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Unfreedom and Bondage in Rural India

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Research to Action Project Coordinator

International Labour Organization

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1 Scope of the Paper

The paper presented here deals with bonded labour in agriculture in rural India. Section 2 introduces the different concepts used in the literature. These include modern slavery, forced labour, bonded labour and unfree labour. Section 3 provides a review of the different forms of bondage that continued to survive in India despite the abolition of bonded labour by the Indian parliament. Section 4 provides a snapshot of bonded labour in contemporary rural India and discusses the concept of short-term bondage. The conceptual framework of short-term bondage is the main theoretical contribution of this review. Section 5 discusses those forms of bondage in rural India where debt is not the major instrument to tie the workers. The villages surveyed in rural Haryana are described in section 6. A report on debt bonded labourers in rural Haryana is presented in section 7. Section 8 compares the nature of work by bonded labour in Haryana based on previous surveys. Section 9 concludes the findings from the review.

The review does not deal with the issue of child labour, forced marriage, sale of organs and other forms of modern slavery.

2 Concepts: Modern Slavery, Forced Labour, Bondage and Unfreedom

The Sustainable Development Goals Target 8.7 calls for effective measures to end forced labour, modern slavery, and human trafficking, as well as child labour in all its forms. Modern slavery covers, as described in ILO (2017b), a set of specific legal concepts including forced labour, debt bondage, forced marriage, slavery and slavery-like practices, and human trafficking. Although modern slavery is not defined in law, it is used as an umbrella term that focuses attention on commonalities across these legal concepts. It refers to situations of exploitation that a person cannot refuse or leave because of threats, violence, coercion, deception, and/or abuse of power.

The global estimates of modern slavery focus on forced labour and forced marriage. The International Labour Organization (ILO) and the International Organization for Migration (IOM) estimated the prevalence of modern slavery to the extent of 40 million persons worldwide in the year 2016. Of these, 25 million were victims of forced labour.

The report showed that women and children were the primary victims of modern slavery. Asia accounts for two-thirds of the modern slaves in the world (ILO, 2017a).

The use of the term modern slavery has been criticised on multiple grounds.¹ Slavery was a much different phenomenon for the Africans who were held captive during the transatlantic slave trades. The inhumane practice of slavery endured by a large population during that period cannot be compared to the forced labour that exists in the contemporary time. However, the term intends to capture the phenomenon of forced labour and forced marriage that exists in the modern times.

Forced labour, a globally condemned phenomenon, is best described as the antithesis of decent work (ILO, 2009). The term forced labour was defined in the first ILO convention on this issue, the Forced Labour Convention, 1930, as “forced or compulsory labour shall mean all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily. The exercise of coercion and the denial of freedom can be categorised as the two main characteristics of forced labour. In order to identify forced labour, ILO (2012) presented eleven indicators that aim to capture different forms of forced labour. These include

- Abuse of vulnerability
- Deception
- Restriction of movement
- Isolation
- Physical and sexual violence
- Intimidation and threats
- Retention of identity documents
- Withholding of wages
- Debt bondage
- Abusive working and living conditions
- Excessive overtime

The notion of forced labour in the context of the above definitions, in principle, refers to forced labour exploitation by private agents. State imposed forced labour includes work exacted by the public authorities, military, or para-military, compulsory participation in public works, and forced prison labour. The idea that forced labour is primarily a technique of exploitation by the private agents or capitalists is, in other words, a easy way out for the state to absolve itself of any responsibilities. The studies on forced labour have documented cases where the state has facilitated the use of forced labour. An illustrative example of this is the laws governing the international migrant workers. The state creates visas, sponsorships and contracts, which diminish their rights and makes it very difficult for them to change employers. They live under constant threat of deportation and are amongst the most exploited category of workers.²

Debt bondage, one of the worst forms of modern slavery, accounted for half of all victims under forced labour (ILO, 2017a). The UN Supplementary Convention on the Abolition of Slavery, the Slave Trade and Institutions and Practices Similar to Slavery (1956) defines debt bondage as the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited or defined (Article 1(a)).

