CHAP.-ER IX
BONDAGE AND ACTION PROGRAMMES:
AN EMPIRICAL STUDY

The basic deficiencies in the present law and action programmes to eradicate the bonded labour system in India have been identified and discussed on the basis of theoretical analysis in the preceding chapters. Now it becomes imperative to verify factually as to how far these shortcomings are blocking the way to the ultimate elimination of bondage and the rehabilitation of the released bonded labourers. Thus this empirical study was undertaken to highlight the deficiencies in the present legal and administrative framework, and to suggest ways and means to eradicate them as well as to improve the performance of the welfare-oriented schemes for the bonded labour.

1.00 Universe of the Study

After going through the various aspects of the problem and the available literature on the subject, the researcher realised that most of the work in the field of bonded labour—identification, release and rehabilitation—is being done by non-governmental persons and organisations. Government laws and programmes have been activated and implemented through a persistent campaign by these social action groups. Most of the previous studies available lay stress on the case studies of some bonded labourers of a particular village or area, and do not give adequate importance to the role of social workers, social reformers, and
non-governmental organisations in the field. Therefore, the researcher decided that the empirical work undertaken by her should stress the views and role of voluntary organisations, social action groups, social activists, academics, lawyers, judges and journalists etc., actually involved in the abolition of the bonded labour system in India. Due to a scarcity of resources, disturbed conditions in Punjab, Chandigarh and the adjoining areas of Haryana, a paucity of time, and limiting family circumstances, the universe of the study—area wise—was limited to the north-western states. The focus was on the activities of six or seven non-governmental organisations working for the abolition of bonded labour. However, the main stress has been on the activists of Bandhua Muktि Morcha, for this organisation has devoted itself wholly to the cause of bonded labourers, whereas the other non-governmental organisations included in the study have multi-dimensional objectives and programmes.

2.00 Sampling Process

After the delimitation of the universe, the next step was the sampling of the aggregate for data collection. As any reliable data about the non-governmental organisations or persons working for the abolition of bonded labour were not available, the 'quota sampling' technique was adopted. The interviewer was to interview 100 respondents, and had considerable freedom in choosing the individual cases. 1

These respondents were divided into three categories. The first category consisted of 34 respondents who were either social activists or representatives of non-governmental organisations or groups etc. The second category consisted of 33 respondents representing judges, lawyers, academics, ILO representatives, journalists, researchers etc. The third category was to consist of 33 released bonded labourers or labourers still in the grip of servitude. However, only 36 respondents were available for interviews. These respondents were divided into three equal categories. Although the universe of the study is confined only to a small number, it has been designed to bring to light the main deficiencies and shortcomings of the bonded labour abolition set-up and to draw legitimate conclusions.

3.00 Data Collection

After the sampling process, the next step was to decide the method of data collection. The subject being important, it was decided that instead of mailing structured questionnaires, the researcher herself would meet the respondents and interview them as it would enable her to use the observation technique which would help her to have a better grasp of the difficult aspects of the problem. However, it was decided that the interviews should not be wholly abstract or exploratory ones. To maintain similarity and consistency in the interviews, interviewer decided to have structured
interviews. Thus a list of questions or schedule was to be prepared for the interviews. The formulation of the schedule proved to be a difficult matter. Various stages had to be gone through before the final administration of the schedule in the field. Among these the study of the relevant and pertinent literature, the scrutiny of earlier studies, a systematic study of the problem, and discussions with the persons involved in the field of the bonded labour system abolition were the major ones. These steps helped the researcher to understand and perceive the basic issues and various aspects of the problem of bondage better. Consequently three separate interview schedules were prepared for the three categories of the respondents.  

Schedule A administered to social action groups, social activists, etc. related to their perception of the major causes of the growth of bonded labour in India and its patterns and extent. They were also questioned about the constraints that have hampered the abolition of bonded labour in India, a nation committed to democracy and human rights. The role played by non-governmental organisations and social workers in the identification, release and rehabilitation of the bonded labour was stressed. The respondents were questioned about the methodology adopted in the process of identification along with the difficulties involved in the same. The schedule also tried to elicit the views of the interviewees on the role played by the judiciary through the instrumentality of 'public interest litigation'.

These interview schedules have been reproduced in the Appendix.
and special directions relating to bonded labour. Then their reactions to the adequacy, implementation and effectiveness of Centrally Sponsored Schemes For the Rehabilitation of the Bonded Labour and other poverty-alleviation programmes were demanded. Finally, the schedule stressed the importance of the role of non-governmental organisations and social activists in the abolition of bonded labour in India. It could be a direct role i.e. the help of the sufferers themselves or an indirect one i.e. through pressuring the executive, or by activating the judiciary, or by arousing awareness among the general people of the sufferings and problems of bonded labourers.

Schedule B was administered to the judges, lawyers, journalists, academics etc. Apart from focusing on the patterns and extent of bondage, it explored the reasons for the failure of the administration to effectively implement the laws on the issue. The schedule drew attention towards the increasing involvement of non-governmental organisations and social activists in the field of bonded labour abolition. The schedule tried to explore the implications as well as the limitations of judicial activism e.g. the liberal interpretation of Article 21 and the development of the concept of 'public interest litigation'. The schedule investigated the effectiveness of court directions on the identification, release and rehabilitation of bonded labourers, the causes of their failure and the need for follow-up machinery. Sugges-
tions were also demanded for strengthening the performance of the judiciary and for ensuring better fulfilment of the promises made by the administration before the Court. The schedule explored the possibilities of popularising 'public interest litigation' with the lower courts. In view of the major role played by non-governmental organisations, the interviewees were asked whether the task of bonded labour abolition should be assigned wholly to these organisations. An inquiry was made about the propriety of pooling non-formal resources for the welfare of the bonded labourers, in view of the economic constraints on the Government.

To crosscheck and prove through concrete examples the view expressed by the above two categories of the respondents and to highlight the active role of the social-action groups in contrast to the non-committal attitude of the bureaucrats, who have the primary responsibility for the abolition of the bonded labour, the third schedule was prepared. This schedule aimed at the assessment of the economic and social aspects of the workers' life. Their working conditions, hours of work and wages were explored. This schedule included questions on the failure of the administration in securing the basic human rights for the labourers in the unorganised sector.

After the preparation of the schedules, covering letters were written to the respondents of the first two categories, asking for their convenient time for answering
the questions of the researcher. Many of these respondents were sent two or three reminders. However, out of the 67 respondents selected for this purpose only 28 were ready to give time. Out of these 28, only 24 respondents were actually interviewed. The remaining four did not meet the interviewer despite fixing the appointments. Although the response from the sample chosen has not been very encouraging and only a limited number of interviews materialised the researcher is quite confident that the responses collected by her sufficiently and effectively represent the universe concerned. All care was taken to approach the respondents at a suitable time and place so as to secure their free and frank views, without any kind of constraint. Thus, the author believes that the information given and the conclusions presented in this study are reliable.

3.10. Difficulties in Data Collection

In the course of the empirical study of the functioning of bonded labour abolition set-up, governmental policies and action programmes, judicial activism and the role of the social action groups in this field a number of problems were faced which the researcher found hard to tide over. On account of these difficulties the study could not be undertaken on the scale originally planned. Some of these difficulties are listed below:

1) Disturbed conditions in Punjab, Chandigarh, the
adjoining areas of Haryana and the Uttar Pradesh proved quite frustrating, and restricted the researcher's mobility.

ii) Limited financial resources and paucity of time proved quite inhibitive. These factors compelled the researcher to restrict her universe area wise to Delhi, Chandigarh, and certain areas of Punjab, Haryana and the Uttar Pradesh.

iii) Non-availability of the respondents included in the sample, especially the judges, compelled the researcher to reduce the sample size. As the respondents of the first two categories were available in limited number, the number of the respondents in the third category too had to be reduced, although the researcher had data about many more of these respondents.

iv) Another major problem which the researcher faced was in connection with the interviews of the third category of the respondents. It was very difficult to ascertain whether they were bonded labourers or not. Their ignorance, illiteracy, attitude of indifference, and blind faith in fate inhibited them from providing exact information. In Punjab, owing to the disturbance, they were particularly reluctant to give their whereabouts or to disclose their identities. A fear psychology dominated them. They were scared.
of the labourers were positively hostile and suspicious. They considered the researcher as a representative of the 'malik' and straightway declined to give the required information. On the other side the employers and the jamadars were equally hostile. At the brick kilns in Punjab, they positively denied the presence of any migrant, contract, child or bonded labour in their premises. They did not even allow the researcher to enter the premises. When, somehow, the researcher was able to contact the migrant labour through the help of the local labour working in the kilns or the on the roadside, the employers or their 'Pithoos' discouraged the researcher from getting any relevant information. They pleaded that they themselves would provide the researcher with a profile of the labour working in their concerns. At the same time the labourers were threatened with dire consequences in case they uttered even a single word against their employers. In spite of these difficulties, the researcher has been successful in getting important and valuable information from some labourers.

4.00 Analysis and Interpretation of the Data

After the collection of the data, it was studied, processed and analysed. In the forthcoming parts the chapter an attempt has been made to present the collected data in
a systematic manner. The responses collected from all the three categories of the sample have been analysed separately.

4.10 Responses to Schedule A

The first section of the Chapter consists of the interpretation of the data about the first category of the respondents. This section has two sub-sections. Sub-section (a) deals with the responses to the structured questions of schedule whereas sub-section (b) consists of the views of the respondents on the open-ended items of schedule A i.e. any other information or suggestion on the problem. This sub-section mainly consists of suggestions for improvement of the lot of unorganised and bonded labour in India.

4.11 Responses to Structured Items of Schedule A

All the 12 respondents of the first category opined that the problem of debt bondage in India is severe and chronic. The roots of this malady lie deep in the socio-economic system. Abject poverty and ignorance of the rural masses are its main sources. Generally, they take a paltry sum of Rs 100 to 500 on loan for their daily needs, or for illness, marriage or death rites from the local landlord or moneylender. Sometimes many generations have to remain under the yoke of bondage for the repayment of this small sum, for they are unable to repay the debt out of mere subsistence wages which they get for a whole day’s hard work. The
EXTENT OF BONDED LABOUR
ACC. TO NGO'S ESTIMATES

IN CRORES

FIG 1
curse of bondage, the respondents stressed, is rampant in
the agricultural sector. But it is also prevalent in stone-
quarries, mines, brick kilns, carpet weaving, bangle, lock,
brass ware, match and many other industries employing
unorganised labour. The worst victims of this evil are the
contract and migrant labourers.

