



EXPLOITATION OF THE ONES WHO HAVE NO ONE

Anupam Bahri, Ph.D.

Assistant Professor (Sociology), University Institute of Legal Studies, Panjab University, Chandigarh.

Paper Received On: 22 May 2023

Peer Reviewed On: 29 May 2023

Published On: 1 June 2023

Abstract

There is no way to thoroughly enumerate the various ways in which children around the world are economically exploited and physically mistreated. But the numbers are great and the suffering widespread. Behind the hideous imagery of children beaten or sexually abused by parents; ravaged beyond their years by hard living and drug abuse on the streets; maimed by landmines or turned into killers by war; stricken with AIDS are the all-too-common struggles against disease, hardship, and family or social traditions that compromise children's humanity or subject them to physical and emotional suffering. While 18 million children work on the streets of India, it is estimated that only 5-20 percent of them are truly homeless and disconnected from their families. Because the street children in India have unique vulnerabilities - the amount of time they spend on the street, their livelihood depending on the street, and their lack of protection and care from adults - they are a subgroup of the Indian population that deserve specific attention in order to ensure that their needs are known. As the most vulnerable group of children in India according to UNICEF, they need to be understood as much as possible. This study illustrates the trend found by most researchers: most children leave their families to live on the street because of family problems. Family problems include such things as death of a parent, alcoholism of father, strained relationships with stepparents, parent separation, abuse, and family violence

Keywords: *Street Children, Physical Abuse, sexual abuse*



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Introduction

Street children is a term for children and experiencing homelessness who are living on the streets of a city, town, or village. Homeless youth are often called street kids and street youth; the definition of street children is contested, but many practitioners and policymakers use UNICEF's concept of boys and girls, aged under 18 years, for whom "the street" (including unoccupied dwellings and wasteland) has become home and/or their source of livelihood, and who are inadequately protected or supervised. Some street children, notably in more developed nations, are part of a subcategory called thrown away children who are children that have been forced to leave home. Thrown-away children are more likely to come from single-parent homes. Street children are often subject to abuse, neglect, exploitation, or, in extreme cases, murder by clean-up squads that have been hired by local businesses or police. In Western societies, such children are treated as homeless children rather than criminals or beggars.

Definition of Street Children

The term 'street children' is hotly debated. Some say it is negative that it labels and stigmatizes children. Others say it gives them an identity and a sense of belonging. It can include a very wide range of children who: are homeless; work on the streets but sleep at home; either do or do not have family contact; work in open-air markets; are homeless, railway platforms with their families or alone; live in day or night shelters; spend a lot of time in institutions (Consortium for Street Children).

According to UNICEF street children are those for whom the street (in the widest sense of the word, i.e., unoccupied dwellings, wasteland, etc.) more than their family has become their real home, a situation in which there is no protection, supervision, or direction from responsible adults.

The operational categories of street children given by UNICEF

1. **Children on the Street:** Forming the largest category, these are children who have homes, and most return to their families at the end of the day.
2. **Children of the Street:** These children choose the street as their home and it is there that they seek shelter, livelihood, and companionship. They have occasional contacts with their families.

3. **Abandoned Children:** These children have severed all ties with their families. They are entirely on their own, not only for material survival but also psychologically.

A Street child is a minor for whom the street (in the wide sense of the word, including unoccupied dwelling, waste land etc.,) has become his habitual abode and who is without adequate protection.

Street children are distinctly different from children of pavement dwellers and slum dwellers by the fact that they have chosen to leave their families “Sadak Chap” is a term by which children refer to themselves “Chap” means stamp and “Sadak” is street. The term partly describes those who carry, “The stamp of the street.”

The reality of the street child is the naked and vicious face of poverty, sickness, and exploitation. The tragedy is that those who bear it are themselves innocent, lonely, and frightened young children.

Street Children are those unfortunate children who basically:

1. Have only intermittent contact with parents or family (usually mother or sisters) but live most of the time with other street children in the city streets or are on the move.

2. Have been literally abandoned by their parents/relatives, found themselves on the street from the beginning because of family problems, or have chosen to leave home due to constant abuse.

