

**To:** S. M. Krishna  
The Governor  
Maharashtra

Respected Sir,

A sudden and unilateral announcement of the state government of Maharashtra to close 'dance bar' in the state is going to create a grave human crisis in the history of India. It is about to deprive the source of livelihood for around seventy five thousand 'bargirls' (women workers in the bar) and three hundred thousand male bar workers directly. It is also going to affect large number of people indirectly. Apart from it, the stigmatising campaign initiated by the State after the announcement against the bargirls and bar workers and its refusal to accept its responsibility of rehabilitation of non-Marathi speaking bargirls has further worsened the situation of this most exploited, suppressed and stigmatised social group of women and workers. We want to draw attention of the respected Governor to the gravity of the situation and seek its immediate intervention to avoid massive violation of human rights as well as denial of rights as women and workers to this huge population of what commonly called as 'bargirls'.

### **Lack of research and compiled data**

First of all we want to stress that there need of more authentic research and data while taking any decision regarding the fate of large number of women engaged in this profession.

So far this has remained dark area for the researcher as the bar girls were not forthcoming and cooperating in giving necessary inputs. This naturally has led to rampant misconceptions about the various issues related with the phenomenon called the 'bargirls'. Even the policy makers vastly rely on hearsay and perceptions instead of serious scientific study while formulating policies pertaining to them. There is no compiled data with the government or academic and social institutions regarding the social composition, class and caste background of these women. No one has thoroughly investigated the factors that lead women into this profession. There is utter lack of research regarding the various linkages of this issue with the liberalisation, privatisation, and globalisation as well as feminisation of poverty, rural and urban pauperisation and indebtedness.

Now we want to present before you the gist of data generated during our work.

### **Types of beer-bars and the ban**

Though bars are not defined properly in legal terms they are classified according to the services they offer popularly. In order to understand the issue we must take into account these different types.

- a. Permit Rooms/Country Liquor Bar
- b. Family Restaurants and Bar
- c. Ladies Service Bars
- d. Dance Bars
- e. Disco Bars

## f. Pick-Up Points

Here we are going to discuss the last four types (c, d, e, f) of bars where women work as waitresses, singers or dancers.

### **1. Ladies Service Bars**

These type of bars are almost similar to restaurants and bars except the fact that women work here as waitresses. Dance is not performed in these bars.

The present decision of the State Government to close Dance Bars is not going to affect these bars directly.

Shops and Establishment Act govern these bars and the numbers of women working in these bars are restricted. Mostly, dark skinned and older women from western and southern India and West Bengal work in these bars. However, with the closure of dance bars the women working here at presently can loose their employment as the owners of these bars will prefer fair looking young jobless dancers.

### **2. Dance Bars**

Dance is performed in these bars. They possess Entertainment and Performance Licence and pay daily tax per stage in the bar.

Here women work as dancers, singers and waitresses. Self-imposed Dress Code (which happens to be Ghagara Choli) is followed in these bars for dancers. Customers are not allowed to dance with performers in these bars and thus distance between women performers and male customers is maintained.

The present order of the government is going to stop dance performance in these bars. This will mean that only dancers are going to become jobless immediately. Though it will reduce the earnings of bar owners, they will not loose their livelihood as licences such as Food and Liquor are going to remain with them. So the worst sufferers of this decision will be the huge number of dancers working in these dance bars. (We will discuss the caste — class composition of these dancers later to understand the gravity of the problem.)

### **3. Disco Bars**

Legally there is no difference between dance bar and disco bars. However, in practise both the performers and the customers can dance together in these bars. Possibility of different malpractices is higher in such bars. No dress code is followed in these bars. Comparing to dance bars, here, the number of the performing artists is less and they earn lesser too. These types of bars are going to be affected by the decision.

### **4. Pick-Up Points/Joints**

These bars are again similar to the dance bars legally and in their appearance. However, women need not perform dance here. They are selected by the customers

and picked up for sex work from these places. Usually, lodges are located near such bars where girls are taken for sex work.

### **Brief history of dance bars in Maharashtra**

In order to understand to whom this decision of closing dance bars is going to affect worst, one has to look into brief history of the dance bars and the composition of its women workers.

