

IN a barely noticed Supreme Court judgement on January 12 this year, permission was granted for the admission of prostitutes' children into schools without having to state the fathers names, which was the customary practice in school admission procedures. The order, which is a remarkable victory for women in general, is also one step forward in the struggle to loosen the male stranglehold on society, as the mother's name on the admission form will do just as well as the father's. This benefits not only prostitutes but other categories of single mothers.

The credit for this landmark judgement goes to the petitioner, the Bhartiya Patita Uddhar Sabha (BPUS), an organisation founded by Khairatilal Bhola in 1984 for the welfare of prostitutes and their children. The BPUS moved the Supreme Court on January 21, 1988 when children of prostitutes were denied admission both to private and government schools on the grounds of not being able to furnish their fathers' names on the admission forms. Invoking the fundamental rights under Articles 14, 16, 19(i)(a) and 21 of the Constitution of India, and the directive principles enshrined in Articles 39(e), (f) and 45, the petition sought to prove that such denial of admission was "arbitrary, discriminatory, unconstitutional, unreasonable and unjustified" and "against the principles of natural and social justice."

To summarise the arguments in BPUS' petition, the first point it made was that denial of admission was a gross violation of Article 14 of the Constitution. Second, paternity, which is a presumption, cannot overrule maternity, which is a fact. Therefore, the mother's name, instead of the father's, should be necessary for admission. Third, the state is bound under Articles 39(e), (f) and 45

## In the Name of the Mother

### Education Rights for Prostitutes' Children

Anuradha Dutt

to provide a healthy atmosphere for the education, upbringing and personality development of prostitutes' children. Fourth, under Article 19(i)(a), children have a right to free expression, which is facilitated by education. Fifth, Article 16 guarantees the right to public employment, possible only after a basic education has been acquired. And, finally, Article 21 guarantees the right to life and liberty, and a dignified existence, which again are possible only through opportunities opened up by education. On these grounds the petition sought deletion of the columns seeking the father's name "in all fields of life including the admission forms recorded for identification."

While the Union of India and the Delhi Administration, two of the respondents (the third being the principal of the primary school at G.B.

Road), agreed to the petitioner's plea, the Municipal Corporation of Delhi, which controls primary education, obtained a stay order on March 25, 1988. The case continued until this January when the court passed the order for the admission of prostitutes' children without stating the father's name.

Bhola estimates that this order will benefit three crore children, not just those of prostitutes alone. The BPUS has been campaigning to legalise prostitution on the grounds that this would vest a highly risky profession with better living and medical conditions. The organisation has also been instrumental in getting many prostitutes' children admitted to schools and village cottage homes, as certain welfare homes in Delhi are known. There are three such homes which are run by the Directorate of Social Welfare. These homes fall



Little kids of prostitutes lie around while "business" goes on as usual

under the jurisdiction of the Delhi Administration and have over 100 such children, according to officials of the Directorate. The rationale for sending them to homes is primarily to remove them from the environment into which they are born, and to give them a chance to lead a better life, as they would be educated and trained in useful skills, which could get them jobs, and even married off.

However, 100 is too small a number if, on an average, at least half of the 3,000 prostitutes in Delhi's organised redlight area in G.B Road have one child or more. According to the findings of a report submitted by the Central Social Welfare Board (CSWB) to the Ministry of Human Resource Development (Department of Women and Child Development) in August—which have yet to be made public—G.B Road alone has an estimated 3,000 prostitutes, while the number of such women in the rest of Delhi is about 17,000, including call girls, streetwalkers and others. If even half of the total number of 20,000 women have progeny, then clearly, a great deal more has to be done for them.

The report, which is entitled 'Prostitution in Metropolitan Cities of India', surveys, on an average, 500 prostitutes in each of the six cities — Delhi, Bombay, Calcutta, Bangalore, Hyderabad and Madras (here, the number is 404). It examines the socio-economic factors responsible for prostitution in India, recommends possible steps for their welfare and rehabilitation, and devotes an entire chapter to the children of prostitutes — tabulating the percentage breakup of the number of children with access to education and a residential environment removed from brothels. Such calculations, based on sample figures are, however, more speculative than precise, as the report itself concedes, for two reasons: one, the secrecy that shrouds the profession

makes access to information difficult; and two, the constant process of induction and withdrawal of prostitutes and their migration from one place to another.