Many street children tend to be in contact with their families and/or extended families. Many of them work on the streets to contribute to their family's income. Those who run away often do so because of family problems. They are unable to bear physical, psychological and/or sexual violence, alcoholism, or abuse at home. Family breakdown is also common in the case of re-marriage and problems with stepparents. Their tolerance level exhausts far exceeded, leading to the drastic decision to leave their family.

4. **Children of Temporarily Migrated Families** Cities are expanding virtually daily, with numerous high-rise buildings, workshops, warehouses etc. They carry out regular construction work like those of bridges, sheds, workshops. They also attract job seekers from different areas of the state as well as from other states of the country. People come with their families and live in temporary hutments erected by them in open space. Almost all of their families expecting the

toddlers work as labourers. As they are contract labourers, they go back to their native place after the work is over.

5. Children of Permanently Migrated Families Cities are transformed into commercial centers with many factories, workshops, cottage industries, handicraft centers, and small-scale industries warehouses and innumerable offices. Naturally people with inadequate income belonging to the suburbs and surrounding villages are attracted by these vocational prospects. Cities provide hundreds of them with jobs. But there are many also who fall in the wayside. They are driven to lead a most precarious existence. The children of these families have no alternative expect spending all their day in the open street.

6. Children travelling daily to the city- Another group of children come to the city regularly by train or bus to hawk their wares, which are mostly rice and green vegetables. They come early in the morning and take their place near the station or in the open space and sell their 10 goods. Some also go on hawking their wares from one place to another. After they sell of whatever they have bought, they go back to their homes.

7. Children of Very Poor Families The fourth group of children belong to destitute families who are almost permanent residents of the city living in the street often for generations. These children are in dire need for care and protection. Many of them do not even have a memory of their past. They do not know of their roots with nothing to look back at. Many of them are born in the street and brought up there. They are half -fed and ill clothed. Begging and picking, garbage are their main occupations. They are the most vulnerable group of children who are often victims of all sorts of exploitation and abuse.

8. Working Children- Many of the street children are working children compelled by their needs in support of themselves and often their families. These children take-up many different types of work ranging from casual rag-pickers to regular helpers in garages or roadside dhabas, tea stalls or shops. Rag picking is the major occupation, which is taken up by many children living in the street because it does not require an employer nor any capital to run it. Many children living in sheltered houses turn into street children because of this profession taken by them.

Abuses Face by Street Children

Street children in India are frequently exposed to abuse and extortion. According to UNICEF, violence against children in India includes neglect, emotional abuse, sexual abuse, and exploitation. The rate of child abuse increased to nearly 8000 in 2007. An Indian government study in 2007 stated that two out of every three children in India were physically abused and that 50% of the nearly 12,000 studied children testified one or more forms of sexual abuse. This increase is probably due to increased awareness and reporting of abuse. Other studies include that 7,200 children, including infants, are raped every year in India, and the government refuses to comment on these serial child abuses that continue.

Many factors contribute to the police abuse of street children, including the police perceptions of the children, widespread corruption, an culture of police violence, the inadequacy and non-implementation of legal safeguards, and the level of impunity that the police enjoy. Though the Juvenile Justice Act, which applies to all the states and Union Territories in India except Jammu and Kashmir, prohibits detaining neglected or delinquent juveniles in police lock-ups or jails, it is rarely enforced.

The Present study looked at the abuse of street children in Ludhiana City, India provided new insight into the abuse that street children in India suffer by studying the types and prevalence of abuse and how these things were related to other factors. The street children in the study reported all five types of abuse: general abuse and neglect, health abuse, verbal abuse, physical abuse, psychological abuse, and sexual abuse. Verbal and psychological abuse were reported the most. Older children and children with higher incomes were abused more than younger children and children with lower incomes, respectively.

