

CEC Working Paper

Report On Bonded Labour in Chhattisgarh

*Analysing the Effectiveness of the Programmes for the Eradication of
the Bonded Labour System*

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2007

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PREFACE

Although policy makers, administrators, academics, trade unions and NGOs may differ on the concept, approach and extent of bonded labour in India, one point, which all of them currently agree about is, "Labour bondage still persists!" A country poised to emerge as the next economic superpower still faces the challenge of liberating millions from the scourge of bondage into which they have been pushed by poverty, hunger and social exclusion. Moreover, empirical evidence indicates that the process of globalisation, kick started by economic reforms, far from reducing the magnitude of bondage has reinforced it further through the process of informalisation.

The Bonded Labour System Abolition Act, 1976, which reflected the commitment towards 'Liberty' made in Article 23 of the Indian Constitution, surely brought a ray of hope for many toiling under this inhuman practice for mere survival. Yet, our experiences in the past 30 years of intervention suggest that this progressive tool has inherent constraints in eradicating the bonded labour system.

Against this backdrop, in 2004, the Centre for Education and Communication (CEC) and Anti Slavery International (ASI) decided to initiate action research in selected states and sectors to assess whether the programmes initiated by the government, international organisations and NGOs have been effective in eradicating the bonded labour system and, if not, why these have not been effective.

The Indian project was part of a South Asia regional project on bonded labour, coordinated by the Anti Slavery International. The Pakistan Institute of Labour Education and Research (PILER) coordinated the project in Pakistan and the General Federation of Nepalese Trade Unions (GEFONT) coordinated the project in Nepal.

In India, the states covered in three years were Chhattisgarh, Delhi, Karnataka, Orissa, Punjab, Rajasthan, Tamil Nadu and Uttar Pradesh in sectors ranging from traditional agriculture to the export-oriented garment industry. The series of working papers is an outcome of these studies, which we hope, will serve as a tool for policy framers as well as grass-root activists to understand the changing dynamics of labour bondage in India in the present context.

The desk research and field studies in Chhattisgarh and Orissa were done by Mr. Abhay Xaxa; field research in Uttar Pradesh, Karnataka, Punjab, Rajasthan, Tamil Nadu and Delhi was carried out by Dr. R.S. Gautam, Ms Gauramma, Prof. Manjit Singh, Ms Anjali Deshpande, Dr Mohanasundaram and Ms Sujata Madhok, respectively. Initially Prof. Gopal Iyer and then Prof. Surinder S. Jodhka provided valuable guidance and intellectual leadership to the researchers throughout the study.

I gratefully acknowledge the support, encouragement and guidance provided by the Advisory Board of the Project, constituted by Prof. D.N. Dhanagare, Com. Suneet Chopra, Ms Manjari Dingwaney, Com. Amarjeet Kaur and Mr. K. Chandrasekar. We also acknowledge the invaluable contribution of the Regional Consultant Prof. Jan Bremen in the formulation of the research, the field studies and in the writing of the reports. We recognise the encouragement provided by Anti Slavery International, in particular, Krishna Upadhyay at all stages of the project. The studies would not have been possible but for the effective coordination provided by my colleagues Bansari Nag and Abhay Xaxa.

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INTRODUCTION

The Bonded Labour System (Abolition) Act, BLSAA, 1976, made unlawful the practice of binding labour through the mechanism of debt. The practice of coercing workers through debt was institutionalised in most parts of the Indian subcontinent over a long period of time and under different local names. However, the system worked in a similar manner everywhere. It bound the worker with the creditor-employer until the outstanding debt was cleared. Given the abject state of poverty of those who entered the arrangement and the social disabilities imposed on them by the order of caste hierarchy, very few could get out of the arrangement. Those who worked in such arrangements invariably came from the 'depressed' caste groups. In the given state of affairs being tied to a specific employer became a fact of life and beyond for those belonging to the labouring classes in the subcontinent. Poverty and marginal status kept the workers perpetually indebted. The debts were transferred from one generation to another. This form of slavery came to be known as 'bonded-labour'.

The legal abolition of 'bonded labour' in 1976 was a progressive legislation and an important landmark in the history of contemporary India. It offered a ray of hope to India's most deprived and marginalised citizens. More importantly, it recognised that Independence and the introduction of democracy had not necessarily brought freedom to all. Even industrialisation and the introduction of new technology in the agrarian sector, which led to the growth of the market economy, and the development of capitalist agriculture, did not release labour from the traditional modes of bondage and patron-client relations everywhere.

The passing of the 1976 legislation straightaway meant that workers bound by an outstanding debt no longer needed to keep working with the creditor-employer. It made the binding of labour against a debt a legal offence. It also made it legally binding on state governments to identify all the bonded labourers in their states, organise their release from the wily employers and provide them with a viable rehabilitation package. To accomplish this, the state governments initiated several measures and instituted new administrative set-ups. Official surveys enumerated the incidents of bonded labour and special commissions were set up to formulate strategies for the eradication of the system.

Much has changed in India since the legislation was enacted more than three decades back. Though agriculture continues to employ a large proportion of active workers, its place in India's economy is not predominant. While the impact of legislation and state action against bonded labour has been limited, the social relations of production on the ground have undergone many changes. The opening up of labour markets, the increasing linkages with towns and the growing political consciousness have made it difficult for employers to bind labour for generations. In some instances, employers, in order to circumvent the law, have found other ways of subjugating labour.

Besides state interventions, the different regions of India have been witness to social movements and civil society interventions supporting the bonded labourers and favouring their release. Several non governmental organisations (NGOs) used the available legal provisions to support individual labourers in their struggle against their powerful employers. As a consequence of all these measures, the old system of generational bondage has slowly declined almost everywhere in India.

The decline of the old system, however, did not translate into any kind of substantive empowerment of the labour class. In some cases, it just meant a greater degree of casualisation, or simply, unemployment. However, this is not to suggest that the traditional relations of patronage and clientele were better for the poor labourer. Freedom without economic security means little and brings other forms of vulnerabilities. Today, labour has to struggle to find employment despite being much more mobile. Travelling and sustaining themselves in an alien setting is difficult. Migrations of the poor invariably occur through intermediaries of different kinds. Such migrations,

sometimes, also involve the payment of some advance to the labourers or their families, which, in turn, leads to the institutionalisation of newer forms of relations based upon dependency. This has been found to be a pattern in many industries. Dependencies institutionalised through debt have also continued, albeit in newer forms in the agricultural and several other sectors of employment. The payment of an advance to secure labour supply at depressed wages is commonplace in many sectors. The liberalisation or globalisation of the Indian economy has further reinforced this process.

Though bondage relations mediated through debt continue to be practiced very widely, they no longer work within the older frames of permanent relations between workers and employers. The generational and family bondage has given way to more individualised and relatively temporary, or sometimes, seasonal bondages. While things have changed on the ground, state policies have not. The old framework of identification, release and rehabilitation no longer seems meaningful. In fact, official surveys no longer report the existence of bondage in most parts of India and the official machinery no longer feels obliged to do anything for the poor labourer.

We are at a stage where we need to make a concerted effort to understand and conceptualise the newer, and increasingly elusive, forms of bondage relations. The studies being conducted by Centre for Education and Communication in collaboration with Anti-Slavery International are an attempt in this direction. It is only through participation and dialogue with the organisations of civil society that we can hope to initiate the process of formulating new legislations that can truly empower the poor labourers and bring them dignity and citizenship rights.

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- ABHAY F. XAXA.

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EXECUTIVE SUMMARY

The literal meaning of “Chhattisgarh” is 36 forts. Before Independence, the state was divided into several small feudal states. These feudal lords had their own system of collecting revenues and managing the affairs of villages. The *malguzar* tradition is still in practice though in a different form. The land reforms in the state were not quite successful, as most of the landlords from this region succeeded in saving their large land holdings from the Land Ceiling Act.

Despite being endowed with a rich resource base, about 43 per cent of the population live below the poverty line (BPL), and among these, the conditions of the tribal and Scheduled Caste populations, which together amount to 57 per cent of the BPL population, are particularly bad. On an average nine per cent of Chhattisgarh farmers have control over 70 per cent of the agricultural land holdings. The remaining 91 per cent of small and marginalised farmers are left to survive on 30 per cent of the land holdings. Another important feature of the agrarian economy in Chhattisgarh is that more than 22 per cent of the total labour force is employed as agricultural labourers.

Chhattisgarh also has a long history of drought and famine. The continuous failure of rainfall results in low agricultural output, because of which it is very hard for small and marginalised farmers to sustain themselves. For the past two centuries the state has witnessed drought conditions once in every five years. This problem also gave birth to the agricultural labourer's dependency on the landlords, as they needed loans or advances to survive during the droughts.

During the 80s, more than 5000 bonded labourers were released mostly from Raipur and Mahasamund district due to interventions of NGOs and the Supreme Court. Yet, the government still denies the existence of the bonded labour system in the state.

The major failure of various organisations has been the failure to address the core issues of bonded labour, because of which they are unable to improve the conditions. Along with this, there was wide scale corruption not only during distributing the rehabilitation amount, but also during identification. The released bonded labourer had to dole out 500 to 700 rupees as bribes to government officials in order to get the rehabilitation package.

The condition of women bonded labour is even more pitiful than their male counterparts in the region. They were denied any benefits, which were given to the released bonded labourers. The authorities in charge of identification, release and rehabilitation only treated them as temporary replacements.

The role played by the people's organisations in the form of all the NGOs involved in the struggle has been crucial as it paved the way for the release and rehabilitation of the bonded labourers. The efforts of these NGOs who motivated the activists from among the bonded labourers, who in turn helped in educating the other *kamiyas* about their legal rights and the constitutional provisions including the Bonded Labour Abolition Act 1976, cannot be denied. The continued legal education and general social awareness led to the formation of a strong socio-cultural organisation from among the bonded labourers, which in turn provided the necessary courage and inspiration to assert themselves against all the repressive and demoralising tactics of the system.

The local organisation working for the release of the many thousand bonded labourers has played a very crucial role in the proceedings of the interventions made by the Supreme Court. It was the dedicated and committed work of the grassroots workers and the organised bonded labourers, which enabled the Apex Court Enquiry Commission discover the truth about the bonded labourers' life and the strategies adopted by the officials and people with vested interests to suppress the major facts, in a way so as to discourage the whole process. The process finally enabled the Supreme Court to understand the conditions and plight of the bonded labourers and deliver the

landmark judgement in favour of the many bonded labourers caught up in this vicious circle in Chhattisgarh and elsewhere in the country.

The hard work done by these NGOs and organisations bore fruit and helped in the implementation of the Supreme Court's order. The organisations looked into the planning of the rehabilitation programmes and also took the responsibility of monitoring the long-term rehabilitation programme for all the beneficiaries. By this act of theirs, the amount of corruption that would have taken place was checked. Moreover, their presence helped stop the beneficiaries retreating from the step they had taken and brought forward a new socio- economic set-up.

The role of the judiciary in the release of bonded labourers is highly commendable. At the time when the bonded labourer's struggle was gaining momentum, there were certain changes taking place in the judicial outlook of the country, which prompted the non-conventional approach to social justice. Had the concepts of Public Interest Litigation (PIL) and Positive Obligation to do Social Justice not evolved at the highest judiciary, the whole movement of bonded labourers would have probably had a different ending. All these and many more reformative methods adopted by the apex court gave the struggle a new meaning.

INTRODUCTION

A prisoner sentenced to rigorous life imprisonment is perhaps better off than a bonded labourer of Chhattisgarh. The *kamiya*, as the bonded agricultural labourer is locally known, or the *Bilaspuriya* as he/she is popularly called in the brick kilns of Muradabad, Udhampur or Gwalior, is condemned to a dreary existence caught up in a vicious circle of exploitation and oppression. There seems to be no escape from the system perpetuated by the unjust socio-economic-political conditions of the region. Adding insult to injury is the callousness of the officialdom that actively supports the system, terming it “moral bondage” or “tourism migration”.

It is hard to believe that even after 58 years of Independence, the bonded labour (BL) system still persists in different parts of our country. According to a rough estimate of the Bandhua Mukti Morcha (BMM), there are more than 20 million bonded labourers employed in various sectors such as agriculture, mining, brick kilns, salt pans, quarrying, plantations, carpet industry, silk industry, beedi industry, rice mills, gem polishing, domestic workers and construction. This system implies serious infringement of basic human rights, erosion of human values and the dignity of labour itself.

The system of bonded labour crept into our civilization as a red herring. Though it was detested, despised and frowned upon, it thrived on the sidelines, drawing sustenance from autocratic regimes, the oppressive caste system, social orthodoxy, illiteracy and the economic backwardness of the people in the pre-Independence era. The founding fathers of our Constitution enacted provisions in the Constitution so that this practice could be eradicated from our society.

The issue of “BONDED LABOUR” came to the forefront in national politics when it was included in the old 20-point programme in 1975. In order to implement this programme, the Bonded Labour System (Abolition) Ordinance was promulgated, which was later replaced by the Bonded Labour System (Abolition) Act, 1976. According to this Act, bonded labour is defined as a system of forced or partly forced labour agreed to by the debtor, by himself or through any member of his family or any person who is dependent on him to render service to the creditor for a specified period, either without wages, or for a nominal wage in consideration of an advance obtained by him. The Bonded Labour (Abolition) Act rendered the BL system illegal and directed that no person must be compelled to render bonded or any other form of forced labour.

Almost 30 years have passed after the law on bonded labour was implemented. Today if we evaluate the impact of the Bonded Labour System (Abolition) Act, there are several interventions to release and rehabilitate persons in bondage, especially by some committed activists, organisations, District Magistrates and the courts. The system was found to be prevalent in all types of employment sectors, be it traditional agricultural labour, construction work, teenage girls in the domestic sector, in the brick kilns and stone quarries spread across the country. Bonded labour was found in different forms and regions, but one thing was common in all types of bondage that poor and traditionally deprived communities such as dalits, tribals, women and children were the most vulnerable to the problem. Their cheap and hard labour is required in all forms of economy – be it the traditional rural economy or the booming globalised market.

Though initiatives taken by committed people have helped in releasing more than 10,00,000 bonded labourers across the country, it is only the tip of the iceberg. A lot more needs to be done as several lakhs of labourers are waiting to be released and rehabilitated, both in traditional as well as new forms of bondage. There is an urgent need to address the core issues of bondage, which are deeply rooted in poverty, an unjust social system and the failure to ensure basic rights to the marginalised communities. We must accept that all the government’s welfare schemes and poverty alleviation programmes till now have failed to reach deserving hands and if things

continue in the same way, then it is sure that after some years, there will be more people in bondage than even the *dasas* of medieval society.

Without addressing the core issues of society, the release and rehabilitation of bonded labourers is just like cosmetic surgery, where we are only trying to remove the symptoms without paying attention to the underlying cause in our society. The interventions of the past 30 years are nothing, but just temporary relief for a growing problem, which has now spread into new forms of bondage in different parts of the country. At the present juncture, bonded labourers and civil society need a permanent solution, which can only be possible when the political leaders, government administration, employers, social organisations, media, courts, society as well as the bonded labourers come forward and take the initiative to remove this problem permanently from its very roots.

METHODOLOGY OF STUDY

The research study was conducted in the districts of Mahasamund, Raipur and Chapa Janjgir of Chhattisgarh. The employment sector selected for the study was the agricultural labourer and the migrant worker of the brick kilns, covering six developmental blocks and 23 villages. As per the instructions given in the preparatory meeting, the study was to basically comprise of the following:

1. Study of the interventions in the region through the organisations identified.
2. Study of the government's role in the abolition of bonded labour in the region.
3. Identification of other interventions in the region and the area of survey to be decided in consultation with CEC.

In order to achieve the desired objectives of the study in a systematic manner, it was conducted in five parts which are mentioned below.

- | | |
|----------|---|
| Part I | : Collection of secondary information. |
| Part II | : Field survey and interview with bonded labourers. |
| Part III | : Study of organisational interventions. |
| Part IV | : Study of the government's role and interview with different stakeholders such as journalists, experts, researchers, activists, politicians etc. |
| Part V | : Compilation, cross-examination and filling gaps of information and data. |

As there was an absence of organised information and with the objective of developing a basic understanding on the issue of bonded labour, the research study was started with the collection of secondary information on the issue. Information was collected from various sources such as the public library, newspaper clippings, government documents, research papers etc., which helped in identifying the problematic areas, core issues, vulnerable communities and various stakeholders. As the reference point of the study is 1976 – 2005, there was a practical problem with the secondary data. The problem is that Chhattisgarh is only a five-year-old state (It came into existence in November 2000) and most of the available secondary data are of undivided Madhya Pradesh, without any district wise classification. Apart from this, in 1998, several new districts (Mahasamund, Korba, Jashpur, Chapa Janjgir, Korba, Kawardha, Kanker, Narayanpur) were formed after dividing larger districts. Therefore reliable secondary information with regard to new districts is also not available. In order to classify the available secondary data in an organised form and view it in the correct perspective a little extra time was spent in the first phase of the study.

The second phase of the study comprised of a field survey and interviews with the bonded labourers / released and rehabilitated bonded labourer. On the basis of consultations with the partner organisation, a survey area was selected. With the cooperation of local activists and workers of the organisation, field visits were conducted. Initially, the activist accompanied the researcher for the interviews, but later on when the area and community became familiar, interviews were conducted independently.

In the third phase, the study of organisational interventions was done with the help of an organisational document and interview with activists, office bearers and other related people. It started with studying relevant documents available with the organisation, which also provided necessary inputs on the core issue. This was continued with interviews with related activists and workers. Discussions with ex-employers, people from the operational area and networking partners also helped in forming an opinion about organisational interventions and their effectiveness.

The fourth phase comprised of studying the government's role and interviews with different stakeholders such as journalists, experts, researchers, activists, politicians etc. It was done by meeting government officials such as the Labour Commissioner, District Collector, SDM (Sub

Divisional Magistrate), and their subordinates. Along with this, interviews with NGOs, journalists, researchers and activists also helped in understanding the government's role in the eradication of the bonded labour system from the state. In the final phase, all the collected information and data was compiled and crosschecked with other sources of information.

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BACKGROUND INFORMATION

STATE PROFILE: CHHATTISGARH

Chhattisgarh was carved from the 16 districts of Madhya Pradesh on 1st November 2000 as the 26th state of the Indian Union. Situated in the central east part of the country, the newly formed state is surrounded by six states namely – Uttar Pradesh, Jharkhand, Orissa, Andhra Pradesh, Maharashtra and Madhya Pradesh. The 16 districts of Chhattisgarh are divided into three divisions. The Bastar division comprises of the three districts of Kanker, Bastar and Dantewada whereas the districts of Bilaspur, Chapa Janjgir, Korba, Raigarh, Jashpur, Sarguja and Korea, form the Bilaspur division. The Raipur division comprises of the remaining six districts namely Raipur, Mahasamund, Dhamtari, Durg, Rajnandgoan and Kawardha. In terms of its population, Chhattisgarh is the 17th largest state of the country, whereas it ranks 10th in terms of area.

The densely forested Maikal, Ramgarh, Devgarh, Sihawa and the Abujmarh hills along with the river clad region of Mahanadi, Shivnath, Indrawati, Hasdeo, Mand, Pairi, Ib, Kanhar, Sabri, Rihand are the adobe for the ethnic groups of the state. The dialect, customs, food habits and festivals of these tribals have given a distinct regional personality to the state. In spite of many historical ups and downs, the region has been able to maintain its geographical and cultural distinctiveness till today.

The maximum north to south distance of the state is 640 kilometres and the maximum east-west distance is 336 kilometres. It encompasses a total surface area of 1,35,194 square kilometres, which accounts for 30.48 per cent of the total surface area of the undivided Madhya Pradesh and 4.10 per cent area of the country.

Table 1

| BASIC INFORMATION OF CHHATTISGARH | |
|--|------------|
| Number of districts | 16 |
| Number of tehsils | 97 |
| Number of villages | 20,308 |
| Inhabited villages | 19,744 |
| Uninhabited villages | 564 |
| Number of towns | 97 |
| Development blocks | 146 |
| Tribal development blocks | 85 |
| Municipal Corporation | 6 |
| Nagar Panchayat | 49 |
| Total Lok Sabha seats | 11 |
| Seats reserved for Scheduled Castes | 2 |
| Seats reserved for Scheduled Tribes | 4 |
| Total Rajya Sabha seats | 5 |
| Total Vidhan Sabha seats | 90 |
| Seats reserved for Scheduled Castes | 10 |
| Seats reserved for Scheduled Tribes | 34 |
| Total population | 20,833,803 |
| Males | 10,474,218 |
| Females | 10,359,585 |
| Total Scheduled Caste population | 2,418,722 |
| Total males | 1,213,194 |
| Total females | 1,205,528 |

| | |
|----------------------------------|------------------------|
| Total Scheduled Tribe population | 6,616,596 |
| Total males | 3,287,334 |
| Total females | 3,329,262 |
| Total rural population | 1455235 (82.61 %) |
| Total urban population | 3064693 (17.39 %) |
| Population density 2001 | 154 per sq. kms |
| Rate of population growth | 18.06 % (1991 – 2001) |
| Sex ratio 2001 | 990 female / 1000 male |
| Average longevity | 54 years |
| Literacy rate 2001 | 65.18 % |
| Male literacy | 77.86 % |
| Female literacy | 52.40 % |
| Working population | 50.71 % |
| Non working population | 49.29 % |
| Cultivators | 58.80 % |
| Agricultural labourers | 22.10 % |
| Household industry worker | 1.50 % |
| Labourers under cottage industry | 1.46 % |
| Other labourers | 17.60 % |
| Agricultural land | 69.24 % |
| Net sown area | 51.57 % |
| Double cropped area | 16.99 % |
| Total irrigated area | 21.67 % |
| Percentage of forest area | 41.52 % |
| Length of railway | 1053 kms |
| Length of national highway | 1553.40 kms |
| Length of metalled road | 22448.3 kms |
| Length of unmetalled road | 10823.0 kms |
| Total higher secondary schools | 1080 |
| Total secondary schools | 4030 |
| Total primary schools | 20500 |

Source: Census of India 2001, Chhattisgarh Atlas.