However, for the present, this is the first report of this type on prostitutes prepared by any government agency. Officials associated with it are reticent about its contents until the ministry approves it, as future projects for the rehabilitation and welfare of prostitutes and their children will be planned on the basis of this report. Hopefully, a more concerted effort will then be made to reform the dismal conditions in Indian redlight areas that are officially acknowledged as such.

Delhi's notorious G.B. Road is a case in point. The road, whose name is actually an abbreviation of Garson Bastion, in memory of an English deputy commissioner of that name, and which has now been rechristened — most inaptly—Shraddanand Marg, has a dubious past. It appears to have housed brothels from the time of the mogul emperor Babar. Prior to 1947, there were reportedly three major redlight areas in Delhi: G.B. Road,

Khat Bazar and Majnu ka Tila. After Independence, the government used the provisions of the Suppression of Immoral Traffic Act (1956) to remove the redlight areas from Khat Bazar and Majnu ka Tila, though some amount of prostitution is still carried on at the last named. The brothels on G.B. Road were allowed to survive, probably because they were viewed by our archaic administrative agencies as a necessary evil.

Kotha No 51 is but one of the estimated 64 brothels on G.B. Road. Over the doorway is the signboard of the Bhartiya Patita Uddhar Sabha which has its office here. Women dressed in gaudy clothes and with excessively painted faces crowd the staircase of the building which leads up to dark, ill-ventilated rooms permeated with a fetid odour. The stench pervades the whole building which contains three or four brothels.

One has to be careful not to brush against the wall while ascending the staircase to Nimmibai's *kotha* (brothel). It is coated with a fungus that gives it a slimy sheen. One has to exercise equal caution while negotiating the floors of the *kotha*, which is right on top, as they are



A young boy selling cigarettes and *paan* at the entrance of a G.B. Road *kotha*

Manushi

covered in part by dirty water and a repelling mix of goat droppings and vegetable peels. There are two main rooms, the larger one being 12 feet by 14 feet. It has a staircase leading up to a loft that serves as the BPUS office. Nimmibai, the madam of this *kotha*, is the Sabha's Delhi unit president. Her sister, Saira, who has a husband and children in Vijaywada, is its secretary. She says she left her husband because he used to beat her.

A goat is tethered in one corner of the terrace. A tiny annexe serves as the kitchen. The bathing area and latrine are in another corner which is the source of the water that is continuously flowing out to cover the terrace. Gilded mirrors, relics of the past, are clouded by age. A framed picture of a richly attired woman, probably Nimmibai in her younger days, hangs on a wall of the central room. High in one corner rest portraits of Mahatma Gandhi and Jawaharlal Nehru. Just below that is a picture of Goddess Durga, juxtaposed with a titillating depiction of three Aphrodite-like semi-nude women at play.

About 16 girls live and work in Nimmibai's *kotha*. Zarina (not her real name), a young prostitute in her 30s with a small child, says that their combined earnings in a day vary between Rs 200 and Rs 300. They do not reveal how much they get to keep after Nimmibai, whom they call "Mummy", has taken her share. The going rate for a client is between Rs 30 and Rs 35, though they probably begin by asking for Rs 60, which is gradually brought down. Sometimes, a generous fellow may give a tip of Rs 5 to Rs 10 to a girl he is pleased with. Those with dependents in villages or elsewhere manage somehow to send them a couple of hundred rupees or so every month.

Repeated visits to the brothels and encounters with the prostitutes confirm that they are a predominantly

homeless and dispossessed group of women who have been forced into the profession by poverty, compounded by illiteracy and ignorance. Many who claim originally to have been country women, recount the old story of a neighbour or acquaintance masquerading as a friend and bringing them to the city—they often migrate from one city to another, either voluntarily or under duress—with the promise of a job, only to induct them into prostitution. And once this happens, they usually lack the will or the resources to get out. There are stray instances of girls getting married to patrons. The BPUS claims to have arranged 33 such weddings over the years. It also claims to have rescued 473 minor girls from brothels all over

India and sent them to welfare homes for women, with the help of its state branches. But for the rest, the women are resigned to life in the brothel.

Each woman has a story to recount of how she was brought there, but not all choose to do so. Doma, a Nepalese prostitute, is extremely reticent. So is Rekha, a girl from a village in Dhaka district in Bangladesh. She has a mentally retarded daughter on whom she lavishes affection. The women who are more forthcoming speak under assumed names. Beena, from Bangalore, was the daughter of kazi (a Muslim priest), and was brought to Delhi by "someone". She has three children who live in a village cottage home. She no longer works as a prostitute but does odd jobs around



A policeman as a free "customer" in a G.B. Road *Kotha*

Sandeep Shankar

the place, like the others who are too old or wornout. Mala, who is described as “half mad—she was always so” and Gungi, so named because she is mute, now do the cooking and cleaning.

