local bosses and the protection afforded by bribes to the police.

Female pimps are referred to as *didi* or *phupu didi* (literally, paternal aunt) or *masi* (literally, maternal aunt). Local women are also employed as recruiters. These women are exceptionally well placed to identify potential trafficking victims because they already know the local girls and their families. Women who are already in the sex business and have graduated to the level of brothel keepers, managers or even owners travel through the villages of their own and neighbouring districts in search of young girls.

A very few of the old ladies can earn a good amount of money through this method (work as middleman) but most of the old women in reality fall prey to poverty and helpless condition. As a natural rule of human biology the ladies beyond the age of

forty start to lose slowly their value as sex worker. Consequently the veteran workers suffer from a feeling of insecurity and some of them adopt the arrangement for giving their rooms in rent to the '*chhukri*' (young girl) in lieu of that they use to take monthly rent and certain share forcedly from the daily income of the girls. Even the customers can not avoid these women as they are also to pay Rs. 200 - 300 as '*bakshis*' to them. Notwithstanding this the general condition of these women is far from satisfactory. Most of them as it is already mentioned are poor, helpless. They do not hesitate to behave in a rustic manner and to throw filthy languages to the working girls under their shelter in order to extract excess cash money from their income. Suggestively this may be stated that such type of unrefined behaviours may originate from their feeling of unsatisfied grievances and long life full of miseries.

There are other psychological issues which create pressure on these ladies of grown up age. It is frequently seen that the relations and closely associated people generally are not willing to keep close touch when they are economically weak. Those who are friends in the good days avoid the retired workers in their misfortune and even disallow them to their houses. But here one point is to be mentioned, such a state of condition is not the peculiarity of these professional women but common feature of the poor ladies engaged in different minimal jobs.

These local agents purchase girls from their families, sometimes for as little as Nepali Rs. 200, or tempt them with promises of future earnings, and take them to the Indian border where they are sold to a broker for anything from India at the cost between Rs. 1,000 - 8,000.<sup>10</sup> These middlemen then sell them to brothel owners in Bombay, Delhi and elsewhere for Rs. 15,000 - 50,000, depending on the girl's age, beauty and virginity. This purchase price, plus interest (10% of the total), becomes the debt that the women are told they must work to pay off through prostitution. Because only the brothel owner knows the terms of the debt, and most women and girls have no idea how much they owe or the terms for repayment, they often 'pay back' indefinitely.

Family members - uncles, cousins, step-fathers also act as trafficking agents or brokers. In many cases, the victim complained deception. According to a report by concerned

NGO namely *Omar Sattur*, (Anti Slavery International and Child Workers of Nepal Concerned Centre) :

Girls are recruited in a number of ways. Bollywood and Tollywood glamour is also an attraction to the young generation. Village girls and their families are often deceived by smartly dressed young men who are looked liked film heroes. Those false heroes arrive in the village claiming to have come from Kathmandu and propose marriage and all the comforts of modern urban life. They go through a local ceremony and leave the village never be seen again. The girls end up in Indian brothels. Sometimes older men promise the girls employment in the city. Another avenue is through distant relatives or friends who pretend to arrange a marriage with relatives or friends in another village, but instead abduct the girl and send her to India. Sometimes a trusted individual abducts the girl on the pretext of educating her in India.

Not only prostitutes but pimps and brothel keepers were also registered. It was during this period (end of the nineteenth century) that a process of categorisation was set in motion. It reveals the ambiguities of the colonial officials regarding not merely prostitution, but the general sexual practices of their Indian subjects (always referred to as 'natives' in the official records).

Now-a-days in this region pimps operate in many hotels, resturents, lodges, guest houses and even arrange women for business men who order them for their business partners or clients.

A number of recruiting agencies have come up in North Bengal targeting young women and girls with the promise of employment abroad mostly in Hongkong, Singapore and the gulf countries. Initially they are recruited as domestic workers, matron or as workers in beauty parlours with high salary. In many cases the agents use internet to recruit women for trafficking. The types of sites used by the traffickers for the recruitment of victims include sites of marriage agencies, dating clubs, escorts sites and the various job offering sites like home assistance, waitressing or bartending, care or massage parlours, modeling, entertainment industry like dancers and hostesses, educational courses, matrimonial offers, tourism, work in the sex industry.<sup>11</sup>

The interview with a pimp, popularly called *Vinata masi* revealed a lot of informations. She lives at Khalpara (red light area) in Siliguri. She is the former sex worker, have told that they are to follow tricky methods in order to trap the girls. From the story narrated by this woman it seems that insolvent villages are their main targets. The *masis* sometimes go to the village with young brokers and start to live in rent houses pretending like mother and son. Their apparent affluence and luxury in their life style naturally creates curiosity and attraction among the less educated and helpless tender hearted girls. Taking the advantage of their simplicity and unawareness the *masis* and brokers infatuate these girls to adopt the unnatural way of living. Besides, there are other factors of work. The greedy fathers, selfish relatives and such other immoral closely associated people often encourage the immature girls to choose this life of uncertainty. But most of them are enticed with the bait of fortune of settled married life.

The brokers roam in search of poor fathers having presentable daughters and ultimately become successful in their purpose. A broker tries to prove himself as an eligible bachelor and in this way attracts the attention of the parents as well as the girls of the poor family. Being convinced of the earnestness of the young man the parents often give their daughters in marriage to such type of people. Ironically all on a sudden, such people disappear from the village with the newly married girl and his mother. Now the tragedy starts. The simple village folk come to realize what mistake they have done. They make search for some time, go to the police and administration, the village authorities; but all are in vain.

*Sanlaap* (NGO) has also sum up and made a list of agents introducing women into sex trade<sup>12</sup>:

- Neighbour in connivance with parents.
- Neighbours as pimps (guardians not knowing).
- Aged sex workers from same village or locality.
- Unknown person/accidental meeting with pimp.
- Mother/sister/near relative in the profession.
- Lover giving false hope of marriage or job and selling to brothel.
- Close acquaintance/near relative giving false hope of marriage or job.

- Husband (not legally married).
- Husband (legally married).
- Young college student selling to brothel and visiting free of cost.

### **Categories of Clients in Sex Business :**

According to the scriptures for the gratification of the sexual desire of the men, prostitution emerged. On the other hand it is said that the prostitutes were taken as the safety valves of a highly organized and refined society, which implies that other women of the society are somehow protected by the existence of the flesh trade. At the same time without the clients there would be no existence of prostitution or no sex industry.

A universal explanation for the existence of prostitution is the unrestricted sex drive of men. As prostitution is existed, men are able to experiment with taboo or deviant sexual preferences that they can not express with their wives. Having economic power over women men dominate the prostitute as their clients.

But from the beginning it is to be understood that inspite of reluctant attitude of the society to view such women at least with human dignity, prostitution never ceased to exist. During the colonial period the issue of prostitution practiced by the white poor girls was a source of monification to the ruling community. To the British Indian authority, it appeared to be a great insult; they took the presence of white prostitutes in the native *bazars* as tarnishing the image and prestige of the *Raj*. Even attempts were made to claim that ‘no English woman was among them in 1891.’<sup>13</sup>

We can sense here that race rather than nationality was the matter of greater consideration. Resorting to this paradigm, we may suggest a proposition that the white Europeans especially the English people took advantage of gratifying their biological demand in association with native public women, they logically were not willing to do it publicly. In such cases, proneness to conceal it was obvious. We may draw such an instance of concealment in the famous Bengali novel ‘*Saptapadi*’ of Tarasankar Bandopadhyay. The novel was picturised. The female character of Rina Brown was an offshoot of such secret sex relation of a white person with a native maid.

Like the hierarchy among prostitutes there are also variations of clients e.g. poor, lower middle, middle class and the rich influential clients. As we find the kings, aristocrats, *zamindars*, *jotdars* constitute the patron class of prostitutes from the beginning. There are unskilled or semi-skilled workers for example rickshaw-pullers, traders, small shopkeepers, factory workers, manual labourers or those employed in small industries.

Clients are also found among the reputed officers (govt. and non govt. sector), industrialists, businessmen, politicians, even policemen.<sup>14</sup> These clients afford to visit women elsewhere as they do not want to go to red light areas for the unhygienic conditions and also for public image. They arrange higher call girls who do not work in red light areas through pimp. They select well known bars, hotels, lodges, resturents, guest houses. Businessmen recruit sex workers in a very calculated way to promote their business, by providing women for sexual entertainment as part of business deal.

The men who live outside home like hostel, mess or this type of accommodation, prostitutes or call girls visiting them regular basis. As it is already mentioned, in colonial period the British officials, railway engineers, tea planters who were sent or worked in this region by British govt. used to involve in sexual relation with the prostitutes.

Surveys in red light areas reveal that men who visiting out of curiosity for their first sexual experience or as a part of night out with friends are students of different educational institutions. The clients with whom the prostitutes had special arrangement are found to be rich and highly educated.

Clients are also local anti social or hoodlums. There are also question of safety and security of the other customers because at the dark of night these hoodlums involve themselves into robbery and snatching. They snatch money, wrist watch, mobile, gold ring or chain and other valuable things. The girls of red light areas fear these clients. Some of the hoodlums are local landlords. They are inclined to be violent and claim young good looking women for themselves without the women's consent. Not only the local but the hoodlums of other areas also come as customers. The *chhukris* who are in

bondage to pimps, have no right over the selection of clients. They are not able to form relationship of their choosing until they leave the bondage condition and begin working independently. These clients treat the prostitutes viciously.

Clients who come for quick sex are not known in the red light areas. They are often travellers, merchants, truck drivers. Taxi drivers, auto drivers even the rickshaw-puller also introduce new clients in brothels. The truck drivers of highways visit red light areas roughly three to five times in a month.<sup>15</sup>

Many of the clients regularly return to the same woman but not for anonymous sexual pleasure with new woman in each time. There might be an emotional attachment develop between the client and the woman. The accepted norms of any society is that the family life with husband and son is the real dignity of a woman, which is not permissible to the prostitutes. Here the reference of *Basantasena* is remarkable. She was an inborn prostitute and hated herself. She had a severe attraction to a married life and progeny. The another story of king *Jaypida* is relevant in this aspect. *Kalhana* stated that the Kashmir king *Jaypida* entered the city of *Pundravardhana* in course of his expeditions over the world. *Pundravardhana* was then under *Gauda*. At that time *pundravardhana* was an enjoyable city. *Jaypida* went to the temple of *Kartikeya* to enjoy dancing, where his dignified appearance attracted the attention of *Kamala*, the dancer of the temple. Later they fell in love with each other.<sup>16</sup>

The regular clients pay fixed monthly sums and some even live with their mistresses. *Noti Binodini* and *Sukumari Dutta (Golap)*, both of them were prostitute, fell in love with their co-actors when they took entry into the world of theatre. *Sukumari Dutta* got married to Gostha Bihari Dutta. Though the *Babu* culture was as not vivid in North Bengal like Kolkata, but the *jotdars* and tea planters in this region had their mistresses. They treat their mistresses as their second wives. The regular clients are very organized about their visits. They fix a set time every week or every month and leave their clothes in the women's room. When they stay overnight the women cook their favourite food. Actually they have a friendship or relationship that is very pleasant for both. Even though they might have their families they used to give presents, extras such as tips during *poojas* or other festivals.

In the full bloom of youth a rich person was always considered as the preferable customer to the prostitutes. When the pimps come to the prostitute with varied offers from new clients, she should prefer the highest one. But whenever the courtesans disobeyed to entertain the clients sent by the king, had to pay fine. The attention of the state was drawn to the colony of public women to bring it under the obligation of a stabilized taxation. Some of the prostitutes fell into disputes, clashes with their customers.

The courtesans used to procure money from their client's pocket on various pretexts such as for repair of houses, celebration of birthdays, christening festivals of friends child, giving to pregnant friend or help her a mite in her treatment etc. The women of red light areas are arranging festivals like *Kartick puja*, *Durgapuja*. They give gifts to deserving people.

The fixed clients have varying levels of commitment to the women they visit. In the pregnancy period of the woman, if the client thinks that the woman carrying his child, he becomes more involved and responsible to the pregnant lady. Generally the birth of the baby mother sends the issue to the relatives in village, native land. In this case her client sends money regularly for the child upkeep. On the other hand, it is also known that a fixed client takes away the new born baby from the mother to conceal the fact that the baby was his.

Most of the prostitutes dream that one day they will be able to get rid from the profession and lead a honourable life with their children and children's father. As most of the fixed clients have their own family, so family pressures prevent them from marrying their mistresses. The women not legally married but regularly maintained by a paramour was known in the Bengali society as *Jalpatra*. Now-a-days this terminology is not in vogue.

The young prostitutes prefer to visit the known clients on regular basis rather than the stranger. It is sexually safer for them. The women are also safer from any kind of violence like physical torture, disputes if the clients are known to them as their behavior is also known and predictable.

Comparatively the aged prostitutes who are financially insecure, prefer fixed clients. The permanent clients give them regular monthly sum and who might also be able to offer a satisfying relationship. Prostitutes and fixed clients in long term relationships, generally take on the same role and obligations of man and wife. The permanent *babus* (clients) expect to exercise control over the movements and activities of their mistresses. Some of them take advantage of the women's earnings. The *babus* who are suffering from financial crisis push their mistresses to work harder and earn more money.

There are some clients who visit the floating or flying sex workers. A few prostitutes live in red light areas but work outside. The rich clients take these women out in their cars to hotels for clients. The women standing nearby and waiting may get call from the clients. These clients can afford to go to notorious bars and hotels by doing lavish expenditure for secret enjoyment.

Hotels clients are also rich locals, business magnate, tourists. They pay around Rs. 1000-1500 for one sitting. And for whole night they pay around Rs. 2000. The prostitutes who attain these type of clients, work occasionally, twice or thrice in a month. To make a lot of money some of them are kept as mistresses by the clients.

It is revealed from the survey reports on red light areas, at the time of festivals like *puja, diwali, holi, mela* (fairs) the outsiders come into red light areas. During the festival period the prostitutes become very busy to attend the customers as it is the time for them to earn quick and more money in short time.

So it has been seen that it is likely that the sex trade exists because patriarchal societies give undue emphasis to the male sexual urge and to gratifying men's desires. It must be remembered that the sex trade where survival and gratification meet in such diverse ways, has as its objective the gratification of the needs of men.<sup>17</sup> The patriarchal structure is highly exploitative and seeks justification of its hegemony on the women as a whole.

## **References of Prostitution in the following Districts :**

### **DARJEELING :**

As we have seen from the ancient past the Himalayan and Trans-Himalayan region serves as the hinter land in the business of prostitution. Survey of local literatures did not witness the existence of red light area in Darjeeling town. It is locally known to the people that once a red light area was located at *Bawan* (fifty two in Nepali) *basti* in Darjeeling, which is not existed now.<sup>18</sup> But from the official document regarding the establishment of Lock Hospital<sup>19</sup> there in Darjeeling, concrete knowledge is available about those women who had to commit to such profession.

Of the North and North-Western portion of India *Vatsayana* ventures the assertion that adventurous citizens amongst the people of the Himalayas used to bribe the sentinels and enter the seraglio of respectable persons to enjoy the harem ladies clandestinely.

### **Prostitution in Colonial Darjeeling :**

One of the important British cantonment was established at Jalpahar in Darjeeling. British government showing its concern to bring under the orbit of governmental observation by registering each and every prostitute girl. From the concerns for the health of their soldiers the British govt. had taken that measure. Such anxiety of govt. has been explicitly expressed in a letter from Lieutenant - Colonel F. Roberts, First Assistant Quarter Master General, to the Government of Bengal - No. 175, dated Simla, the 19th January, 1870.

The subject of the letter was as follows :

Forwarding, with remarks, to the government of India, in the Home Department, certain rules promulgated by the commander in Chief in regard to the registration of prostitutes, and stating that the Lieutenant - Governor is willing to adopt them if confirmed by the Govt. of India.<sup>20</sup>

Some light may be thrown on the issue of the establishment of a Lock Hospital at Darjeeling for the treatment of prostitutes under the British government. According to the

report on Lock Hospital at Darjeeling for the year ending 31st December 1868, the Darjeeling Lock Hospital was first opened on 1st January 1867, the room in the old sapper hospital having been set aside for the purpose. Fifteen women were registered at first, but the number was reduced before the end of the year to 11. Some of the women on first examination were found to be laboring from syphilis in its worst form, and had to be detained for treatment. All these subsequently left the hospital after being cured. The following correspondence is relevant to mention in this context<sup>21</sup>:

From COLONEL J. C. HAUGHTON, C.S.I, Commissioner of Coochbehar Division, to the Secretary to the Government of Bengal - (No. 488, dated Jul-pigoree, the 26th February 1869).

In reply to your letter no. 6514 of 3rd December last, I beg to report as required.

2. There is but one Lock Hospital in this Division, viz that at Darjeeling. The report of the Civil Surgeon is herewith forwarded.

3. The figures given by the Civil Surgeon are too small, in my opinion, to warrant any decided conclusions. The number of patients suffering from disease at Jullapahar, would, in all probability, be widely influenced by the fact of the arrival of a detachment from the plains, with one or two diseased patients.

4. I concur with the Civil Surgeon in the belief that there are many unregistered prostitutes, but the habits of the residents in the hills render it difficult for the police to detect them. They live chiefly in detached huts, difficult of access, and not in streets as in the plains; moreover, the duties imposed upon for the police in this respect are very unpopular. The women too, in addition to other considerations, have the strongest motive for avoiding registration, as it inflicts, upon them the penalty of a monthly fine.

5. It is not understood why, in 1867, the salaries due to the establishment of the Lock Hospital were not paid in full, as orders were issued for payment immediately on application being made to this office direction on the subject will be issued to the Deputy Commissioner, and he will be desired to instruct the District Superintendent of Police to use every exertion for the registration of all the prostitutes of the place.

6. In conclusion, I would beg to recommend that the transfer of the duty with regard to these persons, be made from the native doctor to Sub-Assistant Surgeon, who to my knowledge, has discharged much of it. The dispensary in charge of the Superintendent adjoins the Lock Hospital, but is some distance from the jail hospital.

During the year 1858, to which this report more especially applies, 17 women have been treated in Hospital. The number of the register at the close of the year was 13, but I am of opinion that this does not at all represent the actual number of prostitutes playing their trade as such in the station, and I feel convinced, if the police were more vigilant, a very considerable number would be obliged to register. This applies more especially to the *Bhootiah Bustee*, but also to the *bazar*. The usual plea for exemption, when a woman is called on to register, is, that she is in the keeping of some particular individual, who is produced as evidence of the fact. In the majority of instances, I believe this to be utterly false, and easy of refutation if the police exercised, as I have said before, more vigilance in the matter.

The annexed table (Table No. 4:2) shows the number of venereal cases treated in the Jullapahar Hospital (Darjeeling Lock Hospital), for the last four years. It will be seen from this, that there has been a considerable decrease in disease, since the establishment of the Lock Hospital and system of bi-monthly examination; even better results may be looked for when the plan of registration is more strictly carried out.

A sum of Rupees 70 have been collected within the year, and a fine of Rupees 2 was levied, in two instances only, for non attendance. I have not as yet forwarded the indent for Hospital furniture sanctioned, as the present number of the prostitutes is so small.

The Native Doctor attached to the Jail Hospitals performs the duties of the Lock Hospital, but I should strongly recommend the Government to sanction the allowance of Rs. 10, at present given to that subordinate, to be drawn by the Sub-Assistant Surgeon, who is not only better qualified to perform the duties, but who, from the close vicinity of the Charitable Hospital, is always on the spot, whereas the jail is situated at a considerable distance.

The servants entertained as follows :

One Native Doctor

One Cook

One Bheestie

One Maintainer

For the year 1867 they have only, up to date, received one third of their pay, viz. that portion paid by the Municipality. From March 1868 they have been paid in full, by order of the Commissioner.

At first the full establishment (except the Matron) was entertained at full rates, but this has now been considerably reduced, in proportion to the requirements of the Hospital.

The Native Doctor receives Rupees 10 per mensem.

Cook           Rs. 5

Bheestie       Rs. 3

Maintainer     Rs. 6

B. SIMPSON, M.D;

Civil Surgeon, Darjeeling

**Table No. 4:2**

NUMBER OF PATIENTS WITH SEXUALLY TRANSMITTED DISEASES ADMITTED INTO THE CONVALESCENT DEPOT HOSPITAL DURING THE YEARS 1865, 66, 67 and 68.<sup>22</sup>

Diseases	1865	1866	1867	1868	Total
Syphilis Primaria	4	3	4	1	12

Syphilis Secundaria	11	14	4	4	33
Gonorrhoea	3	4	2	3	12
Stricture Urethra	0	0	0	2	2
Orchitis (Gonorrhoea)	0	0	1	0	1
Bubo	0	7	2	5	14
Total	18	28	13	15	74

**Source : Judicial Report, March 1869**

CONVALESCENT DEPOT

A. S. RUSSELL, M. D;

DAARJEELING

Assistant Surgeon, R.H.A in Medl.

The 10th February, 1869.

Charge Convalescent

Depot, Darjeeling.

(Proforma for submitting the report is furnished under Appendix C)

**Table No. 4:3**

Annual Return of the Lock Hospital at Darjeeling for the year 1868

1	2	3	4	5	6	7	8	9
Area over which the Rules are in force	Total number of prostitutes on register	Average number of prostitutes on register	Total number treated in Lock Hospital	Average number treated in Lock Hospital	DETAILS OF COLUMN 4 Diseases :  Admitted/Discharged/Died/ Total	Amount received from registered prostitutes	Amount expended including cost of establishment	Prostitution and nature of accommodation provided for Lock Hospital
	20	Jan 1868 13	Jan 1868 ..	Jan 1868 ...	Gonorrhoea 14/14/.../14	Jan 1868 Rs	Rs/As/P Jan 1868 24/0/0	
		Febru ,, 13	Febru ,, 2	Febru ,, 1.4	Syphilis (Primary) 3/3/.../3	Febru ,, ...	Febru ,, 28/2/6*	
		March,, 13	March ,, 1	March ,, 1.06	Syphilis (Secondary.../.../.../...	March ,, ....	March ,, 18/10/3*	
		April ,, 13	April ,, 2	April ,, 1.3		April ,, ...	April ,, 18/14/0*	
		May ,, 13	May ,, ...	May ,, .77		May ,, ...	May ,, 26/12/0	
		June ,, 14	June,, ... ..	June,, ...		June ,, ...	June ,, 24/0/0	

		July ,, 14	July ,, ...	July ,, ...		July ,, ...	July ,, 24/0/0	
		August ,, 13	August,, 1	August ,, .12		August ,, ...	August , 24/12/6	
		Sept ,, 13	Sept ,, 5	Sept ,, 1.2		Sept ,, ...	Sept ,, 30/2/6	
		Oct ,, 13	Oct ,, 5	Oct ,, ...		Oct ,, ...	Oct ,, 30/14/0	
		Nov ,, 12	Nov ,, 1	Nov ,, .4		Nov ,, ...	Nov ,, 26/2/6	
		Dec ,, 13	Dec ,, ...	Dec ,, ...		Dec ,, ...	Dec ,, 24/0/0	
		Average for the year..	Total ..	Average for the year ..	Total...	Total	Total	
		13.08	17	.52	17/17/.../17	70	300 63	

\*From 18th February to 30th April, there was no Native Doctor for Lock Hospital, consequently his pay was not drawn.

**Source : Judicial Department, March 1869**

An important correspondent preserved in the West Bengal State Archive's record room should be mentioned in this context (Political Department for the month of September, 1916).<sup>23</sup>

From - The Hon'ble Mr. J. H Kerr,

C. I. E, I. C. S, Chief Secretary to the Govt. of Bengal

To - The Secretary to the Govt. of India, Home Dept.

I am directed to refer to Mr. Wheller's letter no. 937 C, dated the 15th March, 1916, regarding an enquiry as to the best method of rendering aid in coping with prostitution among Jewesses in India. The Govt. of India ask for information under the following heads in this connection :

at what centre does the evil exist?

In reply, I am to state that, as regards Bengal, the answer to the question is -

Professional prostitution among Jewesses exists only in Calcutta, though a certain member of Jewish women are leading irregular lives with Indians at other places in Bengal.

### **Prostitution in Post - Colonial Darjeeling :**

In Bangladesh, Nepal, India, Pakistan and Srilanka the informations produced by the non governmental organisations hovers around three themes : the girl child, religious prostitution and trafficking for sexual purposes. In India and specially in Himalayan region like Nepal the girl child discourse focuses on religious prostitution and trafficking in children for prostitution. However, the main sexual exploitation issue in Nepal is the trafficking of girls to India. The open border between the two countries makes it difficult to monitor the movements. It is also stated that, because of corruption, official assistance is given to the sale and the trafficking of specially young girls. In most accounts Bombay is the main destination. The international trade routes most frequently

mentioned are from Nepal and Bangladesh to India, and from India and Pakistan to the gulf countries.

Kankarvita of Nepal becomes the main corridor to traffic women for prostitution. Flying sex business is very profitable in Nepal. Almost one hundred fifty sex workers from Siliguri sub-division go to the hotels and lodges of Nepal in regular basis. The hotels, resorts offer catalogue of sex workers in their service to satisfy the customers.

The work of prostitution commonly is not accepted by the society. Naturally it happens that the women and their linkmen associated with such flesh business generally maintain an isolation and carry out their work. In this way some specific areas in a town develop as red light area. In this way some specific areas in a town develop as red light area. Thus Khalpara in Siliguri is known to the people as the pros - quarters area. Khalpara is located opposite to Gandhi Maidan at Siliguri (Khalpara red light area is near the S. P. Mukherjee Road and Vidyasagar Road), the most important town in North Bengal of West Bengal. Khalpara is well known for the oldest hub for prostitution. Siliguri being the busiest business town in North Bengal, flesh trade (at Khalpara, red light area) had been developed in this city since long ago. Khalpara is not simply an area for prostitution in Siliguri, it is now considered as the major wholesale trading centres for child prostitutes from eastern Nepal districts and other north eastern parts of India. Girls aged between 6 to 9 years are taken from Nepal and other north eastern parts of India to Khalpara and from Khalpara they are sold to different brothels like Sonaganchi red light area in Kolkata, Grant Road brothel in Mumbai, Pune, New Delhi and other places. It is estimated that roughly 100,000 to 160,000 Nepalese girls and women are working as sex workers in India.<sup>24</sup>

Apart from Nepal, the poor girls in Khalpara red light area are also coming from different corner of West Bengal and neighbouring states of West Bengal like Assam, Manipur, Meghalaya and Mizoram. There are many instances where these girls were married to strangers and after few months they were sold to Khalpara brothel by their husbands. Pimps are taking the advantages of poverty. Many girls left their home with consent of their parents to get a job but ultimately landed at Khalpara brothel. North East states in India, Nepal and Bangladesh are the main source of sex workers in red

light areas of India. The geographical location of Siliguri is such that communication between Siliguri and the source of prostitutes is easy. Communication between Siliguri and Kolkata via train and bus services is also very good. A major part of the prostitutes in Khalpara and those poor girls traded from Khalpara are from Nepal and Assam. In Indian brothels there is a tremendous demand for Assamese and Nepali girls among the clients.

A prostitute named Tara told Human Rights Watch that she grew up in Nawakot district and was trapped in prostitution when she went with two girlfriends to see the cigarette factories at Lanakpur, on the Nepal / India border<sup>25</sup> :

“We fell into the clutches of a *dalali* (agent), a Nepali *dalali* at that. We were three girls together, in the beginning. We spent two years together, but then we were separated. When I was captured, I could not escape or return to my home, they would have caught me for sure. If I had known what was to happen to me, I would have killed myself halfway. But leaving this life is not an option for me, I simply cannot think about it. My purity was violated, so I thought why go back to what? I may as well just stay here, if I ever catch that dam *dalali*, I don't know what I would do to her.”

Tara described her bewilderment upon arrival in Bombay.

“When they brought me here, it was in a taxi. Everywhere I looked, I saw curtained doorways and rooms in this area. Men would go and come through these curtained entrances. People on the street would be calling out, ‘Two rupees, two rupees’. I asked the other Nepali women if these were offices; it seemed the logical explanation. In two days I knew everything. I cried.”

According to the survey report of *Sanlaap* (NGO) as reflected in Caroliyan Sleightholme and Indrani Sinha's book, a girl Bunu was brought to India from Nepal through trafficking. She was only eleven when left her village in Nepal in search of work. She was befriended by a young man who promised to help her find work and brought her to Kamathipura, a well known red light area in Bombay. He took her to meet some of his friends, and there she was sold to a woman who ran a brothel. She

was not allowed to leave the house. Kept under strict vigilance with constant intimidation and threats, she was initiated into the sex industry. After three long years, long enough to more than pay back her debt to the madam, she was allowed to return home. She gave an honest account of her story to her relatives, but they had no sympathy for her and she was given a cold reception. Having realized that she was no longer welcome at home, she returned to India. Some one told her that people in Calcutta red - light areas were kinder than those in Bombay, and that was why she came Calcutta. At the age of fourteen she understood that a red light area would be her only home. She still works in the same red-light area in the mornings, practising elsewhere in the afternoons, sharing a room and working in the *aadhiyari* system. She earns Rs. 50 to 100 a day.

The survey of *Sanlaap* estimated that roughly 100,000 to 160,000 Nepalese girls and women are working as sex workers in all over India. Roughly 20% of them are estimated to be under twenty years of age, with 30% abducted under the pretext of marriage or jobs. Five thousands to seven thousands young Nepalese girls are said to be trafficked every year to various parts of the country. Many of these Nepalese women who are brought to Calcutta will have first come to Sonaganchhi or Kidderpore and later move to other red-light areas. Studies on trafficking from Nepal to India have specifically mentioned the open border between the two countries as a major factor facilitating trafficking of women. Nepalese and Indians do not need visas to cross the border between the two countries.

### **Khalpara - the biggest red light area in North Bengal :**

The red light zone of Siliguri is situated within Siliguri corporation area, the locality is known as Khalpara. The ward number is seven. Approximately 300 - 350 sex workers are residing in Khalpara. Previously the area was called Ghoshpara. Those Ghoshes left the place. Some of them sold and others gave their houses into rent.

In the period of 1960s, the entire area was surrounded by pools. The *sanko* (bridge / culvert) was the only way for communication. The area was not so much extended as it is today. Now the area extended from the Jhankarmore to Alupattimore. On the other

part, it is extended from the road opposite of Anandaloke Cinema hall to the Swastika Club. The pros-quarters are made along the side of the Vivekananda road. The inmates of this are use roads through Dangipara, Buchrapatti and the roads in front of Rajendra Prasad Girls High School. The total red light area of Khalpara is under the jurisdiction of the Siliguri corporation. Still the locality is known as *Nisidhhapally* i.e. prohibited zone.

The survey could not be materialized without the wholehearted co-operation and support of the NGO (*Durbar Mahila Samanway Committee*) working in Khalpara red light area. More or less there are now hundred houses or pros-quarters in Khalpara. According to the co-ordinator of DMSC, now there are nearly four hundred sex workers who are permanent residents of Khalpara. They are called *Chhukri* in the local language. This figure is being increased very naturally in the season of festivals like pujas and the very famous *Baisakhi mela* (fair in Bengali month of *Baisakh*) in Siliguri. Flying sex business is being gradually increased in this town. The spots in Siliguri from where the prostitutes and brokers find the customers are : Meghdut cinema hall at Hill Cart Road, Payel cinema hall at Sevoke Road, Salugara Market, Sukna *Bazar* (Market), BSF Cantonments area near Siliguri, Madhuban, Siliguri junction area, Mallaguri More, Darjeeling More, Gurungbasti More, NJP Railway Station, Venus More, Jhankar More, Karbala Moidan area, Jalpai-More, Airview Bus Stand, Gurungbasti More, Pradhan Nagar area, Champasari Road, Fulbari Truck Stand, Matigara Truck Stand, Khaprail More, Bihar More at Bagdogra, Susrutnagar near North Bengal Medical College, Baribhasa area, Eastern By-pass Highway, Jaleswari *Bazar*, Ashigharh More, P.C. Mittal Bus Stand or previously known as Dooars Bus Stand, Baikunthapur Forest, Tenjing Norge Bus Turminous. The following informations are collected from the surveys at the red light area of Khalpara in several times.

#### ***Adhiyari* Business :**

*Adhiyari* Business is very popular in Khalpara. One kind of stool is sold there at Rs. 200 - 250. *Morah* i.e a wicker stool to sit or stand to attract the attention of customers. So it may be said the purchase value of the space is Rs. 200 - 250. The *masis* or the owner of the rent houses sell this *Morah*. The *Chhukris* who live inside the narrow lane,

they come to the front side, sit on the stool and wait for their customers. They are to wait on gate looking for their customers. They are used to stand at gate around 4 p.m in afternoon. Their make up and dresses generally very loud so as to draw the attention of the customers.

### **Accommodation :**

The accommodation of the prostitutes is not good and hygienic. The inmates of this area are facing various problems. They have sanitary problem. The lanes inside the brothel area are narrow. The drains are not covered, with full of dirty water and garbage. The small pros-quarters are stuffy for living. The doors, windows are dense for passing air and light. Though electricity and tube wells for drinking water supply from Siliguri Corporation is available. In rainy season, the narrow lanes inside the colony go under the rain water.

### **Daily Life :**

The daily life of the prostitutes is hectic. Through the entire morning the women at red light area spent a very normal life like the ordinary house wife with their domestic works. From the early morning they become busy to maintain their domestic life. Much of them keep special look to maintain their house and children. Some of them are very neat and clean also. They sweep the rooms and courtyard, do cooking, wash clothes, utensils, prepare children for school. Sometime they enjoy their leisure gossiping their group sitting at the end of their daily work. They also enjoy T.V. (Television) serials, Hindi movies, songs, ludo, cards and other indoor games. Some of these women possess noticeable skill in weaving, embroidery etc. Generally the girls come to market for purchase of their necessities in a group but certainly back their quarters before evening as it is their time of *dhandra* (business).

### **Pros-quarters :**

Pros-quarters are not well furnished. As it is mentioned the rooms are stuffy with a few plastic or wooden furnitures. Cot, bed, dressing table, dressing stand, rack, almirah showcase, chair, table, portable television set, tape recorder, radio etc. are common.

Showing all these things in her room, a woman said, her condition is far better comparatively to a domestic maid servant during the interview was going on with the present writer.<sup>26</sup>

### **Religious Belief :**

It has been seen the religious belief of the prostitutes is very strong. The sex workers of Khalpara are still standing on their traditional belief. The photos of hindu god, goddess (like - *Durga, Kali, Ganesh, Laxmi, Shiva, Hanuman*), picture of mosque in *Makka* are seen in their rooms (see Appendix F, p. XXXI). Not only the Hindus but also Christian (mainly the tribal girls), Muslim, Budhhist (the Nepali girls) are living there. They have a great devotion and respect for god and religious rituals. *Kartick puja* is considered as their own festival. A festive look is seen at the celebration of *Kartick puja* in the entire locality. There are two houses where *Kali puja* is celebrated with huge grandeur. They enjoy *Diwali* with crackers. *Manasa puja* is also popular in few houses. Even they observe *sanjam* before the day of *Manasa puja*. On the days of religious festivals in their house they do not engage in business.

### **Background Story :**

More or less the background story of the women in Khalpara is common. Mainly the girls of this area, have come from poor families of the remote villages, mofussil area. Financial crisis, poverty forced them to move in this business. Many of them have come in this profession not directly. They were appointed as maidservant, in the houses. Somehow they were exploited there or sometimes the male people of the houses cast sinister look on them. Few of them were raped by the owner of house. And the civil society denied to give them any shelter. Ultimately the pros-quarters became their shelter.

Occasionally the innocent girls fall into the trap of their false lovers. The seducer boy enjoys few days with the girl and when she conceives the lover flees. Here it can be mentioned that the ancient scripture recognized the illicit sons.<sup>27</sup> But the present society do not accept the illicit child. However, when the girl becomes pregnant she is left alone in this indifferent society. The red light area at Khalpara, becomes her final

destination. Very often the drunken and lascivious husband sells his wife in the brothel. We get literary reference Bengali novel like '*Uttarfalguni*' which was also picturised.

Some times some girls from poor family to give relief to their parents, came to the city in order to earn some money. Such girls are fascinated by ideas that there are many scope to get job in the flourishing city of Siliguri. But Siliguri could not give them security as well as could not protect their sanctity. Slowly and deleteriously they sank down into the dark world.

There are many girls in Khalpara who left their home willingly. The obstinate and indomitable girls who could not adjust with their family flee from home. They have taken shelter in Khalpara. Many of them wanted to earn huge money within a short time. They know that the prostitution is the easiest way to earn money for women and it is practiced from the long past.

There are few girls whose families have migrated from Bangladesh. Many of them were sold out in the border area to the brokers. Some of them have lost their family and been taken into red light area. In one case it is found that some women are missing from a group of mason working in Siliguri.<sup>28</sup>

Sometime the bitter relation within the family or misbehavior from step-mother drag the minor girls to this immoral line.

### **Other Business :**

The surveys also revealed that now-a-days the sex workers do not depend on prostitution only. They have link with other business like smuggling. They smuggle cocaine, opium, drugs, brown sugar, betel nut, etc. They brew wine and other intoxicants.<sup>29</sup> The *masis* are also engaged in this brewing. They smuggle these items from Kakarbhitta, the border area of Nepal. Very often they are entangled in police case. But they are able to free them from this type of problem. It seems that they have good connection with persons of different capacities in the administration.

### ***Mahzani System :***

A survey was undertaken in the red light area in Siliguri. From the interviews with the sex workers, the present scholar came to know some important system and practice of sex trade prevalent in the area. It is known from some persons, well aware of the situation in the area that there prevails *Mahazani* system in the locality. The *mahazans* practice usury. Sometimes the girls take loan from *mahazans* for which they are to pay interest in high rate. It is called *Mahazani* system. So it can be stated that poor girls are exploited at different levels of their works.

### **Customers :**

There are 50-70 customers in red light area at Khalpara, who are the permanent citizen of Siliguri. Government, non government job holders, reputed businessmen are the permanent *babu* of Khalpara red light area. In the season of festivals, the figure of regular customers is increased. At the time of *puja, holi, mela* (festivals) the outsiders come to Siliguri. They come every year. Gradually they become familiar in this area. The young boys of reputed family in Siliguri and adjacent of Siliguri are well known as regular customer in Khalpara.

### **Slip System :**

As it is already mentioned frequent robbery and snatching in red light area become a cause of headache to the customers. For this reason the regular customers do not carry a huge amount of money with them. They introduces slip system to give the payment to sex workers. The *bharuas* collect the money from customers by showing the slips on behalf of the sex workers.

### **Flying Sex Business :**

Now the flying sex business is increasing by leaps and bounds in Siliguri town. The well known hotels on Hill Cart Road and Sevoke Road and different prominent points near Bagrakote, Matigara Truck Stand, Fulbari Truck Stand, Siliguri Junction Area, hotels, lodges, guest houses near Pradhannagar, Pati Colony, Shantinagar are marked for flying business. According to the opinion of the sex workers the police harassment, the

oppression of brokers, *masis* and *mahazans* force the girls to shift their business from the red light area. And that is why they incline to flying business. The business in hotels has been started nearly from the end of nineties. The house wife belongs to reputed family, students of ladies hostels are involved in flying business. They hanker after money for their pocket money. Some of the rent flats, beauty parlours, spa and body massage parlours in Siliguri are the centres of flying business. Frequently the police raid on these parlours, hotels. The police arrest the accused. After the raid the flying business are postponed for few days. But while the police and administration get busy into another matter, they continue the flying business. The growing state of flying business due to some difficulties mentioned above is a marked feature of the profession now in the city.

### **Surveys in Truck Stands :**

The surveys in Truck Stands were very fruitful to explore another side of prostitution of this area. Two important truck stands in Siliguri is situated at Matigara and Fulbari. The trucks come at these stands from Uttar Pradesh, Bihar, Punjab, Hariyana, Rajasthan, Gujrat and even from Bangladesh. The destination of these long distance vehicles are Assam, Cooch Behar, Jalpaiguri, Arunachal Pradesh, Tripura etc. These trucks are basically loaded with bamboo, tobacco, cane, chemical items, cement, medicine, rice, wheat, petro-chemical goods, and raw materials for various industries. The line hotels and *dhawas* are being mushroomed on the route. The truck drivers and *khalasis* (assistant of driver) take rest at that *dhawas*. The food and lodging system of these line hotels are not bad. The customers are also supplied other items for their entertainment. The prostitutes maintain good contact with the owners of line hotels, *dhawas* and petrol pumps. This is another reason for the increasing growth of this profession. From the quarries made to the drivers, coming from outside the state, it appears they have some knowledge about venereal diseases and Aids. They were much reluctant to cooperate the author.<sup>30</sup>

An interview with a truck driver from Gurgaon in Hariyana, gives the information that some times these peoples come into contact with the sex working girls and the reason behind is their long detachment from their conjugal life.

The owners of the nearby line hotels and *dhawas* of the truck stands at first denied the flying business in that area. But gradually they confessed. They accepted that they were forced to stop the business after the police raid. They agreed that this business get much boom from the flying business of prostitutions.

### **Trafficking Areas :**

The remote village, moffusil, localities detached from the towns of Meghalaya, Khasia, Nepal, Kankarbhita, Assam, Bangladesh, Cooch Behar, Bihar are the trafficking areas from where the girls come in the red light area of Siliguri. The main sexual exploitation issue in Nepal is the trafficking of girls to India. The open border between the two countries makes it difficult to monitor the movements. It is also stated that because of corruption, official assistance is given to the sale and the trafficking of young girls. In most accounts Bombay is given as the main destination. The international trade routes most frequently mentioned are from Nepal and Bangladesh to India and from India and Pakistan to the gulf countries.

### **Daughters of Prostitutes' :**

History tells us that once the prostitutes prefer female child to son as the daughter can continue her mother's profession. To obtain this profession the daughters of prostitute were trained from their childhood. The mother used to take special care for her health and beauty. Very often the mother choose the client, fix the meeting, collect the money from the customer; even the mother used to protect her daughter from oppression of brokers. The mother was reluctant to give her daughter in marriage. The daughter was learned that marriage, husband, children, love, family life was forbidden for them. Actually their mothers wanted to spend her old age being dependent upon their daughter.

But the most important fact is that, now-a-days the view has been changed. Now the sex workers do not want to drag their daughters in this flesh trade. They send their daughters to school. The girls of this area go to Rajendra Prasad Girls High School, Hindi Girls High School as their brothers also go to Hindi Boys High School,

Krishnamaya High School and so on. But exceptionally some girls willingly accept their mother's profession.

There are some proud mother in red light area who have given their daughters in marriage. Those married girls are happy with their husband and relatives. The mothers also maintain good relation with their son-in-law and their relatives. All these reportings are available from the workers of DMSC as well as from the women of Khalpara red light area.

There may be some exaggeration in their statements but all the information suggest that women of this localities don't want to accept their fate as inevitable destiny, rather they want to come out of this deplorable situation. They are ready to fight and ensure a dignified life of certainty to their daughters. With this end in view they try their best for their educations and other trainings for upliftment.

### **Problems :**

Surveys reveal that the inmates of red light area are suffering from various problems. Some residents of Borapotti and few young boys of ward no. 6 frequently attack on pros-quarters. They suddenly make raids on them and harass the girls. They demand for money and forcefully collect *hapta*. The girls protest and complain to the police; but the police do not take any step. Police interference is the another vital problem in this area. Police also frequently raid in red light area; harass the girls as well as the customers. The women complain to the police for their problems. But the indifferences of government as well as the local administration is a major obstacle in this field.

### **Contribution :**

If we look back to ancient past, we see the contribution and dedication of the prostitutes. They constructed temples, pillars, inns, wells, planted trees beside road, helped the poor people, pregnant mother and so on. These benevolent activities of the *ganikas* are not limited to the ancient period only. The workers of this profession, we get instance never ceased to show their generosity and benevolent attitude even in the later years. Similar instance may be collected from the history of the women of

Khalpara. Their religious feeling is very much strong. The survey reveals that the sex workers contributed a large amount as a donation for making the *Hari Mandir* (temple of god *Hari*) on Vivekananda road. But it is the misfortune of these sex workers and their children they are deprived from entering into the temple and taking *prasad* (food offering to a deity). It seems that the common people with common middleclass values do not favour their free access to this temple.

It is heard that in 1945-46, when the scattered sex workers of Siliguri did not start to live in an organized sector at Khalpara, they donated their income to arrange the function for bard-poet *Mukunda Das*.<sup>31</sup>

## **JALPAIGURI :**

### **Situation of prostitution in Colonial Jalpaiguri :**

It is already mentioned that Jalpaiguri had been the head quarters of the *Raikot* family since the second decade of 18th century. The *Raikots* celebrated some festivals with grandeur. In '*Himalayan Journal*' Sir Joseph Dalton Hocker described the *holi* festival (festival of colours) at the royal palace of the Raikot. At evening on 8th March, 1849, Hocker entered the palace to celebrate *holi*. The fair on that occasion seems a big market to Hocker. The entire field was covered with canopy. The professional female singers and dancers were performing. Dust covering the field. Musicians accompanied the dancers. Hocker did not like all those but he observed the people encouraging the dancers.<sup>32</sup>

At the festival of Durga puja, the female dancers came to the royal palace from different parts of the country. Popularly the dancers were called *Khemtawali*. *Gaurangini Dasi*, *Sailabala*, *Bodiujjumar* - all those came from Natore. The *ostad* (teacher) also came with them. *Khemtanaach*<sup>33</sup> was very popular at that time. The whole day the dancers passed sleeping as they had to perform the whole night. On the occasion of royal marriage the '*Khemtaoyali*' namely *Giribala*, *Binodini* came from Rajsahi with musician Kanai Das. The prostitutes of Dinbazar came under the leadership of *Khiroburi Kasabi* who was also a prostitute.<sup>34</sup> They also took part in singing and dancing. In 1917

‘*Sangeet Samaj*’ established at Jagadindradeb *Raikot*’s room in Raikotpara, formerly which was known as ‘*Jalsaghar*’.<sup>35</sup> The *baijis* performed in *Jalsaghar*.

During the festival of *Punnyah*<sup>36</sup> a group of *khemtawalis* came from Rangpur. The leaders of that group were *Hemantabala Dharmami* and *Nagendrabala Khemtawali*. The name of their *ostad* was Jadunath Bhowmik. Three *khemtawalis* namely *Badiujjama*, *Subhashini*, *Golapbala* came from Dinbahar. *Ustad* Taher Ali Md. played with them at the time of their performance.

A list of expenses of *Raikots* on *Khemta* dance and other amusement had been collected from the royal account book of *Raikots*<sup>37</sup>. They paid 86 *taka* (Rs.) for transport, food and *khemtawali* who came from Rangpur. They purchased one bottle wine at 2 Rs. The *azura* of *khemtawalis* of Dinbazar was Rs. 20.

In 1354 (Bengali year) the total expenses for ‘*Khemta*’ dance was Rs. 300 out of Rs. 375 and 4 *Ana* which was the total *Punnyah* expenses.

The prostitutes started to come to Jalpaiguri from the period of Barnish Saheb. According to Abdur Rohim (the witness of case no. 16, 1903) the term ‘*Khoriya*’ means town. There were two *Khoriyas*, namely - *Nagar Khoriya* and *Taluk Khoriya*. The present prostitutes’ area was situated in *Taluk Khoriya*, the north western part of Dinbazar. At first the prostitutes lived in Kaiyapotti. King Jogendradeb (1865-78) established Kaiyapotti where the Marwari merchants settled down. Later it was shifted to Dinbazar.<sup>38</sup>

Polygamy was practiced by the *Raikots*. In social marriage ‘*Sahachari*’ (female companion) was given with bride. An unmarried woman or ‘*Sahachari*’ is brought by the *Raja* and kept in the baren as his wife. No ceremony is performed in this marriage. They women were called ‘*Kanya-patri*’. Similarly a widow is brought by the *Raja* and kept her as his wife. The widows were called ‘*Danguya*’ at those days. After marriage in royal family, they became ‘*Dasiraani*’. Dhaneswari, Poromesari, Nayanawari were *Dasirani* of king Rajrajendreddeb. *Dasirani* Duleswari’s nick name was Dhulfi. The *Rajas* and other members did not take any food touched by them except water. We find the reference of another lower graded women ‘*Khaskirani*’, who were paid *Masohara*. Sarbodeb Raikot was attracted by the beauty of Jamuna, who was a daughter of poor

milkman. Her father's name was Baisagu and mother's name was Masani. The king purchased Jamuna from the fair of Tetuliya at Rs. 10. After *gandharba* marriage Jamuna was regarded as '*Khaskirani*' of Sarbodeb Raikot. Makarandadeb was their son. Dewan Durgadeb was the son of Raja Sarbodeb and Sarbeswari. It is mentionable here that Sarbeswari formerly was a dancer. As Durgadaeb was a dancer's child, could not claim for throne. Bibosadi, mother of Rajrajendradeb, was unmarried. She was considered as '*Sahachari*' or '*Khanki*' or '*Dasi*'.<sup>39</sup> The *Raikot* used to keep women as '*Rakshita*' (kept). Their children were considered as '*Kachhuya*'. '*Rakshitas*' were given some property, land in exchange of sexual relation.<sup>40</sup>

From 1857, after the establishment of British cantonment the British soldiers as well as civilian started to come to Jalpaiguri without their family. In such a mosquito, malaria and jungle oriented area like Jalpaiguri, the British employees felt lonely and hankered after entertainment and sexual flavour. Khan Chowdhuri Amanat Ullah stated the custom of women selling in Baikunthapur.<sup>41</sup> Women were sent to Bhutan, Eastern Assam, South Bengal for this purpose. Women were sold at local fair and *haat* such as Jalpesh, Tetuliya. In every year at Banskata fair in Patgram (now in Bangladesh), the prostitutes used to gather. People indulged gambling and prostitution.

