

APPENDICES

APPENDIX-A : NEWS CLIPPINGS ON SEX WORKERS

1. This article published in 'Sandesh' Newspaper dated 1st January 2013 points out the increased number of locations of active sex workers



2. This article was published on 27th December 2012 which is highlighting the incident of gang rape on sex worker



3. This article questions the role of government officials/authorities in controlling flesh trade after the intervention of the supreme court

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(બાવેસા કુલકર્તા)
સદીઓથી દેહ વ્યાપારની ઉપેક્ષા કરવામાં આવે છે. તેમ છતાં આજે પણ આ દેહ વ્યાપાર સમાજની વચ્ચે જાગૃત છે. વારંગલા, ગોલક, વેમા, વાર - વડિલા, પ્રોસિટ્ટર જેવા અનેક શહેરોમાં બહુનામ આ મહિલાઓની વાસ્તવિકતા સમાન છે અને તે છે 'લાવારી'. સમાજના કેટલાક લોકો જેને વેશ્યા કહી તુરજકારતા હોય છે પરંતુ આજ લોકના 'શોષ'ના કારણે દેહ વ્યાપાર વપોથી ચાલી આવ્યો છે. ૯મી ડિસેમ્બરના રોજ સર્વોચ્ચ અદાલતે કેન્દ્ર સરકારની ગઠડાંથી કરતા કંઈ કે વિચારા સેવો જુવા વેશ્યા વ્યવસ્થાપને વિશ્વાનંદ પગલાં સાથે ધમી અને જો તેમ ન કરી થકતા હોય તો વેશ્યા વ્યવસ્થાપને કાયદેસર બનાવો. અલગત ભારતીય કાયદા પ્રમાણે દેહ વ્યાપારને ગેરકાયદે ગણી શકાતો નથી. પણ, સૌ થાસે વેશ્યાવૃત્તિ કરાવવી એ ગુનો છે.

તપી પહેલા જ્યારે, નગર રક્ષના અધિકારમાં આવે ત્યાંથી વેશ્યા વ્યવસ્થાપ સમાજનો એક ડિસો રહ્યો છે. ૬૨૩ એક્ટો જ છે કે અભ્યાર જે વ્યવસ્થાર રિસાયી થાય છે તે પહેલાના જમાનામાં મૃદ, આકમ્પલ દારૂ કતો હતો અર્થાત

રાજાઓ અન્ય પ્રદેશો ઉપર આક્રમણ કરી જે તે પ્રદેશના લોકોને પોતાના

દેશમાં, દેહ વ્યાપારનો જે પ્રશ્ન છે તે સદીઓથી ભારતને નહીં પણ વિશ્વને માટે રહ્યો છે. મુઝીબ, ઓસ્ટ્રીયા, કોલમ્બીયા, જર્મની, ચીન, હંગેરી, સ્વિટ્ઝરલેન્ડ જેવા દેશોને તો દેહ વ્યાપારને કાયદેસર જાહેર કરીને કવરકરનાથી બચી જવાના પ્રયત્નો કર્યા છે. આ શિવાયના લગભગ સવાસો દેશોમાં આજે પણ વેશ્યાવૃત્તિ

સૌથી નાની ઉંમરે નિરાપાર બને છે ત્યારે તેમને કઈ મોભાવાળી નોકરી મળવાની? અને જ્યાં પણ કામ મળે ત્યાં શોષણનો પ્રશ્ન તો હોય જ છે. એટલે મરણ પોતાના દેહનો વ્યાપાર કરવા આવી સ્ત્રીઓ મજબૂર થાય છે. સુરત શહેરની વાત કરીએ તો ચોક બજાર ખાતે આવેલા વરીયાળી બજારને વર્ષે ૨૦૦૪ - ૦૫ માં તત્કાલીન ચોક

હતા. પરંતુ રૂપાંતરણાઓને આ વૈકલ્પિક જગ્યા દૂર જણાઈ અને વળી ત્યાંના સ્થાનિક લોકોનો વિરોધ પ્રજાઓ તેથી વારંગલામાં ત્યાં વસી શકી નહીં. ગત વર્ષે જાન્યુઆરી મહિનામાં જ્યોતિ નામની વારંગલાની હત્યા

શાઈ હી. જેમાં ૬-૮ નિ દેહ વ્યાપારના પંથ સાથે સંકળાયેલ હોવાનું અને તેમની હત્યા પંથમાંની હતી - દલી બાબતે પ્રકાશમાં આવેલા બે ટિપ્સાઓને છુટાછવાય દેહવિક્રમ કરતી મુલતીઓનો સૂરથા અને સમાપ્તિ માટેના પ્રશ્નો પણ ઊભા થયા છે. એટલે એકેડે વરીયાળી બજાર વધારે ધોચ હતું એવી એક લોકમત પણ ઊભી થયો છે.

સુપ્રિમની ટકોર પછી સરકાર વેશ્યા વ્યવસાયને કાયદેસર કરી શકશે?

ગેરકાયદેસર છે. જે દેશોમાં વેશ્યાવૃત્તિ ગેરકાયદેસર છે ત્યાં એવું નથી કે કોઈ વેશ્યા છે જ નહીં.

બજાર પી. આઈ. જે. એમ. સુપાર અને ટી. સી. પી. સરકાર પહેલે એમ કરાવું હતું. સરકારમાં આવકાર્ય લાગતું આ

કરવામાં આવી હતી. અભ્યાર રૂપી તેનો અભ્યારો પકડાયો નથી પણ તેની અન્ય કરનારે તેની સાથે બળજબરી કરી હોવાનું અનુમાન કરવામાં આવી રહ્યું છે. ટીક એ જ પ્રમાણે વેડ વેડ, પ્રાણનાથ હોસ્પિટલ સામેના એક એપાર્ટમેન્ટમાં ભાડેથી રહેતા પરપ્રાંતીય દંપતીની હત્યા

સરકાર રાખવી પડશે.

વિશ્વના મોટા ભાગના દેશોમાં કાયદાકીય પ્રતિબંધ હોવા છતાં વેશ્યા વ્યવસાય બંધ થયો નથી, તો કેટલાક દેશોએ સામાજિક અનિવાર્યતા સમજીને કાયદેસરતા આપી દીધી છે, ભારતમાં કાયદાકીય પ્રતિબંધ છે, પરંતુ દેશના કયા ખૂણામાં આ પ્રવૃત્તિ નથી ચાલતી...?

ગુલામ બનાવના અને તે પેઢી યુવાન સ્ત્રીઓને પોતાની દારૂ તરીકેનું સ્થાન આપતા હતા અને જે પ્રજા ગુલામ અથવા દારૂ ના બને તેને બળજબરીપૂર્વક વેશ્યા બનાવવાની એક કૂર પ્રવા હતી. ભારતમાં અંગ્રેજ શાસન

પરિણતરે બાબત બંધનકર્તા હોય તેવા પ્રત્યે હોયેનું વધુ પાન પેશાબ અને એ ન્યાય પૂરું પામેરે દેહ વ્યાપારની છુપી હાટડીઓ ખુલી ગઈ છે. ભારત દેશમાં પણ આ જ પરિસ્થિતિ છે. એક અનુમાન મુજબ ભારત દેશમાં એક કરોડ સેક્સ

પરિણતરે હવે દુષ્કર એટલા માટે લાગે છે કેમ કે પહેલા એક સિસ્ટરમાં આ અબદતા સીમિત હતી. હવે સિવિલ હોસ્પિટલ ગેટ પાસે, રેલવે સ્ટેશન, વરદાશ વરનાનું, વનિતા વિશ્વામ ગ્રાઉન્ડ ગેટ બહાર જેવા વિસ્તારમાં છુટાછવાયા

દેહ વેપાર કરતી વારંગલાઓ જોવા મળે છે. બુટ્ટી પાઈર, મસાજ સેન્ટર, અને કેટલીક જેવા બીજા અનેક વ્યવસાયોમાં આ દેહ વ્યાપારનું સામાજિક વિસ્તાર પામ્યું છે. અલબત્ત, નોંધનીય છે કે તત્કાલીન પોલીસ કમિશનર વી. કે. ગુપ્તાએ ચોક બજાર ખાતેની વારંગલાઓ માટે વૈકલ્પિક જગ્યા માટે સચીન ખાતે કેટલાક આવાસો કાનવા

મોગલ અને અંગ્રેજના જમાનાથી સુરતમાં ધમધમતું વેશ્યા બજાર પોલીસે કાયદાના જોરે બંધ કરાવ્યું, પરંતુ એક ખૂણામાં ધમધમતી બદી હવે શહેરભરમાં પ્રસરી છે

વખતે પણ ગુલામ મહિલાઓને વેશ્યા નામના કલંક હેઠળ જાવું પડતું હતું. જ્યારે મુઘલ સામ્રાજ્યનો સુરજ તપતો હતો ત્યારે તવાયજ અને કોઠાનો જમાનો હતો. જે લોકો કોઠા ઉપર જાય, તેનો ખૂબ ભદ ગણાય એવી માન્યતા પણ હતી.

વર્ષો ધરાઈએ પેઢી ૩૦ ટકા સગીર વયની છે અને ૮૦ ટકા નિરકર દેખીતું છે કે જ્યાં કુમળી વયના નિરકર યુવતીઓ હોય છે ત્યાં શોષણનું પ્રમાણ પણ ખૂબ ઊંચું છે. ભારત દેશમાં દેહ વ્યાપાર સાથે સંકળાયેલી સ્ત્રીઓ માટે ભારે શોષણનોમાની શારતી હોય છે જ્યાં ભાસ્કર અને આજીવિકા નામની શબ્દ જ નથી. હવે જ્યારે આ યુવતીઓ કે

દેહ વેપાર કરતી વારંગલાઓ જોવા મળે છે. બુટ્ટી પાઈર, મસાજ સેન્ટર, અને કેટલીક જેવા બીજા અનેક વ્યવસાયોમાં આ દેહ વ્યાપારનું સામાજિક વિસ્તાર પામ્યું છે. અલબત્ત, નોંધનીય છે કે તત્કાલીન પોલીસ કમિશનર વી. કે. ગુપ્તાએ ચોક બજાર ખાતેની વારંગલાઓ માટે વૈકલ્પિક જગ્યા માટે સચીન ખાતે કેટલાક આવાસો કાનવા

- દુનિયાના દરેક દેશોમાં દેહ વ્યાપાર સામાન્ય હોવાનું યુનિસેફ જણાવે છે.
- એક અંદાજ મુજબ વિશ્વની દસ લાખ વારંગલાઓ એઈડસગ્રસ્ત છે.
- ચાર્લિવેનને દેહવિક્રમ માટેનું 'પદ્મ' ગણવામાં આવે છે. અહીંયા કુટુંબનાઓ દુનિયાના તમામ દેશોની રૂપાંતરણીઓથી ઊભરાય છે.
- ન્યુઝીલેન્ડ, ઓસ્ટ્રીયા, કોલમ્બીયા, જર્મની, ચીન, હંગેરી, સ્વિટ્ઝરલેન્ડ જેવા દેશોમાં દેહ વ્યાપાર કાયદેસર છે.
- ૯મી મે, ૧૯૫૦ ના રોજ ન્યુ યોર્ક ખાતે ઈમ્પોર્ટલ ટ્રાફિકને અટકાવવા માટે એક સંમેલન યોજાયું, જેમાં ભારત સરકારે ભાગ લઈને આ બાબતે સત્ક્રમિત દર્શાવીને સ્ત્રીઓ અને છોકરીઓના માટે પાસે પડ્યો. નવા સુધારો તા. ૨૦-૦૮-૧૯૮૬ ના રોજ કાનૂની અમલી છે. જેમાં વેશ્યાઓને પિયત મહિલા ગણવાની ઉદારતા દર્શાવાઈ છે.
- ભારતમાં દેહવિક્રમ કરતી મહિલાઓ ગુના પાત્ર નથી. પરંતુ જે લોકો (દંત્રી) મહિલાઓ પાસે દેહવિક્રમ કરાવે છે, પોતે તેમાં ભાગીદાર હોય તો ગુનામાં લગ્ન બને છે.
- અલબત્ત વારંગલાઓ જોરેમાં નિબલસ ચેતસાળા કરતી પકડાય તો બોમ્બે પોલીસ એક મુજબ ૧૧૦ ની કલમ લગતું પડે છે.
- સોશીલ એન્ડ ઈમ્પોર્ટલ ટ્રાફિક એક્ટ હેઠળ વેશ્યાગ્રહો ઉપર પણ કાયદેસર શરૂ રહે છે.