The state of Chhattisgarh lies along the Baghelkhand plateau, the Chhattisgarh Plain and Dandkaranya, which is the north-eastern part of the Deccan trap. The region can be divided into three relief features i.e., hills, plateau and pats and the plain region. Chhattisgarh is also the origin and source of many rivers. It is a great water divide between the Ganga, Mahanadi, Narmada and Gondwana systems. Mahanadi is the largest catchment area covering 55 per cent of the total surface area of the state. Based on the flow of the rivers, the state can be divided into four river systems:

- (i) Ganga river system
- (ii) Mahanadi river system
- (iii) Narmada river system
- (iv) Gondwana river system

Chhattisgarh is very rich in natural vegetation. The total area under forests is 56131.69 square kilometres, which is 41.52 per cent of the total surface area of the state. In comparison, the country has only 22 per cent of the total area under forests. Out of the total forest area, 39.89 per cent is reserved forest and 48.14 per cent is protected forest. The remaining area comprising 11.97 per cent of the total forested area is unclassified. The forests of the state are divided into tropical, humid and deciduous forests.

Depending upon the type of species the forest can be classified into four types-

- (i) Teak forests
- (ii) Sal forests
- (iii) Mixed forests
- (iv) Bamboo groves

Among the above-mentioned forests, Sal occupies the largest area. Teak, Bamboo, Saja, Dhoura, Bija, Karra, Mahua, Amla, Tendu, Khair, Halda, Kusum, Char, and Khuha are widely available in the forests. Bagai, Sabai and Chirra grasses are also widespread. However, the forest cover is not evenly distributed in the state. Bastar, Dantewada, Kanker, Rajnandgaon, Kawardha, Mahasamund, Jashpur, Sarguja, Korba and Korea district are densely forested while the growth in the plain districts of Bilaspur, Raigarh, Raipur, Durg, Chapa Janjgir and Dhamtari is comparatively scanty.

The important forest products are tendu leaf, char, lac, gum, timber, bamboo, honey, wax, fruits, flowers, tassar, silk etc., out of which timber, tendu leaf and lac are the most important. There are four National Parks and eleven Sanctuaries in the state. The conservation of wild life and several places of eco-tourism are the main features of the Chhattisgarh forests.

Table 2

| Sl. No. | Forest | Reserved forest (sq.km.) | Protected forest (sq.km.) | Unclassified forest (sq.km.) | Total (km.) |
|---------|--------------|---------------------------|---------------------------|------------------------------|-------------|
| 1. | Bastar | 5890.31 | 2393.19 | 2138.50 | 10422.00 |
| 2. | Kanker | 3780.90 | 4251.07 | 1943.29 | 9975.88 |
| 3. | Raipur | 4441.02 | 2912.95 | 196.91 | 7550.88 |
| 4. | Durg | 1932.73 | 2762.00 | - | 4694.73 |
| 5. | Bilaspur | 4267.14 | 8918.84 | 897.72 | 14083.70 |
| 6. | Sarguja | 3997.80 | 8093.87 | 2110.73 | 14202.40 |
| Total | Chhattisgarh | 24309.90 | 29331.92 | 7287.15 | 60928.97 |

Source: Forest Working Plan 1990-95, Office of the Forest Conservation, Bilaspur

Chhattisgarh is mainly an agricultural state. About 80.5 per cent of the working population depends on agriculture for its livelihood. A major area of its agricultural land is under rice with high producing varieties of paddy grown in the plains of the region. It is therefore called the Rice Bowl. Rice is the main food. Paddy is cultivated traditionally and it depends heavily on the monsoon so it needs regular rainfall. When there is irregular rainfall or less rainfall, crop failure is a common feature. Five year Plans and the green revolution have promoted new technology in agriculture, but due to poor irrigation, agriculture in Chhattisgarh is still underdeveloped. Only 15 per cent of the cultivators have adopted new technology. However, new trends in the market have made rice cultivation a curse for the farmers. About 12.82 per cent area of the state is used for non-agricultural purposes such as pasture, groves and uncultivated lands. Fallow lands occupy 4.85 per cent and the total net sown area covers 51.57 per cent and double-crop area covers 16.99 per cent. Thus the total cropped area covers 60.34 per cent of land, which can be developed most profitably if new technology is used. Only 21.67 per cent of the net sown area is irrigated. Dhamtari is the most irrigated district of the state (74.96%). The next most irrigated districts are Chapa Janjgir, Bilaspur and Raipur. The percentage of irrigated area in Dhamtari, Rajnandgaon, Mahasamund, Kawardha and Korba is around the state average. Kanker, Dantewada, Jashpur, Korea, Sarguja, Bastar, Raigarh and Kosba districts have the lowest area under irrigation, which varies from two to 12 per cent.

Canals are the main source of irrigation, which account for 72.01 per cent of the irrigated area. The major irrigation projects of state are Minimata Bango multipurpose project Hasdev, Gangrel project on the river Mahanadi, Khuria, Shyam, Singhawa, Dudhaba, Khutaghat, Kharkhara, Tandula. The Bango project produces 120 MW of power. It is the highest dam (87m) of the state. Ponds irrigate about six per cent of the area, while tube wells irrigate 9.15 per cent of the agricultural land. About 4.22 per cent is irrigated by wells and 8.60 per cent of the land is irrigated by other sources. The use of electricity for irrigation is rapidly increasing in the state, but due to irregular supply and insufficient production, it is becoming less profitable. Korba the largest thermal power station in Asia is situated here.

Both kharif and rabi crops are cultivated in the state. The area under kharif crops is much more than that under rabi crops. Paddy is the most important kharif crop. Gram, til, mustard and wheat are the important rabi crops. About 93.68 per cent of the cultivated area produces food crops. Commercial and cash crops are cultivated on a smaller scale.

Paddy is sown over 65.54 per cent of the cultivated land. It is mainly cultivated over the plain districts of Mahasamund, Raipur, Bastar, Bilaspur, Chapa Janjgir, Jashpur and Raigarh. In the hill and plateau districts of Korea, Sarguja, Dhamatari, Kawardha, Kanker, Jagdalpur, Dantewada and Durg it is cultivated over a slightly small area, i.e., 35 to 60 per cent of the cultivated area.

After paddy, maize is the main cereal crop. It covers 1.63 per cent of the cultivated land. It is mostly cultivated in the hills and plateau areas of the state. Other cereals include jowar, bajra, wheat, kodo-kutki etc.

Among the pulses, gram is the most important, covering 3.43 per cent of the cultivated area. It is mostly cultivated in the districts of Durg, Kawardha, Rajnandgaon, Bilaspur and Dhamtari. Among other pulses, urad and tiwara are important. Urad is mostly cultivated in the districts of Raigarh, Korba, Dhamtari and Mahasamund. Tiwara is sown in the paddy fields after the paddy is harvested. Moong and arhar are also widely cultivated.

Among the oil seeds, linseed is the most important, cultivated over 1.95 per cent of the cultivated land. Mustard is the second most cultivated oilseed (0.91%). It is mostly cultivated in the hill and plateau districts. Other oilseeds include soybean, groundnut and sesame. Vegetables, fruits, flowers, cotton, jute and sugar cane are grown over 1.81 per cent of the cultivated area.

The state has got the largest concentration of bauxite deposits in the whole country. More than 24 per cent of the nation's iron ore is mined from this region and almost 16 per cent of Indian coal production is from the mines of Chhattisgarh. A large number of mineral based industries like iron and sponge iron industries, cement factories, coal washeries, mining industries, power generating plants have been established in this region. The industries of this area produce more than 26 per cent of the sponge iron, 18 per cent of the cement and the majority of the aluminium in the country.

POPULATION DYNAMICS OF CHHATTISGARH

According to the census of 2001, the total population of Chhattisgarh is 2,07,95,956, which amounts to 2.02 per cent of the total population of our country. The population growth rate for the census period 1991-2001 in Chhattisgarh was 18.06 per cent, which is comparatively lower than the national growth rate (21.34 %). According to the census, the total male population of the state is 1,04,52,426 whereas the total female population is 1,03,43,530. The sex ratio of Chhattisgarh is much higher than the national average (933) at 990 women per 1000 men. The population density of the state is 154 persons per square kilometres and the literacy rate is 65.18 per cent.

Table 3

Chhattisgarh District: District wise population, 2001

| Sl. No | District | Scheduled Caste % 1991 | Scheduled Tribe% 1991 | Literacy % (Person) |
|--------|---------------|------------------------|-----------------------|----------------------|
| 1. | Bilaspur | 19.00 | 20.00 | 63.68% |
| 2. | Korba | 10.00 | 43.00 | 63.24 |
| 3. | Chapa Janjgir | 22.00 | 12.00 | 66.26 |
| 4. | Jashpurnagar | 7.00 | 65.00 | 65.37 |
| 5. | Raigarh | 14.00 | 37.00 | 70.50 |
| 6. | Korea | 8.00 | 44.00 | 63.44 |
| 7. | Sarguja | 5.00 | 55.00 | 55.37 |
| 8. | Raipur | 17.00 | 12.00 | 68.98 |
| 9. | Mahasamund | 13.00 | 28.00 | 67.64 |
| 10. | Dhamtari | 7.00 | 27.00 | 75.16 |
| 11. | Durg | 13.00 | 12.00 | 75.84 |
| 12. | Kabirdham | 14.00 | 20.00 | 55.39 |
| 13. | Rajnandgaon | 10.00 | 27.00 | 77.58 |
| 14. | Kanker | 5.00 | 56.00 | 73.31 |
| 15. | Bastar | 7.00 | 66.00 | 45.48 |
| 16. | Dantewada | 4.00 | 79.00 | 30.01 |
| Total | Chhattisgarh | 12.19% | 32.46% | 65.18% |

Source: Chhattisgarh Census Book 2001, Series 23

Table 4

Major socio-economic indicators of Chhattisgarh

| S.No | DESCRIPTION ACCORDING TO 2001 CENSUS | |
|------|---|----------------------------|
| 1. | Population density | 154 persons per sq. kms |
| 2. | Sex ratio | 990 females per 1000 males |
| 3. | Average population growth rate | 18.06 % (+) |
| 4. | % of rural population | 79.92 % |
| 5. | % of urban population | 20.08 % |
| 6. | % of SCs in total population | 12.20 % |
| 7. | % of STs in total population | 32.46 % |
| 8. | % of working population | 42.11 % |
| 9. | % of women workers in working population | 36.03 % |
| 10. | % of farmers in total working population | 57.03 % |
| 11. | % of agricultural labourers in total working population | 23.05 % |
| 12. | Per capita income on current rates | 10125 Rupees. |

Source – Directorate of Public Relations, Chhattisgarh.

POLITICAL ECONOMY OF CHHATTISGARH

Chhattisgarh boasts of a tribal dominated population with more than 44 major tribes and 140 sub-tribal groups. The major tribal groups of Chhattisgarh are Gond, Halba, Maria, Muria, Bhaina, Panka, Dhurva, Pando, Gadva, Binjhar, Kolam, Bhatra, Oraon, Bharia, Baiga, Munda, Kherwar, Kanwar, Ghasia, Kamar, Korwa, Kol and Birhor. The Gond tribe is the largest tribal community of Chhattisgarh followed by the Kanwars who both amount to more than three fourths of the total tribal population. Hill Korwa, Birhor, Baiga, Abhujmaria, Bunjia, Pando and Kamars are the most backward among tribes. The tribal communities mostly inhabit the southern part (Bastar) and northern part (Sarguja, Jashpur) of the state. Along with this the Scheduled Castes also comprise

more than 12 per cent of the total population. Satnamis (49.79 %) are the largest community in the Scheduled Castes.

Despite being endowed with a rich resource base, about 43 per cent of the population lives below the poverty line (BPL), and among these, the conditions of the tribal and Scheduled Caste populations, which together amount to 57 per cent of the BPL population, are particularly bad. About 42 per cent of the rural population does not have access to basic amenities such as electricity, safe drinking water or health facilities. Rural areas have high levels of migration, which worsens in periods of drought. While the gender ratio is the second highest in India after Kerala, female literacy is low (21% in rural areas) and infant mortality is high. Literacy is lower among tribal people (25%) and tribal women (11 %) than for the population at large (37% and 21% respectively).

The literal meaning of "Chhattisgarh" is 36 forts. Before Independence, the state was divided into several small feudal states. These feudal lords had their own system of collecting revenues and managing the affairs of villages. The *malguzar* tradition is still in practice though in a different form. The feudal system prevalent before the arrival of the British was so strong that even after Independence and the establishment of a democratic state, the descendants of the royal families manage to win elections in several parts of the state like Sarguja, Sarangarh, Bilaigarh, Jashpur, Chandrapur, Kawardha, Raigarh etc. The above mentioned places regularly vote for and elect the family members of the erstwhile kings to important seats in the parliament (Dilip Singh Judeo, Mahendra Bahadur Singh) , state assembly (Devrat Singh, Ramchandra Singhdeo, Urvashi Devi, etc) , as well as local bodies (panchayat, municipal corporation, krishi mandi, etc.). Along with this, the land reforms in the state were not quite successful, as most of the landlords from this region have succeeded in saving their large land holdings from the Land Ceiling Act. In several places we can still find farmers with more than 100 acres of land.

Most of these landlords are basically not from Chhattisgarh, but were invited by the erstwhile kings from Uttar Pradesh and Orissa to manage the land and collect revenues. These *malguzars* are basically *agaria* (Patel, Nayak) from Uttar Pradesh, *kurmis* (Sahu, Chandrakar) and *kolta* from Orissa. They come under the backward class category and have major land-holdings in the area. Along with this, in some selective pockets the Brahmins (Shukla, Sharma, Dubey etc.) and Gonds who are a major tribal group in Chhattisgarh also own large agricultural land holdings. Most of the bonded labourers who were identified and released in the late 1980s used to work for *agarias*, *kurmis* and Gond landlords. As mentioned earlier, the land reforms in Chhattisgarh were unsuccessful and the deprived sections of society mostly belonging to the Scheduled Caste and Scheduled Tribes are still landless and most vulnerable to bondage. Even during the era of the erstwhile states, the Scheduled Caste communities such as *Gadas*, *Chamars*, *Ghasias* and *Satnamis*, and tribal groups such as *Binjwar*, *Sanvara*, *Kharia*, *Dhanwar*, and some sub sections of Gonds formed the poorest of poor people, deprived of the very basic needs for survival. Most of them were landless and without any source of livelihood and formed a major part of the agricultural labour force. These economically weak and socially discriminated communities were traditionally employed in the landlords' farms as bonded labourers. The social condition of these deprived communities was also so deplorable because of untouchability, a lack of education, lack of government support and no options for an alternative livelihood. Casteism also plays a major role in the present politico-economic situation of bonded labour. Due to untouchability, there are major problems in uniting and organising the bonded labourers. The Gonds consider the scheduled castes (*Gada*, *Chamar*) as untouchables, because of which there was caste discrimination even in the rehabilitation process. Even today, these landlords hold all the major political posts. After the organisational intervention, a few released bonded labourers tried to break social norms and stand for elections, but at best it can only be described as a symbolic exercise.

Even after the release and rehabilitation of bonded labourers from the area, no actual empowerment of these deprived communities has taken place. They are still living in poverty and

without any livelihood security. In many cases, their situation has become even more vulnerable to exploitation due to systematic repression from the landlords as well the government.

As mentioned earlier, the scheduled caste (SC) and scheduled tribes (STs) constitute more than 45 per cent of the total population of Chhattisgarh. Along with this, there are a considerable number of backward classes also present in Chhattisgarh. Though a few dominant groups of SCs and STs have managed to take the benefits of development like the Gonds, Kanwars and Oraon tribes, but the fact is that a majority of the tribal and dalit communities of the state are still struggling to enter the mainstream of society.

Table 5

Distribution of land holdings in Chhattisgarh

| District | Total land holders | Total no. of small/marginalised farmers | % of marginalised farmers in total land holders | Total agricultural land | Total land of small/marginalised farmers | % of land holdings by small/marginalised farmers |
|-------------|--------------------|---|---|-------------------------|--|--|
| Raipur | 526654 | 377147 | 71.61 | 1035815 | 278419 | 26.88 |
| Durg | 275693 | 189600 | 68.77 | 604106 | 142948 | 23.66 |
| Rajnandgaon | 202834 | 116048 | 57.21 | 563063 | 95308 | 16.93 |
| Bilaspur | 575381 | 443228 | 77.08 | 898351 | 285243 | 31.75 |
| Sarguja | 282283 | 164289 | 58.20 | 707675 | 138025 | 19.50 |
| Raigarh | 230603 | 135740 | 58.86 | 619434 | 109202 | 17.63 |
| Bastar | 257602 | 115927 | 45.00 | 971857 | 100711 | 10.36 |

Source: Indira Gandhi Krishi Vishwa Vidhyala, Raipur

From the above Table it is quite clear that there is a major disparity in the distribution of land holdings. On an average nine per cent of Chhattisgarh farmers have control over 70 per cent of the agricultural land holdings. The remaining 91 per cent of small and marginalised farmers are left to survive on 30 per cent of the land holdings. Another important feature of the agrarian economy in Chhattisgarh is that more than 22 per cent of the total labour force is employed as agricultural labourers. Working as daily wage labourers is the primary occupation of those who are basically landless. 49 per cent of the total Chhattisgarh population is living below the poverty line of which, more than 80 per cent are from the agricultural sector. This situation explains quite clearly the background in which the poor and marginalised people get into bondage.

DISTRICT PROFILE: MAHASAMUND

Mahasamund district is one of the 16 districts located in the central eastern part of Chhattisgarh surrounded by Raigarh district in the north, Raipur in the west and south and the state of Orissa in the east. Prior to 1998, Mahasamund was a part of the Raipur district. The national highway (NH – 6) passes through most of this district, which has five developmental blocks namely – Mahasamund, Saraipali, Pithora, Basna and Bagbahara. The district head quarter is located at Mahasamund. Agriculture is the major occupation of the people from Mahasamund, which has large rivers like the Mahanadi and Jonk flowing through the district. The major reservoir of Mahasamund is the Kodar Bandh. The average annual rainfall of the district is 145.23 centimetres. The forest area cover extends to 28.23 per cent. Some basic information about Mahasamund district is listed below.

Table 6

| | | |
|-----|---------------------------------|------------------|
| 1. | Total geographical area | 3902.39 sq. Kms. |
| 2. | Total population 2001 census | 860176 |
| 3. | Total male population | 426011 |
| 4. | Total female population | 434165 |
| 5. | Total literacy | 67.64 % |
| 6. | Total male literacy | 81.58 % |
| 7. | Total female literacy | 54.04 % |
| 8. | Sex ratio per 1000 male | 1019 |
| 9. | Population growth rate | 08.72 % |
| 10. | Percentage of scheduled caste | 13.00 % |
| 11. | Percentage of scheduled tribe | 28.00 % |
| 12. | Total net sown area | 69.13 % |
| 13. | Double cropped area | 5.82 % |
| 14. | Total irrigated area | 20.50 % |
| 15. | Total paddy area | 84.01 % |
| 16. | Total number of Gram Panchayats | 474 |

Source – Chhattisgarh Atlas.

DISTRICT PROFILE: CHAPA JANJGIR

Situated in the central east part of the state, the district of Chapa Janjgir has five tehsils namely Janjgir, Pamgarh, Chapa, Sakti and Dabra. The development blocks of this district consist of Akaltara, Pamgarh, Chapa, Baloda, Dabra, Malkharoda, Jaijipur, Navagarh and Sakti. The main rivers flowing through this district are the Mahanadi, Hasdo, Shivnath and Mand. The most important feature of Janjgir Chapa district is that it has got the highest percentage of population of SCs.