In 1932, a voluntary group of congress started movement to stop prostitution and other immoral activities under the leadership of Keshab Dutta, the famous peasant leader of Patgram. The fair organizing committee called the police. Police came and fired. One of the member of voluntary group had died.

Similarly Debananda Roy of Bhitorgarh should be remembered in this context. He was posted in a forest bit. In 1932, he left his job and engaged himself in congress movement. He used to ride on a pony. Debananda collected voluntary members from villages<sup>42</sup> in order to stop prostitution, gambling etc.

Mr. H. B. Erorkar, the Superintendent of Bauxa Dooars Tea Company had established a *Kali Mandir* (temple of goddess Kali) at Hamiltonganj in the market area of Kalchini almost in the decade of thirties. In each year, at the time of *Kali puja*, the organizer

arranged a fair. *Baijinaach*, *Khemtanaach*, gambling all the source of amusements were available at that fair in *Diwali*. The garden remained closed for those days.<sup>43</sup>

At Moraghat tea garden the poor labourers sold their daughter for money.<sup>44</sup> '*Koina Becha*' prevailed in this district. The girls were sold at '*Ek Kuri Taka*' i.e. Rs 20 may be the people are still carrying features of the whites begotten from biological meet of Indian female and white male. Historically, inter-racial relationships in India were, ....., essentially sexual in nature, involving, miscegenation between white man and Indian wife or '*bibi*'.<sup>45</sup>

The *arkanthis* playing the role of pimp in tea gardens. The *arkanthis* tried to allure the innocent tribal of Santalpargana and Chhotonagpur with false hope of prosperity and happy life in the tea producing places. How the picturesque description of the *arakanthis* created allurements in people's mind about Bhutan, may be understood from a popular folk rhyme :

*'Ayo baba gali delay*

*Chalu bhatu nikel jang*

*Bhotang raije kire bhatu*

*Nana kisim kam.....'*<sup>46</sup>

Being rebuked by parents a girl was thinking that she would go to Bhutan with her elder brother-in-law because there was scope of various types of jobs (free translation). Next, we find that the girls in course of time has become popular for her physical beauty in her garden society. She has changed a lot in the new environment. This is nicely depicted in the following :

*'Koriyati patar chhudi*

*Dharame slip saree*

*Gore hawai chappal*

*Dhada patar chhati chakar.'*<sup>47</sup>

It means, the black girl is slim in body and wearing a slippy (synthetic) shari, and putting on hawai slipper. She is narrow wasted and blosomy (free translation).

This shift in her appearance in fact hints the reality of tribal women's ultimate fate of sexual exploitation which often takes place in the garden life. The women coolies were source of physical pleasure of the gardeners and the brokers as well. Specially birth of a beautiful girl in coolie *basti* (slum) considered as a curse.

The moral character of the gardeners and their managers was worst. The song composed by Hemanga Biswas how rudely they hit by throwing bottle in drunk :

*'Chirip chiripke bagichar chaa-haabat*

*Chorap khai pelale chichi.'*<sup>48</sup>

In this respect two parts from '*Kulokahini*' by Ramkumar Vidyaratna is mentioned :

"Shouting as brandi brandi, shampen shampen the Sahebs entered into the assemble hall. Dinner was already served for gentlemen. Some of them joined dinner, others still drinking in standing posture, or kicked the servants to show up their strength, breaking the plates and glasses, throwing food elsewhere, shouting meaninglessly ..... Some of them slept on the chair or top of the table ..... Thus their Christmas party ended. Who had a little sense, they returned by calling bogi (horse carriage or any other vehicle).'

'Kritartha is now fully young, beautiful. Nobody can't help to love her. One day she was working and *Saheb* saw her. Having seen her *Saheb* tried to provoke Kritartha. But he did not get success ..... Then *Saheb* ordered no one can stay unmarried among the coolies within garden and who would not obey his order should be punished ..... *Saheb* advised his beloved *sardar* Radhu to get marry with Armoni's daughter Kritartha. *Saheb* also promised to carry all the expenses including marriage. Radhu was said to keep Kritartha in his bungalow. After marriage Radhu would be given Rs. 20 as his award. Even *Saheb* bribed him with Rs. 10 when their conversation was going on.'

"The women of those colonies where the coolies lived, were treated as sex commodity by the *Saheb*. The birth of beautiful girl in colony seemed as a disaster to

their parents. As it has been already mentioned the accommodation of the coolies was very poor and in-hygienic and inleced as well. The *chaukidars* kept watch on them. The number of girls decreasing in the colonies as they were the victim of sexual exploitation of the gardeners. But the account of *chaukidars* was always correct and they used to say '*sab thik hai*' i.e. everything was fine."<sup>49</sup>

To protect the young generation from adultery and the others bad habits *Arya Natta Samaj* was established in Jalpaiguri town. In a conversation with Ananda Gopal Ghosh and the present writer, Ghosh has mentioned *Arya Natta Samaj* was booked for Star Theatre of Kolkata in 1928. But the booking was cancelled as the prostitutes were going to play there. Finally they performed at Beguntary near Sona Ullah School under awning.<sup>50</sup>

Samaresh Majumder in his childhood memory namely '*Ghore Fera*' (in Bengali), has referred Dinbazar red light area as '*Kharap Para*'. He reminiscenced, one day he entered that area through Kamarpara accompanied with his childhood friends. He observed at evening the girls were standing and waiting for something. Having seen the troop of young boys one of them called : '*Khokara, pockete taka thakle chole eso*' (boys, if you have money in pockets, come ahead). The group of friends paddled their cycles fast and crossed the area.<sup>51</sup>

It has been documented that the prostitutes of Dinbazar contributed to India's freedom movement. Deshbandhu Chittaranjan Das and Mahatma Gandhi came to Jalpaiguri on 29th May, 1920 and 14th June, 1925 respectively. They addressed to the people of Jalpaiguri at the field of royal palace of *Raikots*. The prostitutes gave them one guinea (gold coin), two bunches of money and rice.<sup>52</sup>

### **Prostitution in Post - Colonial Jalpaiguri :**

According to D. S. P. Crime, Jalpaiguri, there are three **red light areas** in this district - **Dinbajar at Jalpaiguri, Samajpara at Alipurduar and Mosolapotti at Falakata.**<sup>53</sup> Dinbazar is the busiest locality in Jalpaiguri town, in the Ward no. is 4 of the Jalpaiguri Municipality. Like any other border area, Dinbazar also faces the cross border trafficking and prostitution. Nearly one hundred sex workers are living in the narrow lane of

Dinbazar, which is known as Tinkunia More. Most of the prostitutes in Dinbazar are second generation prostitutes. The ratio of Child prostitute at Dinbazar is comparatively low to other brothels. Almost half of the workers at Dinbazar are within the age group of sixteen to eighteen years. Most interesting feature is that, BSF and police are major clients in this area. Nearly one fourth of the sex workers of Dinbazar, are suffering from gynaecological diseases. The picture of the brothels are as usual clumsy and narrow. Most of the houses are emaciated. There are also few two-storied old buildings. The owners of these buildings have given their houses in rent.

A list of house tax (last fifty years) paid by the owners of Dinbazar red light area is given here<sup>54</sup>:

**Table No. 4:4**

Quarterly Outstanding List of Taxes of the Holdings at Dinbazar Red Light Area (up to March, 2013).

NAME	HOLDING NO	RS. QUARTERLY
Alokabala Dasi	1/218	500.00
Tiyabala Dasi	5/236	108.00
Jonakibala Dasi	6/239	240.00
Usharani Dey	8/242	108.00
Anima Sarkar	10/246	218.00
Bela Das	12/241	64.00
Nilu Karmakar	14/217	100.00
Sakuntala Das Pradhan	15/233	164.00
Manu Sarkar	17/235	116.00
Radharani Ghosh	16/232	57.00
Saraswati Saha	20/229	91.00
Hena Das	23/225	241.00
Sumati Saha	20/A/229	59.00
Doli Roy	22/230	66.00

Sheela Bose	25/225	210.00
Jyotsna Barman	26/224	117.00

**Source : Tax Records, Jalpaiguri Municipality**

### Case Study :

The survey by the present writer giving the details of **Swapna Singh** (40 years old) came from Changrabandha (in Cooch Behar). Her native land is Dinhata. Fallen in love with a Punjabi, she came to Dinbazar. Later her babu left Swapna with their son. Swapna has sent her son to Medinipur. She is to send Rs. 7000 in each month as her son has been studying at Royal Academy, a reputed English medium school. Swapna is carrying out prostitution from her rented house in Dinbazar. She did not make her own house.

**Sadhana Ghosh** (45 years old) and her mother Sandhya Ghosh (70 years) both are living in Dinbazar. Sandhya's *babu* was Sambhu Ghosh. Sadhana is Sambhu's daughter. They came from Falakata. For few years they stayed at Khalpara in Siliguri. Sadhana's daughter is married and living at Ghogomali in Siliguri. She said her business is not going well, as the young girls attract the clients. She is suffering with her sick and old mother. They do not get any government and administrative help.

**Mamata** (30 years old) has come from Bakshirhat (Cooch Behar). According to her flying business is not prevailed in that area. She has referred the incidence of pimp murder in Dinbazar. A girl committed suicide at the house of Tiya *masi*. Pinky, a teenager hanged at the house of Saraswati's house. No investigation was launched for this case.<sup>55</sup> There was an evidence of murder of a police in red light area at Alipurduar.<sup>56</sup>

Though the present counsellor of red light area, Jayprakash Sha (popularly known as potuya) said *Bridhha-vata* (old age allowance) for some old prostitutes is being started. Voter cards and ration cards issued for some women of red light area. Crimes like murder, theft, robbery are comparatively less in these brothels. At the mid of *Baisakh* (Bengali Month) the prostitutes collect fund and organize *Kali puja*. They celebrate *Kartick puja* delightfully.

Someone known as Bengi *masi* was very famous in Dinbazar. She had no issue. She left her profession and house. Now she is living at *Anukul Thakur's Ashram* (hermitage) in Berhampur. Bengi *masi* was well known to all, as her name was mentioned repeatedly by different people from police station, Municipality and counsellor's office during the survey was going on by the present scholar. Once, registration of the prostitutes to Jalpaiguri *Kotowali Thana* was mandatory.

Besides Dinbazar, a few pros-quarters are scattered adjacent to Jalpaiguri railway station. Flying business is also going on at the hotels, resorts of Jalpaiguri. Railway Junction Station in Alipurduar is considered as red light area. Prostitution is practiced in Falakata also.

### **COOCH BEHAR :**

Cooch Behar was the only native state in Bengal. So its situation had some distinctive characteristic features in several aspects. The institution of *devdasi* in fact was patronized by the rulers of Cooch Behar and it is known that the Koch king Naranarayana while inaugurating the temple of Kamakhya in 1550 after its renovation, dedicated girls as *devdasis* to the temple. This indicates temple prostitution was practiced in Koch dynasty.

### **Prostitution in Colonial Cooch Behar :**

In 1809, Dr. Bukanon Hamilton reached at the Kamtapur debris from Rangpur. He noticed a small brick built house near the famous '*Volanather Dighi*' (pond). The pond is situated at **Shitolkuchi**. It was also popularly called '*Haribola Haater Dighi*'. It is heard that the house was a muslim construction. **Baiji Lalbai** lived at that house. She was patronized by the army commander of *Hussain Shah*. Probably the commander attacked Kamtapur from this place. Local people called Lalbai's residence as *Bhulkabhulki*. Nearby market is also called Lalbazar.<sup>57</sup>

Reba Roy, a communist worker had written, due to the famine in Rangpur (1350 BE), the girls from Singamari Devalay, Dojore and Kholarpar of Kathalbari union in Kurigram left their villages and adopted prostitution.<sup>58</sup>

The view of Dr. K. D. Ghosh (the Officiating of Rangpur) was that : ‘It is possible for a Mohammedan prostitute to marry and enter the *Zenanh* again or to live with a man as his wife. .... A Hindu woman who goes astray once is never again received back into society nor is marriageable according to the Hindu Shastras (scriptures).’<sup>59</sup> It acted as a source of supply when widows were seduced from the *Zenanahs*<sup>60</sup> and were compelled to take up the profession when left after being seduced.

How much Prostitution was pervasive in Cooch Behar, is reflected in the following data :

**Table No. 4:5**

List of Persons sold in Cooch Behar From 1256 to 1269 (in Bengali Calender)<sup>61</sup>:

Date of Sale	Sellers	Sold Persons	Sold by Whom	Purchaser	Price
23rd Ashar 1256.	Kaltu Noshya <sup>62</sup> Of Behar.	Bisho (16 yrs old).	Husband	<b>Manjurani</b> (Prostitute).	Naraianee <sup>63</sup> Rs. 20.
25 <sup>th</sup> Baisakh, 1257.	Bhul Noshya Of Gudam Maharaniganj.	Kanto Bewa <sup>64</sup> (16 yrs old).	Husband	<b>Piyari</b> (Prostitute).	Naraianee Rs. 45.
27 <sup>th</sup> Bhadra 1257.	Akhil Noshya Of Kalidoher Jebrabari.	Bhutkini (6/7yrs old).	Father	<b>Tarokeswari</b> (Prostitute).	Naraianee Rs. 16.
14th Aswin 1257.	Mutiya Noshya.	Alta (15/16yrs Old).	Husband	<b>Krishnamoni</b> (Prostitute).	Naraianee Rs. 25.
15th Aswin 1257.	Dulal Das Of Dauyaguri.	Haurani (7 yrs old).	Father	Shivkumar (Pimp).	Naraianee Rs. 13.
10th Bhadra	Nalita of Behar	Nalita (Prostitute).	Self	<b>Dhun</b>	Naraianee Rs. 17

1258 .				(Prostitute).	Ana. 8.
21st Ashar 1258.	Hawda Noshya of Patakura of Capital Cooch Behar.	Kaduri (4 yrs old).	Father	<b>Joumoni</b> (Prostitute).	Naraianee Rs. 20.
15th Baisakh 1258.	Pancham Bewa of Kaliburighat.	Pancham Bewa (22yrs old).	Self	<b>Gauri</b> (Prostitute).	Naraianee Rs. 15.
13th Bhadra 1258.	Suryamoni Of Deviganj.	Son (7 yrs old).	Father	Besho (Pimp).	
Month of Ashar 1269.	Birendu Noshya of Patcura in Cooch Behar.	Budo (11 yrs old).	Husband	<b>Chuni</b> (Prostitute).	Company's Rs. 67.
28th Ashar 1269.	Baji Md. Noshya of Kharimala Khagrabari.	Furkun	Husband	<b>Suryamoni</b> (Prostitute).	Company's Rs. 60.
11th Magh 1269.	Nuji Nasya Of Village Kuchni.	Gunomoni	Husband	<b>Tulsi</b> (Prostitute).	Naraianee Rs. 60.

**Source : Swapan Kr. Roy, Manush Kenabechar Bazar : Prachin Coochbeharer Haat in Bhowaniganj**

Bhowaneegunge was the Government registered market for selling and buying of men - women.

**Table No. 4:6**

LIST OF PERSONS SOLD TILL FALGOON 1270 B.S. IN HAT BHOWANEEGUNGE, NIJ BEHAR, DTD. JOYET (JAISHTHA, BENGALI MONTH) 1271 B.S.:

DATE OF SALE	NAMES OF PERSONS WHO SOLD, TOGETHER WITH THE NAMES OF THEIR SELLERS	NAME OF PURCHASERS AND THEIR RESIDENCE	PRICE	NARAINEE	
				Ana.	Paise
			Rs.		
B.S. CHEYT 1270.	Dulee Noshya, of Fusaldanga, sold his Wife, Mussamat Gool.	<b>Gonesh,</b> Prostitute of Behar.	40	0	0
4TH JOYET 1271.	Fuleth Noshya, of Bhowaneegunge, sold his wife, Mussamut Beelatee.	<b>Rajesshury,</b> Ditto.	32	0	0
6TH JOYET 1271.	Baharoo Noshya, of Naka Shib Baree, Hat Bhowaneegung, sold his wife, Mussamut Pagbealias Manjun.	<b>Bhendee,</b> Ditto.	65	0	0
9TH JOYET 1271.	Kadir Noshya and his wife Hebo Bewa of Abootera, sold their daughter Kanchee.	<b>Vookhutre</b> Ditto.	26	0	0

16TH BYSAC 1271.	Chooko Bewa sold her daughter Kokila.	<b>Goonomy,</b> Ditto.	43	0	0
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(Sd) My Khai Sanjwal

**Source : Judicial, June 1864, Prog No. 140**

**Table No. 4:7**

REGISTER OF PRIVATE SALE DEEDS OF MEN IN THE DEWANY ADAWLUT OF  
NIJ BEHAR FROM 1856 TO 1870 B.S :

REGISTER NUMBER	DATE OF REGISTRATION	NAME AND RESIDENCE OF SELLER	NAME AND RESIDENCE OF PURCHASER	REMARKS
1.	23rd Assar, 1256.	Kaltoo Noshya, at Present residing Behar.	Moonjure, Prostitute.	1 Bisho aged sixteen years, was sold by her husband at Narainee Rupees 20.
11.	25th Bysack, 1257.	Kanto Bewa of Goodam.	Pearee, Ditto.	1 Kanto Bewa aged sixteen years, sold herself according to the permission of her husband Bhool Noshya, at Narainee Rupees 45.

20.	27th Bhadro 1257.	Akil Noshya, Of Jebra Baree, Kawali Doho.	Tarukessury, Ditto.	1 Bhootkinee aged six or seven yrs, was sold by her father at Rs. 16 Narainee.
21.	14th Assin 1257.	Mutea Noshya.	Kishen Monee Ditto.	1 Alta was sold at the age of fifteen or sixteen years by her husband at Narainee Rupees 25.
22.	15th Assin 1257.	Doolal Dass Of Davagooree.	Shib Coomar, Ditto.	1 Haooranee, aged seven years, was sold at Narainee Rupees 13.
1.	15th Bysak, 1258.	Puncham Bewa of Kala Burear Ghat.	Gouree Ditto.	1 Woman aged twenty two years, sold herself at Narainee Rupees 15.
2.	29th Bysak 1258.	Bhendri, of Kooleedanga.	Chand Coomaree, Ditto.	1 sold his daughter Agni seven years at Narainee Rupees 30-8.
5.	15th Srabun 1258.	Prem Kumar Bewa of Behar.	Phool Kumaree, Ditto.	1 Harooranee, aged seven or eight years was sold by her mother at Narainee Rupees 35.
7.	19th Srabun 1258.	Haoranee Bewa of Borai Baree.	Bhallo Ditto.	1 Sorisa, aged eight years was sold by her mother at Narainee Rupees 15.

12.	10th Bhadro 1258.	Nuleeta, prostitute of Behar.	Dhun Ditoo.	1 sold herself at Narainee Rupees 17-8.
13.	13th Bhadro 1258.	Soorjomonee of Debigunge.	Besur Ditto.	1 A mother sold her son aged seven years at Narainee Rupees 15.
14.	17th Bhadro 1258.	Sodaram Dass of Bularampur.	Dhako Ditto.	1 Phoot aged five years was sold by her father at Narainee Rupees 12.
16.	24th Magh 1258.	Nassir Mahomed of Chilakhane.	Doorga Ditto.	1 Chuk aged twelve years was sold by her husband at Narainee Rupees 22.
28.	10th Assin 1259.	Keta Noshya of Moamaree.	Bhote Ditto.	1 Deb aged seventeen years was sold by her husband at Narainee Rupees 16.
30.	7th Cheyt 1259.	Mungloo Noshya of Moamaree.	Pano Ditto.	1 Dhunee was sold by her father at the age of twelve years at Narainee Rupees 24.
53.	29th Falgoon 1260.	Pheka Noshya of Singeemaree.	Neela Ditto.	1 Jaina aged eighteen years was sold by her husband at Narainee Rupees 15.
1.	9th Bysak 1261.	Jatree Bewa of Khagrabaree.	Panmonee Ditto.	1 sold herself at Narainee Rupees 16.

14.	18th Srabun 1261.	Hodu Noshya of Junglea Kootee.	Auntessuree Ditto.	1 Koch aged eight years was sold by her father at Narainee Rupees 15.
25.	21st Poos 1261.	Jhusoo Noshya of Khurimala Khagrabaree.	Pudum Monee. Ditto	1 Hatooranee aged sixteen years was sold by her husband at Narainee Rupees 40.
17.	21st Assin 1262.	Bhendu Noshya of Atarokota.	Chumpun Ditto.	1 Sreenash aged eight years was sold by her father at Narainee Rupees 19-8.
18.	21st Assar 1262.	Haoda Noshya of Patakoora.	Joymonee Ditto.	1 Khundororee aged four years was sold by her father at Narainee Rupees 20.
51.	21st Assar 1262.	Nalattoo Noshya of Behar.	Bhagya Ditto.	1 Kootanee aged sixteen years was sold by her husband at Narainee Rupees 40.
4.	1st Joyet 1264.	Dhor Mohamed of Deenbat.	Parbutty Ditto.	1 Nobanee aged eleven years was sold by her husband at Narainee Rupees 25.
1.	17th Bysak 1265.	Alata Dassea at present residing at Behar.	Bhendee Ditto.	1 sold herself at Narainee Rupees 30.
49.	6th Magh 1266.	Nujee Noshya of Ghoogomaree.	Rookhinee Ditto.	1 Phoolmuttee was sold by her husband at the age of 15 years at Narainee Rupees 35.

72.	4th Falgoon 1266.	Shona Noshya of Boropukhihaga.	Ditto,Ditto	Haoraneer aged fourteen years was sold at Narainee Rupees 35.
16.	19th Srabun 1268.	Gookool Noshya of Khubeneala Kagrabaree.	Dhakoo Prostitute.	1 Pano was sold at the age of eighteen years by her husband at Narainee Rupees 50.
5.	Assar,1269.	Birendoo Noshya of Patakoora.	Choonee Ditto.	1 Budo was sold by her husband at the age of eleven years at company's Rupees 67.
7.	28th Assar 1269.	Bazee Mohamed Noshya of Khurimala Khagrabaree.	Soorjomoni Ditto.	1 Phorkoon aged eighteen years was sold by her husband at company's Rupees 60.
30.	15th Kartic 1269.	Ghenghur Noshya of Kotabaree.	Shona Ditto.	1 Maijodee aged seven years was sold by her husband at Narainee Rupees 40.
38.	11th Magh 1269.	Nujee Noshya of Koochnee.	Tulsi, Ditto	1 Goonomonee was sold by her husband at Narainee Rupees 60.
11.	12th Srabun 1270.	Kulee Noshya of Ghoramara.	Chundun Ditto.	1 Champa was sold at the age of thirteen years at Narainee Rupees 45.
20.	16th Bhadro 1270.	Kandoora Noshya of	Alta, Ditto.	1 Kandooree aged fourteen or fifteen

		Pooshnadanga.		years was sold by her husband at Narainee Rupees 50.
35.	19th Aghrun 1270.	Mundeer Noshya of Goshaeingunge.	Belee, Ditto.	1 A father sold his daughter aged six years at Narainee Rupees 31-8.

**Source : Judicial, June 1864, Prog. No.140**

If we go through the above mentioned tables minutely, we can see that almost all the purchasers were either prostitute or pimp. The sellers of the women were their near relatives either parents or husband.

We get a clear proof of transaction between the seller and purchaser often through the mediation of the brokers. For our clear understanding one such evidence of agreement is reproduced here.

TRANSLATION OF A BILL OF SALE OF A FEMALE CHILD<sup>65</sup>:

Ganghonee Bewah, village Lotamookh, at present residing at Chomar Poltea Pergunnah Hajo, do write this bound of assignment of my daughter in 1771 B.S to the effect that on receiving Rupees 20 from Mussamut Sona Nultee of Nuttallah of the same Pergunnah, I give up my daughter Roho to her who will remain with her according to her wishes and custom of the country. To this I have no objection if I make any it will be entirely false. Sona Nauttee says that I voluntarily adopt this girl as daughter. I will give her no inconvenience or trouble. She will remain with me and behave according to our profession and to this I have no objection and therefore I voluntarily retain her.

**Witness**

Debakur Surmah Bur Dearee

Joymut

Dhiroo Coach

Ratan Akra Tekla  
Kinaram Bhandaree  
Dangar Apa Gaen  
Biro Thakooreah  
Gera Sikdar  
Koonja, Mina  
Kola

(P.S Anghonee further says my relations will not be allowed to make any objections).

As prostitution was going on from the long past, the reference of venereal disease is mentioned in the Medical Report of Cooch Behar<sup>66</sup>:

The Report is submitted by Dr. A. D. Mackinnon who filled the post of Civil Surgeon with effect from 15th Sept, 1893.....

.....Syphilitic diseases are, I regret to observe, on the increase.

The total number of outdoor syphilitic patients was 190 and 232 in the year of 1892-93 and 1893-94 respectively. On the other hand the figure of indoor patients was 16 and 26 in between 1892-93 and 1893-94 respectively. Eight patients became cured and nine were relieved. The number of discharged syphilitic patients was eight. An analysis of the table in the Appendix A reveals that the total number of syphilitic patients attended the hospital was 206 (190+16) in 1892-93 and 258 (232+26) in 1893-94. So large number of people came to be affected with VD.

### **Prostitution in Post - Colonial Cooch Behar :**

At present the red light area in Cooch Behar town situated at **Kalabagan**. The area is apart from the main heart of the town. New Cooch Behar railway station is close to the red light area. The trafficked victims from Assam, Barobisha, Jorai, Tripura, Agartala are easily bought to Kalabagan.

Another important red light area in this district is situated at **Changrabandha**, which is very near to the border of Bangladesh. The area is known for Indo-Bangladesh cross border trade. Everything including women and girls are used in cross border trade. Changrabandha is surrounded by Maynaguri, Alipurduar, Mathabhanga. It is located at 76 kms away from Siliguri. A large number of sex workers of Changrabandha come from Bangladesh and a huge number of such girls have been trafficked, lured by either promises of jobs or marriage.

In the red light areas of Cooch Behar district the majority of the sex workers are teenagers. Amongst the prostitutes 88% are below the age group of 18 years. BSF and police are the major clients of the prostitutes. At the festival of '*Raasmela*' (the famous fair of Cooch Behar), the clients from outside come to visit them.

#### **MALDAH / MALDA :**

Nihar Ranjan Ray had described how the aristocrat society of *Gaurbanga* drowned into women connection. The damsels of royal family made sexual relation with *brahmin* employees and servants shamelessly. Biswanath Joarder referred the ceremony of '*Vairab Chakra*' organized by Ballal Sen in *Gauda*.<sup>67</sup> The prostitutes and the women belonged to lower community participated in that ceremony.

After the possession of Gaur, Mughal *Badsah Humayun* spend leisure hours in Gaur. And most of the time he was accompanied by the prostitutes. Those prostitutes entertained *Badsah* by dancing and singing.

*Samsuddin* was attracted by the beauty of a young widow, who lived at the village Brazajogini, near Subarnagram. The woman belonged to a *Brahmin* family. *Samsuddin* forcefully abducted her. This incident went against the duty of a king. The *hindu Foujder* appealed for her release. *Badsah* (king) declared, if a *brahman* could marry her, he would release the lady. Otherwise *Badsah* himself marry her. Finally the woman was married to *Badsah*. She came to known as *Fulmati Begum*. After his second marriage, *Samsuddin* confined his first wife and children into the fort at Pandua. *Samsuddin's* first *Begum* (wife) scolded *Fulmati* as *veshya* (prostitute).<sup>68</sup>

In *Saptasati* by *Gobardhan Acharya* (*shloka* 133), we get reference of *Hattabilasini* in Gaur. The *sloka* (hymn) is :

*'Mrigamoder utpotti-sthan aranya*

*Kunkumotto choliya jay krishoker batite he hattabilasini,*

*Tumi eka pourojoner sorboswo.'*<sup>69</sup>

The Bengali translation is done by Sri Jahnabi Chakraborty. It means, wine get in forest.....the *Hattabilasini* i.e. 'market-prostitute' attracts all the attention of the people of town (free translation). The last line indicates the rigorous practice of prostitution in urban life.

There are places Miragram and Mirapara in jurisdiction of Manikchak police station. The J. L. Nos. are 65 and 73 respectively. Previously that locality called chakla village, where resided some Amarnath Nayratna. His young and beautiful wife was Amrita. Sultan Samsuddin Yusuf Shah took away Amrita in his *baijimahal* (place of dancers). He named her **Mirabai** and gifted Chakla village. From then Chakla came to known as Mira Taluk. In later, Mira Taluk was divided into Miragram and Mirapara to make revenue collection easier.<sup>70</sup>

There is a mosque called Loton at the road side of Mahadipur in Gaur. The rumour is that, the mosque is named after **Loton, a dancer**. On the other hand, Dr. Blokh opined, when the light reflected on the gilded design of the brick-mosque, it looked like a dancing woman. That was why the mosque called Loton, nothing else.<sup>71</sup>

F. I. Alexander, officiating Magistrate of Malda observed that the fact that Muslim prostitutes were few in number was due to the fact :

'that a Mohammedan woman who takes to prostitution does not loose her own community in the way a Hindu woman who follows that profession does. The Mohammedan prostitute can be restored to her caste and even marry. The Hindu prostitute after taking such course of life becomes an outcast and can never on any account be received again into her former family and caste'.<sup>72</sup>

## Prostitution in Colonial Maldah :

On March, 1892, '*Bamabodhini Patrika*' published a news with the title '*Kapat Sannyasini*' (fraud nun) should be mentioned here. According to the news, a woman namely Giribala trafficked three women into Kolkata from Pandua. In disguise of a nun, she convinced those ladies to take away for '*Srikhetra*' (pilgrim) after having the sacred bath in Ganges. The wicked woman had the intention to send the ladies in *Coolie Patty*. But all her efforts failed. She was arrested and send to prison.

On 1st Aswin in 1334 (in Bengalee calendar), the retired Deputy Magistrate of Maldah, Girishchandra Nag, published his autobiography '*Deputir Jibon*' (life of Deputy). The references of prostitutes from his autobiography (in Bengali), is trying to describe as follows :

Girishchandra Nag arrived in Malda on September, 1894 with full family. He was posted as the Road Cess Dy. Collector and Official Vice Chairman of District Board. He was given the charge both of *Foujdari* (police) and Excise Department. J. C. Price, the I. C. S. was the Collector at that time. Mr. Price was in judicial separation with his wife. His moral character was not such good. He had a **kept 'Nistarini'**. Some people used to bribe Collector by sending gifts to Nistarini. **Basanti, sister of Nistarini, was also a kept** of a Muslim Sub-Deputy. During that period, moral character of Maldah was sinful. The officers, lawyers used to go to brothels and maintained good contact with their kepts. Prostitutes lived at elite locality.

One prostitute, namely Nistarini, was trying to make relation with Girishchandra. Sahadeb paare, was the peon of Vice Chairman. Sahadeb used to take bath in river. On his way, Sahadeb was introduced by Nistarini. One day Nistarini met him and told her desire. She sent invitation for Girishchandra through the peon. Sahadeb did not dare to tell the message to Girishchandra, but casually told Sharat, wife of Girishchandra.

Girishchandra always ignored Nistarini. For his ignorance Nistarini made a plan to take revenge. One night, some officers gathered at Nistarini's house. Suddenly Mr. Price arrived. Nistarini sent Mr. Price in another room. She announced Deputy Girishchandra came at her place and requested other guests to leave. Nistarini got fun from that

incidence and told the entire story to her sister Basanti. Basanti also told the story to her permanent client, the Sub-Deputy Collector. Incidentally, next day, Sub-Deputy Collector disclosed the fact to Girishchandra in front of all their friends. Having heard that, all of them laughed over it.

A heart-touching incident is mentioned by Girishchandra, when he left Maldah, it was in 1896. It is already said that prostitutes lived within *bhadropally* (elite society). Girishchandra lived at a two-storied building beside the main road. The owner of that house was an old woman. Her name was **Panchami Boshtomi**. She was a kept of a rich businessman, who donated her few houses in the town and other properties. Panchami had a daughter, who was also a kept of rich people. Panchami, aged nearly fifty five or sixty. She did not expense much on herself. She had four golden *bau* (bangle) in her hand. Panchami always donated money for good deed.

Panchami assisted in the household of officers. She spent her time in gossiping with their wives and children. Once, Sharat (wife of Girishchandra) felt sick. Panchami looked after her as a nurse. She was always there with Sharat as her friend or maid. She never took food outside of her own house. To take care of Sharat, she also spent night at their house. Panchami loved to Bimal, who was the son of Girishbabu. Bimal was seen at her lap or playing with Panchami. She pampered Bimal. To make fun Panchami used to introducing Bimal as her husband and in that way she connected relationship with Girishchandra and his family.

At the time of their departure, Panchami was waiting at steamer *ghat* with lots of gifts like mangoes, sweets etc. Having seen them Panchami cried loudly. She took Bimal at her lap and started to say, 'where are you taking away my husband? I don't leave him'. It caused late to start their journey. After a long efforts, she left Bimal. Steamer started, Panchami was still crying, standing at *ghat* (bank of river).<sup>73</sup>

Prostitution was the open secret in the fairs of Maldah district. At the fair of Manikora in Maldah, people enjoyed to drink *hariya* (local wine). *Ramkelimela* was the most important festival in Maldah. It is held in the ruins of Gaur near the Sona Mosjid (mosque). It begins on the 1st *Jyesth* (Bengali Month), lasting for four to five days. The

fair is largely resorted to for purposes of business by people from all parts of the district and particularly by the *Deshis* (indigenous) and *Rajbanshis* who profess *Chaitanya's* doctrine. Traders come not only from different parts of West Bengal but also from Bihar and Uttar Pradesh. Cattle and all sorts of articles are on sale, the most noticeable of the latter being the Jangipur blankets from Murshidabad. The business done is calculated at sums amounting to Rs. 2,00,000 and the daily attendance at about 8,000.<sup>74</sup>

One of the most important features and attraction of *Ramkeli Mela* was the *Baishnavis*. *Baishnavis*, the loose morality of whose sect is separated by a very slight line from the utter negation of feminine morality which constitutes prostitution, a line of separation which is in most cases easily and imperceptibly overstepped.

In a detail study, it is a popular religion of Bengal. *Vaishnavas* were devotees of lord Krishna. The Government records in West Bengal State Archives have identified vaishnavas as :

“Having access to the interior of Hindu houses they often enticed women mostly widow or even unmarried out of the house. They ultimately landed up in the *bazaar* (market). This form of practice in this religion brings male and female devotees closer to each other. Regular house-holders could practice this religion. The male mendicants or ‘*bairagis*’ were called ‘*Babajis*’ and the female mendicants or ‘*Bostomis*’ are called ‘*Matajis*’. Though the house-holder vaishnavites are ordinary devotees, much can be said against the mendicants. If ... proper inquiries be made, it may appear that they have in their society many ex-convicts, criminals who have eluded the pursuit of the police, and persons who have been ex-communicated by their castemen for unholy love making.<sup>75</sup>

The District Magistrate of Murshidabad observed that Vaishnavism was the only form of Hinduism, which was open to outcast and high castes alike.

Bhugwan Chandra Bose, Deputy Magistrate of Brahman Bariah noted that “bad and outcast women of all castes are received in *akrar* temples of *Vishnu* and converted to vaishnavism, and then from the moment of such admission a male *vyragi* is assigned to

each of them. The original intention of this institution was a righteous one namely, the reclamation of the lost ship but it has since been distorted.”<sup>76</sup>

Official views, therefore, held that vaishnavism and prostitution were complementary to each other. The prostitutes used it as a religious cloak, but the positive side of the religious practice had been overlooked. Religion and caste was no bar for entry into this religious sect. A large number of the *vaishnav* mendicants at Nabadwip and other resorts of pilgrimage were undoubtedly hailed from retired members of prostitute class. They had to pay a small fee to be enrolled in the sect.

Kaliprasanna Singha in ‘*Hutum Penchar Naksha*’ (in Bengali), noted that the *gossains* (the *gurus* or the teachers) made disciples from low castes and prostitutes alike. The extract (given bellow) from this book gives a more or less, clear picture about prostitute - vaishnavi nexus.

“...*Sudurachari byektio bhagbat-bhakt hoileo sadhu padabachch hon - e kotha satya; kintu je sakol patita tahader nirlajja britti chalaiteche, diksha grahanante pesha tyag kore na tahadigoke sishya kora je kotodur sangato taha bujhite ki bilamba hoi? Kintu boroi akhyeper bishoy, probhura ihadigoke sishya koriya probhuto ortho uparjon koren.*”

The above extract means, it is true that, a very wicked person is considered a good man if he is a God worshipper. But it is difficult to understand why prostitute who has not given up her profession even after an initiation? It is a matter of great sorrow, that the preceptors (the *gurus*) make a great monetary profit through these disciples (free translation).

Deputy Girishchandra had mentioned the custom of *Kanthibadol*<sup>77</sup> (exchange of chain) in *Ramkeli Mela*. The *vaishnav* selected *vaishnavi* and paid Rs. 1.

In course of time prostitution became the inseparable part of the society. Maldah district imported ‘*Babu-culture*’ from Kolkata. *Rangmahal*, *baijinaach*, prostitution etc. were scattered everywhere. Prostitutes of Maldah town used to go to B. De hall (theatre) to see drama. There was separate seats for the prostitutes.<sup>78</sup> Venereal disease also spread out.

### **Prostitution in Post - Colonial Maldah :**

The **red light area** in Maldah town, located at **Hansagiri Lane**. The brothels extend from the northern part of Gosaituli to Indranath Chowdhuri Lane. The brothels are very consisting. The trend of flying sex business is going on in Malda town. According to the media reports the hotels across the National Highway of 34 are indulging to the sex business. The women who are engaged in sex business come from Kolkata and different districts of North Bengal to these hotels. On the basis of survey report of the NGOs working for sex workers, the inmates of the brothels at Hansagiri Lane are very poor. They are suffering from poverty. As a result, comparatively the young girls of that area, are inclined to move into flying sex business.

### **DINAJPUR :**

The *Ramacharita* speaks of youthful heavenly courtesans (called as *devavaravanita*) who were dancers. The existence of courtesans is also testified by V. 9 of the Edilpur copper plate inscription of Kesavasena and verse 10 of the Calcutta *Sahitya Parisat* inscription. The village bearing the name Amati located to south of Itahar police station in the district of North Dinajpur, has aroused much curiosity among the scholars. The scholars are advocating to identify Amati with the ancient Ramavati, which was established by the Pala king Rampala. N. R. Ray, has given his view that the ancient Ramavati and Ramauti mentioned in the '*Ain - I - Akbari*' are identical.<sup>79</sup>

A.C Chakraborty is in favour of identifying Ramavati, the capital of Rampala with Amati village, two miles east of *Mahananda* in the north of Malda district, but not within Dinajpur.<sup>80</sup>

To find out the history of Dhaladighi (pond), the name of king *Koykaus* came out. Dhaladighi was located near Debkot. We find the reference of Debkot in the Bangarh copper plate. Previously the region was called *kotiborsho*. After the muslim occupation, it is known as Debkot, according to Nihar Ranjan Ray. King *Koykaus* was the son of *Sultan Giyasuddin*. *Koykaus* was notorious for his lasciviousness. Not only that he was drunkard and addicted to women.

## Prostitution in Colonial Dinajpur :

We get the reference of Debi Singh in previous chapter. He was playing the role of an agent, who supplying women to the British Indigo planters. The *nilkuthi* (indigo factory) of Mandovil at Dinajpur *sadar* was the lock up for trafficked and sacked ladies. The 'Angana khoyar' (women shed or pound) was made for amusement of Mandovil *Saheb*.<sup>81</sup>

To protest that vulgarity Thurrom *Sardar*, Bairjanarayan Barman, Rajib Mandal, Huna Sardar, Kriparam Sarkar, Ramnarayan Mandal and many others attacked on the indigo factories and the office of British East India Company.<sup>82</sup>

The naming of the river *ciramata* (*srimati*) in the district of North Dinajpur is also carrying a history. This small river has no vibrant flow. Its origin is from Bangladesh, ultimately empties in *Mahananda*. It is said that the river has evolved in connection with a beautiful **dancing girl Srimati**, in a village from where the river originates. The prince of Patirajpur, near Kaliyaganj, fell in love with *Srimati*. He dug out a canal from the stream upto *Mahananda* with the purpose of making easy way to the village of his beloved from his palace. The prince one day came in a boat and married the dancing girl in a temple of *Mahakal Bhairava*. But the news of this marriage somehow reached the king. The prince was arrested and brought to the palace. Under the instruction of the king the girl was paid with a ghastly penalty for her audacious dream of getting the prince as her husband. She was tied to the boat and drowned alive in the water of the river. Later when the prince became the ruler, he named the canal as *Srimati* to commemorate his love. The village also came to be known by the name of Patirajpur i.e. the village of the lord of *Srimati*. The name *Srimati* is changed into *Ciramati* in colloquial tongue. Both these tales probably are not too old.<sup>83</sup>

A specific information regarding the prevalence of *devdasi* system in this region is available from *Bangarh* stone inscription of the time of Nayapala which is now in the custody of Balurghat College Museum. The village Bangarh is regarded as the same as the ancient city of *Kotivarsa* also called Banpura i.e. the city or capital of King Bana.

The village is situated about one mile to the North of the Gangarampur police station in the district of present South Dinajpur.

As townships and cities arose along the trade routes in northern India, internal and maritime trade flourished in these, and towns and cities became centres where courtesans plied their trade and attracted money from travellers, merchants, soldiers and men of various traders. Such a place called Bandor emerged in North Dinajpur, near Raiganj.

There is a village called Bindol, near about 23 to 24 km far from Raiganj. A terracotta brick temple is found in that village. The temple is being seen from the childhood of some aged local residents of Bindol. The temple is known as *Vairabi*. The village was in a very prosperous condition at a certain period. The aged local people said, a few prostitutes lived in Bindol, which indicates the village was truly much prosperous. It was a rumour, they heard from their ancestors.<sup>84</sup>

During the *Tolabati* Movement, the *zamindars* called prostitutes in the local *haat* in order to violate the chastity of the peasants. It is described that, the prostitutes made their own tent in the local markets in Lahiri hat, Patiraj hat, Harirampur hat, Fulbari hat in Dinajpur district. It was a convenient time for the prostitutes to earn money from the fairs, organized annually in Nawabganj, Parvatipur, Bochaganj and various other places in the district of Dinajpur. To stop prostitution and gambling in fairs, several movements launched. Few of those movements were partially successful.

In the year of 1872, British Government commenced a survey in all over India to find out the number of women involved in prostitution. According to the survey report it comes out that, the poor people of Dinajpur used to sell their daughters to the prostitute on the basis of proper procedure, giving their signature on stamped paper.<sup>85</sup> This practice was called '*Kone Bechaya Khaoa*'.

'*Mayabandhaki*' should be mentioned in this context. It was one kind of opera, prevalent in Krishnabati village and the adjacent areas of Dinajpur district. It describes how the poor family used to sell and mortgage their daughters in condition of severe poverty. Some of the interesting characters of this opera are - *Rangiya, Dhala, Gheru*

*Gheru, Kerkeru, Petpaku, Mosku, Nosku* etc. Kiran, one of the character of the opera, saying :

*'Swami (husband) tomra kemon manchhi*

*Mayatok (woman) bonaisen swami jinis bondhoki*

*Bako juge nai suni mui*

*Noya noya kotha*

*Mayatok bondhoki thuiya swami*

*Ke chhechhe seba.'*<sup>86</sup>

It describes the incident where the husband mortgaged his wife and spending a relaxed life (free translation).

Poor mothers herself recruit their daughters into prostitution. Girls from Dinajpur as well as from Jashohor, Netrakona, Faridpur were taken to appoint into prostitution.

The oppressive landlords, *jotdars* treated the peasant women as prostitute. They fixed the schedule in which night whose wife stayed with them. The affluent persons purchased the chastity of the village women. They could marry more than one. Those ill-fated women are called as '*Veeti Pakano Bete Chhaoa*'. They were appointed to serve the outsiders, visitors. The *dhenas* (unmarried man) were attracted by the ladies and gathered in those honeycomb.<sup>87</sup>

From the long past of history, we have seen and heard about the dedication, sacrifice and contribution of the women belong to the community of prostitute. They constructed temples, roads, wells, planted trees etc. In this respect it will be not irrelevant if we mention the name of a professional prostitute of Balurghat in South Dinajpur district, **Sarala Sundari**, who donated her all savings in *Swadeshi* Movement of India.

### **Prostitution in Post - Colonial Dinajpur :**

The largest red light area in Dinajpur district is situated at **Islampur** (North Dinajpur). The locality is called **Champabag**. The activists working in Bangladesh on the issue of women trafficking have reported that the Bangladesh border is not open but quite easy to cross even without the proper papers. The border areas in Dinajpur like Hili, Tapan are used as land crossings for women being trafficked for prostitution from Bangladesh to India. The practice of prostitution in Dinajpur district has been changed in course of time. The women who are engaged in this profession do not have any interest to confine themselves into red light area; rather they are shifting to flying sex business. The hotels, *dhawas* (Lodging and fooding arrangement besides High Ways), guest houses, line hotels, lodges in this district encouraging them to operate sex business from those shelters.

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10. *Ibid.*
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15. *Ibid.*
16. Bagchi, A., *Social Situation of Women of North Bengal through the ages : Ancient and Early Medieval Period*, Centre for Women Studies, University of North Bengal, 2007, p. 51.
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18. Interview with Arbind Singh (School Teacher, Darjeeling Hindi High School), on 27. 03. 2014, in Darjeeling.
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31. Interview with Sri Bimal Paul (social worker and communist party worker of Siliguri), 13/07/2006 (according to Sri Paul, the famous social worker of *Mahila Atmaraksha Samiti*, Smt. Snehalata Chatterjee reminiscenced that incident which had been reported in '*Basumati Patrika*').
32. Sanyal, S., *Alipurduarer Pothe Prantore*, Alipurduar Nature Club, Alipurduar, 2006, p. 193.
33. *Khemtanaach* : *Khemtanaach* was a popular dance of West Bengal, which was in vogue almost thirty years or forty years ago. Presently, it is no more performed. This entertaining dance may also be called the rural version of the urban dance of *baijis* or professional dancers. *Khemta* dance used to take place in the courtyards of the houses of big *zamindars* or land lords. This form of dance was very popular during the celebration of births, marriages. It was also performed at festivals like *Durga Puja* or *Holi*.
34. Sharma, U., *Uttarbanger Mulnibasider Sanskriti Itihaser Alope Baikunthapurur Puja Parbon O Lokacharer Dhara*, Boiwala, Kolkata, 2009, p. 491.
35. Sharma, U., *Jalpaiguri Raikot Bangsher Rajarshi*, Granthatirtha, Kolkata, 2003, p. 123.
36. *Punnyah* : It is the ceremonial rite for paying tribute and taxes to the king.
37. Account Book of *Raikots*, 3 - 5 Asar, 1328 BE (1921) cited in Sharma, U., *op. cit.*, *Uttorbanger Mulnibasider Sanskriti Itihaser Alope Baikunthapurur Puja Parbon O Lokacharer Dhara*, 2009, p. 261.
38. Sharma, U., *Jalpaiguri Pouro Sabha : History of 125 years (1885-2009)*, 2009, Jalpaiguri Municipality, p. 477.
39. Case between Rajrajendradeb Raikot and Makarandadeb Raikot, 20th October, 1849, Rangpur District Court cited in Sharma, U., *op. cit.*, *Uttorbanger Mulnibasider Sanskriti Itihaser Alope Baikunthapurur Puja Parbon O Lokacharer Dhara*, 2009, p. 465.
40. Sharma, U., and Basu, P. K., (eds.), *Dr. Campbeller Biboroni : Jellepegaureer Itihas (1848)*, Uttarbanga Loksanskriti Samiti, Jalpaiguri, 2008, pp. 111-112.
41. *Ibid*, p. 111.

42. Sikdar, R., 'Zelay Jatiyo Andoloner Dhara' in *Madhuparni - Jalpaiguri zilla Sankhya*, Balurghat, 1394 BE, p. 265.
43. Mukherjee, S. K., 'Kalchini Chaa Baganer Haat' in *Lok Banglar Haat*, Lok Patrika, Kolkata, 2002, p. 408.
44. Interview with Late Kalyani Dasgupta, (social worker and communist leader of Jalpaiguri), on 17.08.2008, at Raikatpara in Jalpaiguri.
45. Sen, I., *op. cit.*, 1981, p. 43.
46. Tirkey, M., 'Jalpaigurir Adibasi Samaj O Sanskriti' in *Paschimbanga Jalpaiguri Sankhya*, 1408 BE, Department of Information and Culture, West Bengal Government, 2001, p. 136.
47. *Ibid.*, p. 137.
48. Sen, A., 'Chaa Bagane Adibasi Lokosangeete Pratibadi Chetana' in Roy, D., (ed.) *Tebhaga Andolon*, Ananda Publishers, Kolkata, 2000, p. 28.
49. Tirkey, M., *op. cit.*, p. 137.
50. Interview with Professor Ananda Gopal Ghosh, (Department of History, NBU) on 12.03.2008, at NBU.
51. *Uttarbanga Sambad*, Siliguri Edition, 30/07/2014.
52. Dasgupta, K., 'Rajnitik Samajik Andolone Zillar Mahila Samaj' in Kar, A., (ed.), *Kirat Bhumi - Jalpaiguri Zilla Sankalan (1869-1994)*, Jalpaiguri, 1994, p. 539.
53. Interview with D. S. P. of Jalpaiguri, on 22/04/2013 in Jalpaiguri.
54. Quarterly Outstanding List of Taxes, Jalpaiguri Municipality, (collected by the present writer on 13/05/2013 from Jalpaiguri *Pourosabha*).
55. Interview with the sex workers at Dinbazar in Jalpaiguri on 06/05/2013.
56. FIR NO. 1030, Date 19. 10. 2008, Alipurduar Police Station.
57. Sanyal, S., 'Bholanather Dighi' in *Coochbeharer Kichhu Kotha Kichhu Itihas*, Alipurduar Nature Club, Alipurduar Court, 2006, p. 28.
58. Mukherjee, K., *Narimukti Andolon O Amra*, NBA, Kolkata, 1993, p. 70.
59. Judicial (Judicial), October, 1872, NOs B 252 - 335.
60. *Zenanah* : In India and Iran *zenanah* means the part of the house for the seclusion women. It is an urdu word.