The Indian government denied harbouring the highest number of modern slaves in the world on the grounds that modern slavery, as a term, is not recognised by the Indian Ministry of Labour.³ The ancient forms of slavery in India were based on sale and purchase of humans, kidnapping of children or bondage by other forms of economic and extra-economic coercion. The nature of slavery has changed over the years due to various measures undertaken for eradication of slavery and the general economic development of the country.

Some others, for example, the network associated with beyond slavery and trafficking, advocate an alternate way to measure labour exploitation by looking at “forced and precarious labour”. Their idea is to include those forms of labour exploitation practices, which are left from modern slavery, on account of not being serious in terms of resembling slavery like practices.⁴

Alternative frameworks, originating from field studies conducted by agrarian re-

search scholars, using Marxist methods, have given rise to scholarly work on the use of terms such as “unfreedom”, “unfree labour” and “neo-bondage” which looks at labour exploitation in social relations of production, exchange and distribution. The Marxist studies of bonded labour in the context of agriculture has given rise to scholarly work on free and unfree labour. Labour historians have also juxtaposed these terms and alternative theories relating to labouring poor have emerged (Bhattacharya, 1985).

In the seminal work of Ramachandran (1995), the author, using the Marxist concept of wage labour, described that a wage labourer is a hired labourer (generally property-less) who is free to sell his or her labour power, to the employer of his or her choice. By contrast, a bonded labour would be unfree to sell his labour power to the employer of his choice. Ramachandran (1995) explains that the labourer in bondage and the free wage labourer stand at two ends of a continuum of degrees of unfreedom. A bonded labour refers to someone who cannot choose freely between alternative employers, and cannot work for any person other than his or her current employer, except by physically escaping from the ambit of the coercive power of the employer. By this definition, a labourer who is say in long-term contract and is under debt, but is allowed to work under someone else to repay the debt is not a bonded labourer. On the other end of the spectrum are the free workers. These are workers who are free to work under any employer and are free to sell their labour power.

Tom Brass’s work on unfreedom points to an increasing penetration of unfree labour relations (Brass, 1995, 1996). Brass suggests that bonded labourers (debt bondage) may not work for anyone else until they have acquitted the debt, or made arrangements for its acquittal. They can “change masters” but the debt remains until it is worked off. These bonded workers, who can’t leave their employers at will and are bonded by debt, according to Brass, are not full proletariat. They are not fully free to sell their labour power and therefore are in the process of deproletarianization. In his work on unfreedom, Brass also recognises that by bonding a worker, that landlord not only gains economically, but also in disempowering workers so that they do not organise themselves together as a class. This affects the class struggle that workers have with the landlords. On the other end of the spectrum, scholars such as Jairus Banaji, argued that there was no such thing as unfree labour in agriculture, that the *Muzaras* of Punjab, the Sind *Haris* the *Adhiars* and the *Krishnas* of Bengal, and the *Verumpattamdars* of Madras were

merely tenants and their presence cannot be construed as non-capitalist (Banaji, 2002). For Banaji, without a nation wide emergence of capitalist commodity wage relations, these relations of exploitation may be widespread. This includes, for instance, the relation between a moneylender and a small peasant, which is also a capitalist relation according to his argument.

The literature presents a difference of opinion in not merely the presence of unfree labour but also about whether it is capitalism that perpetuates unfree labour. Miles (1991) argued that growth of capitalism is accompanied by expansion of unfree labour relations. He concludes, based on study of different forms of unfree labour in the Caribbean, Australia, South Africa and Western Europe, that unfree labor is an “anomalous necessity.” It is anomalous to the tendency of the capitalist wage relation to expand, but is necessarily reproduced because of the historical conditions that obstruct the universalization of wage relations. This viewpoint that expansion of unfree labour is necessary for growth of capitalism has been criticised on the grounds that history of capitalist development must not be conflated with its theory without due consideration to the historical relations of capitalism (Tomich, 1988).