Table 7

| | | |
|-----|-------------------------------|----------------|
| 1. | Total geographical area | 3681.45 sq. km |
| 2. | Total population 2001 census | 1316140 |
| 3. | Total male population | 658377 |
| 4. | Total female population | 657763 |
| 5. | Total literacy | 66.26% |
| 6. | Total male literacy | 82.21% |
| 7. | Total female literacy | 50.41% |
| 8. | Sex ratio per 1000 male | 999 |
| 9. | Population growth rate | 18.55% |
| 10. | Percentage of scheduled caste | 22.00% |
| 11. | Percentage of scheduled tribe | 12.00% |
| 12. | Total net sown area | 71.17% |
| 13. | Double cropped area | 23.48% |
| 14. | Total irrigated area | 47.29% |
| 15. | Total paddy area | 77.54% |
| 16. | Total Gram Panchayat | 528 |

Source – Chhattisgarh Atlas.

DISTRICT PROFILE: RAIPUR

Situated in the central eastern part, Raipur district is the capital of Chhattisgarh. This district is divided into 10 tehsils namely – Kasdol, Bilaigarh, Balodabazaar, Simga, Tilda, Bhatapara, Raipur, Rajim, Gariyaband and Devbhog. The developmental blocks of Raipur district consist of Dharsiva, Abhanpur, Aarang, Tilda, Raipur, Chandkhudai, Gariyaband and Kasdol. Raipur is also famous for its large forest cover and large tribal population. The wildlife sanctuaries of Barnawapara and Udyantyti are located in this district. The principal rivers flowing through this district are the Mahanadi, Shivnath, Kharoon and Pairi, whereas the major mineral resources are dolomite, lime, diamond and gold.

Table 8

| | | |
|-----|---------------------------------|-----------------|
| 1. | Total geographical area | 9374.85 sq. km. |
| 2. | Total population 2001 census | 3009042 |
| 3. | Total male population | 1520024 |
| 4. | Total female population | 1489018 |
| 5. | Total literacy | 68.98% |
| 6. | Total male literacy | 82.41% |
| 7. | Total female literacy | 55.30% |
| 8. | Sex ratio per 1000 male | 980 |
| 9. | Population growth rate | 18.97% |
| 10. | Percentage of Scheduled Caste | 17.00% |
| 11. | Percentage of Scheduled Tribe | 12.00% |
| 12. | Total net sown area | 58.68% |
| 13. | Double cropped area | 18.20% |
| 14. | Total irrigated area | 49.85% |
| 15. | Total paddy area | 78.61% |
| 16. | Total number of Gram Panchayats | 1131 |

Source – Chhattisgarh atlas.

HISTORY OF BONDAGE IN CHHATTISGARH

The bonded labour system has a historical background in Chhattisgarh. The famous Kalchuri dynasty ruled in the majority of the region including parts of Orissa from 857 B.C till 1407 A.D. In that period, the region was called 'Dakshin Kaushal', which finds mention in various archaeological findings and ancient literature. The Kalchuri kings who ruled for almost six centuries over the region had their capital at Ratanpur near Raipur district. It was during the rule of the Kalchuri kings that the region was divided into 36 feudal states for the purpose of administration and tax collection. The list of feudal states of the region in the Kalchuri era is mentioned below.

Table 9

FORTS OF RATANPUR AND RAIPUR DURING KALCHURI RULE

| | | | |
|-----|-------------|-----|------------|
| 1. | Ratanpur | 19. | Raipur |
| 2. | Maro | 20. | Patan |
| 3. | Vijaypur | 21. | Simga |
| 4. | Kharaodgarh | 22. | Singarpur |
| 5. | Kotgarh | 23. | Laban |
| 6. | Nawagarh | 24. | Amira |
| 7. | Songthi | 25. | Durg |
| 8. | Orakhgarh | 26. | Sarda |
| 9. | Pendarbhata | 27. | Sirsa |
| 10. | Semriaghat | 28. | Mohadi |
| 11. | Madanpur | 29. | Khalari |
| 12. | Lafagarh | 30. | Sirpur |
| 13. | Kosgagarh | 31. | Fingeshwar |
| 14. | Kenhagarh | 32. | Rajim |
| 15. | Matingarh | 33. | Singangarh |
| 16. | Uparodagarh | 34. | Suarmar |
| 17. | Kangdari | 35. | Tengnagarh |
| 18. | Pendra | 36. | Akalgarh |

Source – Deshbandhu Sandarbh Chhattisgarh

The rule of the Kalchuri dynasty extended up to Kalahandi, Koraput and Sambhalpur districts of Orissa, whereas the southern districts of Kanker, Bastar and Narayanpur and northern districts of Korea, Sarguja, Jashpurnagar and Raigarh were not a part of Dakshin Kaushal or Chhattisgarh region. The landlords who belonged to the upper caste and not the original natives of the region mostly governed the above mentioned feudal states. These feudal lords were responsible for collecting taxes from villages, waging wars, judicial administration and providing free labourers to the king.

During the reign of the Kalchuri ruler, Raghunath Singha (1732-45), the Maratha general Bhaskar Panth attacked and conquered Ratanpur on his way to Bengal. The defeat of the Kalchuri king ended 800 years of uninterrupted rule and the Marathas came to power in the Chhattisgarh region. The Bhonsle rulers of the Maratha dynasty ruled the region with an iron fist for almost a century and were dreaded all over for forcefully imposing taxes and collecting revenue. They gave some extra powers to the feudal lords of the region and shifted the capital to Nagpur. From time to time their army commander or administrator would visit the region to collect their share or fight the rebels. It was during this era, that the feudal lords became more powerful and oppressive. The traditional *kamiya* system of labour also finds its roots in the socio-economic condition of that era. The disparity in land distribution was so large that one landlord used to control agricultural land holdings of 10 villages. The landless agricultural labourers from the surrounding villages used to

work on his farm with or without nominal wages. The oppressive system of revenue collection made the marginalised farmers poorer and in due course they lost all their land holdings to larger farmers and landlords. In those days, there were very few medium sized land-holdings. Either there were very big farmers or landless agricultural labourers in a village.

Chhattisgarh also has a long history of drought and famine. In fact, there is well documented evidence of a severe drought in 1774, when thousands of poor people died of starvation. The continuous failure of rainfall resulted in low agricultural output, because of which it was very hard for small and marginalised farmers to sustain themselves. For the past two centuries the state has witnessed drought conditions once in every five years. The effect of the drought conditions of 1884, 1901, 1918, 1924, 1954, 1971, 1979 etc., were so severe that it wiped out several villages and caused unimaginable hardships to the local people. These natural disasters also forced several communities to migrate to other states in search of livelihood and resources. The marginalised communities in Chhattisgarh region lost their lives and livelihood due to continuous drought.

Therefore it is not at all surprising that some of the poorest districts of the country lie in this region. Pathetic reports of starvation deaths, farmers' suicides, selling of women and children, mass scale migration, bonded labourers, malnutrition, poverty, deprivation, struggle for water, conflict over natural resources, etc. were and are very common from this region. The situation of these drought prone districts gets grimmer with the fact that it has the second largest tribal population only after the northeast region in the country. They are struggling to survive with marginal land holdings and limited resources, which make them more vulnerable to any natural disaster. Acute poverty, a nexus of money lenders and land grabbers, administrative apathy, growing conflict for right over natural resources – all add to the impact of drought in the lives of these marginalised people. As a result, the security of food, water and livelihood, especially of poor communities was under serious threat. This problem also gave birth to the agricultural labourer's dependency on the landlords, as they needed loans or advances to survive during the droughts. Generally, the loan taken by the labourers was deducted by the amount of labour they did in the following years.

Casteism also finds traditional roots in Chhattisgarh society. In the true form, it is only the tribal and the dalit communities who can be called the original inhabitants of the region. The upper caste communities such as Brahmins and Rajputs migrated from Uttar Pradesh, Orissa, Maharashtra and Bihar to settle in the fertile plain region of Chhattisgarh. They were either brought by the Kalchuri kings to manage the administration or came along with the Maratha rulers during their invasion. The tribals moved deeper into forests as the forests were cleared for agricultural purposes, whereas the dalit communities settled in large pockets around the feudal states, so that they could serve the king and landlords. The upper caste communities gradually took the land and other livelihood resources away and the original inhabitants of Chhattisgarh became slaves in their own house. Growing poverty, which was a result of inferior social status, added to the problems of drought, social evils, lack of awareness, gradually pushed them into bondage.

In the beginning of the 19th century the British army defeated the Marathas. As a result of which, the region came under the British Empire's administration. It was known as Central Province and Berar at that time, but a few feudal lords still managed to maintain an independent existence through an agreement with the Empire. During the colonial regime, the landlords became even more oppressive towards the labourers. This can be a reason that the freedom movement was centred in the urban pockets of the region. The marginalised communities were caught between the oppressive landlords and the British administrators. For them the landlords were the larger enemy compared to the British regime. Therefore, the struggle for freedom against colonial rule in Chhattisgarh was only limited to a few landlords, upper caste leaders and people who migrated from Maharashtra and Orissa.

Meanwhile, other major developments in the context of labour began with the commencement of the railway line between Bilaspur and Asansol in 1891 by the Bengal Nagpur Railways. This was

the time when Chhattisgarh was facing the severest drought of the century. Because of the railway line, several artisan communities such as weavers, blacksmiths, cobblers, mostly belonging to scheduled castes lost their traditional occupation; and the epidemic of 1877-97 killed several thousand people. According to the 1901 census, there was a steep rise in the death rate and the population growth was minus nine per cent. During the period of epidemic more than 33,000 cases of deaths were registered from Bilaspur alone. The annual administrative report of Central Province and Berar also has documented six years of continuous severe drought in the region, from 1896-1908. It also mentions that the cost of rice had multiplied several times and people were dying of starvation. Some traditional weaver communities such as *Palika and Kosta* who used to sell hand woven cloth and collect money after the crop yield were the most affected communities. Several other government documents indicate that the beginning of the railway line, severe drought and epidemic together resulted in mass scale migration from the area. People, especially those belonging to the landless dalit community started moving to the tea gardens of Assam, the coal mines of Bihar and the jute mills of Bengal.

In the beginning of the 19th century, the British started the tea gardens in Assam and they needed efficient labour to meet the increasing demand. In order to ensure availability of labour, the Assam Company started the Tea District Labour Supply Association (TDLA) in 1892 with its headquarters in Kolkata and a branch office at Bilaspur. The TDLA was successful in systematically recruiting labourers from Tinsukia to Nasik and Bastar to Vishakhapatnam for the jute mills of Calcutta and new industries on the banks of the Hugli River, apart from the tea gardens of Assam. The commercial importance of Patsan from East Bengal was felt in the jute mills of Calcutta after 1851, resulting in a great production boom. British companies like Jordan Henderson, Dunlop, Thomas Duff and Fort Glulester capitalised on the growing opportunities and expanded their business. Due to the unexpected increase in the volume of productivity, there was a huge gap in the demand and supply of labourers and migrant labourers from Chhattisgarh replaced the local labourers in these industries.

The TDLA had opened its recruitment offices at both Bilaspur and Raipur, but the majority of recruitment was done from Bilaspur. As a result, the migrant labourers of Chhattisgarh region were popularly known as the "*Bilaspuria Majdoor*". Meanwhile in order to increase the volume of recruitment, TDLA also employed some agents basically from Andhra Pradesh who were known as *Arkatti* (in Telugu it means agent). As the agents were paid according to the number of labourers he had recruited, they always tried to catch more and more local labourers. Therefore they were also termed as *Uthaigir* (abductors); and it gradually became a part of local folklore! As the TDLA was under tremendous pressure to recruit more and more labourers in most cases the rules were seriously violated by the authorities. The annual administrative reports of the Central Province and Berar particularly mention how labourers were forcefully recruited in 1897-98 and 1902. The TDLA records maintained at the Assam branch also mention the caste and tribes of the labourers employed by them in various tea gardens. According to these official documents, the major tribes and castes employed by TDLA were Munda, Cheria, Kol, Kheria, Asur, Santhal, Oraon, Sawra, Paidi, Gond, Koya, Porja, Dom, Manjhi, Godaba, Tati, Mala, Turi, Telanga, Bhuiya, Kahar, Bawri, Gwala, Kurmi, Ahir, Panka, Rajwar, Mochi, Kanwar, Kamar, Kewat, Lohar etc.

After 1920, the jute mills of Bengal witnessed a decline and the tea gardens of Assam were already full of migrant labourers who had settled there. Gradually the trend of migration from Chhattisgarh to Bengal and Assam decreased, but migration to other prospective growth centres such as Uttar Pradesh, Delhi, Punjab, Haryana increased. The process of migration from Chhattisgarh has now become a cultural feature due to a long history of migration. It has now become a traditional occupation for the landless labourers of the marginalised communities.

During the field study, I was able to identify some traditional forms of labour practices, which are prevalent in the area today. They are given below.

TRADITIONAL FORMS OF THE BONDED LABOUR SYSTEM

1. **KAMIYA:** In Chhattisgarhi, "*kamiya*" means an adult bonded labourer who works mostly on the farms of his landlord. He is also expected to look after cattle, the cutting and carrying of soil and wood and during the off-season, work as a domestic worker. The routine work is to leave in the early hours of the morning before sunrise and return home by noon to rest and have a meal. He goes back to work around two in the afternoon, and returns home only after sunset late in the evening. At an average, a *kamiya* has to put in hard labour for about 12 to 16 hours a day. It is also not uncommon for a master to send his *kamiya* to work with another landlord if there is no work at his farmhouse. A labourer becomes bonded as a *kamiya* against a principal sum. One landlord may transfer the *kamiya* to another by mutual consent through an exchange of the principal sum. A *kamiya* may also decide to go to another master if the new master agrees to buy him by refunding the loan to the old master. A sizeable section of the *kamiyas* in the region has been in bondage for their entire youth. It is a common practice for the landlords to retire a *kamiya* when he is old or getting weak due to illness, and forcibly engage another member of the family in his place. Thus, the burden of clearing off a *kamiya*'s debt falls on his sons, brothers and very often, on his widow. Many families have been in bondage for generations to the same landlord family. With the introduction of The Bonded Labour System (Abolition) Act, and the pressure having built-up from below through people's organisations, the landlords in the region have now started circumventing the law by engaging a *kamiya* for a year or so. This Act still exists only on paper. A *kamiya* is not free to leave unless or until he repays his loan.
2. **Kuthia:** He is a teenaged bonded labourer. A landlord engages a boy in the age group of 10 and 14 years on a yearly basis by paying a sum of Rs. 400 to Rs. 1000 to the parents, according to the age of the boy. This period is also considered as training to become a *kamiya*. The work to be performed mainly consists of cattle-grazing. Thus, the *kuthia* are called "*Baila-charwahas*" (cattle grazers) in local parlance. In addition, all other usual agricultural chores are to be performed by a *kuthia*, and he has to lend a helping hand to the *kamiyas*.
3. **Peyjoli:** He is a child-bonded labourer in the age group of six to nine years. Due to utter poverty and deprivation, the landless sell the services of their children to the landlords for a paltry sum of Rs. 100 to Rs. 200 per annum. A *peyjoli* has to live in the house of the master for 24 hours a day, and perform odd jobs from collecting cow dung to massaging the masters.
4. **Kamaylin:** A woman-bonded labourer. If there is no other male member to work to repay the debts of a master, the poor families are forced to lend the services of a woman to work in the house of the master. The routine work involves scattering fertiliser or manure in the fields, collecting cow dung, household chores, collecting wood from the forest etc. Even when a *kamiya* is alive, it falls upon a woman of his family to collect his wages. Under this custom, the woman member of the *kamiya*'s family has to provide free services for half a day in the house of the master. The wife of a *kamiya* is also known as a *kamaylin*. She has to first offer her labour to the master's house where her husband is bonded. It is only when the master has no use for her services that she is free to look for work elsewhere. For such an engagement she is given only two kilograms of paddy.
5. **Melha:** In the Oriya language, *melha* literally means free labour. But, there is nothing free in this form of labour. In fact, when the *kamiya* form of labour was identified as bonded labour, the *melha* form took the place of the *kamiyas*. The landlords argue that *melha* labourers are free to go anywhere and work, but the reality is different. Due to very few options of work elsewhere, the *melhas* have no choice but to work for the same landlord for a minimum wage. The *melhas* are given two to three kilograms of rice everyday as payment and in some cases their situation is even worse than that of the *kamiyas*. In the absence of any other option, the *melhas* are just like bonded labourers, but here the bondage is not so prominently imposed.
6. **Barasia:** After the enforcement of the Bonded Labour Abolition Act, 1976, the landlords of this region have started a new form of labour system locally known as *barasia* in order to circumvent the BL Act. The labourers are now kept on a yearly contract. In most of the cases, the labourers are given a loan at the beginning of agricultural activities and employed as contract labour. After finishing the agricultural activities the *barasia* labour is released to go and

search for a job elsewhere. The labourers migrate to brick-kilns in the neighbouring states and stay there for three to four months. In other cases, the labourers are even exchanged with other landlords, but when agricultural activity begins again the labourers have to return back to their landlords and work for them. In the case of a *barasia*, the bondage is not so prominently imposed, but the fact is that they take loans from the landlords and work in order to repay the loans. Though the landlords and the labourers deny that the loan taken by *barasia* labourers is not carried forward in the next year, the reality is that in many cases the loan is carried forward in the next year, in which case the labourers have to return back to their original landlords.

BONDED LABOUR OF CHHATTISGARH

Table 10

Statistics of Bonded Labour in Chhattisgarh

| | | |
|----|--|--------|
| 1 | No. of BL estimated by NSSO (1978-79) in Madhya Pradesh | 116200 |
| 2. | No. of BL estimated by GPF (1979-80) in Madhya Pradesh | 500000 |
| 3. | BL identified by state government in Madhya.Pradesh as on 31/03/80 | 1531 |
| 4. | BL identified by state government in Madhya.Pradesh as on 31/03/89 | 10895 |
| 5. | BL identified by state government in Madhya.Pradesh as on 31/03/90 | 12218 |
| 6. | No. of BL rehabilitated as on 31/03/90 | 10261 |
| 7. | No of BL identified as on 31/03/2000 | 12822 |
| 8. | No. of BL rehabilitated as on 31/03/2000 | 11827 |

Source – Documents from office of the Labour Commissioner, Chhattisgarh

As discussed in the earlier chapter, the upper caste landlords, moneylenders and local political mafia dominate the socio-political economy of agrigarian society in Chhattisgarh. They also have control over the panchayats at various levels, which were actually meant for the socio-political empowerment of marginalised communities. At present the panchayat institutions have become a manifestation of the traditional feudal system where the person nominated by the rich farmer of the village contests and wins the election. This nexus comes in the way of various development programmes meant to improve the lot of the dalit and tribal masses. In this process, they not only suffer from starvation, lack of proper health, housing, and literacy, but also face unspoken human indignities and total rejection from the mainstream of society.

HOW DOES BONDAGE START?

The farm labourers in general lead a hand to mouth existence, but among the farm labourers the bonded labourer was paid much less than the free labourer. Thus while a free labourer or *melha* commonly got about 3.75 kilograms of paddy, as his daily wage, a *kamiya* or a bonded labourer got only about half of this as his daily wage.

Normally the system begins with a bonded child called *khutia*. His wage is the food given, and nothing else. Here begins the vicious circle of bondage. When a *khutia* becomes an adult, he usually takes a loan for his marriage. The loan is locally known as *murahi* (the principal amount). This drags him further into bondage. While taking the *murahi* he enters into an apparent annual work contract with the landlord. The *murahi* amount varies between Rs.50 and Rs.500, depending on the purpose for which the loan is taken and his capacity to work. Besides the *murahi*, the *kamiya* also gets *kahandi* (about 15 kg) of paddy (known as *kumha*). He may also be given a piece of land measuring 0.5 to one acre for his own cultivation (known as *baug*). The *kamiya* now has to work exclusively for his creditor for the whole year. On *poosh purnima* - a popular local feast culturally linked with the system of bonded labour - the *kamiya* is supposedly set free from his contract, but very often this remains just a day of ceremony and a mock release from his contract. If he fails to repay the amount by this time, he has to work again for another year for the creditor. However the *kamiya* will never be able to repay the credit, which accumulates as the years go by, thus forcing him in to life long slavery.

A *kamiya* receives two *tamis* (about 1.5 kg) of paddy as his daily wage. If he fails to turn up for a day, even if it is due to serious illness, the *kamiya* loses two days wages. The creditor explains it away by saying that he has had to employ another worker in his place who had to be paid double wages.

Even the provision of *baug* land to the *kamiya*, though it sounds benevolent, is with strings attached. The creditor controls the use of the land and keeps the *kamiya* ever dependent on his mercy. Normally, the *baug* land is the worst piece of the creditor's land. The *kamiya* works hard to make the land productive and improve its conditions to maximise the yield from it. The landlord supplies paddy seeds and also bears the ploughing costs. The *kamiya* has to meet the rest of the inputs and labour. However, the landlord deliberately delays the supply of seeds and ploughs on account of "timely work" required on his own farm. The *kamiya* therefore, never gets more than three to five bags of paddy from the above land. If there is a good crop when he succeeds in improving the soil, his creditor invariably harvests it for himself implicating him in some act of disobedience or the other. Once the landlord notices that the *kamiya* has succeeded in improving his land, he takes it away from him and gives him another plot.