61. Roy, S. K., 'Manush Kenabechar Bazar Prachin Coochbeharer Haat in Bhawaniganj' in *Prachin Coochbeharer Artho Samajik Itihas*, Boiwala, Kolkata, 2008, p. 91.
62. *Noshya* : The *Rajbanshi* people who accepted Islam as their religion and fallen from their earlier (Hindu) religious status, commonly known as *Noshya*.
63. *Narainee Rupee* : Maharaj Naranarayan, the Cooch Behar king, introduced *Narainee Rupee* or coin. History written in Persian language refers *Narainee* coin. *Narainee* coins of Cooch Behar bear four different kinds of symbols. A symbolic dot (.) was inscribed at the bottom of 'N', the first letter of the name of king.
64. *Bewa* : The widow women are known as *Bewa* in *Rajbanshi* language.
65. Judicial, (Judicial), October, 1872, *op. cit.*
66. Annual Administration Report of Cooch Behar, 1893 - 94, p. 58.
67. Joarder, B., *Purono Kolkatar Anno Sanskriti*, Digangan, New Delhi, 2009, p. 239.
68. Sanyal, D., *Banglar Samajik Itihas*, Model Publishing House, Kolkata, 2003, p. 57.
69. Editorial, *Lok Banglar Haat*, Lok Patrika, Kolkata, 2002.
70. Shome, S., 'Maldah zillar Ancholik Shikor Anusandhan' in *Maldah Zillar Itihas Chorcha*, Dipali Publishers, Malda, 2006, p. 372.
71. *Ibid.*, p. 350.
72. Judicial (Judicial), October, 1872, *op. cit.*
73. Nag, G., 'Deputir Jibon' in Bhattacharjee, M. S., (ed.), *Maldah Chorcha*, Bangiya Prakashak O Pustak Bikreta Sabha, on behalf of Malda Zilla Anchal, 2011, p. 344.
74. Lambourn, G. E., *Bengal District Gazetteers - Malda*, The Bengal Secretariat Book Depot, Calcutta, 1819, p. 74.
75. Judicial (Judicial), October, 1872, *op. cit.*
76. *Ibid.*
77. *Kanthibadal* : In Bengal *Gandharva* form of marriage was sometimes confused with *vaishnava* form of marriage prevalent in the said province by *Kanthibadal* and or exchange of garlands. It is a special form of marriage which is validated by the custom among the *Bairagis*.
78. Bhattacharjee, M. S., *op. cit.*, p. 272.

79. Ray, N. R., *Bangalir Itihas - Adiparba*, De's Publishing, Kolkata, 1980, p. 362.
80. Chakrobarty, A. C., 'Paschim Dinajpur Zillar Prodhan Prodhan Purakriti Parichoy' in *Madhuparni : Paschim Dinajpur Zilla Sankhya*, Balurghat, 1399 BE, pp. 506 - 507.
81. Roy, D., *Dinajpur Zillar Itihas*, K. P. Bagchi & Company, Kolkata, 2006, p. 206.
82. *Pratilipi* (little magazine), *Paschim Dinajpur Jella Sankhya*, Balurghat, 1388 BE, p. 79.
83. Bagchi, A., (2007), *op. cit.*, p. 94.
84. Bagchi, B., 'Kingbadantir Ratharura Itihas' in *Madhuparni, Paschim Dinajpur Zilla Sankhya*, Balurghat, 1399 BE, p. 293.
85. Banerjee, S., *Asruta Kanthaswar*, Subarnarekha, Kolkata, 2002, p. 27.
86. Chowdhuri D., 'Paschim Dinajpurer Lokonaty - Ekti Samiksha' in *Madhuparni - Paschim Dinajpur Zilla Sankhya* (North and South Dinajpur combined), Balurghat, 1399 BE, p. 434.
87. Das, M. N., 'Tebhaga Andoloner Aviggyata' in Roy, D., (ed.), *Tebhaga Andolon*, Ananda Publishers, Kolkata, 2009, p. 108.

## CHAPTER V

### LAWS AND REGULATIONS FOR PROSTITUTION

#### Laws governing prostitution :

‘The prostitute is not at all a criminal. She does not violate anybody or anything, but is herself violated.’ - Jean D’ Cunha.<sup>1</sup>

In Europe during the middle ages Church leaders attempted to rehabilitate penitent prostitutes and fund their dowries. Nevertheless, prostitution flourished : it was not merely tolerated but protected, licensed, and regulated by law, and it constituted a considerable source of public revenue. Public brothels were established in large cities throughout Europe, at Toulouse the profits were shared between the city and the university.<sup>2</sup>

Stricter controls were imposed during the 16th century, in part as a result of the new sexual morality that accompanied the Protestant Reformation and its Catholic dramatic part. Just as significant was the dramatic upsurge of sexually transmitted diseases. Sporadic attempts were made to suppress brothels and even to introduce medical inspections, but such measures were to little avail.

In the late 19th century, a variety of changes in western societies became visible. The people revived efforts to suppress prostitution. With the rise of feminism, many came to regard male libertinism as a threat to women’s status and physical health. Also a new religious value based moralism became influential in the protestant countries. Anti-prostitution campaigns gained ground from the 1860s, often in association with temperance and women’s suffrage movements. International co-operation to end the traffic in women for the purpose of prostitution began in 1899. In 1921 the League of Nations established the committee on the Traffic in Women and Children, and in 1949 the United Nations General Assembly adopted a convention for the suppression of prostitution.<sup>3</sup>

In the United States, prostitution was virtually uncontrolled until passage of the Mann Act (1910), which prohibited interstate transportation of women for ‘immoral purposes’. By 1915, nearly all states had passed laws banning brothels and regulating the profits of

prostitution. After World War II most large cities in western nations tolerated prostitution, and law enforcement agencies became more concerned with regulating the crimes associated with the practice. Prostitution was illegal in most part of the United States, though it is lawful in some countries in Nevada.<sup>4</sup>

In case of Asia and the Middle East, prostitution is illegal but widely in existence. Among Muslim nations, only Turkey has officially legalized prostitution, subject to a system of health checks for sex workers. In some Asian Countries, the involvement of children in prostitution has encouraged the risk of 'sex tourism' by men from wealthier nations.

Appearance of a deadly be-generating disease AIDS creates crisis for both the parties in sex trade. Since 1980s attitudes toward prostitution have changed radically for two major reasons. One is the worldwide spread of AIDS, that has increased concern for public health problems. In Africa especially, one factor in the rapid spread of AIDS has been the prostitution industry serving migrant labourers. A renewal of interest in feminism has also changed attitudes to prostitution; from this perspective, it is both a consequence and a symptom of gender-based exploitation.

In colonial America prostitution was not illegal, but a woman could be arrested for vagrancy if she was loitering on the streets. English law does not prohibit prostitution but does prohibit soliciting for prostitution in a public place, living on the earnings of prostitution, exercising control over prostitutes, or maintaining a brothel (defined as any premises where two or more prostitutes are employed). In some jurisdictions, notably in most countries in the U.S state of Nevada, prostitution is lawful and practiced openly subject only to health and related controls. In Netherlands, prostitution is legal, and money prostitutes have become members of a professional service union.<sup>5</sup>

When Solon was laying the foundation stone of a palatial public brothel in the very heart of Athens amidst a pompous state ceremony, it may be said to the credit of India that she was seriously thinking about the means and method of how best to combat this fallen pestilence of social life. It saw the operation of Immoral Traffic Laws in right earnest long before the Julian Law or Justinian codes were given birth to in another part

of the civilized world. Segregation in the modern sense of the term on the basis of regulation and conscription was unnecessary in India, as syphilis was unknown in any country of the world before the 15th century.<sup>6</sup>

The movement of segregation had its inception in Europe about the year 1878 not so much from a sense of morality as from the necessity of combating with the infection of that obnoxious disease. The ancient Indian savants, perhaps both from moral and hygienic considerations, were often in favour of exercising some sort of segregation in regard to the habitation of the prostitutes, and accordingly their quarters were frequently confined to the southern extremity of a town like the German *Kasernierung* or *Dirnenquartiere*.<sup>7</sup>

Most of the ancient law-makers upheld the ideology of chastity of body, on the other they practically made little efforts to penalize prostitution. It was far from their mind to cause it to disappear from the civil life of the *Aryan* society; they must have accepted it as a necessary and incurable evil to obviate greater ones.<sup>8</sup>

The *Smritis* have prescribed a set of rules governing the conduct and relationship of *ganikas* within and amongst themselves. *Narada* states : If a public woman probably identified with a prostitute declined to receive a man after having received her fee. The same fine shall be imposed on a man who does not pay the stipulated fee after having connection with a woman of this description.

It has been noticed that, from very early time, the state exercised control direct or indirect, on the lives and activities of the prostitutes. This profession was considered as source of state revenue. We get reference to prostitution in *Kautilya's Arthasatra*. *Vatsayana* lays down a strict rule that no one should seek hospitality under the roof and take foods from the hands of a man who tolerates a paramour of his wife for sordid gain or sells his daughter for immoral purposes. *Yajnavalkya* endorses this section by adding pimps to it and all people who live on the earnings of the strumpets. *Gautama* predicts horrible consequences in this life and that hereafter for those who force their legally married wives into fornication and who enter into liaison with their nearest relatives, prostitutes and a bald-headed man or woman. From this statement it is evident

that immoral traffic was obtaining ground at the time, though not in such an extensive scale as in the present day.

There is clear reference that the *ganika*, *rupajiva*, *veshya* and *vandhki* had to pay taxes to the state but a careful study leads to the conclusion that almost all categories had an actual or potential obligation for paying taxes; the collection, however, depended on the degree and nature of the organization. Organized red light areas paid taxes regularly, at a fixed rate, while it was much more difficult to ascertain the income of the women 'kept' in seclusion by a man or of the unorganized individual women plying the trade in isolated pockets or even, like the *vandhaki*, at home. Similarly, organized brothels enjoyed greater security from the state in lieu of the taxes they paid while individuals who paid 'hush-money' to extortionist officers could hardly demand any protection from injustice, mal-handling, coercion and cheating. The *Nammayasundarikatha*, a twelfth century text, says that the state received 25 per cent to 30 per cent of the prostitute's income.<sup>9</sup>

With the passage of time, changes are noticed in the attitude of the people and social values. In recent past it happened that for economic development programme in Thailand, the king advocated in favour of prostitution for the welfare of the society as well as the god. The real aim being to import foreign exchange.<sup>10</sup>

### **Category of Legal Systems Governing Prostitution :**

Social scientists have categorized the prostitution laws under the following heads : (1) **The Prohibitionist System**, (2) **The Tolerationist System** and (3) **The System of Legalized prostitution**.<sup>11</sup>

#### **The prohibitionist System :**

United States (except Nevada) adopted the Prohibitionist System. It considers prostitution as an immoral activity and talks about the eradication of such an evil practice. Prohibition is system considers the activities of all categories of people related to sex trade such as of pimps, brothel-keepers and clients as criminal activities.

### **The Tolerationist System :**

The assumption of the tolerationist system is that it is the universal and inevitable social evil. It is necessary to satiate the natural aggressive male sexuality. This system does not speak about its abolition or eradication but speaks for their (prostitutes) same rights as that of other citizens. The United Nations Convention for the suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others (1949) adopted this system. Many countries like Britain, India and France have embodied the tolerationist system.

### **The System of Legalized Prostitution :**

To some extent there is a similarity between the tolerationist system and the system of legalized prostitution. The third system also regards prostitution as the ancient inevitable social stigma. It is required for the safeguard of 'straight women' against the male sexual aggression. The profession virtually protects the family structure. Prostitution should be legalized according to the view of 19th century England and British India. Prostitution is legal in Germany, Nevada in US, Vienna in Austria and Switzerland. The system of legalized prostitution permits the 'brothel' as 'closed house' or 'eros' centres for prostitution. It says the compulsory registration and periodic health check ups for VD clearance of the prostitutes. After the VD clearance, a prostitute is issued a police clearance also to work professionally. On the whole, it can be said that this system, seeks to organize prostitution as a legitimate business with the owners and the managers of the prostitution establishments subjected to labour laws and not to criminal laws. It likewise advocates the removal of all criminal sanctions against the prostitutes.

As the imperial authority of the British rested on the British soldier, and more dependently after the mutiny of 1857, the government accorded top priority to their needs and even biological desires, even if these be morally repugnant and de-humanizing. The government gradually evolved a policy of providing Indian women to satiate the sexual lust of the soldiers, who were natively described as 'our young soldiers' or as 'our boy soldiers'. For their 'young boys', the military authorities regulated prostitution, first, locally and later, on a general and systematic basis. Regimental brothels or

*lalbazzars* and lock hospitals consequently, came to be maintained to serve the twin purposes of the *Raj*. On the one it facilitated mercenary sex and on the other protected the young soldiers from being infected with VD i.e. venereal diseases.

### **Laws made in Colonial Period :**

#### **The Cantonment Act :**

In this phase of the British rule the first measure was taken by legalization of prostitution. The British government promulgated in 1864 Act XXII - popularly known as the Cantonment Act - clauses 7 and 25 of Section 19 of which, provided that rules might be made for cantonments by the local governments with the object of securing the 'inspection and control of houses of all - fame, and of preventing the spread of VD'.

A committee appointed under the Act divided prostitutes into two classes, (1) those frequented by European soldiers and (2) those outside the category. Only the first class was subjected to the regulations provided by the Act, the sole object being the protection of the British troops. Army authorities set up brothels in the regimental *bazzars* and other appointed places within the cantonments. They were known as *chaklas* (or 'rags' in the parlance of the British Tommy).<sup>12</sup>

The women managers of the *chaklas*<sup>13</sup> were known as *mahaldarnis*. An official document defines a *mahaldarni* as a 'forewoman of prostitutes' who performed for them the duties which a foreman performed for workmen. She was a 'paid government servant' according to this document. Her duty it was to ensure that the prostitutes were healthy and those VD infected were either expelled or sent to hospital.

The designation as well as the assigned responsibilities of a *mahaldarini* points not only to the proper hygiene of the soldiers but at the same time it indicates that the British government was well convinced of setting up of an organized and Legalized mechanism for satisfying the natural sexual desire of the soldiers with all safety which would lessen the anxiety of the authority hitherto suffered from.

*Chaklas* were divided into three categories : *gora chakla*, which is reserved for the white army officers; *lalkurty chakla* for the white infantry ranks who wore red coats and

*kala chakla* for the Indian soldiers. The last two were not allowed to enter the *chaklas* reserved for the superiors i.e. the whites. If they attempted to do so, the military police threw them out.<sup>14</sup> This categorization reveals the racist as well as hierarchical attitude in the prostitution management system.

Those women who were reserved for the white soldiers used to be registered by the cantonment managers. A typical *chakla* was an extension of the familiar caravanserai that used to do the ancient highways in India. It consisted of a high wall enclosing a larger or smaller area, to which a strong gate gave access. The middle of the interior was occupied an open space, while round all four sides were ranged numbers of small rooms or quarters where the prostitutes lived and entertained their customers.

#### **CDA or Contagious Diseases Act :**

CDA or Contagious Diseases Act of 1868 which was enacted following the failure of the Cantonments Act. It sought to bring the entire profession under strict state supervision and surveillance. Ironically, the CDA also suffered a fate similar to that of the Cantonment Act - ending up as a non - success, which had to be finally revoked after twenty years.

The two important clauses of the CDA are : All common prostitutes and brothel keepers are by section 4 of the Act, bound to register themselves, but the police are not authorized to compel registration or to register any prostitute or brothel keeper except at the request of the parties themselves.

Any woman carrying on the business of a common prostitute and any person carrying on the business of a brothel keeper, without having been registered, is liable to be arrested without warrant, by any police officer.

The order of CDA was circulated by the Deputy Commissioner of police, Calcutta. The following circulars, show the remarks which were thought fit to make the Rules for the administration of the Contagious Diseases Act more effective<sup>15</sup>:

‘Act XIV of 1868 having become law and been extended to Calcutta and its suburbs, with effect from the 1st instant, the following orders are passed for the guidance of police officers in carrying out the provision of the same.’

A copy of the Rules already passed and which have received the sanction of Government and of Act XIV of 1868 is also circulated to each officer for information, guidance, and office record.

The Commissioner is anxious to impress upon all Police Officers that it is his wish to render the scheme as little vexatious as is compatible with insuring the attainment of the object in view, and that he trusts to the discretion of the Inspector to aid him in doing so.

They should endeavor to impress upon the women attending for registration, that no fees are exacted and that no hardship is imposed; that the examinations will be conducted in as private a manner as possible, every regard being paid to the feelings of those subjected to them; and further, that they will themselves benefit by the sanitary arrangements introduced as symptoms of disease are when early detected, more easily checked and at less personal inconvenience to the women themselves.

They should also distinctly impress upon their subordinates that the Commissioner will punish with the utmost severity, any Police Officer who may be proved to have been guilty of any unnecessarily harsh treatment of women presenting themselves at the respective section exists of his having demanded or exacted any gratification whatever.

The Commissioner trusts that the Inspectors will use all vigilance to insure that every woman exercising the profession of a common prostitute within their sections is duly registered, and that the periodical examinations required by the law are carried out.

It must be understood that the term ‘common prostitute’ is intended to refer to all women who openly follow this profession with little or no distinction of persons, and to those desire to be known publicly as prostitutes.

Those women who do not court notoriety and admit but a few visitors in secret, should not at present be treated as ‘common prostitutes’ within the meaning of the Act,

as it is rather the intention of the Act to bring only under such direct surveillance and examination persons, who are by their own desire recognized as prostitutes.

As the distinction may frequently be difficult, Inspectors are directed to refer all doubtful cases for the order of the Deputy Commissioner.

As regards the examination at Lock Hospitals, Inspectors are informed that the town and suburbs, have for the present been divided into two Divisions, the Northern and Southern, the dividing line being Bow-Bazar Street, Lock Hospital formerly known as the 'Sailor's Home' in Bow-Bazar Street and all to the South at the Sealdah buildings, known as the [Pauner] Hospital.

W. B. BIRCH, Lieut.,

Deputy Commissioner of Police

The Memorandum from Lieutenant Colonel F. Roberts, First Assistant Quarter Master General, to the Secretary to the Government of Bengal regarding the issue of registration for prostitutes is given here :

Proceeding No. 112. Submitted for the information of His Honor the Lieutenant Government.

Circular Memorandum from Lieutenant - Colonel P. S. LUMSDEN, Quarter Master General to the Officers Commanding Divisions and Districts, - (No 89, dated Simla, the 20th December 1869)

Under instructions from the Government of India in the Military Department, His Excellency the Commander-in-Chief directs the attention of officers commanding stations in which the rules passed as Chapter V. of Section 19 of Act XXII of 1864 are in force, to the following points, in view to the usefulness of the rules being extended.

I.- In all cases the sub-committee provided for in rule 1 is to be invariably appointed to inspect the hospital from time to time, and to devote special attention to the carrying out of the rules; also to satisfy themselves that the necessary attention is being devoted to it, and that the proper records are being kept up.

II.- Instead of only Public Prostitutes of the first of the two classes mentioned in rule 3, all public prostitutes of the lower classes are to be registered.

III.- The terms of rules 16 and 18 are to be more stringently enforced, and a fine levied in every case of non attendance for examination which can not be satisfactorily accounted for, and for breach of rules.

IV.- The levying of fees from registered women under rule 13 is to be suspended for a year, but it is to be explained to the women that in the event of their irregular attendance or misconduct, they will be certainly re-imposed at the end of the time.

V.- In addition to this duties required from matrons or *dhaies*, they should be held responsible for exercising a constant supervision over the health of the women under their charge for insisting upon the dwellings, persons, and clothes of the women being kept in a proper state of cleanliness; for immediately reporting to the cantonment magistrate, the arrival or departure, or change of residence of any prostitutes; for collecting the women when necessary for medical inspection; for reporting to the officer in charge of the Lock Hospital any cases of disease that came to their notice; and generally, they should be the medium of communication between the medical authorities and the women for the efficient carrying out of the regulations.

VI.- It is indispensable that the medical officer in charge of the Lock Hospital should carefully keep up to date a register of public prostitutes, and record all changes in the list which may be communicated to him by the cantonment magistrate, in order that he may know how many women ought to present themselves for examination. In addition to the register, schedule A, Chapter V., the register, schedule D, Chapter V., should be kept up and for this purpose a separate page will be required for each name borne on the roll; and further, a statement in the annexed form I should be attached to the book containing schedule D.

The returned referred to in Rule 7 of the duties of medical officers, will in future be the same as the annual return required by the Government, the information being for the month instead of the year (form ii), A copy of this return should be regularly submitted to the sub-committee.

VII.- A weekly return in form III. of the admissions to hospital from venereal disease among the European troops will be furnished by the senior medical officer, British troops, to the sub-committee, who will forward it, with any remark they may deem advisable, to the medical officer in charge of the Lock Hospital.

VIII.- Annual statements in the annexed forms IV and V, with a concise report by the medical officers in charge, are to be prepared immediately after the close of the year to which they refer, and forwarded, with the opinions of the officers through whom they are sent, to local governments.

IX.- Lock Hospitals will hereafter be considered first or second class, according to the number of prostitutes borne on the register and periodically examined.

Proceeding No. 114. From the HON'BLE A. EDEN, Secretary to the Government of Bengal, Judicial Department, to the Secretary to the Government of India, Home Department, - (No. 1327, dated Fort William, the 15th March 1870)

I am directed to invite the attention of the Governor General in council to a set of rules (copy attached) recently promulgated by his Excellency the Commander-in-Chief, in regard to the registration of prostitutes, which under His Excellency's orders, have been forwarded to this Government for information. It appears probable to the Lieutenant - Government that this has been done in inadvertence, for it will be seen that in some material points the rules differ from those already in force, which were made by the local Government with the sanction of the Government of India, and the Lieutenant - Governor thinks it scarcely necessary to point out the inconvenience which is likely to arise from conflicting orders emanating from two authorities in reference to the same subject.

2. Under the orders of the Government of India passed from time to time, the working of the rules for the supervision of prostitutes, and the sending them to Lock Hospitals, has hitherto been understood to be left with the local Government; and even if there be any doubt in regard to the meaning of those orders, it is obvious that such rules as Nos. 2, 3, 4, and 5 of those sent herewith, can only be legally made by the Government under section 17 of Act XXII of 1864. These rules,

however, are apparently based on the suggestions of Sanitary Commissioner, and the Lieutenant - Governor is perfectly willing to adopt them if they are confirmed by the Government of India.

3. I am at the same time to observe that the numbers of the rules quoted in the Commander-in-Chief's new rules 2, 3 and 4 are evidently those of the original draft rules framed by the Simla Committee in 1865, and not of the amended rules which were forwarded to the Government of India, in the Military Department, with the letter from this office, No. 4045 of the 27th July 1866, and sanctioned in the letter from that department, No. 472 of 21st September following. A copy of these rules is also transmitted herewith for ready reference.

**(Source : Judicial, March 1870, Proceeding 112 – 114)**

The main aim of the CDA was to counteract the spread of venereal diseases among British troops posted in India. The two main features of the Act that were to become controversial were, first the provision of compulsory registration of all prostitutes and secondly, the compulsory treatment of all prostitutes in lock hospitals.

Any talk of abolishing prostitution in the regiments was seen to be hazardous and replete with dire consequences. Not only that the reckless soldiers would broil into the *bazars* risking their masculinity but the prospect of homosexuality would lead to the most devastating sort of degeneration. Prostitutes were seen as necessary and hence there was no attempt to reform them in lock hospitals.

To maintain physical and mental fitness of the army, the main pillar of British paramount in this country, the introduction of the CDA was a well thought out measure of the Govt. of India. To spend a monotonous and tough life in the cantonment for young boys of the troops was obviously unpleasant. CDA was enacted thus not only to remove the possibility of infection of VD but it also aimed at satisfying the natural desire of the young soldiers in the company of medically fit sex workers. It may be remembered in this connection that behind all these legislative measures lay one purpose i.e. the protection of the interests of the British *Raj*.

An article published in a contemporary news paper, is relevant to mention in this context. Here it is :

“From the 1st instant the Contagious Diseases Act has come into operation Calcutta. The government of Bengal has appointed Dr. Payne of the Insane Asylum to the medical charge of the Lock Hospitals to be established under Act XIV of 1868 and generally to supervise all medical arrangements connected with the working of the Act. We believe the general administration of the Act will be left to the Commissioner of Police, but no notification has yet been issued on the subject, nor have the Rules, which the local Government is authorized to make for the enforcement of the law, been issued. Steps have however been already taken by the Commissioner of Police for the inauguration of the law. A proclamation has been issued by beat of drum calling upon the common prostitutes of the town to register their names. As the law is of an extraordinary nature, the very idea of which is repugnant to native feeling, every necessary precaution ought to be taken to familiarize the people with its provisions and to remove as much as possible their aversion to it.

The leading provisions of the law are as follows : Section 3 gives power to the local Government to extend the Act to such places as it may think proper. Section 4 declares that in any place to which this Act applies, no woman shall carry on this business of a common prostitute, and no person shall carry on the business of a brothel-keeper, without being registered, and without having in her or his possession evidence of registration. If such woman or brothel-keeper cannot produce evidence of registration he or she shall on conviction before a Magistrate, be punished with imprisonment for a term which may extend to one month, or with fine not exceeding one hundred rupees, or with both. Now, the words ‘common prostitute’ and ‘brothel-keeper’ leave a wide opening to legal quibbling and dispute. We remember Mr. Roberts at a meeting of the Justices complaint that the Legislature had thrown upon the Magistrate the ungracious task of deciding as to what would constitute a ‘common prostitute’ and what not. A definition of a ‘brothel-keeper’ has however been given in the Act. The ‘brothel-keeper’ is stated to ‘mean the occupier of any house, room, or place or to in which women resort or are for the purpose of prostitution and every person managing or assisting in

the management of any such house, room or place.’ Now, the question is whether the fact of a person occupying a house to or in which women resort or are for the purpose of prostitution constitute the ‘business’ of a ‘brothel-keeper’? In this town men of low feeling are known to take up quarters in house of ill-fame; they live there as lodgers and have no connection whatever with the ‘business’ or ‘brothel-keeper’, but according to the definition given they may well be called upon to register their names. The again there are many instances of persons holding stalls or shops on the first floor of a house on the road side, occupied by courtesans and occupying the same, and are they to come under the definition of ‘brothel-keeper’. Being ‘occupiers’ of the house we do not see how they can escape the penalty of the law. Then again what is the business of a brothel-keeper? Traffic in vice is not carried on in the same manner here as it is in some of the towns of Europe. The *bariwallis* as they are called do not necessary manage or assist in the management of a house of prostitution. They are generally old women of the same unfortunate profession, who eke out their existence in the decline of life by letting out the huts or rooms which they engage for the purpose. They often live in the same house, but as a rule do not go in shares with the wages of sin raised therein and cannot consequently be considered to carry on the business of a brothel keeper.”<sup>16</sup>

### **Penal measures imposed on women and their suffering :**

“The local Government shall provide rules for the registration of prostitutes and brothel-keepers. The names, age, caste (if any) and residence of every woman, and other particulars shall be entered on a book to be kept for that purpose. Whenever only woman, on change of residence, shall on conviction before Magistrate be punished with imprisonment not exceeding fourteen days or with fine not exceeding one hundred Rupees, or with both. A special penalty, extending to imprisonment not exceeding six months or to a fine not exceeding one thousand rupees, or both, is prescribed for a brothel-keeper, who may permit unregistered prostitutes to resort to his house. The local Government shall makes rules and appoint officers for the examination of prostitutes. The provision on the subject of the medical treatment of the women are as follows :

‘Any woman registered under the Act shall, on receiving notice from any such officer as the Local Government shall from time to time appoint in this behalf, proceed to the certified Hospital named in such notice and place herself there for medical treatment. If after the notice is delivered to her, she neglects or refuses to proceed to the said Hospital within the time specified in this said notice, an officer of police shall apprehend her and convey her with all practicable [speed] to such Hospital, and place her there for medical treatment. Whenever any such woman affected with contagious disease places herself or is placed as aforesaid in a certified Hospital for medical treatment, she shall be detained there for that purpose by such medical officer of the Hospital as the Local Government shall from time to time appoint in this behalf until discharged by him by writing under his hand. Medical treatment, lodging, clothing and food shall be provided gratis for every such woman during her detention in the Hospital. If any woman authorized by such medical officer to be detained in a certified Hospital for medical treatment, [quits] the Hospital without being discharged there from by the chief medical officer thereof, by writing under his hand (the proof where of shall lie on the accused), or if any woman authorized by this Act to be detained in a certified Hospital for medical treatment, or any woman being in a certified Hospital under medical treatment for a contagious disease, refuses or willfully neglects while in the Hospital to conform to the regulations, thereof approved under this Act, then in every such case such woman shall, on conviction, before, a Magistrate, be punished with imprisonment, in the case of a first offence, for any term not exceeding one month, and in the case of second or any subsequent offences, for any term not exceeding three months, and in case she quits the Hospital without being discharged as aforesaid, she may be taken into custody without being discharged as aforesaid, she may be taken into custody without warrant by any officer of police. On the expiration of her term of imprisonment under this section, such woman shall be sent back from the prison to the certified Hospital, and shall be detained there unless the medical officer of the prison at the time of her discharge from imprisonment certifies in writing that she is free from contagious disease (the proof of which certificate shall lie on her).”<sup>17</sup>

Some provisions have been made for the outdoor treatment of prostitutes, which are :

“It shall be lawful for the Local Government to empower such Surgeons or other persons as it shall from time to time appoint, to prescribe, by order to be served on any woman registered under this Act, who has not received a notice under section fourteen, the times and places at which she shall attend for medical treatment, and, if necessary, the medical treatment to which she shall submit. Every such woman disobeying or failing to comply with any such order, shall, on conviction before a Magistrate be punished with imprisonment for a term which may extend to a month, or with fine not exceeding one hundred Rupees, or with both. If any registered woman on whom such order as last aforesaid shall have been served, conducts herself as a common prostitute before such surgeon or other person empowered as last aforesaid certifies in writing to the effect that she is then free from a contagious disease (the proof of which certificate shall lie on her), she shall, on conviction before a Magistrate, be punished with imprisonment for a term which may extend to six months, or with fine not exceeding five hundred Rupees, or with both. During the interval between the service such order upon any registered woman and the granting of such certificate, all allowance for the subsistence shall be provided of such amount and in such manner as the Local Government shall from time to time prescribe.

By far the most important provision as regards public morality is that which relates to the segregation of prostitutes. It runs as follows :

In any place to which the Local Government shall by notification in the official Gazette, have specially extended this section, it shall be lawful for such officer as the Local Government shall from time to time appoint in this behalf, to cause a notice to be served on any registered woman requiring her, after, an interval of not less than seven days to be mentioned in the notice, not to reside in any street or place therein specified.

Any registered woman on whom such notice shall have been served disobeying the requisition therein contained shall, on conviction, before a Magistrate, be punished with imprisonment, in the case of a first offence for any term not exceeding one month, and in the case of a second or any subsequent offence, for any term not exceeding three months.

We sincerely hope that this provision will be enforced by the Government in the interest of public morality. We can imagine that such a move will be stoutly opposed by house-owners, but the scene in certain parts of the town have become so tainted, that it is not safe for respectable people to reside there and the sooner such scenes are suppressed the better.

The subject of this article is painful and sad, but it cannot be ignored the Legislature has though it necessary to interfere, and it cannot therefore be right from an over-delicate feeling to leave out of the pole of newspaper discussion. The very mention of the law has spread great consternation among the poor unfortunate who live by the sale of their charms. Many of them it is stated have already deserted the town. Great oppression is apprehended, but we hope Dr. Payne, who is a considerate man, will not allow this law to be converted into an engine of extortion and oppression. We need hardly observe that both he and the Commissioner of Police cannot be too cautious in selecting the agents for the administration of the law. Regard we trust will be had to the private character of the doctors as well as the inspectors in whose hands will chiefly rest the administration of the law. The Rules by the local Government have not yet been issued, but we hope no unnecessary annoyance will be given to the unfortunate women. We have been told that some of them have been asked to give the names of their parents, but they justly protest against such queries. They are fully alive to the disgrace they have brought on their parents by their shameless life, and they do not wish to add to it by publishing their names. This is an honorable feeling which the police ought not be allowed to outrage.”<sup>18</sup>

### **Lock Hospitals :**

The beginnings of the lock hospitals could be traced to four hospitals set up before the end of the 18th century at Berhampur, Kanpur, Dinapur and Fategarh for the reception of diseased women. This was followed by the establishment of regular lock hospitals by the mid-19th century in major towns and cantonment areas, where registration and inspection of prostitutes suffering from venereal diseases were made obligatory. Those prostitutes suffering from STD were confined to special lock hospitals

until they were cured. They were taken there forcibly if they refused to go, resulting in many women going underground or evading registration.

It is quite evident and must be mentioned that venereal diseases were prevalent in England before her soldiers arrived in India. But there appears to be a definite attempt by the 19th century British administrators in India to trace the roots of venereal diseases to Indian prostitutes, and stress the danger of these diseases being imported into England by British troops who got afflicted by them while posted in India.

An important feature of the medical policy regarding the lock hospitals, frequently resorted to from 1805 to 1897, was that when the ratio of prevalence of venereal diseases among the soldiers did not decline for a considerable period, some of the hospitals were abolished considering them a wasteful expenditure. But again, even after the closure, as the ratio of venereal diseases kept on increasing, more and more of lock hospitals were opened. Venereal diseases were prevalent among the British soldiers on a wide scale and roughly varied between 29 to 43 per cent during the course of the nineteenth century. As a social experiment the lock hospitals were closed from 1830 onwards. But the growth in venereal diseases continued to rise, and lock hospitals were re-opened, first locally and from 1864 as a matter of an all India policy. Again in 1888, they were in principle abolished as moral reformers began to apply pressure. But they had to be re-established in 1897 as the disease continued and unabated affecting the soldiers. Moreover, every closure, almost immediately, aroused protests in military circles.<sup>19</sup>

Meanwhile in India, the 1864 Cantonment Act was failing in its aims, since soldiers tended to move out of their cantonments (either due to paucity of prostitutes in the regimental *chaklas* or because of troop movements) and consort with 'common prostitutes' outside, and get afflicted with venereal diseases as a result. The authorities, therefore, planned to extend their operations beyond the cantonments and impose control over those prostitutes playing their trade outside.<sup>20</sup>

A more comprehensive legislation to bring prostitution (outside the cantonments) under state control came in 1868, when taking the cue from the Contagious Diseases Acts in

operation in England, the colonial authorities in India enacted the Indian Contagious Disease Act (Act XIV - or *Choudda Ain* - the dreaded term by which it came to be known among the prostitutes of Bengal at that time). The main objective of the legislation was to protect British soldiers and sailors from venereal diseases that they might contract from 'common prostitutes' outside the regimental bazaars.<sup>21</sup>

There is perhaps not a military station in India in which prostitutes, under the guise of day-labourers employed by the Department Public Works, or others, do not infest European barracks and give disease to the soldiers. This suspicious and hostile attitude towards female labourers continued among the British bureaucrats in the 1880s also, as is evident from the annual report of medical transactions of the lock hospital in Darjeeling in Bengal, which, while explaining the persistence of venereal diseases among the British soldiers, added among other causes, the following: 'There was also a large number of coolie women belonging to the hill tribes notoriously dirty in their habits and persons, employed in and about cantonments; some of whom undoubtedly added to their gains by prostitution.'<sup>22</sup>

Under the Act, the prostitutes were required to (i) compulsorily register themselves (ii) subject themselves to periodical medical examination (iii) compulsory treatment and were (iv) forbidden to live in special areas. C. Fabre Tonnerre, the brain behind the Act, insisted that every woman registered under the Act must be provided with a ticket bearing her name, caste and residence, and must be compelled to exhibit such tickets on being required to do so by a Superintendent of the police.

In the case of registration, the number of admissions to the lock hospital, also, did not necessarily reflect the actual extent of the spread of venereal diseases - since a large number of prostitutes remained outside the scope of the lock hospitals. Official reports from the **lock hospitals outside Calcutta – Hoogly, Berhampore, Dum Dum, Barackpore and Darjeeling** (where British troops were stationed) - repeatedly complained about the difficulty of making the prostitutes attend the lock hospitals twice every month, even under police pressure, and about prostitutes leaving the hospitals before completion of treatment.<sup>23</sup>

Government taxed and fined the prostitutes to finance their treatment in the Lock Hospitals and thereby made itself more vulnerable to accusations of legitimizing prostitution. The argument that in India prostitution was already legitimate was rejected by the repealers, missionaries and educated Indian opinion. However, they all accepted the broadly co-optive definition of 'the prostitute' which drew under its umbrella a wide variety of social practices. What they merely did was to turn the Government's logic on its head. The prostitute was now to be a victim, not a criminal - a victim of the Government's double standards of morality, of the brutal police, of greedy husbands and lascivious men.

**Prohibitive measures to stop the use of under-aged child :**

Use of girl child under-aged became a big issue. British government tried to stop the use of girl child in sex business. They had taken strict measures to stop that business. The following correspondences, regarding this issue calling upon the Divisional Commissioners and the Commissioner of Police, Calcutta, for their opinion on the inquiry made by the Government of India as to whether it would be possible for forbid the possession of girls under the years of age by prostitutes and brothel keepers, are very crucial in this context :

No. 233, dated Fort William, the 9th April 1872

From – E. C. BAYLEY, Esq., C.S.I, Secy to the Govt. of India, Home Dept.

To, The offg - Secy to the Govt. of Bengal, Judicial Dept.

With reference to a correspondence upon the subject of the kidnapping and abduction of girls for immoral purposes, I am desired to ask whether it would not be possible, in the opinion of His Honour the Lieutenant - Governor, to forbid altogether the possession of girls of say ten years of age and under by professional prostitutes and by the keepers of brothels, or other similar establishments.

2. It seems to the Governor General in Council wrong that girls should be practically committed to an immoral course of life at an age when they can not possibly be supposed capable of any independent volition on the subject.

3. At the same time His Excellency in Council is not insensible to the difficulties which attend the question with reference to the customs of the country, and to the fact that, especially in Southern India, many such girls are dedicated at an early age to the service of temples.

4. Even it be found practicable to devise a remedy, the Governor General in Council would not in any case think it right to do more than forbid the practice prospectively, and for the present would at most merely provide that such girls already so circumstanced, and below the age, say of ten years, should be registered, without interfering in any way with their custody, unless the children are proved to have been unlawfully obtained.

5. But the main question is, whether it might not be made penal in future for persons for specified classes to retain possession of girls of and under ten years of age, not being their own children, however acquired, except such as may have been entered in the list above proposed.

6. It would be of course not very difficult to evade such a law, on the other hand, it may be urged that its enactment might possibly do something to check a practice which it is believed, is revolting to many natives of character and intelligence.

7. I am to request that, after obtaining the opinion of such officers as His Honour the Lieutenant - Governor may consider it expedient to consult, especially natives and persons acquainted with native feeling a report may be furnished to this office confidentially on the point whether any such measures, or other measure with the same object, is practicable and expedient.

No. 2508 - 9, dated Calcutta, the 19th April 1872

From - C. BERNARD, Esq., Offg. Secy to the Govt. of Bengal in the Judl. Dept.

To - All Divisional Commissioners, and to the Offg. Commr of Police, Calcutta

I am to directed to forward copy of a letter in which the Government of India enquire whether it would be possible to forbid the possession of girls under ten years of age by prostitutes and brothel keepers.

2. There can be no manner of doubt that it is highly desirable to prevent little girls being educated and apprenticed to a prostitute's life before they are old enough to think and act for themselves. But before the Lieutenant - Governor can advise the supreme Government on the subject, he would wish to learn from officers and respectable natives whether the evil against which the proposed prohibition would be directed, exists largely; and whether there are any insurmountable difficulties in the way of the course proposed by the Government of India and which commends itself to the Lieutenant - Governor. I am to ask you to be so good as to obtain the opinion of selected officers (European and Native) in your division on this reference, and to forward their replies, together with your own, by the 30th June at latest.

3. Any information which may be available regarding the caste of young girls who are apprenticed to prostitution, the circumstances under which they usually fall into the hands of prostitutes, and their ultimate fate after some years of prostitution, would be useful. The Lieutenant - Governor noticed with some surprise that the great majority of the registered prostitutes in Calcutta are Hindoos, and but comparatively few Mohamedans. He would like to know how this is accounted for, and whether the Hindoo registered women are of hereditary prostitute castes, or what is their origin and condition. The Lieutenant - Governor is aware that in some parts of India consignments of young girls have been found in railway carriages under the charge of men or women who had enticed or kidnapped the children and were taking them to a distant district, he would be glad to learn whether any authentic cases of a similar kind had occurred within your knowledge. Any suggestions regarding the limit of age (ten years) within which the proposed prohibition is to apply, or regarding the disposal of young girls who may be found in the possession of prostitutes after the prohibition, will have His Honour the Lieutenant - Governor's consideration.

**(Source : Judicial, April 1872, Proceeding No. 68- 69)**

The first reform legislation affecting prostitutes was the 1923 prostitution Act which made it illegal for a male, but not a female, to manage a brothel. Concern with public health and morality, combined with an international interest in the traffic in women and girls led to further amendments of this Act, in 1926 and 1927.<sup>24</sup>

### **Laws regarding the issue of temple prostitution :**

It has been already mentioned that *devdasi* system or temple prostitution was another form of prostitution prevailed in our country. At the beginning of 20th century the *devdasis* converted into *patitas* or prostitutes in South India. Various laws were passed to eradicate '*devdasi pratha*'. British Govt. had also taken initiative to stop temple prostitution.

An important correspondence of British Government should be mentioned here regarding the issue of temple prostitution :

dated London, the 3rd March, 1911

From – His Majesty's Secretary of State for India,

To - His Excellency the Right Hon'ble the Governor General of India in the Council.

My attention in Council has lately been called to the various methods by which female children in India are condemned to a life of prostitution, whether by enrolment in a body of dancing girls attached to a Hindu temple; by symbolical marriage to an idol, a flower, a sword, or some other material object; or by adoption by a prostitute whose profession the child is brought up to follow. I observe with satisfaction of Hindu society regards the association of religious ceremonies with the practice of prostitution with strong disapproval. In Madras where the institution of temple dancing girls still survives, an Indian Magistrate, Mr. Ramchandra Rao, has expressed the opinion that temple servants have been degraded from their original status to perform function "abhorrent to strict Hindu religion", and in Bombay a society for the protection of children has been formed with the co-operation of leading Hindu citizens.

2. I desire to be informed of the probable extent of the evil, how far the provisions of the penal code, sections 372 and 373 are in themselves sufficient to deal with it effectually, and whether, in your opinion, or that of the local Govt., adequate steps are being taken to enforce the law as it at present stands; or whether any, or if so, what amendments of the law are required to give reasonable encouragement and support to those who are endeavouring to suppress a grave abuse. The matter is one in which the weight of public authority may well be lent to the furtherance of reforms advocated by the enlightened leaders of the communities to which the children belong whom the law was intended to protect.

**(Source : Political Department [ Police], September 1912, Proceeding No. 45)**

### **Laws in Post - Colonial Period :**

During these years Indian accepted the various measures suggested by the League of Nations to suppress immoral traffic and prevent people from living on the earnings of prostitutes. The women's organizations became more involved with the abolition of *devdasis* than with abolition of prostitution.

**The Andhrapradesh Devdasis Prevention of Dedication Act, 1947 and The Andhrapradesh Devdasis Prohibition of Dedication Act, 1988** were passed to stop *devdasi* system. The 1947 Act abolished dedication of girls to temple service, barred temple dancing, and declared that any *bogam, kalavanthulu, sani, nagavasulu, devdasi* or *kurmapuvalu* woman who danced was a prostitute.<sup>25</sup>

### **Suppression of the Traffic in Persons and of the exploitation of the Prostitution of others :**

The Convention for the Suppression of the Traffic in Persons and of the exploitation of the prostitution of others held on 2nd December, 1949. The preamble is as follows<sup>26</sup>:

Whereas prostitution and the accompanying evil of the traffic in persons for the purpose of prostitution are incompatible with the dignity and worth of the human person and endanger the welfare of the individual, the family and the community.

Some important **Articles** should be mentioned :

### **Article 1**

The parties to the present convention agree to punish any person who, to gratify the passions of another :

1. Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person;
2. Exploits the prostitution of another person, even with the consent of the person.

### **Article 2**

The parties to the present convention further agree to punish any person who :

1. Keeps or manages, or knowingly finances or takes in the financing of a brothel;
2. Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others.

### **Article 3**

To the extent permitted by domestic law, attempts to commit any of the offences referred to in article 1 and 2, and acts preparatory to the commission thereof, shall also be punished.

### **Article 4**

To the extent permitted by domestic law, international participation in the acts referred to in articles 1 and 2 above shall also be punishable. To the extent permitted by domestic law, acts of participation shall be treated as separate offences whenever this is necessary to prevent impunity.

### **Article 6**

Each party to the present convention agrees to take all the necessary measures to repeal or abolish any existing law, regulation or administrative provision by virtue of which persons who engage in or are suspected of engaging in prostitution are subject

either to special registration or to the possession of a special document or to any exceptional requirements for supervision or notification.

#### **Article 16**

The parties to the present convention agree to take or to encourage, through their public and private educational, health, social, economic and other related services, measures for the prevention of prostitution and for the rehabilitation and social adjustment of the victims of prostitution and of the offences referred to in the present convention.

#### **Article 17**

The parties to the present convention undertake, in connection with immigration and emigration, to adopt or maintain such measures as are required, in terms of their obligations under the present convention, to check the traffic in persons of either sex for the purpose of prostitution.

#### **Article 18**

The parties to the present convention undertake, in accordance with the conditions laid down by domestic law, to have declarations taken from aliens who are prostitutes, in order to establish their identity and civil status and to discover who has caused them to leave their State. The information obtained shall be communicated to the authorities of the State of origin of the said persons with a view to their eventual repatriation.

#### **Article 19**

The parties to the present convention undertake in accordance with the conditions laid down by domestic law and without prejudice to prosecution or other action for violations there under and so far as possible.

Pending the completion of arrangements for the repatriation of destitute victims of international traffic in persons for the purpose of prostitution, to make suitable provisions for their temporary care and maintenance.

## **Article 20**

The parties to the present convention shall, if they have not already done so, take the necessary measures for the supervision of employment agencies in order to prevent persons seeking employment, in particular women and children, from being exposed to the danger of prostitution.

## **Final Protocol**

Nothing in the present convention shall be deemed to prejudice any legislation which ensures, for the enforcement of the provisions for securing the suppression of the traffic in persons and of the exploitation of others for purposes of prostitution, stricter conditions than those provided by the present convention.

Prostitution is to be seen in the background of the prostitutes, procurer, client and society without which the problem cannot be understood. Thus SITA which considers prostitution as a crime committed by a female earning money through the sale of her body is ineffective.

## **SITA & PITA :**

The two principal Indian laws that addressed trafficking and prostitution in particular are the **Suppression of Immoral Traffic in Women and Girls Act of 1956 (SITA)** and the **Immoral Traffic (prevention) Act of 1986 (ITPA)**, colloquially called **PITA**, an amendment to SITA. The Suppression of Immoral Traffic in Women and Girls Act (SITA) 1956 repeals all previous enactments passed by the State and brought uniformity in the law. 'The Act aimed at the suppression of commercialized vice and not at the penalization of the individual prostitute or of prostitution itself'. In one case, the individual prostitute can be penalized. It is where she carries on prostitution 'within a distance of 200 yards of any place of public, religious worship, educational institutions hostel, hospital, nursing home.'<sup>27</sup>

**Table No. 5:1**

Some Useful Provisions of Immoral Trafficking Prevention Act, 1956 - ITPA :

Offence	Punishment	Punishment
	If crime against women	If crime against minor
Running or managing a brothel or allowing premises to be used as a brothel or allowing property to be used as a brothel [Sec. 3].	1 year to 5 years imprisonment and fine Rs. 2000/.	1 year to 5 years imprisonment and fine Rs. 2000/.
Living on the earning of prostitution [Sec.4].	2 years imprisonment.	7 years to 10 years imprisonment and fine Rs. 1000/.
Procuring including or taking person for the sake of prostitution [Sec.5] (Buying or selling of Human beings). (Illegal transportation of people across the border).	3 years to 7 years imprisonment and fine Rs. 2000/.	7 years to 14 years imprisonment and fine Rs. 1000/.
Detaining of person at a place I where prostitution is being carried out [Sec. 6].	7 years to 14 years imprisonment and fine.	7 years to 14 years imprisonment and fine.
Kidnapping, abduction, including procuring, importing humans for the purpose of illicit sexual intercourse [Sec. 5].	3 years to 7 years imprisonment and fine Rs. 2000/.	7 years to 14 years imprisonment.