There were few dancing clubs even in the pre independence period in Mumbai. Mac Donald's school of Dancing that was started in this period in the Regal building was a famous pick up joint for the mariners. Thereafter, similarly several pick up points prop up on the Gunbow Street under the mask of dancing school. Cabaret bars existed even after independence in the affluent areas of Mumbai. Few ladies service bars came into existence at Grant Road and Parel around 1970. The trend of ladies bars spread to suburbs in late 70s. However, the trend of the present type of dance bars really began after 1980, when Cabaret bars in Mumbai were already closed and the ladies service bars were being raided.

After 1980 many restaurants sought liquor permits and the number of restaurant and bars grew enormously. Due to stiff competition among them some owners introduced idea of employing orchestra and mimicry artists in their bars to attract more customers. As a result the liquor sale increased a bit. However, soon people got fed up with low standard Gazal and mimicry shows and street sex worker type appearance of ladies waitresses. This made owners realise the need of presenting more enthralling type of entertainment (such as dance) to the customers along with serving liquor to survive in the growing competition.

Coincidentally, during the same period, the Muzara Culture in Mumbai was facing loss of patronage and was declining. As most of the women working in the ladies service bars during those days came from the Red Light areas of Mumbai, which are adjacent to traditional centres of Muzara dancing, this new demand of entertainers in the bars reached in these areas immediately. Since then the new form of dance bars came into existence and thrived on growing demand from customers and huge supply of dancers from the traditional dancers communities of different parts of India, who were facing decline of their age-old profession.

To encourage liquor consumption and liquor sale to harness more revenue the form of excise tax, the state of Maharashtra initiated policy to allow musical and dance performances in the beer and liquor bars of the state. It then started issuing licences for such performances to such bars. Soon the sale of liquor and consequently government revenue as well as the profits of the bar owners went up. This encouraged both the bar owners and the Government to convert bars into dance bars (bars with performance licences). Slowly the State started earning handsome revenue apart from the excise tax through the fees charged by it for various licences that were made compulsory for these bars. This resulted in mushrooming of large number of such bars in and around Mumbai city and even in other towns and cities of Maharashtra. This brief history shows that the government of Maharashtra and the bar owners are equally responsible for the growth of this trend for earning more revenue and profits respectively. This can be seen from the growth in the number of dance bars. In 1986, there were only 24 dance bars in the city. Within a year the

number reached to 32. Within a decade the number shoot up to 206 and by 2005 the number rocketed to 1250.

### **Caste class composition of the performers**

The phenomena called 'dance bar' is complex social issue and it can be tackled through long-term social strategy and not heroic, macho actions such as ban. Though this phenomenon of dance bars is latest one it has strong links with the past. It is important to look at the caste and social background of the affected group of bargirls to understand the complexity of the problem. So far the State, media and the society in general is shying away from it. However, the issue of bargirls cannot be understood in isolation but in the context of peculiar social structure of Indian society.

Different cultures and traditions exist in India simultaneously and enrich its composite culture. Several castes and communities in India were traditionally engaged in dancing and entertainment and earn their livelihood through it for centuries. With the decline of medieval feudal patronage many among these castes and communities were forced into prostitution.

Most of the girls (approximately 80 percent) come from traditional dancing and entertaining communities of north and south India. The enormous growth of 'dance bars' created huge demand of dancers, singers and other artists. This demand attracted massive influx of girls from several North and South Indian traditional dancing and entertaining communities. For the girls born in these communities these 'dance bars' presented a dignified livelihood option compared to prostitution.

They include:

- Bhedia
- Bhatu
- Dhanawat
- Gandharva
- Chhari
- Rajnat and Nat
- Chilbila
- Kesarvani
- Bogum Vollu
- Samlighar
- Sansi
- Kashmiri
- Deredar
- Jagari
- Doli, etc.

All these communities belong to SC, ST, OBC or NT categories. The girls are coming from all the states and hook and corner of country to Mumbai and all the districts of Maharashtra to Mumbai. Primarily, the number of women coming from Delhi, Agra, U.P., Bihar, Haryana, Bengal, and Rajsthan is greater. These girls come not only from lower economic strata but most of them belong to socially backward Muslims, O.B.C. and Dalit castes. They are mostly semi-literate or less educated.