A *kamiya* at times has to work for 24 hours a day without any rest. His work begins at 3 a.m. when he starts untying the cattle from the shed and cleaning the dung. He then goes to the farm to plough or to cut or to carry soil. After working in the farm till late in the evening, he works in the threshing yard and farm house and during the crop season he watches the crop the whole night. For his extra work during the night, he is not paid any wage except three *khandis* (about 40 kgs) of paddy as *supela* for the threshing work annually.

The most rigorous work for a *kamiya* is perhaps the cutting and carrying of soil from the fields and other activities during the off-season. Besides, the *kamiya* is often made to work in government relief programmes like building dams, tanks, canals and approach roads. His master gets the credit and payment for his work, while he has to be satisfied with his regular wage.

Usually a *kamiya* continues with the same creditor for his whole life. Sometimes if the situation demands he may change his creditor. A *kamiya* may change his creditor if he needs an extra loan for some of his needs, which his present creditor may refuse to extend. The amount received from the creditor, which may be a little more than his previous debt goes in clearing his previous loan and meeting his extra needs.

Any rebellion is dealt with strictly. If a *kamiya* refuses to work or to clear off his debt while changing the creditor, the landlords and the elite of the society hold a panchayat to sanction a suitable punishment for his misconduct. The *kamiya* is socially boycotted by such panchayats. He would then not be employed by anybody else in the area either as a *kamiya* or as a casual labourer. Because of this reason, in most of the cases, the rebel *kamiya* is forced to return to work for his previous landlord.

In the case of a *Bilaspuriya majdoor*, the bondage usually starts by a loan taken from the local landlord, either for a marriage or for meeting a specific requirement. In order to pay back the loan and earn some more money, the *Bilaspuriya majdoor* starts migrating in October or December to the brick-kilns of Uttar Pradesh, Haryana, Madhya Pradesh and Jammu. The agent who is known as *Sirdar* or *Zamadar* usually arranges the deal on behalf of the employer and the daily wage of the labourer is fixed before migrating. The migrant labourers are provided with *kharchi* (petty allowances), which depends on the size of the family. Normally, the *Sirdar* himself meets the travel expenses. After reaching the brick-kiln, the employer advances some money depending on the size of the group, which is distributed among the labourers, but there are several cases in which the *Sirdar* cheats the labourers and runs away with the advance money. In normal conditions, the migrant workers have to work 12-16 hours in a day and they stay for six to eight months. In between every labourer gets a *kharchi* amount of 50 to 100 rupees every week for meeting their daily needs.

The problem starts when at the end of off-season, the employer forcefully keeps the labourers back by giving the excuse that they have taken extra advance, which they have to work and pay back, but in many cases this is not true. In most cases they are not even paid the amount agreed

to by the agent before migrating to the brick kiln. In case of rain during the manufacture of bricks, the work has to be stopped and workers have to survive on the *kharchi*, which again is added to the advance. They are then forcefully kept in the shanties adjoining the brick kilns by the employer's goons, who guard them day and night, threatening them with firearms.

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INTERVENTIONS

This Chapter basically explains the various types of interventions undertaken by NGOs, the government and the courts for eradicating the system of bonded labour from the region. Unlike interventions on the issue in other states, the credit of addressing the issue in an effective manner does not go to any single organisation, but to several NGOs apart from the government and other stakeholders of society. We will try to understand the direct as well as indirect interventions, which were initiated by various stakeholders between the period of 1976 – 2005.

The interventions on the issue of bonded labour are further classified below.

- COMMUNITY MOBILISATION
- CAMPAIGN and ADVOCACY
- LEGAL INTERVENTIONS
- CAPACITY BUILDING
- ECONOMIC EMPOWERMENT
- OTHER INTERVENTIONS

Though the Bonded Labour System (Abolition) Act was passed in 1976, no action was initiated for a few years. Though several organisations were actively working with the landless labour communities, nobody seemed to be aware about the legal provisions or how to initiate action to address the problem. It appears that because of the declaration of Emergency, none of the activists or organisations were in a position to effectively intervene on the issue. During that period, the landlord lobby was very strong in the area and they had a major say in political and administrative matters. Even though people were aware of the existence of the bonded labour system especially in the plains of Raipur and Bilaspur districts, organising the *kamiyas* and fighting against the powerful landlords of the region was a difficult task. Organisations such as RCDRC, JAN JAGRITI KENDRA and PRAYOG were working with and among the landless agricultural labourers of the region on the issue of human rights, minimum wages and forest conservation and in the process helped in organising and mobilising the *kamiya* labourers of the region.

CHRONOLOGY OF EVENTS FROM 1976 - 2005

The issue of the bonded labour system was first highlighted by a relatively new organisation called CHHATTISGARH KRISHAK MAJDOOR SANGH (CKMS) when one of its activists Hoop Ram filed a writ petition, on a simple post card under Article 32 of the Indian Constitution, as a PIL in 1983. The petitioner had requested the apex court to intervene in the incidents of bonded labour in the Saraipali block of Raipur district in Chhattisgarh and order their release. It was admitted by the Supreme Court of India and the Court directed the respondents to file their affidavit within a month's time and simultaneously appointed two Commissioners from the National Labour Institute, New Delhi, asking them to proceed immediately to Saraipali tehsil and to ascertain the existence of bonded labourers in the villages as claimed by the CKMS and verify the facts given in the writ petition. The court ordered that the enquiry by the Commissioners be conducted among the *kamiyas* without the presence of government officials, the police and the landlords. The Commissioners were also asked to submit their report within one month.

Before filing the writ petition, CKMS had already worked hard to organise and mobilise the *kamiyas* of the region at the grass root level. Mr. Ajoy Kumar and his colleague Ms. Aasha D.S, the people behind the formation of CKMS already had a rich experience in intervention on the issue of bonded labourers, especially in Orissa. They had organised a select group of local activists and trained them on issues of land, labour and human rights. The local animators, under the guidance of experienced activists, initiated the formation of a people's movement in order to unite and organise the *kamiyas* of Raipur district.

Initially they started with legal education camps for the activists as well as the people's organisations for creating awareness among the people about various laws in favour of the poor and the oppressed. These camps also emphasised the importance of knowing the fundamental rights of the people, especially of the oppressed masses, envisaged in our Constitution. Awareness camps followed the legal education and training of the activists for the affected community. The base camp of CKMS was located in Pendravan village, from where the local animators coordinated the activities to organise and mobilise the *kamiyas* of the region. By this time the landlords had already become aware about the organisation's intentions as well as their bonded labourers and started putting obstructions in their path and repressing the *kamiyas*. The CKMS activists were threatened with dire consequences if they continued with their activities and associated with the CKMS any longer. Daring *kamiyas* were removed from work and were given various punishments including social boycotting by the landlords. Many were beaten, publicly molested and driven out of their homesteads. In some places, law enforcement authorities reportedly joined hands with the landlords in demoralising the activists and the *kamiyas*.

The *kamiyas'* movement started with demanding minimum prescribed wages for their work and the agitation intensified when they stopped work in several villages as a token strike. As a result, some of the landlords who could not get labourers to replace the *kamiyas* also showed solidarity with the movement. Such efforts among the *kamiyas* drew varied reactions from the elite class. Some were very hostile to the growing movement and started forming their own associations to counteract the *kamiya* movement. Several meetings were convened by the landlords inviting political leaders and local officials to plan their strategy. Another important step, which was taken by the movement of *kamiyas* was to join hands with like minded advocates, outside activists, social workers and journalists who helped them in planning the action against the landlords' repression.

After several months of conscientisation and organisation, written representations were prepared to launch legal action. The activists of CKMS prepared a detailed village wise list of *kamiyas* and the amount of loan taken, respective creditors and years of work. The representation demanded their release and rehabilitation by the state. In March 1983, a memorandum of 488 *kamiyas* from 32 different villages of the three blocks under the Saraipali tehsil was submitted to the District Collector of Raipur. The District Collector expressed his surprise at the report of the existence of bonded labourers and promised to look into the matter immediately. No action was taken by the government for a few months. The CKMS meanwhile intimated the Union Ministry of Labour Welfare on the issue, which advised the state government to take necessary and immediate action on the issue. As a result, an enquiry was ordered into the matter and around 1000 cases were referred till the time of enquiry by the district administration.

The enquiry was totally one-sided and enquiry officers joined the landlords to threaten the *kamiyas* for making such complaints and warned them to desist from such activities. The *kamiyas* were forced to give their thumb impressions on some papers prepared by the officials. Everywhere the groups of *kamiyas* who appeared for the enquiry were threatened with dire consequences. This was done to demoralise the *kamiyas* and the organisation. Finally the enquiry report was received from the collector, which mentioned: "*After thorough enquiry into the matter, not one case has been found to be a bonded labourer.*" The report further justified the *kamiya* system as one of the commonest agricultural labour systems prevalent in the area, wherein the wages of the labourer are fixed in advance on an annual basis by mutual agreement between the employer and the labourer. It misinterpreted loan as an advance payment of wages and justified the existence of a "*moral bondage*" between the two so that the *kamiyas* do not leave the work before the completion of the year.

The Collector's report was not acceptable to the *kamiyas* and their organisation and a series of further dialogue and interactions between the *kamiyas*, activists, lawyers and officers led to the filing of a writ petition in the Supreme Court on November 22, 1983. Further the writ petition accused the state government and the district administration of illegally siding with the landlords

and not exercising their duties under the Bonded Labour System (Abolition) Act, 1976. The petitioner prayed for the appointment of a high powered Commission by the Supreme Court to enquire into the commissions and omissions of the government and the district administration and to enquire into the incidences of bonded labour in the area.

Just after the admission of the petition in the apex court, the police forcibly took two CKMS activists from a legal education camp. Both were taken to a nearby forest rest house for an "interrogation". Well known landlords of the area were present with the sub-inspector of the police who was camped there. The landlords immediately identified the activists as the trouble makers behind the bonded labour issue. Both of them were immediately implicated in a criminal case and beaten up mercilessly by the police team, supervised by the landlords. Similarly, other activists were also implicated for "breaching the peace" of the area and booked in false criminal cases. These repressive tactics were done in order to instil fear among the *kamiyas* as well as the organisation's activists. Therefore supplementary writ petitions with regard to police atrocities on the activists of CKMS for approaching the Supreme Court against the administration were filed in the apex court. The petitioner on behalf of CKMS prayed to the court to direct the state administration to stop their reprisal tactics and to order police protection for the CKMS representatives. The Supreme Court subsequently directed the Superintendent of Police, Raipur, to provide police protection to the petitioners and enquire into the incidents.

In this atmosphere of fear and insecurity, the Enquiry Commissioner appointed by the Supreme Court arrived in the area. Six camps were organised in the Saraipali tehsil and the *kamiyas* interviewed. Several *kamiyas* were physically stopped from appearing before the Commissioners, but still nearly a 1000 *kamiyas* attended the camp and were interviewed. The Supreme Court Commissioners also interviewed government officials at all levels, especially those who were responsible for the previous enquiry and held a meeting with the representatives of the landlords who were very keen on meeting the Commissioners to convey their own views about the problem.

The Commissioners' report went into the various aspects of the *kamiya* system of labour (including the *khutia* system) and established beyond doubt that it was indeed a system of bonded labour. The report also contained a detailed list of 693 *kamiyas* whom they had interviewed in the camps and confirmed that they were bonded labourers. It also held the government's attitude and approach to the enquiry, which had earlier denied the existence of the bonded labour in the area as "indifferent and perfunctory." At the end of the report, the Commissioners based on interactions with the administration and the landlords also brought to notice some of the doubts and apprehensions through the following statements.

"The landlords in collusion with the administration are going to leave no stone unturned to nip the movement launched by the CKMS for the emancipation of bonded labourers and for the implementation of minimum wages. It was made amply clear to us by the landlords followed by the administration that they were going to give a communal twist to the movement before a crackdown on the activists of the CKMS. Given the enormity of the problem and the lack of sensitivity of the administration to the plight of the labourers, not to speak of the pressure of the landed interests on the administration, the administrative machinery of the state government cannot be relied upon to tackle this problem even marginally."

On the other hand, the state government not only denied the existence of bonded labour in the area, but also justified the system of *kamiyas* as a common form of casual labour in Raipur district. Gradually however, as the facts started emerging through the Supreme Court's enquiries, it softened its stand by presenting a set of welfare measures before the court, which it said were being implemented to improve the socio-economic condition of the *kamiyas*. However, a real change in its position was seen with the appointment of an IAS officer solely in charge of the case, who admitted that the issue needed to be looked into.

In the meantime, the Supreme Court in its further hearing on August 24, 1984, passed its historical interim order declaring 693 *kamiyas* who were interviewed by the enquiry commission, as bonded labourers on the basis of prima facie evidence constituted by the report of the Enquiry Commissioners. This came as a historical judgement for the *kamiyas* of Chhattisgarh who had been released and also those who were living in similar conditions in the area. Apart from this, the order also showed a way to organisations such as JAN JAGRITI KENDRA and RCDRC who were also working for the same cause of by demanding implementation of minimum wages and better working conditions.

Meanwhile, as a result of the Supreme Court order, a camp was organised by the district administration in the village Saldih of Pithora block and 52 *kamiyas* were released on September 26th 1984. The second camp was held in village Deori on September 27th 1984 and 29 bonded labourers were released. The third camp was held in village Godmarra on September 28th 1984 and 51 bonded labourers were released. The last camp was held on September 29th 1984 in village Sankara where 73 bonded labourers were released. The rest of the bonded labourers mentioned in the list were also released simultaneously. An ex-gratia amount of 500 rupees (out of the total stipulated amount of 4000 rupees) was also given to the bonded labourer on his official release. Till the permanent rehabilitation programme could be decided upon, the released bonded labourers were to be given employment under the NREP (National Rural Employment Programme) and kept under a maintenance phase.

Further, the rehabilitation package given to the released bonded labourers by the administration was continuously delayed. The released bonded labourers were very confused as they were going to get such a large amount of money for the first time in their lives. The purchase of a bicycle and a pair of bullocks was a common choice. Due to the absence of a systematic rehabilitation mechanism, there were reports of released bonded labourers returning into bondage and their bicycles being taken away by the landlords. As nobody including the *kamiyas* and activists had expected a Supreme Court order for their release, they had not decided upon any follow-up plan for rehabilitation. The programmes they chose included – dairy keeping, goat rearing, various entrepreneurship and cottage industries, but due to the delay by the administration, the released bonded labourers were in serious trouble and some of them even went back to their respective landlords for work.

Apart from this, the landlords now knew that it was because of the CKMS that their *kamiyas* had tried to revolt against them. They now planned various measures to weaken the organisation. As the CKMS was basically run by outside activists, it was easy for them to cut the organisation's support system. The culmination of events provided a valuable learning experience for JAN JAGRITI KENDRA (JJK), which was working with the *kamiyas* in Pithora, Basna, Saraipali and Kasdol blocks of Raipur district. Shri S.N Gardia, Director of JJK was a native of Sukri village from the same area and had observed the problems of the *kamiyas* very closely. Working for another social organisation active in the same area, he had vast experience of the SC and ST communities' socio-economic conditions in the region. JJK had closely observed and learnt the following lessons from the CKMS experience.

- The incidents of bonded labour reported by the CKMS were just the tip of the iceberg. According to JJK's estimates, there were more than 10,000 bonded labourers employed by the landlords in Raipur district alone. The CKMS's interventions were limited only to Saraipali tehsil, whereas other regions of the district were also facing a similar problem.
- The identification and release of bonded labourers without a proper rehabilitation mechanism makes the problem much worse. The organisation had observed a few cases where due to the delay in rehabilitation, the bonded labourers released by CKMS were forced back into bondage. The rehabilitation process has to be an ongoing process, continuously monitored by the organisation, so there is no chance of the released *kamiyas* going back to bondage.

- Apart from economic rehabilitation, a combination of psychological rehabilitation, training for skill development, creating public opinion and political empowerment must also be provided.
- There must be less participation of outside activists and more involvement of the local community in the whole process, as when repression tactics are employed by the landlords, the outside activists are not in a position to help the community.
- The problem of bonded labourer is just a symptom of larger issues. In the process of intervening in the problem of bonded labour, we need to address larger issues such as poverty, social evils etc.

JJK started working on the issue of ensuring minimum wages from 1983 in an informal way with the help of villagers from 45 villages. In the process of mobilising the community, the activists of the organisation witnessed the inhuman situation in which the *kamiyas* of the region were living. For a *kamiya* and his family, it was difficult to manage even basic requirements such as food and clothing, leave alone better working conditions or minimum wages. The *kamiyas* were receiving only 1.5 kilograms of paddy as daily wages, which was like a token. Even this was denied to him if he was absent from work for any reason. Meanwhile, the activists of JJK came to know about the Bonded Labour System (Abolition) Act, 1976 and various provisions in it for the identification, release and rehabilitation of bonded labour. Therefore they decided to mobilise the community and collect more information about the problem of bonded labour in the region. In order to strengthen the organisation and spread awareness among the local community, JJK organised a public meeting at Nagarda in 1985. As the organisation was working informally at that time, there was no outside support for organising the programme. In such a difficult situation, when more than 10,000 villagers turned up to participate in the meeting; even the activists were surprised. JJK had invited Swami Agnivesh and Shankar Guha Niyogi to address the gathering and this event was a great success in terms of spreading awareness among the community and encouraging the grassroots workers. The real achievement of the public meeting was that they were able to collect 5000 applications from the *kamiyas* who had requested the organisation to release them from the clutches of bondage.

After observing the enormity of the problem and urgency to address it, JJK decided to conduct a mass scale survey to initiate legal action. As mentioned earlier, the organisation was operating informally with the help of contributions from its members and it was difficult to initiate action in an effective manner. Due to their limited resources and financial constraints, they decided to collaborate with RCDRC, another social organisation active in the area. On the basis of applications received in the Nagarda meeting, the activists of JJK went to the respective villages and conducted follow-up meetings with the *kamiyas*. In this process, several other *kamiyas* who had not attended the previous meeting also came and narrated their stories of bondage. The landlords of the area, who were aware of the consequences of the CKMS experience, employed a new ploy to harass the activists and the *kamiyas*. They organised the rest of the villagers against the activists and even planned to murder them. Because of the increasing threat to the activists, the meetings were held secretly at night, outside the village. Wherever the activists were caught organising a meeting of the *kamiyas*, they were harassed or manhandled by the landlords. Due to the adverse comments received from the Supreme Court in the CKMS case, the local administration refrained from openly siding with the landlords.

Meanwhile, JJK prepared a detailed representation on the issue of bonded labour and submitted it to the Collector of Raipur. As expected, there was no response from the administration due to pressure from the landlords and some political leaders. Then the organisation also approached the State Law Department with a representation, but this effort also failed due to administrative apathy at the higher level. Apart from legal interventions, the JJK also initiated action to form public opinion by involving like-minded activists, advocates and journalists on the issue of bonded labour. The organisation also became a part of various national level networks and organised a national convention (Bandhua Mukti Rashtriya Chaupal) of Bandhua Mukti Morcha in May, 1986 at Sonakhan village of Kasdol block of Raipur district. The director of JJK was also elected as the

secretary of BMM, which helped in highlighting the issue at the district and state level, creating pressure on the state to intervene in the issue.

Despite of continuous representations and reminders to the district administration and higher officials, there was no response, which was aggravating the whole problem. The organisation therefore decided to file a writ petition in the Supreme Court to direct the state government to initiate the release and rehabilitation of bonded labourers from the district. As JJK was not a registered body and was functioning informally, it decided to file the petition jointly with PUCL and Bandhua Mukti Morcha. Subsequently, Petition No. 483 / 87 was filed in the Supreme Court in 1987 with a detailed list of 4383 bonded labourers and the court appointed Shri Rajgopal P.V. as the Commissioner to enquire into the matter. As per the directions of the Supreme Court, the Enquiry Commissioner organised several camps in the region and interviewed the *kamiyas* along with their employers. On the basis of a report submitted by the Commissioner, the Supreme Court ordered the release of 3074 bonded labourers and the subsequent rehabilitation to be carried out by the state government. Meanwhile the administration also conducted its own survey in the district through government teachers and identified 1291 separate cases of bonded labourers who were given release certificates and rehabilitated.

A total of 5103 bonded labourers were released by NGOs and the government through the above mentioned legal intervention.

Subsequently, as the previous experience of rehabilitation in 1985 had been a bad experience, the district administration invited six NGOs of the district, which were identified by CAPART to participate in work related to the bonded labourers. The organisations selected are mentioned below.

1. Jan Jagriti Kendra, Pithora
2. Prayog, Tilda Nevra
3. Mukti Niketan , Pithora
4. Madhya Pradesh Harijan Sewak Sangh, Raipur
5. Sindh Sewa Mandal, Raipur
6. Diocesan Priests, Raipur

After the release of the bonded labourers by the government, RCDRC started the Mukti Niketan at Pithora on 13th March 1988 with the objective of the self-development of released bonded labourers. The other objectives of Mukti Niketan included:

- To plan an alternate programme for the development of the released bonded labourers to lead a new and meaningful life.
- To enable the released bonded labourers and set an example in the country on basic community life by the establishment of a village called Mukti Gram.
- Under the programme, Mukti Niketan started training 200 released *kamiyas* in various trades and skills, such as carpentry, tailoring, cycle repairing, soap manufacturing etc.