Source : *The Status of Women in India : From Antiquity to Modernity* by Manjari Biswas Bhaumik, p. 109

{Note : Trafficking victims who are framed as prostitutes and charged with offence of soliciting cannot be punished with imprisonment more than 6 months to one year, and cannot be fined more than Rs. 500/ [Sec. 8]}.

Neither law prohibits prostitution per se, but both forbid commercialized vice and soliciting. Aside from lack of enforcement, SITA is problematic in several ways. One of its chief drawbacks is that the prescribed penalties discriminate on the basis of sex; a prostitute, defined under SITA as always a woman, who is arrested for soliciting under SITA could be imprisoned for up to a year, but a pimp faces only three months. SITA allowed prosecution of persons other than the prostitutes only if the persons involved 'knowingly' or 'willingly' made women engage in prostitution. Accordingly, pimps, brothel owners, madams and procurers could feign ignorance of prostitution and escape punishment. The client, moreover, was not viewed as an offender and could not be sanctioned under SITA. Finally, SITA only addressed street prostitution; prostitution behind closed doors was left alone - a loophole that actually promoted the establishment of brothels.

The Immoral Traffic (Prevention) Act of 1986 (ITPA) amended the 1956 SITA in important ways. However, its basic goals and premises remain much the same as those of SITA. Although prostitution as such is not prohibited under ITPA, this statute contains nine punishable offences, including operating a brothel, abetting in brothel keeping, living off brothel earnings, procuring, detaining, activity in vicinity of public places, seducing or soliciting. Ironically, ITPA does not authorize the police actually to close brothels. Unlike SITA, ITPA recognizes that men and children can also be sexually exploited for commercial purposes, and introduces stiff penalties against those who profit from the prostitution of minors and children.<sup>28</sup>

ITPA also expands police power to prevent trafficking, but at the same time attempts to curb the potential abuse of power by the police during raids, such as verbal, physical and sexual harassment. Whereas SITA empowered a special police officer to conduct a search of any premises without a warrant, ITPA extends these powers to the accompanying trafficking police officers who enter the premises. However, ITPA prohibits male police officers from conducting a search unless accompanied by two female police

officers. Interrogation of women and girls also has to be undertaken by female police officers.<sup>29</sup>

The spirit and objectives of SITA were maintained in the 1986 PITA amendment and various technical changes were introduced. For example, the definition of prostitution was changed from when a girl or woman 'offers her body for promiscuous intercourse for hire to the sexual exploitation or abuse of persons for commercial purposes'. PITA also takes a more serious view of the prostitution of minors, and introduces the requirement that two female police officers must be present on brothel-raids. Only women police officers are now supposed to interrogate women and girls who have been removed from brothels.<sup>30</sup>

The legal status of prostitution in India not only has a significant impact on the lives of those involved in the sex trade, but also reflects the current attitudes of the state and of mainstream society towards prostitution. The extent of women's involvement in illegal activities is significantly affected by whether or not prostitution is considered an offence. In India, among female offenders, the majority are involved in the sex trade. In 1989 arrests under PITA were only 0.4 percent of all crimes, yet the highest number of women arrested in this category of local and special laws was under this act. In the same year, the highest number of women arrested under the Indian Penal Code was for the trafficking of women and girls.<sup>31</sup>

**The points of the current PITA legislation are as follows :**

**Sex Workers** - carrying on prostitution in or within 200 metres of a public place or within a notified area, and soliciting or seduction in public, or in sight or sound of a public place for the purpose of prostitution are offences under Section 7 and 8. Public place is defined as any place intended for use by, or accessible to, the public and includes any public conveyance. Working privately and independently as a prostitute is not an offence. However, a sex workers can be removed from any place at the request of a Magistrate, and a brothel containing two or more sex workers can be closed down.

**Clients** - The client commits an offence if he carries on prostitution with a sex worker in or within 200 metres of a public place, or in a notified area. (Under the Indian Penal Code, if the sex worker is below sixteen the client can be charged with rape.)

**Babus** - Live in *babus* or lovers are committing an offence by living off the earnings of prostitution. If any *babu* who is proved to be living with a sex worker is arrested under these charges, he is assumed to be living off her earnings unless he can prove otherwise.

**Brothel Keepers** - A brothel is defined as any place 'used for sexual exploitation or abuse, for the gain of another person or for the mutual gain of two or more prostitutes.' Land lords, brothel keepers and those who abet brothel - keeping can be punished under Section 3 of the act. Detaining a person for prostitution is also an offence. A Magistrate can order the closure of a brothel that is within 200 metres of a public place. Hotels that are being used as brothels can have their licenses suspended or cancelled if any of the sex workers are minors.

**Landlords** - Knowingly renting out property which is being used for prostitution is an offence under Section 7.

**Traffickers** - Procuring, inducing, taking or detaining a person for prostitution are offences under Section 5. If the person is a minor or a child, or if the person was procured against her will, the sentence is more severe.

**Pimps** - Pimping and touting is an offence under Section 4. It is assumed, unless proved otherwise, that a pimp is living wholly or partially on the earnings of a sex worker.

**Rescued Girls** - The government is bound to provide rehabilitation in a protective institution, or under the supervision of a person appointed by the Magistrate, for women and girls rescued from prostitution.

Under the Juvenile Justice Act children of sex workers and minors, classified as vulnerable because they associate with sex workers, can be removed to a registered Juvenile Home (Government or NGO) until they come of age.

## **SOME LAWS AND VERDICTS RELEVANT TO SEX WORKERS IN SHORT :**

1860 Indian Penal Code introduced, with sections covering procuring and trafficking of Women.

1864 Contagious Disease Act passed in Britain, also applies to India, requires sex workers to be registered and examined weekly for sexually transmitted diseases.

1868 Contagious Diseases Act applies in all major cities in India.

1883 Contagious Diseases Act suspended as seen as state participation in the 'immoral' sex industry.

1886 Cantonment Acts for regulation of prostitutes and British soldiers.

1907 East Bengal and Assam Disorderly Houses Act passed for Suppression of brothels.

1933 Bengal Suppression of Immoral Traffic Act passed.

1950 India signatory to UN Conference Declaration for the Suppression of Traffic in Women and Girls.

1956 Suppression of Immoral Traffic Act (SITA) passed.

1976 Bonded Labour (Abolition) Act passed.

1984 Dedication Prevention Act bans system of dedicating *devdasis* or temple dancers to temple.

1986 Immoral Traffic in Persons (Prevention) Act (PITA) passed (amendment to SITA, 1956).

1990 Juvenile Welfare Boards set up in West Bengal. National Commission on Women Act passed to monitor legislation and tighten laws.

1992 Supreme Court ruling that children of sex workers are not required to give father's name for school admission. West Bengal Commission for Women Act passed. Autonomous investigative body with powers of a civil court.

India's legal approach towards the sex business upholds it double standard. Their profession is considered as committing crime. The sex workers are regarded as criminal if they are found to soliciting or practicing within or near the public place. They may be uprooted from anywhere, they can lose their children or can be evicted at any time at the request of a Magistrate. The police haul off sex workers periodically, keep them in lock up and do not release them until or unless extract money from them. Under the law the client, however, only commits a crime if he is practicing with a sex worker in a public place or is having sex with a girl under sixteen. The Sixty Fourth Law Commission Report investigating prostitution laws argued against the punishment of male clients, quoting the following in support of its argument :

'The professional prostitute, being a social outcast, may periodically be punished without disturbing the usual course of society ... the man, however, is something more than a partner in an immoral act; he discharges important social and business relations, is a father or brother responsible for the maintenance of others, has commercial or industrial duties to meet. He cannot be imprisoned without damaging society.'<sup>32</sup>

Many countries, including India, have thus enacted special purpose legislations such as the Immoral Traffic Prevention Act (ITPA) 1956, the Juvenile Justice Act, 2000 etc. in order to strengthen the legal steps that can be undertaken to root out the crimes like prostitution, trafficking and sexual exploitation of women.<sup>33</sup>

From the above mentioned prostitution related laws, it has become clear that all the systems more or less accept prostitution as an inevitable profession of the society. In this context the well-known Immoral Prevention Act (ITPA) is remarkable. According to an interview of the sex workers (by the present writer) this PITA Act (ITPA) is not appropriate for their welfare. It has some inner contradictions. The law nos. 8 and 20 of ITPA have been repealed by the initiative of Smt. Reba Nayer (the Secretary of the Women and Child Development, Govt. of India). Now the repealed laws allow prostitutes

to soliciting with their clients and also banned the right of the Magistrate to uproot the brothels of his locality without notice. On the other hand, the Act nos. 3, 4 and 5/C of ITPA are not in favour of the sex workers. These Acts prohibit to let at rent houses, hotels for prostitution, do not allow the sex worker's children above 18 years to live on their mother's income, sanction the right to arrest the clients respectively.<sup>34</sup>

### **Implementation of Laws and Reaction :**

Under tremendous pressure, primarily from the health concerns for the British soldiers posted in India, and secondly from the reformist zeal of certain social and political circles in England in the 1860s and 1870s, the British administration in Bengal contemplated from time to time measures to re-structure the system of prostitution, and bring it under some form of control.

A dynamic change has been seen in the terms of definition of practice of prostitution in Bengal, from its earlier socio-religious interpretation as a 'sin' to the colonial socio-legal codification as a crime.

The primary goal of the both act i.e. The Cantonment Act of 1864 and The Contagious Disease Act of 1868 was to giving protection the British troops from venereal diseases. But their implications varied from one strata of prostitutes to another. Sumanta Banerjee explained in this way -"The Cantonment Act was geared to groom a breed of Indian prostitutes who were to be trained exclusively for the British Tommies, and kept captive in the *chaklas* in the cantonments. The Contagious Diseases Act was meant to control the movements and operations of the 'common prostitutes' who dominated the wider spectrum of the profession, so that the Tommies did not have access to them, and to put them under medical surveillance so that if some errant Tommy did visit them, he would be protected against the diseases."<sup>35</sup>

Under The Contagious Diseases Act, the prostitutes were required to (i) compulsorily register themselves; (ii) subject themselves to periodical medical examination; and (iii) compulsory treatment; and were (iv) forbidden to live in specified areas. C. Fabre - Tonnerre, the brain behind the Act, insisted that every woman registered under the Act must be provided with 'a ticket bearing her name, caste and residence', and must be

compelled to exhibit such tickets on being required to do so by a Superintendent of Police.<sup>36</sup> The only destination of violation of the provisions of the Act by the offender, was prison. Her (offender) imprisonment with or without hard labour for any term was extended three months.

The procedure of medical examination was terrible. The prostitutes came for examination had to sit on a tub, which was full of water with vexation. Forcefully the syringe of that water push to their vagina. Some of them were died at the time of medical examination due to uncontrolled bleeding. Others confessed their disease to escape from the examination.<sup>37</sup>

Nistarini, a prostitute is sharing her bitter experience to the neighbours after returning from medical test. In her filthy language : *“pora choddo aiyener sraddha kotte gechhila. Amake dhore ne gelo, sekhane ge dekhi charidike peyada pak gis gis kochhe, aar jon duchar bangalee royeche agute dekhei voye amar buk gur gur kotte laglo. Mone kori na jani ki kore, abar sunechi naki aroker tobe bosay, eisokol vabnay kapore okormo (moote phela) korechi. Tader ekjon ese bolle tor bamo ache? Ami voye kapite kapite bolilam na. Pore kohile sore aay ... tokhon bolilo na tomake nangto hoite hoibe, Jodi odhik lojja hoy tobe mukhe chokhe kapor bandho. .... Jodio amar lojjate poran jachhe, tobu voyete ja bolche tai kochchi noile marbe na dhorbe ei vebe haatkhani chokhe diye chup kore dariye roilam. ... Tarpur aar matha mundu ki bolbo, ekti bhadrolok (olpo boyos bote) nikote asiya bole nangta hou, ami chokh dutite haat diye darie achhi. Se bar dui bole apnei amake nangto korle. Tarpur atkurir beta bole, paa faank kore dara. Ki kori tai darailam. Paa faank kore darale haatu gere bose ghete ghute dekhle.”*<sup>38</sup>

Nistarini went for medical test. She was caught. There were a few Bengalee among the sepoys (police). She was shaking in fear as she heard about the tub of tincture. One of them came to her and ask if was she infected or not. She replied, ‘No’. .... She was moved, no body asked her for unclothed. But after some while she was ordered for unclothed by a young policeman. She felt ashamed and covered her eyes with hand. The policeman repeated twice and unclothed her. Then he sat before her and started to examine her body (free translation).

It had been seen that prostitutes used to bribe the medical authority to escape rid from the medical check up.<sup>39</sup>

There was a vivid discrimination among the Indian prostitutes which could not be ignored. The regimental prostitutes were the 'labour aristocracy' among the Indian prostitutes. It is better to call them high profile prostitutes which is popularly known in red light areas now-a-days. They earned more than the other women of this business outside, and other labourers. Their houses were quite well furnished, decorated and they enjoyed better food and standards living. But, being captive and subjected to forcible medical examination, all regimental prostitutes were apparently not happy. Two American women social workers who travelled through India in 1891-92, visiting different military stations to study the plight of prostitutes there, came across residents of *chaklas* who appealed to the foreign women to rescue them from the cantonments.

Medical examination was one of the main causes of discontent among the regimental prostitutes. The cantonment authorities induced the soldiers suffering from venereal diseases to identify the women from whom they had caught them. These women were then forcibly dragged away and detained in lock hospitals.

The Contagious Diseases Act of 1868 was an administrative intervention in the practice of their occupation. While allowing them to pursue their occupation and retain their unorganized structure, the Act sought to curb their free movement by imposing regulations like compulsory registration at police stations, medical examination at certified areas of the cities and towns, and heavy penalties for violation of these regulations.

The Contagious Diseases Act did not confined within the pros-quarters of cantonment, beside, it applied for the prostitutes of red light areas outside of cantonment. As it is already clear that there was a distinct difference between the common prostitutes and the regimental prostitutes. There remained still the fear that the British soldiers could get infected by the common prostitutes. That was why the British administration build up an elaborate machinery of surveillance under the Contagious Diseases Act that not only affected the business of these prostitutes (by driving away their regular customers, the

local indigenous clients who were put off by the sudden police raids), but also subjected them to the most horrible medical examination.

At the first phase the intellectuals preferably called the *bhadroloks* in Bengal welcomed the CDA as a measure to control over the spread of prostitution and several venereal diseases. But the scenario had been changed at the end of the 19th century because of the indiscriminate powers enjoyed by the police to harass and persecute any women under the catch-all provisions of the act. The ostensible plea of controlling the spread of venereal diseases became a cover of police atrocity. Not only the common prostitutes and women from poorer classes like female labourers working near the cantonments, but also the members of the upper strata of the prostitute community, like the *baijis* or the dancing girls and singers and mistresses maintained by the rich Bengalis or the sex workers of red light areas did not get relief from the tyrannical examination of CDA and police harassment.

Protests against the implication and functioning of the CDA had been started beyond Bengal, in all over India and England. The colonial administrative and military authorities in India got realize that the Act had failed to serve its purpose of the prevention of the spread of venereal disease among the British soldiers. Finally It led to the repeal of the CDA in 1888. The official explanation for the repeal was : 'It certainly has not had the anticipated result of extirpating disease ... The Government of India recommended the repeal of the Act on the grounds that it did not ..... effect appreciable good ..... and was liable to abuse (24 June, 1888).' The government, however, retained the regulations which enforced compulsory medical examination under the Cantonment Act, thus keeping the regimental prostitutes who served the British soldiers under firm control.<sup>40</sup>

The immediate reaction to the proposal of the CDA in Bengal both among the Bengalee *bhadrolok* society and in the red light areas indicated the prevalence of a variety of social interests and concerns, sometimes converging, and at other times conflicting with each other. The two main features of the CDA became controversial in India. The first one was the provision of compulsory registration of all the prostitutes and the second was the compulsory medical treatment of them in lock hospitals. The

procedure of compulsory medical treatment was so dangerous that a large number of prostitutes committed suicide or forced to leave their shelter.<sup>41</sup>

The contemporary popular songs and chapbooks those were published by the cheap presses in *Bat-tala* in North Calcutta, documented the wake of the CDA. The poetasters of *Bat-tala Sahitya* were usually neo-literate people of humble origins narrated in a droll style the implication and reaction of CDA in society. Two chapbooks are mentionable in this context. The first one namely '*Badmaesh Jabdo*' (the Taming of the Profligate) by Prankrishna Dutta came out on 31 March 1869, a day before the CDA of 1868 was actually implemented. It welcomed the CDA as a gift of the British government to punish both the prostitutes and the lechers who patronized them. The second was entitled '*Panchali Kamalkoli : Choudda Ain*' (A poem about a Lotus bud : Act XIV). Aghar Chandra Ghosh, the author narrated how fast *gormi rog* (venereal diseases) spread all over the city and how the CDA victimizing the prostitutes.

The grievances of the prostitutes has been reflected in the following song of Prankrishna Dutta :

“ ..... *Amader prati aain bikot, nahi putra nahi pati nahi pita mata,*  
*Neech britti proti bad sadhilo bidhata.*”<sup>42</sup>

It means, the law was not in our favour, we have no son or husband or parents, god makes problem in our profession (free translation).

In this context Ratnabali Chatterjee had said - 'Female sexuality became the subject of discourse in medicine, law and morality in 19th century mainly during the debates on Contagious Disease Act.'<sup>43</sup> The British missionary non-conformists and the evangelicals protested against this law. In 1893 the 'Calcutta Social Purity Activities (organization of the Anglican Churchmen and Bengalee social Reformers) demanded for the cease of brothels. But according to the contemporary law the police could cease the brothel only on the basis of the complain of any neighbor of that area. On the basis of such complain a few brothels were banned. Although, in the name of abolishment those brothels were shifted to another place. In 1859 the British Government gave extra power

to the police. On the basis of that power a policeman could arrest any woman for general queries without any prove. Surendranath Banerjee protested against the extra power of the police. He said the extra power enjoyed by the police would violate the liberty of human.

Prankrishna Dutta reported the rumours about the medical examination that were doing the rounds of the town: ‘ ..... some people are saying that they (the medical examiners) use syringe, others claim that it is a lath, and these rumours are making all shake in fear...’<sup>44</sup>

Many prostitutes used to bribe police and thus escape the law, while the poor women could not have enough money to bribe police and they were harassed by them and compelled to seek registration. One thing should be mentioned, there was a certain thought that if the diseased prostitutes were kept in lock hospitals and only the healthy prostitutes were allowed to practice, men would visit them more frequently, their fear of imbibing venereal diseases being removed.

The CDA or the *Choudda Ain* as it was known (the Bengali translation of the words ‘Act XIV’) among the prostitutes, created a terror. It forced prostitutes scurrying for shelter outside the cities. A large number of native public prostitutes had left the cities and shifted to the suburbs and further away. The prostitutes of Calcutta took shelter in Phorasdanga i.e. Chandernagore (Chandannagore). It was said the land lords of rented houses suddenly increases the rent of houses in Chandernagore.

Sumanta Banerjee had given the reference (in ‘Dangerous Outcaste’) of Mukta Bewa, a prostitute was convicted under CDA for failing to appear for the required medical examination, inspite of registering herself as a prostitute under the Act. She appealed against the conviction. The judge quashed the conviction and sentence on the grounds that the evidence for the prosecution was insufficient, and that no evidence was heard for when the sentence was passed.

The rate of admission of soldiers suffering from venereal diseases rose from 249.7 per 1000 to 342.7 per 1000 between 1880 and 1885.<sup>45</sup> The increased was caused by the policies of the colonial administrators. The cause which was responsible for that

increased ratio, the recruitment of young in-experienced men into army. They according to the report fell an easy prey to the prostitutes of the country, among whom venereal disease is well known to be rife.<sup>46</sup> Due to the reluctance of prostitutes to register themselves, the number of registered women in most of the cantonment areas was absurdly inadequate.

A comparison of the average strength of British troops in the following mentioned three major cantonments in Bengal with the average number of registered prostitutes in 1884 stated here. In Barrackpore, every one from among the 36 odd registered prostitutes there was required to serve daily some seven soldiers on an average. In Dumdum the ratio went up to one registered prostitutes per 24 soldiers. And lastly in **Darjeeling**, there were only 4 registered prostitutes to cater to the needs of 241 British Tommies.<sup>47</sup>

The British government had started to amend the CDA. Lord Ripon, The Governor General, played an initial role in this aspect. He sent a dispatch on 16th June 1882 to Lord Hartington, Secretary for India, where he expressed the opinion that the CDA could be abolished and the money spent in carrying out the Act might, with greater advantage, be devoted to the construction of sanitary works and other measures much more likely to benefit the health of the community at large than any system of lock hospitals.<sup>48</sup>

Attention soon turned to India. Keshub Chandra Sen sent a letter to the British feminist leader, describing the pathetic condition of the prostitutes in the name of medical examination. Josephine Butler, who led the Ladies' National Association in England. A few portion of the petition of complain send by Butler to British Government is - 'We, as Women, desire to protest in the strongest and most solemn manner possible against the wrong done to our sisters and fellow subjects in India.' In the agitation against the CDA there, mounted a vigorous campaign among parliamentarians and social activities in the UK (United Kingdom). A Liberal Party MP, James Stuart, collected information about harassment of women in the Indian cantonments, and presented the data before the House of Commons.<sup>49</sup> In 1875 Josephine Butler requested Keshub Chandra Sen to take membership in General Council of the Federation for the Abolition of Government Regulation of Prostitution. Receiving that invitation Keshub Chandra Sen was pleased.

Inspired and encouraged by the efforts of Ladies' National Association and MPs in England, the Bengali *Bhadrolok* or intellectuals, politicians also began to voice their opposition to the CDA and demand its repeal. In 1887, one of the major organizations in Calcutta, the British Indian Association, in a memorandum, to the Secretary to the Government of Bengal, observed: '.... the operation of the Contagious Diseases Act is wholly repugnant to the feelings of the entire Native Community, and ... it is attended with an incalculable amount of cruelty and oppression in this country.' Stating that out of the thousands of women hauled up for medical examination, only 14 to 34 per cent were found to be diseased in different years, the Association commented: 'No amount of sanitary benefit could compensate the outrage committed on the remaining women and through them on society. Nor is it at all a desirable state of things in a country where the police are virtually irresponsible as regards poor people.'<sup>50</sup>

The Army's need to maintain the system of regimental prostitutes - a captive group of women exclusively serving British troops - came into conflict with the demands of the pro-repeal groups both in England and India which wanted an end to that system. The demand for repeal of the CDA posed a threat to the British army in India.

Finally the previous Cantonments Act was amended and incorporated the new policies. In 1889, the new Cantonments Act (XIII) was passed. This new Act didn't mention the contemporary venereal diseases specifically, rather it provided for the enactment of rules for the prevention of the spread of infections or contagious disorders within a cantonment, and the appointment and regulation of hospitals or other places within or without a cantonment for the reception and treatment of persons suffering from any diseases. The new rules were added in 1895 (under Act V). Regimental prostitution and compulsory examination were the two important features of old Cantonments Act. After the enactment of new rule these two features were not wholly discontinued in some cantonments. The new rules, therefore, specifically emphasized: 'No person known to be a prostitute shall, under any circumstances, be permitted to reside within the limits of any regimental bazaar.'<sup>51</sup>

After two years later, in 1897, another Cantonments Act was enacted - Act XV which one repealing the old one. According to the new act, the Commanding Officer of a

cantonment was empowered the right to issue notice to any suspected person who were suffering from any venereal diseases for appear the medical examination. If the suspected man or woman refused for medical examination, he or she would be expelled from the cantonment.

Here it is mentionable that before withdrawing the CDA, the British Government Officials proposed various measures to forbidding prostitution from bringing up small girls, who might join the profession once they grew up. Registration of those children, imposition of penalties on prostitutes who possessed small girls, and taking those girls away from the prostitutes - all these measures were suggested.

### **Role of the News Papers and Periodicals :**

The reaction and the response of each and every govt. act had always been reflected through news papers and periodicals. News Papers also played a crucial role to expressing mass opinion. Same here, the reaction of the implementation of Cantonment Act and Contagious Act was came to the entire mass through news papers. Here some examples are reproduced :

A letter was published in '*Somprokash Patrika*', where the prostitutes of Chitpur raised their voice - why did the medical examination apply only for prostitutes but not for the customers?<sup>52</sup>

Not only in India, the prostitutes of Bangladesh did not get relief from CDA. They had been suffered a lot to take disguise or shift their business elsewhere. Even they had to pay their savings for lawsuit to carry out their profession.

The police commissioner Stuart Hog predicted the CDA couldn't be popular. In 1870 he had written in a report : 'It is absurd to expect an enactment, of the character of Act XIV to be popular, and the measure of its unpopularity will probably by the stringency with which its provisions are enforced.'

A lot of songs were composed on the 'Choudda Ain'. A lady namely Bhawani had composed the following song :

*'Valo aain kollo ebar company rajay*  
*Veshyara sob sosobyasto paliye jabe ke kothay*  
*Keho ba tyaje sonar ghor*  
*Pare giye paliye gechhe hoye atantor*  
*Kehoba dekhe sune beche kine sribrindabone jete chay*  
*Raja valor jonno jay,*  
*Heete biporit vebe (era) sokole polay*  
*Bole lajemori, ki jhokomari, mrityu hole pran juray.'*<sup>53</sup>

It means, British company implemented CDA and the prostitutes started to run away elsewhere; few of them wished to die (free translation).

The '*Sambad Prabhakar*', of the 31st July, 1856, says that the Lieutenant - Governor, a bigoted Christian, has rejected the petition sent by the professors of certain colleges for the removed of the prostitutes' quarters from the vicinity of those institutions. The writer thinks that the public should not remain silent on the subject.<sup>54</sup>

On 21st April, 1869, **National Paper** published : The Act XIV, though expressly got up for the prevention of the spread of the syphilitic diseases, is calculated in general to deal a most effective blow upon most of the evils of prostitution. The humiliation of being put to the test of medical examination, no less than twice a month, will serve both as a preventive and a curative recipe for the disease of prostitution. We need only look to the fact that numbers of infamous women are leaving the town, and the greater part of these, we are assured, are on the look out for a more honest employment, which would enable them to keep body and life together, without their being compelled to wade through the mire of wickedness and vice. We should however fail in our duty, if we here omit to mention that whatever might be the tendency of the rules for the

regulation of the Contagious Disease Act, to produce salutary results, they cannot but prove most oppressive and even unjust, so long as a reformatory asylum is not opened to the repentant fairs. Those who are familiar with the constitution of native society, must know how utterly beyond redemption is the fallen condition of an erring woman. A woman who has once stepped into the path of sin is regarded as an outcast, and will not, if her character be known, be admitted even into the most menial of services in a native household. Food and water are polluted if she touches them, and her society is shunned with abhorrence by the more honorable portion of her sex. Again among the abandoned wretches there are many who are the very off-springs of crime, and surely with respect to these we cannot be very hard. They are more like doomed creatures, who have never been told what a virtuous life is. The brothel is the school where they are graduated, and their preceptors are a class of viragoes whom a sense of delicacy forbids us to describe. No wonder that these unfortunate creatures should turn out no better than what they are. Under these circumstances a reformatory institution cannot only be of much practical utility, but absolutely necessary... We would not have complained of the stringency is in our opinion, necessary, if we had an institution wherein repentant guilt might find shelter from persecution and infamy, and find means for embracing a virtuous course life...<sup>55</sup>

A letter written by a Hindu was send to the Editor of the **National Paper** (21.04.1869) is mentioned here :

Dear Sir,

As we thank our wise Government for the operation of Act XIV of 1868 which has been doubtless enacted to suppress the spread of contagious disease in Bengal, we are surprised on the other hand to see instances of genuine modesty among the unfortunate daughters of infamy, many of whom if I am rightly informed, have left the city of places for the shame of exposing their persons before the Doctor *Saheb* of Lock Hospital and have sheltered themselves in Foreshdanga, the well-known land of safety. Many have even gone so far as to bid a farewell adieu to their ignoble profession and contended themselves with accepting the humble but honorable office of maid servants for earning their livelihood...<sup>56</sup>

*'Rangpur Dikprakash'* published on 22nd April, 1869 : The registration of the prostitutes has been started. Doct. A. G. Payne becomes the supervisor. Two sub assistant surgeons are appointed under his supervision. Some prostitutes has escaped from Kolkata in fear.

In an editorial of considerable length, the *'Rajsahi Sambad'* of the 15th September, 1874, earnestly beseeches Government not to allow prostitutes to live in quarters where respectable householders dwell, but not allot their dwelling place only in some public part of the city or town. The Editor complains of the great injury that is done to the morals of boys and females of respectable families by constantly having before them the pernicious example of these wicked women.<sup>57</sup>

A proposal to replace lady doctors instead of male doctors for medical examination of prostitutes, was sent through *'Sambad Prabhakar'* (24.04.1869).

*'Sambad Prabhakar'* published (03.05.1869) another suggestion for the prostitutes who were admitted in the lock hospitals. Due to their confinement in hospitals they could not earn. If was there any provision to give them (prostitutes) the opportunity to earn money through any kind of remunerative job as the prisoners enjoy in jail, the prostitutes could save money for their future as well as they could manage their livelihood after release from lock hospitals.

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## CHAPTER VI

### WELFARE MISSIONS FOR PROSTITUTES

#### **Benevolent efforts for the sake of Prostitutes :**

‘Instead of trying to reform them (the sex workers), we must reform social attitudes which treat social victims as criminals.’ - Madhu Kishwar.<sup>1</sup>

prostitution had to be raised on a pedestal not much lower than that of the respectable matron. It is relevant in this context to refer that the state even in the days of *Kautilya* could not remain indifferent towards prostitutes. We get reference to *Adhyaksha* (govt. official) for the welfare of this class of women. *Kautilya* mentioned about their rehabilitation in his valuable treatise on Hindu polity, ‘*Arthashastra*’, even he did not forget to mention the posts a retiring prostitute could be appointed to in a royal household. She could be engaged as a midwife or a nurse, a cook or even as a queen’s maid of honour.<sup>2</sup> She also adopted the profession of a weaver.

It must have been a long and tortuous process for women of this profession to congregate in a red light area, away from the village and later also from towns, where men could go and seek their company. Social ostracism on the one hand and professional solidarity of the guild type association on the other, ensured their security and prosperity.

*Gautam Buddha* founded the female organization namely ‘*Sangha*’. Women as *Gurakeshi*, *Amrapali*, *Avaymata* all of whom baring *Amrapali* came from the community of the prostitutes joined *Sangha*. In order to follow and help the progress of the society, the liberal religion of *Buddha* accepted the so-called outcasts where transformation of character also set examples for other.

*Noti Bionodini* was one of the beloved of *Sri Ramkrishna*. After the death of *Sri Ramkrishna*, one disciple complained *Swami Vivekananda* regarding the entrance of prostitutes in the temple of *Dakshineswar*. He appealed to ban their entry. But *Swamiji*

did not agree with him rather he said : 'I pray to God a lot of prostitutes come to visit Dakshineswar. And if the *bhadrolok* stop their visit for this reason, it would be done.'<sup>3</sup>

Michel Madhusudan Dutta first time introduced a female actress in Bengal Theatre. She was *Sukumari Dutta*, popularly known as *Golap Sundari* who came from the prohibited zone. Later *Jagattarini Devi*, *Elokeshi Devi*, *Shyma Sundori* all those women from red light area became famous actresses. Though it is astonishing that *Iswar Chandra Vidyasagar* did not support their access in the world of theatre.<sup>4</sup>

It may be said that the efforts for the rehabilitation is going on from the age of *Gautam Buddha* and *Swami Vivekananda* to till date. Let it be discussed in detail.

#### **Fallen Women in Vaishnava Ankhras<sup>5</sup> :**

*Vaishnava* (devoted to the god *Vishnu*) *Ankhras* played an important role for the rehabilitation of prostitutes who left their business but could not get access in their family. The fallen women took a secured shelter in *Vaishnava Ankhras*. Padri Ward had written - the prostitutes of Kolkata obtained the funeral right to burn their bodies after death. And for having that right they adopted *vaishnavism*.<sup>6</sup> They used to donate all their savings to their spiritual guide or *guru* before leaving for pilgrimage.<sup>7</sup> A prostitute namely Maa gossain (*vaishnava* nun) from Simla in North Kolkata became famous. Her actual name was Madhumukhi Devi. In later, the *vaishnava* devotees propagated *harinam* (song of *Vaishnavism*) in red light areas.<sup>8</sup>

#### **Role of Charitable Missionaries :**

The problems of the prostitutes was felt deeply by the evangelists in Britain as well as by the *Brahmo bhadroloks* in Bengal. The Evangelical reformers started to think about the reclamation of prostitutes from their concern at the pre-Victorian era. In the year of 1839, the *Religious Tract Society* had issued five million tracts which directed at the rescue of 'fallen women'. A lot of rehabilitation centres for those distressed women established during 1850s. For example - some High Church sisterhoods started houses of refuge for prostitutes, and Evangelical Organizations founded the Rescue Society, the London Female Preventive and Reformatory Institute, and the Home of Hope. A series

of similar organizations followed throughout the century. From 1869 to 1883, the repeal of the Contagious Diseases Acts enforcing regular medical inspection of prostitutes for venereal disease was a major moral reform issue. Josephine Butler, the famous feminist led the campaign against the acts. The main thrust of the campaign was an attack on double standards of morality.<sup>9</sup>

### **The Role Played by *Brahmo Samaj* :**

In Bengal prostitution was an accepted social institution. The *Brahmo Samaj* of Bengal, was highly inspired by the ethics of British Evangelicals. They imbibed the puritanical morality of the Evangelicals and take an interest in the reclamation of prostitutes. In 1863 Keshub Chandra Sen wrote to Frances Power Cobbe that “there is another department of female improvement to which our attention has been directed of late - how we may counteract the progress of prostitution and reclaim fallen women. I purpose to write to the Secretary of the London Female Preventive and Reformatory Institution by this mail, to give me information as to what amount of progress has been made in England in this matter.”<sup>10</sup>

Finally the issue was pursued. After few years, some sporadic attempts were made by individual *Brahmos* to control the problem of prostitution. But here is the twist, while the *Brahmos* did not always direct their efforts toward reclamation or rehabilitation of the prostitutes. For instance we should mention Krishna Kumar Mitter. When Krishna Kumar Mitter joined *Brahmo Samaj*, he tried to have the prostitutes banished from their quarter in his home town of Baghil, in Tangail district. He was very much concerned about the youth rather than those fallen women. He showed his interest to saving ‘ruined youths’ than ‘fallen women’, and he threatened the owners of the *bazars* (market) where the prostitutes lived that if their tenants were not turned out all the house would be destroyed. Some prostitutes also lived in Binnaphoir bazar, as tenants of *zamindar* Janhabi Chaudhirani. As it is said only a woman can realize the problem of other woman; she (the *zamindar*) did not agree to eradicate prostitution from there. She realized that there was nowhere else for those ladies to go and that banishment or eradication was not sensible solution to the problem. On the other hand, we can’t deny that, the presence of those ladies in that market was financially lucrative to her.<sup>11</sup>

In this context Nabakanta Chatterjee should be mentioned. In 1870s Nabakanta Chatterjee and a group of young *Brahmos* made a few attempts to rescue girls from prostitution. Nabakanta rescued a *kulin* girl from Bikrampur from prostitution, but the lack of any other viable means of support after the death of her mother forced her to take up that profession later. At the time there were no refuge organizations in Bengal. Sibnath Sastri was once approached by a prostitute who told him her life story and begged him to take her child and give it a better life. As the child was still being breast fed, Sibnath advised her to wait for a few months, but she never contacted him again.

Not only the rehabilitation centres were established, but also the alternative ways for the livelihood of those prostitutes were introduced. In 1896 Sasibhusan Mallik founded the Dacca Girls' Rescue Home. A school was attached with the home. The girls were taught religion and sewing by *zenana* missionaries. Till 1897 only three prostitutes had been "rescued", but their numbers gradually increased. The home relied on public donations. Before the above mentioned home, a protestant home for prostitutes had been set up by an English woman. But it catered mainly to Europeans and Anglo-Indians.

One well-publicized case was that of *Laksmimani*, whose story is very much attached with North Bengal. *Laksmimani*, whose mother was a prostitute. Naturally she was going to take her daughter to a brothel. But fortunately she contacted some *Brahmo* friends. Those *Brahmo* members rescued her from that fate. They, did and won the legal battle that ensued. ***Laksmimani* was taken to the home of Sibnath Sastri until her marriage to a school teacher from Jalpaiguri** in 1877.<sup>12</sup> It was an amazing incident in the history of North Bengal which is cordially appreciable as well as inspiring.

A Hindu widow who committed suicide in 1875 wrote a note explaining that nothing was as miserable as the life of a widow. She planned her own death carefully. She send a boy out to buy one or two paise worth of opium each day until she had one rupee and five paise worth, which was enough to kill herself. The fate of many other widows, following a lapse in chastity and subsequent social ostracism, was to end up as prostitutes. *Brahmos* also tried to rescue 'respectable' widows from this fate, with

varying degrees of success (in Bengali book '*Jiboni O Bansabrittanta*' by Nalinikanta Chatterjee & Nabakanta Chatterjee, Kolkata, 1922).<sup>13</sup>

As most social reformers in nineteenth century Bengal shied away from coming to terms with the full social and economic implications of prostitution. It was not surprising that the *bhadramahila* (lady belongs to reputed family) were even less able to tackle it. Although *Brahmo* women often lent support to their husbands' rescue schemes, and looked after the girls they managed to save, there is little record of their active participation. Annapurna Chatterjee gave shelter to a few prostitutes, hoping to reform them, but the success of her efforts is not known. Nagendrabala Mallik helped publicize the work of her husband's rescue home among women, and sought donations from them.<sup>14</sup> Kalyani Dasgupta from Jalpaiguri, who belonged to a *brhamo* family, helped the distressed fallen women. With the help of *Paschimbanga Ganatantrik Mahila Samity* (West Bengal Democratic Women Association), she dedicated herself to serve those women. In that mission she was fully supported by her husband.<sup>15</sup>

'*The Silchar*', May 31st, 1901 has the following - "In Bengal, prostitutes bring up minor girls for immoral purposes as a provision for their own support in their old age. In order to put a stop to this practice, government has made such offence punishable of law. The *Brahmo Samaj* of Dacca has rescued many such helpless minor girls. But that law not being in force here, the local prostitutes are having recourse to that practice. We hope the kind hearted Mr. Cotton will enforce the law here too."<sup>16</sup>

### **League of Nations :**

The League of Nations also took up the question of traffic in women and girls as a serious problem. This spurred the reformers and government officials in India to take a look at the *devdasi* practice of adopting girl children. *Devdasis* responded by forming organizations to institute reform from within and protect their way of life.

### **Contribution of Vigilance Association<sup>17</sup> :**

It was an organization of Europe, which one founded by both European men and women. The records of the vigilance societies reflect the accounts of prostitution. Before

1920s Indians didn't join that organization. As Dr. Jerbanoo E. Mistri put it, finally Indian women who had remained 'silent and distant spectators' began to see that their 'self - interest, self - respect, and honour' were connected with the practice of prostitution. By the 1930s both the president of the National Vigilance Association were Indian and Indians dominated the provincial branches.<sup>18</sup>

Among the Vigilance Association's records are short sketches, letters, and translated statements about and from the women in rescue homes. These records must be used with caution for they were kept by people who denounced prostitution and represented women who had left this way of life. According to the records of the Vigilance Association the prostitutes all told more or less the similar stories. As we have already mentioned in Chapter IV, according the survey reports of *Sanlaap* (NGO) mainly the relatives played the role of agents in this business. Here the records of Vigilance society repeats the same story. The unmarried women reported they were seduced, abducted or kidnapped when they were away from their traditional guardians. Sometimes the young girl travelling or visiting relatives in distant places were vulnerable and gullible. Either they innocently followed a distant relative or uncle or family friend or fell in love with a casual acquaintance. Actually those innocent girls were trapped and when they got the realization, they were ruined by the men who abducted them and then finally sold them into brothels. Young girls and women, forced by modesty to seek medical personnel and institutions designed for women only, were deceived by procuresses disguised as women doctors or trapped when they entered brothels masquerading as hospitals for women. Many of the women, especially widows and orphans, reported they had nowhere to go and sought refuge in brothels.<sup>19</sup>

The Vigilance Association also stated the description of those women who were abducted and seduced. They needed shelter. Whose mothers, brothers, husbands and other relatives forced them into prostitution, they belong to the third group according to the view of Vigilance Society. Even it has been seen that, the livelihood of their entire family depends on the income of those unfortunate women. A fourth group was formed with those women who left abusive husbands and sought the protection of the brothel.

The Vigilance Association wanted to banish the brothels. But wherever this happened, prostitutes began soliciting on the streets. And to stop that, establishment of rescue home or rehabilitation shelters are the only way out. Women's organizations set up rescue homes to train prostitutes to earn their livelihood in some other alternative way. These rescue homes also tried to re-unite these women with their families and relatives. These homes tried their level best to return those women into the main stream of society.

But there was a question, the Regulationists or Segregationists, a group dominated by government officials and the police, worried about the 'disposal of the women' once the brothels were closed. They argued that prostitution could not be outlawed and even if it were, there would never be enough rescue homes for all these women. May be they seems to be more concerned about the young generation of the society. Regulationists wanted brothels and prostitutes contained in designated areas to facilitate 'administrative supervision, the maintenance of order, sanitation and medical supervision'. A number of influential educationalist and medical men supported and advocated this position, or it is better to say they often eclipsing abolitionist aims.<sup>20</sup>

### **Ladies National Association :**

The British feminist Josephine Butler was the leader of Ladies National Association. This organization protested against the Contagious Diseases Act. Butler and her organization demanded for the withdrawal of that Act. In 1883, they send a petition to British Government : "We, as Women, desire to protest in the strongest and most solemn manner possible against the wrong done to our sisters and fellow subjects in India."<sup>21</sup>

### **Social Reform Movements :**

Nineteenth century Bengal witnessed the flow of social reform movements. Participation of women reformists along with the male reformists was noticeable. Women's organizations and philanthropic projects both were undertaken by women. There was a lack of engagement in social problems outside the realm of experience of the *bhadramahila* (woman from reputed family) Reforms took the lead in seeking to alter the fate of widows and *kulin* brides. Because the hardships of their lot were often evident within the extended families of the *bhadrolok* (gentleman) themselves. Most of

the preoccupation with social reform reflected a concern for the problems affecting their own community. Broader social problems among low caste women such as poverty, destitution, poor working conditions and prostitution received scant attention.<sup>22</sup>

### **Role of the Contemporary Periodicals and News Papers :**

Marriage expense was one of the reasons to adopting prostitution for some poor women. Till now the dowry system and all these absurd rituals are considered as one of the most important push factors in flesh trade. The movement for the reduction of marriage expenses emerged. It needed the encouragement and support from all the well-wishers of the country. Few reforms were more urgently needed in the contemporary state of the country. Enormous marriage expenses are the ruin of many families. It caused deep anxiety and unspeakable trouble to thousands of poor and middle class families. In that situation the most important move in this direction seems to have been made by Babu Baradaprasad Banerjee of Barasat, a member of the class of panditrathi Brahmins.<sup>23</sup> A correspondent writing in the columns of a contemporary says that above gentleman called “several meetings for the purpose of considering the question, to which Brahmins of this class were invited from various villages in Bengal. The last meeting was held at his residence a few days ago, and was largely attended. It was decided that the marriage expenses should, under no circumstances exceed Rs. 200. A general willingness to abide by this decision seems to prevail among these Brahmins, Babu Baradaprasad seems to have succeeded in bringing about a reform so essential for the well-being of society. If the influential members of other classes were to follow, and bring happiness and peace in its train. They have only to take the land, and the ranks will be soon filled, for what Hindu family is there whom this social question does not affect to some extent or other?”<sup>24</sup>

Polygamy and *kulinism*<sup>25</sup>, these two practices pushed a lot of ladies into flesh trade. Another article regarding those issues published in a contemporary news paper is providing here :

“Several Bengalees have petitioned the Lieut - Governor to put a stop to ‘the revolting abuses of the practice of polygamy’. They pray that Mr. Beadon will signalize the close

of his career by emancipating the females of Bengal from “the pains, cruelties and attendant crimes of the debasing custom of polygamy”. Mr. Beadon would have introduced a bill into the Bengal Council to prevent *kulin* polygamy, but Rajah Deo Narain Singh wished to introduce it into the Viceroy’s Council and Lord Elgin, advised by Mr. Harington, declined to sanction it. We trust Sir John Lawrence will be more true to his reputation.”<sup>26</sup>

In an article on polygamy, the Education Gazette says that the people themselves will never be able to put a stop to it. Many cry out against it, but there is no little unity and the influence of public opinion is so slight that no action they can take will be found sufficient to put it down; and as to the interference of Govt. When they have been applied to by the majority of the people to put down a practice so pernicious, the charge of undue interference will not apply.<sup>27</sup>

‘Hindu Intelligencer’ (16/08/1855) had published:

“Our readers are aware that our Junior Magistrate Baboo Kissorychand Mitter, sometime ago distributed among his friends certain printed papers in Bengalee, relating to the remarriage of *Hindu* widows, in which we perceived that he was the active and zealous Secretary of an association of young men, called the society for the promulgation of social reforms. We do not know whether the association is still in existence or not; but we find him now at the head of another body of denominated the Association of Friends, and presenting a petition from them to the Legislative Council praying for the enactment of a law prohibiting polygamy among the *koolin* Brahmins. The document, which we understand was forwarded to the Legislative Council, on Tuesday last, will be found reprinted in another place. We perfectly agree with Baboo Kissorychand Mitter and his friends that the practice of marriage more than one wife at a time, is a very great evil, and should not be tolerated for a moment. The days of *kulinism* are numbered, an extra ordinary and unexpected change has taken place in the opinions of the people of this country. Thirty years ago we saw several *koolin* Brahmins, who had married as many as fifty or sixty wives, but now we do not know of one who has more than two wives. The old custom prevails to a certain very limited extent to the eastern districts of Bengal, where the eyes of the people have not yet been

sufficiently opened to the evils of polygamy. But in the principal towns and districts surrounding them, the light of education has already effected what Baboo Kissorychand Mitter and his friends wish to accomplished by their petition. They are not probably aware of this, and would therefore, do well to make enquiries beyond the narrow circle of their personal friends. If they had done this, we are sure, the Junior Magistrate would never have joined in going upto the Legislative Council and asking them to put a stop to a practice which the growing intelligence of the community has already repudiated.”

Kaliprasanna Singha was determined to specify the red light areas in Kolkata and suburbs. He started a movement to fulfill his motive. The *Sambad Prabhakar* published his petition on 19th November, 1856.

The news papers and periodicals also focused on the incidence of trafficking of girl child for prostitution. For evidence one example is providing here :

A news ‘Traffic in Minor Girls’ had been published in the English news paper ‘The East’ (22nd June, 1901) which brings to light seven cases of minors girls being abducted for immoral purposes, of whom only two, aged 3 or 4 years, were eventually made over to the Dacca Rescue Home, the rest being returned to the prostitutes in whose possession they were found. The news paper proceeds to cite rulings of the Allahabad, Bombay and Calcutta High Courts, under which it has been held that professional prostitutes are by their very calling disqualified from exercising guardianship over minors, and remarks that if the local authorities cared they could easily arrest the progress of this shocking vice.’<sup>28</sup>

There was a general acceptance of prostitution as a necessary evil and there were many of those women who fought for abolition of prostitution. They wanted to eradicate such an evil practice from the society. For example, we should mention Charulata Mukherjee and Romola Sinha in Bengal. They devoted their energies, their valuable time to rescue homes. Whatever reformers wanted to do abolish or contain prostitution or ameliorate the hardships of endangered women - they were determined to regard men as providers and women as dependents. Few of the women interested in this topic were capable of approaching prostitution as sex work and trying to determine what would be

the best course of action. Instead, they ‘rescued’ these women and provided them with an alternative shelter.<sup>29</sup>

The first debatable issue regarding the primitive practice of prostitution was its eradication or continuation. The another debated aspect was the dress reform and wearing of shoes by prostitutes. Orthodox women never wore shoes. Apart from the practical consideration that in a hot climate wearing shoes and stockings inside the house was unnecessary, shoes were associated with immoral women.<sup>30</sup> Such as contradictions were remained in society for the welfare of prostitutes. In traditional Bengali society the *Bhadrolok* only had contact with women as relatives or prostitutes. These women must have been *hindus* rather than *Brahmas*, who strongly disapproved of the theater. The plays staged were often ribald satires or romantic epics considered unsuitable for women. The fact that most actresses were prostitutes or courtesans also offended the puritanical *Brahmo* sensitivities.<sup>31</sup>

Rajlaxmi Sen, the member of the *Bama Hitaisini Sabha*, expressed similar views. She noted that women dressing in the reformed style had to avoid not only ‘de-nationalization’, but also the danger of being mistaken for prostitutes, some of whom were chemises, jackets and shoes with their saris. Her idea was for a *bhadromahila* to be distinguished from them by wearing an additional *cadar* (shawl), or wrap, covering her from head to foot.<sup>32</sup>

The reference of **Ashalata Devi, wife of Barada Bhusan Chakrobarty, the great mass leader of Dinajpur district of North Bengal** may be mentioned here. Ashalata devi’s one achievement was in respect of the prostitutes. It was conventional in those days that the prostitute used to walking bare foot. The **Mahila Atmaraksha Samiti** (1940-42) was able to put an end to this inhumane custom and induce them to wear shoes since then.<sup>33</sup>

The committee of the *Arya Nari Samaj* agreed on a variety of social resolutions, such as that girls should not marry against their will although their guardians would guide their choice that only properly dressed ladies could go into society; that no fallen

woman be allowed to marry, unless she has been thoroughly reclaimed under proper care and discipline, and kept in trial for a sufficiently long period.<sup>34</sup>

### **Contribution of Thakur Panchanan Barma for the Distressed Women in North Bengal :**

Roy Saheb Panchanan Barma is popularly known as Thakur Panchanan Barma. The legend of Cooch Behar district was a believer of a complete protection and respect of woman. He formed *Nari Raksha Sebak Dal* also popularly known as *Sebak Dal*. He engaged his *Sebak Dal* in resuming the honour of women. Even he planned rehabilitation of victims. In order to prevent the unfortunate incidences against the modesty of the women, he arranged to provide arms training to the women for their self-defense. The distressed women whom he arranged to rescue were Smt. Barada Sundari Vaishnabi of Palasbari areas of Gaibanda district, the widow namely Smt. Radha Majee of Kumar Para village of Nageswari areas in Rangpur district, Smt. Ghrita Kumari of Kataduar village in Rangpur district and Smt. Kanduri Barman etc.<sup>35</sup>

In respect of Cooch Behar we should not forget the individual efforts of the royal people of Koch dynasty as we have already discussed in Chapter III. The Koch king Maharaj Shibendra Narayan, Maharaj Narendra Narayan and Maharaj Nripendra Narayan tried their level best to ban the human selling at Cooch Behar Bhowaneeganj Market. Finally Maharaj Nripendra Narayan stopped that inhuman practice with the help of Commissioner Cornel Haughton in 1864.