Among the younger ones, a Bihari girl from Howrah district in West Bengal, earlier plied the trade in Sonagachi in Calcutta. Baby, whose village is in Monghyr district in Bihar, says that she entered the profession voluntarily, a statement that is immediately contradicted by Zarina: “No one comes here of their own will. There is so much poverty at home. Who will feed them?”

Ramkali, 40, who had eight children of whom only three survived, says that she has no idea who the fathers were. She did not opt for abortions. Her children are now in her village in Andhra Pradesh, she says, under the care of her *chachera bhai*. She has spent 20 years in G.B. Road, the last two at *Nimmibsi's kotha*. Meena, a woman from another brothel, has sent her three children to her aged mother who lives in a village in Dehradun district. No one there knows the nature of her work in the city, though she goes home every few months. Her children believe that their father is dead and she in turn is educating them and saving for the marriage of her two daughters, aged seven and eight. Her son is 10. She claims to have acquired “something” in her village, where she intends to return once age catches up with her. She is one of those who say that they voluntarily took to prostitution.

While the women seem unable to break through their psychological conditioning to seek a better life — a prospect rendered more difficult by the hostile environment of procurers, madams and predatory men—they do not want their children to endure a similar fate: daughters becoming prostitutes and boys, pimps. Some, like Doma, realise the futility of bearing children at all. She sums it up crudely: “*Kya pata baap kawi hai? Randi aural hai, aw kya?*”

Some of the women who choose motherhood, probably because they

## Bhartiya Patita Uddhar Sabha

According to a survey conducted by the Tala Institute of Social Sciences in 1984, there are an estimated 20.86 lakh prostitutes in 17 states of India. These prostitutes and their children live in sub-human conditions. Of their earnings of Rs 20 a day, they get a meagre Rs 5 in hand, as the bulk of their income is divided among the pimp, brothel owner and the police. Lack of medical assistance often results in a host of sexual diseases amongst the prostitutes. Many of them are also addicted to drugs and alcohol.

One organisation that has made some headway in bettering the lot of prostitutes is the Bhartiya Patita Uddhar Sabha (BPUS), whose members are mostly prostitutes themselves. Its long term objective is the eradication of prostitution, but for the moment the BPUS has directed its efforts towards improving the condition of prostitutes and their children. Among the main aims of the organisation are to provide facilities such as medical help, condoms, monthly check tips to avoid communicable diseases (particularly AIDS), ration cards and identity cards. It also tries to get government support for the upbringing and education of their children. The other goals of the the BPUS are the establishment of government housing colonies outside the town

for the prostitutes, a monthly pension of Rs 1,500 for prostitutes above 40, their assimilation in society through marriage and a proper representation in the Rajya Sabha or Lok Sabha.

In furtherance of its aims, the BPUS seeks to form a close but widely spread network of all red light areas so that prostitutes can raise a joint voice against the various injustices that society metes out to them. Its operations are so far confined to eight states, namely Delhi, UP, Rajasthan, Bihar, Andhra Pradesh, West Bengal, Maharashtra and Karnataka.

The BPUS has consistently fought legal battles to ensure the welfare and fundamental rights of the prostitutes such as the right to education for children, right against exploitation and the right to work. The help of legal advisers and the police are sought from time to time, especially for women who seek an escape from the profession. Many women and minors have been rescued from the brothels and sent back to their homes or to institutions like the Samaj Kalyan Ashram and Nari Nikeian. The BPUS has so far rescued 473 prostitutes all over India. The children of the prostitutes have also benefitted. With the organisation's backing, about 140 such children in Delhi were able to gain admission to various village cottage homes.

view it as a tenuous kind of security for their old age, have sent those of their children old enough not to require their care to welfare homes or to the custody of relatives. Hasina's daughter, who managed to get into the police service, is cited by them as an inspiration. An aspiring politician, who contested the last parliamentary election to the Chandni Chowk constituency, Nimmibai is emphatic in

her assertion that no prostitute wants her children to perpetuate her profession. “*Yahan hi khatam ho jana chahiye,*” she says. She believes that extreme deprivation is the principal cause of prostitution in India, rather than sexual and psychological aberrations. Her lament is that neither the government nor welfare organisations have bothered to rehabilitate prostitutes. □