The district administration distributed the responsibilities to the above mentioned NGOs according to the areas. There were allegations of favouritism as only a few NGOs had the relevant experience and exposure on the issue of bonded labour, whereas a few other NGOs were given the responsibility due to political pressure. The Harijan Sewak Sangh was an NGO formed by a few landlords who were actually opposing the release of the *kamiyas*, but now these landlords had registered an NGO and wanted a share of the rehabilitation package.

JJK had already learnt certain lessons from the failure of rehabilitation in the CKMS case. Therefore, their focus was also on psychological rehabilitation, political and legal empowerment along with training for skilled development. Both, JJK and Mukti Niketan organised skill development camps in selected villages on trades like cycle repair, carpentry and tailoring. The NGOs also demanded the distribution of agricultural land for the released bonded labourers, but the government expressed their inability to provide land for all released *kamiyas*.

According to the Supreme Court directions, the government had to provide a rehabilitation package worth 6250 rupees, but there was wide scale corruption among government officials at various levels. The released bonded labourers were asked to pay bribes worth 600 - 700 rupees in order to receive the rehabilitation amount. When the NGOs came to know about the matter, the activists involved in the whole process of identification and rehabilitation sat on *dharnas* in front of the block office at Basna and demanded immediate action against the corrupt officials. In this way, the activists had to continuously monitor the whole process of rehabilitation in the area, so that the government officials or the landlords did not harass the released *kamiyas*. On the other hand, the state government unofficially blacklisted the organisations involved in the release of bonded labourers and resorted to harassment tactics.

ROLE OF NGOs

The problem of bonded labour has its roots in the traditional caste system and feudal practices, because of which it becomes very difficult for the *kamiyas* to give testimony in front of government officials. They are afraid that the landlords will harass them if they come to know that their bonded labour wants to be released. Therefore community mobilisation becomes the first step towards the release of bonded labour, so that they fight in a united manner and organise themselves systematically.

The NGOs played an important role in the whole process of identification, release and rehabilitation of bonded labourers in the region. Though several organisations were involved during the rehabilitation process, it was the brave initiative of CKMS, JJK, and Mukti Niketan who made wholehearted efforts, especially in community mobilisation and the release of *kamiyas* from Raipur district. Their interventions on the issue become even more decisive with the fact that their activists were facing continuous harassment from the landlords as well as the local administration. As the issue was relatively new in the area, these organisations worked for the cause with limited resources and money. Without the hundred per cent commitment of NGOs like Jan Jagriti Kendra, CKMS and Mukti Niketan it would not have been possible to release even a single bonded labourer.

Though all the above mentioned NGOs were working with different ideologies in different areas their basic strategy was the same. All of them started with mobilisation activities like organising meetings of *kamiyas* at the village level, spreading awareness about their problems and providing legal education on matters of minimum wages, human rights, atrocities, etc. These activities helped in uniting the *kamiyas* and making them aware of their rights. Another important role played by the NGOs was in legal interventions. In the atmosphere where the state government and the landlords were continuously denying the existence of bonded labourers, judicial activism was the only way to help the *kamiyas*. The organisations had also worked towards creating public opinion on the issue by collaborating with like-minded advocates, journalists, intellectuals and activists in the state and at the national level. Prominent advocates in the Supreme Court extended help to these organisations, because of which various writ petitions could be filed and enquiry commissions could be constituted. The NGOs also facilitated various camps organised to interview bonded labourers and landlords. The contribution of NGOs did not stop there; they also actively participated in the rehabilitation programme declared by the district administration. Mukti Niketan and JJK organised several training camps in selected villages for the released bonded labourers in order to teach them various skills. Another strategy employed by the organisation was that they gave organisational training to the released bonded labourers and employed them as activists for further community mobilisation. Mukti Niketan, especially stressed on the unionisation of the released bonded labourers so that they could collectively fight for their rights. The people's organisation formed by Mukti Niketan with the help of released bonded labourers started demanding land for the landless agricultural labourers and put substantial pressure on the state government to distribute land to the landless. Because of this initiative the released bonded

labourers have succeeded in encroaching on several hundred hectares of government land in the district and are now regularly cultivating it for themselves.

There was rampant corruption practised by the government officials during the entire rehabilitation process. The released bonded labourers had to pay huge bribes to get the rehabilitation package. When the above mentioned organisations came to know about such practises, they started an agitation to demand immediate action against the culprits.

The NGOs are well aware of the seriousness and enormity of the problem; therefore they did not stop their activities for further community mobilisation and identification of more bonded labourers. JJK has recently filed another writ petition in the High Court for the release of another 150 bonded labourers from Raigarh district. The case is pending in the Bilaspur High Court for the past two years and the court has asked for representations from the state government. On the other hand, Mukti Niketan is focusing on organising the released bonded labourers as well as *kamiyas* to ensure land and livelihood rights for the landless agricultural labourers of the region.

ROLE OF THE GOVERNMENT ADMINISTRATION

While studying the role of the government administration, both good and bad experiences were seen. In the initial stages, the administration clearly seemed to be working under political pressure. Despite several representations made by the NGOs for the release of the bonded labourers, the officials refused to intervene in the matter and sided with the landlords in most of the cases. In certain instances, government officials were directly involved in harassing the activists and *kamiyas*, because they had dared to raise their voice against the landlords. The indifferent attitude shown by the government officials was more evident among the officials at the block and tehsil level, who refused to cooperate on the issue and indulged in corrupt practices.

Some good examples were also set by the government administration. A few of the Collectors who were posted in the district displayed keen interest in the issue and cooperated with the NGOs. They showed sincerity in conducting enquiries and surveys. It was generally observed that the administration played a pro-active role whenever there was less political pressure on the officials. There are some good examples of “administrative activism” on the issue of bonded labourers.

In Raipur district, the identification, release and rehabilitation of bonded labour started for the first time in 1984/1985 when the Supreme Court had ordered the release of 693 bonded labourers in the CKMS case through petition No. 13300/83. Subsequently, the district administration initiated surveys to identify more bonded labourers. After the survey, the administration was able to identify 1291 more cases of bonded labour in the area and issued release certificates. As it was the first experience of the government administration, they started preparing individual rehabilitation schemes and focussed only on economic rehabilitation. At that time, due to lack of experience of such interventions, if a bonded labourer was paid 4000 rupees, he was considered fully rehabilitated. Apart from this, attempts were also made to give temporary employment by starting relief work in the region. Few of the released bonded labourers were integrated in the anti-poverty programmes under the centrally sponsored schemes in the district. The initiatives of the government administration are mentioned below.

- 343 released bonded labourers got loans under IRDP scheme.
- 115 houseless bonded labourers were provided houses under the Gramin Awas Yojna.
- 2327 works under NREP were sanctioned between 1988-1991, generating a total of 51.26 lakh man-days.
- 396 works under RLEGP were sanctioned between 1988-1991, generating 104729 man-days.

Another important step taken by the government administration was to involve the NGOs in the rehabilitation process after the release of more than 4000 labourers in 1987-1988. This step helped the officials, as well as the activists, to come to a common platform and discuss the

problem of bonded labour in the process of developing a common understanding. The most appreciated example of judicial activism came in the form of penal actions against the defaulting landlords. Immediate action was taken after the Supreme Court judgement in 1987 and a total of 246 landlords who had allegedly kept bonded labourers were prosecuted. The trials of such cases were effectively taken in the beginning and two persons were actually convicted to three years imprisonment and a fine of 2000 rupees. This action of the administrative officials set a historical precedent and instilled fear in the minds of other culprits. Due to these convictions, landlords in the area were afraid of keeping *kamiyas* openly and hundreds of other bonded labourers were released unofficially.

ROLE OF THE COURT

The actual intervention on the issue of bonded labour started due to judicial activism initiated by Hoop Ram's petition. While studying the chronology of events, it is quite clear that the release and rehabilitation of bonded labourers would not have been possible without the pro-active role played by the judiciary, especially the Supreme Court. After the first petition filed in 1983, the apex court continuously intervened even on matters of harassment of activists and bonded labourers. It was the strict directive of the court, which pressurised the state government to take immediate action for the release of the *kamiyas* in the region. When the landlords along with the administration were involved in repression tactics, the apex court sent an Enquiry Commission to probe the matter and acted judiciously.

Another important step taken by the court was the appointment of Enquiry Commissioners to find out the actual situation of the bonded labourers. The persons appointed as Commissioners were experienced social workers who conducted the enquiry in a judicious manner and presented a true picture of bonded labourers in the region. This helped the apex court realise the seriousness of the problem and give its judgement accordingly.

ROLE OF VIGILANCE COMMITTEE

The District Vigilance Committee got the mandate to identify the bonded labourers as well as monitor and initiate the process of releasing and rehabilitating the bonded labourers. Yet, in all the cases, the Vigilance Committee was found to be inactive and existed only in government documents. No regular meetings were convened and the formation of the Vigilance Committee was treated as a mere formality, especially as the government has not initiated any steps to convene a meeting of the Vigilance Committee.

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ORGANISATIONAL INTERVENTION

1. **JAN JAGRITI KENDRA (Mahasamund, Raipur & Raigarh)**

JJK visualises a new social order where everyone's inherent dignity will be protected in order to respect his or her identity. It is committed to change the existing exploitative and inequitable structure of society. JJK's mission is to bring changes in the livelihood of the vulnerable groups and communities (e.g. tribals, dalits, women, children and other marginalised communities), reaching them and educating the common masses that are caught in the vicious circle of poverty, violence and discrimination.

Goal

To ensure overall development in the lives of the tribal and dalit communities of Chhattisgarh state, which will lead to their organised efforts for a qualitative improvement of life. The primary strategic goal is to ensure a child and women centred development process all over the state, integrating family and community empowerment, by respecting the sustainable development approach.

Objectives

To make people aware about their problems, issues and situations in social, cultural and economic life and the over all environment, where they live in very miserable conditions.

- To promote collective efforts for community development
- To free women from social bondage and prepare them to enjoy their human rights.
- Conservation, promotion and protection of natural resources by, for and of the people.
- To strengthen the gram sabha (village government).
- To promote people's economic order and sustainable and participatory action and development process.
- To promote development action respecting the values of transparency, accountability and sustainability.
- To promote development initiatives, ensuring people's participation and people's mechanism.

Since JJK's inception, it has been engaged in the promotion of community organisations. It has been facilitating the formation, development and networking of people's organisations (called federations) in three districts of Chhattisgarh i.e., Raipur, Mahasamund and Raigarh. In these districts, the people's organisations have 12000 members.

The organisation is engaged in three-fold capacity building activities. It builds the capacity of a) communities, b) staff and c) like-minded stakeholders in the process. The capacity building activities include training, workshops, exposure, newsletter publication etc. The contents are as follows.

- Human rights and legal literacy
- Personality and leadership development
- Organisation development and management
- Savings and credit
- Accounts and record keeping
- Micro-enterprises
- Watershed
- Issue based advocacy
- Health education and Dai training etc.

Advocacy

JJK's history speaks about its advocacy efforts starting from the release of bonded labourers to land rights for the landless, to violence against women. During the last 16 years of its existence, the issues it has advocated are given below.

- Release of bonded labourers
- Land rights (170 b, forest land, displacements, encroachment,)
- Minimum wages
- Equal wages for equal work
- Violence against women (Rape and other forms of sexual abuse, dowry, torture, superstitions against women, atrocities against single women etc.)
- Atrocities against tribes, dalits, and other weaker sections of the society
- Untouchability
- Water issues (safe drinking water, irrigation, water for daily needs) etc.

JJK was started by Shri Sharmanand Gardia, a native and experienced social worker of the region. The organisation was initiated in an informal way with the help of local residents of 45 villages. Being involved in social action for a long period, the director of JJK understood the problems of the area and committed himself to work for the upliftment of the marginalised communities. Initially, the organisation started community mobilisation by spreading awareness among the agricultural labourers about the provision of minimum wages and human rights. When the organisation came to know about the provisions for the eradication of bonded labour, they started mobilising and spreading awareness in the community about their rights. JJK also prepared a detailed representation and filed a writ petition in the Supreme Court for the release of more than 3000 bonded labourers from the region. Subsequently the Court ordered an Enquiry Commission on the matter and after receiving the Commissioner's report, ordered the release and rehabilitation of 3074 *kamiyas* from Raipur district.

After this, JJK was invited by the government administration to cooperate in the rehabilitation of the released bonded labourers in Pithora block. The strategy adopted by the organisation was to not only focus on economic rehabilitation, but also initiate training for skill development and the legal education of the released bonded labourer. The activities carried out by JJK for rehabilitation are listed below.

- JJK initiated an awareness programme in order to spread awareness among the released bonded labourers on various issues by cultural programmes such as songs, street plays, gatherings etc.
- The organisation started training workshops in selected villages in various trades, especially for the young released bonded labourers, so that they could benefit from the government's employment schemes .
- The organisation helped the released bonded labourers make plans about their future occupation.
- JJK helped the released bonded labourers discuss and initiate solutions to their personal and social problems.
- JJK acted as a mediator between the released bonded labourers and the government administration so that they could benefit from welfare schemes.

Apart from this, JJK also lobbied in the government to provide the released bonded labourers with agricultural land, loans from various government schemes and houses. They prepared a detailed list about the released bonded labourers' requirements on the basis of discussions in the meetings and also succeeded in getting sanctions for certain schemes for the released bonded labourers.

| SUCCESS | FAILURES |
|---|--|
| <ul style="list-style-type: none"> ➤ Legal interventions ➤ United movement ➤ Creating public opinion | <ul style="list-style-type: none"> ➤ Sensitising administration ➤ Sensitising the employers ➤ Addressing basic issues of casteism |

| | |
|--|--|
| <ul style="list-style-type: none"> ➤ Mainstreaming the issue of bonded labour ➤ Awareness among <i>kamiyas</i> ➤ Rehabilitation ➤ Improved employment conditions ➤ Sustained efforts | <ul style="list-style-type: none"> and poverty ➤ Lack of cooperation from other stake holders ➤ Land distribution to released bonded labour |
| STRENGTH | WEAKNESSES |
| <ul style="list-style-type: none"> ➤ Networking with local and national organisations ➤ Cooperation from media and like minded people ➤ Local presence ➤ Committed grassroots cadre ➤ Infrastructure ➤ Development oriented approach ➤ Good relationship with community ➤ Vast experience of intervention ➤ | <ul style="list-style-type: none"> ➤ Lack of resources ➤ Documentation ➤ Cheated by other organisations |

2. MUKTI NIKETAN (Mahasamund and Raipur)

Shri Rajendra Sail started Mukti Niketan on 13th March 1998, as an initiative by the RCDRC (Raipur Churches Development and Relief Committee) for the overall rehabilitation of released bonded labourers. Earlier RCDRC in collaboration with JJK had gained vast experience on interventions related to the identification and release of bonded labourers. When more than 4000 bonded labourers were released and RCDRC was invited by the government to participate in the rehabilitation process, the organisation decided to initiate a programme for self development of released bonded labourers. As a result, Mukti Niketan was formed with the objective to plan and implement an alternative programme for the development of released bonded labourers.

Apart from this, the other objectives of the organisation were:

- To enable the released bonded labourers to participate in the process of self development and set an example in the country in an experiment of building up a basic community life, probably in the form of establishing a village, to be called "Mukti Gram".
- To educate the release bonded labourers in skills, trades and know-how relevant to the rural economy in the Chhattisgarh region.
- To promote cultural values in the released bonded labourers, this would generate a new life in the region based on the principles of freedom, justice, equality and human dignity.

Initially the organisation organised a series of motivational camps in which 158 released *kamiyas* participated and benefited from the self-development programmes. Along with this, an orientation camp was also organised in Mahasamund where an equal number of *kamiyas* gathered and benefited psychologically to deal with their problems. Subsequently, in order to impart social education, Mukti Niketan organised several cultural programmes at the village level. In order to create awareness, the activists of the organisation conducted adult literacy classes among the released *kamiyas*. They were given legal training on the issues that concerned them.

For the economic rehabilitation of the released bonded labourers, Mukti Niketan imparted training in various trades such as carpentry, cycle repair and tailoring in selected villages. On the basis of requirements mentioned by the released *kamiyas*, Mukti Niketan prepared a detailed list in order to provide them assistance under various government schemes.

| Demand | Released BL in Kasdol | Pithora | Basna | Saraipali | Total |
|------------|-----------------------|---------|-------|-----------|-------|
| Housing | 059 | 108 | 147 | 172 | 486 |
| Agri. land | 032 | 028 | 018 | 028 | 106 |
| Landless | 112 | 150 | 223 | 285 | 770 |
| Well | 006 | 004 | 008 | 012 | 030 |
| Total | 209 | 290 | 396 | 497 | 1392 |

On the basis of the released bonded labourers' above mentioned demands Mukti Niketan sent representations to various government departments for assistance. Apart from this, another major initiative of the organisation was to start a people's organisation for uniting the *kamiyas* under one banner so that they can fight for their demands in an organised manner. The released *kamiyas* under the aegis of the Chhattisgarh Mukti Morcha have succeeded in putting pressure on the government to accept their demands and have encroached on hundreds of hectares of agricultural land, which they are regularly cultivating now.

| SUCCESS | FAILURES |
|---|---|
| <ul style="list-style-type: none"> ➤ Rehabilitation of <i>kamiyas</i> ➤ Political empowerment ➤ Unionisation of released bonded labour ➤ Collective land encroachment ➤ Legal intervention ➤ Mainstreaming the issue of bonded labour ➤ Creating public opinion ➤ Sustained efforts ➤ Addressing social problems | <ul style="list-style-type: none"> ➤ Land regularisation ➤ Sensitising administration ➤ Sensitising other stake holders ➤ Addressing long term goals ➤ Differences with other organisations ➤ Addressing basic issues of casteism and poverty |
| STRENGTH | WEAKNESSES |
| <ul style="list-style-type: none"> ➤ Legal interventions ➤ Campaigning and advocacy ➤ Documentation ➤ Grass root organisation ➤ Better infrastructure ➤ Young and dedicated cadre ➤ Experienced activists ➤ Local presence | <ul style="list-style-type: none"> ➤ Absence of coordination with other organisations ➤ Lack of government cooperation ➤ Resentment among released bonded labour |

3. LEHAR (Chapa Janjgir)

Lahar Samaj Sewi Sanstha was formed in 1985 and its chief functionary is Mr. R.K Shukla. He is a native of Chapa-Janjgir district and has vast experience as a social worker. Before 1999, this district was a part of undivided Bilaspur district and has the highest concentration of scheduled caste communities (22 %). At present it can be said it is the place from where the highest number of migrant labourers go to other states in search of livelihood. The population of this district is mostly dominated by *Satnamis* (SC) who are identified as one of the most economically weak and deprived sections of the state. Every day, news about the bonded labourers from this district who are being released from Jammu, Uttar Pradesh, Madhya Pradesh etc., appears in the newspapers. Poverty, livelihood insecurity and inferior social conditions make the *Satnamis* of this district more prone to the bonded labour system arising out of migration.

The organisation's vision is the formation of a society based on democracy, equality and peace, where people and the government play their respective roles effectively, with transparency and accountability. Its mission is to enable and empower the poor, especially the tribals, dalits, and

women to seek and obtain opportunities for complete and sustainable participation in the social, economic, political and cultural life of society and the nation.

At present the organisation is working on various issues in the districts of Raipur, Kawardha, Jashpur, Bilaspur and Chapa-Janjgir. Initially when LAHAR was working on the issue of dalit empowerment and rural development, they closely observed the problems of migrant labourers. Every year lakhs of labourers used to migrate from the region to other states such as Uttar Pradesh, Haryana, Delhi and Kashmir to work in the brick kilns there, where the contractors made them bonded labour. In order to address this problem in an effective manner, the organisation started with mobilising the community by spreading awareness and imparting legal education. LAHAR involved the vulnerable communities by constituting informal groups at the village level and involving the villagers in their programme. As the character of migration was traditional in nature, it was almost impossible to stop the people from migrating out of the states in search of better livelihood.