### **Role of the Communist Party :**

As the missionary charities and the other organizations had started to think for the welfare of the prostitutes, similarly one of the most important political party of contemporary India namely Communist party vividly protested against the women oppression by *zamindars* and *jotdars*. Adrienne Cooper had described the incident of Faridpur where Krishna Malu, the daughter of poor farmer, refused to satisfy the sexual desire of jotdar. The *jotdar* declared their family as a outcast. As a result the local communist workers had strongly protested against this incident and started movement.<sup>36</sup>

*Krishaksabha* was one of the important offspring of communist party. *Krishaksabha* also protested against the women oppression by the local landlords.

***Mahila Atmaraksha Samiti :***

Without referring the contribution of *Mahila Atmaraksha Samiti*, the discussion can't be completed. *Mahila Atmaraksha Samiti* was politically supported by Communist Party. On 13th January, 1944, *Mahila Atmaraksha Samiti* convoked a meeting. All women associations and relief organizations were invited at that meeting. The meeting held at Kolkata. Representatives from nineteen organizations like *Mahila Atmaraksha Samiti*, *Nikhil Bharat Mahila Sammelon*, *Saroj Nalini Sangha*, *Bangiya Mahila Khadya Committee*, *Bengal Relief Committee*, *Peoples Relief Committee*, *Marowari Relief Society* etc. attended the conference. The president of Bengal Relief Committee, Dr. Shyamaprasad Mukherjee presided the conference.<sup>37</sup> Bengal's famine affected the women mostly, and that was unanimously accepted in that conference. During the fire-pit of wartime people suffering from starvation, poverty, diseases. Poor parents forced to sell their daughters. A particular group of greedy people took the advantage and supplied the poor women into brothels. In several places from Chandpur, Bhola, Tangile, Narayanganj, Rangpur, 24 Parganas flesh trade was going on in full-fledged. The main objective of *Mahila Atmaraksha Samiti* was to rehabilitate the distressed women with proper training of cottage industry.

At the end of that conference it was decided that, first of all they should protect the women from destruction. And for that purpose the women should be provided proper livelihood. But the problem was that government didn't take the issue seriously. Government should take initiate step to stop prostitution and punish those peoples who provoking poor girls for adopting prostitution.

*Mahila Atmaraksha Samiti* was demanding to implement the above mentioned measures by government. They also assured for any kind of assistance from non govt. organizations. The *Samiti* put these demands to govt. : (1) The orphans and guardian-less girls must be provided shelter, education, craft training (2) set up the village co-operative society for women, (3) stop the women flesh trade etc.<sup>38</sup>

A committee was formed into Bengal Legislative Committee to sort out the problem. Dr. Shyamaprasad Mukherjee, Gananjon Niyogi, Mr. J. K Biswas, Probhudoyal Himmatsinka, Mr. Sarogi, Hemtola Mitra, Sita Chowdhury, Kamola Chatterjee took the membership of that committee.<sup>39</sup>

From March 15th to April 15th 1944, 2nd District Conference (*Zela Sammelon*) of *Mahila Atmaraksha Samiti* held in twenty six districts viz. Jalpaiguri, Rangpur, Dinajpur, Pabna, Rajsahi, Nadia, Chattagram, Noyakhali, Dhaka, Maymonsingh, Bankura, Burdwan, Birbhum etc.

In 1944 (4th-5th May), *Bangiya Mahila Atmaraksha Samiti* organized their second annual conference at Aswini Kumar auditorium in Barishal. Total ninety four elected representatives from twenty five districts of Bengal and a few audience attended the meeting. There was 331 primary committee of *Bangiya Mahila Atmaraksha Samiti* in twenty eight districts of Bengal. Total number of members was 43,000. The general secretary of *Nikhil Bharat Mahila Samiti*, Kulsum Sayani, Muslim League leader Mrs. Momin, renowned litterateur Pravabati Devi Saraswati, Indira Devi Chowdhurani wished the success of the conference.<sup>40</sup> The president of reception committee was Snehalata Das, the leader of *Brahma Samaj*. On behalf of the secretary, the report was presented by Kamala Mukherjee in the conference. The main proposals taken in the conference were: 1) agitation in favour of the proposed bill in legislative assembly to eradicate prostitution and 2) rehabilitation the shelter-less destitute women.

On 3rd June, 1944, the manifesto on behalf of *Mahila Atmaraksha Samiti* was propagated. The words of the manifesto were : 'having lost everything the women from different families forced to sacrifice their chastity. .... It is the first job to protect their honour and resettle them. That is why it appeals to Congress League, *Hindu Mahasavapanthi*, Hindu-Muslim all communities to join the movement. Specially the educated ladies should play the leading role.....'.<sup>41</sup>

From 10th June to 17th June, 1944, *Mahila Atmaraksha Samiti* celebrated the festival of '*Samaj jiboner Punorgothoner Saptah*' (Week for reconstruction of Social Life) in all over Bengal. Throughout the week, the *Mahila Atmaraksha Samiti* was applying help

from the government for the rehabilitation of distressed, poor women. They called all the women of Bengal to join in this mission.

Three days exhibition of women made handicraft products was arranged at the Corporation's school room of Wellington in Kolkata from 17th September to 19th September, 1944. It was inaugurated by Samsunnahar Mamud. Professor Amiya Chakraborty had presided the cultural programme on second day. The last day Dr. Bidhan Chandra Roy presided the conference and he became overwhelmed having seen the festive look of the exhibition.

Rescue centres were opened in Noyakhali and Rajsahi, handicraft institution was opened in Chattagram by *Mahila Atmaraksha Samiti*. '*Nivas Nari Kalyan Bhawan*' was opened in Barishal by *Mahila Atmaraksha Samiti*. In those institutions weaving, making bamboo-craft was going on. Almost one hundred handicraft centres opened in Kolkata and the others different districts of Bengal.

In the mean time Srinur Mahammad proposed Immoral Traffic Bill in legislative assembly to ban prostitution. During the time of war, famine and epidemic obligation of social life gradually deteriorated. Prostitution appeared as a curse. When the Bill came into legislative assembly, *Mahila Atmaraksha Samiti* and *Nikhil Bharat Mahila Sammelon* collected mass signature in favour of the Bill.

### ***Nari Seba Sangha :***

In April, 1944, a permanent organization namely *Nari Seba Sangha* was formed with the representatives from different organizations like *Bangiya Pradeshik Mahila Atmaraksha Samiti*, others women organizations and relief committee. The rescued women permanently settled down in the newly formed rehabilitation centres or homes. *Nari Seba Sangha*, was supported by others eighteen organizations viz. *Mahila Atmaraksha Samiti*, Young Women Christian Association (YWCA), Bengal Women Jukto Committee, Kolkata Relief Committee, Servants of India Society, *Hindu Mahasabha*, Peoples Relief Committee, Hindu Mission, Calcutta Vigilance Association, Bengal Presidency Council of Women, *Maharastra Bhogini Samaj*, Friends Ambulance Unit, All Bengal Food and Famine Relief Committee, Ramkrishna Mission, *Nari Siksha Samiti* etc.

Sarojini Naidu, Lady Pratima Mitra, Lady Abola Basu were the patrons of *Nari Seba Sangha*. Dr. Shyamaprasad Mukherjee was the president, Dr. Bidhan Chandra Roy was the vice-president, Sita Chowdhury and Khitish Prasad Chatterjee were the secretary of *Nari Seba Sangha*.<sup>42</sup> Many others renowned and influential personalities joined it. This organization took loan of Rs. 400000 to conduct fifty rehabilitation centres, craft centres for women in the different distressed areas of Bengal. The handbill signed by president Dr. Shyamaprasad Mukherjee, secretary Sita Chowdhury and Khitish Prasad Chatterjee distributed in all over Bengal. In this petition they appealed : '*Nari Seba Sangha* formed the central committee with several others organizations to rescue distressed women and children and to rehabilitate them. In the mean time two rehabilitation centres and two craft centres had been opened. Many more should be opened. Otherwise national disaster may come. All the sensible peoples are requested to come forward to help the distressed women and children.'<sup>43</sup>

In all districts of Bengal such as - Kolkata, Hawra, Hoogli, 24 Parganas, Khulna, Bogura, Faridpur, Dhaka, Bankura, Noyakhali, Chattagram, Maymonsingh, Rajsahi *Nari Seva Sangha* propagated their movement.

The objectives of *Nari Seba Sangha* were : (1) rescue the prostitutes and distressed women, (2) rescue the children, (3) provide them effective education, (4) prepare them as an important part for society, (5) protect them from any kind of disease, mishap and trouble.

During four days from 27th December to 30th December, 1944, an exhibition of handicraft organized by *Nari Seva Sangha* at Presidency College in Kolkata. The inauguration speech was given by Sarojini Naidu. Seminar held on rehabilitation of distressed women. Smt. Naidu appreciated the initiative taken by *Nari Seva Sangha* and as well as the exhibition. She said : 'Having seen the exhibition we have gained rebirth. .... I hope all the political parties will come forward unitedly in any trouble in future.'<sup>44</sup>

Handicrafts from twenty five different districts had been shown in the exhibition. It reflected the struggle of distressed women for establishing in life. The cotton sarees

made by the women weaver of Hazong, wollen dresses from Darjeeling, appreciated by all in the exhibition.

Here it is mentionable that at the post independent period *Nari Seva Sangha* didn't remain an organized unit. Government took the responsibility to supervise the rehabilitation and handicraft centres. It was a great success for them. For a long time the organization was in Amir Ali Avenue, Kolkata. After few days, it was shifted at its own building in Jodhpur Park, Kolkata. From 1948, the renowned painter and revolutionist, Smt. Indusudha Ghosh held the post of superintendent of the residential home of *Nari Seva Sangha*.

### **The period of Nationalist Movement :**

At the period of India's National Movement, **Mahatma Gandhi's** appeal was reaching down also to the marginalized women, even the prostitutes and *Devdasis* or temple women.<sup>45</sup> The marginalized women responded positively towards the approach. It proved that nationalism united all the peoples whatever the categories they belonged to and it also indicates the changing attitude of the people to the women engaged in sex trade.

Prostitution was the first women issue which proposed in Indian National Congress. They wanted to ban the British law which was introduced for the reformation of prostitutes.<sup>46</sup> On the other hand, the presence of Gaharjan couldn't get support in Congress. Finally she had to leave the conference of Congress.<sup>47</sup>

### **Reforms in Post - Independence Period :**

The Provisions for Rehabilitation is precisely narrated by Jean D' Cunha in the journal namely '*Economic and Political Weekly*.'<sup>48</sup> An important portion of that article is relevant to mention here :

“The Indian law is an example of the combination of penal sanctions against and efforts to rehabilitate prostitutes. The rehabilitation of girls or women rescued or arrested under the SITA, 1956 or now ITPA(A), 1986, is the responsibility of protective homes on corrective institutions set up under the act. Minor girls rescued or picked up under Section 40 of the Bombay Children Act (for safe custody and shelter, as they are

destitute and have no fixed abode) and under Section 78 of the same act (for being exposed to moral danger or being in prostitution) and minor girls and women rescued and produced in court under various sections of the Indian Penal Code relating to rape, kidnapping and abduction for illicit sexual intercourse, wrongful confinement or procurement for prostitution and the like are sent to rescue and rehabilitative houses for females, which are different from those set up under SITA.

The previous study conducted by the author Jean D' Cunha of one such home *Asha Sadan*, showed that the corrective and reformatory orientation in these homes is partly the product of dominant social attitudes towards and penal sanctions against prostitutes in the Indian law, reinforcing an image and status as criminals, delinquents, offenders or fallen women, in need of reformation. This was evident from the following facts :

- (a) Memos from the police and the Metropolitan Magistrate of the juvenile court to the superintendent referred to the girls as 'girl juveniles'.
- (b) Counselling by the then physiologist urged the girls to give up prostitution, because it was an immoral profession.
- (c) Raking up the girls' past and abusing them as prostitutes in the event of quarrels between the inmates themselves or between the latter the resident maintenance staff was a common phenomenon.
- (d) Beating and physical punishment were also common. Punishments like salt-free food and barring the girl from watching T.V. were also resorted to, by the home authorities. 'Hardened girls' were isolated in a special room, without bulbs, fans and long pieces of cloth to avoid the occurrence of suicide.

This orientation towards rehabilitation does little reintegrate women in prostitution. In part this accounts for women attempting to escape or succeeding in doing so from these houses.

Criminal sanctions against prostitutes and their artificial isolation by the legal and moral system thus not only reflect the widely held assumption that prostitution emerges from the contradictions of the moral system alone, they also fail to distinguish between prostitution as a social institution and the individual woman in prostitution. The

economic base of the institution of prostitution and its interaction with the rest of the economy thereby remains concealed. Also concealed are the individual and collective vested interests grounded in the economic system underlying prostitution.

These assumptions also mask various aspects of social transformation that impact women as a group and result in charges in the institutional manifestations of prostitution. The failure to recognize the hierarchical structure and organized nature of the sex industry conceals the heterogeneity within the prostitute population itself differentiated in their self-perceptions, needs and demands. The above mentioned assumptions of prostitution laws inevitably result in placing the onus of social blight and invisibility on the individual woman in prostitution which is a cruel irony. She has to resolve the contradiction between social necessity and social unacceptability.

It is necessary to place the institution of prostitution within the context of wider social processes to understand the subtle interconnections between prostitution and the economy and polity, to understand how existing and changing patterns of production processes and relations can lead to conversion of female sexuality into economic assets for individuals and collectives. The issues that need to be addressed are not why so many women deviate from prescribed norms of sexual conduct, but why and in what way female sexuality is valorized and how values are extracted from it, as well as who benefits from this extraction. Questions such as these would point to the larger socio-economic-political system and vested interests within prostitution, as the originators of the institution, not the individual women in prostitution.

Criminalizing women in prostitution not only reinforces a prostitutes sub-culture as moral outcast, it forces many a woman to operate more discreetly and clandestinely. The use of bogus names and addresses is often used to ensure this. One can only speculate on the effect of constant shifting between real and work designated identities or between restricted and open activity on those who remain in the profession for long. The value extracted from women in prostitution, facilitated partly by a process of making it invisible through moral and criminal sanctions render the prostitute dependent on commercial enterprises and vested interests, who appropriate the gains from the trade of

sex and women bodies. The invisibility of the woman's oppression and exploitation behind closed doors is thus ensured.

The narrow moralistic concerns and criminal sanctions embodied in existing prostitution laws, over prostitutes, the penal measures for violations of these and the lack of regulation of brothel management under the system of state legalized prostitution are being challenged by those who are advocating the decriminalization of prostitution.”

In this context the following report titled ‘Bengal Plans Residential Facility for Former Sex Workers’ in News Track India, the informative news portal, on 23rd December, 2013, is mentionable<sup>49</sup>:

“Kolkata, December 23 (IANS) : Former sex workers, in urgent need of health care can breathe a sign of relief. The West Bengal Govt. plans to provide a residential facility for ailing sex workers complete with medical care.

On the anvil is another housing establishment that will cater to minor children of working members of the community.

‘There will be two separate establishments. One will accommodate ailing former sex workers while the other will house minor children of present sex workers.’ Sashi Panja, Parliamentary Secretary, Women and Social Welfare Department, told IANS.

Initially, each will house one hundred or so inmates.

‘For the retired sex workers, the focus would be on health and for the children, education would be priority. Those sex workers who wish to take away their children from their environment will get a chance through this initiative’, said Panja.

For the initiative ... a brainchild of West Bengal Chief Minister Smt. Mamta Banerjee, a few residential spaces have been scouted in the south of the city.

Welcoming the decision, Bharati Dey, secretary of *Durbar Mahila Samanway Committee* (a sex workers collective) said, they haven't discussed anything with the state govt. yet but the only concern is it should not stigmatize the inhabitants as being a ‘only sex workers’ residential building.”

One think should be noticeable from the above statement (of honourable Chief Minister) is that, no step had been taken for the sake of prostitutes who belong to North Bengal. There is a govt. remand home for adult women at Liluah in Howra district. Establishment of govt. remand homes and rehabilitation centres are very essential for this part of Bengal.

In the late fifties the 1st municipal election held in Jalpaiguri. The *Mahila Samiti* had visited the red light area situated at Dinbazar for election propaganda. They motivated the sex workers to use their voting right. *Mahila Samiti* campaigned to spread political consciousness among those women. Most probably in 1964 - 65, Jalpaiguri police rescued a trafficked girl aged nineteen to twenty years old and informed *Mahila Samiti*. After a long efforts of **Sachi Sarkar and Kalyani Dasgupta** the victim girl was sent to Liluya Home in Howra. In a conversation between the present writer and Kalyani Dasgupta, Smt. Dasgupta had memorized the girl came in a very severe condition. The brokers came repeatedly to them and pretending themselves as the relative of the girl.

**The Ex - M.L.A. of Jalpaiguri, Dr. Anupam Sen and his elder brother Lt. Dhiraj Mohon Sen** visited the medical camp in the red light area of Jalpaiguri regularly.<sup>50</sup> Those camps were organized to detect the venereal disease. The people who were detected as syphilis patient sent to Jalpaiguri district hospital. Dr. Sen had said to the present writer that, the CMOH and BMOH of Jalpaiguri District Hospital sent doctors to the centre during the period from 1960 to 1980. The members from the centre used to visit the nearest truck stands for the medical check-up of truck drivers. Dr. Sen had stated syphilis spread in Jalpaiguri but it couldn't be called an epidemic.

During the survey of some red light areas in north Bengal the author come to know that now a days the councillors of respected areas helped the sex workers to issue their ration cards and old age pension cards.

### **Reports from News papers :**

The health centre of **Matigara (in Siliguri) Jeshu Ashram** (a missionary health centre) providing free treatment to the sex workers of adjacent area. It was reported that within a week two sex workers suffering from AIDS had been died.<sup>51</sup> Both of them

lived in Siliguri. Another two sex workers were under treatment when the information collected by the reporter.

On 29th July, 2007, a meeting was held at the red light area in Khalpara Samsiya Madrasa to ban the business of prostitution by the girls under eighteen. Siliguri Police had taken the initiative for the meeting. Indra Chakraborty (The Deputy Police Super of Siliguri), DMSC, Nandeswar Prasad (Councillor of that ward), Sanjoy Tibrewal (representative from business association), Samir Bhattacharjee (O. C of Khalpara Police Fari), Tanushree Biswas (from women police branch) attended the meeting. A special committee was also formed with Tanushree Biswas, Pravat Chakraborty (I. C of Siliguri), Samir Bhattacharjee, Nandeswar Prasad and two other members from DMSC.<sup>52</sup> The formation of Special Police Force to resist women trafficking was an issue of discussion.

**‘GOAL INDIA’** the international voluntary organization has organized an workshop with collaboration of Jalpaiguri District Administration on October, 2007. Narogopal Hira (the Additional District Magistrate), Debal Kumar Ghosh (Sub-divisional Officer of Malbazar), Atanu Roy (Sub-divisional Officer of Jalpaiguri) Tapas Das (Additional Police Super), Pratima Bagchi (Chairperson of Child Welfare Committee) were present at that workshop.<sup>53</sup> In this workshop they invited several NGOs and ICDS to join them in their mission to protect the women and children.

***Nari Kalyan Samiti in Islampur*** Sub-division has taken an initiative to start pension facility for sex workers until their death. Having seen the miserable condition of sex workers in Islampur and Panjipara (North Dinajpur), Islampur police and the other organizations from North Dinajpur had taken the decision to make a fund. They organized a cultural function to make the fund. Film actors from Bengali film industry and some celebrity singers came to attend the function. Jamila Khatun, Sayerabanu, Domina Khatun from Champabag, (red light area in Islampur) and Khoyitunnesa, Omida from the red light area of Panjipara (in North Dinajpur) - all those old ladies received Rs. 500 individually. The secretary of *Nari Kalyan Samiti* and I. C of Islampur Police Station, Mr. Udayshankar Majumder assured to carry on their efforts as well as try to provide education to the children of sex workers.<sup>54</sup>

United Nations has already taken an important role to combating against women trafficking from this part of the country. In this purpose **United Office on Drugs and Crime (UDOC)**, a branch of United Nations, financially helps police. And not only that it providing car, mobile, computer and other accessories which are essential to rescue trafficked girls.<sup>55</sup>

Tea garden areas in North Bengal becoming the birth place of AIDS. For severe poverty, the poor women are forced to adopting prostitution. As a result the number of HIV patients are being increased. Onbumni Ramadas, the former Health Minister, Govt. of India himself visited those areas under Darjeeling district. But the condition is not changed yet. Mr. Krishprasad Malla, the member of Darjeeling red-cross society, opined, the AIDS centre was not well equipped. They had to wait three years for a machine. And after that patients came to visit the centre.<sup>56</sup>

Sarbani Bhattacharya, the member of State Women Commission, West Bengal Government, ordered the *Gram Panchayet* to remain alert for resist women trafficking. Even the separate cell within *panchayet* might be formed, said Smt. Bhattacharjee.<sup>57</sup>

Another organization namely '**Sara Bharat Mahila Sanskritik Sangathan**' (**All India Women Cultural Association**), the **Branch of North Dinajpur District** trying to combating against women trafficking for prostitution. The president of this organization, Smt. Madhabilata Paul playing a dynamic role in this mission.<sup>58</sup> She not only rescued a lot of trafficked girls but also trying to return them into the main stream of society.

### **The Responsibility of the Relief Committee :**

The relief camps were not save for the refugee women, as it is depicted by Debesh Roy in his novel '*Tistaparer Brittanta*' (in Bengali). The international relief community has been slow address the problem of rape in refugee camps. Guidelines have been developed to improve protection, but while these documents reflect enhanced awareness of the urgent plight of refugee women, they have not been consistently implemented by **UNHCR** - the lead U. N agency for refugee relief and protection, has promulgated two sets of guidelines to deal with sexual assault of refugee women. In July 1991, UNHCR promulgated the '**Guidelines on the Protection of Refugee Women**' to assist the staff of

UNHCR to identify and respond to the issues, problems and risks facing refugee women.<sup>59</sup> In March 1995, UNHCR issued the Sexual Violence Guidelines described above to improve or initiate services to address the special needs and concerns of refugees who have been subjected to sexual violence.

The '**Guidelines on the Protection of Refugee Women**' prescribe measures that 'can' or 'may' be taken to counter physical and sexual attacks and abuse of women during flight and in their countries of asylum.<sup>60</sup> They call for, among other things : (1) changing the physical design and location of refugee camps to provide greater physical security; (2) using security patrols; (3) reducing the use of closed facilities or detention centers; (4) training staff regarding the particular problems faced by refugee women and employing female staff to work with women refugees to identify their concerns; (5) establishing mechanisms for law enforcement within the refugee camps; (6) educating refugee women about their rights; (7) giving priority to assessing the protection needs of unaccompanied refugee women and (8) ensuring women's direct access to food and other services, including whatever registration process is used to determine eligibility for assistance.

**International Refugee Law** protects the right of those persons who have fled a country to seek asylum in another if they have a well-founded fear of persecution should they be returned to the country they have fled.<sup>61</sup> Same as governments and the UNHCR have a responsibility to ensure the safety of refugees. This obligation extends to the protection of refugee women from gender-based abuse.

### **Responsibilities played by Police & Administration :**

Police is tricky in the case of prostitution. It has been seen that police do support the existence of sex trade and their role mainly as eliminating excessive exploitation such as trafficking of minors. They are also concerned to keep the sex trade confined within the red light areas. The police only implement the laws usually when the women are too visible or when there are complaints from the public or they are seen to soliciting in public place. The extent of police co-operation with brothel keepers and traffickers and their harassment of sex workers is a reflection of the double standards of morality

prevailing in the implementation of the law.<sup>62</sup> Agents of the law are ordinary people, mostly men who have been brought up in this society that creates and tacitly accepts sex work, while being unable to accept the sex workers themselves. It is true that the law itself is unable to resolve these contradictions, nor can the police officers, police chiefs or court functionaries.<sup>63</sup>

It can't be denied that certain charges be made in the Act to help eradicate this social evil. It is essential to prevent those women who caught under this Act. Actually they return to the profession for the reason of adequate rehabilitation arrangements for them. There is no doubt that the persons who pay for their bail are invariably the procurers or brothel keepers. Instead of sending the women and girls to jail, it is necessary to send them to protective homes or rehabilitation centres. Those who are detained under the Act require long-term treatment for rehabilitation. In the rehabilitation centres special counselling service by professionalist should be provided to those women. The children of prostitutes should be prevented from entering the profession especially the girls. They should be segregated from their mother and institutionalize but not social homes which would put a social stigma on them. Women and girls, who do not wish to continue in this profession, but are compelled to so for poverty or financial crisis should be rescued from that atmosphere. They should be engaged in remunerative work. There is, therefore, greater need for understanding the cause underlying prostitution and to make efforts to prevent more women from entering this profession as well as to rehabilitate those who are already victims of the trade.<sup>64</sup>

Rehabilitation is the primary need for those women. Their emotional and psychological problems are to be tackled with understanding, much better with counselling. The most significant aspect is preventive. This applies particularly to women and girls in moral danger. An important segment of this groups are women who are victims of family discord. Counselling services could help them and prevent their taking recourse to this profession. Counselling centres should also have homes for such women. It will be good if govt. take the initiative for the counselling in free of cost. Throughout the surveys of different red light areas, it has been seen that the NGOs are conducting the counselling without receiving any co-operation from govt.

The following recommendations are made by Jean D' Cunha<sup>65</sup> -

**“Legal Reform :** Review of dominant prostitution laws and other laws related to prostitution to identify the loopholes through which prostitutes are victimized and delete all sections in these laws that penalize and discriminate against prostitutes. Strengthen, tighten up and enforce criminal sanctions against prostitution rackets, especially procuring networks trafficking in young women and girls for prostitution. Penal sanctions against clients for acts that violate prostitution. Penal provisions against corrupt enforcement authorities.

**Citizen’s Committee :** Enhancing efficacy in implementation by the constitution of statutorily and mandatorily recognized citizens committees, area wise to observe implementation of prostitution laws. Provide legal education to implementing authorities on the provisions of prostitution laws and other related local laws. Organize awareness workshops for them, analyzing the structural base of prostitution and questioning prevailing sexist attitudes towards prostitutes and prostitution.

**Rehabilitation :** Change the corrective and reformatory orientation towards rehabilitation to perceiving prostitutes as victims, active survivors and human beings with self-respect and dignity. Pro-government provision of adequate enforcement facilities for integrations of criminals in rehabilitation centres. Provision of halfway houses and subsidized hostels for women and their children needed especially when they leave the rehabilitation centre.

**Socio-economic Measures :** While the task of providing adequate support structures to women in prostitution and those wanting to opt out is an urgent need, it is equally important to initiate measures that prevent women being forced to prostitute. The following are some - wide spread public education, on the structural roots of prostitution, the subtle and blatant manners in which the public sustains the institution, public awareness on the moral and legal isolation of prostitution and their concealed exploitation in prostitution, emphases on values of gender equality and justice. Increase educational and job opportunities for women and eliminate gender based discriminatory work conditions. Review and change discriminatory provisions in other laws against women that may either predispose them to prostitution or reinforce their image as sex objects,

e.g., marriage and divorce laws, custody, maintenance, employment laws on the use of women's images in the media. Review existing and planned economic policies that directly predispose women to prostitution.”

The Department of Social Welfare set up an Expert Committee in 1968 to consider various proposals and suggestions including the enlargement the scope of the Act (SITA) with a view to make it more comprehensive, various amendments are under consideration.

### **NGOs Working for Prostitutes and Trafficked Women in North Bengal :**

*The New Encyclopaedia Britannica* giving the introduction of NGOs or Non-Governmental Organizations as follows<sup>66</sup>:

“as global sub-group comprises ‘Compositions’ who nurture an intellectual appreciation for local cultures. As pointed out by Swedish anthropologist Ulf Hannerz, this group advocates a view of global culture based not on the ‘replication of uniformity’ but on the ‘organization of diversity’. Often promoting this view are non-governmental organizations (NGOs) that led efforts to preserve cultural diversity in the developing world. By the turn of the 21st century, institutions such as cultural survival were operating on a world scale, drawing attention to indigenous groups who are encouraged to see themselves as ‘first peoples’ - a new global designation emphasizing common experiences of exploitation among indigenous inhabitants of all lands. By sharpening such identities, these NGOs have globalized the movement to preserve indigenous world cultures. Although specialized international bureaucracies manage the operations of most IGOs (International Governmental Organizations), ultimate authority rests with member states. IGOs often work closely with other organizations, including NGOs, which serve many of the same functions as their IGO counterparts and are particularly useful for mobilizing public support and providing information and expertise. Most NGOs are based in developed states with pluralist political systems, and though only a small function have an international scope, they have played a significant role in international relations.”

The institution of prostitution has existed in one form or other in all class-based patriarchal society. In ancient period, female prostitution in several societies was closely

linked to religious practices. By contrast prostitution in modern time is taking a new form and tends to be associated with promiscuity, crime and social condemnation. A new development naturally is noticeable in the effort of the government, non-government organizations and the prostitutes themselves to minimize the suffering and exploitation of these women by way of legal as well as social welfare measures.

Many people assume that rehabilitation is the only possible intervention, and this is, in a sense, a hangover from the past when policies were either health related or geared towards bringing women out of prostitution. It is quite difficult to rehabilitate the sex workers for many reasons. Most of the employment schemes which are offered to sex workers are not financially attractive or lucrative to former prostitutes. That is why they prefer their former job. But an opposite scenario is also seen in red light areas. Many sex workers want to adopt new jobs, specially the senior and elderly women. Since prostitution is intrinsically a part of society and it is not possible to eradicate this profession, it simply with a 'welfarist' approach.<sup>67</sup> The situation in red light areas is not static by any means. It is changing and particularly this change is possible for NGOs and government interventions as well as by the sex workers themselves. Their good will and initiative resulting a favourable climate for sex workers.

The voluntary bodies like the NGOs have played and will play important role in raising social awareness regarding the issue of welfare for prostitutes. The government provides a small number of welfare and health interventions, generally being a far less significant presence in the areas than NGOs other than through the STD/HIV Intervention Programme. While NGOs aspires to a more empowerment-oriented approach, using the language of women's rights and often advocating broader social, economic and political changes, on the ground they are generally providing welfare programmes that substitute in the absence of the government and replicate rather than challenge many weakness of many mainstream approaches of service provision. NGOs are constrained by their funding and have to develop on paper a strategy that appeals to donor agencies and to current trends such as community participation and challenging gender issues. As can be appreciated, it is far easier to learn the language of current issues in development than to implement them. Many NGOs in practice lack the skills, experience and access to

training that would allow them to fulfill their promised agendas. At the same time the 'conference culture' ensures that visibility is guaranteed to the articulate and charismatic few who rarely admit to the difficulties faced by their organizations in implementation.<sup>68</sup>

The sex trade is changing and the definition of women in sex work broadening. In North Bengal, NGOs working on HIV prevention say the newly introduced female condom is helping women protect themselves.

The 'hidden' sex worker is a growing phenomenon across the country. This view is widely accepted by several NGOs working in North Bengal. Economic distress and domestic violence are pushing women over the edge. Abuse and exploitation in various forms leaves them no option but to turn sex work. Some are married women, who must repay family debts; others have been deserted by husbands, disowned by families they were married into as teenagers. Still others are single women who must provide for a family of eight. Most are women in their twenties who say working as cooks and maids does not get them the money they need to repay debts, run the family, secure children's future and, in many cases, provide for husband's daily dose of alcohol. In most cases, families are unaware of the work they do, or at least pretend to be. Most 'hidden' sex workers have a several occupations like sales-girls, domestic help, vegetable vendors etc. The pressure to hide from the family is extremely high, adding to the stress and guilt.<sup>69</sup>

#### **Description of NGOs working in North Bengal :**

NGOs are playing a vital role in the field of welfare for the sex workers. In this part of the chapter, a vivid description of the NGOs is mentioned which are working for those fallen women in North Bengal specially.

#### ***DURBAR MAHILA SAMANWAY COMMITTEE (DMSC) :***

The ID NO. of the NGO is WB/2009/0010006. The chief of functionary is Asha Banerjee. Bharati Dey is the chairperson and treasurer is Sanatan Das. Registration No of Durbar is S/87070 of 1997-98. City of Registration is Kolkata, State of Registration is West Bengal and date of Registration is 26/05/1997.<sup>70</sup> The key issue of Durbar is Women's development and Empowerment. Their operational area is West Bengal.

STD/HIV Intervention Programme has been started its journey in 1992 with the help of All India Institute of Hygiene and Public Health (AIHPH). And as a result under the jurisdiction of SIP (STD/HIV Intervention Project) project the association for sex workers, '*Durbar Mahila Samanway Committee*' came into existence on 12th July, 1995. With the initiatives of thirteen '*Sathi*' teachers *Durbar* started its journey. Now-a-days *Durbar* working for more than sixty five sex workers all over West Bengal. *Durbar* maintaining a good contact with the other organizations of sex workers throughout the country like Bihar, Delhi, Maharashtra, Andhrapradesh and Kerala. In 1997 *Durbar* organized an all India conference for sex workers. This organization dreams such a world where the distressed people from different parts of the country will live together with their proper and equal respect, right, honour and dignity. They want to make such a world through the socio-political changes. This movement will involve the entire world. And through this movement *Durbar* wants to assure a secured. Peaceful life for the sex workers. They are determined to uplift their social status and standard of living. *Durbar* has its centres in **Siliguri, Islampur, Chagrabandha, Malda** in North Bengal.

#### **Aims and Objectives of Durbar :**

The aims and objectives of DMSC are -

- To make a strict contact among all sex workers in West Bengal.
- Try to stop the displacement of the sex workers and protect them.
- To the police raid and stop the illegal activities of police and administration against the sex workers.
- To stop the criminal activities, illegal money collection, abuse scuffle etc.
- To end the exploitation of *babus*, middlemen, land lords.
- To put forward the proposal before public for making of a self-governing board of the sex workers.
- To reveal the problematic factors in their profession through various meetings and conventions.
- Legal recognition of the sex workers and to organize mass movements all over the country in order to get recognition as sex workers.

- Form a suitable and appropriate health management system for getting good treatment and the control of the management system for getting good treatment and the control of the management would lie with them.
- To make alternative way for maintenance of retired and old workers.
- To make crèches for their children.
- To make arrangement the adult education and work education for sex workers.
- To make the workers aware of AIDS and other venereal diseases.
- To set up the shelters for the children of the workers and introduce proper education for their children.
- To give training to the workers to solve their professional problems.
- To control AIDS, syphilis and other venereal diseases.
- To arrange the programme for regular VD test.
- To oppose the particular clause of ITPA which were formed by Reba Naiyar. These clause are :
  - Prohibition on house rent to sex workers.
  - The children of sex workers, who are above eighteen years can't get their mothers' income.
  - Sex workers can't call customers.
- Rescue the minors girls by trafficking.
- Protect the girls from the oppression of masis.

#### **The Proposals of Durbar :**

- Reject the ITPA as early as possible.
- Stop the child labour in the field of sex work.
- Recognize the right of self control of the sex workers.
- Government should support their all legal rights as labour.
- Sex service is to be included in the list of labour department of State Government and Central Government as labour service.

In Siliguri the branch of DMSC was established at Khalpara in 1999. From the day of beginning, *Durbar* has covered a long journey. Each and every inmates of Khalpara

can't deny the contribution and dedication of DMSC for the welfare of sex workers. The main intention of DMSC is to organize the sex workers. They are trying to solve the problems of this area. The children of sex workers could not get admission in school. The school authority asked their fathers name. *Durbar* has solved this problem. Now the children of sex workers can get admission in schools easily. With the help from local people it runs a night school for children to stay them away when the mothers are busy with clients.

The old mothers who acted as sex worker in their early age, hold a very peculiar position in the family. The sons and daughters of such women are not bound by a tie of natural love and affection as they are born from different fathers. Naturally none of the offspring feel any obligation for taking the responsibility of the sex workers at the old age. Rather the poor women are treated with misbehavior. *Durbar* family handled this type of situation. They demand for old age pension for retired sex workers. *Durbar* is fighting for getting the right of provident fund, gratuity on behalf of the sex workers as they introducing themselves as labourers. *Durbar* is demanding all these privileges for the security of these women in their retired stage.

A large number of sex workers from North Bengal joined the Parliament expedition on March, 2006. It had been materialized for the inspiration of DMSC.

*Durbar* is providing training for the girls in several fields like weaving, embroidery, craft, fabric work etc. The illiterate are being given education. Most of them have learnt, they can read and write. Some of them are being trained in singing and dancing. One think is remarkable that it has its peculiar distinctive characteristic that there is no sign of training for entertaining customers, no sound of classical music and dance are heard from the rooms of sex workers. And here is the typical distinction between the *kotha*<sup>71</sup> - culture of old traditional cities like Lucknow and the pros-quarters of present day's red light areas in North Bengal. In this sense the business of prostitution gradually becomes simply a flesh trade in the cities like Siliguri, Jalpaiguri, Cooch Behar, Islampur, Malda and so on.

DMSC launched the **Self Help Group**. In Siliguri it inaugurated a self help group on 16th September, 2006. They have other six units in North Bengal at Cooch Behar, Dinhata, Islampur, Malda, Alipurduar and Changrabandha. On 19th December, 2005, DMSC's modified Self Regulatory Board has been constituted with the following members -

- Chairperson, Sabhapati, Siliguri Mahakuma Parishad.
- West Bengal Voluntary Health Association.
- CINI – Child in Need Institution.
- Kanchanjangha Udhhar Kendra.
- Representative of Labour Commission.
- Representative of National Commission for Women.
- Representative of the Department of Health and Family Welfare.
- Representative of Social Welfare Ministry.
- Representative of the Bar Association, Siliguri.

The inmates of the brothels celebrate Independence Day, Republic Day as well as *Kartic Puja* with the help of DMSC. Even they have started to celebrate *Durga Puja*. *Durbar* is trying to giving a new life by involving these women into such functions and celebrations. After the formation of DMSC the sex workers the workers become more organized, more conscious about themselves. Trying to cope up with social problems.

The offices of *Durbar* are well furnished with proper equipments like chairs, tables, almirah, book and magazine case, xerox machine, telephone. They have separate medical chamber with waiting room for patients, counselling room and also visitor's room. Regular health check up by doctors from renowned medical colleges and hospitals, workshop, seminar and various other project and programmes are being organized by *Durbar*. The influential personalities even ministers, M. L. A., intellectuals are invited on such occasions to create a feelings of importance within the sex workers. The present author herself witnessed the photographs of the former minister Mr. Ashok Bhattacharjee inaugurating such a function at the office of *Durbar* in Khalpara, Siliguri.

During the period from 2001-2002, the Additional Superintendent of Police, Siliguri, had taken an initiative to introducing identity card for the sex workers and brokers at red light area. He compelled them to enlist their name in police register.<sup>72</sup>

According to the report of DMSC in Malda town, seventy five sex workers out of one hundred ten (in Hansagiri Lane, the red light area in Malda) used protection while out of seven tested for syphilis and gonorrhoea, five were found positive. All sex workers in the area were living below the poverty line.<sup>73</sup>

*Durbar* is proceeding towards success, but it is to face many obstacles in its way. The problems as pointed out through the interviews with the members and co-ordinators of DMSC as follows :

- Frequent police raid.
- Lack of co-operation from police and administration.
- Police interference.
- Outrage or criminal activities of anti-social.
- Indifferent attitude of clients about AIDS/HIV.

However, the DMSC in North Bengal is very active as well as determined to its ultimate goal and objective. They were encouraged by the Millennium Mela, Help Line Camp, Art Camp, Exhibition, *Durbar* Publication Stall, Cultural Programmes like plays, dramas and all those activities which were organized by DMSC of Sonagachhi, (Kolkata), at Salt Lake stadium in Kolkata. Having enjoyed that programme the workers of DMSC in North Bengal dream to organize such a Millennium Festival or *Mela* in this region of West Bengal. They hope to make a secured and unworried life for the sex workers and to reach on that day they need help from this civilized society. So that they can think that they are a part of this society.

#### **DMSC's Work in their voice :**

“We focus on the brothel based sex workers. Our self-regulatory board has a doctor, municipal counselor, lawyer, sex workers, social workers. We ensure there are no minors, all women are over eighteen. In some cases girls are run away from home. In some

places it is a romance angle where they have eloped with a man or they have been kidnapped or trafficked. The peer educators go around the brothels, encouraging women to seek STI treatment. The doctor comes at 4 pm. We speak to women who have *babus*, about condom use.

One of the leaders of the collective asserts; ‘Today we can speak to a minister. We are holding programmes. 90% of the women are members of DMSC. We have voters cards and ration cards. We have done polio programmes. In one instance, a sex worker’s child was called names by the teacher. We protested. This was showcased by the local channels.

One peer educator has four daughters. She does not earn much. She has to go out in search of clients. Once police beat her up very badly. We all went to the *thana* (police station) and created trouble. Today if one woman is beaten up, we all go and protest.

Many of the women here are second generation sex workers. Daughters join the trade only if they feel there is no one to take care of elderly mother. We try and get girls married. We don’t want to hide anything.

*Durbar* is people centred and people owned. It is not just for treatment but for collective rights. It is a platform for women and sex work. We are not getting Bangladeshi women in the brothel these days. We have made it clear because it increases raids for us. The police don’t come; if they have to come they call us on the phone to inform us before coming.”<sup>74</sup>

### **Details of Achievement :**

DMSC is a community based organization of, for and by the sex workers. DMSC for the last one decade has been running HIV/AIDS targeted intervention program in fifty one red light districts including the WHO acclaimed a ‘Sonagachhi project’ as well as in street settings covering a population of over 40,000 sex workers and 100000 clients. Besides West Bengal, DMSC recently has up scaled its programme and initiated Sexual Health Intervention Programme in other five states of the country. In order to complement its work in HIV prevention. DMSC is running tuberculosis program among

the vulnerable population since 2003. ‘**Mamta Care and Treatment Centre**’, one of the DMSC’s affiliated organizations in providing services for HIV testing with the pre and post test counselling for the last few years. DMSC recently has facilitated the formation of **Mamta Network of Prostitutes Women (MNPW)** an organization of woman living with HIV/AIDS. Considering the overall development of sex workers community DMSC also initiated comprehensive education programme for sex workers and their children. At present the organization runs thirty one education centres covering a population seven hundred sex workers and their children. In order to institutionalize the process of learning DMSC has set up two libraries (one in Kolkata, other in Midnapur). The organization has two residential homes for sex workers’ children. Currently the organization runs a vocational unit and imparting training on various professional courses to more fifty sex workers and their children. Besides health and education program, the organization also runs anti-trafficking program following the unique approach of **Self Regulatory Board (SRB)** mechanism. At present DMSC runs thirty three SRBs in different parts of the state of West Bengal. These boards prevent entry of minors and unwilling women into sex sector and act as principle arbitrator in cases of violation of sex workers frights. Till today through these SRBs DMSC has rescued and reintegrated more than three hundred minors and unwilling women. Currently DMSC is running anti-trafficking programme in collaboration with Action-AID India. In order to ensure the economic security of sex workers the organization has set up a consumer co-operative society (USHA Multipurpose Co-operative Society Limited, or USHA). USHA is for and by the sex workers. USHA runs a micro-credit programme for commercial sex workers, creates alternative jobs for out of work or retired sex workers and plans to start a large scale production until for generating employment for retired sex workers and those who want to opt out of sex worker. At present USHA has more than eight thousand registered members and its increasing turn over (eighty million rupees during 2004-2005) its trumpeted as a success story of the co-operative movement in West Bengal by the department of co-operatives of the state government.<sup>75</sup>

Partnership with NGOs working at transit sites and at sites of origin developed by DMSC since 2000. DMSC has collaborated with BHORUKA welfare trust, UNDP (United Nation Development Progrmme) and CARE (Child & Adolescent Resources and

Education) Bangladesh to address issues around cross-border trafficking, out of this collaboration, SRBs were initiated in sex worker sites close to Indo-Bangladesh border at **Changrabanha (Coochbehar), Hilly (South Dinajpur)** and Bashirhat (North 24 Parganas).

***SHANKAR FOUNDATION :***

The address of Shankar Foundation is 'Man Hari House', 18, upper Kutchery Road (behind DFO office), **Darjeeling** - 734101. Hari Chhetiri holds the president-ship. Shankar Mani Rai is the secretary of this organization.

The Darjeeling hills are identified a highly vulnerable area with regards to HIV/AIDS. The issue is focused mainly in urban areas which have resulted from high migration, lack of education and floating sex worker population. This is why the NGO network has decided to work with its member organization Shankar Foundation on awareness and prevention campaign.

***FOSEP (FEDERATION OF SOCIETIES FOR ENVIRONMENTAL PROTECTION) :***

There are actively working NGOs in Darjeeling. FOSEP is the one who is the model NGO in **Darjeeling** with their documentation and activities, working with three hundred flying sex workers.

***MISSIONARY OF CHARITY :***

The address is 78, A. J. C Road, Kolkata - 14 and the areas of Work are **Darjeeling, Kolkata, Burdwan.**

They are working in the field of care and protection of neglected children and placing them in In and Inter Country adoption. It runs home for destitute women.

***MIRIK NARI SAMITY :***

Mirik Nari Samity works on flying sex workers in **Mirik in Darjeeling**, where about three hundred flying sex workers are involved.

### ***HILL SOCIAL WELFARE SOCIETY :***

Hill Social Welfare Society works in flying sex workers in **Kalimpong**.

### ***LIFELINE :***

‘Help for commercial sex workers and other marginalized women’, the project of the organization ‘LIFELINE’ has received support from the Ministry of Foreign Affairs, Govt. of Finland. The direct objective of the project is to help women from the **North Bengal** region, who are working in commercial sex due to poverty or human trafficking, by providing them possibility for vocational training which gives them technical, handicraft and entrepreneurship skills. After training and rehabilitation they will start to earn steady income throughout the produced handicrafts.

### ***WAASTA :***

*Waasta*, Indian NGO operates in North Bengal’s rural areas and it has the office in the city of **Siliguri**. Siliguri is rapidly growing city throughout emigration. Sadly over the recent years Siliguri is known to be one of the main transit points of human trafficking from Nepal to India and other countries.

*Waasta* has vision for skill development and income gathering programmes for these vulnerable women from North Bengal. Therefore it has been running two different development projects *Kalakriti*, vocational training program for vulnerable women and rehab-work among commercial sex workers and their children. Now *Waasta* wants to combine these projects and have a new project, which provides help chain for these women. This would be a program, which gives possibilities for women to come out from brothels or crisis, and provides handicraft and other skills that will give steady daily income.

### ***GUP (GANA UNNAYAN PARISHAD) :***

The office address of *Gana Unnayan Parishad* is H/O Ganesh Bahadur Kamal Durgagiri, Ward No. 45, New Darjeeling More, P. O. Pradhannagar, **Siliguri**, Dist - Darjeeling, Pin - 734003.

GUP (*Gana Unnayan Parishad*) a social organization stand behind the commercial sex workers of Dinbazar area in Jalpaiguri for their struggle against STD/HIV/AIDS problems. GUP started its program in Jalpaiguri in the year 1999 with the financial support of DFID and later on from April, 2001 the project has been supported by WBSAP&CS. During this program more than one hundred sex workers and their clients have been provided with basic education, health care, STD treatment, counselling and other services to combat the dreaded STD/HIV and AIDS. Around four hundred CSWs congregated to form an association of their own and decided not to allow any of their customers to have sex without using condoms. GUP providing non formal education to the children of CSWs (commercial sex workers) through the comprehensive STD/HIV/AIDS Prevention Project.