Only one third of these respondents came out with
figures on the extent of bonded labour in India. They esti-
mated its extent of 15 crore, out of which 5 crore are child
labourers and 4 crore are women labourers.(See Figure 1). But
these respondents stressed that if the liberal criterion laid
down by the Supreme Court in the Asiad Case, i.e., anyone
working under any kind of force or compulsion or for less
than the minimum wages is adopted, then the number of bonded
labour in India would increase ten times. A two-thirds majority
of the respondents did not give the extent of bonded labour
in numbers. They said that no satisfactory survey on an all-
India basis has been conducted to ascertain the extent of the
problem. The figures presented by various research institutes,
Union and State Governments and non-governmental institutions
are unreliable and conflicting. These surveys have covered
different universes and adopted different methodologies and
definitions of the bonded labour.

But all the respondents viewed the problem of bondage
as serious and demanding deep concern. They stressed that this
problem has two aspects, viz., the violation of civil liberties,
and the violation of social, economic and cultural rights. The

FIG 2
labourers are exploited on two fronts. Firstly, they are subjected to state and police oppression, owing to the maladministration and non-administration of state policies. The indifferent attitude of the administrative machinery encourages the employers and contractors to take the law into their own hands and to exploit the bonded labourers in a most cruel manner. Their working and living conditions are humiliating. They are subjected to a slow death. Although they play a very important role in the national economy, they are not provided with even the bare necessities of life. Women and children are the worst sufferers because of their weaker physique.

Forty per cent of the respondents highlighted the plight of women bonded labourers (see Figure 2). The women have to work along with their husbands while suffering humiliation at the hands of the employers, supervisors, jamadars and co-workers. 16% of the respondents commented that no young woman among migrant or bonded labour is safe. The stories of their exploitation appear in newspapers and magazines daily. Women workers have been degenerated to a position unheard-of even during the feudal regime. Apart from this, women have to work hard even during the gestation period. They return to work within a few days of the delivery. At the work site, they are not provided with any basic amenities such as clean drinking water, toilets, shelter, creches etc. They have to defecate in the open. The sight of the weeping children lying in the open with the mother working
at the roadside, is very common, recalled these respondents. The supervisors do not allow the mothers even to nurse the hungry babies. Above all, the women are discriminated against in the payment of wages also, stated one third of the respondents.

Besides, the women have to perform the home chores. They have to cook food, collect twigs as firewood and fetch water for consumption. Sometimes they have to bring water from a distance of four to five miles as there are no arrangements for drinking water near the tenements. After all this hard work throughout the day, in the evening they have to face harassment, even beating, by their liquor-prone husbands. 25% of the respondents opined that these women can be called the slaves of the slave husbands. They feed them, provide them with sex and bear them children for help in old age.

The specific problems of child bonded labourers were stressed by 16% of the respondents. These respondents, on the basis of their first-hand information, recited the story of the exploitation of children in the carpet weaving industry. They told the researcher that the quality of a carpet depends on the number of knots per square foot. Because of their thin and nimble fingers, children are best suited to this job. To weave one square metre of a carpet, a child has to work from 12 to 16 hours a day for 4 to 6 months. While, these carpets fetch lucrative prices and big profits to the employer, the children are not paid any wages for this work. They are given
only small quantities of poor food. They are kept in small dingy places and are not allowed to go anywhere. The employers do not exact work from them at their industrial premises, owing to the rising pressure from the human rights organisations. But they force the children to work at hide-aways. There these children are treated very harshly. They are tortured with red-hot iron rods or sometimes even with electric shocks.

The most ironical fact is that these children are brought to these industries on the false promise of a comfortable life, as were the indentured labourers of the British period. They are exposed to a most unhealthy and unfavourable atmosphere without any faults of their own. The bondage is imposed upon them because they are born in poor and ignorant families. The employers prefer child labour, because it improves the quality of work and reduces the cost of production. But these employers are playing havoc with the nation’s future for their personal gains, stressed the interviewees. These children are deprived of development opportunities. Their talents are wasted in small rooms. They remain uncared for and unwatched. Despite the adoption of the child welfare policy, the administration has failed to work for the welfare of these small slaves working in the unorganised sector.

All the respondents were aware of the constitutional provisions and other major enactments relating to the abolition
EFFECTIVENESS OF BONDED LABOUR
ABOLITION LAW

RESPONSE

\[
\begin{array}{c|c}
	ext{Reasons} & \text{Response} \\
\hline
\text{Inactive Administration} & 67 \\
\text{Ineffective Implementation} & 25 \\
\text{Improper Motives} & 25 \\
\text{Political Motives} & 16 \\
\end{array}
\]

FIG 3
of bondage such as the Bonded Labour System (Abolition) Act, the Contract Labour (Prohibition and Regulation) Act, the Inter-State Migrant Workmen (Regulation and Conditions of Service) Act, the Child Labour Abolition Act 1986, the Payment of Wages Act and the Minimum Wages Act. But the great majority i.e. 92% of the respondents, were of the view that these enactments are merely eyewash, and paper tigers. (See Figure 3). They commented that the Government has adopted a double-think policy. On the one hand, it is committed to the welfare and upliftment of the weaker sections of the society and on the other hand it is reluctant to give shape to the social and economic ideals of the Constitution. Although various research institutes, human rights organisations, the Reports of the Commissioner for Scheduled Castes and Scheduled Tribes referred to the persistence of bonded labour in India, but the Government remained inactive for twenty-six years after the adoption of the Constitution. Only on continuous persuasion by the ILO and to fortify its political position in the changed circumstances of the seventies, the Government enacted a direct law on the abolition of bonded labour, commented 16 per cent of the respondents. But even this law is not sufficient to cover the multi-dimensional menace of bondage in the Indian society. Till 1983, any person working under any kind of force or compulsion was not considered a bonded labourer. The criteria of force or compulsion was propounded by the Supreme Court in *Asiad* and *Bandhua*
25% of the respondents were satisfied with the legislative measures for the abolition of the bonded labour. They commented that the statutes enacted on the subject are the best. But they recognised the fact that these laws have failed to eradicate the problem. They stressed that these laws have not been implemented satisfactorily by an indifferent, hostile and corrupt bureaucracy.

The special responsibility for identifying the bonded labourers has been fixed on the district magistrates. But 92% interviewees declared that because of the policy of escapism or other factors such as collusion with vested interests, political pressure or pre-occupation with other official work, these officials do not find time for the solution to this problem. Even the honest officials are unable to tackle this problem for lack of powers and time. The basis of the process of the identification, release and rehabilitation of the bonded labour are sympathy and respect for fellow human beings. It needs devotion, patience, strength and time. All these things are lacking in the bureaucracy. Merely mechanical plans and programmes are not sufficient to eradicate the social evil of bondage. For this a sense of devotion, commitment and finer human qualities have to be inculcated in the bureaucrats, 16% of the respondents opined. The stress should be on ensuring a better implementation of these laws.

The failure of the administration to identify the bonded labour has compelled public spirited persons and

IDENTIFICATION OF BONDED LABOURERS

RESPONSE

%  

1(X) n

92

REASONS

EMPLOYEES USE TACTICS

IGNORANT LABOURERS

BUREAUCRATS SYMPATHY WITH MASTERS

NON-COOPERATIVE ADMINISTRATION

COLLUSION OF ADMINISTRATORS WITH MASTERS

VERY DIFFICULT

FIG 4
organisations to undertake major work in this regard. Almost 92% of the respondents questioned have been personally involved in the process of the identification and release of the bonded labourers. They commented that the identification of bonded labour is a very difficult task. (See Figure 4). The person interested has to go among the bonded labourers at his own risk, 'Jan Hatheli Re Rakhi Ke'. The activists not only suffer at the hands of the bonded labour keepers, but also face opposition by the bonded labourers themselves. They cannot get the required help from the administration. The employers of bonded labourers use different devices to thwart the identification process by the social activists, said 84% of the respondents. The choice of the devices depends upon the intensity and integrity of the social reform movement. Firstly, there are the efforts to purchase the activists. Then they are threatened or ridiculed, and lastly, if the need arises, the vested interests do not hesitate even to injure the activists through their 'goonda' elements. 25% of the respondents told the researcher that they themselves suffered injuries while trying to identify the bonded labourers in stone-quarries in the Kota district of Rajasthan. 50% of the respondents commented that even the bonded labourers themselves are not very helpful in this regard. Because of their ignorance, fear and psychological acceptance of the bondage, they would not open up. They are not used to or hopeful about any help from any quarter, as no leader, no administrator ever comes to their help. Whenever, the 'Sarkar' (bureaucrats or police) comes
METHODOLOGY OF IDENTIFICATION

RESPONSE METHODS REASON

NON-INVOLVEMENT OF BUREAUCRACY
DIRECT CONTACT
USE OF TACTICS
PERSONALLY INVOLVED IN IDENTIFICATION

FIG 5
of the respondents. 67% of the respondents complained of unco-operative behaviour of the administration. 58% alleged the collusion of the administrators with the exploiters of the bonded labour.

40% of the respondents dilated on the methodology adopted for the identification and release of the bonded labourers (see Figure 5). Owing to the dangers inherent in the process, generally, secret tactics are used to collect information. The work is done stealthily through different devices, said 25% of the respondents. The social workers may pose as contractors or jamadars and elicit information from the employers themselves. The information may be collected from the local social workers or the people living or working in the vicinity. Above all, efforts are made to develop personal contact with the supposed bonded labourers, by establishing rapport with the labourers through co-workers or former bonded labourers. Then the antecedents of these labourers are checked. 16% of the respondents recited their own experiences of establishing personal contact with the labourers in Maharashtra. They went to the construction site as a government doctors' team for a check-up of the labourers. In 10 days, they told the interviewer, 250 bonded labourers were identified. The criteria for the identification were whether there was any restriction on the freedom of movement or choice of employment, or whether there was payment of less
than the minimum wages. At all the stages of identification, the social activists work on their own behalf, without the involvement of the administration because the administrators are generally inactive and cause unnecessary hurdles, commented 67% of the respondents. Some of them are even biased in favour of the rich landlords. 8% of the respondents recited their personal experiences of taking the administration into confidence before starting the identification process. The result was that the plan was leaked to help the masters to hide the bonded labourers.