Bonded labour in agriculture is often described and dismissed as a remnant of the pre-capitalist mode of production (Bhalla, 1976; Jodhka, 1994). Though the recent studies in India and neighbouring countries have shown how these “relics” are key to the economic profitability of large landlords (Hussein et al., 2004; Rawal, 2006; Shankar, 1996). Astonishingly, these bonded labour contracts can still be seen in 2021. The nature of bondage varies across labourers. We can see this variation in terms of the contracts these workers have, their working conditions, the use of other family members and the provision of extra labour services for the landlords (Jodhka, 1994; Ramachandran, 1995; Rawal, 2006).

Neoliberalism, as a fundamental reason for the thriving of unfree labour, has also been studied by many (Lebaron and Ayers, 2013; Peksen, Blanton, and Blanton, 2017). Lebaron and Ayers (2013) argues that unfree labour has become resurgent with the shift in social property relations of due to neoliberalism. The authors used studies from Africa to show that contract slavery was the most common form of unfree labour that is practised in Africa. The examples include rubber plantation workers in Liberia, cocoa producers in Ghana and Côte d’Ivoire, tea and coffee plantation workers across East

Africa. Lebaron and Ayers (2013) argued that by ignoring the continuum of unfreedoms and simply looking at the binary of free and unfree labour, one undermines the labour exploitation that happens in labour relations now. Moreover, viewing unfree labour as a human rights issue instead of an issue about labour rights also undermines the modern slavery that has come about with neoliberalism.

Another position, taken by Jan Breman, who did extensive field work in Gujarat to trace bonded labour is that there is “neo-bondage” in the rural economy. He argues that the traditional form of debt bondage has vanished from the Indian countryside. Neo-bondage can be described as a situation that characterises the present day migrant workers of rural India who leave their home after taking a debt and work until the debt is paid off. Breman (2019) described neo-bondage as “a form of unfree labour that thrives on the accumulation-dispossession syndrome made manifest in a mercantile-financialized type of capitalism. Indebtedness is the operational device of a political economy that has assumed hegemonic power in a globalized setting.” According to his argument, the neo-bondage differs markedly from traditional forms of bondage in the sense that in the latter there was extra-economic coercion, such as extension of labour services to the landlords, engagement of other members of the family in labour services to the landlord, abuse of power, however, he states that neo-bondage is primarily about extraction of labour power from the indebted worker and any other form of exploitation, such as use of his family’s labour power, would be negotiated with a better contract. Breman (2019) argued that neo-bondage, is “a form of labour attachment that is thoroughly capitalist in nature, widely prevalent in both the rural and urban economy, found in agriculture, industry and construction, as well as in other sectors, and in practice immobilizes migrant or local workers.”

Scholars have deeply investigated the nature of free and unfree labour relations in agriculture. The unfreedom of labour changes with the development of capitalism in agriculture. The research on forced labour in the political economy of agrarian relations, in context of India, has given rise to the following debates:

- How is unfree labour identified in agrarian relations?
- How has the nature of unfreedom changed in the rural areas?
- Has penetration of capitalism in the countryside led to termination of all forms of unfree labour? If not, what is the extent of unfree labour in rural India?

- What are the modern forms of unfreedom, specifically debt bondage, in rural India?

This study deals with the above research questions.

3 Unfreedom and Bondage in Rural India since 1976

The Indian Parliament legislated the law dealing with bonded and forced labour in 1976. The Bonded Labour System (Abolition) Act, 1976 of India defined the bonded labour system as follows:

“Bonded labour system means the system of forced, or partly forced, labour under which a debtor enters, or has, or is presumed to have, entered, into an agreement with the creditor to the effect that - (i) in consideration of an advance obtained by him or by any of his lineal ascendants or descendants (whether or not such advance is evidenced by the document) and in consideration of the interest, if any, due on such advance, or (ii) in pursuance of any customary or social obligation, or (iii) in pursuance of any obligation devolving on him by succession, or (iv) for any economic consideration received by him or by any of his lineal ascendants or descendants, or (v) by reason of his birth in any particular caste or community

The Indian law recognized that bondage does not perforce a debt. Customary or social obligations and the class and caste structure inherent in the society can also induce bondage. Exploitation of labour is deeply embedded in the social relations and is not merely a matter of economic exploitation.