The organisation therefore, started advocating and campaigning for ensuring better wages and welfare of the migrant labourers. Along with this, they published and distributed leaflets and pamphlets on what the labourers must do when the employers hold them as bonded labourers. This initiative yielded good results and the organisation started getting letters from bonded labourers who had migrated from the district, especially to the brick kilns in other states. When the activists of the organisation received news about any bonded labourers, they swung into action by contacting the Collector and going to the brick kiln for the release of the bonded labourers. Till now, the organisation has been successful in releasing 1400 families from the brick kilns of Uttar Pradesh, Haryana, Delhi, Kashmir and Bihar. The organisation has also laid special stress on migrant women workers, as they also have to face sexual harassment in the brick kilns. Therefore, they are educated by the activists at village level meetings about migrant women's rights at the work place.

| SUCCESS | FAILURES |
|---|--|
| <ul style="list-style-type: none"> ➤ Releasing bonded labour from brick kilns ➤ Spreading awareness in migrant workers ➤ Addressing plight of women labourers ➤ Better coordination with the government ➤ Community mobilisation among marginalized communities ➤ Economic programmes to address the issue ➤ Integrated approach ➤ Sustained efforts ➤ Creating public opinion ➤ Cooperation from media | <ul style="list-style-type: none"> ➤ Rehabilitation ➤ Checking migration ➤ Addressing core issues of poverty ➤ Sensitising administration ➤ Sensitising other stake holders ➤ No systematic intervention ➤ Legal intervention |
| STRENGTH | WEAKNESSES |
| <ul style="list-style-type: none"> ➤ Grass root organisation ➤ Better understanding of labour dynamics ➤ Experienced activists ➤ Local presence ➤ Campaign and advocacy ➤ Community mobilisation | <ul style="list-style-type: none"> ➤ Lack of resources ➤ Lack of committed cadre ➤ Lack of support from other stake holders of society ➤ Documentation. |

EVALUATION OF INTERVENTION

IDENTIFICATION, RELEASE and REHABILITATION

JJK and Mukti Niketan were both involved in the identification, release and rehabilitation of bonded labour in Mahasamund and Raipur districts. The strategies used to address the issue were similar as both the organisations were working in collaboration with each other. They started with spreading awareness among the affected community by conducting village level meetings and educating them about their rights. Subsequently, a survey was also conducted to collect detailed information about the *kamiyas* working in the region. Along with this, they also organised the bonded labourers under one banner in order to address the issue in a systematic manner. After this, written representations were submitted to the Collector and other high officials. The organisation also created public opinion by highlighting the issue at the state as well as national level to pressurise the administration to do the needful for releasing the *kamiyas*. When the administration did not pay any attention to the organisation's demands, the next natural step was legal intervention by filing a petition in the Supreme Court, so that the court could direct the state government to intervene in the matter. The objective behind filing a petition in the court was to create two-fold pressure on the government administration so that they intervene immediately.

Similarly, a systematic approach was also taken in the rehabilitation process. A lot of attention was given to overall rehabilitation, so that a released *kamiya* does not go back to bondage. Along with an economic package, social rehabilitation, psychological rehabilitation and political empowerment were also taken care of by the respective organisations. The objective behind such an approach was to bring the released bonded labourers into the main stream of society through appropriate political education.

On the other hand, LAHAR is also involved in the identification and release of bonded labourers who have migrated to other states. The basic difference between the bonded labour problem in Chapa janjgir and that of Mahasamund is its enormity. According to the organisation's estimates there were thousands of *kamiyas* employed in Mahasamund district whereas in Chapa janjgir, the number of people migrating to the brick kilns of other states is in lakhs! This situation actually describes the limitations of LAHAR in planning any rehabilitation programme for the released bonded labourers. The basic strategy employed by LAHAR to address the problem is that they start community mobilisation before the migration season and educate them about various aspects of the problems faced by bonded labour in brick kilns outside the states. The address and phone numbers of the activists are circulated through pamphlets in the villages as well as at railway stations and bus stands. In case, any migrant labourer is held forcefully and made a bonded labourer, the brick kiln workers, secretly contact the activists through the post or by telephone. After receiving information, the activists contact the Collector and submit a representation requesting that he take immediate action. As a result, an enquiry team is formed and sent to the respective brick kiln. With the cooperation of the District Collector and the police officials, the brick kiln is raided and the bonded labourers are released and sent back to their native state. This strategy is basically an emergency intervention where the bonded labourers are rescued rather than released. In most of the cases the Collector of that district doesn't even give a release certificate because of the brick kiln owner's political clout. The released bonded labourers are just given the travel expenses to return back to their native places. Though several released labourers have been given release certificates, no rehabilitation has been done till now. As a result, these labourers again go back to other brick kilns every year in search of livelihood.

The basic difference between the approach of JJK, Mukti Niketan and LAHAR is given in the following table.

| SUBJECT | JJK and MUKTI NIKETAN | LAHAR |
|--------------------------|----------------------------------|----------------------------|
| Area of intervention | Mahasamund and Raipur | Chapa janjgir and Bilaspur |
| Vulnerable community | Gada (SC) | Satnami (SC) |
| Work sector | Agricultural labour | Brick Kiln |
| Estimated BL | 10000 | 25000-30000 |
| Daily wages per day | 20-25 rupees | 70-100 rupees |
| Mobility | No mobility | Migrant workers |
| Traditional name | Kamiya / melha | Bilaspuriya |
| Approach of intervention | Systematic | Urgent intervention |
| Rehabilitation | Planned rehabilitation programme | No rehabilitation at all |

COMMUNITY MOBILISATION

Basically three groups namely JJK, Mukti Niketan and CKMS were actively involved in Mahasamund and Raipur districts, whereas LAHAR is doing community mobilisation in the Chapa janjgir district. Though the communities, region and dynamics of the problem are different in the two districts the approach of all these organisations is the same. The strategy for community mobilisation is to involve the local communities in spreading awareness about their problem. While JJK and Mukti Niketan observe the problem through the perspective of the Bonded Labour System (Abolition) Act, LAHAR sees the problem from the perspective of the Interstate Migrant Labour Act. All the organisations use cultural programs, songs, plays, gatherings etc. in the local dialect to educate the target community. An important point to be noticed here is that in Chapa janjgir district, the organisation has even tried to mobilise and spread awareness about the problem among the *Sirdars* (agents), who generally also belong to the same community. In most of the cases it has been observed that the migrant labourers become bonded, because their agents have cheated them.

CAMPAIGN and ADVOCACY

Apart from community mobilisation, all the three organisations, studied during the research were involved in campaign and advocacy work. Their work has helped in generating awareness among the vulnerable communities as well as the common people. It has also helped in creating public opinion by mainstreaming the issue through the media and other means. The advocacy activities were an important activity of the organisation as it built pressure on the government administration to take necessary steps for the release and rehabilitation of *kamiyas* from the region.

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CASE STUDIES OF SUCCESS AND FAILURE

1. Case study of existing bonded labourer

Ram Prasad, s/o Neelmani, Age -35 years, Caste- Gada (SC)

Ram Prasad is a local resident of village Jampali, panchayat Temri, tehsil Sariapal, district Mahasamund in Chhattisgarh. His family consists of four children and his wife. In 1999, he had to take a loan of 1500 rupees from Ghansyam (caste - Gond) of the same village, because his wife had complications during her delivery and had to be taken to Saraipally hospital. He has now been working as a bonded labourer for the past five years in his creditor's fields.

He is given two kilograms of paddy daily. He is not allowed to take any leave from work and whenever he is sick and not able to work, the landlord deducts two days wages. He is provided with morning breakfast, but has to work from 7 o'clock in the morning till 6 o'clock in the evening. The interest on the loan taken by him is 10 per cent and even after working for five years he is still under a debt of 1000 rupees. From time to time he is treated very badly by the landlord, but he doesn't allow Ram Prasad to go elsewhere in search of work.

Ram Prasad is quite aware about the provisions of Bonded Labour System (Abolition) act, but he can do nothing as his employer is an influential person and also a local office bearer of a political party. He fears that if he revolts against the farmer then he and his family members will be harassed and he won't get any work in the village. He feels that even if he gets released from bondage, he will have to migrate like other landless people of the village, to brick kilns for livelihood. There is very little work in the village as most of the work is now done by tractors.

2. Case study about process of identification, release and rehabilitation

Dolamani Bagh, S/O – Subro, Age – 45 years, Caste – Gada (SC)

The father of Dolamani was a Kotwar and there were six adult members in their family. Though the government had given some service land for supporting the family, they were not able to cultivate it due to their hectic Kotwari duties. So he used to take an occasional loan from the landlord. Dolamani had joined the local government school and studied up to class IX. Due to acute poverty, he left school and started working as a daily wage labourer. As this work was not regular after four to five months, he started working as a *kamiya* for Narendra Chaudhary, a large farmer who had more than 100 acres of land. Along with him, there were 13 other bonded labourers working for the farmer. When he started work, he took an advance of 100 rupees and his daily wage was 1.5 kilograms of paddy per day. He worked there for three years and in between he got married by taking a loan of 200 rupees. After getting married, Dolamani left the first farmer and joined Saukilal who was another big farmer with more than 100 acres of land. He had 12 bonded labourers working in his fields. Dolamani started working as a *Munim* at his place for which he had no regular working hours. Quite often he had to work at night. He used to look after the attendance, maintain accounts, monitor the other *kamiyas* and also replace them in case they were absent. He worked there for almost two years when the JJK activists came for a survey.

“When the landlord came to know that I have attended the meeting of the organisation, they threatened me with dire consequences, but I didn't get afraid and gave my testimony in the release camp. Finally I was given a release certificate along with the rehabilitation package after paying a bribe of 600 rupees to the clerk of the BDO.”

“After the release, the landlords refused to give us any work so I started working in the brick kilns in nearby villages where I used to get 60 rupees for making 1000 bricks. Later on I took a loan of 2000 rupees from the government's IRDP scheme with which I bought some threads and started weaving cloth at my home. I also used to buy sarees from the handloom society and sell it door to door, but the money, which I earned, was too little to manage my family. Meanwhile, I attended a

meeting of JJK and told them about the difficult conditions in which I was living. I was then called for an activist training and then employed by JJK. For the past 15 years, I am working as a grass root worker of the organisation and mobilising my own community. The exposure, which I have got by working for the organisation along with my experience, is helping me in implementing the welfare programmes of released bonded labourers”.

3. Case study of a successful rehabilitation

Jagdev, S/O – Sulaku, Age – 40 years, Caste – Gada

Jagdev is basically from Sukri village and had been working as a *kamiya* since 1983. He was identified in a survey by JJK activists and subsequently got a release certificate in 1988. After one month, he went for the orientation camp along with other released bonded labourers to Pithora organised by Mukti Niketan. During interaction with the activists in the camp, he and his friends felt that they needed to be self-reliant and start some work in the village itself. He had no agricultural land to earn a livelihood. After returning from the orientation camp at Pithora, another training workshop was held by the organisation at a neighbouring village Chanan. Along with him, a total of 28 released bonded labourers participated in the workshop and learnt cycle repairing, carpentry etc., for one month. Later he bought the necessary equipment with the money he received in the rehabilitation package. He started a cycle repair workshop along with his elder brother in one room of his house and the business gained momentum. The community members also supported him in his enterprise and later he took a loan of 5000 rupees from the bank to expand his business. Now he has paid back the entire loan amount along with the interest. Apart from this, he also bought two acres of agricultural land in a nearby village with the money he had saved from the business.

He attributes his success in business to the efforts of the organisation, cooperation from the villagers and personal entrepreneurship.

4. Case study about NGO effort for rehabilitation

Salekram, Age – 52 years, Caste – Gada.

Salekram of Chanan village was working for the landlord in Sukri for the past seven years before being released. His father had also worked as a *kamiya* for the same landlord. In order to get married, Salekram had taken a loan of 400 rupees and two bags of paddy. He was identified in a survey conducted by the activists of JJK in 1985 and appeared before the officials to record his testimony and was released in 1988. Later on he joined a training workshop conducted by the organisation along with 15 other released bonded labourers. He learnt to make wooden doors, windows, beds and chairs, tables etc. and on the completion of his training he was given carpenter tools to start his business in the village. He bought timber from the local forest depot and started his work. He used to make furniture on order for the villagers. As buying timber was expensive, he also used to bring wood from the neighbouring forest as per the demand. Now that wood in the forests has decreased and the forest officials harass him from time to time, he has encroached on two acres of agricultural land for which he has no ownership papers. The work of carpentry is not regular, but it helps him to support his family when there is no labour work available in the village.

5. Case study about a women bonded labourer

Sonaibai, W/O Jahar, Age – 50years, Village Chata.

Sonaibai, along with her husband, was employed by the *Malguzar* of the village as a *kamaylin*. Her husband did not keep well so she used to work in the landlord's house. Her husband had taken a loan of 400 rupees and a bag of paddy from the employer. She had to do all types of household chores like washing clothes, cleaning utensils, cleaning the cowshed etc. She was only paid 1.5 kilograms of paddy every day. As her husband had not been keeping well for a long time and was unable to work, it was very difficult to survive on such little paddy. She had four children (two boys and two girls) who were very small at that time. Therefore, she also had to manage her housework after returning from work.

“At the time of release, only my husband was given the certificate and officials considered me only as replacement of my husband. They told that only one person of the family will get release certificate and being a woman, I was not given any separate rehabilitation amount though both of us had worked as bonded labourers”.

6. Case study about new form of bondage

Dhaniram, Age – 40 years, Caste – Sawra (ST), Village – Chanan.

Dhaniram's father had taken a loan from Ghuran Patel, a big landlord of the village, but unfortunately he died after a few months. At that time, Dhaniram was only 18 years old and he had to work in place of his father as a *kamiya*. He had to work from morning till evening and the landlord never gave him any leave. One day some government officials approached him and asked for details of his employment. They told Dhaniram that he will be released from bondage and will not have to pay back the landlord's loan. Subsequently, he was called to a camp organised in the nearby village where he had to give his testimony. After writing his statement, the officials gave him a release certificate and 500 rupees. When the landlord came to know about it, he stopped giving him work and Dhaniram had to work in a brick kiln to survive.

For the past three years, he is working as a *melha* to another landlord of the same village, who has given him an advance of 2000 rupees. His daily wage is around 25 rupees per day, but even today he has to work from morning to night and the employer gives him *nasta* (breakfast) in the morning. At least he is satisfied that he doesn't have to search for work elsewhere.

7. Case study about generational bondage

Gopal Sidar, Age – 55 years, Caste – Gada, Village – Sukri.

Gopal Sidar's father and grandfather had also worked as *kamiyas* with the same landlord family; therefore he was also forced to work as a bonded labourer. There were no regular working hours for him as he had to toil from dusk to dawn in the landlord's farm and was paid only two kilograms of paddy as daily wages. He was given stale rice or *murra* in the morning as *nasta* before starting the day's work and sometimes he even had to guard the landlord's crop through the night. In 1985, he was identified in a survey and subsequently released in 1988. After the release, he was given training as a carpenter for three months at Mukti Niketan from 1st April 1988 to 1st July 1988, after which he was provided with carpentry tools. He was also able to encroach on some government land where he regularly cultivates paddy. He also occasionally works as a carpenter to support his family.

8. Case Study about atrocities on bonded labour

Basudev, S/O Raghumani, Age – 50 years, Caste – Gada (SC)

Basudev is a resident of Jiradabri village who started working as a *kamiya* for one of the landlords of the same village in 1979. He had taken a loan of 600 rupees and a bag of paddy in order to meet his marriage expenses. Along with him, there were five other *kamiyas* working for the same landlord, who had 40 acres of land. There were no regular working hours as he went home only to sleep and eat. Whenever he used to commit minor mistakes at work, his employer used to shout at him and once he was even badly beaten by the *malguzar* for not turning up for work on time as he was sick. As a result of the landlord's beating, he was not able to walk properly for two weeks, but was still forced to cut and carry soil from the fields. The landlord used to continuously harass and abuse him. He was fed up of working as a *kamiya*, but there was no way out.

Finally, he was identified during a survey and released in 1988. Now he works as a daily wage labourer where he gets 25 rupees a day. Though the pay is very little he is happy that the employer doesn't scold or harass him at work.

9. Case study about systematic repression by landlord

Vidhyadhar, S/O Suklal, Age – 40 years, Caste – Gada (SC)

Vidhyadhar is a local agricultural labourer from Khairjhitki village who started working for a landlord of the same village, because he was getting married. He had taken a loan of 800 rupees from the farmer and his daily wage was 1.5 kilograms of paddy per day. After two years of working as a *kamiya*, he didn't want to go for work, because the landlord used to treat him badly. The landlord's wife and children also used to shout at Vidhyadhar, so he decided to discontinue work. When he stopped going to the field, the landlord sent another *kamiya* to call him, but he refused to return to work. Meanwhile, he started working, as a casual labourer in another farmer's field. When the landlord came to know about this he got very angry and threatened to take revenge. He convened a village panchayat and complained about Vidhyadhar in front of the elders of the village. Under pressure from the landlord, the village panchayat decided that none of the farmers in the village would employ Vidhyadhar until he start working again and cleared the debt. Due to this decision, he was forced to go back to the landlord where he worked for another year after which he changed his employer.

10. Case study about bondage in a brick kiln

Ghasiram and his wife Sukbai, Caste – Satnami, Village – Bhaisadadar.

Ghasiram and his wife Sukbai had taken a loan of 10000 rupees from the village moneylender at an interest of five rupees per 100 rupees so that they could pay their elder son's college fees. In order to pay back the loan, they decided to migrate to Uttar Pradesh and work in a brick kiln there. The *Zamadar* had promised to pay them 150 rupees per 1000 bricks and more than 20 *Satnami* families of the village had agreed to go with them. In the month of October 2002, they all moved together by bus and then by train to a brick kiln in Muradabad. The agent had given them 50 rupees as *kharchi* (petty expenses) along with paying for the travel. They were placed in a brick kiln owned by Mazid near Sambhal police station of Muradabad where they started making bricks. In one day, a couple was able to make 1000 –1500 bricks, but they were never paid. They had to survive on a *kharchi* of 50 rupees provided to them for the whole week. When they complained to the contractor about the wages, he threatened them with dire consequences and four goons with firearms guarded them day and night. They continued to work like this for six months.

One day when they had gone to the local market, they met some other labourers from Bilaspur district who gave them the phone number of a migrant labour help centre run by LAHAR at Chapa janjgir district. They managed to speak to the activist on the phone and told them about their problems. On receiving the news, the activist prepared a memorandum on the basis of information given by the bonded labourers and met the District Collector. The DM constituted a team and immediately sent it to Muradabad where they met the DM of that district and jointly raided the brick kiln. A total of 66 bonded labourers were released along with Ghasiram and his wife. The DM of Muradabad gave them the release certificate and arranged for their return. After this, Ghasiram and his wife don't want to migrate anywhere in search of work. At present he is working as a *kamiya* for the landlord of his village. Till now they have not received any rehabilitation money from the government.

11. Case study about repression by a brick kiln owner

Ramkali, W/O Melaram, Caste – Satnami

Ramkali and her husband had gone with 30 other villagers to Allahabad to work in a brick kiln there. The contractor had promised to pay 150 rupees per 1000 bricks. The couple was able to make up to 1500 bricks per day, but the contractor cheated them and never gave the agreed wages. They were only given a minimum *kharchi* to buy rice and there was no firewood available nearby. One day Ramkali took some coal from the brick furnace so that she could cook food, but the contractor's goons caught her and abused her. All the bonded labourers working in that brick kiln decided to contact the organisation and wrote a letter to the migrant workers help centre.

Unfortunately, the postman handed the letter to the contractor and the contractor started keeping the labourers under strict guard. The goons would follow them every where and the women were only allowed to answer nature's call in the open, in front of the guards. This harassment continued for three months. Luckily the organisation came to know about their situation through labourers of a neighbouring brick kiln and finally they were released with the Collector's.

12. Case study about repression tactics of contractors

Gorelal, Age – 32, Caste – Satnami.

Gorelal of Buchihardi village of Akaltara block had gone with 20 other labourers to a brick kiln in Gwalior in 1998. After agreeing and fixing the wages, their agent cheated them and ran away with the advance money, which the contractor had given for the labourers. Now the contractor refused to leave them till they all had cleared their dues. The contractor and his men used to constantly guard the labourers so that they could not leave the place. Meanwhile the labourers managed to send a message to the District Collector about their bondage. The contractor was very clever and when he came to know about this, he quickly transferred them to a nearby brick kiln. When the Collector raided the place, he could not find any bonded labourers there and returned empty handed. After this, the contractor started harassing them even more. One day, Gorelal decided to take action and consulted his fellow labourers. At night, all the labourers collected some money from their savings and gave it to Gorelal. He secretly fled the brick kiln and returned to Chapa. He contacted a local newspaper and narrated the whole story to them. The next day the news of the bonded labourers in Gwalior appeared in the newspaper and the district administration took immediate steps to rescue the bonded labourers from the brick kiln.

13. Case study about the process of rehabilitation

Suru, S/O Madan, Age 37 years, Caste – Gada, Village- Kharijhitki.

Suru basically did not belong to this village. He came from Artunda village in search of work. As there were no big farmers in Artunda, there was hardly any work there. So they all moved here. They had no land and no other source of work. He had borrowed a sum of 3000 rupees and 12 bags of paddy from Kandarpoo (a meher) of Bhulia caste for his marriage. This was the beginning of his bondage. He further said that the farmer had 10 acres of land and a cloth shop and Suru started working in his fields. Recollecting the year 1978/1979 when all this started, he continued saying that there were no fixed time for work and it would continue even at odd hours. Above all when his wife would go to collect the wages, she was also made to work in the house by the landlord. The landlord paid him 1.5 kilograms of paddy per day, which was called *tambi*.