APPENDIX-B

A Study on 'Post Evacuation Status of Sex Workers in Surat : Social Work Perspective'

(With Special Reference to the Effects on their Life style, Business Operations, and Relationship with other Stakeholders)

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1. PERSONAL PROFILE

Q. 1. Name _____

Q. 2. Give Residential Details.

Sr.No.	Address	Pre-evacuation		Post-evacuation	
		Residential	Professional	Residential	Professional
2.1	Room No.				
	Name of Street/Faliyu /Apartment/Society				
	Name of Village/Road				
	Landmark				
	Taluka				
2.2	District				
	Pincode				
2.3	Contact No				
	Mobile No.				

Q. 3. Age : _____

Q. 4. Education:

(1) Illiterate (2) Primary (3) SSC (4) HSC (5) Graduate (6) PG (7) Other:_____

Q. 5. Marital Status:

(1) Unmarried (2) Married (3) Divorced (4) Separated
(5) Re-married (6) Widow (7) Live-in-Relationship (8) Other

Q. 6. Community: (1) General (2) OBC (3) SC (4) ST Specify:_____

Q. 7. Religion:

(1) Hinduism (2) Islam (3) Sikh (4) Jew (5) Parsi (6) Jain
(6) Buddhism (7) Other(Specify) _____

Q. 8. Native Place : Q.8.1-State: _____ 8.2. Dist: _____

Q. 9. Mothertounge: _____

Q. 10. Knowledge of Other Languages:

Languages	Gujarati	Hindi	Marathi	Bengali	Telugu	Tamil	Udiya	English	Urdu	Arbi	Othe r
Speak											
Write											

Q. 11. Registered with:

(1) Ration Card (2) Voter's ID card (3) Adhar Card (4) Bank Account (5) Census(6) Driving License(7) Any Government Scheme (8) Any NGO (9) Other

Q. 12. Respondent's Monthly Income in Rs. : _____

2. Religious Details

No	Particulars	Pre-evacuation	Post-evacuation
Q.13 Q.13.1	Do you Believe in God/Kuldevi/Kuldevta? Why? (Specify):_____	(1) Yes (2) No (if No, Jump to Q.19)	(1) Yes (2) No (if No, Jump to Q.19)
Q.14	Do you worship God daily?	(1) Yes (2) No	(1) Yes (2) No
Q.15 Q.15.1	Do you visit Religious institution on special days? Why? (Specify):_____	(1) Yes (2) No	(1) Yes (2) No
Q.16 Q.16.1	Do you observe Vrat on certain days? Why? (Specify):_____	(1) Yes (2) No	(1) Yes (2) No
Q.17 Q.17.1	Do you practice your work on the day of your Vrat? Why? (Specify):_____	(1) Yes (2) No	(1) Yes (2) No
Q.18 Q.18.1	Do you believe in performing religious rituals? Why? (Specify):_____	(1) Yes (2) No	(1) Yes (2) No
Q.19	Do you gain support from religion/religious institution?	(1) Yes (2) No (If No, Jump to Q. No. 21)	(1) Yes (2) No (If No, Jump to Q. No. 21)
Q.20	What kind of support do you get from religious institution?	(1) Moral (2) emotional (3) economic (4) social (5) professional (6)Other(Detail): (7) No response	(1) Moral (2) emotional (3) economic (4) social (5) professional (6)Other(Detail): (7) No response

2. FAMILY BACKGROUND

2.1. Parental family Details

No.	Detail	Parental Home
Q.21.	Type of Family	(1) Joint (2) Nuclear
Q.22.	Total No. of Family Members	
Q.23.	Do they know about your Profession?	(1) Yes (2) No
Q.24.	Who know about it?	
Q.24.1	How could he/she come to know about it?	

2.2 Matrimonial Family Details

No	Particulars	Matrimonial Home
Q.25	Respondent's Age at Marriage	
Q.26	What do you think is suitable age for marriage?	Girl_____Boy_____

Q.27	How did you select your Partner?	(1) Parents selected your partner (2) Parents selected with your consent (3) You selected with your parents consent (4) Parents selected without your consent (5) You selected without your parents consent (6) Other(Detail): _____
Q.28	Type of Family	(1) Joint (2) Nuclear
Q.29	Total No. of Family Members	
Q.30	Do they know about your Profession?	(1) Yes (2) No
Q.31	Who know about it?	
Q.31.1	How could he/she come to know about it?	

Q.32. Describe your Pre and Post Evacuation relation with your matrimonial Family.

Q .No.	Relation	Before Evacuation						After Evacuation					
		Cordial	Fair	Neutral	Indifferent	poor	N R	Cordial	Fair	Neutral	Indifferent	Poor	N R
		1	2	3	4	5	6	1	2	3	4	5	6
32.1	Your HB												
32.2	In-laws												
32.3	Parents												
32.4	Siblings												
32.5	Other: Specify												

Parental as well as Matrimonial details of Pre and Post evacuation.

No	Particulars	Pre-evacuation	Post-evacuation
Q.33	Do you visit your Parental/ matrimonial family?	(1) Yes (2) No (If No, Jump to Q.33.3)	(1) Yes (2) No (If No, Jump to Q.33.3)
Q.33.1	Which Family?	(1) Parental (2) Matrimonial (3) Both	(1) Parental (2) Matrimonial (3) Both
Q.33.2	Specify frequency of visit per year?		
Q.33.3	If No, Why?		
Q.34	Do your Parental/ Matrimonial family members come to meet you?	(1) Yes (2) No (If No, Jump to Q.34.3)	(1) Yes (2) No (If No, Jump to Q.34.3)
Q.34.1	Which Family?	(1) Parental (2) Matrimonial (3) Both	(1) Parental (2) Matrimonial (3) Both
Q.34.2	Specify frequency of visit per year?		
Q.34.3	If No, Why?		
Q.35	Do you maintain contact with your family through correspondences?	(1) Yes (2) No (If No, Jump to Q.36)	(1) Yes (2) No (If No, Jump to Q.36)

Q.35.1	How ? Give Details.	(1) Personal Visit (2) Telephonic Talk (3) Through SMS (4) Letter (5) Internet (6) Other(Specify): _____	(1) Personal Visit (2) Telephonic Talk (3) Through SMS (4) Letter (5) Internet (6) Other(Specify): _____
Q.36	Are you invited in social/religious/family ceremony/functions?	(1) Yes (2) No (If No, Jump to Q.37)	(1) Yes (2) No (If No, Jump to Q.37)
Q.36.1	From which family?	(1) Parental (2) Matrimonial (3) Both	(1) Parental (2) Matrimonial (3) Both
Q.37	How much leisure time do you get over from your household and professional work?	(1) Nil (2) 1-2 hours (3) 3-4 hours (4) above 4 hours (5) Other(Specify): _____	(1) Nil (2) 1-2 hours (3) 3-4 hours (4) above 4 hours (5) Other(Specify): _____
Q.37.1	How do you spend your leisure?	(1) Resting (2) Watching T.V (3) Social activities (4) Recreation (5) chatting with client (6) Visiting any institution (7) Other(Specify): _____	(1) Resting (2) Watching T.V (3) Social activities (4) Recreation (5) chatting with client (6) Visiting any institution (7) Other(Specify): _____
Q.38	Type of house	(1) kachcha (2) pakka	(1) kachcha (2) pakka

39. What do your husband do? _____

40. What do your father-in-law and mother-in-law do? _____

41. Have you been got married in sex worker's family as you are sex worker?

(1) Yes (2) No

42. Do you believe to bring daughter-in-law who is practicing sex work?

(1) Yes (2) No

43. Is there any member of your Parental/Matrimonial family who pursue the same profession?

(1) Yes (2) No

44. Which Family? (1) Parental (2) Matrimonial (3) Both

45. Have you been practicing this trade before marriage? (1) Yes (2) No

3. Business Operations

Comparative Details

No	Particulars	Pre-evacuation	Post-evacuation
Q.46	Have you been operating from the same city?	(1) Yes (2) No (If Yes, Jump to Q.40)	(1) Yes (2) No (If Yes, Jump to Q.40)
Q.46.1	If No, Order of operating places		
Q.47	What was your age at the time of entering/re-entering to this business?		
Q.48	How did you enter in this business?	(1) Voluntarily (2) Under Compulsion (If ans. (2) Jump to Q. No.41.2)	(1) Voluntarily (2) Under Compulsion (If ans. (2) Jump to Q. No.41.2)
Q.48.1	What factors did lead you to indulge in this business?	(1) Personal (2) Social (3) Economic (4) Inherited (5) Religious (6)Other: Specify	(1) Personal (2) Social (3) Economic (4) Inherited (5) Religious (6)Other: Specify
Q.48.2	Who compelled?	(1) Parents (2) In-laws (3) Husband (4) Children (5) Friend (6) Boyfriend (7) Gharwali/Agent (8) Other	(1) Parents (2) In-laws (3) Husband (4) Children (5) Friend (6) Boyfriend (7) Gharwali/Agent (8) Other
Q. 49	Did any specific event compel you to be in this profession?	(1) Yes (2) No (If ans. (2), Jump to Q. No. 43)	(1) Yes (2) No (If ans. (2), Jump to Q. No. 43)
Q.49.1	Give details.		
Q.50	Have you been torture to accept this business?	(1) Yes (2) No (If ans. (2), Jump to Q. No. 43)	(1) Yes (2) No (If ans. (2), Jump to Q. No. 43)
Q.50.1	How?	(1) Physical force (2) Mental Torture (3) Kidnap (4)Police Force (5) Other	(1) Physical force (2) Mental Torture (3) Kidnap (4)Police Force (5) Other
Q.51	How do you operate your business?	(1) Independently (2) Middle women/Agent (3) Gharwali /Brothel Keeper (4) Other (if. Ans (1), jump to Q. No.45)	(1) Independently (2) Middlewomen/Agent (3) Gharwali /Brothel Keeper (4) Other (if. Ans (1), jump to Q. No.45)
Q.51.1	how far the place of Gharwali/Agent from your home?	(1) 1-3 Km. (2) 4-5 km. (3) 6-8 km (4) 8-10 km. (5) more than 10 km.	(1) 1-3 Km. (2) 4-5 km. (3) 6-8 km (4) 8-10 km. (5) more than 10 km.