Regarding the steps taken after the identification, 83% of the respondents commented that their first preference is to rehabilitate the bonded labourer with the present employer without any legal formalities. Although the step deprives the labourer of the grant of Rs 6250 under the Centrally Sponsored Scheme For Rehabilitation, this is preferred because the labourer is rehabilitated meaningfully without any harassment. This procedure also saves the employer from unnecessary harassment. He feels proud of himself, which helps to modify his feudal mentality. Thus, the social activists try to persuade the employer to release the bonded labourer and give him work against the minimum wages. He is also made aware of the legal and social implications of the offence of keeping bonded labour. In case the employer is reluctant or refuses to release the bonded labourer (which happens in a majority of the cases) then the district administration is
METHODOLOGY OF RELEASE

RESPONSE

% Immunomodulation

REASONS

80

50

25

16

PREFER INFORMAL RELEASE
BURACRATS IGNORANT ABOUT LAWS
RIGID APPROACH OF BUREAUCRACY
RELUCTANCE OF BUREAUCRACY

FIG 6
is approached for necessary action.

Here again the social activists have to face many problems (see Figure 6). Except for a few devoted and honest bureaucrats, the administrators are not even aware of the Bonded Labour System (Abolition) Act and other related laws. They are ignorant of the procedure for the identification, release and rehabilitation of the bonded labourers. In many cases, the social activists have to provide the bureaucrats with a copy of the relevant Act, the rules made thereunder and the schemes for the rehabilitation of the bonded labour, said 50% of the respondents. Then the administrators raise their own doubts and objections. 25% of the respondents held these objections responsible for causing a considerable delay in the identification work and the issuing of formal release certificates to bonded labourers. While issuing certificates, a bureaucrat shows reluctance to issue separate release certificates to child labourers as these certificates entitle the children to a separate grant under the Centrally Sponsored Scheme for Rehabilitation. 16% of the respondents confirmed this through personal experience and first hand knowledge. They identified some bonded child labourers in the stone-quarries of the Gurgaon district of Haryana. But the Government officials refused to issue release certificates to the children under 14 years of age. Then two children aged 10 and 12 were summoned and asked to break stones before the officer concerned. The expertise and skill of the children compelled the officers to agree that the children had been working as bonded labourers.
INVOLVEMENT OF JUDICIARY

RESPONSE %

FAVOURABLE UNFAVOURABLE

92
67
50
25
25
16

LAST HOPE HOPEFUL ABOUT PIL STRESS ON REHABILITATION DIRECTIONS COURT ORDERS INEFFECTIVE COURT'S LIMITATIONS COURT'S COMMITMENT DOUBTFUL

FIG 7
and release certificates were issued to 10 child labourers 
alongwith 33 adult labourers.

This attitude of indifference and hostility of the bureaucrats has led the social action groups and social reformers to have recourse to the courts. 92% of the respondents wrote repeatedly to the concerned officials, the Labour Ministers of the Union and the States, Chief Ministers of the States, the Prime Minister and the President about the sad plight of the bonded labourers. Reports were published and reminders were sent to human rights organisations at the state, regional or international levels. But nothing concrete was done for the amelioration of the bonded labour. Then out of sheer helplessness, the social activists approached the Supreme Court, the constitutional protector of the rights and freedoms of the individual. The Supreme Court proved very helpful. (See Figure 7) Through the liberal interpretation of the term "personal liberty" in Article 21 and by using the strategy of 'public interest litigation', the court came forward to help the down-trodden and weaker sections of the society.

The judgements in the Asiad and Bandhua Muktā Morcha Cases were appreciated all over the world. A new move began for the protection of the basic human rights of the weaker sections with the help of the judiciary.

However, the orders of the court did not prove very beneficial to the target group opined 25% respondents. They were identified and released mechanically, without any proper steps or planning for their rehabilitation. Thus, the released
bonded labourers became totally helpless. They were deprived of even the mere subsistence meals and were rendered jobless. The local moneylenders or landlords united against them and resolved not to employ any released bonded labourer. This social boycott forced the released bonded labourers to die of hunger. Thus the social action groups made it a point, commented 50% of the respondents, to ask for court orders for the rehabilitation as well as the release of the identified bonded labourers.

67% of the respondents were hopeful about the scope and performance of the 'public interest litigation'. They believed that the 'public interest litigation' has raised the people's awareness of the problems of bonded labour. It has helped the social activists and boosted their morale. The Court decisions have led to the release and rehabilitation of a number of bonded labourers. Although the court directions have not been obeyed fully, these have helped to tone up the inactive administration. 25% of the respondents mentioned the limitations of the court's powers and directions. The courts have to avoid trespassing on the political territories and stick to procedure according to judicial tenets. The courts lack the follow-up or implementation machinery. 16% of the respondents even doubted the willingness and commitment of the Supreme Court to help the down-trodden. While considering the non-implementation of the Court directions on the identification, release and rehabilitation of the bonded labourers, and
REHABILITATION SCHEMES

Figure 8

- Unsatisfactory Assistance: 80%
- Assistance Inadequate: 16%
- Assistance Difficult to Avail: 32%
- Assistance in Kind Worthless: 25%
- BL's Lack the Skill: 16%
- Improper Implementation: 40%

Note: The figure illustrates the percentage response to reasons for dissatisfaction with rehabilitation schemes.
the reaction of the Court to the 'contempt of court' petitions in this regard, they concluded that the judiciary today lacks the commitment of the early eighties. The Court has started a process but now it is unable to pursue it further, they commented.

A large majority of the interviewees i.e. 83% were not satisfied with the rehabilitation schemes and poverty alleviation programmes initiated by the Government. (See Figure 8) 16% of the respondents considered the amount of assistance available under the Centrally Sponsored Scheme for Rehabilitation of Bonded Labour inadequate. The amount of Rs. 6250 was fixed in 1986. Since then the employees in the organised sector have got a number of dearness allowance instalments. But the grant for the poorest of the poor still stands there. They suggested that it should be raised to Rs. 1500. One third of the respondents further commented that even this small amount is not easily available to the target group. This grant has to be paid to the labourers in two instalments. Immediately on release, a bonded labourer get Rs. 500 for consumption purposes and the balance is to be paid for his rehabilitation. In practice, on release, the bonded labourers are kept in sheds or under temporary shelter. Sometimes, they do not get any assistance from the administration immediately. Thus, the social activists have to provide them with food and clothing at their own expense. Then the workers are questioned about the place and occupation of their choice.
If they are migrant workers and want to be rehabilitated in their home states, then the difficulties in their rehabilitation are increased. The officials of the other states concerned are contacted and asked to provide for the rehabilitation of these labourers. The indifferent and biased attitude of the Government functionaries, and the ignorance and helplessness of the labourers make difficult the grant of rehabilitation assistance after the release. The time gap may vary from two or three months to two or three years.

One is stunned by the prevalence of gross corruption and malpractices in the payment of grants. 25% of the respondents commented that the labourers are provided with unproductive or worthless land and goods at exorbitant prices. These are bought from the influential persons of the area. Sometimes, after the giving of a small gift in the name of the grant, the labourers are asked to put their thumb impressions on false accounts. 16% of the respondents cited an incident of bureaucracy's corruption in District Mirzapur of the Uttar Pradesh. When the respondents went to see the released bonded labourers, they saw that some of the labourers were wearing new vests and dhoties. On inquiry, they were told that the 'Sarkar' had gifted the new clothes to the labourers. After investigation, the activists came to know that on paper 22 released bonded labourers had been given grants to set-up ready-made garments shops.

16% of the respondents expressed the view that the released bonded labourers are unable to properly utilise the
the rehabilitation assistance owing to ignorance, lack of skill and poverty. They generally consume the seeds, and sell the cattle and other assets. After sometime they again go back to the local moneylender asking for work and a loan. They commented that the Centrally Sponsored Scheme for Rehabilitation is purely mechanical and lacks humane elements. Even the most honest officials fail to ensure the proper utilisation of the financial assistance given under the scheme. There is no follow-up or supervisory machinery to ensure the success of this plan.

40% of the respondents clarified that the Central Government Scheme for Rehabilitation has two phases. The first is the immediate rehabilitation of the bonded labour and his family/an initial grant of Rs 6250. Within a year or two, he is to be trained or helped under the other poverty alleviation programmes, for his long-term rehabilitation. But some of the government officials confuse the grant under the Rehabilitation Scheme with the assistance under the poverty alleviation programmes. If a released bonded labourer gets a loan of Rs 600 for vegetable business under the Integrated Rural Development Programme, then the officials refuse to give him assistance under the Rehabilitation Scheme. On the other hand, if the released bonded labourer gets assistance under the Rehabilitation Scheme then they refuse to consider him in the target group under the poverty alleviation programmes. They plead that the government has to take care of other persons under the
poverty line and that the released bonded labourers have already been benefited by governmental assistance. This indifferent attitude, respondents believed is against the policy of the government. Besides, it is a great setback to the bonded labourers struggling against poverty.

To ensure the effective implementation of the laws and programmes for the release and rehabilitation of the bonded labourers, the Act provides for the mandatory constitution of vigilance committees at the district level, yet in most of the districts these committees have not been constituted, despite the directions of the Central Government and the Supreme Court in this regard, where these committees have been constituted, they do not meet regularly. In fact, two-thirds majority of the respondents believed that the members of these committees are mostly big officials, influential and rich persons, who are the least interested in the problems of bonded labour. 16% interviewees suggested that members of social action groups should be included in vigilance committees.