Police abuse of street children is symptomatic of three problems: the increasing population of street children, the perception of street children as criminals, and the lawlessness of police. In the four cities Human Rights Watch visited, UNICEF estimated that the population of street children totaled 295,000. All observers we spoke to agreed that this population was increasing. The rising number of street children is linked to India's burgeoning population growth: eighteen million children are added to the population every year, a rate that will result in India's mid-1993 population of approximately 902 million people doubling to 1.8 billion by about 2043. Rapid

urbanization has also contributed to the problem. The Indian government's five-year plan for 1992-1997 reported:

The issue of street children is closely associated with the process of fast urbanization that has been taking place in the major cities of India since the sixties... They come to the city with high expectations and full of hopes that they would easily get jobs there and be able to live comfortably with their families. But except for the fortunate ones the dream is shattered in the case of many. Finding it very hard to make both ends meet they are driven to a life of precarious survival. No place to live, no job to support their family with, they are forced to take to streets as their homes and live on the meagre earnings that they somehow manage by doing various odd jobs. The railway stations and their surroundings, under flyovers and over bridges, and in unoccupied spaces they live in large clusters constructing tiny little shanties with bamboo poles and plastic sheets or torn cloths.

Very little information is available because very little information formally recorded and what information is available is not reliable. For example, the National Crime Records Bureau (NCRB) reported that in 2012 there were 1,102 juvenile arrests in India's five largest cities (Bangalore, Bombay, Calcutta, Delhi, and Madras). The same year, the United Nations estimated that the population of children in these five cities was 8,919,474, which would mean there was one arrest for every 10,746 children.

In this country where normal crime statistics contain a large element of concealment and non-registration, it is not possible to present a correct picture of the situation.

This fact is best illustrated by statistics on juvenile delinquency in Calcutta. The National Crime Records Bureau reported thirteen arrests of juveniles in 2002. In a city that has over ten million inhabitants and over 1.2 million children, including an estimated 100,000 street children, thirteen arrests is a remarkably low number. It is about one arrest for every 94,000 children and even if all of the arrested were street children, it would be one out of every 7,692 street children.

In the case of self-employed children working at railway stations, this perception is reinforced by provisions in the Child Labour (Prohibition and Regulation) Act, 1986 and the Juvenile Justice Act, 1986, which make it a criminal offense for children to be working. Once a child or anyone else is viewed as a criminal by the police, regardless of the validity of the perception, they are

treated as such. This attitude was also reported by NGOs working with street children. An NGO representative in Bangalore told Human Rights Watch:

Police use street children as a scapegoat for all sorts of things. They are corrupt and cannot arrest the real criminals. Street children are always there, and they are viewed by the police and public as criminals or criminals-in-waiting.

The view of children as criminals, a culture of policing that includes brutal treatment and other abuses, and an increasing population of street children have led to consistent abuses against children by the police, leading most observers to believe that the police pose the greatest threat to the welfare of street children. An NGO representative in Madras commented:

The most common and pervasive form of abuse street children experience is by the police. They force them to clean the stations, they beat them, they take money from them, and they torture them into confessing to crimes or to name who committed them.

The combination of an increasing population of urban children driven to the streets in order to survive with a brutal police force that views street children as criminals has led to a situation in which detention, torture, and extortion have become the norm, practiced in an environment of almost complete impunity.

THE LAWS REGARDING THIS IN INDIA

Articles 21 and 22 of the Indian Constitution mandate that no one may be arbitrarily detained or arrested.

Article 22 of the Indian Constitution and Sections 50, 56, 57, and 70 of the Code of Criminal Procedure specify that an arrested person must be told of the reason for his or her arrest, and must be presented before a magistrate within twenty-four hours, otherwise the detention is illegal. To detain a person for a period greater than twenty-four hours, the police must obtain permission from a magistrate. In addition to these laws, Section 160 of the Code of Criminal Procedure states that neither males under the age of fifteen nor any women may be brought to a police station for questioning when a crime is investigated.