Q.51.2	How much money you spent in a month in go and fro from your home to the place of Gharwali/Agent?	(1) 200-300 (2)301-500 (3) 501-800 (4) 801-1000 (5) more than 1000	(1) 200-300 (2)301-500 (3) 501-800 (4) 801-1000 (5) more than 1000
Q.51.3	Have you found difficulties in searching customers at Gharwali/Agent?	(1) Yes (2) No	(1) Yes (2) No
Q.51.4	Have you ever scolded/ harmed by any brothel keeper/Gharwali as you had announced your decision to leave this profession?	(1) Yes (2) No	(1) Yes (2) No
Q.52	Do you own your place?	(1) Yes (2) No (If ans. (2), Jump to Q.54)	(1) Yes (2) No (If ans.(2), Jump to Q.54)
Q.53	Is it on rent?	(1) Yes (2) No (If ans. (2), Jump to Q. 48)	(1) Yes (2) No (If ans. (2), Jump to Q. 48)
Q.54	How much rent do you pay per month for your business?	(1) 1000 (2) 2000 (3) 3000 (4) < 3000	(1) 1000 (2) 2000 (3) 3000 (4) < 3000
Q.55	Do you have business partners?	(1) Yes (2) No	(1) Yes (2) No
Q.56	Do your business partners shares rent?	(1) Yes (2) No	(1) Yes (2) No
Q.57	Whether Proper Ventilation available	(1) Yes (2) No	(1) Yes (2) No
Q.58	Electricity Connection available	(1) Yes (2) No	(1) Yes (2) No
Q.59	Sanitation Facility available	(1) Yes (2) No	(1) Yes (2) No
Q.60	Cooking Gas available	(1) Yes (2) No	(1) Yes (2) No
Q.61	How far your business place from your home?	(1) 1-3 Km. (2) 4-5 km. (3) 6-8 km (4) 8-10 km. (5) more than 10 km.	(1) 1-3 Km. (2) 4-5 km. (3) 6-8 km (4) 8-10 km. (5) more than 10 km.
Q.62	How much money you spent in a month in go and fro for your business?	Business: _____ Personal use:_____	Business: _____ Personal use:_____
Q.63	Have you found difficulties in searching customers?	(1) Yes (2) No	(1) Yes (2) No
Q.64	Have you ever tried to find any brothel/ Gharwali nearby your home?	(1) Yes (2) No	(1) Yes (2) No

Q.65	Have you ever tried to look for any other (Socially acceptable) mode of earnings?	(1) Yes (2) No (If ans. (2), Jump to Q. 59)	(1) Yes (2) No (If ans. (2), Jump to Q. 59)
Q.65.1	What business have you tried?		
Q.66	Have you tried to give up this profession?	(1) Yes (2) No (If No, Jump to Q. 59.2)	(1) Yes (2) No (If No, Jump to Q. 59.2)
Q.66.1	If Yes, give details.		
Q.66.2	If No, why did you not try to give it up?	(1) Compulsion of Gharwali (2) Compulsion of Police (3) Economic reason (4) Social Negligence (5) Lack of vocational skills (6) any other	(1) Compulsion of Gharwali (2) Compulsion of Police (3) Economic reason (4) Social Negligence (5) Lack of vocational skills (6) any other
Q.67	For how many years do you operate in Variyavi bazar ? (Specify Period in Years).	(1) 1-3 (2) 3-5 (3) 6-8 (4) 9-12 (5) 12-15 (6) more than 15 years	(1) 1-3 (2) 3-5 (3) 6-8 (4) 9-12 (5) 12-15 (6) more than 15 years
Q.68	Are there any union of sex workers?	(1) Yes (2) No	(1) Yes (2) No
Q.68.1	Which organization?	(1) at Surat: Specify _____ (2) At State Level: Specify _____ (3) At National Level _____ (4) At International Level: Specify _____	(1) at Surat: Specify _____ (2) At State Level: Specify _____ (3) At National Level _____ (4) At International Level: Specify _____
Q.69	Have you registered yourself as a sex worker in any Govt. supported /NGO/Project?	(1) Yes (2) No (If ans. (2), Jump to Q. 63)	(1) Yes (2) No (If ans. (2), Jump to Q. 59)
Q.69.1	Give Details	(1) Govt. Hospital-NACO project (2) Govt. Hospital-Other than NACO Project (3) Vocational Training Institute (4) NGO (5) Brothel Home (6) Any Union (7) Other(Specify): _____	(1) Govt. Hospital-NACO project (2) Govt. Hospital-Other than NACO Project (3) Vocational Training Institute (4) NGO (5) Brothel Home (6)Any Union (7) Other(Specify): _____
Q.69.2	Have you been issued registration No.?	(1) Yes (2) No	(1) Yes (2) No
Q.70	Does Police know about your business operations?	(1) Yes (2) No	(1) Yes (2) No
Q.71	Have you ever been arrested at your workplace?		
Q.72	How did you manage to continue your rapport and communication with your Clients/Channel/Network?		

Q.73. If Operating Independently, Give below indicated details.

No	Particulars	Place	Duration in years	Stay	No. of clients	Monthly Income in Rs.	Reason to leave the Place
Q.73.1	Pre-evacuation						
Q.73.2	Post- evacuation						

4. Customers

No.	Particular	Pre-Evacuation		Post-Evacuation	
Q.74	Total No. of clients receiving in a month				
Q.75	Type of Clients in terms of age	(1) Teenage (2) Youth/Young (3) Adults (4) Middle aged (5) Elderly		(1) Teenage (2) Youth/Young (3) Adults (4) Middle aged (5) Elderly	
Q.76	Type of Clients in terms of Behavior	(1) Rough (2) Sophisticated		(1) Rough (2) Sophisticated	
Q.77	Type of Clients in terms of Class	(1) Rich (2) Middle (3) Poor		(1) Rich (2) Middle (3) Poor	
Q.78	Type of Clients in terms of area	(1) Local (2) Migrated		(1) Local (2) Migrated	
Q.79	Frequency of Visits in Month	(1) Once (2) Twice (3) Thrice (4) 4-5 times (5) More than five times		(1) Once (2) Twice (3) Thrice (4) 4-5 times (5) More than five times	
Q.80	Charges Per Visit in Rs.	(1) Less than Rs. 50 (2) Rs. 51 to 100 (3) Rs. 101 to 150 (4) Rs. 151 to 200 (5) Rs. 201 to 250 (6) Rs. 251 to 300 (7) Rs. 300 to 500 (8) More than Rs.500		(1) Less than Rs. 50 (2) Rs. 51 to 100 (3) Rs. 101 to 150 (4) Rs. 151 to 200 (5) Rs. 201 to 250 (6) Rs. 251 to 300 (7) Rs. 300 to 500 (8) More than Rs.500	
Q.81	Type of Service	Demanded	Frequency	Demand	Frequency
		(1) Normal sex (2) Oral Sex (3) Anal Sex (4) Masturbation (5) Any Other		(1) Normal sex (2) Oral Sex (3) Anal Sex (4) Masturbation (5) Any Other	
Q.82	Emotional attachment with any client.	(1) Yes (2) No		(1) Yes (2) No	
Q.83	Get offer of marriage from the client.	(1) Yes (2) No		(1) Yes (2) No	
Q.84	Level of Compromise in using safe sex practices	(1) Always (2) Frequently (3) Sometimes (4) rarely (5) Never		(1) Always (2) Frequently (3) Sometimes (4) rarely (5) Never	
Q.85	Reasons to compromise				
Q.86	Do you entertain clients such as handicapped/ having Skin Diseases/ looking ugly/Very Old?	(1) Yes (2) No		(1) Yes (2) No	
Q.87	Most of the clients you are serving today are the same regular customers of yours before evacuation? (1) Yes (2) No				

5. Post-evacuation Details (First 6 months of Evacuation)

Q.88. Why did you leave that place? (1) Forced migration / Evacuation (2) Own choice

Q.88.1. Give Details._____

Q.89. Were you given rehabilitation/residential facility like house by Government?
(1) Yes (2) No

Q.90. Who gave you residential facility at that time?
(1) Government (2) NGO (3) Brothel Keeper (4) Middle woman/Agent
(5) Relative (6) Parental Family (7) Matrimonial Family (8) Same Business Friend
(9) Other:_____

Q.91. Where were you given rehabilitation facility?
(1) Sachin (2) Nari saurakshana gruh (3) Hajira
(4) NGO: Specify:_____ (5) Other City/Town: Specify:_____

Q.92. How many of you were given residential facility?_____

Q.93. Have you faced any objection/rejection from the neighbors where you were given residential facility?
(1) Yes (2) No

Q.94. Have you been using that place? (1) Yes (2) No
Q.94.1. For what purpose? (1) As a residence (2) As a business place (3) Both
Q.95. What hurdles you have faced when you shifted there?

Q.96. Neighbors of that place were aware of your profession before you shifted over there?
(1) Yes (2) No

Q.97. Did they harass you? (1) Yes (2) No

Q.98. Do they know about your profession? (1) Yes (2) No.

Q.99. Have you felt coward in operating your business over there? (1) Yes (2) No

Q.100. Had this evacuation affected on your business? (1) Yes (2) No

Q.100.1. How long (in years)? _____

Q.100.2. Specify if & when gained normal resetting?_____

Q.100.3. On which aspects it affected ?
(1) Economic (2) Social negligence (3) Religious (4) children education suffers
(5) Other

Q.101. Who were responsible for this evacuation?
(1) Police (2) Municipal corporation (3) Government (4) Any Other

Q.102. Did you ask for rehabilitation facility at place near to Variyavi Bazar?
(1) Yes (2) No

Q.102.1. At which level it is working?
(1) At District (2) At State Level (3) At National Level
(4) At International Level

Q.103. In which year exactly, you were evacuated? Specify _____

Q.104. Do you agree with authority's decision to evacuate? (1) Yes (2) No

Q.105. How had you resettled your business again?