Later, in 1982-83, he came in contact with Shyama and Tanko of Patrapali who were doing a survey on bonded labour. He added that they used to visit them at odd hours as they said that the farmers were very angry with them and were searching for them. Shyama and Tanko made him aware of the provisions about bonded labour made by the court and the government. Later in 1988, the Commissioner held a camp in the Kharijhitki school premises, where Suru went and gave his testimony, after which he was given a release certificate along with 300 rupees. The Commissioner had instructed him to open an account in the Co-operative bank at Saraipali where the latter half of the rehabilitation money would be transferred. A sum of 6250 rupees was transferred to his account within a week and the BDO also gave him an identity card with which he could withdraw money from his account. Besides this, no other support was provided by the government, nor was there any help for rehabilitation forthcoming from the organisations. Nonetheless, he was happy that his life had changed for the better and he felt better after the release. With the amount received, he bought a pair of bulls, 15 bags of paddy and a bicycle. He had to pay a bribe of 300 rupees for the bull and 120 rupees for the cycle to the head clerk of the block office. He has stopped working in the farmer's field.

At present he is working as a daily wage earner where he gets four kilograms of paddy per day and does not toil like an animal. He states that he used the cycle as long as he could and later sold it for 150 rupees and the bulls for 1500 rupees.

14. Case study about the transfer of bonded labour from one employer to another

Sukru, S/O Arjun , Age-55 years, Caste- Meher (Bhulia).

Sukru was the only son of his parents. His parents earned their living by buying cloth from the weavers and would go about selling them door-to-door. Though they belonged to the weaver community, they could not weave cloth as it required a lot of investment and they could not afford it. So he thought of working as a *kamiya*, which would at least provide food for his family.

In the beginning, he took a loan of 700 rupees from Bansi a Suwra (ST) and started working for him. That was sometime in the year 1961. The farmer had 10 acres of land and he used to send him for cattle grazing and other agricultural jobs. Like the other bonded labourers, he had no fixed timings for work and was not even given a simple breakfast. After two years, he was transferred to another farmer, Rajo (Kulta) for a sum of 2000 rupees. From Rajo, he was given away to Gopilal from where he was at last released. He confessed that he changed his masters according to his own wishes. He narrated how he came in touch with Tanko and Shyama who would tell him about the other bonded labourers and was released like them. Grumbling over the conditions and accusing his community members, he added that his own caste members, who had enough, did not help him. Moreover, the rehabilitation money that he had received was not sufficient to start weaving. The government officials had proposed other trades such as sheep rearing, land reforms etc. At the end, he was given a pair of bulls to satisfy him.

At present he owns 40 decimals of land, which he uses for agricultural purpose, but this is not enough to sustain the family.

15. Case study about the poverty of bonded labour

Sauki, S/O Pragan, Age-40 years, Caste Gada (SC),

Like the others who came to Kharijhitki, Sauki too came here from Artunda in search of work, at the age of 14. While living here, he fell seriously ill and was admitted to the Chupani Mission hospital as he was suffering from epilepsy. As his savings got exhausted during his treatment, he took a loan of 1500 rupees from Gopilal, a farmer , on condition that he would work in his field and would repay the amount. His medical bill was 3000 rupees, but the priest at the hospital paid off the rest. Though he recovered then, occasionally he would still get epilepsy attacks. While working as bonded labour in Gopilal's field, the landlord would give him some money, which he would add to the principal amount and so the amount he owed kept increasing day by day.

He used to do all the work demanded of him; from digging and ploughing the fields to preparing manure for the fields, including going to the jungle to collect firewood, which would take at least two to three days. There were no fixed timings for work and he worked from morning till dusk. This continued for five to six years.

After the survey was undertaken and he gave his testimony, he was finally released and rehabilitated in 1988. He was given a cycle, 20 quintals of paddy and material to weave fishing nets. He started his new life by preparing fishing nets and selling them in the market with which he managed his family of two sons. At present, he has no land to cultivate and the money that was given to him has been used up for his treatment. His sons, who have reached marriageable age are unable to get married as there is not enough money to arrange a decent marriage. His sons migrated to Chennai where they worked in a cloth mill and earned 50 rupees per day. They have now returned from Chennai and are jobless.

16. Case study about the failure of rehabilitation

Biranchi, S/O Sakirthan, Age-50 years, Caste – Raut (Yadav) OBC

This is the story of one Biranchi, the eldest among 10 siblings. His parents were from Kharijhitki and were cattle grazers. Being the eldest among the children, all the responsibility of bringing up the children came upon his shoulders after the death of his parents. His poor living conditions prompted him to work as a bonded labourer as he had to marry off six sisters. He started working for Dhanpati some 35 years ago, (in the year 1960) who by caste was a *teli* and had 20 acres of land. He worked as a *kuthia* for 700 rupees and one quintal of paddy per year. He had also taken loans for his sisters' marriages and the loan kept on increasing year after year. He worked in the landlord's field, as well as a domestic worker for jobs such as cutting fodder and fetching water.

Finally he was released and rehabilitated in 1987 by the organisation and received a cow, and paddy worth 200 rupees and 500 rupees cash. The cows died within a year as he could not take proper care of these cows because, they were a Haryana breed and hardly gave milk for two days. After this he did not receive any help from the organisation, but was given a house by the government under the Indira Awas Yojana in 2004. The government had promised to give him 10,000 rupees, but he has received only 6000 rupees till now. Appreciating the panchayat, he said that they had recommended his case.

At present he grazes the villagers' cattle to earn a livelihood. He has also taken a loan of 13,000 rupees from the bank and has bought 10 goats. Out of which after selling two of them he has paid the loan instalments. The point of concern here is that he does not own any land of his own and he has to provide for his family by rearing goats and cattle grazing.

17. Case study about various stages of bondage

Sriram, S/O Baikunt, Age -34 years, Caste- Yadav (OBC)

Sriram started working as a bonded labourer at a very young age. His parents were from Kharijhitki and worked as domestic labourers. They had only four acres of land, which was divided between the family members and he got only 60 decimals as his share. Managing a family of 10 forced him to work for Kumar (Caste- Meher) who had five to six acres of land. He used to pay him 1.5 quintals of paddy as wages. He recollects that he was quite young and actually worked as a *khutia* when he had started working for him. He used to do agricultural work, graze the cattle, plough the field, fetch water and do other household works. He later started working for Jogi (caste- Agaria), another landlord for four quintals of paddy per year, but discontinued after a year as the landlord used to ill-treat him and started working for another Khirod (Caste- Kulta) who owned 12 acres of land. The landlord had given him a loan of 500 rupees and used to give him four quintals of paddy, per year. He was released by the organisation in 1987 while working for him. He was given a bull, along with two quintals of rice, one bicycle and 500 rupees cash. He took a loan of 16,000 rupees from the bank for goat rearing in 2001. He says that he was actually sanctioned 25,000 rupees, out of which he received only 16,000 and the remaining money was adjusted in giving bribes. He later sold some of the goats to repay the bank loans. Till now he had repaid 6000 rupees and 19,000 rupees still has to be repaid.

At present he has only six goats with him and labours to earn a livelihood. He did not receive any other aid from either the government or the organisation, but he regularly donates a reasonable 700 to 800 rupees per year to the organisation. The organisation had promised to help him get the ownership papers, but he has still not got that.

18. Case study about corruption in rehabilitation

Jagia, S/O Madhu, Age- 50 years, Caste- Gada (SC)

This story is of Jagia who became a bonded labourer in 1968 and continued till 1987. Jagia's father was a *kotwar* of the village and therefore, could not use his land for cultivation, as he worked for the officials. This resulted in the family's poor economic condition. His father gave him

away to one Dhanpati (caste- Kulta) as bonded labour as he had taken a loan from him. He continued working for him for four years where he did all the household as well as agricultural work. Since Dhanpati used to shout and abuse him, he discontinued working for him and joined Eshwar (caste- Kulta) who in return paid off the loan, i.e., 500 rupees and one quintal paddy to Dhanpati. Jagia used to do the agricultural work, domestic work, collecting fuel wood etc, for three years. Later he joined Ramlal (caste- Bhulia), another landlord who was quite rich and had eight acres of land. He used to pay Jagia 500 rupees per year and 1.5 kilograms of paddy daily. He had also given him half an acre of land on lease for cultivation, in return for which he had to do all the daily chores, which included all the work related with the fields.

He was finally released in 1987 after which he received a pair of bulls, 500 rupees, 20 quintals of paddy and a cycle. To get this rehabilitation package, he had to pay a bribe of 600 rupees to the head clerk in the BDO office. He says that apart from this he did not receive anything, either from the organisation or from the government.

At present he is receiving benefits from the Annapurna Yojana started by the state government and relief from the Nirashrit Pension Yojana. He exchanged his bulls for 85 decimals of land from Bawa (ST- Sawra) of the same village, but has no ownership papers as it is tribal land.

19. Case study of an existing bonded labourer

Deenbandhu, S/O Mohan, Age- 55 years, Caste- Teli

This is an open violation of the standing norms of the so called state declarations with regard to bonded labour. Deenbandhu's plight began in 1971 when there was severe famine in the area and just to survive, he started working as a bonded labourer for Gopilal (caste Kulta) for a payment of 65 kilograms of paddy per year. His parents were domestic workers and there were four children in the house. Deenbandhu recounts how he used to work in the fields as well as in the house and there was no time for his work. He used to work even at night and his landlord had stopped his going to meet his parents. He used to clean the shed, cut grass, plough fields, fetch water etc. He worked for Gopilal for three years and when he found it absolutely impossible to continue, he stopped working for him and joined another farmer and repaid the loan. Life did not change for the better as he was working for the farmer in the same conditions and he continued like this for two years.

Till date he is working as a daily wage earner. He had taken a loan of 2000 rupees from one, Gayaram Choudhary of Belmundi and is till working as a bonded labourer.

20. Case study about reasons behind bondage

Suban, S/O Nitya, Age- 38 years, Caste – Sawra (ST)

Acute poverty forced Suban, in 1979/1980, to start working as bonded labour for Eshwar (Caste- Kulta) as his parents were very poor and were daily wage earners and had no land of their own. The farmer used to give him one quintal paddy per year and had given him a loan of 500 rupees, which he had to give back in due course of time. Suban used to do all the work that was demanded of him, which included agricultural work along with the household work. This went on for four years. By now he had reached marriageable age and he shifted his place of bondage to Kharijhitki where he started working for Lalo (Caste- Teli) on payment of 1500 rupees as a loan, 1.5 kilograms paddy per day and 75 decimal of land on lease. He used this to repay the loan he had taken from Eshwar.

During this period, he was released by the organisation in 1987 and as rehabilitation he received 20 quintals paddy, a cycle, 500 rupees cash and some amount of rice. Besides this, he received nothing else from the government or the organisation. Now he is forced to continue working as a bonded labourer for Eshwar, but with a slight change, he is now given four kilograms of paddy daily and *nasta* everyday.

21. Case study about the plight of released bonded labour -

Derha, S/O Udal, Age- 70 years, Caste- Gond (ST), Village- Jampali, Panchayat –Temri

The story of bondage for Derha began when he was only 14 years. He was from village Kaikpalli and due to the family's poverty, he came over to Lukapara and started working as a bonded labourer for a landlord, Munnu who was an *Agaria* and who had 100 acres of land. He took a loan of 500 rupees and was given 1.5 kilograms paddy per day. He had also taken a loan of one quintal paddy, which he paid off while working for him for eight years. He used to do all the work, like grazing the cattle, ploughing the field etc. There was no fixed time for work. He later left the place and came over to Jampali where he took 500 rupees and one quintal paddy from Bodhan Singh (Caste - Gond) to repay his old landlord. He worked for Bodhan for 25 years where he was not paid regularly and whatever he received was in the form of a loan, which was deducted from his wages.

After the survey, only he was identified among the six others who worked as bonded labourers. The others fled the place because they were afraid. It was only in 1987 that he received the release certificate along with which he received 500 rupees. Only after continuous visits to the BDO's office did he receive a cycle, six bags of paddy and a pair of bulls. He discontinued work at the landlord's house and encroached upon five acres of land and started cultivating them. After 15 years he received the ownership papers of the land under the regularisation drive. He recounts that he did not receive any aid from the government nor the organisation. He added that some organisation had promised to help him get the rest of the rehabilitation money in return for 60 rupees, but nothing has been done till date.

At present he works on his own land and in the off-season works as a daily wage labourer in different places. He also pays 10 rupees or one kilogram rice, monthly as contribution. While talking he mentioned that all the fellow labourers were only Gonds, as his landlord never employed *gadas*, because they were untouchables.

22. Case study about failure of rehabilitation

Budhu, S/O Bansil, Age- 50 years, Caste- Gada SC

At the age of 12 years, he started working as bonded labour for Niranjana (*Agaria*) for a loan of 180 rupees. He did all the agricultural work along with cattle grazing and other domestic chores for six to seven years. After this he started working for Bhagatram (Gond) for a loan of 500 rupees and a quintal of paddy and continued there for two years. It was during those days that he was identified by the organisation and was rehabilitated in 1987. He received a sum of 500 rupees along with the release certificate. He also received a cycle, six bags of paddy and a pair of bulls.

As long as the bulls were in good condition he used to give his plough on rent. Later when they died, he was left with nothing. At present, he works as a daily wage earner wherever he gets work. He also goes to work in brick kilns in other villages.

23. Case study about the failure of rehabilitation

Neelmani, S/O Meljharam, Age- 65 years, Caste- Gada SC

Neelmani's parents were from the same village and they sold their land to Sakirtan (*Agaria*), as it was not fertile. By the age of 11, he was pushed into bonded labour for Sakirtan as all that his parents had, had been exhausted. He started off with a loan of 500 rupees and 1.5 kilograms of paddy per day. The landlord had 50 acres of land and Neelmani used to do all types of work for him. This went on for 12 years after which he started working for Ghasiram (*Agaria*) and that too went on for another few years, under the same conditions. Later on he joined Chintaram (Gond - ST) for another three years and was released while working for him. The farmer recognised him in the survey and thus he was released. As rehabilitation, he received a cycle, 500 rupees, six bags

of paddy and a pair of bulls. He stopped working for the landlord and started working as a daily wage earner. He also received 50 decimals of land under the land ceiling, but it was of no use as the land was not fertile. All the others (14) along with him who were freed were given 50 decimals of land each.

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RESEARCH FINDINGS

1. RELEASE AND REHABILITATION OF BONDED LABOURERS

The most important research finding is that though the government administration refuses to acknowledge the existence of a single bonded labourer in the state, especially after its formation in 2000, four district collectors have already released and sent requests for the rehabilitation of 707 bonded labourers to the Labour Department. Though these bonded labourers were released from brick kilns in other states, according to the rules of Bonded Labour System (Abolition) Act, 1976, the released bonded labourers are to be rehabilitated in their native states. The details of the released bonded labourers are given below.

| | Kaward ha | Durg | Bilaspur | Chapa janjgir |
|--|--------------|------|----------|------------------|
| Total number of released bonded labourers till January 2005 | 27 | 15 | 597 | 107 |
| Total number of rehabilitated bonded labourers | 27 | 11 | 00 | 00 |
| Number of released bonded labourers still to be rehabilitated | 00 | 03 | 597 | 107 |
| Total number of bonded labourers still to be rehabilitated in Chhattisgarh | 707 | | | |
| | | | | |

Though the District Collectors have already issued release certificates to 707 bonded labourers, and sent a request to the Labour Department for the release of the rehabilitation amount, it has been delayed for over four years. As the Labour Commissioner has submitted a representation to the Supreme Court that there is not a single case of bonded labour in the state, they are now involved in delaying tactics. They sent a letter to all the respective Collectors of the three districts to explain on what criteria they have issued release certificates. Meanwhile, due to the delay in rehabilitation, some of the released bonded labourers have again gone back to work in the brick kilns in other states, which has increased their chances of returning to bondage.

2. PRESENT STATUS OF BONDED LABOUR

During the field visits and interaction with released bonded labourers as well as organisations involved on the issue of bonded labour, it is clear that the system of bonded labour is still prevalent in the area. After the identification, release and rehabilitation of more than 5000 bonded labourers from the region within a short period of 1985 to 1989, the farmers of this region have now become aware about the Bonded Labour Act and have found a lot of loop holes in the legislation and have exploited them. Now they refuse to acknowledge that they have employed *kamiyas* in their farms, but have replaced this traditional form of labour with *melha* and *barasia*. Yet, the fact is that only the name of the labour has changed from *kamiya* to *barasia* or *melha* and all the other factors (wages, loan, working hour, condition of work, interest of loan) remain the same. On enquiring about the system, the farmers and labourers claim that they are free to go and work anywhere, but in reality it is not true. In order to escape from legal action, the farmers release the labourers at the end of agricultural season and the labourers either migrate to neighbouring states to work in brick kilns or get employment with other farmers. At the beginning of the next agricultural year, they again return to the same landlord. The farmers also claim that the loan taken by the labourers is only for one year and not carried forward to the next year, but the reality is that the loan taken by labourers is carried forward to the next year, which the labourer has to pay when he returns back to the same farmer for work.

3. SERIOUS VIOLATION OF MINIMUM WAGES

It was found out during interaction with labourers as well as employers that the minimum wage fixed by the government is seriously violated everywhere. The current minimum wage is 52.50 rupees for unskilled labour, but it was found that labourers are not getting more than 25 rupees per day, which is not even half of the minimum wage. Because of this, the labourers are caught in the vicious circle of poverty and become prone to bondage.

4. EXCESS LABOUR POWER

During the field visit and also during discussions with the activists, it was found out that there is an excess of labour in the region, whereas the demand is very low. The employment in the agrigarian economy is shrinking day by day because of new machines and techniques of farming. This has resulted in a serious decline in employment in the rural areas, whereas labour power is increasing steadily. It is very difficult to find work in the villages, because a large number of labourers are already unemployed. As the labour power is in excess of the demand, the wages are already low, which makes members of the marginalised communities more vulnerable to bondage.

5. OVERALL REHABILITATION IS A FAILURE

During the field study it was found that more than 5500 bonded labourers have been released and rehabilitated till now. Yet, none of the rehabilitation schemes have succeeded in having a long lasting impact on the living condition of the rehabilitated bonded labourers. They are still living in acute poverty conditions. There are only a few isolated cases of rehabilitation, which have actually improved the living condition of the bonded labourers, but the overall analysis is that the rehabilitation schemes have been a failure and need serious rethinking.

6. FAILURE IN INTEGRATING WELFARE SCHEMES

Another major finding of the research was that there is no integration between the government poverty alleviation schemes and the welfare schemes for bonded labourers' rehabilitation. Very few released bonded labourers managed to benefit from schemes like housing, loans for rural employment, relief works etc. Once the released bonded labourers were given the rehabilitation money they were forgotten by the government officials, as a result of which there was no positive improvement in their condition.

7. INTERVENTION LIMITED TO A FEW DISTRICTS

During the study, it was found that a large number of bonded labourers do exist in the traditional sector in other districts of Chhattisgarh, but as there were no committed organisations or activists in those districts, no systematic intervention was done and the release and rehabilitation was only centred around a few districts. If various organisations active in the respective districts had taken the initiative, then surely the number of released bonded labourers would have been several times more than the present number.

8. CORE ISSUES THAT NEED TO BE ADDRESSED

The major failure of various organisations has been the failure to address the core issues of bonded labour, because of which they are unable to improve the conditions. According to research analysis, the core issues resulting in the problem of bonded labourer are–

- a) Rural unemployment
- b) Loss of livelihood

- c) Unjust social system
- d) Poverty.

If these issues are not dealt with urgently, then the problem of bonded labour can get more exacerbated in the future. The resources and outreach of NGOs are limited, so there is no positive impact of their efforts. All the stake holders of society need to join hands together to address these core issues.

9. POLITICAL PRESSURE ON ADMINISTRATION

During the research, it was found that the administration turns a deaf ear to the problem mainly because of immense political pressure. It was also observed that when ever there is less or no political pressure, the administration plays a proactive role in interventions. There were a few District Collectors who were committed to improve the situation of bonded labour, but due to political pressure, they were either transferred or forced to turn a deaf ear to the problem.

10. SYSTEMATIC REPRESSION

Another major finding from the field interaction was that after the identification and release of bonded labourers from the region, the labourers were subjected to systematic repression from the landlords as well as the dominant class of the village. This repression reflects from the story of Bakha Ram s/o Ban Mali of Belmunddi village. His release from bondage did not go well with his landlord Narendra and he was continuously harassed even after he stopped working on his employer's farm. As he belonged to the landless *Gadda* community, he had encroached upon some government land and prepared it for cultivation. On this, the landlord who had clout in the village panchayat got the same encroached land allotted to another person. Bakha Ram had to struggle long and hard to get possession of that land. Meanwhile, the same person raped his newly wedded wife several times. When he finally brought the matter before the village panchayat, the landlord again manipulated the panchayat and Bakha Ram got no justice from them. At present, he is involved in a long legal struggle for the little land, which he possessed. In several cases, it has been found that whatever little land holding the released bonded labourers has, is under legal disputes due to illegal occupation. A lot of their savings are spent visiting the courts and paying the fees of their legal counsellors. Though it is true that not all the landlords subjected the released bonded labourer to direct harassment, but certain incidents which occurred, for example, with Bhaka Ram are sufficient to instil fear among the poor *Gadda* communities. This is evident from the observation that no released bonded labourer wants to easily share information about his previous employer.