Thus, social action groups and social reformers have to provide for and supervise the rehabilitation of the released bonded labourers. These persons pay visits to the released bonded labourers from time to time. They keep in touch with the work done by the administration for the rehabilitation of bonded labour. They make public the irregularities committed by the government officials. 40% of the respondents believed
ROLE OF NGOs IN THE WELFARE OF BONDED LABOUR

FIG 9
that the primary role in the whole process of bonded labour abolition, which is basically the duty of the administration, is being played by non-governmental organisations and persons. (See Figure 9). 8% of the respondents illustrated this fact by concrete examples from the rehabilitation of 'Ghumakar Sanjaras' and 'Gudia-Lohars' in Rajasthan. These persons came under the category of bonded labourers, for during their stay at a particular place, they had to work for the local rich at the much lower wages than the minimum payable. Then the social activists drew the attention of the authorities towards the problems of these tribes and tried to make arrangements for their rehabilitation, the authorities refused even to consider their problems. They pleaded that these tribals could not be considered target groups under the Government schemes, as they had not been registered on the voters' lists. Local political leaders also refused to help these poor creatures. Then the activists started their own rehabilitation schemes for these aboriginals. Consequently, a large number of these tribals have been rehabilitated. Within a few years, a number of villages of rehabilitated bonded labourers have come into existence. These respondents mentioned the names of some such villages as Theriwala, Gopalpura, Bamanwas, Chogan, Ghirirari and Khodariwa in Thanagiri block of the district of Alwar. These tribals have started their own small ventures in these villages, with the help of the social activists. They have been registered as voters for the first
time. As these persons constitute a potential vote-bank, the political leaders have started visiting these colonies. They have pressurised the administration into providing some amenities in these colonies.

Thus the ineffectiveness of the government rehabilitation schemes and the indifference of the administration have compelled the non-governmental organisations and groups to initiate their own programmes for the economic, social and psychological rehabilitation of the bonded labourers. 67% of the respondents contacted were hopeful about these non-formal rehabilitation programmes initiated by the voluntary organisations. These respondents commented that in the Raipur district of Madhya Pradesh, where a large number of bonded labourers could not be rehabilitated by the administration, even the Supreme Court recognised the role played by non-governmental organisations. It directed that the six non-governmental organisations active in the area should be associated with the rehabilitation of these released bonded labourers. The unified efforts of these organisations in this area have given birth to the 'Mukti-Niketan Programme'. 33% respondents mentioned in detail the objectives of this programme and non-formal training of the released bonded labourers. This programme is based on the actual needs of the released bonded labour and is being executed by the committed activists of the non-governmental organisations. The activists go from place to place and try to organise and motivate the released
bonded labourers. These workers are vigilant and conscious of the labourers' dignity. Marches and demonstrations are organised against the inactiveness of the administration.

On the other side, the released bonded labourers and the members of their families are provided with a three months' training in local occupations, such as cycle repair and carpentry at the rehabilitation centres started by these non-governmental organisations. These labourers are also guided about the proper utilisation of the assets given to them under the Government's Rehabilitation Scheme. To ensure their socio-psychological rehabilitation, they are made aware of their basic rights and dignity. Leadership qualities are developed in them. At the training camps, the programmes for cultural orientation are also organised. Besides, they are also provided with primary and adult education so that no one can compel them to put their thumb impressions on false accounts and they can maintain and manage their own accounts. A number of such rehabilitation centres have been started and are being run by the 'Mukti Trust' a sister organisation of the 'Bandheh Mukti Morcha.' 40% of the respondents mentioned the names of some Mukti Ashrams at Delhi, Mirzapur in the Uttar Pradesh, and Virat Nagar in Rajasthan.

After training at these rehabilitation centres, the labourers are also provided with financial assistance and guidance to establish their small ventures. To boost the morale of the released bonded labourers and to assure them that in
ROLE OF NGOs IN THE WELFARE OF BONDED LABOUR

FIG 9
the struggle against the present social and economic system they are not alone, contact with them is maintained. They are made conscious of their rights through street dramas, the mass media, audio-visual cassettes etc. Local activists and trade union leaders continuously contact and motivate them. Public marches and demonstrations are organised to eradicate their fear of rich landlords and corrupt officials. All these steps help in their psychological rehabilitation, 33% of the respondents said.

Although a number of non-governmental organisations and persons have joined the struggle against the bonded labour system 83% of the respondents expressed the view that the achievement has not been great. (See Figure 10) The reason is that if the administrative machinery has its shortcomings, the non-governmental organisations also have their own problems. First and foremost, there is the lack of resources and powers to make the bonded labour abolition machinery effective, commented 67% of the respondents. 16% of the respondents opined that while it is very easy to form an organisation or union, it is very difficult to bring about real awakening of the masses. The non-governmental organisations and groups have adopted conflicting attitudes and strategies. Whereas some have a development-oriented attitude, others have political objectives, and some others believe in structural changes in social values. These conflicting objectives along with the tendency to tackle the problems through outside leaders have been a great hindrance to the abolition of bonded labour, said 25% of the respondents.
The problems of the non-governmental organisations have been increased by labourers' ignorance, indifference, and their psychological acceptance of their exploitation. Their migratory character makes it very difficult to maintain contact with them. Thus 75% of the respondents suggested that to achieve better results all non-governmental organisations should rise above their personal interests and work unitedly. The bonded labourers themselves should be taken into confidence while framing the action plans. The solutions offered by them would be simple, practical and economical. Secondly, the movement against the bonded labour system has remained limited only to the upper middle class. These sections talk about the sad plight of bonded labour at seminars, symposia and press conferences organised in posh drawing rooms. This movement should be brought to the grassroots level. Seminars, symposia, and conferences should be held not in big cities or towns, but in small places with high incidence of the bonded labour. 16% of the respondents quoted as an example the 'annual chopals' organised by various units of the 'Bandhua Mukti Morcha' in the areas inhabited by bonded labour.

58% of the respondents appreciated and welcomed the efforts of the non-governmental organisations. But they believed that these efforts are just a drop in the ocean. The Government has better resources and machinery to eradicate the evil. Thus they proposed that the non-governmental organisations should give up the path of confrontation with the Government. These
organisations should play the role of pressure groups for activating the administration. Their devotion and commitment wedded to the co-operation of the administrative machinery would yield better results.

25% of the respondents were not satisfied with the bonded labour abolition set-up. They commented that even if the full machinery envisaged became functional, the abolition of bonded labour was not possible, for under the welfare legislation adopted so far no official is accountable for inactivity. No punishment has been prescribed for the defaulting persons. The officials fulfil their duty just by issuing release certificates and sanctioning grants for rehabilitation. This set-up lacks follow-up or supervisory machinery, said 56% of interviewees. No one bothers about the post-liberation life of the released bonded labour. If some devoted officials are taking interest in the problems of bonded labour, they, instead of being given any incentive for their appreciable work, are transferred under pressure. This mechanical and formal scheme is inadequate to shatter the age-old system of bondage in India, believed 92% of the respondents.

4.12 Responses to Unstructured Part of Schedule A

The responses to the last item on the schedule asking for any information about or suggestion on the issue, generally came in the form of suggestions. All the respondents
mentioned that the present legal and administrative set-up, judicial involvement, and the activities of non-governmental organisations and persons had failed to achieve any remarkable success in the abolition of bonded labour in India. Therefore, efforts should be made to bring about real and basic changes in the social, economic and cultural set-up of the society. These changes can be brought through long-term planning and strategy. Ad-hoc schemes and measures would not prove helpful. Co-ordinated planning, devotion, patience, time and energy are needed for the purpose. Secondly, all the respondents stressed that the schemes for the identification, release, rehabilitation and welfare of the bonded labour should not be formulated at higher levels. But these should be finalised after consultation with Government officials working in the field as well as the representatives of the non-governmental organisations working at the grass-roots level. The suggestions and views of the representatives of bonded labourers should also be welcomed. Thirdly, all the respondents opined that although the non-governmental organisations, social activists and the Government had conflicting attitudes, they have the common objective of the elimination of bonded labour. To achieve this objective earlier and effectively, they should adopt a unified action plan and give up the path of confrontation. These factions should rise above personal, party and political interests and work for the benefit of the most exploited sections of the Indian society.
The Bonded Labour System (Abolition) Act, has tried to unite the conflicting interests through the 'vigilance committees', but this experiment has not proved successful. To provide a better platform to these diverse interests, 58% of the respondents favoured the formation of a National Commission on Bonded Labour. The constitution of such Commission, has been recommended even by the National Commission on Rural Labour and the Lal Bahadur Shastri National Academy of Administration. The Commission, should consist of retired and working judges, lawyers, jurists, journalists, officials from the labour and finance departments, representatives of semi-governmental and non-formal financial institutions, vocational training institutions and social activists working for the abolition of bonded labour in India.

The Commission should have a retired judge as its President and a representative of the non-governmental organisations as its Vice-President. This 'National Commission on Bonded Labour' should have its state and district level branches. The Commission should be responsible for the identification, release, rehabilitation and welfare of bonded labourers. It should have the powers of an executive magistrate to hold inquiry on the complaints of the existence of bonded labour. It should be empowered to issue formal release certificates and to sanction grants under the Centrally Sponsored Scheme for the Rehabilitation of the Bonded Labour. The Commission should also have the power to suggest, finalise and execute the schemes for the welfare of bonded labourers. This plan,
these respondents believed, would fortify the governmental machinery and the efforts for the abolition of bonded labour. The judicial representation and the presence of functional non-governmental organisations would converge the divergent actions of all interested groups into a unified action. The unified action would prove a great strategy against the age-old feudal and exploitative system of bonded labour.

The thrust of the government's developmental policies should be on rural development, stressed 80% of the respondents, for the people living in villages are worse hit by the exploitative system. These schemes should provide for the vocational, non-formal and primary education of the poor. They should take care of their nutritional, and health needs. Above all these schemes should concentrate on the basic or minimum needs of the rural poor. Under these schemes the bonded labourers should be considered a 'Special Target Group'.