Q.106. Have you ever gone at Variyavi bazar for clients/customer after evacuation?
(1) Yes (2) No

Q.106.1. How many times? Specify. _____

Q.107. Do you go there for getting customers till date? (1) Yes (2) No

Q.107.1 For how may time in a month? Specify. _____

Q.108. Have you ever felt that this evacuation proved blessing for you/benefited you?
(1) Yes (2) No

Q.108.1. describe how? _____

Q.109. If you were operating your business through Agent/Brothel Keeper, Did they object against Evacuation?
(1) Yes (2) No

Q.110. Do you think that chakla bazaar red light area before evacuation was far better?
(1) Yes (2) No

6. Respondent's psycho-social stressors.

No	Detail	Pre- Evacuation	Post-Evacuation
Q.111	Worries of your life	(1) Police (2) Finance/ Debt/ Rent (3) Family (4) Sex related (5) Social (6) Addiction(Alcohol/Drug) (7) Resident (8) Serious illness/death (9) Violence (10) Loss of work/Occupation (11) Other	(1) Police (2) Finance/ Debt/ Rent (3) Family (4) Sex related (5) Social (6) Addiction(Alcohol/Drug) (7) Resident (8) Serious illness/death (9) Violence (10) Loss of work/Occupation (11) Other

Q. 112. List issues and psycho- Social Stressors discussed. _____

Q.113. Respondent's anticipation in psycho social stressors. _____

Q.114. What are anticipated concerns of yours in case of a positive HIV Result?
(1) Prior History of self harm/ suicide attempt
(2) harm to others in case of +ve HIV result
(3) Signs of suicidal thoughts
(Feeling of Hopelessness/helplessness/Overburdened/No option/ Social Withdrawal)

7. Health Profile

Q.115. Old sickness (if any) _____

Q.116. Asthma: (1) Yes (2) No

Q.117. Cold/cough: (1) Yes (2) No

Q.118. Allergy: (1) Yes (2) No

Q.118.1. Give details. _____

Q.119. Is anybody in your family suffering from illness? (1) Yes (2) No

Q.119.1 Major sickness in family: _____

Q.120. Health complains concerning:

(1) Back (2) chest (3) Ears (4) Eyes (5) Hands (6) Head
(7) Neck (8) Nerves (9) Shoulders (10) Skin (11) Stomach (12) VD/STD

Q.121. Pregnancy/ Miscarriage/ Abortion? Specify the No.

(1) Pregnancy: _____ (2) Miscarriage: _____ (3) Abortion: _____

Q.122. Major sickness in past/last two years? (Specify) _____

Q.123. Minor/major surgery undergone (Give details) _____

Q.124. Treatment usually taken from

(1) Allopathic (2) Homeopathic (3) Ayurvedic (4) Yunano

Q.125. Treatment usually taken from? (1) Private Hospitals (2) Government Hospital

No	Particulars	Pre-evacuation	Post-evacuation
Q.126	Are you aware of STD/VD?	(1) Yes (2) No	(1) Yes (2) No
Q.127	Are you aware of HIV/AIDS?	(1) Yes (2) No	(1) Yes (2) No
Q.128	Do you operate your business by using safety / preventive measures/Protected sex?	(1) Yes (2) No	(1) Yes (2) No
Q.129	Do you go for health check up at regular interval?	(1) Yes (2) No	(1) Yes (2) No
Q.130	Have you ever tested for HIV/AIDS?	(1) Yes (2) No	(1) Yes (2) No
Q.130.1	What was the result?	(1) +ve (2) -Ve	(1) +ve (2) -Ve
Q.130.2	When have you been tested?	(1) Before 1 Month (2) Before 2 Months (3) Before 3 Months (4) Before More than 3 months	(1) Before 1 Month (2) Before 2 Months (3) Before 3 Months (4) Before More than 3 months
Q.130.3	If result is +ve, Have you gone for CD4 test?	(1) Yes (2) No	(1) Yes (2) No
Q.130.4	From where you are getting treatment for it/ getting this drug?	(1) SMIMER (2) RELIENCE (3) Civil Hospital, Surat (4) Other	(1) SMIMER (2) RELIENCE (3) Civil Hospital, Surat (4) Other
Q.131	Have you been started ARV Drugs?	(1) Yes (2) No	(1) Yes (2) No
Q.132	Are you on First line drug of ARV?	(1) Yes (2) No	(1) Yes (2) No
Q.133	Does your partner be also infected?	(1) Yes (2) No	(1) Yes (2) No

Q.134	How did he/she get infection?		
Q.135	Exposure to Clients Vulnerabilities	(1) Unprotected sex with male/female /Hijaras/CSW. (2) Use of drugs/ alcohol/ during/ before sex. (3) Gender related (Violence/rape, etc.)	(1) Unprotected sex with male/female /Hijaras/CSW. (2) Use of drugs/ alcohol/ during/ before sex. (3) Gender related (Violence/rape, etc.)
Q.136	Were the health care facilities easily available at/near to your place?	(1) Yes (2) No	(1) Yes (2) No
Q.137	Do the health Service providers easily approach you?	(1) Yes (2) No	(1) Yes (2) No
Q.138	What hurdles do you find to reach to health care providers?		
Q.139	What difficulties do health service providers find to reach to you?		

8. CHILDREN

Q.140. No. of Conceptions: _____

Q.141. No. of Miscarriages _____ Abortions _____ Still births _____ Live births _____

Q.142. No. of living children at present _____

Sr. No	No. of Children	Age	Sex	Birthplace	Immunized Full/part /No	Education	Legal Status Legal/Illegal	Presently stay at
Q.142.1								
Q.142.2								
Q.142.3								
Q.142.4								

Give Details indicated below.

No.	Particulars	Pre-Evacuation	Post-Evacuation
Q.143	Where were the children generally stayed during business hours		
Q.144	How do they pass their time? (Daily routine)		
Q.145	Do the older children help the Respondent in business?	(1)Yes (2) No	(1)Yes (2) No
Q.145.1	How?	(1) Earn by working (2) independently(details) (3) Running errands for her/gharwali (4) Taking care of younger child (5) Serving wine / eatables to customers (6) Cleaning etc. (7) Any other (specify)	(1) Earn by working (2)Independently(details) (3) Running errands for her/gharwali (4) Taking care of younger child (5) Serving wine/eatables to customers (6) Cleaning etc. (7) Any other (specify)

Q.146	Did they know about the nature of your business?		(1) Yes (2) No			(1) Yes (2) No		
Q.147	Have the children ever expressed their opinion about (like/dislike)		(1) Place of stay (2) Recreation/entertainment facilities (3) Food (4) Clothing (5) Education (6) Mothers occupation (give details)			(1) Place of stay (2) Recreation/ entertainment facilities (3) Food (4) Clothing (5) Education (6) Mothers occupation (give details)		
Q.148	Do they have any stigma for your occupation?		(1)Yes (2) No			(1)Yes (2) No		
Q.149	Do you feel that you spare less time with your children?		(1)Yes (2) No			(1)Yes (2) No		
Q.149.1	what are the reasons?		(1) Working place is too far (2) Working place and home are different (3) Working under Gharwali			(1) Working place is too far (2) Working place and home are different (3) Working under Gharwali		
Q.150	What is the attitude of the alongside persons towards the children	PERSONS	+ve	Neutral	-ve	+ve	Neut ral	-ve
		Self(R)						
		Customers						
		Gharwali						
		Pimps						
		Colleagues						
Q.150.1	If ans. –ve, Have they changed their opinion?		(1) Yes (2) No			(1) Yes (2) No		
Q.151	Are they different stakeholders than before?		(1)Yes (2) No			(1)Yes (2) No		
Q.152	How are the children treated	People	Accept ed	Indiff erent	Rejected	Accept ed	Indiff erent	Rejected
		The other neighborhood people(who are not in flesh business)						
		The school/balwadi teachers						
		Their classmates						
		Other children from normal families						
		Worker of play centers(Govt./NGO)						
Q.152.1	why have they been rejected?		(1) Because they are children of prostitutes (2) Because their children will learn all these things (3) Because this type of children don’t have right in to the main stream of society (4) Any other. Give detail			(1) Because they are children of prostitutes (2) Because their children will learn all these things (3) Because this type of children don’t have right in to the main stream of society (4) Any other. Give detail		
Q.153	Probe about adult issues / children (if any)		(1) Stay (2) Marital status (3) Occupation (4)Income			(1) Stay (2) Marital status(3) Occupation (4) Income		
Q.154	Is the respondent willing to admit her children to hostel/ institution-play day care centre?		(1)Yes (2) No			(1)Yes (2) No		
Q.155	Is that institution be?		(1)Free (2) Payment			(1)Free (2) Payment		

9. Occupational Adjustment Scale

No	Particulars	Pre-Evacuation					Post-Evacuation				
		Alwa ys	Freque ntly	Some- times	Hardly	Never	Always	Freque ntly	Some- times	Hardly	Never
Q.156	Did you any time feel fed up with your profession										
Q.157	What are the reasons?										
Q.158	Were you required to work with people whom you dislike in your work?										
Q.159	Do you think you earn enough out of your work?										
Q.160	Do you like your colleagues and Gharwali?										
Q.161	Could you progress in this trade as you desired?										

10.Stressors

No	Particulars	Pre-Evacuation					Post-Evacuation				
		Always	Freque ntly	Some- times	Hardly	Never	Always	Frequen tly	Some- times	Hardly	Never
Q.162	I feel very lonely when I think of my profession.										
Q.163	why do you feel so?										
Q.164	I get depressed when I see other having well family and relative as I am deprived of it.										
Q.165	I feel very tired but then I cannot afford it.										
Q.166	I cannot afford much expense on tasty food.										
Q.167	Aging is a curse for our profession.										
Q.168	I get into tension when I think of the future of my children										
Q.169	I am often disturbed by the pimps										
Q.170	I feel insecure when I see younger girls joining the flesh market.										
Q.171	I was often disturbed by police										
Q.172	I feel sick of my customers when they hurt me.										
Q.173	I hate my Gharwali when she forces me to entertain more no. of customers than I can										

11. Purpose in life Scale

No.	Particulars	Pre-evacuation	Post-evacuation
Q.174	I am usually	(1) Completely bored (2) Enthusiastic	(1) Completely bored (2) Enthusiastic
Q.175	Life to me seems	(1) Completely routine (2) Always exiting	(1) Completely routine (2) Always exiting
Q.176	In my life I have	(1) No goals at all (2) Very clear goals/aims	(1) No goals at all (2) Very clear goals/aims
Q.177	My personal existence is	(1) Very meaningful (2) without meaning	(1) Very meaningful (2) without meaning
Q.178	Every day is	(1)Constantly new and different (2) exactly the same	(1)Constantly new and different (2) exactly the same
Q.179	If I could choose, I would	(1) Prefer never to have been born (2) like more lives like this	(1) Prefer never to have been born (2) like more lives like this
Q.180	In achieving life goals	(1) I made no progress at all (2) Progressed to complete Fulfillment	(1) I made no progress at all (2) Progressed to complete Fulfillment
Q.181	With regards to suicide, I have	(1)Thought to do it seriously as way out (2) Never given it a thought	(1)Thought to do it seriously as way out (2) Never given it a thought
Q.182	My life is	(1) In my hands and I am in control of it (2) Out of my hands in control of external factors.	(1) In my hands and I am in control of it (2) Out of my hands in control of external factors.
Q.183	I am a	(1) Very Irresponsible person (2) Very responsible person	(1) Very Irresponsible person (2) Very responsible person

12. Attitude toward customers

No	Particulars	Pre-Evacuation					Post-Evacuation				
		Always	Frequently	Sometimes	Hardly	Never	Always	Frequently	Sometimes	Hardly	Never
Q.184	My customers are by and large good and gentle										
Q.185	Customers always pay me less than what they ought to.										
Q.186	As a woman I hate my customers as they are not faithful to their spouses.										
Q.187	Customers never care for my feelings.										
Q.188	Customers are responsible for giving us disease like STD/AIDS										
Q.189	Most customers are kind and sympathetic.										
Q.190	I see every customer as an insult to my womanhood.										
Q.191	Is it only because of my customers that I am self dependent?										
Q.192	Customers come to me not only for seeking sexual pleasure but also for emotional relief.										
Q.193	I feel like killing the customer when he behaves rudely with me.										