The Juvenile Justice Act was enacted in 1986 to address the treatment of juveniles by law enforcement officials. Sections 13 and 18 of the Juvenile Justice Act mandate that juveniles cannot be kept in a police station for more than twenty-four hours, and upon identification as a

"neglected juvenile or upon arrest (where the child is not released on bail) as a "delinquent juvenile," may not be remanded to a jail or police station, but must immediately be sent to an observation home or remand center. Juveniles charged with criminal offenses must be tried in juvenile courts and cannot be tried with adults. The act also mandates that arrested juveniles have the right to be informed of the charges against them, the right to remain silent, and the right to an attorney.

The Supreme Court has ruled in five decisions that Article 21 of the Indian constitution forbid torture, although the constitutional prohibition is not explicit. Section 24 of the Indian Evidence Act makes confessions made through "inducement, threat, or promise" inadmissible as evidence and sections 25 and 26 of the Indian Evidence Act make any confession to a police officer inadmissible unless it takes place in the presence of a magistrate. However, under section 27 of the Indian Evidence Act, any evidence obtained by a police officer while a suspect is in custody is admissible in court. Torture by police is subject to criminal charges under the Indian Penal Code.

The Prevention of Corruption Act was enacted in 1988. Sections 7 and 11 forbid public servants to take money or property in discharge of official duties, outside of their normal remuneration. Section 13 of the Act considers any public servant habitually involved in corrupt practices to be guilty of "criminal misconduct." Corruption is a criminal offense in the Indian Penal Code. A beating used to propagate corruption constitutes a criminal offense under Section 329 of the code and calls for a prison term of up to ten years.

Push and Pull Factors for Street Children

In many cases, children and young people choose to move from a rural area to the city and then find them living on the street because they are unable to live elsewhere. Reasons for such rural-urban movement can be categorized as 'push' and 'pull' factors.

Factors which 'push' children and young people away from the rural areas include

- i. Poverty and lack of economic opportunity.
- ii. Rural underdevelopment.
- iii. Hardships and uncertainties of subsistence farming.
- iv. Abuse, violence and family break-up.

v. Due to parental death.

Factors which 'pull' children and young people towards cities include:

- i. Improved job opportunities
- ii. Leisure and entertainment
- iii. Reports from peers of positive experiences
- iv. A sense of adventure

Challenges Faced by Street Children

Street children live in corrupt gangs for security and survival. They face society as gangs. It is very difficult to isolate one member, since group pressure is so strong that they are soon threatened, forced, and blackmailed to return to their old habits. They soon become dependent, both physically and mentally, on their readily available addictions, enabling them to forget for a while their pitiful existence. This is a huge problem, and expert help is needed to treat their physical and psychological dependence and addiction. Integration of street child into the society is very difficult, as the public have preconceived ideas about them. Also government employment schemes are not tailored to them, and all efforts of the government failed in this regard.

Methodology

The present study of abuse in street children conducted in Ludhiana city in India. Ludhiana is an industrial town where lots of labourer come on daily basis in lure of employment. So problem of street children are at high risk.

The aims of this cross-sectional survey were to examine the prevalence, type and intensity of abuse in street children in Ludhiana city, India.

Method: Based on purposive random sampling, 150 street children, inclusive of 100 boys and 50 girls, were selected from the streets of Ludhiana city, India, and administered an in-depth interview schedule which included five areas of abuse, namely, 'general abuse', 'health abuse', 'verbal abuse', 'physical abuse' and 'psycho-emotional abuse'.

Objectives: is to study the types of abuses faced by them and how this can be overcome.

Data was interpreted using percentages.

Results: Street children reported experiences of abuse in all the five areas under study. Larger numbers of children (61.8%) scored in the ‘moderate’ category’ of abuse while 36.6% children indicated abuse in ‘severe’ and ‘very severe’ categories on the intensity of abuse. Highest mean scores were obtained on the ‘psycho-emotional’ area of abuse. Gender differences were significant in health, verbal and overall abuse, indicating boys to be significantly more abused than girls. Correlations of abuse with ‘age’ and ‘income’ of street children were found to be significantly positive; and the occurrence of ‘multi-type’ maltreatment and neglect in street children was clearly present.