To ensure better and fair prices for the products of the released bonded labourers and to maintain a constant supply of raw materials and necessities of life at fair prices, 80% of the respondents favoured the establishment of co-operatives for the released bonded labourers. These co-operatives, they stressed, could ensure better production, proper utilisation of resources as well as compulsory savings by the workers. These co-operatives could attain the status of a pressure group in the market and face stiff competition from big businessmen. They cited the success of co-operatives by fishermen in Orissa.5

Other 33% of the respondents believed that the best remedy for the problem of debt bondage lay in the enforcement of minimum wages in all sectors of unorganised labour. To make the concept of minimum wages more scientific, they proposed that a 'National Minimum Wages' should be fixed equal to the salary of the class IV employees of the Central Government. The states may fix their own minimum wages but those should not be less than the 'National Minimum Wages'. For the purpose of revision, the national minimum wages must be linked to all future revisions of the government employees' wages. The national minimum wages must be included in the cost of production of various farm products by the Agricultural Costs and Prices Commission and remunerative prices be fixed accordingly. This suggested approach would remove the age-old hostility between the farmers and the agriculture labour.

To protect the unorganised labour from exploitation by jamadars, contractors and the employers, 25% of the respondents suggested the setting up of 'employment exchanges' for the labour working in the unorganised sector. The labourers required by the contractor or employers should be recruited through these exchanges, instead of through the jamadars. These employers should not make direct payments to the workers, but should deposit their wages in the Labour Ministry. The payment to the labourers should be made by the Labour Ministry itself. This would ensure the payment of minimum wages at
regular intervals to the labourers in the unorganised sector. They would be protected against the need for demanding recurring loans from the employers for their daily needs. These exchanges would also help the government to collect authentic information about unemployment and disguised unemployment. The Government would be able to prepare more effective policies for employment creation and for the welfare of the labour in the unorganised sector.

Government-controlled electronic mass media and the press should regularly disseminate all information about the fixation and enforcement of 'National Minimum Wages' and the working of employment exchanges for the unorganised labour. The concept, scope and implications of the poverty alleviation programmes and vocational training of the poorest sections of the society should also be given maximum publicity. This information will prove crucial in creating the required awareness among the unorganised labour. This will empower them to fight all the exploitation which otherwise very often leads to the perpetuation of the bonded labour system, 16% of the respondents commented.

Lastly, one third of the respondents stressed that all publicity methods should be used to raise awareness among the general public of the problems of bonded labour and its evil effects on the national economy. The movement against the bonded labour system should be spread to every corner of
the country. This grass-roots awareness would help to bring attitudinal changes and prepare a way for a better implementation of governmental schemes in this regard.

4.20 Responses to Schedule B

This section of the chapter deals with the responses of the second category of the respondents who were administered schedule B. Their responses have been divided into two sub-sections. Whereas, sub-section(a) deals with the responses to the structured questions, the sub-section(b) focuses on the responses to the open-ended item of schedule. This sub-section contains general suggestions to make the bonded labour abolition set-up more effective.

4.21 Responses to the Structured Items of Schedule B

The first question in this Schedule related to the reasons for the continuation of bonded labour, and to its patterns and extent in India. Like the respondents in the first category, all the respondents in this category also considered the problem of bonded labour in India to be acute. They commented that its roots lay deep in the age-old practice of moneylending, which was directly related to the poverty, helplessness and ignorance of the masses. This system continues through the inter-relationship between riches, power and corruption. None of the respondents in this category came out with figures on the extent of bonded labour. But they believed
that in most of the cases its origin lay in taking of small loans by the poor from the local moneylenders or landlords. The amount borrowed continues to increase because of high rates of interest, persistent demand for small loans by the labourers for their daily needs or to satisfy their lust for gambling or liquor, and the payment of mere subsistence wages to the labourers for a whole day's hard work. All these factors unitedly maintain the vicious circle of bondage.

16% of the respondents were critical of the various bonded labour abolition and related laws enacted by the government. They stressed that these laws are mere fraud, for the evil practices which these laws prohibit, continue to flourish not only in private concerns, but also in the big enterprises owned or run by various government departments. They cited the example of the persistence of bonded labour in the Haryana Minerals Limited, the owner of mines and quarries in Faridabad in Haryana and among the construction workers in the Central Public Works Department. 8% of the respondents stressed the futility of the special enactments related to the welfare of the child labourers. They stressed that the 'National Programme on Child Labour' does not cover even 7% of the child labour force in the country. The children in the unorganised sector have to work in a most unhealthy and devastating atmosphere. They are brought from the tribal and peripheral areas to the site of work, miles away from their houses. Cunning jamadars, contractors and employers fetch these small labourers on empty promises. No one, no law, no
government functionary no political leader comes forward to
rescue these children from this hell on the earth. 33% of
the respondents favoured the government enactments and were
hopeful about their potential. They stressed that the main
fault for the continuation of bonded labour lies in the non-
administration or mal-administration of these enactments.
These respondents also appreciated the rehabilitation schemes
and programmes initiated by the Government. They commented
that nothing better can be expected from the legislature. The
Parliament of India has enacted some of the finest laws of
the world. They stressed that even the rehabilitation progra-
mes are not being properly implemented. There is controversy
among the Government functionaries on the definition of the
rehabilitation of bonded labour. 16% respondents mentioned,
on the basis of first hand knowledge, the case of the rehabili-
tation of bonded labourers identified in the District Raipur
of Madhya Pradesh. The Madhya Pradesh Government insisted that
the providing of Rs 6250 as assistance was the proper rehabili-
tation as envisaged in the Centrally Sponsored Scheme for
Rehabilitation. But the social activists insisted that under
this scheme for rehabilitation, the amount of Rs 6250 to be
granted was the first phase of the rehabilitation. In the
second phase, the released bonded labourers and their families
were to be trained for self-employment or were to be given
assistance under the other poverty-alleviation or employment-
creation programmes. This controversy led the social action
groups to have recourse to the Supreme Court. The Court issued clear directions that the grant under the rehabilitation scheme and the grant under the other poverty alleviation schemes were to be given separately in the two phases of rehabilitation. But even then the administration did not prove much helpful. The inactiveness of the administration and the failure of the mechanical schemes of rehabilitation initiated by the Government led the social action groups to start their own programmes for the rehabilitation of the bonded labourers. These groups run their own training centres for the vocational training and non-formal education of these labourers.

A great majority of the respondents i.e. 67% alleged that the main fault for non-implementation of the laws and programmes for the welfare of the bonded labour lay with the bureaucracy. The functionaries at the lower level lack the commitment, orientation and devotion necessary to make these enactments effective. Most of them are corrupt or under pressure of the politicians. They are biased in favour of moneylenders or landlords. All these factors hinder the effective implementation of these enactments. The respondents said that if the same interest which some sincere officials at higher levels possessed was shown by the lower-level functionaries also, then the proper functioning of the laws and the programmes was possible. To inculcate this commitment among bureaucracy, the non-governmental organisations could play a big role, these respondents suggested.

The reaction of the 92% of the respondents was favourable to the liberal approach of the Supreme Court towards the down-
ROLE OF JUDICIARY

RESPONSE

REASONS

APPRECIABLE BENEFITS OF PIL
DIFFICULT TO IMPLEMENT COURT DIRECTIONS
INDIFFERENCE OF THE COURT
LACK OF SUPERVISORY MACHINERY
INHERENT LIMITATIONS
LIMITATIONS OF PIL'S APPROACH
LACK OF PIL ORIENTATION
LACK OF JUDICIARY ORIENTATION
LACK OF PUBLIC AWARENESS

FIG 11
trodden and weaker sections of the society (see Figure 11).
They stressed that the liberal interpretation of words 'personal liberty' and the development of the concept of 'public interest litigation' were timely and humane steps.
These steps were appreciated by human rights organisations, including the ILO, all over the world. If this approach of the Court had been exploited to its full potential, it would have proved a miracle. The benefits and limitations of the 'public interest litigation' depend upon the follow-up action. It is easier to get a decision from the court, but it is very difficult to get it enforced, commented 16% of the respondents. 33% of the respondents recognised the limitations of this strategy. They commented that since in 'public interest litigation' the court has to decide about the rights of the persons not present before the court, so it must visualise before hand the total implications of its decisions in this regard. This strategy may even result in the abuse of the process of the court; the petitions may be filed merely for publicity without much preparation. Thus the court should insist on appropriate verification of the petition or other communication before acting upon it. The court must show 'judicial statesmanship' while deciding such cases. The decisions should be based on a deep understanding of constitutional and legal values in the context of contemporary social forces, and a judicious mixture of restraint and activism dictated by existing realities. Without such caution, the 'public interest litigation' may put unnecessary burden on the already over-burdened courts and may result in a
wastage of precious time. However, 75% per cent of the respondents believed that the 'public interest litigation' has been able to raise the public's awareness of the problem of bonded labour. It has activated the dormant administration. A large number of bonded labourers have been identified, released and rehabilitated as a direct result of this strategy. In certain pockets labourers themselves have become conscious of their rights and of the programmes and schemes initiated by the government for their welfare. They have organised and raised against their exploitation.

In the early cases related to bonded labour, the Supreme Court has stressed on their release only. But since Meena Chaudhary's case the court has been issuing specific directions for the rehabilitation of the released labourers. These directions have resulted in the rehabilitation of a number of released bonded labourers. But the expected success has not been achieved, for the vested interest, through their deceitful devices and tactics, defy the court directions. The court itself also does not seem much interested in securing the implementation of its directions, as is clear from its reaction towards the 'contempt of the court' petitions filed by a number of social activists. This approach of the court has hit badly the prestige of the court, opined 25% of the respondents.

The main reason behind the failure of the court directions lies in the lack of monitoring and supervisory machinery, believed 16 per cent of the respondents. The responsibility for
the enforcement, and implementation of the court directions again falls on the inactive and inefficient administration. Therefore, the promises made by the administration before the court, meet the same fate as the laws and programmes for the abolition of bonded labour.

The judiciary, a vast majority of the respondents i.e. 83% viewed, has a secondary role to play in the implementation of social and economic enactments. Only rare cases involving extreme hardships should come before it for adjudication. But in reality the laws related to the bonded labour abolition have been implemented mainly through the instrumentality of the court. In most of the cases, the State Governments accepted the existence of bonded labour in their jurisdiction only after long pleadings. Only then did they agree to take steps for the identification, release and rehabilitation of bonded labourers. In fact the bonded labour abolition laws have been enacted without proper groundwork. These laws have not been followed up with any programme for changing the psychology of the general public, which since time immemorial has been a silent spectator to this exploitation. These factors have affected badly the proper implementation of the court orders and directions on the abolition of bonded labour, 67% of the respondents believed.