13. Attitude towards Gharwali (Brothel Keeper)

No	Particulars	Pre-Evacuation					Post-Evacuation				
		Always	Frequently	Sometimes	Hardly	Never	Always	Frequently	Sometimes	Hardly	Never
Q.194	My Gharwali does not allow me to spend my money as I like										
Q.195	The Gharwali insists upon taking away her share even when I do not earn enough to satisfy my own needs										
Q.196	If I make fewer earnings than Gharwali's expectations, she behaves rudely and at times Cruelly with me.										
Q.197	The Gharwali was very supportive and sympathetic to me.										
Q.198	The Gharwali doesn't allow me to have any say in accepting/ refusing to any customer										
Q.199	The Gharwali doesn't give me enough food.										
Q.200	The Gharwali doesn't allow me to have food of my own choice.										
Q.201	The Gharwali compels me to wear clothes of her choice against my wish										
Q.202	The Gharwali compels me to solicit for customers outside the premises										
Q.203	The Gharwali took care of mine/ my children when I was sick.										
Q.204	No one is there to take care of us when we sick										

14. Attitude towards police and legal authorities

No	Particulars	Pre-Evacuation					Post-Evacuation				
		Always	Frequently	Sometimes	Hardly	Never	Always	Frequently	Sometimes	Hardly	Never
Q.205	Policemen harassed us										
Q.206	Policemen were never around when their help is needed										
Q.207	Policemen visited that area only to collect their 'installments' (bribe)										
Q.208	The presence of police in that area adversely affected on our business.										
Q.209	Policemen sexually exploit us and use our service without making any payment.										
Q.210	The legal authority never gives us an opportunity to be heard.										
Q.211	The court staff is corrupted										
Q.212	We can never hope for justice from law.										
Q.213	The judges are mostly sympathetic to us as they understand our problems.										
Q.214	Police always save us from violent customers										
Q.215	Any customer has tried to kill you										
Q.216	Any customer has blackmailed you to kill you and your children after evacuation.										
Q.217	Any customer/group of customers has tried to rape you										
Q.218	Do you think that you are not safe										

15. Coping strategies in times of crisis/stress or after evacuation.

219. Have you suffered from any crisis/ stress after evacuation?(1) Yes (2) No

220.1 How often? _____ Give details of

(220.1). Physical/health related crisis

Major health problem_____

(220.2) Emotional crisis

- | | |
|---|---|
| (1) Guilt feeling during the initial period | (2) Rejection by spouse/parents/family |
| (3) Death of family members | (4) Ill-treatment by Gharwali/colleague |
| (5) Betrayal by customer | (6) any other (specify) |

(220.3) Monetary Crisis

- | | |
|--|--|
| (1) Could not earn enough for food | (2) Could not afford rent |
| (3) Could not afford Medical treatment in times of illness | (4) Could not provide for independent family members |

(220.4) Legal Crisis

- | | | |
|--------------------------------|----------------|-------------------------------|
| (1) Arrested in police custody | (2) Court case | (3) Convicted for any offence |
| (4) Any other (specify)_____ | | |

221. How did you cope with the crisis?(1) Failed to cope (2) Could manage herself

221.1. in case of health crisis

- | | |
|--|-----------------------|
| (1)Resorting to home remedies | (2) Consulting quacks |
| (3) Getting treatment from private/govt. hospitals/clinics | |

221.2. In case of emotional crisis

- | | |
|--|----------------------------|
| (1) By rationalizing – justifying your acts | (2) By blaming her destiny |
| (3) By seeking emotional support from Colleagues, Gharwali, Family Members, Children | |
| (4) By consciously desensitizing herself/ Developing indifference | |
| (5) By any other method (specify) _____ | |

221.3. In case of monetary Crisis

- | | |
|---|-----------------------------------|
| (1) By compromising with her needs | (2) By seeking help from Gharwali |
| (3) By borrowing from money lenders | |
| (4) By getting things on credit from Pimps, Collogues, Relative | |
| (5) Any other (Specify)_____ | |

221.4. In case of legal Crisis

- | |
|---|
| (1) By undergoing due legal procedure |
| (2) By bribing the police/judiciary |
| (3) By paying regular installment to police |
| (4) By seeking legal help from lawyers- on payments/free legal aid. |

16. Future Aspiration

222. What does the Respondent aspire in respect of?

(222.1) Her Children: (1) Male child (2) Female Child

(222.2) Her own Self:

(1) Owing a house (2) Settling down by having her own home & family
(3) Going back to her home town (4) Owing a Brothel (5) Other(Specify)

17. Rehabilitation Potential

223. Is the Respondent ready to leave flesh trade? (1) Yes (2) No

223.1 When?

(1) Immediately (2) After some time (3) Not in near Future (4) Never

224. If conditionally, what are her conditions?

225. What kind of alternate job would she prefer?

—
226. If required, is she ready to take vocational training? (1) Yes (2)
No

227. Where would she like to settle if she leaves flesh trade?

18. Researchers Remarks and observations.

APPENDIX - C

THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956¹

Act No. 104 of 1956

As Amended by Act No. 44 of 1986

An act to provide in pursuance of the International Convention signed at New York on the 9th day of May, 1950, for the prevention² of immoral traffic.

Be it enacted by Parliament in the Seventh year of Republic of India as follows:

1. Short Title, extent and commencement:-

1. This act may be called [the Immoral Traffic (Prevention)]³Act, 1956.
2. It extends to the whole of India.
3. This section shall come into force at once; and the remaining provisions of this Act shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions:- In this Act, unless the context otherwise requires,-

- (a) (i) 'Brothel' includes any house, room, conveyance or place or any portion of any house, room, conveyance or place, which is used for purposes of sexual exploitation or abuse for the gain of another person or for the mutual gain of two or more prostitutes;
- (ii) Child means a person who has not completed the age of sixteen years;
- (b) "Corrective institution" means an institution, by whatever name called (being an institute established or licensed as such under Section 21), in which persons, who are in need of correction, may be detained under this Act, and includes a shelter where undertrials may be kept in pursuance of this Act.
- (c) "Magistrate" means a Magistrate specified in the second column of the Schedule as being competent to exercise the powers conferred by the section

-
1. The Act came into force on 1.5.1958 Vide G.S.R No. 269 dated 16.04.1958, Gazette of India, Part II Section 3 (i), page 203.
 2. Subs, for the words 'The Suppression of Immoral Traffic in Women and Girls' by Act No. 44 of 1986, Section 2, w.e.f 23.1.1987
 3. Subs. For the words 'The suppression of immoral traffic in women and girls' by Act 4 of 1986, Section 3, w.e.f. 26.1.1987

in which the expression occurs and which is specified in the first column of the schedule;

- (i) 'Major' means a person who has completed the age of eighteen years.
- (ii) 'Minor' means a person who has completed the age of sixteen years but has not completed the age of sixteen years.
- (d) "Prescribed" means prescribed by rules made under this Act;
- (e) [Omitted by Act 46 of 1978, S.2 (w.e.f. 2.10.1979)].
- (f) 'Prostitution' means the sexual exploitation or abuse of persons for commercial purposes, and the expression "prostitute" shall be constructed accordingly;
- (g) 'Protective home' means an institution, by whatever name called (being an institute established or licensed as such under Section 21), in which persons, who are in need of care and protection, may be kept under this Act, and where appropriate technically qualified persons, equipment and other facilities have been provided, but does not include-
 - (i) A shelter where undertrials may be kept in pursuance of this Act, or
 - (ii) A corrective institution;
- (h) 'Public place' means any place intended for use by, or accessible to, the public and includes any public conveyance.
- (i) 'Special Police Officer' means a Police officer appointed by or on behalf of the State Government to be in charge of police duties within a specified area for the purpose of this Act;
- (j) 'Trafficking Police Officer' means a Police officer appointed by the Central Government under sub section (4) of section 13.

(2-A) Rule of construction regarding enactments not extending to Jammu and Kashmir:- Any reference in this Act to a law which is not in force in the state of Jammu and Kashmir shall, in relation to the state, be construed as a reference to the corresponding law, if any, in force in that state.

3. Punishment for keeping a brothel or allowing premises to be used as a brothel:-

- 1) Any person who keeps or manages, or acts or assists in the keeping or management of, a brothel shall be punishable on first conviction with rigorous imprisonment for a term of not less than one year and not more than three

years and also with fine which may extend to two thousand rupees and in the event of a second or subsequent conviction, with rigorous imprisonment for a term of not less than two years and not more than five years and also with fine which may extend to two thousand rupees.

2) Any person who-

(a) Being a tenant, lessee, occupier or person in charge of any premises, uses, or knowingly allows any other person to use, such premises or any part thereof as a brothel, or

(b) Being the owner, lesser or landlord of any premises or the agent of such owner, lessor or landlord, lets the some or any part thereof with the knowledge that the same or any part thereof is intended to be used as a brothel or, is wilfully a party in the use of such premises or any part thereof as a brothel,

Shall be punishable on first conviction with imprisonment for a term which may extend to two years and with fine which may extend to two thousand rupees and in the event of a second or subsequent conviction, with rigorous imprisonment for a term which may extend to five years and also with fine.

3) For the purposes of sub section(2), it shall be presumed, until the contrary is proved, that any person referred to in clause(a) or clause(b) of that sub section, is knowingly allowing the premises or any part thereof to be used as a brothel or, as the case may be, has, knowledge that the premises or any part thereof are being used as a brothel, if-

(a) A report is published in a newspaper having circulation in the area in which such person resides to the effect that the premises or any part thereof have been found to be used of prostitution as a result of a search under this Act; or

(b) A copy of the list of the things found during the search referred to in clause (a) is given to such person.

4) Notwithstanding anything contained in any other law for the time being in force, or conviction of any person referred to in clause (a) or Clause (b) of sub section (2) of any offence under that sub-section in respect of any part thereof, any lease or agreement under which such premises have been leased out or are

held or occupied at the time of the commission of the offence, shall become void and inoperative with effect from the date of the said conviction.

4. Punishment for living on the earning of prostitution:

- 1) Any person over the age of eighteen years who knowingly lives, wholly or in part, on the earnings of the prostitution of any other person shall be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to one thousand rupees, or with both, and where such earnings relate to the prostitution of a child or a minor, shall be punishable with imprisonment for a term of not less than seven years and not more than ten years.
- 2) Where any person over the age of eighteen years is proved-
 - (a) To be living with, or to be habitual in the company of, a prostitute; or
 - (b) To have exercised control, direction or influence over the movements of a prostitute in such a manner as to show that such person is aiding, abetting or compelling her prostitution; or
 - (c) To be acting as a tout or pimp on behalf of prostitute;It shall be presumed, until the contrary is proved, that such person is knowingly living on the earnings of prostitution of another person within the meanings of sub-section (1).

5. Procuring, inducing or taking person for the sake of prostitution-

1. Any person who
 - (a) Procures or attempt to procure a person, whether with or without his consent, for the purpose of prostitution; or
 - (b) Induces a person to go from any place, with the intent that he may for the purpose of prostitution become the inmate of, or frequent, a brothel; or
 - (c) Takes or attempts to take a person, or causes a person to be taken, from one place to another with a view to him carrying on or, being brought up to carry on prostitution; or
 - (d) Causes or induces a person to carry on prostitution; Shall be punishable on conviction with rigorous imprisonment for a term of not

less than three years and not more than seven years and also with fine which may extend to two thousand rupees, and if any offence under this sub-section is committed against the will of any person, the punishment of imprisonment for a term of seven years shall extend to imprisonment for a term of fourteen years.