Results:

Table-1: Total 150 street children

S.No.	Age group (Years)	Boys (%)	Girls (%)	Total No. (%)
1	6- <7	19(18.99)	6(11.11)	24(16.13)
2	7-<8	30(30.38)	17(33.33)	47(31.45)
3	8-<9	0	0	0
4	9-<10	24(24.05)	11(22.22)	35(23.29)
5	10-<11	0	1(2.22)	1(0.81)
6	11-<12	13(12.66)	8(15.56)	21(13.71)
7	12-<13	0	0	0
8	13-<14	11(11.39)	5(8.89)	16(10.48)
9	14-<15	1(1.27)	1(2.22)	2(1.61)
10	15-16	1(1.27)	3(4.44)	4(2.42)
	Total	100	50	150

Table-2: State of origin of participants:

S. No.	State of origin of participants	Total No.(%)
1.	Delhi	21(13.73)
2.	West Bengal	6(3.92)
3.	Uttar Pradesh +Uttaranchal	40(26.47)
4.	Bihar+ Jharkhand	41(27.45)
5.	Madhya Pradesh+ Chhattisgarh	6(3.92)
6.	Assam	6(3.92)
7.	Haryana	3(1.96)
8.	Rajasthan	4(2.94)
9.	Other State	13(8.82)
10.	State not Known	10(6.86)
	Total	150(100)

Table-3: Socio demographic profile of participants:

	Characteristics	Socio-demographic factors	Total No.(%)
A.	Religion	Hindu	128(85.18)
		Muslim	13(8.82)
		Sikh	9(6)
		Christian	0(0)
		Not Known	0(0)
B.	Place of origin	Rural	24(15.69)
		Urban	123(82.35)
		Not Known	3(1.96)
C.	Socio-economic Status of family	Upper	1(0.98)
		Upper middle	9(5.88)
		Middle	43(28.43)
		Lower middle	91(60.78)
		Lower	3(1.96)
D. Education of participants	of	Not Known	3(1.96)
		Illiterate	54(36.27)
		Literate (Bellow primary)	65(43.14)
		Primary	21(13.73)
		Middle	7(4.90)
E. Literacy status of father	of	Not Known	3(1.96)
		Illiterate	46(30.39)
		Literate (Bellow primary)	90(59.80)
		Not Known	13(9.81)

Table-4: Family environment of participants:

Family Characteristics		
A. Domestic violence (Self-reported)	No violence	29(19.61)
	Mild	47(31.37)
	Severe	74(49.02)
B. Reasons for leaving home	Left home for work	6(3.92)
	Death of mother	35(23.53)
	Death of father	31(20.58)
	Remarried parents	16(10.78)
	Abandoned	3(1.96)
	No reasons	59(39.22)
C. Age at leaving home (Years)	<5	12(7.84)
	>5-10	94(62.9)
	>10	35(23.53)
	Not Known	9(5.88)

Table-5: Types of physical abuse experienced by participants

S.No.	Physical abuse	Total No (%)
1.	Slapped	87(58.39)
2.	Kicked,Bite,Punched	32(21.32)
3.	Hit with objects	15(9.71)
4.	Threw some thing	5(3.24)
5.	Burned,Scaled	5(3.02)
6.	Other meanes	6(4.32)
Total number of physical abuse experience		150
Total Number of Participants experienced any physical abuse		150(100)

Table -6: Nature of sexual abuse experienced by study subjects

S.No.	Act of abuse	Total No.(%)
A. Finkelhor's Scale		
1.	Touched the subject in a disturbing way	85(83.33)
2.	Kissed/hugged which troubled the subject	28(27.45)
3.	Kissed the subject	22(21.57)
4.	Touched multiple parts of the subject	34(34.31)
5.	Exposed genitalia to the subject	14(13.73)
6.	Forced the subject to expose his genitalia	12 (11.76)
7.	Tried to force the subject to touch his/her** genitalia	34(33.33)
8.	Touched the subject's genitalia	38(37.25)
9.	Forced the subject to touch his/her genitalia	28(27.45)
10.	Forced the subject to sit on his/her lap	8(7.8)
11.	Forcefully rubbed the subject	22(23.53)
12.	Tried to have sex with the subject	41(40.2)
13.	Had sex with the subject, used force	29(28.43)
B. Child mal treatment History self-report		
1.	Any adult(s) exposed themselves more than once to subject	19 (18.63)
2.	Subject threatened to have sex by any adult	15 (14.71)
3.	Any adult(s) touched the sex parts of subject's body	27 (26.47)
4.	Any adult(s) tried to have sex / sexually attacked the subject	35 (34.31)
5.	Any act of sexual abuse experienced	34(32.35)