On the other hand the judiciary can play a more positive role in the abolition of bonded labour, 16% of the respondents commented that the commitment to the cause of the down-trodden
exhibited by the Supreme Court in early eighties is lacking now-a-days. They opined that most of the judges themselves belong to the higher middle class and they are used to 'Ayas and servants' working in their houses. Thus, the judiciary itself has to be trained through public-spirited lawyers, social reformers and voluntary organisations. If the same commitment is revived, then it will be easier to get better orders and decisions from the Court. On the contrary a three-fourths majority of the respondents mentioned the difficulties faced by the judiciary. The Court they stressed has to take care of the circumstances of the particular case, of the potential for successful implementation and the degree of response of the implementation agencies. Therefore, they stressed that the pace of change must be controlled with care, otherwise the prestige of the Court itself would be at stake. However, they recognised the need for the public interest litigation, so that the executive could realise that the judiciary might compel it to discharge its welfare duties.

Regarding the possibility of making the public interest litigation as popular with lower courts as it is with the Supreme Court, 92% respondents again referred to the limitations of this strategy, owing to which courts hesitate to accept public-spirited petitions. Second reason, they believed, is the lack of public-spirited lawyers and social reformers at the grass-roots level. Thirdly, they felt that people used such petitions as a device for gaining publicity, and prestige. They
ROLE OF NON-GOVERNMENTAL ORGANISATIONS

RESPONSE

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FIG 12
file petitions without proper investigation and survey. The courts are left to do all the job themselves, but they lack both the time and the means to do such a job. Thus the lower courts are reluctant to accept such petitions. To popularise the public interest litigation with the lower courts, 33% of the respondents suggested that awareness among the general people of the problem of bonded labour should be increased. The mentality of the middle class should be changed. They should be made more sympathetic to the sufferings of their fellow human beings.

83% of the respondents recognised the primary role played by non-governmental organisations, social action groups and social activists in the identification, release, rehabilitation and welfare of the bonded labourers. (See Figure 12) But the 92% of the respondents opposed the idea of giving primary role to the social action groups in this field. They suggested that such groups or individuals should play the role of a catalyst. They should maintain their pressure on the administration. But the primary responsibility in this regard should remain with the Government as the non-governmental organisations lack the resources and power to uproot such an age-old practice. All the respondents recognised the need for unified action on behalf of the Government machinery, the judiciary as well as the non-governmental organisations. They suggested that all these should rise above their parochial interests and work together for the welfare of the bonded labour. However, 67% of the respondents denied the possibility of unity among these factions.
as all of them have different interests, approaches and ideals.

42% of the respondents believed that non-formal resources could be exploited for the welfare of the bonded labourers. They quoted the example of the rehabilitation programmes and training centres run by some non-governmental organisations. The finance for this purpose, they suggested could come through public charities, the organisation of cultural shows etc. 33% of the respondents suggested that the Government should increase the outlay on rural development schemes. The resources for this could be pooled through observing austerities in other fields. 16% of the respondents proposed that the Government should economise on its military and bureaucratic expenditure. India they believed should wholeheartedly try to compromise with Pakistan and China on the border issues. "If Britain and France can learn to live as good neighbours, why cannot we", they asked.

4.22 Responses to the Unstructured Part of Schedule B

The responses to the last item of the schedule i.e. any information or suggestion on the issue, came mostly in the form of suggestions. All the respondents of category B opined that the problem of debt bondage should not be viewed in isolation. This malady was the product of an exploitative social, economic, political and cultural set-up. So, this multi-dimensional problem should be tackled by a multi-pronged strategy.
Different respondents lay stress on the modification of the different aspects of this unequal society. All the respondents opined that the main objective could be achieved through an all-round development of the rural sector. They stressed that the Government should concentrate on the creation of more employment opportunities in village-based occupations. More and more people could be engaged in reforestation, in the development of agro-forestry, sericulture, dairy farming, poultry farming, fisheries, and the construction and development of local irrigation projects and water-sheds. 33% of the respondents believed that even the presently existing welfare schemes could bring about a remarkable change with better implementation. For this the Government should encourage commitment and devotion among the officials. Refresher courses and programmes should be organised for the officials concerned. They should be made aware of the miserable condition of the bonded labour, of the policies and programmes of the Government and of their duties and responsibilities in this regard. Inefficient or corrupt officials should be penalised. They should also be made aware of the valuable work done by the social action groups in this field. On the other hand, the social reformers could also play their role in activating the administration. The social workers at the grass-roots level could feed the relevant information back to the government functionaries. The collaboration between the social reformers and the administration could bring about real change. But taking into account the performance
of the administration, and the limitations of the judicial action, 58% of the respondents commented that in the present-day situation the grass-roots level social workers were the only answer to the need for the welfare of the bonded labour.

Besides, the implementation of welfare oriented schemes for the bonded labour, the Minimum Wages Act and the Payment of Wages Act should be implemented effectively. 33% of the respondents believed that problem of bonded labour could be eradicated only through the implementation of these laws. However, these laws could be implemented fully only when the labourers themselves became conscious of their rights and rose against their exploitation. For this the only alternative was the spread of literacy. Apart from this, schemes for the welfare of the bonded labourers should provide for their vocational training and non-formal education. In the success of these schemes, the general public has a big role to play. The bulk of society has accepted the exploitation inherent in our social system. They are not aware of the evil consequences of these exploitative tendencies. Thus, 25% respondents insisted that general public should be made more aware of the implications of the bonded labour system. A vigorous campaign for this purpose should be started through the electronic media, press, cultural shows, street-dramas, posters and pamphlets. Interaction between poor and rich and between villages and towns should be encouraged. Increased mixing with the vulnerable sections of the society would popularise the movement for the
abolition of bonded labour among the middle class people. They would in turn make this movement more effective and suggested forceful/16% of the respondents.

4.30 Responses to Schedule C

In this section an attempt has been made to illustrate and explain the actual conditions of bonded labour in India. This section has been added to cross-check the views expressed in the earlier two sections of this chapter. This section consists of an interpretation of the responses of 12 labourers. These responses have been divided into two sub-sections. Sub-section(a) presents the profiles of six released bonded labourers whom the researcher met during her visit to Mukti Ashram, Ibrahimpur, New Delhi run by the 'Mukti Trust'; a sister organisation of the Bandhua Mukti Morcha. Sub-section(b) deals with the responses of the other six workers whom the researcher interviewed at the construction sites and brick kilns in the tehsil Rajpura of Patiala, Punjab. The latter category of the respondents consists of labourers still languishing in bondage. While interviewing the third category of the respondents the difficulty the researcher faced was how to get the real responses from them. These interviewees were ignorant and submissive. They were not in a position to reply with confidence and in detail to the questions asked by the interviewer. Even then an attempt has been made to cross-check the views of social activists through the first-hand information collected by
interviewing the labourers themselves.

4.3.1 Released Bonded Labourers

These respondents included labourers in the agricultural sector and the labourers working in the mines and quarries. Most of them were either contract, migrant or child labourers. But the researcher could not interview any female workers in this category, for at the time when she visited the 'rehabilitation centre' not even a single female worker was getting training there.

(i) Laxmi Dhar Yadav

He is 18 years old. He belongs to the village Sukhi-Pali of the district of Raipur, Madhya Pradesh. He has been to school up to the sixth standard. He has been working as a bonded labourer for six years. His father mortgaged him to Sahu of Baroli village, when he was 12 years old. His father himself was a bonded labourer with the same master for 20 years for a small sum taken at the time of his marriage. A few years back, Laxmi's father fell ill. Thus, Laxmi left school and started working as a casual labourer. But later his father's illness became severe. They needed money for treatment. So Laxmi Dhar was pledged for 500, with the master of his father.

Laxmi's wages were fixed at 5 per day, payable at monthly intervals. He was also to get some quantity of dhan after six months. Although, Laxmi was never paid any cash at
all, the cash wages were deducted from the loan and the 
interest thereon. He had to work from 5.00 a.m. to 7.00 p.m. 
Though, he was mainly engaged for grazing the cattle, yet he 
had to perform other chores also. Sometimes, he was told to 
stay at the master's house even for the night for emergency 
work. He had to sleep in the cattle-shed. He was exposed to 
all sorts of inhuman treatment. Whenever, he got late in 
reaching the master's house, he was severely beaten up. If 
he was absent from work even for valid reasons, he had to 
pay a penalty equal to two days' wages. Whenever his father 
inquired of the master about the loan, he was told that a big 
amount was owed by both the father and the son. They never 
knew the exact amount of the loan payable. All the accounts 
and the papers were with the landlord.

His father was released by the Court on the Chatisgarh 
Mukti Morcha's petition for the release of bonded labourers 
in the Jaipur district. He got training for carpentry at the 
Chatisgarh Rehabilitation Centre run by voluntary organisations. 
With assistance from the government, his father has established 
his own business. He is able to earn sufficient money for his 
family by work as a carpenter as well as by the cultivation of 
small piece of land. Later, the social activists of the area 
secured the release of Lakshmi also.

In March 1992, he came to Mukti Ashram, Delhi. Here, he 
is getting training for carpentry. He is very happy and hope­
ful that both he and his father will be able to earn more
through their profession and will lead a comfortable life. He is committed to organising his fellow bonded labourers after returning to his village. He will make them aware of their rights and worth.