Provided that if the person in respect of whom an offence committed under this sub section.

- i) Is a child, the punishment provided under this sub-section shall extend to rigorous imprisonment for a term not less than seven years but may extend to life; and
 - ii) Is a minor, the punishment provided under this Sub section shall extend to rigorous imprisonment for a term of not less than seven years and not more than fourteen years;
2. [Omitted by S.8 w.e.f. 26.01.1987]
3. An offence under this section shall be triable-
- a) in the place from which a person is procured, induced to go, taken or caused to be taken, or from which an attempt to procure or take such person is made; or
 - b) in the place to which she may have gone as a result of the inducement or to which he is taken or caused to be taken or an attempt to take him is made.

6. Detaining a person in premises where prostitution is carried on:

- 1. Any person who detains any other person, whether with or without his consent,
 - a) In any brothel, or
 - b) In or upon any premises with intent that such person may have sexual intercourse with a person who is not the spouse of such person, Shall be punishable on conviction, with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine.

Provided that the court may, for adequate and special reasons, to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than seven years.

2.
 - a) Where any person is found with a child in a brothel, it shall be presumed, unless the contrary is proved, that he has committed an offence under sub-section (1).
 - b) Where a child or minor is found in a brothel is, on medical examination, detected to have been sexually abused, it shall be presumed, unless the contrary is proved, that the child or minor has been detained for purposes of prostitution or, as the case may be, has been sexually exploited for commercial purposes.
3. A person shall be presumed to detain a woman or girl in a brothel or in or upon any premises for the purpose of sexual intercourse with a man other than her lawful husband, if such person, with intent to compel or induce her to remain there;
 - a) Withholds from her any jewellery, wearing apparel, money or other property belonging to her, or
 - b) Threatens her with legal proceedings if she takes away with her any jewellery, wearing apparel, money or other property lent or supplied to her by the direction of such person.
4. Notwithstanding any law to the contrary, no suit, prosecution or other legal proceedings shall lie against such woman or girl at the instance of the person by whom she has been detained, for the recovery of any jewellery, wearing apparel or other property alleged to have been lent, or supplied to or for such woman or girl or to have been pledged by such woman or girl or for the recovery of money alleged to be payable by such woman or girl.

7. Prostitution in or in the vicinity of public places:

1. Any person, who carries on prostitution and the person with whom such prostitution is carried on, in any premises-
 - a) Which are within the area or areas, notified under sub-section (3), or

- b) Which are within a distance of two hundred meters of any place of public religious worship, educational institute, hostel, hospital, nursing home or such other public place of any kind as may be notified in this behalf by the Commissioner of Police or Magistrate in the manner prescribed,

Shall be punishable with imprisonment for a term which may extend to three months.

- (1-A)** where an offence committed under sub-section (1) is in respect of a child or minor, the person committing the offence shall be punishable with imprisonment of either description for a term which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine.

Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than seven years.

2. Any person who-

- a) being the keeper of any public place knowingly permits prostitution for purposes of their trade to resort to or remain in such place; or
- b) being the tenant, lessee, occupier or person in charge of any premises referred to in sub-section (1) knowingly permits the same or any part thereof to be used for prostitution; or
- c) being the owner, or landlord of any premises referred to in sub-section (1), or the agent of such owner, lessor or landlord, lets the same or any part thereof with the knowledge that the same or any part thereof may be used for prostitution, is or is willfully a party to such use,

shall be punishable on first conviction with imprisonment for a term which may extend to two hundred rupees, or with both, and in the event of a second or subsequent conviction with imprisonment for a term which may extend to six months and also with fine which may extend to two hundred rupees, and if the public place or premises happen to be a hotel, the license for carrying on the business of such hotel under any law for the time being in force shall also

be liable to be suspended for a period of not less than three months but which may extend to one year.

Provided that if an offence committed under this sub-section is in respect of a child or minor in a hotel, such license shall also be liable to be cancelled.

Explanation: For the purposes of this sub-section “hotel” shall have the meaning as in clause (6) of Section 2 of the Hotel- Receipts Tax Act, 1980 (54 of 1980).

3. The State Government may, having regard to the kinds of persons frequenting any area or areas in the State, the nature and the density of population therein and other relevant considerations, by notification in the Official Gazette, direct that prostitution shall not be carried on in such area or area as may be specified in the notification.

4. Where a notification is issued under sub-section (3) in respect of any area or areas, the State Government shall define the limits of such area or areas in the notification with reasonable certainty.

5. No such notification shall be issued so as to have effect from a date earlier than the expiry of a period ninety days after the date on which it is issued.

8. Seducing or Soliciting for purpose of prostitution:-

Whoever, in any public place or within sight of, and in such manner as to be seen or heard from, any public place, whether from within any building or house or not-

- a) by words, gestures willful exposure of her person (whether by sitting by a window or on the balcony of a building or house or in any other way), or otherwise tempts or endeavours to attract the attention of, any person for the purpose of prostitution; or
- b) solicits or molests any person, or loiters or acts in such manner as to cause obstruction or annoyance to persons residing nearby or passing by such public place or to offend against public decency, for the purpose of prostitution,

shall be punishable on first conviction with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or

with both, and in the event of a second or subsequent conviction, with imprisonment for a term which may extend to one year, and also with fine which may extend to five hundred rupees:

Provided that where an offence under this section is committed by a man he shall be punishable with imprisonment for a period of not less than seven days but which may extend to three months.

9. Seduction of a person in custody:-

Any person who having the custody, charge or care of, or a position of authority over any person, causes or aids or abets the seduction for prostitution of that person shall be punishable on conviction with imprisonment of either description for a term, which shall not be less than seven years but which may be for life or for a term which may extend to ten years and shall also be liable to fine:

Provided that the court may, for adequate and special reasons to be mentioned in the judgment, impose a sentence of imprisonment for a term of less than seven years.

10. Release on probation of good conduct or after due admonition: (omitted by Act 44 of 1986).

10A. Detention in a corrective institution:-

1. Where-

- a) A female offender is found guilty of an offence under Section 7 or Section 8, and
- b) The character, state of health and mental condition of the offender and the other circumstances of the case are such that it is expedient that she should be subject to detention for such term and such instruction and discipline as are conducive to her correction.

It shall be lawful for the court to pass, in lieu of a sentence of imprisonment, an order for detention in a corrective institution for such

term, not being less than two years and not being more than five years, as the court thinks fit:

Provided that before passing such an order-

- i) The court shall give an opportunity to the offender to be heard and shall also consider any representation which the offender may make to the court as to the suitability of the case for treatment in such an institution, as also the report of the probation officer appointed under the Probation of Offenders Act, 1958 (20 of 1958); and
 - ii) The court shall record that it is satisfied that the character, state of health and mental condition of the offender and the other circumstances of the case are such that the offender is likely to benefit by such instruction and discipline as aforesaid.
2. Subject to the provisions of sub-section (3), the provisions of the Code of Criminal Procedure, 1973, (2 of 1974) relating to appeal, reference and revision, and of the Limitation Act, 1963 (36 of 1963), as to the period within which an appeal shall be filed, shall apply in relation to an order of detention under sub-section (1) as if the order had been a sentence of imprisonment for the same period as the period for which the detention was ordered.
 3. Subject to such rules as may be made in this behalf, the State Government or authority authorized in this behalf may, at any time after the expiration of six months from the date of an order for detention in a corrective institution, if it is satisfied that there is a reasonable probability that the offender will lead a useful and industrious life, discharge her from such an institution, without condition or with such conditions as may be considered fit and grant her a written license in such form as may be prescribed.
 4. The conditions on which an offender is discharged under sub-section (3) may include requirements relating to residence of the offender and supervision over the offender's activities and movements.

11. Notification of address of previously convicted offenders:

1. When any person having been convicted-
 - (a) by a court in India of an offence punishable under this Act or punishable UnderSection 363, Section 365, Section 366, Section 366- A, Section 366- B, Section367, Section 368, Section 370, Section 371, Section 372, or

Section 373 of the Indian Penal Code (45 of 1860), with imprisonment for a term of two years or upwards; or

- (b) by a court or tribunal in any other country of an offence which would, if committed in India, have been punishable under this Act or under any of the aforesaid sections with imprisonment for a life term; is within a period of five years after release from prison, again convicted of any offence punishable under this Act, or under any of those sections, with imprisonment for a term of two years or upwards by a court, such court may, if it thinks fit, at the time of passing the sentence of imprisonment on such person, also order that his residence and any change of, or absence from such residence, after release, be notified according to rules made under section 23 for a period not exceeding five years from the date of expiration of that sentence.
2. If such conviction is set aside on appeal or otherwise, such order shall become void.
 3. An order under this Section may also be made by an Appellate Court or by the High Court when exercising its power of revision.
 4. Any person charged with a breach of any rule referred to in sub-section (1) may be tried by a Magistrate of competent jurisdiction in the district in which the place last notified as his residence is situated.

12. Security for good behavior from habitual offenders:-

(Omitted w.e.f. from 26.1.1987)

13. Special Police Officer and advisory body:

1. There shall be for each area to be specified by the state government in this behalf a special police officer appointed by or on behalf of the Government for dealing with offences under this Act in that area.
2. The special police officer shall not be below the rank of an Inspector of Police.
- 2-A) the District Magistrate may, if he considers it necessary or expedient so to do, confer upon any retired police or military officer all or any of the powers conferred by or under this Act on a special police officer, with respect to particular cases or classes of cases or to cases generally;

Provided that no such power shall be conferred on:

- (a) A retired police officer unless such officer, at the time of his retirement, was holding a post not below the rank of an inspector;
- (b) A retired military officer unless such officer, at the time of his retirement, was holding a post not below the rank of a commissioned officer.

3. For the efficient discharge of his functions in relation to offences under this act.:-

- a) the special police officer of an area shall be assisted by such number of subordinate police officers (including women police officers wherever practicable) as the State Government may think fit; and
 - b) the State Government may associate with the special police officer a non official advisory body consisting of not more than five leading social welfare workers of that area (including women social welfare workers wherever practicable) to advise him on questions of general importance regarding the working of this Act.
4. The Central Government may, for the purpose of investigating any offence under this Act or under any other law for the time being in force dealing with sexual exploitation of persons and committed in more than more than one state, appoint such number of police officers as trafficking police officers and they shall exercise all the powers and discharge all the functions as are exercisable by special police officers under this Act with the modification that they shall exercise such powers and discharge such functions in relation to the whole of India.