GUP had been also running a telephone counselling service centre at Cooch Behar supported by West Bengal State AIDS prevention and control society (WBSAP&CS) from 2004 - 2006 with a view to meet the necessity of awareness, motivational and counselling programme in STD/HIV/AIDS among the general population of the district in reducing the STD/HIV infections and also to help people to get in touch with the doctors for the treatment who are suffering from these diseases.

GUP have been running truckers project with the guidance and financial support of West Bengal State AIDS prevention and control society for advocacy and awareness generation among truckers. The intervention area **Siliguri Paribahan Nagar of Matigara** and adjacent area and **Fulbari Truck Stand** and adjacent area.<sup>76</sup>

#### ***BHORUKA :***

The address of main office is *Bhoruka* Public Welfare Trust, 63, Rafi Ahmed Kidwai Road, Kolkata - 16

#### **PROJECTS OF *BHORUKA :***

Community Care Centre Truckers, Intervention Program, Care Home for HIV infected and affected children, Reproductive Child Health Programme, Anti Girl Trafficking,

HIV/AIDS Stigma and violence, Capacity Building, Work Place Intervention Programme, Child Watch and *SNEHNEER* - Home away from home.

From the very beginning, HIV/AIDS prevention and care is one of the main focuses of *Bhoruka* with special focus on trucker intervention. *Bhoruka* has initiated intervention among another high risk groups (commercial sex workers) in **Guwahati and Jalpaiguri**.

*Bhoruka* has taken special initiative. So that its target communities can access the facilities of various schemes of state and central government. As a result of this, a course of community health workers has started *Swabalamban Schemes*. One residents of *Snehneer*. children for those infected and affected by HIV has been admitted under **Jawahar Navodoy School**, run by the Ministry of Human Resource and Development. It has an office at **Naxalbari in Siliguri**.

#### ***CINI (CHILD IN NEED INSTITUTE) :***

The area of work of CINI is Kolkata, Two 24 Parganas (North and South) and different districts of North Bengal. The address is 63, Rafi Ahmed Kidwai Road, Kolkata.

Since the late 80s CINI has worked with children of sex workers, children living on the streets, run away, missing, sexually and physically abused, at risk of early marriage, out of school or victims of other forms of violence. CINI Child Protection Resource Centre co-ordinates programme activities and fosters innovation in both institution and community based child protection work.

CINI extends protection intervention to over five thousands children through community based services. They offers education and protection services to children who are most vulnerable to abuse, exploitation and trafficking in the metro areas of **Kolkata through CINI ASHA and Silguri through CINI North Bengal Unit and in the district of Murshidabad through CINI Murshidabad Unit, North Dinajpur and Jalpaiguri through CINI North Dinajpur Unit, in South 24 Parganas through CINI Diamond Harbour Unit and in Khunti district through Jharkhand State Unit**. Several programmes are implemented along the borders of India with Bangladesh and

Nepal, where child trafficking is as serious as much as an elusive problem. Services and facilities are concerned in red light areas, around bus and railway stations and in deprived slum and village areas. Several partners are involved to address the multiple forms of violence on children. In at risk locations it offers temporary shelters both in the form of drop in centres and shelter homes, for children in need of special protection. All efforts are made to re-integrate children with their families and communities when possible, including providing the necessary support to parents who may have difficulties in accepting their children back.

In partnership with the police, judiciary, local NGOs, community based organizations, children, youth and women groups, the child-line services with five units deployed across the state of West Bengal offering a 24 hour toll free telephone helpline to extend assistance to children in distress and the police report on the hot line instances of child abuse, child labour and child trafficking. CINI also operates a helpline for teens and persons affected by HIV/AIDS offering counselling and assistance.

In parallel to institutional, rehabilitative services CINI promotes child protection in deprived urban and rural communities through preventive action. Children and women's groups advise families and local elected representatives (*Rural Panchayet* Institutions and urban local bodies) on how to avert violence, corporal punishment, early marriage, child trafficking. Child protection cards and registers, community child protection mapping, child trafficking sentinel groups are among the tools used to make child protection an integral component of child and women friendly communities. More over CINI conducts AIDS awareness program all over North Bengal. CINI has an office near Tenzing Norgay Bus Terminus, in Siliguri.

The hills of Darjeeling are still high vulnerable to AIDS, according to CINI it is conducting an awareness initiative across one hundred rural areas in Darjeeling. It has selected three more districts in North Bengal including Jalpaiguri to conduct a similar campaign. The relative backwardness of the region is leading to an increase in migration, intravenous drug users, floating sex worker population, while past awareness programmes focused only on urban areas have also raised vulnerability levels, said CINI.

Giving the spiraling number of people infected with AIDS, Darjeeling district has been placed in category 'A' along with Jalpaiguri and North Dinajpur district, while Cooch Behar is in the 'B' category. Mr. Sekhar Saha, co-ordinator of CINI, North Bengal, informed, the NGO will conduct awareness programme in four hundred villages in the four districts under the aegis of the Governments' Link Workers' programmes in order to arrest the spread of the killer disease. Free medical check-up camps will be arranged at every block health centres, he added.

Mr. Saha pointed out several compelling factors responsible factors for the spread of AIDS<sup>77</sup>

- Very few people opt for testing due to lack of awareness and fear of social stigma. Although blood donations are screened, donors are not notified of their HIV status.
- Awareness programmes usually only cater to the urban populace and lack a strong connection with the rural population.
- The poor economy of the region and massive unemployment has given rise to a large migration labour population including sex workers. High risk groups such as intra venous drug users, migrant porters, flying sex workers and labourers have limited access to AIDS awareness programmes.
- Most institutions do not impart sex education to public, let alone AIDS awareness workshops.

Mr. Saha concluded by adding we have elected this particular time of festivals for our initiative as large numbers of migrating workers come home to celebrate festivals.<sup>78</sup>

#### **ASHA :**

The address of this organization is *Amader Bari*, 63 Rafi Ahmed Kidwai Road, Kolkata - 16.

CINI has a sister organization CINI ASHA that works for prostitutes' children. It provides education to the vulnerable children of red light area. They have specially emphasized on short home for girl child of pros-areas.

**LAMP :**

This organization conducts a school for the children of sex workers. The office of LAMP is situated at **Jalpaimore in Siliguri.**

**SPANDAN :**

*SPANDAN* is a network of positive people in North Bengal has celebrated Global AIDS Week of Action on 14th May, 2006 in **Siliguri** through the informative and sensitization programme for the commercial sex workers.

**KANCHANJANGHA UDDHAR (RESCUE) KENDRA (CENTRE) :**

The address of the office of this organization is Pradhan Nagar, **Siliguri**, Dist - Darjeeling.

This organization combating against women trafficking. Ms. Rangu Souriya, secretary of this NGO said in every year a lot of girls trafficked from Darjeeling district to different parts of the country for prostitution and they rescued nineteen girls in the year of 2006. The number is alarming. 'The Darjeeling hills, Terai and Dooars are fast becoming the hot bed for girl traffickers. Poverty and ignorance are the main reasons for the increase in such activities here' said Ms. Souriya. They are trying to rescue trafficked girls and after that hand over those girls to their parents or relatives.

**SANLAAP :**

The address of main office of *Sanlaap* is 171 A, Rasbehari Avenue, Kolkata - 29.

It was founded in 1989. Indrani Sinha is the founder member of *SANLAAP*. At Liluya, *Sanlaap* runs a home for destitute girls. It has a branch in Siliguri. *SANLAAP* advocating to set up a special court for trafficking as Mumbai and Andhrapradesh have. This organization is trying to sort out the problems regarding the issue of documents' clearance for those rescued girls want to go back their home in Bangladesh or Nepal.<sup>79</sup>

Total number of employees in *Sanlaap* is two hundred. This is a multilateral networking. *Sanlaap* has networked with the following organizations to put an end to trafficking :

- End Child Prostitution, Child Pornography and Trafficking (ECPAT).
- Coalition Against Trafficking in Women (CATW).
- Action against Trafficking and Sexual Exploitation of Children (ATSEC).
- National Alliance of Women's Organizations (NAWO).
- *Maitree* (a state feminist network).
- NGO - AIDS Coalition (West Bengal).

**Successful Examples :** It has organized a national seminar on trafficking and sexual exploitation of children.

**Source of funding :** State Social Welfare Board, Govt. of India, Save the Children, Denmark, ICCO Christian Aid and European Embassies.

**Geographical Areas of Operation :** Murshidabad, Nadia, Siliguri, Jalpaiguri, Cooch Behar, 24 Parganas.

**Campaign, Awareness, Training and Networking of SANLAAP :** *Sanlaap* is a development human rights organization that aims towards correction of gender imbalance, prevention of violence and exploitation of women and children and facilitation of the empowerment of survivors trafficking and sexual exploitation. *Sanlaap* strives to prevent trafficking.

*Sanlaap* conducts seminars, workshops and media campaigns to generate awareness amongst the vulnerable groups. It also distributes IED materials for awareness generation, undertakes advocacy through networking with NGOs and police officials and conducts sensitization programmes for governmental officials.

In order to prevent trafficking the NGO undertakes gender sensitization programmes and community mobilization programmes in the vulnerable communities.

*Sanlaap* has networked with police department/CID and governmental officials who are provided necessary information and feed-back by the volunteers of this organization working in the red light areas. It has formed watchdog committees. To deter the traffickers, the organization, with the help of police, undertakes vigorous interception operations at the vulnerable locations.

Rescue of children and those who are being forced to work in prostitution, is either undertaken directly or with the collaboration of police. The organization runs a short stay home and observation home (details about these homes not been furnished by the organization) where vocational training is imported in embroidery, block painting, skill cotton weaving, garment designing and beauty parlour training for the rehabilitation of the inhabitants. If the addresses of the victims are known, then efforts are made to reunite them with their families.

**The Strategy adopted by SANLAAP :** *Sanlaap* interwove three lines of work three lines of work-training, advocacy and networking with a prevention strategy. The NGO networked with the *panchayet* leaders, people's organizations and the police in the areas where trafficking of children was in vogue due to poverty and/or cultured practices. Such networking was operationalized through dialogues and training with those groups on gender-sensitivity, forms and patterns of trafficking and procedures by which to respond to political cases of trafficking.

Youth groups, who acted as pressure groups, were particularly targeted for the development of advocates among them. An infrastructure of organized communities was developed who acted as watchdogs to prevent the entry of women in prostitution.

Awareness in the communities was created through information materials that alerted the families to issues related to trafficking and sexual exploitation as well as to the concepts regarding violations of the human right of women and children.

In between 2000 to 2001 *Sanlaap* has received and provided services to over three hundred children and minors who were rescued from prostitution. 40% of them were HIV positive.

The organization runs a psychological rehabilitation program for children rescued from prostitution, providing services in mental health, occupational training and legal aid to facilitate rescue, repatriation or restoration after release from state custody. *Sanlaap* runs to shelter homes, as well as running interventions in the state run Remand Homes in West Bengal, the focus of which are on healing and empowerment of girls, emotionally, economically and psychologically, repatriation and restoration, economic empowerment through occupational training and education. *Sanlaap* has networked with the NGOs of Nepal such as *Maiti Nepal* and Bangladesh for the prevention of cross-border-trafficking. According to *Maiti Nepal*, an anti-trafficking organization of Nepal, almost 25% of girls are from Kalimpong, Darjeeling, Jalpaiguri and Sikkim. There is no difference between a Nepalese from Nepal and an Indian Nepali in a red light area. It is also found that Nepali girls in general are very much in demand in Indian brothels and abroad.

***HRIDOY :***

The office of this organization is situated at Ukilpara in **Jalpaiguri**.

**Organizational activity at a glance :** STD/HIV/AIDS targeted intervention programme among the female commercial sex workers (brothel based and flying) in Jalpaiguri sub-division with the financial assistance of West Bengal State AIDS Prevention and Control Society, Govt. of West Bengal and the HIV Sentinel Surveillance Programme among the female commercial sex workers with the financial assistance of West Bengal State AIDS Prevention and Control Society, Govt. of West Bengal.

Jalpaiguri *HRIDAY* established a ten bedded community care centre for HIV positive with partnership of the National AIDS Control Organization, A Ministry of Health and Family Welfare Department, Govt. of India. Frequently they organize free health check-up camps and supplying medicine at Dinbazar, the red light area in Jalpaiguri town. There is a non formal school for sex workers children Smile Foundation in partnership with **Hridoy at Jaigaon, Jalpaiguri**.

### ***WOMEN INTERLINK FOUNDATION :***

In 1990 the main office of Women Interlink Foundation established in Kolkata. Its branch established at Beguntari in **Jalpaiguri** in the year of 1999. It has its another office at Changrabandha in Cooch Behar. Previously it had branch offices in both Dinajpur (North and South) which are closed at present. Women Interlink has eleven centres all over West Bengal. Smt. Sikha Mitra Majumder, the project director of Jalpaiguri branch, said, they running a home 'Ashroy' for distressed trafficked women who are rescued. This foundation receives foreign donation and govt. donation for running the non formal education centre. Their support services provide to children of resident prostitutes.

### ***JABALA ACTION RESEARCH ORGANIZATION :***

Under *Jabala* Action Research Organization, *ASHA* funds is supporting the Kalabagan school for children in Kalabagan slum (the red light area in Cooch Behar). The main office of this organization is situated near Ballygunj station in Kolkata.

### ***SHAKTI VAHINI :***

This organization work against anti trafficking in Siliguri, Malda, Cooch Behar. *Shakti Vahini* unit has organized a stockholders' meeting on Anti Human Trafficking on December 14, 2013 at hotel continental in Malda. The meeting was organized as part of Missing Child Alert Initiative of Plan India. The purpose of organizing the meeting is to discuss the issue of human trafficking with special reference to the cross border trafficking and missing children with the stockholders and also to strengthen the link between the source and destination.

Discussions were held on Supreme Court order on missing children and also on the various advisories and protocols of the Govt. of India.

The meeting was attended by sixty participants from various government and non - governmental organizations. Among the participants the Chairperson and members of the child welfare committee, Malda, Deputy chief Medical officer, Department of Health, Malda, District Social Welfare Officer, Malda, District Child Protection Officers, Police

Officers of GRP and Anti Human Trafficking Units, Shelter Home Representatives, CHILD LINE representatives from the seventeen NGOs.

In the day long programme the issue of cross border trafficking was discussed at length. Citing some cases of cross border trafficking the Chairperson, Child Welfare Committee said, 'The NGOs should work more closely with the law enforcement agencies and to sensitize them that the Bangladeshi children found in Malda region should not be treated as accused as there are some cases in which the children were booked under foreigners act. These children immediate after rescue need to be produced before the Child Welfare Committee for their care and protection and further repatriation.'

The representatives of Social Welfare Department have expressed that the department is planning to reach all the 146 *panchayet* in Malda with the issue of anti-trafficking, which is the need of the hour. All the government officers present in the meeting should their interest to work in close partnership with NGOs. The *Shakti Vahini* representative welcomed the initiative of the Social Welfare Department and assured that all the NGOs working for anti-trafficking should join hands and work together to combat the organized crime.

In the meeting the District Social Welfare Officer also discussed about various government schemes available for the children in need of care and protection. The family of a survivor, who was rescued recently by *Shakti Vahini* from Hariyana also present in the meeting and shared about how their daughter was rescued with the help of the West Bengal police and Hariyana police from the clutches of the traffickers and also shared the message that no child should be trafficked if necessary they would come forward to sensitize the masses.<sup>80</sup>

According to study conducted by *Shakti Vahini* in 2006, trafficking women children for prostitution from the north-eastern states and the bordering countries in the north-east is a serious issue but has so far not drawn public attention.<sup>81</sup>

### ***SPAR - INDIA :***

Women and child anti trafficking programme supported by Group Development and European Commission launched on July, 2010 in Cooch Behar, Jalpaiguri. South Dinajpur and Malda.

### ***WBVHA (WEST BENGAL VOLUNTARY HEALTH ASSOCIATION) UNITS IN NORTH BENGAL :***

It is one of the project of NACO (National AIDS Control Organization) which working with the sex workers.<sup>82</sup> It has selected seven sex workers from Siliguri who bring patients to the clinic of WBVHA. It provides counselling session on HIV.

- 1) North Bengal Training Centre (Vocational and Rehabilitation), Lokenath Nagar, P.O. Lower Bagdogra, Darjeeling.
- 2) North Bengal Health Resource Centre, Opposite - SMT Godown, Pradhan Nagar, Siliguri.
- 3) Sebyan Drug De-addiction Centre, Ramkrishna Pally, Matigara, Siliguri.
- 4) Injecting Drug User's Project Office, Dakshinpara, Changrabandha, Dist - Cooch Behar.
- 5) STD Clinic, Tinbattimore, Siiguri.
- 6) ICTC Centre, New Jalpaiguri Station Road, NJP, Siliguri.
- 7) Flying Sex Workers Project (HIV/AIDS), Mallaguri, Pradhan Nagar, Siliguri.
- 8) RCH Unit, P.O. Kadamtola (2nd Floor), Mukta Building, Shivmandir Main Road, Beside Sarojini Club, Darjeeling, Pin - 734011.
- 9) RCH Unit North Colony, Ward No. 11, P O. Malbazar, Jalpaiguri, Pin - 735221.
- 10) RCH Unit Alipurduar Branch, College Para, Alipurduar, Pin - 733122.

### ***CEDAW :***

The obligation of state parties to take all appropriate measures to suppress the traffic in women was later reiterated in the 1979 Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). CEDAW does not, however, elaborate upon specific steps. Like the Trafficking Convention, CEDAW links trafficking to the

exploitation of prostitution, but fails to address trafficking for other exploitative ends, such as coerced marriage and forced labour.

***UNICEF :***

With the association of the representatives of Labour, Health, Human Resource Development and Education Ministries along with NGOs UNICEF is always available to help design programmes that specially cater to the needs of the women and children of the communities which practice prostitution in the name of tradition.

***CSSP (CIVIL SOCIETY SUPPORT PROGRAMME) :***

‘SANGVEDAN’ - collective forum of Civil Society organizations in Cooch Behar and ‘UTTARAN’ - collective forum of Civil Society organizations in Jalpaiguri have undertaken major initiatives against women trafficking.

***UNODC :***

United Nations Office on drugs and crime (UNDOC) to set up regional office for south Asia in New Delhi, in partnership with the ministry of Home Affairs, Government of India is ‘strengthening law enforcement response to human trafficking’. One of the mandates of the projects is to set up integrated Anti-Human Trafficking Units (AHTU).<sup>83</sup> AHTU as a good practice model of communities policing and the best mechanism of addressing human trafficking. The first AHTU launched in India in Andhrapradesh. The second AHTU unit set up in Goa in March 2007. In June 2007, West Bengal became the third state to set up AHTU unit. The configuration of Anti-Human Trafficking units is quite simple. It has a vehicle, computer systems, cell phones and other communication system, resource materials in the form of law book, compilation of court rulings, investigation kit with forensic equipments, tools and standard operating protocols (SOP) on the various activities. MOU (Memorandum of Understanding) among the agencies concerned registers to maintain records and contingency funds to meet with the day to day requirement. Police officials, NGO representatives are the main officials of AHTU. At least 30% representatives of this units are female. The AHTU has also support officials of other departments of governments like welfare, health development. The

officer in charge of AHTU is a police officer usually of the rank of Deputy Superintendent of Police. He / she will be in command and control of the functionary of AHTU. The functions of AHTU are<sup>84</sup> :

- Undertaking all activities in preventing and combating human trafficking.
- Protection and rehabilitation of victims.
- Expeditious and professional investigation of crimes and effective prosecution of offenders.
- Taking all steps in ensuring prevention of re-trafficking of the rescued person.
- Networking with the police officials at other persons.
- Networking with other Governmental departments.
- Networking with NGOs.

United Nations office on Drugs and crimes, together with other UN agencies, Governments and NGOs, launched the Global Initiative to Fight Human Trafficking (GIFT) in March, 2007. This global initiative based on one simple principle and that is it considers Human trafficking is an organized crime. And that is why it needs an organized response. The strategy for achieving this goal starts with efforts to increase public awareness of the problem, specially women awareness, enhanced knowledge of how to combat trafficking, and co-ordinate existing but disparate efforts by international and national groups, Governments and NGOs and by concerned individuals to end the vile practice.

At present, however, children in the red light areas must live with the ugly reality that they are considered to be different from other children, that society is not ready to accept them. They are rejected because of the environment they live in. We have to remember that a red light area is not just a place where men go to buy sex. It is a place where all generations live where children growing up. All NGOs interventions require cooperation with local people, it must advocate a fundamental shift in societies attitude to prostitute.

In conclusion it may be said that neither tolerating it is a moral safety-valve nor placing undue reliance on a piece of legislation, it is felt that the best way to ensure a

healthy growth of modern society, stopping all its possible leakages, lay in - (1) legalizing by all means, even by the semblance of law or a show of ceremony, all known connections of love or of passion; (2) disposing of young widows who are unprotected or helpless honourably in marriage, or anyhow letting them know that they can be so disposed of if they are not unwilling; and (3) founding in suitable places all over the country separate homes for the protection, education and vocational training of helpless mothers burdened with the care of children, of widows unprotected and helpless, of fallen women who are old or are sick of their open profession of shame and ugliness as well as of those unfortunate women who have been dragged by force or missed by clever tricks and are thus stranded.

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## CHAPTER VII

### PROSTITUTES IN DIFFERENT ROLE

#### Social Contribution of the Public Women :

Prostitution is considered as 'the oldest profession' in this world and the prostitutes are called by various names such as 'fallen women', 'public women' etc. from those previous days. Some insulting and derogatory terms are also used viz. *randi* or *veshya*. The similar in tone to the English word is 'whore'. In Malwa of Madhyapradesh those girls are known as '*Khilawari*'.<sup>1</sup> Japanese soldiers called them 'comfort women' in the period of second world war.<sup>2</sup> Although few peoples choose to use the more respectful description for those women, which is 'sex worker'. It has fewer connotations than the word prostitute, there is no denying that she receives no respect whatsoever. Sex workers are an outcast group. They are rejected by mainstream society and hidden away in red light areas. They are represented in popular Indian films and literature through stereotypes of 'bad' women or stigmatized.

*Noti Binodini* expressed her grievance :

*'Aami jagat majhe kalankini patita, amar atmiya nai, samaj nai*

*Bandhu nai, bandhab nai, ei prithibite amar bolite emon kehoi nai.*<sup>3</sup>

It means, I have no relative, no society, no friend; I have none in this world. I am a stigmatized prostitute in this world (free translation).

On the other hand we have seen a lot of instances where the women of this particular community are giving, dedicating, sacrificing and contributing their last savings to the society since the long past. They constructed roads, temples; dug well and tanks, planted trees on the roadside, raised gardens and groves, etc. Some of them procured money from their paramours' pockets for giving to a pregnant fellow or help her mite in her treatment. They used to making gifts to deserving peoples.

In the history of medieval India, we have seen the reference of such *ganikas* from south, who constructed temple or donated for temples. As an example we refer *Vinapoligal* is mentioned in a dateless inscription of *Vijoyditya's* reign. Similarly *Chhelebbe* endowed three pillars in *Vijnaneswara* temple.

We have heard about Lata Singh, the prostitute who helped the Indians at the period of Sepoy Mutiny in 1857. A group of prostitutes from Jalpaiguri met Deshbandhu Chittaranjan Das and Mahatma Gandhi when they came to Jalpaiguri. Those women contributed to Indian National Movement by giving guinea (gold coin), two bunches of money and rice.<sup>4</sup>

We have heard about the contribution of the prostitutes in Indian National Movement. They provided shelter to the *Swadeshi* boys (freedom fighter) in their pros-quarters. Sarala Sundari, the professional prostitute of Balurghat in South Dinajpur district donated her all savings in *Swadeshi* Movement of India. If we go through the book '*Shikhhito Patitar Atmacharit*' by Manada Devi, we can see the contribution of the prostitutes for the victims of flood in North Bengal.<sup>5</sup>

*Noti Binodini's* contribution in the world of theatre no body can deny. Having seen the play '*Chaitanyaleela*', on 21st October, 1884 at Star Theatre in Bidon Street, Ramkrishna Paramhansa Dev became very pleased and he blessed *Binodini*. Not only Ramkrishnadev but also Bankimchandra, Vivekananda, Father Lanfo, Eduin Arnold, Cornel Olkot were admirers of her acting. The contemporary news papers adorned her as 'Flower of the Native Stage', 'Moon of Star Company', 'Prai-madona of the Bengalee Stage' etc.<sup>6</sup>

*Noti Binodini* contributed her savings to the formation of Star theatre. Not only that, after finishing rehearsal she herself carried the basket full of soil when Star theatre was constructed. At the last phase of her life she left theatre and dedicated into writing. She composed '*Amar Katha*', '*Vasona*' etc.<sup>7</sup>

At the phase of Indian National Movement under the leadership of Mahatma Gandhi, a huge number of prostitutes had taken membership in Indian National Congress and they donated fees to *Tilak Swarajya Bhandar*.<sup>8</sup>

*Charan-kabi Mukunda Das*, (the bard-poet) came to visit Siliguri. A function was organized by the prostitutes of Siliguri where *Mukunda Das* performed.<sup>9</sup> The prostitutes never hesitate to donate for the victims of flood, draught or earthquake. During the survey was going on in that area, the present writer herself witnessed those ladies collecting fund to send Kathalguri tea estate, where the poor people suffering from starvation in the year of 2005.<sup>10</sup>

The trend for their contribution is still going on in different sectors of the society. Jyotsna Bibi, the secretary of DMSC, Changrabandha branch in Cooch Behar district, though she is also a sex worker, donated money to buy a plot.<sup>11</sup> She has purchased the plot for making a health centre for the sex workers of Changrabandha.

On the occasion of *Maha-Ashtami* in *Durga puja*, one hundred seventy sex workers from Sonaganchhi (Kolkata) donated their eyes (after death). A puja committee from North Kolkata invited fifty four of them to visit the *puja pandal* for taking the oath of eye donation.<sup>12</sup> Communication Director, Smt. Maheshweta Mukherjee on behalf of DMSC (Sonaganchhi, Kolkata) has given the information in a press meet. The news published in *Uttarbanga Sambad* on 19th October, 2007.

### **Demands for their Right :**

*Chhandyogya Upanishada* narrates the story of *Satyakama*, the son of *Jabala*, the prostitute. *Rishi Gautama* praised him as '*Satyakulajata Dwijatyma*' for his honesty. Because *Satyakam* did not hide the incident of his birth. From that evidence we can say, in those days such type of confession was not so usual. Although we have heard about *Shakuntala*, the deserted daughter of *Menaka*, was brought by *Kanyamuni*. *Jibaka*, the famous physician was also a son of prostitute. The ancient law-givers grant the property rights to the '*dasiputras*' on their fathers' property.

Generally the prostitutes are not educated, so they can't develop a proper sense of value, which gives them a social situation full of security. Through the project the surveys reveal that a number of women of this profession have achieved some success in their life struggle. Some of them have started to learning education. They become self conscious and more organized. They have come to realize such an undignified life full

of uncertainty should not be a choice for their daughters. Their daughters should be given proper education and training on other co-curricular activities which would bring a happy future in their life. Earlier it was even out of imagination that prostitute's children would be allowed admission into schools. But it is now a reality that a daughter of a prostitute would be accepted as a bride in a common gentle family could not be even dreamt of. The women of this community desire to be live a life of wife. In 1913, *Nati Binodini's* letters to her mentor, Girish Chandra Ghosh, were published as '*Aamar Katha*' (My Story). In this presentations, *Binodini* expressed no love for her former profession (prostitution), but rather stated her desire to be a wife. She states: 'We (*Binodini* refers to 'our type') too desire a husband's love, but where do we find it?... There is no shortage of men who come to us in lust and charm us with their talk of romance; but which of them give his heart to test whether we have hearts too?'<sup>13</sup>

The present author has come to know that a few sons of brothel area have got rehabilitation in the society. A few of them working as doctor, football coach and even as lawyer. But their identity is not disclosed by their mothers. Bachhu Dutta (Mrinalkanti Dutta), is exceptionally different from all of those. He is a son of prostitute from Sonagachhi (Kolkata). Not only that he is the first, who has been qualified the board exam (Madhyamik) of West Bengal Secondary Education.<sup>14</sup> And now he is managing the post of project director in the office of DMSC at Sonagachhi efficiently.

The efforts of getting rights and rehabilitation for prostitute is still going on but the main problem remained in the mental set up of the society, which is dominated by middle class values. However, it is already mentioned that the women of red light areas are not called prostitutes any more rather they are called commercial sex worker. The commercial sex workers are arguing for their rights though the traditional outlook towards them is not welcoming. First of all they demand to recognizing them as labour and their service as industry. They argue as they are involved in the system of production and they invest their income somewhere. Although there is a controversy regarding to categorizing them as forced labour or willing labour. A particular group disagree to recognize them as forced labour because forced labour do not paid for their service.

But one has to look to the context in which it is developed. The suppression of Immoral Traffic in Women and Girls Act, 1956 (SITA) was amended in 1986 as central government introduced the Immoral Traffic in Persons Prevention Act. SITA (1956) aims at abolishing traffic in women and girls for prostitution. So it penalizes brothel keeping, pimping, procuring, detention of a woman or girl for prostitution and seduction of a woman in custody. The practice of prostitution woman in custody. The practice of prostitution individually, independently and voluntarily by a woman does not constitute an offence. But punishment was given when there is prostitution in or near public place and seduction and soliciting for prostitution. Interestingly SITA criminalize the prostitute and set free the client which is an example for double morality and challenging the women's right. D'cunha observes that penalties imposed on prostitutes are for more severe than those on brothel keepers and pimps. Immoral Traffic in Persons Prevention Act 1956 (ITPA) includes both male and female (not merely females) who engage in prostitution. It also defines prostitution as any form of sexual exploitation or abuse or commercial purpose. There is also organizations of prostitutes for their rights. They demand the legalization and licensing of prostitutes. They protest the police harassment. This organizations include - '*The Bharatiya Patita Uddhar Sabha*', '*The Asahay Tirskrut Nari Sangha*' and '*The Pune Devdasi Sangathana*'. The international committee for prostitute's Rights has drawn up a world charter for their rights which guarantees the prostitutes all human rights and liberties including the freedom of speech, travel, immigration, work, marriage and motherhood and the right to unemployment insurance, health insurance and housing.

The prostitution is an evil which is necessary in the society because of sociological and economic factors. Prostitutes are the marginalized group who are to be rehabilitated, as a structure should be created, to reinstate them. The society contributes to prostitution as it is irresponsible and it is male chauvinistic crisis is found in dealing with their issue. It is important to protect the rights as a prostitute, at the same time, redeeming the prostitutes from this evil situation is another responsibility.<sup>15</sup>

The question of complete eradication of this system did not trouble the thought of the then social potentates of India by whom it was considered to be both a useful institution

and means of satisfaction of a definite biologic need. On the other side, this opinion has been recently repeated by the highest authorities on this subject in Europe and America. But that they, nevertheless, attempted a systematic regulation of the prostitutes and aimed at the relentless suppression of slave traffic and abduction of minor girls for immoral purposes, is evident from the details of *Kautily's 'Arthasatra'* and some other *Samhitas* codified about ancient period.<sup>16</sup>

It is already mentioned that India's legal approach towards the sex industry is double standard. Debates about the future of the sex trade have focused on its legal position. There are two groups which hold two absolute different opinion regarding the issue of prostitution. The first one argues for the legalization of the profession as a means of regulating it and removing the criminal element, while the other is advocating for attempting to abolish the sex trade by criminalizing it and rigorously enforcing the law. Those who are pro-legalization often argue that commercial sex workers reduce the incidence of rape. However; now a days it can't be said that prostitution reduces this type of crime while rape culture is increasing all over the world. The first group also thinks, commercial sex workers provide sexual pleasure those men who have no sexual partner, or who have different sexual preferences. Professional sex workers help them to express their sexuality in a harmless way. Many sex workers themselves use this arguments, pointing out that as their work serves a social purposes they should be free of police harassment and discrimination. Those who argue for the abolition of the sex trade caters to and perpetuates the commodification of women, that it could actually increase abuse against women because it reinforces the attitude that women can be purchased and used by men. Legalizing it would legitimize the myth that men have an uncontrollable sex drive. These arguments are often used by feminists who are working to change society's attitude to women and sexuality.<sup>17</sup>

There must be some vital causes which persuades women to take this profession; dissatisfaction in conjugal life, the changing digital world, internet café, cell phone, free movement etc. create a social ambience which provoke people of both sexes to go for cheap sex, for their momentary pleasure. Keeping the general tendencies in mind it would be impractical to ban the institution of prostitution legally; it should rather be

legalized. In favour of the legalization of prostitution it would be put across the following arguments.

The persons, who visit the prostitutes, live normal and 'respectable' life in our society like other gentlemen, attend the social functions and take part in any kind of ceremony of festival. In contrast, the prostitutes who stay in the corner of the society or in the darkroom, stigmatized, 'othered'. In our patriarchal society they are unable to express their talents and qualities; they are di-senfranchised and denied of the universal human rights, like the rights to live and work with dignity and participate in normal social life.

The group which believes on the legalization of prostitution, thinks the positive aspect of prostitution is that if they get legalization sex workers would be relieved of their tension. Those women would not be harassed in their everyday life. If they get legalization as the citizens of a free country the prostitutes should be allowed to attend the social functions. They can get access in educational institutes and different festival like other citizens. This would allow them to bring up their children in a normal atmosphere without facing much of social discrimination.<sup>18</sup>

Sex workers are demanding their right for franchise from the last decade. However, the sex disqualification in respect of voting right of women was a big issue once upon a time. On 1st September, 1921. Mr. S. M Bose, the elected member from East-Maymonsingh non-muslim assembly placed a proposal in the session of Bengal Council for giving voting right to women. He also given proposal to eradicate sex disqualification of women according to the Rule - 7A of Bengal Electoral Rules. **Rai Sahib Panchanan Barma** strongly opposed him. His speech on 5th September, 1921 in the meeting of council is quoted here.

#### **Speech of Ray Sahib Panchanan Barma :**

"I am afraid I must oppose the resolution. Considered as simply as political beings, I think women can claim to have votes equally with men because they own property and pay taxes, and to pay taxes is the criterion on which the vote is based; in that case it would happen that women would have votes equally with men, but if that is the case taxes have got no morality at all; so we cannot refuse votes to the public women also;

and if we allow votes to the public women they will come forward and swamp the women of home life; and we shall see fine women, public women adorning the council, and what will be the effect?"<sup>19</sup>

Here is the contradiction remained with us and our society. We have heard the contribution of Ray Saheb Panchanan Barma for distressed women in previous chapter, on the other hand he himself strongly opposed the voting right for public women.

Sex workers and several NGOs demanding legalization of sex trade as an industry and also recognizing commercial sex workers as labour. An organization '*Bachpan Bachao*' (save childhood) does not support their demand for legalization. That organization litigated Supreme Court for save the childhood of the children of sex workers. Supreme Court declared if government would not success to stop this business rather this profession should be given legal recognition. **Ruchira Gupta**, the founder of '*Apne Aap*' (NGO) had stated - legalization indulges the profession of prostitution. '*Prerna*', the NGO of Mumbai, does not support their demand for legalization as it increases flesh trade all over the country.<sup>20</sup>

While several NGOs and sex workers advocating for legalization of prostitution as an industry, here is a twist that, the prostitutes from western countries do not want legal recognition. The prostitutes belong to first world do not want to confine themselves into red light areas.<sup>21</sup>

Many women's organization in abroad do not support legalization of the sex industry because it is perceived as supporting an attitude to women's bodies that degrading and controlling their sexuality, while further the myth that male sexuality is uncontrollable and needs to be expressed in a situation devoid of anything other than purely physical intimacy. It is these same images of male and female sexuality that may lead to violence against women.

The prostitutes prefer to call them sex worker rather *veshya* or prostitute. Smt. Manu Basak, the representative of international women organization, was disagree to call them worker. According to her view the concept of worker does not fit with sex. She goes for the term 'prostitute'.<sup>22</sup>

Sumanta Banerjee had said, customers give up their sex purity before taking entry into brothel. As a result a lot of moral purity is being gathered on the threshold of pros-quarter. Hindu scripture prescribes a handful earth from the threshold of strumpet's house is still required in the making of the holy image of *Durga*. *Durbar Mahila Samanway* Committee declines to accepting this honour as they are still stigmatized in this society, not accepted in the main stream of the society.<sup>23</sup>

Being organized, the women from this community has started to raise their voice where they deprived. The sex workers of Champabag in Islampur (North Dinajpur) boycotted vote in the year of 2006. Because they were suffering from several problems including sanitation, drainage, electricity, education and medical facility. Jahanara Biwi, the president of DMSC in Islampur, given the above statement in a press meet.<sup>24</sup>

At present the commercial sex workers become more organized. Now they are much more conscious about their needs, rights, demands. It can't be deny, the NGOs playing the most crucial part in respect of their (prostitutes) welfare.

One of the important achievement of the organized sex workers under the leadership of DMSC, was the **parliament march** in 2006 with the demand of repeal the ITPA. A large number of sex workers from North Bengal has participated in that convention.<sup>25</sup>

### **Arguments of Sex workers for repeal of ITPA :**

They argued why the so-called Immoral Traffic (Prevention) Act of India should be repealed is given here in detail<sup>26</sup>:

1. We, sex workers, provide sexual services to our customers. That is why we should be recognized as service sector workers. We demand workers' rights.
2. The principal legal obstacle in the path of our recognition as service sector workers is the Immoral Traffic (Prevention) Act of India. Why?
3. Let us begin by taking a look at the very title of the Act. It is called the Immoral Traffic (Prevention) Act' [IT (P) A]. At issue here should be the trafficking of humans, which is the business of buying and selling of human beings. This Act avowedly aspires to prevent 'immoral trafficking'. Does it not

suggest by implication then, that some forms of human trafficking are moral? Indeed it does so, when it collapse the terms trafficking and sex work (in its jargon 'prostitution'), in all the sections of the Act. In, all sectors of the labour market some human beings are trafficked, but not all and, this is true of the sex sector too. We need comprehensive law (s) for fighting all forms of trafficking of human beings in all sectors of the economy, like, agriculture, transport, mining, manufacturing, cottage industry, domestic services, hotels.... At Kolkata and in some of the districts of West Bengal, We the sex workers are putting up a battle against trafficking of human beings in the sex sector, through our own self-regulatory boards. Trafficked labour in the sex sector is indeed a very small part of the total number of workers trafficked into and from our labour market. The conflation of sex workers and trafficked persons in the IT (P) A is thus untenable.

4. Out IT (P) A was promulgated in pursuance of the Anglo-American legal-sexual culture inspired International Convention for the Prevention of Immoral Traffic (New York, 9th May 1950). The IT (P) A defines any house, room, conveyance or place or any portion of such spaces used for the purposes of sexual exploitation or abuse, for the gain of another person, as a brothel [see : IT (P) A, 2. (a)]. Under patriarchy, in all transactions, men gain at the expense of women. In all patriarchal homes a vast majority of women are routinely sexually exploited or abused by their husbands and other relatives or acquaintances. Hence, according to the aforementioned definition 2. (a) of the IT (P) A, the whole of patriarchal India is one big brothel. However, according to sub-section 6. (1) (b) of the same IT (P) A it is only in these patriarchal homes that we conduct our legally approved, non-criminal, inter-spousal, marital, sexual activities. This makes the sub-sections 2. (a) and 6. (1) (b) mutually inconsistent.
5. In fact the entire Act is guided by this pre-second-world-war Anglo-American legal-sexual belief, inserted as a cluster of words in 6. (1) (b), that all non-spousal, non-marital interpersonal, sexual activities are crimes. This dogma criminalizes all forms of services provided in the sex sector of our economy, and also all non-commercial inter-personal sexual activities outside marriage. This spirit of legal-

sexual puritanism, borrowed from the Anglo-Americans is completely at odds with the reality of our sexual life, including our sex sector.

6. In accordance with this spirit, section 3 of IT (P) A declares that all work sites and homes of our sex workers are sites of criminal activities. This helps hooligans and gangsters, in cahoots with the police, to keep us sex workers under conditions of perpetual homelessness and insecurity. Further, its section 4 declares that all adults eating our bread, including our parents and children, are criminals.
7. The IT (P) A conflates all non-material sexual activity with sex work and, further, all sex work with trafficking in human beings. This double conflation effectively criminalizes all non-marital sexual activity, including sex work, on one hand and, turns a blind eye to the vast sea of human trafficking in all sectors of the economy on the other.
8. The revised draft of the IT (P) A awaiting approval of the parliament has deleted, revised and added some sections / sub-sections, while basically retaining its anti-sex worker and anti-human-sexuality spirit intact, even enhancing it in some cases. According to the new sub-section 5 (c) of the revised draft the customer of a sex worker will be considered a culprit. Why? No one knows. Perhaps because it is fashionable to do so in some North-European countries. When the customer is persecuted, neither the market demand for sexual services vanishes, nor does the security of the sex worker increase. The entire sex sector, however, is forced to go underground. This is not only going to be very dangerous for the sex worker, who will be delivered to the wolves of the underworld on a platter, it will also have catastrophic consequences for the sexual health of our people. The service providing workers and customers of our vast sex sector will no more visit our STD / HIV clinics. Nobody will be able to ensure safe sex practices or monitor incidence of STD s or of HIV / AIDS in the sex sector. In reality our marketized sex sector and domestic sexual life happens to be one continuous borderless territory. In this borderless sexual field, the AIDS pandemic will spread like a wild fire. Several generations of Indians will die, due to the idiocy of a few.
9. We demand that the IT (P) A be repealed in the interests of the millions of workers and customers of our sex sector and, that of the sexual health of our

people. We demand that sex work be put in the occupation schedule of the Ministry of Labour. Once we sex workers start enjoying all the rights that the other workers of the land enjoy, then the STDs and, the raging HIV/AIDS pandemic can be successfully tackled by us, as occupational health hazards of the sex sector. We are, and can continue to be, the best allies of the government in its fight against AIDS, if it is really serious.

10. Being moral is about being good. The effect of ITP (A), even with the proposed amendments and perhaps even more so because of some of them, upon our sex sector and our sexual health is simply evil. On that count our so-called 'Immoral Traffic (Prevention) Act' is itself singularly immoral. This anti-sex-worker Act only helps line the pockets of the immoral guardians of our law.
11. So why put up with this immoral IT (P) A, which is singularly clueless about human trafficking in our country? Let us scrap it. Let us tackle real issues instead. These are the realities of: sexual exploitation of girls and child brides in the vast majority of our homes, where trafficking begins; our stunted, topsy-turvy yet multi-faceted sexual culture; our sex ratio imbalances; our avoidance of sex education; and the reality of human trafficking in our vast human ocean of wage less slavery.
12. Our country is facing an AIDS pandemic. This is the worst possible time for indulging in patch working upon a basically anti-people law. It is high time we recognize the reality of our sex sector and, repeal the IT (P) A, lock stock, and barrel.

**The Fact Sheet on the Efforts of the DMSC and the National Network of Sex Workers at Sensitizing the people, ministers and, the Parliament of India at Delhi (February & March 2006)<sup>27</sup>:**

1. The 28th of February 2006, a seminar titled 'Morality vs. Rights' was held at the India International Centre (New Delhi), organized by DMSC and the National Network of Sex Workers. The seminar was attended by over 50 sex workers from different organizations and activists like representatives from the Lawyers' Collective (HIV Division) and Gender Health.

Discussion centred on the issue of morality and law around sex work in India. Sex workers vociferously argued that what they did was not immoral and they strongly put forward their demand for recognition of sex work as work and, demanded that it be included in the Schedule of Professions of the Department of Labour of Government of India.

Mrs. Tripti Tandon of the Lawyers' Collective traced the history of the Immoral Traffic (Prevention) Act or IT (P) A and, clearly elucidated how this law, from its inception and through its amendment (1986), criminalized sex work and its practitioners. She also described in detail the newer proposed amendments to the Act that was due to be tabled during the Budget Session of the parliament and how these would further directly affect sex workers' livelihoods.

Responding strongly during discussion on IT(P)A, sex workers from West Bengal, Delhi and elsewhere said that they felt that rather than sex work being 'immoral', it was this law that was immoral; it denied sustenance to their families, particularly aged parents, dependents and their children. Krishna Gupta of DMSC reacted strongly, saying that if this act said that any adult who 'lived off the earnings' of sex workers was a criminal, then what about children of sex workers who depended on their mothers to see them through higher education? She went on to ask : was it the State's desire then to prevent children of sex workers from attaining higher life-skills to better their (and their mothers') lot? Other sex workers were also strong in condemning this and other sections of the Act that would criminalize their aged dependent parents for "living off the earnings" of sex workers.

At the end of the discussion, the sex workers and activists present agreed that the Act in its present form and in the proposed newer amendments and/or modification was never going to help them. Rather, all sex workers present felt that the proposed modifications would further marginalize them, push them underground and this would 3/4 in addition to robbing them of all human rights (as guaranteed to all Indian citizens) 3/4 adversely affect the ongoing HIV/AIDS prevention programmes all over India. Additionally, these amendments would reinforce trafficking contrary to all popular belief. The sex workers finally added

that prevention of trafficking in sex work has been made possible by the activities of Self-Regulatory Boards in West Bengal run by the DMSC. They reiterated that the new amendments would actually make the Self-Regulatory-Boards dysfunctional and thereby negate all gains made by the sex workers' movement in preventing trafficking, improving their lives and in preventing HIV/AIDS. At the end of the session all the sex workers demanded that the Self-Regulatory Boards should be recognized to control trafficking.

2. The 2nd of March 2006. DMSC in collaboration with the Justice Sunanda Bhandare Foundation organized a seminar on 'The Problems Faced By Sex Workers' at Stein Auditorium, Habitat Centre, New Delhi.

Mr. Murlidhar Bandare gave the welcome address, where he addressed the sex workers as 'community sisters'. He observed that the working and living conditions of sex workers are pathetic. Apart from HIV/AIDS, he mentioned anemia as a problem, along with other issues faced by sex workers such as the fact that their children are removed from their custody.

Renuka Chowdhury, Minister of Women and Child Development, Govt. of India made the inaugural address. She remarked that the government would help in removing the reasons that led to women joining the sex industry. There are micro finance and micro credit schemes launched by the government that can generate money for women.

She spoke on health issues faced by sex workers and said that health cannot be compromised on at any cost. If a customer refuses to use protection, then he must be turned away at any cost.

She observed that members from her Ministry had not come to the seminar to be judgmental about what work people do, but to give dignity and safety to the women. Safety at the workplace is a fundamental right, and in this context she mentioned the right to be free from sexual harassment. She mentioned that section 8 and section 20 of IT (P) A (soliciting and removal of prostitutes) have been removed in the amendments proposed to the Act.

Dr. Jana, Asst. Country Director from CARE India agreed that we should not be judgmental and that safety in the workplace is important. However,

the experience of working with sex workers has shown that they are judged based on what sexual practices are seen as 'moral'. This is an obstacle to the HIV prevention programme. Any attempt to criminalize sex workers needs to be abolished.

The proposed amendments to IT (P) A deals only with trafficking into the sex industry and this will encourage trafficking into other sectors.

The Self Regulatory Boards in Sonagachi, Kolkata, have proven to be the most successful example to prevent trafficking, but they have not been replicated in other parts of the country. Dr. Jana concluded by questioning whether this was because of external forces, or because of a mindset.

Krishna Gupta, a sex worker from DMSC, Kolkata, observed that the attempt to criminalize clients would be detrimental for sex workers. Sex workers will find it difficult to earn, and HIV/AIDS will spread. She observed how the sex workers of Sonagachhi project successfully prevent trafficking by regularly checking who is under aged and who has been forced to join the profession.

Justice Leila Seth stated that we have to work with empathy and not with moral condemnation. The law has to strike a balance between consensual sex and those who are forced into sex work.

Ashok Alexander from the Gates Foundation stated that tackling HIV/AIDS in India is a challenge, which can be tackled by keeping the infected persons and high risk groups (sex workers) at the centre of the intervention and not merely as a target. This approach is fundamentally about giving respect to the marginalized community. Sex work is largely invisible and is fraught with stigma - and for this reason, HIV is more complex than any other epidemic.

Meenakshi Dutta Ghosh from the planning commission stated that she had three messages for the sex workers present at the seminar - one, that should you want to discontinue, there are options, two, if you want to continue then protect yourself, and three, do not constrain your children and their education.

Uma Sharma, *kathak* dancer, spoke and the remarked that sex work is as much of an art as dance is.

Ratna Kapur from CFLR (Centre for Feminist Legal Research) spoke on trafficking and questioned why so much emphasis and money is going into it, when the data on trafficking is very poor. She said that exploitation of women is considered mandatory in commercial sex workers.

Around 12 years ago, the government was progressive on the issue of sex workers, but by 1998, trafficking became an international concern and this led to legislation which violated sex workers rights.

The new Cabinet approved IT (P) A amendments define prostitution in an expensive manner, and trafficking is limited to prostitution.

She remarked that there is a difference between demanding legalization of sex work and decriminalization. Legalization can lead to a new system of exploitation where licensing and zoning bureaus take the place of the police.

In conclusion, she observed that the stigma attached to sex work is attached to sex more generally. Sex workers should participate in sex education programmes and HIV commercials.

Anand Grover from Lawyers Collective explained the proposed amendments to IT (P) A to the sex workers. He explained that the Minister, Renuka Chowdhury, had given assurance the Bill would not be passed until consultations are held.

Justice B. N. Srikrishna observed that as a sitting judge, he could not take a stand on this issue. He stated that Article 39 of the Constitution does not aim to prevent sex work but aim to prevent force. He agreed that criminalizing clients would not help sex workers - rather, it would push the issue underground and increase the spread of HIV/AIDS.