(ii) Hari Kishan Kandoli

He is 23 years old. He is a resident of the village of Chinordoaha, in the Raipur district of Madhya Pradesh. He dropped out of school in the eighth standard owing to poverty. He has been working as a casual labourer since the age of 15. At one time he was getting a daily wage of Rs 10. But six years back, he took a loan for Rs 400 for his marriage from the local moneylender, Ganesh K. Sahu. It was agreed that Hari would work at the master's fields for a wage of Rs 10 per day, payable at six monthly intervals. He was to get some quantity of dhan, a pair of chappals and a dhoti along with the cash payment. He had to work in the fields for 10 to 14 hours a day. During the peak months, he was supposed to work even for 18 to 20 hours for two meals a day. He never got anything in cash. Whenever, he asked for the wages, he was badly abused. The master told him that till the repayment of the debt, he would not get a single paisa. In the meantime Hari came to know about the 'Bandhua Mukti Movement' organised by the social action groups in the area. He was aware that the masters were afraid of these groups, for they took such masters to prison. Tired of exploitation and encouraged by the liberation movement, one day Hari San
away from the master's field. He contacted the social activists at the Jan Jagriti Kendra, Pithora. From there he was sent to Delhi for vocational training. Here, he opted for the training of a tailor. He says that this training will help him to establish well in life, for this work has a great potential in his village. He is very resentful against the treatment he got from his previous master, but he is no more afraid of him or the police. He pleads that he will not sit idly, but shall try to organise his fellow beings in the village. He will make them aware of their rights. He will motivate and help them to benefit from the governmental welfare schemes.

(iii) Bhagirai Beoh

He is a resident of a village, Jampati in the district of Sambalpur, Orissa. He is twenty-one years old. Before joining the rehabilitation centre at Delhi, he worked as a casual labourer against meagre wages. Work was not available throughout the year. It was available only from July to October in the form of sowing and cutting of dhan. During the day he had to work from 7.00 a.m. to 7.00 p.m. against 5 Kg of dhan or Rs 10. For the rest of the months in the year, he had to depend on the collection of Mahua leaves, flowers and fruit. From this work, he was able to earn Rs 6 to 7 a day. When Mahua was not available, then he remained busy with collecting Tendu leaves. This hard work did not provide him with even two meals a
day. One day, he came in contact with Mr. Kunj Bihari, who is working in his area for the welfare of bonded labourers in collaboration with the Jan Jagriti Kendra, Pithora. Through Mr. Bihari's efforts, he joined the training for welding at the Delhi rehabilitation centre. After training, he wants to go back to his own village. He will set up his own small venture there. He is hopeful about his future.

(iv) Bawa Ram

He is 14 years old. He belongs to a village Beldaa, in the district of Raipur, Madhya Pradesh. Three years back, local landlord Narayan called him and asked 'Bandhua Rahenge?' Thus he was engaged as a 'Kutia'. It was agreed that he would graze the master's cattle for 2 Kg of dhan a day. At the time of the contract he was paid Rs 200 in cash. He had to work from 4.00 a.m. to 7.00 p.m. daily. He was not provided with any food during working hours. For three years he had been working for the same master for a small quantity of rice only.

The one day, he became aware of the Bandhua Mukti Morcha's activities for the welfare of the Bandhu Mazdoors. So he contacted them at the Chatisgarh Mukti Morcha's office. From there he was sent to Delhi. Here he is getting training for a carpenter's job. He believes that this profession will prove beneficial, because his area is full of forests and wood. His brother Tili Chand is still working as a 'Kutia' in a
nearby village. After his return to the village, he will get his brother released and send him for the training of carpentry at the rehabilitation centre. He is hopeful that both of them together will be able to fight their poverty and lead a comfortable life full of dignity.

(v) Sayar

He is 13 years old. He belongs to a village, Bankiri, in the district of Jaipur, Rajasthan. He had been working in the Faridabad stone quarries for the last three years. His parents had also been working in these quarries for the last fifteen years. He has been to school up to the 4th standard. Afterwards he joined his parents in the work. He used to fill earth in trucks. He had to work for 14 hours a day. For his hard job, he got Rs 11.50 daily. Out of this two rupees were deducted by the Jamadar as commission for providing him with work. His wages were paid after fifteen days. Sayar told that he was never paid the full amount due. The Munshi, or the supervisor used to make deductions on the plea that he had not worked properly, or had not performed the required quantity of work. He was exposed to a most unhealthy and hazardous environment, full of dust and stone particles. There was hardly any provision for clean drinking water, toilets or shelter for rest. He had to work in the sun, wind or even rain without rest. Besides he was rebuked and scolded by the Jamadar and the Munshi. He told that he, with his family, lived
in a small hut. The tenement was so close to the area of work that broken stones often caused injuries to the workers. He told that a teacher working in the school run by the Mukti Ashram for the children of the bonded labourers persuaded Sayar's father to send the boy to the rehabilitation centre for some vocational training. The teacher pleaded that such training would provide the requisite skill and enable Sayar to settle as a respectable citizen. Otherwise, he would also meet the fate of his parents. After long persuasion by this activist, and pleading by Sayar and his maternal uncle (who himself sent his two sons for training at the 'Mukti Ashram') Sayar's father agreed to send the boy to the Mukti Ashram. Here, Sayar is getting training for carpentry. After training, he does not want to go back to Faridabad. He wishes to settle at his native village where his grandparents live. He is confident of a good future and plans to set-up his own business. When he recalls his old days, a cloud of sadness covers his face. But he is a very happy and proud man now.

(vi) Girchari Lal

He is eleven years old. He belongs to the village of Bagavas Ahiran, Jaipur district, Rajasthan. He had been working in the Faridabad stone quarries for the last two years along with his parents and brothers. He used to fill earth in trucks. For a day's work he was paid Rs 11.50. Out of this, the jamadar took away Rs 2 as his commission. The payment was made after two weeks. However, he never got the full amount.
tions were made on one pretext or the other. He was subjected to inhumane treatment. He was exposed on an environment full of dust and dangerous for lungs. While at work, he felt it difficult to breathe. The drinking water or toilets were not available near the work site. He is totally uneducated and since his birth, had been exposed to this hazardous atmosphere. One day, his family was contacted by the activists of the Bandhhu Mukti Morcha. On their persuasion, Giridhari's father agreed to bear the loss of the son's wages. He was sent to the 'Mukti Ashram' for training in carpentry. He has been here for the last six months. He handles his work skilfully. As he is young, he wants to stay at the 'Mukti Ashram' for advanced training. After that, he will go back to Rajasthan and establish his own shop. He says that he will not let other members of his family to work in the hazardous quarries. All of them will settle in their own village.

4.32 Labourers still Languishing in Debt Bondage

In this sub-section a profile has been presented of some bonded labourers working at construction sites and brick-kilns. All of them are migrant and contract labourers. These respondents have been interviewed to illustrate the persistence of debt bondage in migrant labourers working in Punjab. Most of these labourers are brought to Punjab through jamadars. Jamadars make some advance payment to these labourers during the time of need. These respondents can be categorised as bonded labourers for two reasons. First, they are paid less
than the minimum wages. Secondly, they are not the free
sellers of their labour. The non-availability of work in the
native villages and economic difficulties compel them to
migrate to faraway places for the repayment of small loans.
Although, their position as migrant labourers is no better
than that of animals, somehow they manage to survive with
'sukhi rotis' taken with chilli paste or tea. At home, they
have no option but to die of hunger.

(1) Sita Ram

He is 36 years old. He migrated to Punjab from Madhawa,
in the district of Junjuna, Rajasthan. He owns four-five
bighas of land in his village. He gets one crop from this
land during the rainy season. Water for irrigation is not
available during the rest of the year. After Diwali, he has
no work to do at his fields. He cannot get any work in his
village or nearby villages. Thus, for the last fifteen years,
he has been coming to Punjab for seeking employment during the
lean season. He stays here from November to June. He is accom-
panied by his wife Gulabi, aged 30 years, his two daughters
Parmeshri, 12, and Santosh, 7. He has a son aged 9 months. He is
at present working with a public works department contractor.
He got work through a jamadar named Mangal, who is a far-off
relative of his. The researcher interviewed him while he was
repairing the Banur-Ambala road, near village Tepala, in the
Rajpura tehsil, of Punjab. Except for the two younger children
the whole family works at the roadside. They have to work very hard from 7.00 a.m. to 7.00 p.m. In the morning his wife and the elder daughter do the cooking, while the younger daughter takes care of the son. They leave for the work site which is 2 km away from their Jhugi at 6 a.m. Here, while they work, the younger children play at the roadside in the open. For the whole day's hard work the family gets only Rs. 20. Out of this the jamadar takes away Rs. 4 as commission, for he arranges employment for them, brings them to the employer at his own expenses. He also arranges for huts for the labourers along with a cot and a bucket. He makes an advance payment to the labourers during their stay at the native village. The jamadar also acts as a surety against the running away of the bonded labourers. Sita Ram has been working through this jamadar for the last twelve years. During their stay in Rajasthan, whenever they need some money, Mangal helps them. To repay that advance, the family works through the agency of Mangal. Sita Ram is quite ignorant. He is not aware of his exploitation. He says, with a sigh of relief, that through his contact with Mangal, his family is able to survive.

(ii) Sharda Devi

She is eight years old. She belongs to the village of Nalot in Jaipur, Rajasthan. When this interviewer approached her she was brooming the road skilfully with her little hands. Her father, Surja Ram, aged 40, mother, Laxmi Devi, aged 35 and sister, Sheela, aged 14 years, also work at the roadside.
The family shifted to Punjab only a month ago for the first time. They were brought to Punjab by a Jemadar, Mangal, who belongs to the same village. At the time of Diwali, the family borrowed ₹200 from him. It was agreed that the loan would be repaid by working in Punjab. The family has to work hard from morning till evening. Even Sharda is not spared. If she gets tired or feels sleepy, the supervisor scolds her. She has to broom the road and sprinkle water on it, while her mother and sister spread 'Kori' on the road. Her father spreads coal tar on the road. The family gets ₹20 daily. They complained that out of these meagre wages deductions were made for the jemadar's commission as well as for 'nages'. Even during illness, they have to work to earn this small sum. They have to work in the sun without any rest. Drinking water and toilets are not available near the worksite. Although they cannot get two meals a day, they feel better here, for it is better to get a single meal a day than to die of hunger.