14. Offences to be cognizable:

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) any offence punishable under this Act shall be deemed to be a cognizable offence within the meaning of that Code:

Provided that, Notwithstanding anything contained in that Code,

- i) Arrest without warrant may be made only by the special police officer or under his direction or guidance, or subject to his prior approval;

- ii) When the special police officer requires any officer subordinate to him to arrest without warrant otherwise than in his presence any person for an offence under this Act, he shall give that subordinate officer an order in writing, specifying the person to be arrested and the offence for which the arrest is being made; and the latter officer before arresting the person shall inform him of the substance of the order and, on being required by such person, show him the order;
- iii) Any police officer not below the rank of sub-inspector specially authorized by the special police officer may, if he has reason to believe that on account of delay involved in obtaining the order of the special police officer, any valuable evidence relating to any offence under this Act is likely to be destroyed or concealed, or the person who has committed or suspected to have committed the offence is likely to escape, or if the name or address of such a person is unknown or there is a reason to suspect that a false name or address has been given, arrest the person concerned without such order, but in such a case he shall report, as soon as may be, to the special police officer the arrest and the circumstances in which the arrest was made.

15. Search without warrant:

1. Notwithstanding anything contained in any other law for the time being in force, whenever the special police officer or the trafficking police officer, as the case may be has reasonable grounds for believing that an offence punishable under this Act has been or is being committed in respect of a person living in any premises, and that search of premises with warrant cannot be made without undue delay, such officer may, after recording the grounds of his belief, enter and search such premises without a warrant.
2. Before making a search under this sub-section (1), the special police officer or the trafficking police officer, as the case may be, shall call upon two or more respectable inhabitants (at least one of whom shall be a woman) of the locality in which the place to be searched is situated, to attend and witness the search, and may issue an order in writing to them or any of them so to do:

Provided that the requirement as to the respectable inhabitants being from the locality in which the place to be searched is situated shall not apply to a woman required to attend and witness search.

3. Any person who, without reasonable cause, refuses or neglects to attend and witness a search under this section, when called upon to do so by an order in writing delivered or tendered to him, shall be deemed to have committed an offence under Section 187 of the Indian Penal Code.
4. The special police officer, or the trafficking police officer, as the case may be, entering any premises under sub-section(1) shall be entitled to remove there from all the persons found therein.
5. The special police officer or the trafficking police officer, as the case may be, after removing the person, under sub-section(4) shall forthwith produce her before the appropriate Magistrate.

(5-A) Any person who is produced before a Magistrate under Sub-section (5), shall be examined by a registered medical practitioner for the purposes of determination of the age of such person, or for the detection of any injuries as a result of sexual abuse or for the presence of any sexually transmitted diseases.

Explanation : - In this sub-section, “ registered medical practitioner” has the same meaning as the Indian Medical Council Act, 1956 (102 of 1956).

6. The special officer or trafficking police officer, as the case may be, and other persons taking part in, or attending, and witnessing a search shall not be liable to any civil or criminal proceedings against them in respect of anything lawfully done in connection with, or for the purposes of the search.

(6-A). The Special Police Officer or the trafficking police officer, as the case may be, making a search under this section shall be accompanied by at least two women police officers, and where any woman or girl removed under sub-section (4) is required to be interrogated, it shall be done by a woman police officer and if no woman police officer is available, the interrogation shall be done only in the presence of a lady member of recognized welfare institution or organization.

Explanation: - For the purposes of this sub section and Section 17 A, “recognized welfare institution or organization” means such institution or organization as may be recognized in this behalf by the State Government.

7. The provisions of the Code of Criminal Procedure, 1973 (2 of 1974), shall, so far as may be, apply to any search this section as they apply to any search made under the authority of a warrant issued under Section 94 of the said Code.

16. Rescue of Person:

1. Where a Magistrate has reason to believe from information received from the police or from any other person authorized by the State Government in this behalf or otherwise, that any person is living, or is carrying on, or is being made to carry on, prostitution in a brothel, he may direct a police officer not below the rank of a sub-inspector to enter such brothel, and to remove there from such person and produce her before him.
2. The police officer, after removing the person shall forthwith produce her before the Magistrate issuing the order.

17. Intermediate custody, of persons removed under section 15 or rescued under section 16:

1. When the special police officer removing a person under sub-section (4) of section 15 or a police officer rescuing a person under Sub-Section (1) of section 16, is for any reason unable to produce him before the appropriate Magistrate as required by sub-section (5) of Section 15, or before the Magistrate issuing the order under Sub-Section (2) of Section 16, he shall forth with produce him before the nearest Magistrate of any class, who shall pass such orders as he deems proper for his safe custody until he is produced before the appropriate magistrate, or, as the case may be, the magistrate issuing the order:

Provided that no person shall be-

- i) detained in custody under this sub-section for a period exceeding ten days from the date of the order under this sub-section; or

- ii) restored to or placed in the custody of a person who may exercise a harmful influence over him.
- 2. When the person is produced before the appropriate magistrate under sub-section (5) of Section 15 or the magistrate under sub-section (2) of Section 16, he shall, after giving him an opportunity of being heard, cause an inquiry to be made as to the correctness of the information received under sub-section (1) of Section 16, the age, character and antecedents of the person and the suitability of his parents, guardian or husband for taking charge of him/her and the nature of the influence, which the conditions in his/her home are likely to have on him/her if he/she is sent home, and, for this purpose, he/she may direct a probation officer appointed under the Probation of Offenders Act, 1958 (20 of 1958), to inquire into the above circumstances and into the personality of the person and the prospects of her rehabilitation.
- 3. The magistrate may, while an inquiry is made into a case under sub-section(2), pass such orders as he deems proper for the safe custody of the person:

Provided that where a person rescued under section 16 is a child or minor, it shall be open to the magistrate to place such child or minor in any institution established or recognized under any Children Act for the time being in force in any State for the safe custody of children:

Provided further that no person shall be kept in custody for this purpose for a period exceeding three weeks from the date of such an order, and no person shall be kept in the custody of a person likely to have harmful influence over him/her.

- 4. Where the magistrate is satisfied, after making an inquiry as required under sub-section (2);
 - (a) that the information received is correct; and
 - (b) that he/she is in need of care and protection; he may, subject to the provisions of Sub-Section (5); make an order that such person be detained for such period, being not less than one year and not more than three years, as may be satisfied in the order, in a protective home, or in such other

custody as he, shall, for reasons to be recorded in writing, consider suitable:

Provided that custody shall not be that of a person or body of persons of a religious persuasion different from that of the person and that those entrusted with the custody of the person, including the persons in charge of a protective home, may be required to enter into a bond which may, where necessary and feasible, contain undertakings based on directions relating to the proper care, guardianship, education, training and medical and psychiatric treatment of the person as well as supervision by a person appointed by the court, which will be in force for a period not exceeding three years.

5. In discharging his functions under sub-section (2), a magistrate may summon a panel of five respectable persons, three of whom shall, wherever practicable, be women, to assist him; and may, for this purpose, keep a list of experienced social welfare workers, particularly women social welfare workers, in the field of suppression of immoral traffic in persons.
6. An appeal against an order made under sub-section (4) shall lie to the Court of Session whose decision on such appeal shall be final.

17 –A. Conditions to be observed before placing persons rescued under Section 16 to parents or guardians:-

Notwithstanding anything contained in sub-section (17), the magistrate making an inquiry under Section 17 may, before passing an order for handing over any person rescued under Section 16 to the parents, guardian or husband, satisfy himself about the person by causing an investigation to be made by a recognized welfare institution or organization.

18. Closure of brothel and eviction of offenders from the premises:

1. A Magistrate may, on receipt of information from the police or otherwise, that any house, room, place or any portion thereof within a distance of two hundred meters of any public place referred to in sub-section (1) of Section 7, is being run or used as a brothel by any person, or is being used by prostitutes for carrying

on their trade, issue notice on the owner, lesser or landlord of such house, room, place or portion of the agent of the owner, lessor or landlord or on the tenant, lessee, occupier of, or any other person in charge of such house, room, place or portion, to show cause within seven days of the receipt of the notice why the same should not be attached for improper user thereof, and if, after hearing the person concerned, the Magistrate is satisfied that the house, room, place or portion is being used as a brothel or for carrying on prostitution, then the Magistrate may pass orders-

- a) directing eviction of the occupier within seven days of the passing of the order from house, room, place, or portion;
- b) directing that before letting it out during the period of one year or in a case where a child or minor has been found in such house, room, place or portion during a search under section 15, during the period of three years immediately after the passing of , the order, the owner lessor or landlord or the agent of the owner, lessor or landlord shall obtain previous approval of the Magistrate:

Provided that, if the Magistrate finds that the owner, lessor or landlord as well as the agent of owner, lessor or landlord, was innocent of the improper user of house, room, place or portion, he may cause the same to be restored to the owner, lessor or landlord, or the agent of the owner, lessor or landlord, with a direction that the house, room, place or portion shall not be leased out, or otherwise given possession of , to or for the benefit of the person who was allowing improper user therein.

2. A court convicting a person of any offence under Section 3 or Section 7 may pass orders under sub-section (1), without further notice to such person to show cause as required in that sub-section.
3. Orders passed by the Magistrate or court under sub-section (1) or sub-section (2) shall not be subject to appeal and shall not be stayed or set aside by the order of any court, civil or criminal, and the said orders shall cease to have validity after the expiry of one year or three years as the case may be:

Provided that where a conviction under Section 3 or Section 7 is set aside on appeal on the ground that such house, room, place or any portion thereof is not

being run or used as a brothel or is not being used by prostitutes for carrying on their trade, any order passed by the trial court under sub-section (1) shall also be set aside.

4. Notwithstanding anything contained in any other law for the time being in force, when a Magistrate passes an order under sub-section (1), or a court passes an order under sub-section (2), any lease or agreement under which the house, room, place or portion is occupied at the time shall become void and inoperative.
5. When an owner, lessor or landlord or the agent of such owner, lessor or landlord fails to comply with a direction given under clause (b) of sub-section (1) he shall be punishable with fine which may extend to five hundred rupees or when he fails to comply with a direction under the proviso to that sub-section, he shall be deemed to have committed an offence under clause (b) of sub-section (2) of Section 3 of clause (c) of sub-section (2) of Section 7, as the case may be, and punished accordingly.

19. Application for being kept in a protective home or provided care and protection by court

1. A person who is carrying on or is being made to carry on prostitution, may make an application, to the magistrate within the local limits of whose jurisdiction he/she is carrying on, or is being made to carry on prostitution, for an order that he/she may be:
 - a) kept in a protective home, or
 - b) provided care and protection by the court in the manner specified in sub-section (3).
2. The magistrate may, pending inquiry under sub-section (3), direct that the person be kept in such custody as he may consider proper, having regard to the circumstances of the case.
3. If the magistrate, after hearing the applicant and making such inquiry as he may consider necessary, including an inquiry by a probation officer appointed under the Probation of Offenders Act, 1958, into the personality, conditions to home and prospects of rehabilitation of the applicant, is satisfied that an order

should be made under this Section, he shall, for reasons to be recorded, make an order that the applicant be kept:

- (i) in a protective home, or
- (ii) in a corrective institution, or
- (iii) under the supervision of a person appointed by the magistrate, for such period as may be specified in the order.