These communities and castes bit by bit and in different stages lost their traditional patronage in the last two centuries in the process of modernisation and consequent decline of feudal society. Their traditional art and culture has suffered and deteriorated during this crisis. At the same time they lagged behind the rest of society in terms of education and economic development. Traditionally they have little land and they lack agricultural skills. Many of them survived only by employing their womenfolk in sexual work.

Emergence of cosmopolitan and commercial metro cities and demand of entertainment among the neo rich urban middle class presented them with some kind of opportunity to come out of prostitution. Mumbai and this neo culture of dance bars provided them with new livelihood option. When the government adopted policy to provide license to perform dance in hotels and bars, people from these communities found an opportunity to come out of prostitution and engage their womenfolk in their traditional profession in a different way. For them it was improvement in their status and situation, as they no longer have to sell their bodies to survive.

The present move of the State Government to ban dance in the bars will have worst effect on the women belonging to these communities. They will be deprived of their livelihood source. If the ban is imposed without their proper rehabilitation they will be forced back into prostitution en mass.

### **Economic condition**

Contrary to the picture presented by the Home Minister and vernacular media, most of the bargirls are poor. They can roughly be divided into three categories (A, B, C) according to their income groups.

- A. Girls belonging to this category earn handsomely and their annual income ranges in several hundred thousands. They need no rehabilitation. However, they are less than half percent in the total.
  - B. Girls belonging to this category earn around two hundred thousand annually. They are roughly ten percent of the total. Though their earning appear sufficient, they have little savings due to heavy expenditure they have to incur in order to maintain themselves. Further they are sole earning members in the huge family and have large number of dependents. It will be difficult for them to survive for even two to three months without earning.
  - C. Rest of the huge majority of bargirls earn around 100 to 300 Rupees daily. However their real daily income after deducting daily expenses is less than 50 Rupees a day. They are like daily wage earners and they can feed themselves only if they work. They do not have permanent shelter. They do not have bank accounts and no source of credit.
- They get no salaries and their income is dependent on tips. They get 70 percent of their tip while 30 percent is given to bar owners as rent of the dancing floor and for daily food and transportation.
  - The money earned through this apparently lucrative business, slips through many routes leaving little or nothing in their hands at the end.
  - Erotic appearance is the key element for the girls irrespective of their work categories such as singers, dancers or waitresses. Hence, they have to spend a huge amount on cosmetics and expensive silky clothes. Sometimes they

- have to even hire costly dresses or purchase them on credit as per the set standards of the bars. In both the cases, they have to spend more in the form of exorbitant rent or interests.
- Since, their profession is closely linked with liquor; they are prone to consequent addictions, which again add into their expenses.
  - Several times, they are trapped under different acts as interpreted by the police in grossly incorrect way. They can only escape or avoid legal action by paying bribe to the police.
  - The nature of this business leads to certain type of relations between the bargirls and the men around them that are always exploitative for the former. Quite often customers tend or pretend to fall in love with these girls and after initial courtship, becoming dependent; they start extracting money from the girls.
  - This business is seasonal in nature. The additional money earned during the boom period is extinguished on festivals, while it is difficult to maintain usual standard of living during the slack season. Therefore this profession cannot and should not be regarded as a source of 'easy and lots of money'. It is neither 'easy' for girls to earn this money nor to keep 'lot' of it for themselves.
  - The girls and women engaged in this profession fall into age group of 14 to 50 years.
  - Many of these girls remain in their own families while engaging in this profession. Some stay alone, while others live in a group of two to three girls. Some also stay in large groups of 15 to 20 girls together.
  - Several times these girls are brought or come to Mumbai through some 'Agents'. These 'agents' look after lodging, boarding and travelling facilities in return of hefty charges. These girls reside in the slums or chawl type houses within cities or vacant economy flats in far away suburbs. Though in a sense all these girls remain in the general lower or lower middle class community, they can be singled out by their appearance (life-style, standard of living, make-up, dresses, hair-styles) and odd timings of work. Therefore, they tend to live in cocoons and secluded localities or they are ostracised by the surrounding community.