11. CORRUPTION IN IDENTIFICATION AND REHABILITATION

There was wide scale corruption not only during the distribution of the rehabilitation amount, but also during the identification. The state government got active and directed the administration to identify bonded labourers in the region after the Supreme Court's intervention in the matter. School teachers from local government schools were deputed to organise surveys in the villages and identify bonded labourers. The school teacher in Jampali village in Saraipali Block only identified those persons as bonded labourer who had got permission from their farmers. In this way, only those people could get released whom the landlords had agreed to release.

Similarly, bribes were taken by the head clerk at the block office from almost every released bonded labourer in Saraipali block before they could get the rehabilitation package (bicycle, paddy, bullocks etc.). The released bonded labourer had to dole out 500 to 700 rupees in order to get the rehabilitation package. In cases where the released bonded labourer refused to pay the bribe, their rehabilitation amount was stopped or delayed. After paying the bribe of 500 to 700 rupees, they were able to get their rehabilitation package within three to six months.

As the organisations involved in rehabilitation of bonded labourers intervened in the matter by complaining to higher officials, corruption was checked, but the administration still discriminated between the bonded labourers identified by NGOs and those who were identified by the government teachers. The latter got their rehabilitation package much more easily and promptly, compared to the released bonded labourers identified by the NGOs.

12. PRESENT SITUATION OF RELEASED BONDED LABOURER

Today, the situation of the released bonded labourers is no better than what it used to be when they were in bondage. They had received 500 rupees along with a certificate at the time of their release. Later on they were given a rehabilitation package worth 6250 rupees. This package was not in the form of cash, but in the form of paddy, bullocks, bicycle, clothes etc. On getting a call from the block office, they used to meet the BDO after paying a bribe, which ranged from 500 to 700 rupees to his head clerk. They did not get the whole rehabilitation package at once, but had to visit the block office for each and every commodity. Most of them first got the bicycle after paying a bribe of 100 rupees. Some of them even had to sell their utensils or take a loan in order to arrange for the bribe. At present, none of the released bonded labourers owns the bicycle as they sold it two to three years after receiving it, in order to pay their loans. The 10 bags of paddy, which they had received as a part of the rehabilitation package was consumed within a year and didn't have any productivity value. The only thing which somewhat seemed to tie in with their livelihood security was a pair of bullocks, which they received as part of the rehabilitation package. Most of the released bonded labourers were given a pair of bullocks or a cow for their livelihood. The people who had received a cow as a part of the rehabilitation package could not benefit as the cow was of an imported breed (Haryanavi) and became ill after two to three months. None of the cows were able to survive for more than a year as their owners were unable to provide the expensive feed and fodder required for them and the breed could not adapt to the local environment. The scheme of distributing cows for providing livelihood to the bonded labourers was a complete failure as I could not meet a single beneficiary who had improved his living condition with the help of the cow.

The released bonded labourers who had received a pair of bullocks have a slightly different story to tell, though the end is the same. After receiving the bullocks from the block headquarters, the released bonded labourers were able to hire their ploughs to other farmers for one to two years and support themselves. Some of them also took to share cropping (Saunjhia) and started their own agricultural activities. A few released bonded labourers whom I met in village Jampali were also able to develop their own assets with the help of the bullocks, but as they were landless and once they had finished their tenancy, they were again left without any source of livelihood and had to finally sell the pair of bullocks for a minimum price when it had minimum utility.

In this way we can clearly conclude that the whole rehabilitation package given to the released bonded labourers is a complete failure, as it failed to provide any permanent livelihood security to the economically weak and socially deprived bonded labourers. After the release of the bonded labourers, the large farmers have stopped employing them and now they either migrate to the neighbouring brick kilns in order to support themselves or have to work as *melhas* (daily wage earner) for minimum wages in neighbouring villages. After so much effort and struggle, the plight of the released bonded labourers remains the same, as it was when they were in bondage. This plight clearly reflects from the story of Sukru (age – 55 years) of Khajhitki village who was released from bondage and is struggling to manage his six-member family. At present his two sons are of marriageable age, but he has no money to arrange their marriages. The local landlord has refused to give him a loan and he doesn't really know how he will be able to arrange their marriages.

13. CONDITION OF WOMEN BONDED LABOURERS

The condition of women bonded labour is even more pitiful than their male counterparts in the region. Firstly they were denied any benefits, which were given to the released bonded labourers. Even though they had worked as *kamaylins*, they were treated as mere replacements for the male bonded labourers and were not identified as bonded labourers. In most cases their husband, father or brother were identified as bonded labourers and the benefit was given to them. As a result, women who had actually worked as bonded labourers were not given any of the benefits, which the released bonded labourers have been receiving. The authorities in charge of identification, release and rehabilitation only treated them as temporary replacements.

14. GOVERNMENT APATHY

The government's attitude on the issue of bonded labourers from the start till today is a matter of great concern. Their role in the whole issue can be described as –

- 1- Denial,
- 2- Approval,
- 3- Harassing organisations,
- 4- Corruption in the rehabilitation process.

When the NGOs were busy organising and identifying bonded labourers from the region, the government machinery under pressure from the large farmers and political parties were denying the existence of the bonded labour system in the region. It was only the Supreme Court's direction, the commitment of NGOs on the issue and an alert local media, which forced the government machinery to act and accept that such a system is widely prevalent in the area. On one hand they were appreciating the efforts of NGOs who were involved in the identification of bonded labour and on the other had they systematically started repressing the organisations and their activists. First the NGOs were unofficially black listed and then they themselves started a bonded labourer identification drive to harass the bonded labourers who had associated themselves with the organisations. During the release and rehabilitation process the persons identified by the government machinery were given priority when receiving the rehabilitation package. The rehabilitation package to the released bonded labourers who were associated with the NGOs was systematically delayed. The bonded labourers identified by the government machinery also did not have to pay any bribes, whereas things were totally different for the other released bonded labourers.

Another interesting scenario was that only three NGOs were directly involved during the identification process, but during the rehabilitation process the government approved a long list of organisations that were to be involved in the process. The six organisations, involved by the government in the rehabilitation process, are mentioned below.

1. Jan Jagriti Kendra, Pithora.
2. Prayog, Tilda Nevra.
3. Mukti Niketan, Pithora.
4. Madhya Pradesh Harijan Samaj Sewak Sangh, Raipur.
5. Sindh Samaj Sewa Mandal, Raipur
6. Group of Christian priests.

Out of the above listed organisations, the Madhya Pradesh Harijan Samaj Sewak Sangh, Raipur and Sindh Samaj Sewa Mandal, Raipur were managed by important political leaders and landlords themselves. They participated in the rehabilitation process with no commitment to bonded labourers, but to ensure that they got a share of the benefits. One of the above mentioned organisations even collected a donation of 100 rupees from the released bonded labourers and vanished with the collected money. Such incidences have spoilt the reputation of NGOs and organisations committed to the cause of bonded labourers in some areas and created difficulties for them.

Similarly, in 2003, the state government on the direction of the Central Labour Department conducted a field survey in order to identify bonded labourers from each of the 16 districts of the state. A total of 32 lakh rupees was allotted for this purpose (two lakhs per district) but the state government knowingly selected those organisations, which had no previous experience in the issue of bonded labourers. The organisations were unofficially given clear instructions that no bonded labourers be identified and even before the report was written or submitted, the government started claiming that at present there was not a single bonded labourer in Chhattisgarh. The list of NGOs who undertook the survey is given below.

| S.no | Organisation | District |
|------|--|---------------|
| 1. | Society for Social Services, Madhya Bharat | Dantewada |
| 2. | Society for Social Services, Madhya Bharat | Sarguja |
| 3. | Aditi | Chapa janjgir |
| 4. | Society for Social Services, Madhya Bharat | Jagdalpur |
| 5. | Society for Social Services, Madhya Bharat | Kanker |
| 6. | Siksha Prasar & Paryavaran Samiti | Mahasamund |
| 7. | Siksha Prasar & Paryavaran Samiti | Kawardha |
| 8. | Berojgar Mahila Samiti | Jashpur |
| 9. | ANMS, Raipur | Koria |
| 10. | Mahila Manch | Dhamtari |
| 11. | ECO-HEAL | Durg |
| 12. | Abhiyakti | Rajnandgoan |
| 13. | ECO-HEAL | Raipur |
| 14. | Guru Ghasidas Vichar Sodh Sansthan | Bilaspur |
| 15. | Smt. Prabha Devi Memorial Welfare Society | Korba |
| 16. | Swarojgar Sewa Sansthan | Raigarh |

None of the above mentioned organisations had any previous experience with any type of interventions on the issue of bonded labour and they were only selected on the basis of their proximity to various government officials. It is really pitiful that even after spending more than 32 lakh rupees and mobilising so many resources, not a single bonded labourer could be identified by the above listed organisations from the state, whereas on the other hand one organisation which is struggling to survive, has identified 150 bonded labourers from a single district by mobilising its own resources and initiating the process in the Bilaspur High Court with out the help of government officials.

15. INCREASE IN MIGRATION

Once the bonded labourers of the region were given the release certificate, the landlords stopped employing them. As a result there was an immediate problem of livelihood for the released labourers. Most of them started migrating to the neighbouring state of Orissa to work in the brick kilns there. They are paid a paltry sum of rupees 100 for making 1000 bricks, but as there was no other livelihood option, they were left with no choice but to migrate. They migrate in large numbers to the brick kilns in Orissa during the off-season and return back to work as *melhas* during the agricultural season. According to the stories that the migrant labourers tell about their lives in the brick kilns of Orissa, it is clear that their condition is no better than the bondage in which they were working in their own region.

At present, large numbers of labourers move to the neighbouring states to work either as construction workers or in brick kilns. They are subjected to inhuman conditions and their wages are also not paid properly. Another interesting point to note here is that a large number of migrants from Orissa also come to Chhattisgarh to work as construction labourers. It seems as if the labourers are exchanged from one state to another so that they can violate labour legislations without fear.

16. BONDED LABOUR PRONE DISTRICTS OF CHHATTISGARH

In the late 1980s and early 1990s when the bonded labour movement had reached its peak in the state and more than 5000 labourers were subsequently identified and released, the activities were mostly centred in the Raipur and Mahasamund districts of the state. Due to limited resources of the organisations that were doing interventions on the issue, the released bonded labourers' movement could not be spread that effectively to other regions, but that doesn't mean that other districts do not have bonded labourers. Given below is a list of districts in Chhattisgarh, which can be said to be prone to the problem of bonded labourers.

- I. Chapa janjgir – Before 1999, this district was a part of undivided Bilaspur district. At present it can be said that it is the place from where the highest number of migrant labourers go to other states in search of livelihood. The population of this district is mostly dominated by *Satnamis* (SC) who are identified as one of the most economically weak and deprived sections of the state. Every day, news about the bonded labourers from this district who are being released from Jammu, Uttar Pradesh, Madhya Pradesh etc., appears in the newspapers. Poverty, livelihood insecurity and inferior social conditions make the *Satnamis* of this district more prone to the bonded labour system arising out of migration.
- II. Bilaspur – It is the adjoining district to Chapa janjgir and its construction workers are famous as "*Bilaspuria Majdoor*" especially in Delhi, Punjab and Haryana for their efficiency and simplicity. The Mastoori, Mungeli and Kota blocks, especially are a source of migrant labourers who basically belong to the *Satnami* community.
- III. Raigarh – Raigarh is another adjoining district where the problem of bonded labour is becoming serious day by day. The weaker section of the society who are more vulnerable to bondage are the *Gadas* (SC) and marginalised tribal communities such as *Binjwar*, *Sawra* and *Gond*. These are basically agricultural labourers and recently the organisation has identified 150 bonded labourers from this region and legal proceedings are on in Bilaspur High Court for their release.
- IV. Sarguja – Though it is not like the mainstream society of Chhattisgarh, but the tribal dominated district of Sarguja also has recorded certain incidences of bondage in recent years. The identified bonded labourers are from the agricultural sector and basically belong to marginalised tribal communities.
- V. Mahasamund – Mahasamund has a long history of intervention on the issue of bonded labourers, as a result of which more than 5000 bonded labourers were identified and released within the last four years from this region. After the bonded labourers' movement, the landlords have learnt a lesson and circumvented the law. The bonded labour system still persists in the region. Earlier only the *kamiya* was identified as bonded labour. Now the bonded labour system has changed in the region, but a large number still exists in the form of agricultural labourers. Along with this, several communities also migrate to neighbouring districts making them vulnerable to bondage.
- VI. Raipur – Certain blocks of the state capital such as Kasdol are prone to bonded labour because of the dominant SC population who live in acute poverty conditions. These deprived communities migrate in large numbers to states such as Uttar Pradesh, Orissa, Delhi, Haryana and Punjab in search of livelihood making them more vulnerable to bondage.

Though other districts also have incidences of bondage, they are very few in number compared to districts where people are more vulnerable to bondage. Due to lack of resources and government apathy, there is minimal organisational intervention in these bonded labour prone districts and immediate intervention is needed to address the plight of the economically weak and socially deprived communities of this region.

Section XI

CONCLUSION

The role played by the people's organisation in the form of all the NGOs involved in the struggle has been crucial as it paved the way for the release and rehabilitation of the bonded labourers. The efforts of these NGOs who motivated the activists from among the bonded labourers, who in turn helped in educating the other *kamiyas* about their legal rights and the constitutional provisions including the Bonded Labour Abolition Act 1976, cannot be denied. The continued legal education and general social awareness led to the formation of a strong socio-cultural organisation from among the bonded labourers, which in turn provided the necessary courage and inspiration to assert themselves against the repressive and demoralising tactics of the system.

The local organisation working for the release of the many thousand bonded labourers has played a very crucial in the proceedings of the interventions made by the Supreme Court. It was the dedicated and committed work of the grassroots workers and the organised bonded labourers, which enabled the apex court's Enquiry Commission to find out the truth about the bonded labourers' life and the strategy adopted by the officials and the people with vested interests to suppress the major facts, in a way so as to discourage the whole process. The process finally enabled the Supreme Court to understand the conditions and plight of the bonded labourers and deliver the landmark judgement in favour of the many bonded labourers caught up in this vicious circle in Chhattisgarh and elsewhere in the country.

The hard work done by these NGOs and organisations bore fruit and their role helped in the implementation of the Supreme Court's order. The organisations looked into the planning of the rehabilitation programmes and also took the responsibility of monitoring the long-term rehabilitation programme for all the beneficiaries. By this act of theirs, the amount of corruption that would have taken place in their absence was checked. Moreover, their presence helped stop the beneficiaries retreating from the step they had taken and brought forward a new socio-economic set-up.

The role of the judiciary in the release of bonded labourers is highly commendable. At the time when the bonded labourer's struggle was gaining momentum, there were certain changes taking place in the judicial outlook of the country, which prompted the non-conventional approach to social justice. Had the concepts of PIL and Positive Obligation to do Social Justice not evolved at the highest judiciary, the whole movement of bonded labourers would have probably had a different ending. All these and many more reformatory methods adopted by the apex court gave the struggle a new meaning.

PROBLEMS FACED DURING THE STUDY

As the research was to be completed in four months, we had to strictly follow the planned schedule. Due to panchayat elections held in January all over the state, doing field work became very difficult. During the panchayat elections people from all walks of life are busy in mobilising support in favour of their candidates at the local level. Even the released bonded labourers and landlords get actively involved in canvassing and it becomes very difficult to get the desired and genuine information from the affected community. Therefore managing the limited time as well as the quality of the study was a very difficult task.

It is very difficult to talk to and get information from the women of the affected community as due to illiteracy and social constraints in most of the places, men try to dominate the discussion and also talk on behalf of the affected women. As the women have very little say in matters that concern them, in most of the cases, their male counterparts are suspicious and not comfortable about the idea of women talking directly about their problems.

The government officials and department are not very cooperative in providing necessary information and data. They presume that the study is only going to give adverse comments about them and thus they do not reveal information. This tendency of the government officials has affected the study, because we have to rely on the data provided by non-government sources.

There is a lot of caste division even among the bonded labourers. Even though they are facing the same type of problems, they still practice untouchability among themselves. This social mal-practice has hampered the study, as one section of society feels suspicious if the other section of society cooperates with the study.

Chhattisgarh is basically a state outsourcing migrant labourers to neighbouring states such Orissa, Madhya Pradesh, Uttar Pradesh, Punjab, Delhi, Haryana and Jammu and Kashmir. As the study was done during the off-season, already several people of the affected community had left the village for other states, in search of work. Therefore first hand information about the migrant labourers is inadequate.

The released bonded labourers were subjected to systematic repression from their landlords as a result of which their livelihood has been badly affected. In most of the cases rehabilitation is a failure and their economic condition is worse than before. Now their employers have become even stricter in the wake of legal action. Therefore there still remains an atmosphere of suspicion and fear of sharing information under the threat of losing whatever work they are getting from their employer at present. The doubtful attitude of the affected community has posed difficulties during the study.

SUGGESTIONS

1. On the basis of field observations and overall analysis, the first suggestion would be to focus more on the implementation of the Bonded Labour System (Abolition) Act. There has been a lack of political as well as administrative will, because of which the bonded labour system still persists in society. The rules laid down for implementation are seriously violated, because of which there is no positive impact. Thus, more focus must be laid on strict implementation of the Act in order to eradicate the system from society.
2. The release certificate given to the bonded labourer creates problems for the women. Though they have to work as replacements, they are not considered bonded labourers and not given any rehabilitation. Only the male head of the family is entitled to the rehabilitation package, whereas the whole family has suffered because of bondage. Therefore the suggestion is that the release certificate must be given in the name of the family and not only to the male head of the family.
3. The present concept of rehabilitation as perceived by the government officials is only limited to economic rehabilitation, because of which, there are no positive changes in the lives of released bonded labourers. We need to do some serious rethinking about rehabilitation, so that the money given as rehabilitation is utilised in a proper manner along with continuous monitoring and support.
4. There is an urgent need to address the core issues of society, such as rural unemployment, loss of livelihood resources, poverty and social inequality; otherwise all our efforts will not yield the desired result. At present we are only trying to address the symptoms and not paying attention to its causes. If we want to solve the problem permanently, we need to address the core issues.
5. On the basis of field observations, I feel that the problem of bonded labour can be only solved when there is strict implementation of various rules related to minimum wages. At present the actual wages prevalent in the region are not even half of the government prescribed minimum wages, because of which, the labourers of the region are caught in the vicious circle of poverty making them more vulnerable to bondage. The present wages are so low that they can hardly manage to buy food with it, as a result of which, they don't have any savings and need loans for life cycle events and other basic needs.
6. There is no serious effort by the organisations or the activists to sensitise the employers and the government administration, because of which, their efforts have not yielded the desired results. There is a need to sensitise the various stakeholders of society so that all can join hands in eradicating the practice of bonded labour from society.
7. There is also need to conduct mass scale land reforms so that agricultural land can be distributed to landless labourers. This will also help in reducing the economic disparity between the rich and the poor, especially in the rural areas and provide a vital livelihood resource to the marginalised community in the process of their economic empowerment.
8. On the basis of my field observations, I felt that rehabilitation failed in many areas because once the released bonded labourer was provided with the rehabilitation package, there was no effort to look back and evaluate the interventions. Continuous monitoring is required even after the person has been provided the rehabilitation package. The rehabilitation must be considered an ongoing process till the released bonded labourer becomes self-sufficient.

9. There is a need for better coordination and cooperation between various stakeholders of society, such as intellectuals, journalists, law enforcement agencies, human rights organisation etc. in order to effectively eradicate the problem of bonded labour from society.

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ANNEXURES

1. Newspaper cutting of Deshbandhu Raipur edition on 24th October 1991.
 2. Newspaper cutting of Deshbandhu Raipur edition dated 24th April 2001, 25th May, 2001 and 30th May 2001.
 3. Newspaper cutting of Deshbandhu Raipur dated 21st January, 2004.
 4. Newspaper cutting of Deshbandhu, Raipur dated 30th April 2001.
 5. Newspaper cutting of Deshbandhu, Raipur dated 15th May, 2001 and 17th May 2001.
 6. Newspaper cutting of Deshbandhu, Raipur dated 4th July 2003.
 7. Newspaper cutting of Deshbandhu Raipur dated 1st June, 2001.
 8. Newspaper cutting of Deshbandhu Raipur dated 5th July, 2005.
 9. Newspaper cutting of Deshbandhu, Raipur dated 4th December 1987.
 10. Newspaper cutting of Deshbandhu, Raipur dated 7th December 1989 and 9th June 1989.
 11. Newspaper cutting of Deshbandhu Raipur dated 30th July 1986
 12. Release certificate given to Kashiram by District magistrate of Sambhal, Dist. Muradabad on 10th February 2003.
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