TABLE-7: Signs of sexual abuse observed

S.No.	Signs of sexual abuse	Total No	(%)
A.	Physical sign		
1.	Bruise/bleeding/wound of genitalia	2	(1.96)
2.	History of recurrent urinary tract infection*	54	(52.94)
3.	Signs of genital herpes	8	(12.75)
4.	Signs of lymphogranuloma venereum	21	(20.59)
5.	Genital ulceration	5	(4.90)
6.	Any physical sign	3	(2.94)
7.	History of bruise/bleeding/wound of genitalia	24	(23.53)
B.	Behavioural sign		
1.	Confide in caretaker	2	(1.96)
2.	Withdrawn	13	(12.75)
3.	Suicide attempt	2	(1.96)
4.	Excessive masturbation/sexualized behavior	4	(3.92)
5.	Frightened especially of adults	1	(0.98)
6.	Enuresis/ encopresis	2	(1.96)
7.	Any behavioral sign	4	(3.92)

Result:

Out of Total 150 children, most of the participants were from Bihar+ Jharkhand (27.45%) and Uttar Pradesh +Uttaranchal (26.47%)[Table-2] while .93 participants were from Hindu family and 9 were from Muslim. 84 participants were from urban area and majority were belong from lower middle socioeconomic status. Among the 102 subjects were living away from families, 62.9% had left home between 6 to 10 years of age [Table-3]. Commonest reason for leaving home was Death of mother (23.53%)/ Death of father (20.58%). Amongst all (102) participants 82(80.57%) reported for Domestic violence (Mild or Severe) [Table-4]. Mostly 85(83.33%) subjects reported that they were touched in a disturbing way and 41(40.2 %) reported that they tried to have sex out of which 29(28.43%) have penetrative sex. Overall, 28.43 % children reported sexual abuse with use of force ranging from 11.76 % to 21.57 %. The maximum proportion of abuse was reported in the age groups 8-10years. (43.14 %). The mean age at abuse was reported at 9.13 +/- 2.4 years. Most children (93.2%) reported the incident to be within one month of leaving home. The mean duration between the incident and interview was 2.34 +/-0.4 years. All boys reported single episode of sexual abuse except four. The maximum proportion of incidents occurred during late evening or night (73%). In 27%, the episode occurred during day. Most children (56%) were abused at the railway platforms, commonly in some deserted or empty railway coach. About 20% were abused at the work place and 24 % at some other places. Among the 72 abused children, 44 (61.1%) had some physical sign of abuse while 29 (40.2%) showed behavioral signs of sexual abuse. Eighteen boys presented with signs suggestive of sexually transmitted diseases.

Conclusion:

India has the largest population of street children in the world. At least eighteen million children live or work on the streets of urban India, laboring as porters at bus or railway terminals; as mechanics in informal auto-repair shops; as vendors of food, tea, or handmade articles; as street tailors; or as rag-pickers, picking through garbage and selling usable materials to local buyers. Finally, there is the de facto immunity of police from prosecution. The government of India has known about the extent of custodial abuse, including abuse of children, at least since 1979 when the National Police Commission issued a devastating indictment of police behavior. More than a

decade and a half later, none of its recommendations have been adopted, and police can detain, torture, and extort money from children without much fear of punishment.

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Cite Your Article As:

Anupam Bahri. (2023). EXPLOITATION OF THE ONES WHO HAVE NO ONE. *Scholarly Research Journal for Humanity Science & English Language*, 11 (57), 73–87.

<https://doi.org/10.5281/zenodo.8005352>