(iii) Umar Deen

He is forty years old. He belongs to village Sikka, in the district of Muzafarnagar, Uttar Pradesh. He has been working as a labourer since he was ten. For the last 17 years, he has been working with the same employer, a brick-kiln owner in Punjab. Earlier he, along with his family, was working as a labourer. But for the last 7 years he has also been working as a jemadar. His wife Jaide, 38, daughter, Hasmati, 18, son, Mehdi Hassan, 17, and daughter, Komina, 13 also work at the same kiln. His youngest son Mausam, 11 years old, has
also joined work from this session. He and his wife are
totally uneducated. He has never sent his children to school,
for there is no facility for the education of children near
the work site. Moreover, they stay here only from November
to April. Owing to their migratory character, it is difficult
to send the children to school. During his stay in Uttar
Pradesh, he wanders in the nearby villages in search of needy
persons. He helps them by advancing small sums. When the sea-
son for the kiln work begins, he brings those persons as
labourers to Punjab for the repayment of the loans. He said
that he brings about 2000 labourers each year for the same
employer, who owns a number of kilns. He told that the loan
given to a family does not in any case exceed £2000. He gave
the names of many persons who have been working with the same
employer for the last decade, for during their stay at home,
the employer helps them through Umar Deen. He works as a surety
for the advances made to these labourers. He denied taking of
any commission from the labourers. He said that he gets commis-
sion only from the employer, at the rate fixed by the govern-
ment. He told that his whole family works at the kiln. They
wake up at 2 a.m. and work till 12.00 noon. They restart their
work at 4.00 p.m. which continues till 11.00 p.m. In a day
the family is able to make two to three thousands of bricks.
They are paid £ 80 per thousand of bricks made. He said that
for drinking water, hand pumps have been installed by the
employer near the work site. But there are no toilets for the
workers. They have to ease themselves in the open. Their
children are exposed to the dust and smoke of the kiln, as they are kept near the work site for want of creche facilities. The living tenements are very near the work site to ensure an easy and all-time availability of the labour. The huts provided are very small, but have the facility of electricity. He confesses that although the whole family works throughout the day, far away from their home, they are able to earn only subsistence money.

(iv) Jaibul

She is forty-two years old. She belongs to the village of Alipur-Kheri, in Mussafarnagar, Uttar Pradesh. She, along with her husband, Lala, 45 and son, Mehbub, 20 has been working with the same employer for the last eight years. They own a small piece of land. They get one crop off that land. For the rest of the year, they work as casual labourers in the nearby area. Eight years ago, they borrowed Rs 500 from Umar Dean to marry off their daughter. It was agreed that the husband, wife and their son would work for Umar Dean to repay the loan. Since then, after the rainy season, they shift to Punjab every year. The whole family works for 14 to 16 hours a day. The family makes two to three thousands of bricks in a day. Whereas Umar Dean said that he got Rs 80 per thousand of the bricks prepared, Jaibul said the employer gave them Rs 18 per thousand of the bricks prepared. It shows how the employers exploit the ignorant and helpless labourers by advancing small
sums and by charging high rates of interest on these loans. However, even the payments due at this rate are not made in full. Deductions are made for breakage, for poor quality of work, for the commission of the jamadar, and for electricity and medicines etc., provided during the work time. The labourers are paid subsistence money every fortnight. A major payment is made at the end of the season. Most of the labourers are uneducated and poor. Thus the supervisor makes as much payment as he likes. The accounts are kept with the employers only. Jaipal told that she and her family have to work in a hazardous atmosphere. It is difficult to breathe in the dust and smoke of the kiln area. Despite hard work and difficulties faced during the work, the family can hardly save enough for consumption during the months from May to October. During these months they have to ask for petty loans from the jamadar. The jamadar helps them happily. It ensures the supply of labour for the next season at the kiln. She is not aware of the minimum wages fixed by the government. Neither has she ever heard of any law or programme initiated by the government for the abolition of debt bondage, and for the welfare of the released bonded labourers and poor people. No 'Sarkar' or official has ever come to help her or her family, she says with tears in her eyes.

(v) Noti

Thirty years old, she belongs to the village of Kherwa, P.O. Jamali, in the Muzaffarnagar District, Uttar Pradesh. She
was married to Yayog. At the time of marriage, Yayog was working at a tailor's shop. He borrowed some money from the tailor for his marriage rites. Six months after the marriage the tailor asked for the repayment of the money advanced. But Yayog had nothing to repay. Thus Moti came to her parents asking for help. Her parents secured a loan of Rs. 200 from Umar Dean. It was agreed that Moti and Yayog would repay the amount with their labour. So in the next season, Moti and her husband came to Punjab, along with Moti's parents and brother. For the last seven years Moti and her husband have been working with the same employer. She has three children aged 5, 3 and 2 years. She says that she has to work hard even during the gestation period. She returns to work within a week of the delivery, for they are working on a contract basis. The payment is made to them on the basis of the number of the bricks prepared. She said that, after all deductions, she and her husband are able to earn Rs. 10 a day. While both of them work at the brick kiln, the elder daughter takes care of the little ones. She complains of a lack of toilets and shelter near the work site. She is not aware of creche facilities required by welfare legislation. She is totally ignorant of all welfare schemes started by the Government. She is even ignorant of their exploitation by the jamadar and the employer. Rather she is grateful to the jamadar, who had helped them and has also ensured them work.
(vi) Saju

He is 12 years old, and belongs to the village of Baram Banki in the Mirzapur district, Uttar Pradesh. He was brought to a brick kiln in Punjab by a jemadar of the same village. He lives in a hut near the kiln along with his family. His younger brother, Sajid, 7, father Ali Hasan, 35, and mother, Bai, 30 also work at the kiln. He has been working as a labourer since the age of 7. Six years back they came in contact with a jemadar, Sooraj. He made an advance payment of Rs 1000 and assured work for them at the kiln. Formerly the family used to cut wheat and sow ‘dhan’ in different areas of Punjab, but they preferred work at the kiln because they thought that the employment here was safer and longer. Sooraj secured work for them even before they migrated. Now he helps them as and when a need arises. When the father digs earth for preparing clay, Saju and his mother arrange water. Later, when the father moulds bricks, the mother prepares lumps or rounds from the mud. Saju hands over those lumps to his father. Afterwards all of them spread bricks in the sun. Then they turn the bricks on all sides for drying. He has to work from early in the morning till late in the night. He has no time to play or rest. In the morning and evening he has to help his mother in cooking and fetching water from the pump set. Saju is unable to tell how much he gets for the whole day’s work, for the payment for his work is made to his father. His father himself is not aware of their daily earnings. The family gets only subsistence wages after two weeks. The rest of the payment
is made at the end of the season. The employer has agreed to pay them 16 per thousand of bricks prepared, but he has no account of the bricks made and money given to him. Besides deductions are made for money advanced by Sooraj in Uttar Pradesh and interest thereon, for breakage, for poor quality of bricks, for jamadar's commission, and for electricity and medicine charges etc. His father says that the family is hardly able to save four to five hundred rupees at the end of the season. Saju is not aware of any welfare legislation or programmes. No one has ever approached them for providing help.

4.33 Analysis of the Profiles of the Labourers

The profiles presented above highlight certain issues which seem to dominate the life of all bonded labourers. It is clear that the genesis of bondage lies in the day-to-day exploitation of the economically most underprivileged. It is neither accidental nor planned. It is the natural result of the accumulation of wealth in the hands of a very few, who build a social and political infrastructure to perpetuate and cement poverty. Bonded labour is the product of a hybrid mode of production feudal and capitalistic in an economy pre-dominated by stagnation. Poverty reproduces itself in different forms with varying degrees of intensity.

There is a direct causal relationship between extra-economic activities like marriage, festivals, death rites etc.
and bonded labour. The moneylenders also prefer to give money for non-productive purposes. They control the whole socio-economic framework of the village life. The development of an individual's economic activities may pose a potential threat to the existing exploitative framework. Secondly, they encourage the labourers to get married, for the deal in marriage loans is based on a perverted type of reciprocity. On the one hand, the family ties render the labourer less rebellious. On the other hand, the labourer gets a slave, who works for him, feeds him, acts as a sexual partner and gives him children whom he needs badly for old age. Therefore, the bond, debt and marriage are intricately interconnected.

Although, the bulk of the labourers is still ignorant of its exploitation, but their consciousness of it is gradually increasing. Two out of the six released bonded labourers interviewed had run away from their masters' houses under the influence of the liberation movement started by social action groups. The rest of them had been liberated through the persuasion of the social activists without any involvement of the administrative machinery. This fact highlights the help provided by the social activists in contrast to the inactivity of the bureaucracy. The released bonded labourers are now conscious of their rights and dignity. None of them wants to work for the exploiting masters. They are anxious to set-up their own ventures through formal and non-formal assistance. But even after release from bondage, they are not much hopeful
of any help from the administration. The fact that after running away they had contacted the Bandhua Mukti Morcha's activists and not the government functionaries indicates their faith in the social action groups. Their training at rehabilitation centres run by the non-governmental organisation again shows the failure of the governmental schemes for rehabilitation.

On the other hand, the labourers interviewed at construction sites and brick-kilns represented the traditionally ignorant and submissive workers. They were not aware of their exploitation by the jamadars and the contractors. 67% of the respondents considered themselves lucky, as they had been saved from dying of hunger. None of these labourers had any knowledge of the law and schemes for the eradication of bonded labour. They asserted that neither the government functionaries nor the social activists had ever helped them. This shows that the non-governmental organisations lack the resources and energy to reach every nook and cranny of the country. Their activities are limited to the high incidence areas only. Therefore, the labourers in many sectors have been exposed to open and limitless exploitation.

This analysis proves the view expressed by the majority of the first two categories of the respondents that the benefits of the bonded labour abolition laws have not trickled down to the target groups effectively. These laws have had a peripheral effect, that too because of the role played by the
social action groups and judiciary. The campaign against the inactive administration has toned up the governmental machinery in certain areas. Instead of working in confrontation with the government, the social action groups should try to get co-operation and help from the administration. These groups should also concentrate on popularising the bonded labour abolition movement among the middle and lower classes. They should try to develop contact with each and every labour in the unorganised sector. Their expanded movement in co-operation with the administration will prove a big success. In the present set-up it is very difficult to change the attitude of the inactive administration and the mentality of the public, yet through long-term planning and persuasion the goal can be achieved.