20. Removal of prostitute from any place:-

1. A Magistrate on receiving information that any person residing in or frequenting any place within the local limits of his jurisdiction is a prostitute, may record the substance of the formation received and issue a notice to such person requiring her to appear before the Magistrate and show cause why he/she should not be required to remove himself/herself from the place and be prohibited from re-entering it.
2. Every notice issued under sub-section (1) shall be accompanied by a copy of the record aforesaid, and the copy shall be served along with the notice on the person against whom the notice is issued.
3. the Magistrate shall, after the service of the notice referred to in sub-section (2), proceed to inquiry into the truth of the information received, and after giving the person an opportunity of adducing evidence, take such further evidence as he thinks fit, and if upon such inquiry it appears to him that such person is a prostitute and that it is necessary in the interests of the general public that such person should be required to remove himself/herself there from and be prohibited from re-entering the same, the Magistrate shall, by the order in writing communicate to the person in the manner specified therein, require him after a date (to be specified in the order) which shall not be less than seven days from the date of the order, to remove himself/herself from the place to such place whether within or without the local limits of his jurisdiction, by such route or routes and within such time as may be specified in the order and also prohibit him/her from re-entering the place without the permission in writing of the Magistrate having jurisdiction over such place.

4. Whoever:-

- a) fails to comply with an order issued under this Section, within the period specified therein, or whilst an order prohibiting him/her from re-entering a place without permission is in force, re-enters, the place without such permission, or
 - b) knowing that any person has, under this Section, been required to remove himself/herself from the place and has not obtained the requisite permission to re-enter it, harbours or conceals such person in the place,
- shall be punishable with fine which may extend to two hundred rupees and in the case of a continuing offence with an additional fine which may extend to twenty rupees for everyday after the first during which she or he has persisted in the offence.

21. Protective homes:-

1. The State Government may in its discretion establish as many protective homes and corrective institutions under this Act, as it think fit and such homes and institutions, when established, shall be maintained in such manner as may be prescribed.
2. No person or no authority other than the State Government shall, after the commencement of this Act, establish or maintain any protective homes or corrective institutions except under and in accordance with the conditions of, a license issued under this Section by the State Government.
3. The State Government may, on application made to it in this behalf by a person or authority, issue to such person or authority, a license in the prescribed form for establishing and maintaining or, as the case may be, for maintain a (protective home or corrective institution) and a license so issued may contain such conditions as the State Government may think fit to impose in accordance with the rules made under this Act:

Provided that any such condition may require that the management of the (protective home or corrective institution) shall, wherever practicable, be entrusted to women;

Provided further that a person or authority maintaining any protective home at the commencement of this Act shall be allowed a period six months from such commencement to make an application for such license:

Provided also that a person or authority maintaining any corrective institution at the commencement of the Suppression of Immoral Traffic in Women and Girls (Amendment) Act, 1978, shall be allowed a period of six months from such a commencement to make an application for such license.

4. Before issuing a license the State Government may require such officer or authority as it may appoint for this purpose, to make a full and complete investigation in respect of the application received in this behalf and report to it the result of such investigation and in making any such investigation the officer or authority shall follow such procedure as may be prescribed.
5. A license, unless sooner revoked, shall remain in force for such period as may be specified in the licence and ay, on application made in this behalf at least thirty days before the date of its expiration, be renewed for a like period.
6. No license issued or renewed under this Act shall be transferable.
7. Where any person or authority to whom a license has been granted under this Act or any agent or servant of such person or authority commits a breach of any of the conditions thereof or any of the provisions of this Act or of ant of the rules made under this Act, or where the State Government is not satisfied with the condition., management or superintendence of any (protective home or corrective institution) the State Government may , without prejudice to any other penalty , which may have been incurred under this Act, for reasons to be recorded, revoke the license by order in writing;

Provided that no such order shall be made until an opportunity is given to the holder of the license to show cause why the license shall not be revoked.

8. Where a license in respect of a (protective home or corrective institution) has been revoked under the foregoing sub-section such protective home shall cease to function from the date of such revocation.

9. Subject to any rules that may be made in this behalf, the State Government may also vary or amend any license issued or renewed under this Act.

(9-A) The State Government or an authority authorized by it in this behalf may, subject to any rules that may be made in this behalf, transfer an inmate for a protective home to another protective home or to a corrective institution or an inmate of corrective institution to another corrective institution or to a protective home, where such transfer is considered desirable having regard to the conduct of the person to be transferred, the kind of training to be imparted and other circumstances of the case:

Provided that:

- a) no person who is transferred under this sub-section shall be required to stay in the home or institution to which he/she is transferred for a period longer than he/she was required to stay in the home or institution from which he/she was transferred.
 - b) reasons shall be recorded for every order of transfer under this sub-section.
10. Whoever established or maintains a (protective home or corrective institution) except in accordance with the provisions of this section, shall be punishable in the case of a first offence with fine which may extend to one thousand rupees and in the case of second or subsequent offense with imprisonment for a term which may extend to one year, or with fine which may extend to two thousand rupees, or with both.

21-A. Production of records:-

Every person, or authority who is licensed under sub-section (3) of Section 21 to establish or maintain, or, as the case may be, for maintaining, a protective home or corrective institution, shall whenever required by a court, produce the records and other documents maintained by such home or the institution before such court.

22. Trials:-

No court, inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class, shall try any offence under Section 3, Section 4, Section 5, Section 6, Section 7, or Section 8.

22-A. Power to establish Special Courts: -

1. If the State Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act, in any district or metropolitan area, it may, by notification in the Official Gazette and after consultation with the High Court, establish one or more Courts of Judicial Magistrates of the first class, or, as the case may be, Metropolitan Magistrates, in such district or metropolitan area.
2. Unless otherwise directed by the High Court, a court established under sub-section (1) shall exercise jurisdiction only in respect of cases under this Act.
3. Subject to the provisions of sub-section (2) the jurisdiction and powers of the presiding officer of a court established under Sub-section (1) in any district or metropolitan area shall extend throughout the district or the metropolitan area, as the case may be.
4. Subject to the foregoing provisions of this Section, a court established under sub-section (1) in any district or metropolitan area shall be deemed to be a court established under sub-section (1) of section 11, or as the case may be, under sub-section (1) of Section 16 of the Code of Criminal Procedure, 1973 and the provisions of the Code shall apply accordingly in relation to such courts.

Explanation: - in this section, “High Court” has the same meaning as in clause (e) of Section 2 of the Code of Criminal Procedure, 1973.

22-AA. Power of Central Government to establish Special Courts:-

1. If the Central Government is satisfied that it is necessary for the purpose of providing for speedy trial of offences under this Act and committed in more than one State, it may, by notification in the Official Gazette and after consultation with the High Court concerned, establish one or more courts of Judicial Magistrates of the first class or Metropolitan Magistrates for the trial of such offences.
2. The provisions of Section 22 A, shall, so far as may be, apply to the courts established under sub-section (1), as they apply to courts established under that section.

22-B. Power of court to try cases summarily:-

Notwithstanding anything contained in the Code of Criminal Procedure, 1973, the State Government may, if it considers it necessary so to do, direct that

offences under this Act shall be tried in a summary way by a magistrate [including the presiding officer of a court established under sub-section (1) of Section 22 A] and the provisions of Sections 262 to 265 (both inclusive) of the said Code, shall, as far as may be , apply to such trial:

Provided that in the case of any conviction in a summary trial under this Section, it shall be lawful for the magistrate to pass a sentence of imprisonment for a term not exceeding one year:

Provided further that when at the commencement of, or in the course of, a summary trial under this Section, it appears to the magistrate that the nature of the case is such that a sentence of imprisonment for a term exceeding one year may have to be passed or that it is, for any other reason, undesirable to try the case summarily, the magistrate shall, after hearing the parties, record an order to that effect and thereafter recall any witness, who may have been examined and proceed to hear or rehear the case in the manner provided by the said Code.

23. Power to make rules:-

1. The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.
2. In particular, and without prejudice to the generality of the foregoing powers, such rules may provide for:
 - (a) the notification of any place as a public place;
 - (b) the placing in custody or persons for whose safe custody orders have been passed under sub-section (1) of Section 17 and their maintenance;
 - (bb) the discharge of an offender under Sub-Section (3) of Section 10-A from a corrective institution and the form of license to be granted to such offender.
 - (c) The detention and keeping in protective homes or, as the case may be, in corrective institutions of persons under this Act and their maintenance;
 - (d) The carrying out of the provisions of Section 11 regarding notification of residence or change of or absence from residence by released convicts;
 - (e) The delegation of authority to appoint the special police officer under sub-section (1) of Section 13;
 - (f) The carrying into effect of the provisions of Section 18,

- (g) (i) the establishment, maintenance, management and suprintendency of protective homes and corrective institutions under Section 21, and the appointment, powers and duties of persons employed in such homes or institutions;
- (ii) the form in which an application for a license may be made and the particulars to be contained in such application.
- (iii) the procedure for the issue or renewal of a license, the time within which such license shall be issued or renewed and the procedure to be followed in making a full and complete investigation in respect of an application for a license;
- (iv) the form of a license and the conditions to be specified therein;
- (v) the manner in which the accounts of a protective home and a corrective institution shall be maintained and audited;
- (vi) the maintenance of registers and statements by a license and the form of such registers and statements;
- (vii) the care, treatment, maintenance, training, instructions, control and discipline of the inmates of protective homes and corrective institutions;
- (viii) the visits to and communication with such inmates;
- (ix) the temporary detention of persons sentenced to detention in protective homes or in corrective institutions until arrangements are made for sending them to such homes or institutions;
- (x) the transfer of an inmate from:
 - (A) one protective home to another, to a corrective institution.
 - (B) one corrective institution to another or to a protective home, under sub-section (9-A) of Section 21;
- (xi) the transfer in pursuance of an order of the court from a protective home or a corrective institution to a prison of a person found to be incorrigible or excercising bad influence upon other inmates of the protective home or the corrective institution and the period of his detention in such prison;
- (xii) the transfer to a protective home or corrective institution of persons sentenced under Section 7 or Section 8 and the period of their detention

- in such homes or institution;
 - (xiii) the discharge of inmates from a protective home or corrective institution either absolutely or subject to conditions, and their arrest in the event of breach of such conditions;
 - (xiv) the grant of permission to inmates to absent themselves for short periods;
 - (xv) the inspection of protective homes and corrective institutions and other institutions in which persons may be kept, detained and maintained.
 - (h) any other matter which has to be, or may be, prescribed;
3. In making any rule under clause (d) or clause (g) of sub-section (2), the State Government may provide that a breach thereof shall be punishable with fine which may extend to two hundred and fifty rupees.
 4. All rules made under this Act shall, as soon may be, after they are made, be laid before the State Legislature.

24. Act not to be in derogation of certain other Acts:-

Nothing in this Act, shall be construed to be un derogation of the provisions of the Reformatory Schools Act, 1897 or any State Act enacted in modification of the said Act or otherwise, relating to juvenile offenders.

25. Repeal and Savings:-

- (1) As from the date of the coming into force in any State of the provisions other than Section 1 of this Act, all the State Acts relating to suppression of immoral traffic in persons or to the prevention of prostitution, in force in the State immediately before such date shall stand repealed.
- (2) Notwithstanding the repeal by this Act, of any State Act referred to in Sub-Section (1), anything done or any action taken (including any direction given in any register, rule or order made, and restriction imposed) under the provisions of such State Act shall in so far as such thing or action is not inconsistent with the provisions of this Act be deemed to have been done or taken under the provisions of this Act as if the said provisions were in force when such thing was done or such

action was taken and shall continue in force accordingly until superseded by anything done or any action taken under this Act.

Explanation:- In this Section, the expression ‘State Act’, includes a ‘Provisional Act’.

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