### **Increase in human trafficking**

Though the government gives 'high moral concerns' such as corrupting values among the younger generation due to the this 'dance bar' phenomena, as reason behind this decision, the real story is bit different. There are reports that the government may face US economic sanctions for neglecting effective action to trafficking in children and women. The *U.S. Victims of Trafficking and Violence Protection Act* provides for the classification of countries into three Tiers, Tier 1, (the best) to Tier 3, (the worst). Currently, India is in Tier 2, but is on the watch list for downgrading to Tier 3 to join the ranks of countries such as Myanmar and North Korea. If this does happen, the Act mandates the US government to vote against loans to India from international financial institutions such as the World Bank, Asian Development Bank and IMF and also suspend bilateral assistance. The U.S. Embassy has just sent its annual report on conditions in India over the last year to Washington. Reports from other sources and consultations with NGOs will be part of the process by which Washington will decide whether India should be downgraded and subject to sanctions. More than monetary loss, the disgrace of being classified with the worst violators of human rights should worry the government that claims to represent growth with social justice. Trafficking is the state subject. Several so called anti

trafficking groups of Maharashtra were therefore lobbying for last one year to ban the 'dance bars', a simple way to show that the government is 'acting'. Realizing the inability and unwillingness of the government to act toughly against the powerful international traffickers, these groups have showed the easy way out to the government. Obviously, they also need to show their foreign and American donors that they are doing some work.

Both the government and these NGOs need to hide their inaction and inability to check human trafficking. Acting against 'dance bars', 'bargirls' and 'bar owners' is easy as they can be soft targets comparing to the real agents and traffickers. Rightist and communal groups have always attacked these 'dance bars' as most of the bar workers have come from other states of India and many of the bargirls are Muslims. But now the government and the group of NGOs have also joined this band wagon against 'dance bars' for different reasons. However, it is sad that instead of checking human trafficking their action is going to increase it enormously and on international scale. The ban on dance in the bars cannot be anti trafficking measure, as it is going to have exactly opposite impact. Thousands of girls will have no alternative then to accept proposals for performing in the Gulf countries, where they are usually duped and forced into prostitution. Therefore it is wrong to target bargirls and bar owners for checking human trafficking.

Suddenly depriving such huge number of women of their livelihood source without proper rehabilitation is going to force them into prostitution en mass.

Many of them will be sold in the thriving international flesh market. Such huge lot of oppressed, stigmatized and unemployed women on the eve of June, the time of arrival of human traffickers from the Gulf countries, will result in worst human disaster. These women will be perfectly vulnerable and easy pray for these immensely powerful human traffickers.

### **Why not rehabilitation?**

It is surprising that not only the government, even the NGOs, which are receiving anti trafficking foreign funds, are actively propagating against the rehabilitation of these bargirls. Some of them even supporting communal and parochial claims used by the government to avoid responsibility of rehabilitation. The dancing girls in these bars should not be treated as culprits. They should be given an opportunity to lead stigma free life. The stigmatising campaign initiated by the government and these NGOs against the bargirls need to be stopped.

We maintain therefore that the decision to ban dance in the bars without providing any alternate livelihood source to performing girls will lead to unprecedented survival crisis. It will force majority of the bargirls to enter into commercial sex work in order to earn daily living. Many of them likely to become easy pray for the international human traffickers.

We appeal you to intervene and avoid this crisis by firmly assuring that ban is not imposed before proper and adequate rehabilitation of affected women working as dancers, singers and waitresses.

**Our demands:**

1. No ban without rehabilitation plan for the bar dancers.
2. Stop the vicious stigmatizing campaign against the bar dancers.
3. Stop dividing bargirls on regional and communal lines.
4. Postpone the order of the ban for three months to formulate adequate and proper rehabilitation plan.
5. Include the representatives of bargirls in formulating rehabilitation plan.
6. Formulate immediately in consultation with the bargirls, a code of conduct for checking sexual exploitation of the bargirls at their work place.
7. Take immediate action against agents and traffickers to stop international trafficking effectively.

Yours sincerely,

VARSHA KALE  
(President, Bhartiya Bargirls Union)