Oscar Fenandes, Minister of State, was present at the concluding session.

3. The 3rd of March 2006. International Sex Workers Rights Day. A team from the DMSC, West Bengal, a part of the National Network of Sex Workers (NNSW) of India, organized an 'Art Camp' with the help of its cultural wing '*Komol Gandhar*' and, 15 students and ex-students of the Delhi Art College. On the same day Ms. Renuka Chowdhury, Minister-in-charge of the Department for Women and Child Development, Government of India, met 50 representatives of sex workers' organizations from West Bengal, Andhra Pradesh, Karnataka and Delhi,

at the India International Centre, New Delhi. The Minister interacted for over three hours with these male, female and transgender sex workers, who voiced their criticism of the existing IT (P) A and, the IT (P) Amendment Bill 2005. Though sympathetic to the sex workers, the Minister failed to give any assurance that the Bill will not be tabled in the parliament in its present form. The Minister also did not indicate that the Bill would be discussed with the health agencies within and outside the government that are conducting intervention programmes in our sex sector, for the prevention of STD and HIV/AIDS.

4. The 4th - 6th of March 2006. Two terms of '*Komol Gandhar*', joined later on by a team of tribal dancers from West Bengal, performed street theatre, dance drama and, distributed leaflets at 14 places in Old and New Delhi, to highlight the plights of our sex workers. Their aim was to sensitize the people of the capital city about the need : to repeal the IT (P) A; to recognize sex work as a kind of work; to enlist sex work in the occupation schedule of the Ministry of Labour of the Government of India; and to recognize the fact that sex workers' self-regulatory boards are the best means of managing the sex sector and, for ensuring proper implementation of social welfare measures for sex workers and their family members.
5. The 7th of March 2006. The representatives of the National Network of Sex Workers were unceremoniously denied an earlier promised audience with the Chief Minister of Delhi, Ms. Sheila Dixit. A workshop on 'Negotiation skills Building through Cross Learning' was conducted at the Bharat Scouts and Guides camp, Nizumuddin, in 8 parallel sessions, for 1200 sex workers from all over the country.
6. The 8th of March 2006. Ms. Sujata Rao, Director NACO and, Ms. Nafisa Ali together with the leaders of the sex workers' organizations from different parts of India, attended the ceremony of hoisting the flag of the NNSW, at the Bharat Scouts and Guides Camp. A rally of about 4000 sex workers from 16 states of the country marched to Jantar Mantar from the Ramlila Ground and, submitted a memorandum of appeal to reject the IT (P) Amendment Bill 2005, at the Prime Ministers' of Home, Health & Family Welfare and, Women & Child Welfare

Departments of the Government of India and, to Mrs. Sonia Gandhi. Sex workers' collectives shared their experiences, at the Bharat Scouts and Guides camp, about combating violence, their encounter with law, the attempts at implementing STD / HIV intervention programmes and, anti-trafficking programmes. The concluding session was attended by Mr. Denis Barun of India office of UNAIDS (The Joint United Nations Programme on HIV and AIDS), Dr. Gilada from Mumbai, Mr. Anand Grover of Lawyers' Collective. Delhi, famous Malayalee sex worker author Nalini and, many other friends and well wishers of the sex workers of India.

7. Meeting with some lawyers of the Tees Hazari Court, High Court and Supreme Court at Delhi on the 10th of March.
8. A meeting was organized on the 24th of March where the Director of NACO, an Ex - M. P. Ms. Saiyada, some women's groups, media persons and students of Jamia Milia Islamia University participated.

**Activities aimed at Opinion Mobilization at the Capital after March 2006<sup>28</sup> :**

1. NNSW representatives met some politicians, members of parliament, heads of the country offers of various multilateral organizations, Ms. Sujata Rao, Director, NACO and Ms. Sayeeda Hameed of the Planning Commission during the month of May 2006.
2. On the 12th of May 2006, NNSW and UNDP jointly organized a meeting on the IT (P) A. Members of the Lawyers Collective - Delhi, DMSC - West Bengal, STOP, Savera, Shakti Vahini, Centre for Feminist Legal Research, *Sahabhagini* - Andhra Pradesh and Mona Mishra of the United Nations Development Programme (UNDP) participated in the meeting. At the meeting a memorandum was drafted and sent to the Government.
3. NNSW and Lawyers' Collective organized a press conference on the 24th of May 2006, after the Government introduced the IT (P) A Amendment Bill 2005 in the Parliament on the 22nd of May 2006. Here it was pointed out that the proposed bill, if passed as law make millions of sex workers of the land jobless. It will drive the entire sex sector of the HIV/AIDS pandemic. According to the government, nearly 1 lakh sex workers of our land are HIV - positive. Over 400 government aided HIV/AIDS prevention programmes are working with sex

workers. These interventions will come to naught if the proposed amendments become law.

It has been proved that legalization of prostitution is an ineffective way of tackling trafficking and exploitation in those countries where the registered prostitutes are always fewer in number to the unregistered ones.<sup>29</sup> Legalization is implemented in a country like India, where sex trade underground. Women do not want to be publicly stamped as sex workers or forced to have medical check-ups. They do not support any kind of govt. interference in their profession. On the other hand they demanding legalization from govt. So it is clear that a double standard mentality also working in their mind. It is fact that in India, today legalization could simply give the state more power to interfere in the lives of the women. A sensitive administration is the basic need to operate the system of registration and regular medical check-up for prostitutes. The bureaucracy system in our country indulging bribes, extortion etc. Insensitive handling of registration, enforced medical check-ups, bribes, extortion, police harassment all these would no doubt push the trade underground.<sup>30</sup>

Throughout all the conversions with the workers of DMSC, the organized group of commercial sex workers, the present writer perceives that legal recognition is their first demand. Establishment of board comprised with sex workers is their another demand. The board would regulate the entry of new comers into this profession. The women of red light areas want to stop the police control over them. Security, rights and protection for their children are also necessary. The commercial sex workers demanding the equality with other workers in the informal sectors. Not only the police harassment, but also abuse from clients, pimps, landlords making troubles in the life of sex workers. They demanding the end of all these harassments. The workers of DMSC said force trafficking should be stopped. No girls should be removed from the brothels without her consent. Sex workers beaten by local hooligans is a very common incident.<sup>31</sup> The women of red light area want to get rid from this type of oppression. The sex workers think when their work would be legalized they would be acceptable in the society.

some possible future interventions must help to address both the short term and long term needs of the sex workers. Carolyn Sleightholme and Indrani Sinha have given the

following suggestion which are undoubtedly important for an effective approach in working for sex workers' rights<sup>32</sup> :

- i. Support existing local initiatives and promote networking and co-ordination between different sex worker groups, locally and nationally.
- ii. Improve coordination between NGOs, and enhance dialogue and networking between NGOs and the government.
- iii. Support or establish centres in red light areas that can offer legal advice, counselling and crisis intervention to sex workers, staffed by local residents, assisted by local volunteers.
- iv. Equip red light areas with child-care facilities, ideally night-shelters, employing and / or being managed by elderly former sex workers and ensuring that timings are suited to the working hours of the mothers.
- v. Open short-stay shelter homes and refuges for girls and women victims of violence and sexual abuse.
- vi. Broaden the scope of HIV-related projects away from purely epidemiological goals to broader social objectives, such as strengthening sex workers' negotiating powers and building up local leadership.
- vii. More research and action on sex - workers' own prioritized health problems.
- viii. Promote savings and credit schemes as a group activity to improve women's economic situation and release them from indebtedness to moneylenders. Credit groups can also be an excellent means of building group capacity and fostering group identity.
- ix. Reach out to male sex workers and floating sex workers who are even more isolated than the female sex workers who live in red light areas. See clients as an important target group for STD interventions, and reach clients through their workplace, village men's groups, mainstream media, social centres, and so on.
- x. Challenge the division of labour by gender that confines and limits women's options in the labour market. Employment - generation schemes must go beyond sex stereotypes, and women should be trained in marketable skills that will enable them to be independent.

- xi. Lobby for more women police officers, particularly in stations near red-light areas.
- xii. Train and sensitize the police regarding the laws on the sex trade. Lobby for severe penalties and action against state representatives who harass sex workers, extort money, make deals with traffickers and collaborate with the organizers of the sex trade. Sensitize the police to the issues relating to crimes against women, and to the rights of sex workers to protection from the law.
- xiii. Lobby for review of the laws on prostitution, strongly involving sex workers in the debate. Reduce police powers to harass sex workers.
- xiv. Lobby for better enforcement of laws against trafficking, for tightening up border control between Nepal and Bangladesh, and for communication and co-ordination between the relevant authorities and NGOs in sending and receiving countries.
- xv. Sensitize government and NGO staff working in the red-light areas to gender issues relating to and arising from the sex trade, and raise awareness of the link between the sex trade, its artificial isolation and patriarchy. This can be done through gender training, evaluation of existing interventions and media from a gender perspective, and through giving sex workers a platform for airing their own views and experiences.
- xvi. Lobby against representations in the media that portray women as sex objects and convey messages about women as commodities to be purchased and possessed.
- xvii. More dialogue and co-operation between women's rights activists and sex workers is needed. Sex workers could form links with a movement that challenges women being judged by their sexuality, women having limited options for economic independence, and so on. In turn, the women's movement in India could be strengthened by lobbying for the rights of sex workers as women who have a right to society's support and respect.

Before to make the end a pause here is necessary to think over at last but not least what Parent Duchatelet uttered in pious conviction about a century ago : "With

prostitution itself it is as with vice, crime and disease, the teacher of morals endeavours to prevent the vices, the law giver to prevent the crimes, the physician to cure the disease. All alike know that they will never fully attain their goal; but they pursue their work none the less in the conviction that he who does only a little good, yet does a great service to the weak man."<sup>33</sup>

## NOTES & REFERENCES :

- 1 *Khilwari* : Neemuch is a town in the Malwa region of Madhya Pradesh where birth of a girl is welcomed and celebrated by a tribe known as *Banchhara*. The people of the tribe engage their daughters in the profession of sex work. The girls are groomed for earning money through this obnoxious service. The guardians encourage the service, there is no obloquy in the matter rather the girls are given extra care and they hold a good position in the family as long as they can supply money to their families. According to local information this practice had started with the establishment of British garrison in neemukh. The British authority brought the *banchharas* from Rajasthan and resettled them in said areas. The purpose was to make *banchhara* women available to the soldiers for sexual gratification. This easy way to getting money, it is believed, made the males of the tribes apathetic to work and that changed the social situation and women's position within the tribe. Though the British cantonment was disbanded in 1932, the practice is still in vogue.

Bandopadhyay, P., 'Khilwari', in *Rabibasorio, Anandabazar Patrika, Siliguri* Edition, 10/03/2013.

(The mention of *Khilwari* girls may not seem to be out of context here if we take the point of Lock Hospital. In Darjeeling that is in the hills of North Bengal there was Lock Hospital which in the interest of imperial army kept vigilance on sex workers so that spread of venereal disease could be arrested. Sex workers as usually had to go under painful medical test but the poor women got some medical treatment as is evident from chapter five. In the case of neemuch women, who do not get such information for any medical aid. It is quite evident that the *banchhara* women used for sex were thrown to their destiny.)

- 2 Comfort Women : At the period of second world war, the Japanese soldiers were provided Korean girls to fulfill their sexual desire. Those women were called comfort women.

- Mukhopadhyay, S., 'Aramer Meye', in *Rabibasorio, Anandabazar Patrika*, Siliguri Edition, 17/01/2016.
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## CHAPTER VIII

### CONCLUSION

Law and religion never did offer equal status and rights to man and woman. Being a natural biological partner for amorous adventures and at the same time conventionally possessed of disadvantaged lower social status, the women's vulnerability to male's seductive attitude and activities is a stark reality of history. The obvious implication is that women are facing lots of problems in the society such as sexual harassment, molestation, gender discrimination, violence in domestic and public life, social abuse etc. over a long period of time. Trafficking of women is a natural phenomenon in a social structure cutting across the barriers of time and space. Women are trafficked for several purposes like sexual exploitation or prostitution, slavery etc. We have a reference to sale of good looking girls in inscription. The inscription is now preserved in the Prince of Wales Museum, Bombay.<sup>1</sup> Here, there is a reference in the *Abadhatta* poem to hawking of beautiful girls for royal people. The inscription is written in eight languages. It is like a beauty competition where the pimps or brokers were loudly describing the beauty of the girls who were waiting silently as market commodity. The social setting in ancient as well as medieval India was as such that dissimilar stands were adopted to judge the individual as well as social conduct of the male and the female. The introduction of western education and liberal ideas after the coming of the British, the Indian society witnessed a new change which even touched the life of women in India.

According to Michel Foucault's theory in '*The History of Sexuality*', sexual life in West should be controlled by the power and repression.<sup>2</sup> The modern feminists are influenced by his theory. Judith R. Walkowitz said Foucault's theory is meaningful in respect of the marginalized women of the society. Walkowitz had written : "Foucault's insight that no one is outside of power has important implications for expressions from the margins. Just because women are excluded from centres of cultural production, they are not left free to invent their texts.... They are bound imaginatively by a limited cultural repertoire... Women ... do not simply experience sexual passion and naturally find the words to express those feelings... In the simplest sense, women of different classes and races all have to rely on cultural constructs to tell their truth."<sup>3</sup>

Prostitution played an important part in the history of India during the long past to the present day. Prostitution came to stay and thrive in India. It had formed an integral part of the civil and military life. Not only the western countries but the state, power and govt. of India also trying to conduct prostitution from the age of *Arthasatra*. State decided and controlled their (prostitutes) activities, imposed tax on prostitution.

A lot of reasons for the emergence of prostitution has been discussed. Such a genealogical tradition of the most ancient kings and *Rishis* of India since the time of the *Rig-veda*, *Atharva-veda* to the period of *zamindars* and British East India Company was going on. Even the *Devas* (many of whom were outstanding personalities passed into divinity after death) were not free from the sins of the flesh, innumerable legends and folk-lore had been woven from the time immemorial.<sup>4</sup> It is fact that various changes may be noticed in prostitution throughout the period. But more or less the reasons for the rise of prostitution remained unchanged. Traditional or religious causes, financial insecurity or poverty, seduction, domestic misery, cheating or misguiding, voluntary adoption etc. are the main push factors for prostitution. On the basis of nature and practice of flesh trade, there developed several types of prostitutions along with different categories of clients and pimps who are inseparably attached with this primitive practice.

Where the religious scriptures of a country recognized women as a commodity, prostitution can't be a un-natural deal there. The *veshyas* were taken as the safety valves of a highly organized and refined society; the best course that had been thought out was without an attempt at their total extinction to sustain them within proper limits and to acknowledge their status as human beings. Gradually they came under the aegis of the law though they had long before been recognized by religion.

The laws regarding the issue of prostitution, were double standard from the age of religious scriptures. For evidence we may refer *Manu* and *Kautilya's* instructions. *Manu* said, all the *ganikas* are thief and fraud.<sup>5</sup> On the other hand, *Kautilya* charged twenty four *panas* and forty eight *panas* for insulting and physical assault of prostitutes respectively. If a man robs a courtesan of her ornaments, her goods or the payment due to her, he shall be fined eight times (the amount).<sup>6</sup>

Coming to the present, the situation is not more than same paradoxical. The same features of double standard law regarding prostitution is noticed in ITPA. According to an interview of the sex workers (by the present writer) that PITA act (ITPA) is not appropriate for their welfare. It has some inner contradictions. The law nos. 8 and 20 of ITPA have been repealed by the initiative of Smt. Reba Nayer (the Secretary of the Women and Child Development, Govt. of India). The repealed laws allow prostitute to soliciting with their clients and also banned the right of Magistrate to uproot the brothels of his locality without notice. While the Act nos. 3, 4 and 5/C of ITPA are not in favour of the sex workers. These acts prohibit to let at rent houses, hotels for prostitution, do not allow the sex workers' children above 18 years to live on their mothers' income, sanction the right to arrest the clients respectively.<sup>7</sup>

It is evident that the practice of prostitution in colonial India was influenced by British rule dating back to the 19th century. North and South both part of Bengal was influenced by British rule. From 19th century, up to the early 20th century the rule of British India facilitated, regulated and also encouraged prostitution. However; British govt. encouraged prostitution for their own interest. The British military and civilian who were posted in this country, could not keep their families with them. We have the reference of *chakla* system. To satisfy the natural sexual desire of those employees, British company introduced *chaklas* around military barrack.

Not only Indian prostitution affected by the policy of the Governor General of India. It was also influenced by British cultural beliefs and conflicts. Colonial tensions, cultural misunderstandings, and concern for racial superiority played large roles in British regulation of prostitution. The British had a profound effect on prostitution in India, both legislatively and socially.

A lot of changes are noticeable in the life of prostitutes and outlook of the professionals. Since the hoary antiquity the change began to evolve very slowly. One of their evolutionary change may be mentioned here. We may cite the episode of *Jivaka* who became renowned medical authority of his time. He was also famous as lord *Budhha's* attending physician. He was the son of a prostitute. His life gives out a glaring instance of the prostitute's proverbial dislike for male babies. Many male babies

were either killed or cast off immediately after their birth. The female child was hailed as a boon and nurtured most carefully. For example, *Salavati* who brutally forsook *Jivaka*, anxiously reared her daughter *Sirima*, who afterwards like her mother became a very noted courtesan of Rajgriha. It is easy to understand why the daughter were raised and brought so carefully.

With the time being, the concept of preferring girl child is changed. The surveys (by the present writer) in several red light areas of North Bengal and Sonagachhi in Kolkata revealed that the mothers of brothels don't want to push their daughters in their business any more. Their daughters have started to go to schools. It is undoubtedly a paradigm-shift in Women History.

Prostitution has been always an integral part of urbanization. The example of prostitution and its increasing practice is useful in demonstrating how crime has been urbanized and regulated according to an urban-centric frame work. However; a particular group including the commercial sex workers are reluctant to consider prostitution as a crime, rather they are demanding to legalize the job. Although, it is said that since in the nineteenth century, prostitution has been a metaphor for urban disintegration and disorganization.<sup>8</sup>

Somehow, the culture of prostitution in this part of Bengal differs from South Bengal specially from Kolkata. During nineteenth century, *Babu* culture highly nourished and patronized prostitution in Kolkata. But comparatively, no replica of *Babu* culture expanded in the northern part of Bengal. Rather the strategic importance of North Bengal encouraging the rapid growth of prostitution in this region directly and indirectly.

Commercial importance of North Bengal and for some its importance comes from its strategic placement near international and state borders. The convenient transportation, trading, education centre make the region crowded. North Bengal is blessed with the beauty of nature which attracts the tourist of far and away with its immense natural beauty. It is the paradise of scenic beauty maintaining wonderful balance between industrial state and ecology of the region.

If we look behind just one century ago, North Bengal was nothing but a small village or rather it is better to say a mufussail with limited population. At that period, agriculture was the main occupation of the dwellers of North Bengal. After partition of the sub-continent into India and Pakistan in 1947 and the creation of Bangladesh in 1971, this portion of Bengal became a crowded refugee centre. But at present, North Bengal is achieved an important place in West Bengal with a huge population. This part of Bengal is one of the fastest growing area in all over the country.

The geo-strategic importance of North Bengal connects three International borders (Bangladesh, China, Nepal) which is rare in the map of World. Being so located, Siliguri, one of the main city of North Bengal became a trade hub for whole of West Bengal. An important nerve centre of all kinds of activities related to the trade and commerce of the region. Saw milling and jute milling are important industries over North Bengal, there are also tea plantation in the main importance.

In post-colonial period, this zone has experienced Sino-Indian War of 1962 AD, Cold War, Independence war of Bangladesh in 1971, inclusion of Sikkim within Indian federal structure. Separist movements in pockets of North Bengal and North East India, globalization, other political turmoils, led the people move into the peri-urban areas leaving the countryside. The riot, war, partition always exploited the women most. Both positive and negative impacts of global market economy have been evidenced here. The agricultural and industrial producers would try to create a market world-wide, from a homogeneous culture in favour of the establishment of the monopoly of North Bengal over that market.<sup>9</sup>

During the last decades the closing of several tea estates in North Bengal affected the economy of this region. It forced many young girls into prostitution in order to feed their families.

A question naturally occupies our investigation that the prostitutes or commercial sex workers whether they are 'forced labour' or 'voluntary sex worker'? It is a question of controversy. But we can't deny that, their income is invested in mode of production either direct way or indirect way. We noticed those women from red light areas didn't

hesitate to contribute their savings in *swadeshi* movement vis-a-vis. any other crisis of the country.

The history of prostitution in Bengal has already come into focus. Unfortunately the history of prostitution of North Bengal didn't get much importance in those writings. The prostitutes of Kolkata expressed their views through their writings. The chap-books of Bot-tola literature provides all those documents. But the women of this area engaged in this profession never had any scope to express their own experience and passed into oblivion leaving no trace. Only story references in local tales, songs, official documents, popular stories about the kings, *zamindars* or colonial administrators or planters are at our hands.

Most of the evidences are not yet decisively deciphered. Still history of prostitution in North Bengal may be traced from early texts like *Ramacharita*, *Aryasaptasati* or inscriptional evidence like Bangarh. Transaction of women business through *narayanee* coins of princely state Cooch Behar is also known. Railway extension, plantation, urbanization, penetration of British East India Company, European clubs, presence of patronized group, *haat* (market), fairs, archival records of Darjeeling lock hospital all these circumstances bring into light that the practice of prostitution was in-vogue on large scale in North Bengal.

At the last phase of the discourse, lets see the anthropological perspective regarding prostitution. Definition of prostitution in Indian common parlance is quite narrow. In anthropological perspectives, prostitution is regarded as the act of a female who hires her body to a number of males for sexual intercourse in exchange of money.<sup>10</sup>

On the basis of the above mentioned definition one vital question arises : prostitution should be looked at as livelihood 'work' or 'crime'? One expected reply would be, we believe that like any other occupation, sex work too is an occupation and should not be considered with value judgment. If it is one of the oldest profession in the world, that is because it must have continued to meet an important and consistent social demand.

On the other, some postulate, 'when it starts with violence and sexual abuse how can we call it work?'<sup>11</sup>

One group advocating the legalization of prostitution, the other trying to eradicate this profession.

In such circumstances we are concluding by quoting C. Fabre - Tonnerre :

‘Prostitution exists in all countries, as well as in all the climates of the world. It has been considered a necessary social evil which cannot be eradicated by repressive legalization any more than by moral influence and religious teaching.’<sup>12</sup>

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# APPENDICES

**1. APPENDIX A**  
**ANNUAL ADMINISTRATIVE REPORT OF COOCH BEHAR (MEDICAL) 1892 - 1894**  
**RESULT OF TREATMENT OF INDOOR PATIENTS**

Description of Diseases	Outdoor Patients		Indoor Patients		Cured	Relieved	Discharged otherwise	Died	Remaining	Total	Total of Out/Indoor Patients	
	1892 -93	1893-94	1892-93	1893-94								
<b>GENERAL DISEASES</b>												
Malariya fever ague remittent	4687	6176	165	101	164	5	6	16	—	191	4852	6367
Cholera	27	33	10	2	1	1	—	—	—	2	37	35
Rheumatic affections	1041	872	23	14	9	3	2	—	—	14	1064	886
Syphilitic affections	190	232	16	26	8	9	8	—	1	16	206	258
<b>LOCAL DISEASES</b>												
Goitre	990	993	5	1	—	—	1	—	—	1	995	994

Respiratory affections	1005	1002	30	28	11	10	4	2	1	28	1035	1030
Dysentery	357	466	41	47	20	6	5	15	1	47	398	513
Diarrhoea	341	582	18	29	17	1	1	10	–	29	359	611
Worms	404	514	–	1	1	–	–	–	–	1	404	515
Spleen	789	967	51	66	33	13	17	3	–	66	840	1033
Skin Diseases	2357	2677	19	10	5	2	1	–	2	10	2376	2687

## 2. APPENDIX B

### DISTRICT CRIME REPORT BUREAU, JALPAIGURI

FIGURE OF AHTU OF THE JALPAIGURI DISTRICT FOR THE YEARS FROM 2007 TO 2013 (UP TO APRIL)

ANTI HUMAN TRAFFICKING				
YEAR	NO. OF CASES	NO. OF TRAFFICKING	NO. OF RECOVERD	NO. OF ARREST
2007	18	34	49	26
2008	32	45	25	30
2009	20	28	14	20
2010	17	37	31	19
2011	30	35	50	36
2012	158	163	127	49
2013 UP TO APRIL	44	50	29	25

UNDER ITP ACT			
YEAR	NO. OF CASES REPORTED	NO. OF TRAFFICKER ARRESTED	NO. OF VICTIM RECOVERED
2007	2	7	2
2008	5	4	5
2009	1	6	2
2010	5	16	7
2011	6	23	13
2012	4	25	6
2013 UP TO APRIL	2	3	2

By Courtesy

DCRB, Jalpaiguri.

**ITP CASES, FROM 2008 TO 2013 (up to April).**

**YEAR 2008**

PS	CASE REFERENCE	CASE REFERENCE
<p align="center"><b>JAIGAON</b></p>	<p align="center"><b>22/08 DT. 14/01/08 U/S 3/4/5 ITP ACT.</b></p>	<p><b>Jaigon PS Case No. 22/08 dated 14.01.08 U/S 3/4/5 immoral traffic (prevention) Act 19556(.)</b> The fact of the case is brief that on 14.01.08 around 19.15 hrs SDO Alipurduar (APD) held raid at Bandana Guest House and arrested Ritriish Biswa and Mrs. Priti Barman and produced them before PS and alleged that the business of prostitution of in this regard (.) IO Shri G. .Halder CI Kalchini has taken up the investigation (.) Arrest 2 (.) PO- Bandana Guest House NH- Road Jaigaon.</p>
<p align="center"><b>BHAKTINAGAR</b></p>	<p align="center"><b>1486/08 Dt. 31/08/08 U/S 3/4/5 ITP Act.</b></p>	<p><b>Bhaktinagar PS Case No. 1486/08 dated 31.08.08 U/S 3/5/7 ITP Act 1956(.)</b> On 30.08.08 at about 23.45 hours an information was received at Bhaktinagar PS over telephone from Mrigen Gurung of Hotel Golden Gate Salugara that some 30/40 male and female members of Gorkha Jan Mukti Morcha of Salugara have forcibly entered into his hotel premises and were creating chaos in the hotel (.) This information was diarized vide Bhaktinagar PS GDE No. 2354 dated 30/08/08 and SI Rajen Kumar Chhetri, OC Bhaktinagar PS along with SI R. L. Bhutia, SI Debdan Roy, ASI Uday Chakraborty, ASI P Dey Sarkar and the available force with LC 1452 Pausali Ganguly, LC 1481 Seema Rai left for hotel Golden Gate to work out the information (.) They arrived at said hotel on 30.08.08 at 23.55 hrs and seeing the police some people outside the hotel fled away (.) Then the officers and men entered into the hotel and found about 10/15 persons including ladies were searching the rooms of the hotel and alleged that a racket of prostitution is being run inside the hotel by the management of said (.) They further alleged some male and female person who are engaged in prostitution are locked up in room no. 201 of hotel (.) Then he immediately informed the matter to Sri V. K. Singh, Inspector of Police, CI Sadar NJP and requested him to come to hotel Golden Gate for searching and seizure as per the provision of ITP Act (.) Then on 31/08/08 at about 1.05</p>

		<p>hours Sri V. K. Sing, Inspector of Police, CI Sadar NJP arrived at the spot and under the leadership of Sri V. K. Singh, Inspector of Police, CI Sadar NJP the Police team entered into the Room No. 201 of the hotel along with lady police C/1452 Pousali Ganguly &amp; L/C 1481 Seema Rai and three lady witnesses 1) Jamuna Sangma w/o Bidesh Sangma of Salugara Bazar, PS Bhaktinagar Jalpaiguri 2) Anju Pradhan w/o Pankaj Pradhan of do, and 3) Smt. Amita Thapa w/o Roshan Thapa of do and found four accused persons 1) Prasant Kumar Pandey @ Bikki s/o Pradip Kumar Pandey of Baruni Oil Refinery Oil India Ltd. Near Jublee Petrol Pump, Qtr No. B/2, District Begusari, Bihar A/P Mia Garrage Building, Hill Cart Road Siliguri, 2) Sonu Das (18) d/o Sri Hari Chandra Das of Mahamayapara, PS Kotwali Jalpaiguri 3) Priyanka Mandal (19) d/o Samir Mandal of Jhankar More, PS Siliguri, Darjeeling and 4) Ishika Das (19) d/o Jiten Das of Pandapara, PS Kotwali Jalpaiguri are inside the room in objectionable position (.) On interrogation the girls confessed that they were in profession of prostitution and there as called by Management and two more customers were supposed to join them (.) Further, they disclosed that one Milan Chhetri, the manager (Marketing) of hotel Golden Gate had invited them to carry out the prostitution for their monetary benefit (.) The hotel is located near the Salugara Buddhist Monastery (.) The room of said four accused persons and said Milan Chhetri as noted above has been searched but nothing incriminating was found (.) SI Rajen Kumar Chhetri, OC Bhaktinagar PS arrested said accused person under Monestery (.) The room of said four accused persons and said Milan Chhetri as noted above has been searched out nothing incriminating was found (.) SI Rajen Kumar Chhetri, OC Bhaktinagar PS arrested said accused person under supervision of CI Sadar NJP U/S 41 Crpc/3/5/7 ITP Act 1956 as the accused were engaged in carrying business of prostitution and the hotel Golden Gate was used as brothel (.) Accordingly, SI R. K. Chhetri OC Bhaktinagar PS registered the case noted above (.) IO Sri V. K. Singh, Inspector of Police, CI Sadar NJP (.) Arrest – 04.</p>
<b>BHAKTINAGAR</b>	<b>1488/08 DT. 31/08/08 U/S 3/4/5 ITP Act.</b>	<b>Bhaktinagar PS Case No. 1488/08 dated 31.08.08 u/s 3/5/7 ITP Act 1956 (.)</b> Received a written complaint from SI Pankaj Thapa O/C NJP OP against 1) Maya Roy (23) w/o

		<p>Late Niren Roy of Kana para PS Haldibari Coochbehar (A/P Pipe line Bhaktinagar, Jalpaiguri 2) Sanat Ghosh @ Chhoton (19) s/o Sushil Ghosh of Sahid Colony, Bhaktinagar (Behind Central Bank) 3) Nitai Sarkar (20) s/o Late Ganesh Sarkar of same locality 4) Anita Goon (27) w/o Haridas Goon of Bhalobasa More, Panchkelguri, PS Bhaktinagar, Jalpaiguri to the effect that on 31/08/08 at 22.10 hours acting on a source information SI Pankaj Thapa, OC NJP OP along with his officers and force and LC 1344 Sefali Barman under the leadership of Sri V. K. Singh, Inspector of Police, CI SDR, Jalpaiguri conducted raid at the house of one Anita Goon taking two disinterested witnesses from the locality and found the above noted alleged accused in compromising position in two separate room of the said house (.) On search Kamsutra condom, Choice oral contraceptive pills, one Nokia Mobile – 5300, M No. 9832562845 and one Nokia Mobile – 2626, M. No. 9832426385 from their possession (.) On interrogation Anita Goon confessed that she runs a business of prostitution using her house as brothel (.) Arrest – 4 accused.</p>
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## YEAR 2009

PS	CASE REFERENCE	CASE REFERENCE
<b>BHAKTINAGAR</b>	<b>1119/09 DT. 05/12/09 U/S 3/4/5/6/7 ITP ACT.</b>	<b>Bhaktinagar PS Case No. 1119/09 dated 05.12.09 U/S 3/4/5/6/7 Immoral Traffic (Prevention) Act 1956 (.)</b> Received a written complaint from Shri S. K. Chakraborty, Inspr. Deb, Sadar, Jalpaiguri in Charge, CI Sadar, Jalpaiguri to the effect that on 05.12.09 acting on reliable information that a illegal prostitution is being carried on in Hotel Golden Gate, Salugarah under Bhaktinagar PS raid was conducted in presence of local reliable witnesses and found one Biswajit Sarkar and Pinky Roy in room No. 108 and found one Partha Sarathi Deb Barman with Sonali Dorjee in room No. 210 of the Hotel in compromising position (.) On interrogation they stated that they came to the hotel Golden Gate for sexual enjoyment and the girls were provided by the Hotel management (.) Further it revealed that in connivance with the hotel owner

		<p>Jagjit Singh one Surojit Shaw the manager of hotel Golden Gate along with his staff Susant Rai had invited the girls to the hotel to carry out the business of prostitution for monetary benefit (.). The hotel is located within the vicinity of thickly populated residential area and a monastery (.). Hence, arrested the accd. Persons namely 1) Surojit Shaw (26) s/o Madan Mohan Shaw of Baikanthapur, PS Tarakeswar, District Hoogly (A/P Hotel Golden Gate, Salugarah, PS Bhaktinagar, District Jalpaiguri) 2) Susant Rai (23) s/o Subhash Roy of Pedong, PS Kalimpong, District Darjeeling (A/P Hotel Golden Gate, Salugarah, PS Bhaktinagar, District Jalpaiguri) 3) Partha Sarathi Deb Barman (45) s/o Late Chittaranjan Deb Sarkar of 13A, Balam Ghosh Street, Shyam Bazar, PS Shyambazar, Kolkata – 04 4) Biswajit Sarkar (30) s/o Late Narayan Ch. Sarkar of Kalighat Road, PS Kotwali, District Coochbehar, 5) Sonia Dorjee (23) d/o Late Ramesh Darjee of Ashrampara, PS Siliguri, District Darjeeling and 6) Pinky Roy (23) d/o Late Tania Roy of Sitalapara, PS Bhaktinagar, District Jalpaiguri, and seized some incriminating articles from that room found during searching (.). Base on the written complaint started the case (.). Arrest - 06.</p>
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## YEAR 2010

PS	CASE REFERENCE	CASE REFERENCE
ALIPURDUAR	253/10 DT. 23/07/10 U/S 3/4/5/6 ITP ACT.	<p><b>Alipurduar PS Case No. 253/10 dated 23/07/10 U/S 4/5/6 Immoral Traffic (Prevention) Act 1956(.)</b> On the basis of written complaint submitted by SI Paresh Ch. Mandal of Alipurduar PS, Jalpaiguri against one Smt. Reena Dey (27) w/o Raju Dey of Samaj para, ward no. 13, PS Alipurduar to the effect that as per instruction of IC PS he had been to Samaj Para to work out on a telephonic information that had been received at the PS that one girl was being forcefully detained at one of the houses at Samaj Para with an intent to force her into prostitution and that the said girl was crying out for help (.). On reaching the spot he made enquiries in the locality and learnt that one girl had been detailed by the above noted accd Reena Dey at her house and that the said girl was crying out for help (.). The complaint was</p>

		<p>then accompanied by PLSI K. L. Sherpa went to the house of the accused noted above and met with the said victim girl name Tunu Begum (18) d/c Late Md. Jalal Uddin of 02 no of Dolabari Bagan, PS Tejpur, Sonitpur, Assam and on interrogation she stated that she had been brought from Dimapore Assam by one woman who had offered her a job as maid servant with a monthly salary of Rs. 2000/ (.). She further stated that she along with the other woman had reached new Alipurduar Railway Station at around 00.03 hours on 23/07/10 and had spent the night at the railway platform (.). She further stated that on 23/07/10 morning the accused noted above had come to the Railway Station and contacted with the other woman who had brought the victim (.). After the accused came to the station the woman who had brought the victim girl then asked her to go along with the accused noted above and assured the victim that she would come later on (.). The victim girl was then brought by the accused to her home in Samaj Para but the other woman did not even after around 02 hours had passed (.). The victim girl then became tense and in course of conversation with 02 girls of the locality she learnt that she had been bought by the accused noted above from the woman who had brought her from Dimapur and that the accused would force her into prostitution (.). On hearing about this she cried out for help and subsequently the information was given at the PS (.). After interrogation the complainant along with PLSI K. L. Sherpa and force arrested the accd noted above and after rescuing the victim girl returned back to the PS with the accused and victim and lodged the complaint (.).</p>
<p><b>NAGRAKATA</b></p>	<p><b>10/10 DT. 25/01/10 U/S 3/4/5/6/7 ITP ACT.</b></p>	<p><b>Nagrakata PS Case No 10/10 dated 25.01.10 U/S 3/4/5/6/7 of the Immoral Traffic Act, 1956</b>  (.) On the complaint of Shri Amalendu Halder s/o Late Kesab Chandra Halder, CI Mal, Jalpaiguri against 1) Rabin Karketta (42) s/o Bijoy Karketta of Chengmari No. 2 Fagu Line, PS Nagrakata, Jalpaiguri ii) Ramesh Sharma @ Babu (27) s/o Hridaynand Sharma of Nagrakata Bazar, PS Nagrakata and iii) Smt. Rupasree Burman (niece Kachhua) w/o Dhananjoy Burman of Dharanipur Railway Gate, PS do to the effect that on 25.01.10 in view of the celebration of the 61st Republic Day on 16.01.10 a vigorous checking of movements of suspicious persons as well as vehicles was going on throughout the circle everywhere (.). On 25.01.10 the complainant along with SI Subir Karmakar, OC Nagrakata PS conducted search at Shankar Hotel and found</p>

		<p>accused persons namely – 1) Rabin Karketta and ii) Smt. Rupasree Burman (niece Kachhu) lodging in room no. 2 of Shankar Hotel and on interrogation they could not provide any authentic information regarding their staying at that hotel at that time (.) In course of the said checking at Shankar Hotel it was found that accused No. iii) Ramesh Sharma being the proprietor of the said hotel was running an illegal and immoral business at the hotel allowing his premises of the hotel to be used as a brothel (.) The hotel is located within the Nagrakata Bazar itself (.) During checking of the register no entry in respect of the arrival of accused namely i) Rabin Karketta and ii) Smt. Rupasree Burman (niece Kachhu) found in the register maintained at Shankar Hotel to avert his knowledge in this regard who willfully and knowingly permitted the room to be used for the purpose of prostitution (.) The accused person namely i) Rabin Karketta was exploiting sexually accused ii) Smt Rupasree Burman at room no. 2 of the said hotel (.) The hotel owner was living on the earning of the prostitution as such an immoral business was going on within the close vicinity of the public (.) Arrest - 03.</p>
<b>JAIGAON</b>	<b>209/10 DT, 08/06/10 U/S 3/4/5 ITP ACT.</b>	<p><b>Jaigaon PS Case No. 209/10 dated 08/06/10 U/S 3/4/5 Immoral Traffic Act (.)</b> PO – Hotel Kanchan Jangha, N. S. Road, Jaigaon, Jalpaiguri (.) Complainant – Inspector Shri Sudip Bhattacharya attached to DEB Alipurduar as Inspector DEB (.) On 08/06/10 at 18.15 hours inspector Sri Sudip Bhattacharya attached to DEB Alipurduar as inspector DEB lodged a written complaint after producing 1) Goutam Dey (44) s/o Late Haradhan Ch. Dey of Pradhan Nagar, near Post Office Pradhan Nagar, Darjeeling A/P Kanchan Janga Hotel, PS Jaigaon Hotel, PS Jaigaon 2) Baba Dutta (19) s/o Pratap Dutta Margogang, Aaraniche Dhula PS Tufanganj, Cooch Behar 3) Jimpa (42) s/o Late Chhimi of Bunthang PS do Bhutan 4) Priyanka Sherpa (24) w/o Santosh Sherpa of Ranka PS Rania, Sikkim 5) Wanchang Biswakarma (28) w/o Late Sankar Biswakarma of do 6) Dichan Tamang (18) w/o Buddha Tamang of Rani Paul, Sikkim (.) As per information holding raid at Hotel Kanchan Jangha, N. S. Road, Jaigaon, Jalpaiguri and arrested the above noted persons as Goutam Dey owner of the said hotel hired and brought accused SI no. 04 to 06 for prostitution and SI no. 03 is customer who was red handed apprehend at the said hotel as the hotel is used as brothel (.) Arrest - 06.</p>
<b>MADARIHAT</b>	<b>118/10 DT. 24/06/10 U/S 3/4/5/6/7</b>	<p><b>Madarihat PS Case No. 118/10 dated 24.06.10 u/s 3/4/5/6/7 Immoral Traffic (Prevention) Act</b></p>

	<b>ITP ACT.</b>	(.) On 24.06.10 from 16.45 hours to 17.15 hours on the tip of reliable source information that illegal prostitution is carrying at hotel Shivrj. Purba Khairbari under Madarihat PS a raid was held and found one Birendra Lama (26) s/o Gopal Lama of Factory Line, Lankapara TG, PS Birpara, Jalpaiguri and one Smt. Sonu Biswakarma (22) w/o Saran Pradhan of Deokotatol, PS Jaigaon, Jalpaiguri in compromising position in Room No. 1 of that the said hotel (.) During interrogation Smt. Sonu Biswakarma stated that she has been procured for sexual enjoyment in exchange of money to be paid by the party as called by the hotel owner and manager (.) Arrested accused persons named above and hotel manager namely Kateshwar Adhikari (25) s/o Amal Adhikari of Paschim Salbari, PS Alipurduar, Jalpaiguri (.) Over this started the case on the written complaint of Shri Sudhangshu Roy, CI, Birpara (.) PO- Hotel Shivraj, Purba Khairbari about 2 kms. North from PS (.)
<b>MAYNAGURI</b>	<b>418/10 DT. 16/09/10 U/S 3/4/5/6/7 ITP ACT.</b>	<b>Maynaguri Case No. 418/10 dated 16/09/10 U/S 3/4/5/6/7 Of Immoral Traffic (Prevention Act 1956).</b> One Rajib Sarkar s/o Chitta Ranjan Sarkar of Maynamapara, PS Maynaguri, Jalpaiguri lodged a written complaint to the effect that on 16/09/10 at about 11.00 hours the villagers of Maynamapara, PS Maynaguri, Jalpaiguri went to the house of Ganga Mandal w/o Parimal Mandal at Mayanampara (.) Where they found one Shymal Roy of Lakhir hat along with Ganga Mandal was in a bedroom of her in half naked condition and in another room of her one Haradhan Saha and Bharati Das was found in compromising position (.) Ganga Mandal is a wife of Parimal Mandal who was with another person other than her husband and said Bharati Das is wife of Niranjana Das other than her husband where found in an objectionable position (.) Ganga Mandal used 02 rooms of her house as brothel and she allowed said Bharati Das & Haradhan Saha for prostitution (.) Accordingly, the villagers detained said Ganga Mandal, Bharati Das & Haradhan Saha made over to police but the villagers could not detained said Shyamal Roy as he managed to fled away (.)

**YEAR 2011**

PS	CASE REFERENCES	CASE REFERENCES
<p align="center"><b>JAIGAON</b></p>	<p align="center"><b>44/11 DT. 15/02/11 U/S 3/4/5/6/7 ITP ACT.</b></p>	<p><b>Jaigaom PS Case No. 44/11 dated 15/02/11 U/S 3/4/5/6/7 Immoral Traffic Act 1956</b> (.) Received a written complaint from Sri Sudip Bhattacharjee, DEB, Inspector, Alipurduar, appointed as Special Officer, that on 15.02.11 at 19.30 hours he received a source information that prostitution was going on at Shiv hotel, Jaigaon (.) Accordingly, he along with OC Jaigaon PS, other officers and force had been to Shiv hotel, N. S. Road, Jaigaon to work out the source information (.) At Shiv hotel, he found one Janardhan Gupta (50) s/o Late Ram Sunder Gupta, proprietor of Shiv hotel, was seating on the counter and led him at the 1st floor at Room No. 22 where one Julasak Haque (25) s/o Abbas Mia of Balasunder, Boro Shoulmari, PS Ghokshadanga District Cooch Behar and one Amina Khatoon @ Pinki @ Rinki Roy (30) d/o Late Nabijan Ansari w/o Gopal Roy of Jamtala, PS Madarihat Dt. Jalpaiguri P/A Gosala More, Mahut Para, PS Kotwali Jalpaiguri, their clothes were helter and shelter (.) On search, he found 04 Nos. of used condoms were lying on the floor of said rood and one Hit beer's bottle having one forth beer was also lying beneath the cot (.) On interrogation, both Julasak Haque and Amina Khatoon @ Pinki @ Rinki Roy admitted that they both came there for immoral work (.) they came on earlier occasions also for the same purpose (.) ACCd. Janardhan Gupta also confessed that he was using his hotel premises as brothel (.) Accordingly, he seized the used condoms, bottle of beer, iron cots etc. under a seizure list in presence of witnesses (i) Sujit Mandal (ii) Kanak Burman (iii) Subol Mali, and arrested the above 03 (three) persons under charge of sec. 3/4/5/6/7 Immoral Traffic Act, 1956 (.) Arrest 03.</p>
<p align="center"><b>JAIGAON</b></p>	<p align="center"><b>57/11 DT. 28/02/11 U/S 3/4/5/6/7 ITP ACT.</b></p>	<p><b>Jaigaon PS Case No. 57/11 dated 28.02.11 U/S 3/4/5/6/7 Immoral Traffic Act 1956</b> (.) Received a written complaint from Sri Sudip Bhattacharjee, DEB Inspector Alipurduar being appointed as special officer, received a source information that prostitution was going on at New Konark hotel (at the upper floor of M. D</p>

		Complex), N. S. Road, Jaigaon (.). This refers to Jaigaon PS GDE No. 1116 dt. 28.02.11. He accompanied by O.C JGN PS and other officers and force had been to New Konark hotel, N. S. Road, Jaigaon to work to out the information. On reaching at New Konark hotel, he checked Room No. 5 where (1) Munneswar @ Bhunneswar Shah (39) s/o it. Ram Ch. Shah of Bhujiapani Buribala Shah PS Bagdogra, Dist. Darjeeling (2) Swapan Burman @ Jyotsna Burman (30) d/o late Khagen Burman of Nigamnagar PS Dinhata CBR with a baby on lap and were found in the room and their clothes were very much helter skelter, six nos. Darjeeling was found in objectionable condition and her customer already fled away on getting scent of police. On interrogation, they stated that they came to hotel for immoral work and they came on earlier occasion and they had several clients here at Jaigaon. They also disclosed the names of Amar Jaiswal of Subhaspally and Sandeep Paswan of Jaigaon, being temporary proprietor of the New Konark hotel allowed his hotel premises to be used as brothel. Complainant seized the above noted articles under seizure list and arrested.
<b>BHAKTINAGAR</b>	<b>603/11 DT. 03/06/11 U/S 3/4/5/6/7 ITP ACT.</b>	<b>Bhaktinagar PS Case No. 603/11 dated 03.06.11 U/S 3/4/5/6/7 Immoral Traffic (Prevention) Act (.)</b> In pursuance of source information Sri S. K. Chakraborty, Inspector DEB Jalpaiguri arrested 4 accd persons viz. 1) Ipsita Roy 2) Taniya Dutta 3) Keshab Das 4) Pallab Acharjee and lodged a written complaint against the above noted accds and 02 others Prasenjit Roy and Ashis Chakraborty both are the management of the price hotel, NJP to the effect that the above noted persons were directly involved in the act of illegal prostitution business in the vicinity of the public place using the said hotel as brothel (.) Arrest 04.
<b>JAIGAON</b>	<b>178/11 DT. 02/07/11 U/S 3/4/5/6/7 ITP ACT.</b>	<b>Jaigaon PS Case No. 178/11 dated 02.07.11 U/S 3/4/5/6/7 Immoral Traffic Act (.)</b> Sri B. K. Mandal, CI Kalchini lodged a complaint to the effect that on 02.07.11 at 17.15 hours one Smt. Sudha Passi and 06 other females of Vairabi Samajik Mahila Sangha, Siliguri, Pradhan Nagar came to PS and informed that one minor girl has been kept at some hotel at Jaigaon and sought police help for recovery of

		<p>said girl (.) Diarized the fact in GDE No. 87 dated 02.07.11 and he accompanied by available officers and force of Jaigaon PS raided the hotel Sky Lark, N. S. Road, Jaigaon being led by the NGO of Siliguri and caught (1) Santanu Paul @ Sonu (30) 2) Jamuna Biswakarma (20) 3) Ranjit Kr. Paswan (21) 4) Rima Bania (18) 5) Rita Chhetri (20) and 6) Anisha Pradhan (25) in the room No. 122, 123 &amp; 124 of the said hotel who found in objectionable position, their clothes were in helter and skater (.) On checking of the rooms occupied by them where used condoms, Hit beer's bottles and huge quantities of unused condoms were found lying on the floor of the rooms (.) On interrogation the accused noted in SL No. 2,4,5,6 admitted that they came to said hotel for immoral work on being brought by accused noted in SL No. 1, 3 and other hotel staff and owner (.) It is reason to believe that the hotel owner Goutam Dey @ Bura and manager Gouranga Roy are liable for allowing hotel Sky Lark premises to use as brothel and they were living on the earning of the prostitution which was being carried on in the closed vicinity of public places and accused noted in SL No. 1 to 6 are liable for using the Sky Lark hotel as a place of prostitution (.) Arrest 06 (.)</p>
<b>KOTWALI</b>	<b>944/11 DT. 30/09/11 U/S 3/4/5/6/7/8 ITPA ACT.</b>	<p><b>Kotwali PS Case No. 944/11 dated 30/09/11 U/S 3/4/5/6/7/8 of Immoral Traffic (Prevention) Act 1956</b> (.) Lady inspector of police Smt. Chandra Lohar of women cell, Jalpaiguri lodged a written complaint against accused namely 1) Dhabal Paul (45) s/o Late Joy Sankar Paul of 5 No. Ghumti, Gomosthapa, PS Kotwali, Jalpaiguri, Manager of Uma lodge, 2) Hapirul Hoque (26) s/o Hazrat Ali of Pradhanpara, Paharpur, PS Kotwali, Jalpaiguri and 3) Smt. Sahina Banu (19) d/o Samar Ali of Baniapara, Panga Sahebbari, PS Kotwali, Jalpaiguri to the effect that on 30/09/11 on a secret information about Immoral Trafficking and prostitution going on Uma lodge Kadamtala, Jalpaiguri (.) After noting down the information vide Kotwali PS GDE No. 3169 she along with IC Kotwali PS and ASI Uday Chakraborty of Kotwali PS, Lady C/1725 Nibedita Karmakar, LC 1460 Sefali Das LC 1775 Sujita Thakur, LC 574 Sangita Nag under instruction and super vision of</p>

		<p>Dy. SP. (Hqrs) had been at Uma lodge where the manager disclosed his identity as Dhabal Paul (45) s/o Late Joy Sankar Paul of 5 No. Ghumti, Gomosthapara (.) On demand he produced the hotel register which was checked and found that till the time of checking of the register at 14.10 hours on 30/09/11 no occupant was mention in register (.) She was interrogated if any occupant was in the lodge (.) He started fumbling and kept silent (.) The Manager subsequently that he has let on hire the room No. 5 of Uma lodge after receiving of Rs. 400/ from 01 young man to stay with his accompanying woman in the room No. 5 (.) Manager was asked whether he has entered the name and particulars of the man and woman occupants (.) Manager replied that he did not note in the register (.) Being let by the manager the police went in front of the room No.. 5 of Uma lodge (.) Manager knocked on the door of room No.5 asking the occupant to open the door (.) After a many knocks on the door the occupant male person opened the door then it was found that 01 woman was lying on the bed (.) The lady police team under her supervision interrogated the female occupant (.) During interrogation the female occupant stated to the lady police team that the male occupant of the room had sexual intercourse with her 02 times in the room in consideration of money paid by the male occupant (.) The female occupant during interrogation by the female police team disclosed her different names and addresses (.) The male occupant was also interrogated by male officer but the male occupant gave different names and addresses (.) Ultimately he disclosed his name i.e. Hapirul Hoque (26) s/o Hazrat Ali of Pradhanpara, Paharpur, PS Kotwali, Jalpaiguri (.) He stated that he had sex with the woman in exchange of money (.) His person was checked from his pocket cash of .</p>
<p><b>NAGRAKATA</b></p>	<p><b>169/11 DT. 23/10/11 U/S 3/4/5/6/7 ITP ACT.</b></p>	<p><b>Nagrakata PS Case No. 169/11 dated 23/10/11 U/S 3/4/5/6/7 of Immoral Traffic (Prevention) Act, 1956 (.)</b> Shri A. K. Saha, CI Mal and lodged a complaint after producing 03 females and 01 male accused namely 1) Smt. Minu Sarkar (36) w/o Sofiar Sarkar of Chartandu, PS Nagrakata, 2) Smt. Marina Khatoon (30) w/o</p>

		Khursid Alam of do 3) Smt. Archana Das (30) w/o Abhiram Das of Dolong More, PS Mathabhanga, Coochbehar and 4) Ganesh Bahadur Chhetri (28) s/o Dak Bdr. Chhetri of Khash Busty, PS Nagrakata, Jalpaiguri to the effect that on 23/10/11 at 16.05 hours he received a telephonic information from one unknown person that one Minu Sarkar of Chartandu used to run a brothel in his house (.) Over this information the complainant along with NGO girls, local inhabitant and police personnel held raid in the house of Minu Sarkar, situated at Chartandu just near the Chartandu Madrasa (within 200 Mtrs) and arrested the accused persons who were exchanging sexual activities he also seized condoms.
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## YEAR 2012

PS	CASE REFERENCE	CASE REFERENCE
<b>BHAKTINAGAR</b>	<b>283/12 DT. 14/03/12 U/S 363/365/366A/368/372/373 IPC R/W SEC. 3,4,5,6 &amp; 7 ITP ACT.</b>	<b>Bhaktinagar PS Case No. 283/12 dated 14/03/12 U/S 363/365/366A/368/372/373 IPC r/w Sec. 3.4.5.6 &amp; 7 of Prevention of Immoral Traffic Act 1956 (.)</b> On the written complaint of SI B. D. Sarkar, OC NJP Out post, PS Bhaktinagar, Jalpaiguri started the case to the effect that on 13/03/12 at about 22.15 hours acting on the source information arrested one Nursad Ali (22 years) and 03 others of Nepali Bazar, PS Dalgaon, Darang, Assam from NJP Station are who are habitually involved in procuring and sale of minor girls to brothels and leading on to their statement recovered namely one Smt. Najma Khatoon (17 years) and 04 others of Assam from Khalpara brothel who were sold by the arrested accused persons after procuring them from different places of Assam (.) Arrest 04.
<b>JAIGAON</b>	<b>134/12 DT 10/06/12 U/S 3/4/5/6/7 ITP ACT.</b>	<b>Jaigaon PS Case No. 134/12 dated 10.06.12 U/S 3/4/5/6/7 Immoral Traffic (Prevention) Act 1956 (.)</b> SI B. Gazmere of OC Jaigaon PS lodged a complaint to the effect that on 10/6/12 afternoon working on a source information he and DEB Inspector Alipurduar held a joint raid at Konark hotel NH Road, PS Jaigaon, Jalpaiguri and arrested the following persons viz. Dipak Sharma (26) s/o Moni Kr.

		<p>Sharma of super market of Jaigaon, Suresh Thapa (27) s/o Ram Bahadur Thapa of Boro Line, Laxmipara, PS Banarhat, Jalpaiguri, Smt. Babli Barman (19) d/o Indrajit Barman of Vivekananda Pally, Priti Chhetri (20) d/o Late Rabi Chhetri of Chowrasta, PS Sadar Darjeeling, Smt. Bimala Chowdhury d/o Late Santa Chowdhury of Itari, Nepal, Smt. Sabina Bihari (19) m/o Radhika Bihari of Darjeeling More, PS Pradhannagar, Darjeeling, Swapna Lama (27) d/o Krishna Lama of Rishirhat TE, PS Sadar Darjeeling, Smt. Sunita Tamang d/o Late Kumar Tamang of Rajbari Tindharia, PS Kurseong, Darjeeling for running the hotel for procuring girls in different areas and using the premises for the same and earning on prostitution in the public place (.) The hotel owner is absconded (.)</p>
<b>JAIGAON</b>	<b>143/12 DT 04/07/12 U/S 3/4/5/6/7 ITP ACT.</b>	<p><b>Jaigaon PS Case No. 143/12 dated 04/07/12 U/S 3/4/5/6/7 Immoral Traffic Act</b></p> <p>(.) Sri Sitanath Das, CI Kalchini lodged a complaint to the effect that on 04/07/12 at 12.15 hours working on source information he along with OC Jaigaon PS and force held raid at Skylark hotel and Tibetan guest house in Kanchanjangha building which is lying on NS Road, Jaigaon and arrested the following persons from the premises of Tibetan guest house viz. (1) Dawa (24) s/o Chhewang of Bhikar, PS Mangar, District Mangar, Bhutan (2) Ganga Tamang (21) d/o Late Saroj Tamang of Marma, PS Mirik, District Darjeeling (3) Sanjana Lohar (20) d/o Late Somra Lohar of Church Line, Dalsingpara, PS Jaigaon, Jalpaiguri (4) Reshma Tamang (21) d/o Late Ramesh Tamang of M. G. Marg, PS Sadar, Ganktok (Sikkim) (5) Monika Lama (27) d/o Late Ramin Lama of Tungsung, PS Sadar, Darjeeling (.) The accd. No. 2 to 5 were brought there by the partners of the hotel namely (1) Goutam Barman s/o Manbhola Barman of Gitaldah, PS Dinhata, District Coochbehar (2) Shyamal Barman of Jateswar Bazar, PS Falakata, Jalpaiguri (3) Gouranga Barman s/o Manbhola Barman of Gitaldah, PS Dinhata, Coochbehar and the manager of the guest house namely Sandip Paswan s/o Late Uma Sankar Paswan of sweeper patty, Subhas Pally, PS Jaigaon for prostitution purpose on contract basis and they are running the premises as a brothel in the public vicinity</p>

		(.) The arrested accd. No. 01 had come to the hotel for enjoying sexual intercourse with the arrested accd. No. 2 to 5 other (.) Seized 02 pieces of condom of Kohinoor brand from room No. 02 of the said guest house (.) Arrest 05.
<b>JAIGAON</b>	<b>164/12 DT 05/08/12 U/S 3/4/5/6/7 ITP ACT.</b>	<b>Ghosh IC Alipurduar PS started the case to the effect that on 05/08/12</b> morning OC, Jaigaon PS under the supervision of Inspector S. K. Ghosh held raid in Skylark hotel, NS Road, Jaigaon and arrested the accd. persons namely Syed Aktar Hossain (29 years) s/o Syed Mujahid Hossain of Debidanga, Champasari, PS Pradhannagar, Darjeeling, ii) Arbind Chhetri (21 years) s/o Sanju Chhetri of Khal near Missionary Charity, PS Pradhannagar, Darjeeling, iii) Smt. Prabha Chhetri (22 years) w/o Md. Akran Hossaion of Nirvana hotel, Jubilee complex, PS Sadar, Darjeeling, vi) Smt. Roshni Chhetri (20 years) d/o Late Eaknata Chhetri of Nirvana hotel, Jubilee complex, Darjeeling, vii) Tashi Galay s/o Jimmy Galay of Samkhar, PS Tashigang, Bhutan, viii) Smt. Rima Rai (28 years) w/o Late Dipen Mongal of Arithang, PS Sadar, Gangtok. The above noted accd persons were indulged in prostitution in the public place and the female accd persons along with owner, manager and lotus of the said hotel live on the earning of prostitution (.) Arrest 08.

**YEAR 2013 (Up to April)**

<b>PS</b>	<b>CASE REFERENCE</b>	<b>CASE REFERENCE</b>
<b>KOTWALI</b>	<b>52/13 DT 10/01/13 U/S 419 IPC R/W SEC. 4/5 ITP (PREVENTION) Act 1956.</b>	<b>Kotwali PS Case No. 52/13 dated 10/01/2013 U/S 419 IPC R/W sec 4/5 Immoral Traffic (Prevention) Act 1956 (.)</b> One Smt. Dipasree Roy w/o Bidyut Roy of New Town Para PS Kotwali Dist Jalpaiguri (Member, CWC or Child Welfare Committee, Jalpaiguri) lodged a written complaint to the effect that on 10/01/13 one Priya Barman appeared before CWC and submitted some documents claiming recovered victim minor girl Papiya Barman (17 yrs) d/o Rajen Barman of Bengaldai (Ashokbari), PS Mathabhanga, District Coochbehar who was taken as safe custody and send before CWC by officer of Meteli PS which appeared to be

		contrary to the statement of child (.). The said Priya Barman also failed to identify biological father of the minor girl for which gave suspicion that accused Priya Barman has been engaged the recovered child for prostitution and also involved in such immoral activities (.). Arrest 01.
<b>BANARHAT</b>	<b>86/13 dated 11.04.13 U/S 363/366A/368/372/373 IPC 11 Protection of Children from sexual offence Act 2012 5 ITPA Act.</b>	<b>Banarhat PS Case No. 86/13 dated 11.04.13 U/S 363/366A/368/372/373 IPC 11</b> Protection of children from sexual offence Act 2012 5 ITPA Act (.). On 11.04.13 received a written complaint from one Miss Ruby Bagdas d/o Ganesh Bagdas of Barakothi Line, Moraghat TG, PS Banarhat, Jalpaiguri social worker of Jabala Action Research Organization, 221/6B, Rash Behari Avenue, Kolkata 700019, as cash officer, that in pursuance of a secret information with the help of Banarhat Police one Ajoy Thapa @ Ran Bahadur Kami of Jaigaon, District Jalpaiguri has been arrested at LRP More, PS Banarhat, District Jalpaiguri and one minor girl and one minor boy who were being illegal traffic to Delhi for the purpose of prostitution & child labour were rescue by police (.). Arrest 01.
<b>JAIGAON</b>	<b>22/08 DT. 14/01/08 U/S 3/4/5 ITP Act.</b>	<b>Jaigaon PS Case No. 22/08 dated 14.01.08 U/S 3/4/5 Immoral Traffic (Prevention) Act 1956 (.)</b> The fact of the case is brief that on 14.01.08 around 19.15 hrs SDO APD held raid at Bandana guest house and arrested Ritrish Biswa and Mrs. Priti Barman and produced them before PS and alleged that the business of prostitution of in this regard (.). IO Shri G. Halder CI Kalchini has taken up the investigation (.). Arrest 2 (.). PO. Bandana guest house NH Road, Jaigaon.
<b>BHAKTINAGAR</b>	<b>1486/08 DT. 31/08/08 U/S 3/4/5 ITP Act.</b>	<b>Bhaktinagar PS Case No. 1486/08 dated 31.08.08 U/S 3/5/7 ITP Act 1956 (.)</b> On 30/08/08 at about 23.45 hours an information was received at Bhaktinagar PS over telephone from Mrigen Gurung of hotel Golden Gate Salugara that some 30/40 male and female members of Gorkha Jan Mukti Morcha of Salugara have forcibly entered into his hotel premises and were creating chaos in the hotel (.). This information was diarized vide Bhaktinagar PS GDE No. 2354 dated 30/08/08 and SI Rajen Kumar Chhetri, OC Bhaktinagar PS along with SI R. L Bhutia, SI Debdan Roy, ASI Uday Chakraborty, ASI P Dey Sarkar and the available force

		<p>with LC 1452 Pousali Ganguly, LC 1481 Seema Rai left for hotel Golden Gate to work out the information (.) They arrived at said hotel on 30/08/08 at 23.55 hrs and seeing the police some people outside the hotel fled away (.) Then the officers and men entered into the hotel and found about 10/15 persons including ladies were searching the rooms of the hotel and alleged that a racket of prostitution is being run inside the hotel by the management of said (.) They further alleged some male and female persons who are engaged in prostitution are locked up in room no. 201 of hotel (.) Then he immediately informed the matter to Sri V. K. Singh, Inspector of Police, CI Sadar NJP and requested him to come to hotel Golden Gate for searching and seizure as per the provision of ITP Act (.) Then on 31/08/08 at about 01.05 hours Sri V. K. Singh, Inspector of Police, CI Sadar NJP arrived at the spot and under the leadership of Sri V. K. Singh, Inspector of Police CI Sadar NJP the police team entered into the Room No. 201 of the hotel along with the lady police C/1452 Pousali Ganguly &amp; L/C 1481 Seema Rai and three lady witnesses 1) Jamuna Sangma w/o Bidesh Sangma of Salugara Bazar, PS Bhaktinagar, Jalpaiguri 2) Anju Pradhan w/o Pankaj Pradhan of do and 3) Smt. Abita Thapa w/o Roshan Thapa of do and found four accused persons 1) Prasant Kumar Pandey @ Bikki s/o Pradip Kr. Pandey of Barauni Oil Refinery, Oil India Ltd., near Jublee Petrol Pump, qtr No. B/2, District Begusarai, Bihar A/P Mia Garrage Building, Hill Cart Road, Siliguri 2) Sonu Das (18) d/o Sri Hari Chandra Das of Mahamayapara, PS Kotwali Jalpaiguri 3) Priyanka Mandal (19) d/o Samir Mandal of Jhankar More, PS Siliguri, Darjeeling and 4) Ishika Das (19) d/o Jiten Das of Panpara, PS Kotwali Jalpaiguri are inside the room in objectionable position (.) On interrogation the girls confessed that they were in profession of prostitution and there as called by Management and two more customers were supposed to join them (.) Further, they disclosed that one Milan Chhetri, the manager (Marketing) of hotel Golden Gate had invited them to carry out the prostitution for their monetary benefit (.) The hotel is located near the Salugara Budhhist Monestary (.) The room of said four accused persons and said</p>
--	--	---

		Milan Chhetri as noted above has been searched but nothing incriminating was found (.) SI Rajen Kumar Chhetri, OC Bhaktinagar PS arrested said accused person under supervision of CI Sadar NJP U/S 41 Crpc/3/5/7 ITP Act 1956 as the accused were engaged in carrying business of prostitution and the hotel Golden Gate was used as brothel (.) Accordingly, SI R. K. Chhetri OC Bhaktinagar PS registered the cases noted above (.) IO Sri V. K. Singh, Inspector of Police, CI Sadar NJP (.) Arrest 04.
<b>BHAKTINAGAR</b>	<b>1488/08 DT. 31/08/08 U/S 3/4/5 ITP Act.</b>	<b>Bhaktinagar PS Case No. 1488/08 dated 31.08.08 U/S 3/5/7 ITP Act 1956 (.)</b> Received a written complaint from SI Pankaj Thapa O/C NJP OP against 1) Maya Roy (23) w/o Late Niren Roy of Kana para PS Haldibari, Coochbehar (A/P Pipe line Bhaktinagar, Jalpaiguri) 2) Sanat Ghosh @ Chhoton (19) S/O Sushil Ghosh of Sahid Colony, Bhaktinagar (behind Central Bank) 3) Nitai Sarkar (20) s/o Late Ganesh Sarkar of same locality 4) Anita Goon (27) w/o Haridas Goon of Bhalobasa More, Panchkelguri, PS Bhaktinagar, Jalpaiguri to the effect that on 31/08/08 at 22.10 hours acting on a source information SI Pankaj Thapa, OC NJP OP along with his officers and force and LC 1344 Sefali Barman under the leadership of Sri V. K. Singh, Inspector of Police, CI SDR, Jalpaiguri conducted raid at the house of one Anita Goon taking two disinterested witnesses from the locality and found the above noted alleged accused in compromising position in two separate room of the said house (.) On search condom, oral contraceptive pills, one Nokia mobile 5300, M. No. 9832562845 and one Nokia Mobile 2626, M No. 9832426385 from their possession (.) On interrogation Anita Goon confessed that she runs a business of prostitution using her house as brothel (.) Arrest 4.

**(By Courtesy: DCRB, Jalpaiguri)**

**3. APPENDIX C**

**FORMS OF BRITISH LOCK HOSPITAL, REPRODUCED AS IT IS FOUND  
IN ARCHIVAL RECORD (JUDICIAL MARCH 1870, PROCEEDING NO. 113).**

**Form I**

**Statement of Examination of Public Prostitutes in the Lock Hospital.**

<b>Date of Examination.</b>	<b>Number of Prostitutes on the Register.</b>	<b>Number who attended</b>	<b>Number excused attendance</b>	<b>Number Absent.</b>	<b>Number Reported to Cantonment Magistrate for non attendance.</b>	<b>Number found diseased and detained for treatment in Lock Hospital.</b>	<b>REMARKS</b>

**Form II**

**Monthly Return of the Lock Hospital for the Month \_\_\_\_\_ Date \_\_\_\_\_.**

No. of Registered Prostitutes	Average no. of Prostitutes on the Register for the Month.	Average no. of Prostitutes Attending the periodical examination.	No. Reported to cantonment magistrate or others civil authority for non-attendance.	No. of Prostitutes found diseased at the periodical examinations and detained for treatment.	Record of Diseases								Average no of Prostitutes in Hospital for each Month and the year.	
					Diseases	Remained	Admitted	Total	Discharged	Died	Remaining	Total		
Number remaining on the register at end of last month ...					Gonorrhoea									
Number added to the register during the month ....					Syphilis Primary									
Total					Syphilis Secondary									
Number who removed their names from the register, died or absconded during the month ....														
Number remaining on .... Total														

**Medical Officer in Charge of Lock Hospital.**

**Form III**

**Statement showing the admissions from venereal affections among the European troops in the Cantonment of .....,  
During the .... week ending Friday.**

<b>Station</b>	<b>Regiment</b>	<b>Strength</b>	<b>No. of admissions from Primary venereal affections during the week.</b>	<b>No. remaining last Friday.</b>	<b>Total Primary Affections.</b>	<b>REMARKS</b>

**Deputy Inspector General**

**or Senior Medical Officer, H. M. 'S**

**British troops.**

**Form IV**

**Annual Return of the Lock Hospital at \_\_\_\_\_ for the Calendar Year 18\_\_\_\_\_, 15th January, 18....**

Area	No. of Registered Prostitutes.	Average No of prostitutes on the register in each month and for the year.	Average No. of Prostitutes attending the periodical examination.	No. reported to cantonment register or other civil authority for non attendance.	No of prostitutes found diseased at the periodical examination and detained for treatment.	RECORD OF DISEASES.							Average number of Prostitutes in hospital for each month and the year.		
						Diseases	Remained	Admitted	Total	Discharged	Died	Remaining		Total	
The areas over which the rules for the prevention of venereal diseases have been in force included ..... miles	Number remaining on the register at the end of last year...	January ..	January ..	January ...	January ...	Gonorrhoea								January ..	
	Number added to the register during the year 18... ..  Total ...  Number who removed their names from the	February	February ..	February ...	February ...	February ...	Syphilis Primary								February...
		...	...	...	...	...	Syphilis								
		March ....	March ...	March ...	March ...	March ...	Secondary								March ...
		April ....	April ...	April ...	April ...	April ...									April ...
		May ....	May ...	May ...	May ...	May ...									May ...
		June ....	June..	June ...	June ...	June ...									June ...
		July ...	July..	July ...	July ..	July ..									July ..
		August ...	August..	August ...	August ...	August ...									August ...
		September	September...	September...	September..	September..									September....
October....	October...	October ...	October ....	October ...									October...		

	register, died or absconded during the year 18 .... Number remaining on 31st December 18 ....  Total ....	November ... December ...  Average for the year...	November...  December ...  Average for the year...	November...  December ...  Total for the year ....	November...  December...  Total for the year ....									November ...  December ...  Average for the year...

Inspections for the  
examination of all  
registered prostitutes  
were held regularly.

Medical Officer in Charge of Lock Hospital.

**Form V**

**Annual Financial Return of the Lock Hospital at ....., For the Calendar year 18...., 15th January 18...**

MONTH	RECEIPTS			EXPENSES											
	Amount realized by the fines levied under the rules.			Pay of Medical officer.			Pay of establishment.			All other expenses Incurred.			Total expenses.		
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
January...															
February...															
March ...															
April ...															
May..															
June ...															
July....															
August....															
September....															
October...															
November...															
December...															
<b>Total .....</b>															

**Note :** A concise report to accompany these returns, expressing the opinion of the medical officer in charge on the efficiency of the registration; the cause of any irregularity in the attendance of the prostitutes; the manner in which the examinations are conducted; the extent and character of the diseases which have been under treatment, the influence of Lock Hospital on prevalence of venereal among the European soldiers, and any other points deserving notice. Suggestions should also be made with a view to improving the working of the rules and diminishing the amount of disease, and these various details should be reported on by the civil authorities through whom the statements and report are forwarded to the local Governments or administrations.

#### 4. APPENDIX D

### IMMORAL TRAFFICKING (PREVENTION) ACT. UNDER SILIGURI PS., DISTRICT - DARJEELING.

1. **Siliguri P. S. Case No. 06/08/Dt.07.01.08 u/s 373/366 A IPC R/W Sec. 3/4/5/6 ITP Act.**

**Complainant** - Sri Tapan Alo Mitra, Inspector of Police, Siliguri Court.

**Brief fact** - On 07.01.08 as per direction of superiors the complainant and other officers of Siliguri P.S. and S.I. Ahemed Ali of Birpara P.S., Jalpaiguri conducted raid at the house of one Pradip Mahato @ Ukil of Khalpara Red Light area and managed to rescue one Jina Chhetri in c/w Birpara P.S. Case No. 177/07 Dt. 08.12.07 u/s 363/366(iv)/372 IPC. During this raid this is came to the notice of the complainant that, some others girls namely (i) Pukil Oraon, (ii) Sona Roy, (iii) Anjali Mahali and (iv) Bulbuli Sarkar are also detained at the same house. Said Pradip Mahato @ Ukil and his wife Nilam Mahato procured them from Samir of Jhaljhulia, Swami Mistry of Thaljhora and Sindar Ekka of Ramjhora T.E (Tea Estate) and indulged in prostitution. According all the afore said girls were rescued but owner Pradip Mahato @ Ukil and his wife Nilam Mahato could not be traced out.

2. **Siliguri P.S Case No. 523/09 Dt. 02/11.09 u/s 3/4/5/7 of ITP Act.**

**Complainant** - Sri S. R. Sinha, Dy S.P., Siliguri.

**P.O.** - New Milanpally, Siliguri.

**Brief fact** - On receive of a telephone call, Sri A. Dasgupta, I/C, Siliguri P.S. informed the complainant that, prostitution is going on at the rented flat of Smt. Shyamali Guha Thakurata of New Milanpally, Siliguri. Accordingly, Sri A. Dasgupta, I/C, Siliguri P.S. and officers & forces of Siliguri P.S. under leadership of the complaint conducted raid and managed to apprehend four male and four female persons who are found in a compromising condition during search and seizure. King pin of the gang Smt. Shyamali Guha Thakurata has also been arrested and one TATA Indica Car bearing Reg. No. WB- 72C- 6030 has been seized at the case.

3. **Siliguri P.S. Case No. 630/09 Dt. 30.12.09 u/s 3/4/5/7 of ITP Act.**

**Complainant** - Sri S. R. Sinha, Dy. S.P., Siliguri.

**P.O.** - Hotel Apni Pasand, Sevoke More, Hill Cart Road, Siliguri.

**Brief fact** - On 30.12.09 at 20.55 hrs on receive of a telephone call, Sri A. Dasgupta, I/C, Siliguri P.S. informed the complainant that, prostitution is going on at Hotel Apni Pasand, Sevoke More, Hill Cart Road, Siliguri. Accordingly, Sri A. Dasgupta, I/C, Siliguri P.S. and officers & forces of Siliguri P.S. under leadership of the complainant conducted raid and managed to apprehend four female and three male persons who are found in a compromising condition during search and seizure. Owner of the hotel Sri Ashok Kr. Gupta has also been arrested.

4. **Siliguri P.S. Case No. 471/10 Dt, 18.08.10 u/s 5/6/7 ITP Act.**

**Complainant** - Smt. Anina Begum of Chhayagao, P.S. - Duygao, Dist. - Kamrup, Assam.

**Name of VG** - Complainant herself.

**Brief fact** - The complaints had married one Md. Jahabul who left her with a four years girl. One unknown lady met the complainant with one Rahul who brought her at Coochbehar and sold her. Two unknown persons brought her at Khalpara Red Light area at the house of Chandan Barman who compelled her for prostitution. One customer helped her to escape from there.

5. **Siliguri P.S. Case No. 554/10 Dt. 26.09.10 u/s 3/4/5/7 IPC.**

**Complainant** - Sri Alok Dasgupta, I/C, Siliguri P.S., Dist. - Darjeeling.

**P.O.** - In the house of Mina Devi, Goalapotty, Siliguri.

**Brief fact** – On 26.09.10 at 13.15 hrs acting on sources information a team of Siliguri P.S. under leadership of the complainant conducted raid at the house of Mina Devi, Goalapotty, Siliguri and found that acts of prostitution were going on inside the house. Accordingly the complainant arrested 11 persons namely 1. Kamal Sutradhar, 2. Raj Kr. Rajak, 3. Munna Das, 4. Jitendra Verma, 5. Ram Sagar Sahini, 6. Nand Kishor Das, 7. Ranjit Sing, 8. Hasina Bibi, 9. Meena Das, 10. Laxmi Das, 11. Nurjahan Khatun who are found in compromising condition and making sex amongst themselves. House owner Meena Devi has also been arrested.

**6. Siliguri P.S. Case No. 584/10 Dt. 10.10.10 u/s 3/4/5/7 ITP Act.**

**Complainant** – Bidyasagar Road, Khalpara, in the house of Ruksana Khatoon @ Puchi, Siliguri.

**Brief fact** - On 10.10.10 at 14.15 hrs on basis of anonymous telephonic information the complainant and a team of Siliguri P.S. organized raid at Bidyasagar Road, Khalpara, in the house of Ruksana Khatoon @ Puchi, Siliguri and arrested 11 persons namely 1. Raja Singh, 2. Shyamakanta Roy, 3. Rabi Kr. Keshari, 4. Farjan Ali, 5. Nur Alam, 6. Ruksana Khatoon, 8. Payel Barman, 9. Sonam Khatoon, 10. Mariun Begum and 11. Fatema Bibi who were found in compromising condition involving themselves in sexual acts and caught red handed.

**7. Siliguri P.S. Case No. 46/12 Dt. 01.02.12 u/s 3/4/5/6 The Immoral Trafficking (Prevention) Act.**

**Complainant** - Sri Vikash Pradhan (Representative of Impulse) NGO Shillong, Salbari, Sukna, P.S. Pradhannagar, Dist. – Darjeeling.

**Name of VG** - Srijana Rai (31 Years).

**Brief fact** - The complainant producing the recovered victim namely Srijana Rai (31 Years) D/O Kishor Rai of Deorali, P.S. Bypass, Gangtok, Sikkim. As per statement of the victim she was kept confined at the Siliguri, Khalpara brothel from the last six months. During these six months she was tortured and made to forcefully subjugated to commercial sex. The brothel owner could not tolerate any refusal on her part and forced her to entertain up to five customers a day. The brothel owner even kept her personal belongings, ornaments and even the earning from customers. The victim was brought from Kohima, Nagaland with assurance to give her well earning job at Siliguri. The brothel owner known in the locality as 'Bhaiya' who earns his live hood by forcing girls into prostitution. The said Srijana Rai somehow managed to escape from the brothel and she was rescued by the complainant.

**8. Siliguri P.S. Case No. 507/12 Dt. 20.09.12 u/s 3/4/7 of the Prevention of Immoral Traffic Act 1956.**

**Complainant**- Sri Pradip Pal, ACP (East), SPC Siliguri, Dist. – Darjeeling.

**Brief fact** - One 20.09.12 the case was registered against 1) Tuhin Mondal (Male – 28), 2) Sanjoy Dutta (M – 28), 3) Smt. Sagari Das @ Suhagi, 4) Smt. Saraswati Das all of Siliguri while they are enjoying sexual act in flat situated at Bharatnagar in lieu of money. It reveals that both female were carrying out commercial prostitution in the residential area. On source information they were caught red handed from the spot.

**9. Siliguri P.S. Case No. 38/13 Dt. 12.01.13 u/s 363/365A/372 IPC r/w sec 3/4/5 Immoral Traffic Act.**

**Complainant**- Sri Bikash Kanti Dey I/C Siliguri P.S.

**P.O.** - Khalpara Red Light area, Siliguri.

**Brief fact** - On 12.01.13 evening Sri Bikash Kanti Dey I/C Siliguri in working out an information held raid at Khalpara red light area and recovered 06 girls (i) Puja Thapa, (ii) Deepa Subba, (iii) Dibya Rai, (iv) Cristina Sherpa, (v) Kabita Chhetri, (vi) Neha Chowdhury. On interrogation they disclosed names of some agents who brought them and brought for the purpose of prostitution.

**10. Siliguri P.S. Case No, 181/13 Dt. 20.02.13 u/s 363/365/366/372 IPC r/w sec 3/4/5 of Immoral Traffic (Prevention) Act.**

**Complainant** – Sri Bikash Kanti Dey I/C Siliguri P.S.

**P.O.** – Khalpara Road, Red Light area, 3 No., P.S. - Siliguri.

**Date of occurrence** – 15.02.13.

**Brief fact** - On 20.02.13 around 11.45 hours one Sukur Ali, s/o – Late Miaruddin Ali of 2 no Nepali gaon, P.S. – Dalgaon, Dist – Darang (Assam) called at P.S. and informed I/C Siliguri P.S. that his daughter Jasmina Khatun got missing from Assam on 15.02.13 and she has been seen at the red light area at Khalpara, P.S. – Siliguri. In acting to the information Sri Bikash Kanti Dey, I/C Siliguri P.S. with O/C Khalpara and force including lady force held raid at the house of Maya Khatun Vivekananda Road, Khalpara and recovered the said vg. On examination the girl. disclosed that one Babli and Baby both of Barpeta, Assam abducted her and brought to the house of Maya Kaya Khatun for the purpose of prostitution.

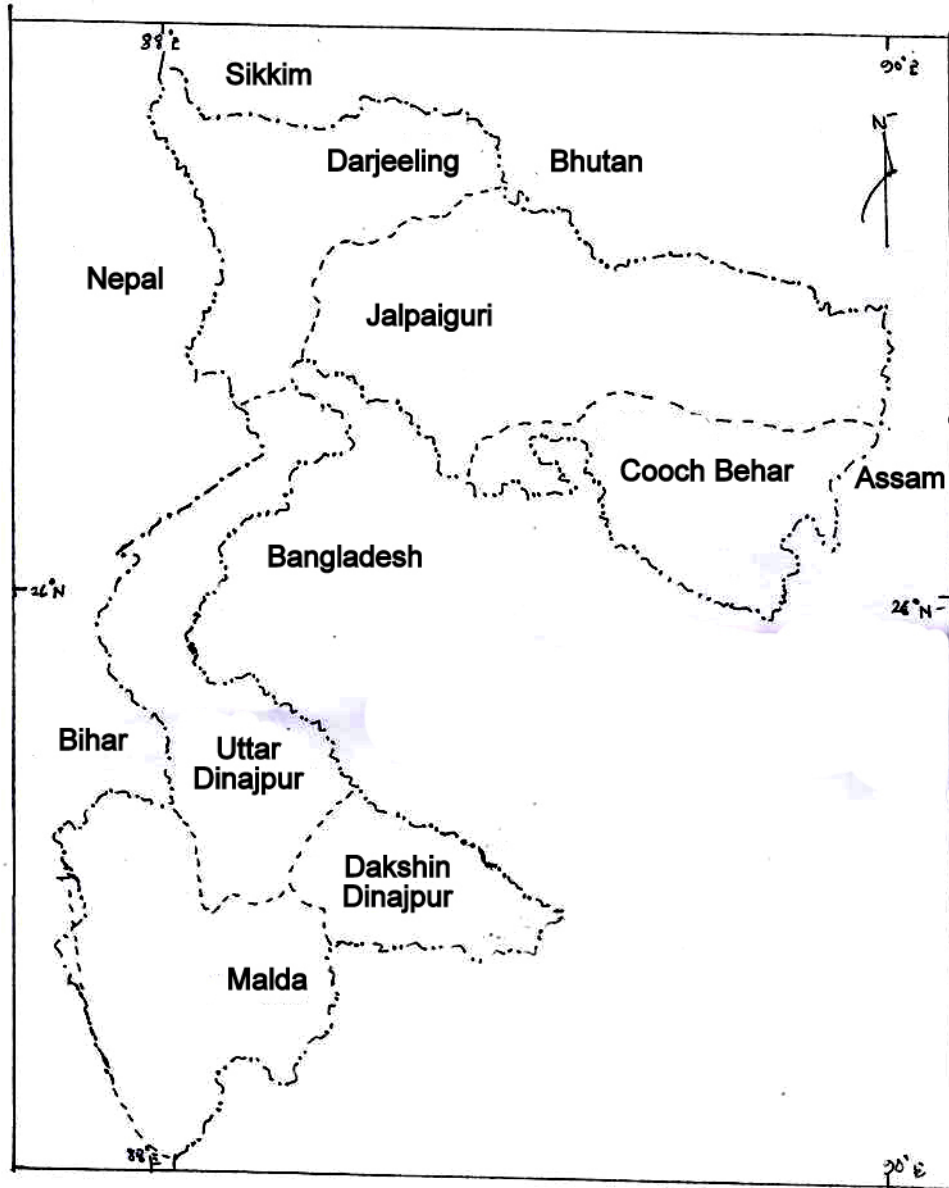
**By Courtesy**

**Siliguri Police Station**

**Darjeeling District.**

5. APPENDIX E

MAP OF NORTH BENGAL (NOT TO SCALE).



**6. APPENDIX F**

**PHOTOGRAPHS OF CSWS & SOME ACTIVITIES OF DMSC.**



Sex worker is waiting for client.



Sex worker with her child.



A sex worker fighting with a pimp.



Rally of DMSC on World AIDS Day (2001).



Rally of DMSC against 11th Sept., World Trade Centre Incident.



Festival of Millennium Fair of DMSC.

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***Associate Editor***

**Dr. Sudash Lama**



ENLIGHTENMENT TO PERFECTION

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## Women Trafficking in the Princely State of Cooch Behar

Tamali Mustafi\*

**Abstract:** *The present paper focus on the scenario of women trafficking in the princely state of Cooch Behar as well as on the records of West Bengal State Archive containing a detail study of such an oppressive practice. Slavery was practiced in Cooch Behar and there was a regular slave trade. Poor people mortgaged or sold their daughters and wives as slaves. Every years girls from Cooch Behar and Assam were sent to various parts of Bengal for sale. . Some of the royal personalities of Cooch Behar strongly opposed this system. Ultimately the British Government had taken the initiative to ban women trafficking. They legally ceased those markets.*

**Keywords :** Socio - economic degradation, women trafficking and initiatives for ban the inhuman business in the princely state of Cooch Behar.

Law and religion never did offer equal status and rights to man and woman. Being a natural biological partner for amorous adventures and at the same time conventionally possessed of disadvantaged lower social status, the women's vulnerability to male's seductive attitude and activities is a stark reality of history. The obvious implication is that women are facing lots of problems in the society such as sexual harassment, molestation, gender discrimination, violence in domestic and public life, social abuse etc. over a long period of time. Trafficking of women is a natural phenomenon in a social structure cutting across the barriers of time and space. Women are trafficked for several purposes like sexual exploitation or prostitution, slavery etc. We have a reference to sale of good looking girls in inscription. The inscription is now preserved in the prince of Wales Museum, Bombay<sup>1</sup>. Here, there is a reference in the *Abadhatta* poem to having of beautiful girls for royal people. This inscription is written in eight languages. It is like a beauty competition where the pimps or brokers were loudly describing the beauty of the girls who were waiting silently as market commodity. The social setting in ancient as well as medieval India was as such that dissimilar stands were adopted to judge the individual as well as social conduct of the male and the female.

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The introduction of western education and liberal ideas after the coming of the British, the Indian society witnessed a new change which even touched the life of women in India. Cooch Behar was the only princely state of pre-independence Bengal and enjoyed an important position in the north eastern boundary of Bengal province. East India company's contact with Cooch Behar in 1772 was the stepping stone of the British in the northern frontiers of Bengal. The geographical as well as strategic position and economic importance of Cooch Behar attracted the foreign investors including British East India Company.

During the second half of the 18<sup>th</sup> century the internal chaos and dissention of the ruling authorities specially in the reign of Maharaja Dhurjendra Narayan, mutual animosity, internal disorder, unlimited powers of the ministers, incapability and weakness of the royal personalities - all these led to dismal situation of the state. The aggression of the Bhutias on Cooch Behar kingdom had been going on increasingly and Cooch Behar had to conclude a treaty with the East India Company in 1773 whereby Cooch Behar became a subordinate ally of the English<sup>2</sup>.

After the introduction of permanent settlement in 1793, the rate of agricultural production decreased and the peasants had fallen into indebtedness. The ryots were oppressed severally, but there was no justice in the law court. The officers and the company's sepoys engaged themselves in the money lending and lent money to the peasants and charged a monthly interest of two or three *anas* in the rupee. The tone of the society was that of medieval age. Usury was thriving occupation and any one who could spare some money for investment had the chance of a lucrative return. As a result, on account of that undesirable conditions many people left the country<sup>3</sup>. Famine and epidemic spread into the state which was referred by Maharani Brideswari Devi in 'Beharodanta'<sup>4</sup>.

The economic degradation of the Bengal Subha can be viewed not only by the oppressions of the company's servants and gomosthas but was a natural sequel to the general political disorders which had began many years before the plassey. In Cooch Behar, the weakness of royal authority, want of strong governance in the country, conflicts amongst the elites for power, the oppression of the Revenue Collectors all these together led to its economic degradation very quickly. The material condition of the people was poor. Beveridge, the Deputy Commissioner, in his report of 1865 – 67, pointed out that mal – administration and lack of good communication was mainly responsible for the degradation in Coochbehar.

Corruption was rampant amongst the police officers of the state. Their pay was poor and irregular. Under a corrupt system of native administration and owing to the want of proper arrangement for the suppression of crimes and maintenance of peace, the prosperity of the people of Cooch Behar was at a low – ebb, notwithstanding its excellent natural resources. Unrestrained sexual enjoyment by the powerful and rich people or the royal personalities was a very common feature of the age. Women were made victim in every possible way when institution demanded so for political benefits. The victors were given gifts of girls even from the royal family by the vanquished after a defeat in the battle. The kings maintained many queens and concubines. The kings had not even connection with their daughters and one information is furnished by JoynathMunshi in the '*Raj- Upakhyan*' that Birnarayan, the king of Cooch Behar, once he cast covetous eyes on a beautiful girl who actually was his own daughter by relation. He could not identify his own daughter. According to the writer, the daughter drowned herself into river water out of mental agony<sup>5</sup>. Whether the information is exaggeration or not, it indicates the vulnerability of women in any way.

In this article, the present writer is willing to delineate the whole transaction of women for trafficking. How local women were made victim and what were the main factors behind such immoral activities carried out by the local brokers will have to be examined. An attempt will be made in paper to draw a picture of trafficking in women in Cooch Behar during the rule of the kings of Cooch Behar. Before entering into the main context, it seems necessary to mention that women whether in eastern or western countries, have been denied any honour and dignity. 'The male bias manifested itself from time to time in the views and acts of misogynist intellectuals and thinkers, preachers and priests, soldiers and rulers, fathers and husbands'<sup>6</sup>.

Such a deplorable economic and social situation can not be detached from the women's compulsion and degradation in the society. The hard economic realities often cause human action for survival in some way or other.

Slavery was practiced in the society and there was a regular slave trade. Bhowaneejanj was the mart which conducted such type of human trade. Poor people used to mortgage or sell themselves as slaves. Every year, boys and girls from Cooch Behar and Assam were sent to various parts of Bengal. The price of a girl varied from Rs. 12 to Rs. 15. A Koch boy cost Rs. 25. Children of the lower castes were sold to Garos. Some were exported to Burma through Assam.

People of the neighbouring Bhot or Garo tribe often abducted men and women from Mughal or Coochbehar territory and made them slaves<sup>7</sup>. On Bhadra 22, 1257 (according to the bengalicalender), Jhalu Das (40 yrs old) and Jentu Das (30 yrs old) sold themselves to Iswarchandra Mustafi, the royal employee of DashramGoborchhora in Rs. 50 narayai and 25 narayani respectively. Vendri of Kulidanga, Sudharam Das of Balarampur, FikaNoshya of Singimari, YatriBewa of Khagrabari sold their wives and daughters. Agni, a girl of seven years old, Futke, of five years old were sold by their fathers as the families suffering from starvation<sup>8</sup>.

As conventional practice, the royal people of Koch dynasty used to keep more than one wife. Maharaja Biswasingha brought a lots of women from Nepal, Gaur, Kamrup, Kashmir, Kaashi, Shonitpur, Mithila and he married those women<sup>9</sup>.

Captain R. B Pemberton visited Bhutan in 1836. He recorded: 'In addition to these several tribes, all of whom are of pure or mixed Mongolian races, there are some thousands of Bengalees and Assamese, the Helots of the country, who have been carried off at various times from the plains by the Booteahs in their several incursions, and who led a life devoted to the most menial and degrading offices. Whenever men are seized and carried up into the Hills, they are forced into a connubial union with some Booteah women of the inferior grades of society, who are made responsible for their continuance in the country..... Captive women are in a similar manner united to low Booteah men, and with a similar result; whenever it may not be convenient to provide prisoners either with Booteah wives or husbands, orders are transmitted to the Dooars to capture a man or woman, as the case may be, to be sent into the hills, and ultimately so disposed of'<sup>10</sup>. Keeping huge number of slave boys or girls was a symbol of aristocracy. The prisoners of war, criminals, mortgaged men women were sold in the market of Bhutiyas. The Bhutiyas called the slaves as '*jou-mi-l'*. Those slaves were used in invading and plundering the Cooch Behar kingdom.

Selling of girls was a reality in the society. A few lines from a local poem reflect the vile practice that prevailed in the society. That day was a festive day, on that gay day, the ferocious wolf gang lacerated Sonamoni – my sister, marriage did not come to her life but was sold off cheap to a senile zamindar and then lost forever into oblivion (free translation). The lines reveal that the moneyed people could purchase a girl for enjoyment and these girls lost all their past.

Tarner had written : 'In the district of Cooch Behar an usage of a very singular kind has prevailed from remote antiquity, and I was assured by many of

the inhabitants of its actual existence at this day. If a Rayot, or peasant, owes a sum of money, and has not the ability to satisfy his creditor, he is compelled to give up his wife as a pledge, and possession of her is kept until the debt is discharged. It sometimes happens, as they affirm, that the wife of a debtor is not redeemed for the space of one, two or three years; and then if during her residence and connection with the creditor, a family should have been the consequence, half of it is considered as the property of the person with whom she lived, and half of her husband.

The country has a most wretched appearance, and its inhabitants are a miserable and puny race. The lower ranks without scruple dispose of their children for slaves, to any purchaser, and that too for a very trifling consideration; nor yet though in a traffic so unnatural, is the agency of a third person ever employed. Nothing is more common than to see a mother dress up her child, and bring it to market, with no other hope, no other view, than to enhance the price she may procure for it. Indeed the extreme poverty and wretchedness of these people will forcibly appear, when recollect how little is necessary for the subsistence of the peasant in these regions. The value of this can seldom amount to more than one penny per day, even allowing him to make his meal of two pounds of boiled rice, with a due proportion of salt, oil, vegetables, fish and chill.<sup>11</sup>

Ahomraj gave sixty beautiful women to MaharajNaranarayan as gift. The Mogh and Portuguse invaded upon Koch and took away the women forcefully. Morongraj send Morongiya Dasi to Maharaja Naranarayan at the time of his marriage ceremony<sup>12</sup>.

The lists show whole of the women (except some few ones) belong to Noshya<sup>14</sup> community which indicates the illiteracy and unawareness of that particular community. Therefore, it may be said that under the rule of Cooch Behar Narayan king the condition of society and economy was not very hopeful.

We get a clear proof of transaction between the seller and purchaser often through the mediation of the brokers. For our clear understanding one such evidence of agreement is reproduced here. One such bill remarks that “Ganghonee Bewah<sup>15</sup>, village Lotamookh, at present residing at Chomar Poltea Pergunnah Hajo, do write this bound of assignment of my daughter in 1771 B.S to the effect that on receiving Rupees 20 from Mussamut Sona Nultee of Nuttallah of the same Pergunnah, I give up my daughter Roho to her who will remain with her according to her wishes and custom of the country. To this I have no objection if

I make any it will be entirely false. Sona Nauttee says that I voluntarily adopt this girl as daughter. I will give her no inconvenience or trouble. She will remain with me and behave according to our profession and to this I have no objection”.

**(Source : JUDICIAL (JUDICIAL), OCT. 1872, B. NO. 252 – 335)**

The Maharajas of Cooch Behar maintained a sincere and honest political relation with the English East India Company. Following the friendly terms and conditions, Cooch Behar the single most princely state of Cooch Behar in Bengal province was happy enough to introduce western education and modern thinking in the state. But a critical analysis of women trafficking in the state and the degrading situation of women under the rule of the western educated kings of course points to some failures of the kings who were willing to project them as benevolent rulers and royal ally of the liberal British Government.

Not only the royal people, the entire situation of the people was far behind the level of Liberal ideas that had started to inspire the middle class elites of the land to take some emancipatory measures for women.

However; at last in 1843, British government legally ceased all those markets where human selling and buying was going on. Maharaja Shibendra Narayan, Maharaja Narendra Narayan tried to stop human selling. But they failed due to the self seeking efforts of a group. Finally Maharaja Nripendra Narayan banned this inhuman practice with the help of Commissioner Haughton in 1864. Talboyez Wheeler narrated in Summary of Affairs of the Government of India in the Foreign Department (1864 – 1869) (PP 402 -404): ‘.... The existence of actual slavery in Kuch Behar forced itself upon the attention of the Commissioner, and the matter was laid before the Governor General. On 7<sup>th</sup> September, 1864, the abolition of slavery was formally proclaimed at a public Darbar; and a Regulation in Bengali language, embodying the provisions of the penal code respecting kidnapping and abductions, was declared to be in force as regards all future seizures, sales or detention of persons, male or female.’<sup>16</sup>

In conclusion it may be said that women’s vulnerability to seduction has been a stark reality in history for various reasons. Now a days, when different discourses on women history are emerging out in the academic area, the issue of trafficking of women may be taken as a viable and may be examined subject of study as such resorting to valid evidences as much as available. For doing so the whole of the social and political scenario related to the issue may be depicted in

such a way that the basic object of the study never loses its connectedness with history,

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13. *Narainee* Rupee or Coin : Maharaja Naranarayan who was a great king of Cooch Behar introduced *Narainee* coin. History written in Farci language refers *Narainee* mudra. *Narainee* coins of Cooch Behar bear four different kinds of symbols. A symbolic dot (.) was inscribed at the bottom of the letter 'N', of the name of royal king.
14. *Noshya*: The Rajbanshi people who accepted Islam as their religion and fallen from their earlier (Hindu) religious status are commonly known as *Noshyas*.

15. *Bewa* : The widow women are called *Bewa*.

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