Despite abolition of bondage, it continued to exist and grow in India (Mishra, 2003; Srivastava, 2005). Bonded labour in India has always been a complex issue because of its intricate ties with the Indian caste system. Caste-based oppression and use of slaves from a particular social group has been documented in the Indian texts since ancient times (Bhattacharya, 1985; Major, 2012; Phule, 1873). Caste ties are much stronger in rural India, where several incidents of inter-generational bondage were witnessed in the recent past (Breman et al., 1993; Chakravarti, Patnaik, and Dingawaney, 1985)

(see more examples below). The major causes of debt bondage: lack of employment opportunities, lack of access to formal credit at cheaper rates, continuous dispossession of tribal lands and inadequate provision of land redistribution for the agricultural labourers have not received adequate attention from the policymakers. This has kept the bonded labourers in the myriad webs of extreme poverty.

Agriculture became the largest hub of debt bonded labour in India post-independence. Numerous cases of bondage continued to be reported in the Reports of the Commissioner for Scheduled Castes and Scheduled Tribes. An assessment of bonded labour in agriculture was deemed necessary soon after the abolition of bondage by the Act. The Gandhi Peace Foundation studied bonded labour in agriculture in the year 1978 through a survey in ten states: Andhra Pradesh, Bihar, Gujarat, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Rajasthan, Tamil Nadu, and Uttar Pradesh. The study excluded the north-eastern states, southern state of Kerala, eastern state of West Bengal, northern states of Jammu and Kashmir, Punjab and Haryana. The absence of intra-tribal bondage in north-eastern states, concentration of bondage in only one district (Wynad) of Kerala and absence of bonded labour in Jammu and Kashmir were cited as reasons for excluding these states. The omission of West Bengal, Haryana and Punjab from the study was more problematic. New forms of sharecropping arrangements in West Bengal and the advanced agrarian relations in Punjab and Haryana were seen as contradictory to continue the system of traditional bondage (Marla, 1981). This also reflects the general notion of scholars that the system of bonded labour has no scope of survival once there is penetration of capitalism.

This survey on bonded labour, though excluded some major states and focused exclusively on debt bondage in agriculture, showed that there was high incidence of bonded labour in the countryside. The survey estimated that there were 26 lakh debt bonded labourers in agriculture in these states. The study identified twelve districts across eight states as bonded labour districts, that is, districts where there were over 40,000 bonded labour in the total population of the district. Marla (1981) exposed that the menace of bonded labour continued to exist despite the legal abolition of bondage.

The National Commission on Rural Labour, chaired by Dr. C H Hanumantha Rao, in the year 1991, proposed a nationwide survey to better capture the bonded labour in agriculture and non-agriculture. The Commission noted the prevalence of bonded labour

even in the states with capitalist modes of production in agriculture. NCRL (1991) has explained this phenomenon aptly in the following words:

The mere adoption of a capitalist mode of development in agriculture is not necessarily an insurance against bondedness or guarantee of a free labour market. A solution in the the long run for this problem, which also has social and customary origins, would involve as well as change in the power structure in rural areas. The situation of surplus labour, unemployment/underemployment, inequitable distribution of land and assets, low wages, distress migration, social customs etc., with the phenomenon of small and marginal peasants steadily becoming landless labourers generate an environment which can perpetuate the system of bonded labour.

The Commission's report was crucial to identify bonded labourers in the later years. The Supreme Court of India entrusted the responsibility of identifying and rehabilitating bonded labourers to the state governments in 1995. Srivastava (2005) explains this process started after the report of a two-member Commission showed that there were over one million bonded labourers in Tamil Nadu, of which 10 per cent were children. The Commission was established as the Tamil Nadu government claimed presence of only a few cases of bondage. The state governments were supposed to conduct surveys to find the incidence of bonded labour. Srivastava (2005) showed that in the year 1996, the state governments identified 29,016 bonded labourers. Many state governments including Andhra Pradesh, Odisha, Rajasthan, Kerala, Haryana, Gujarat, Chhattisgarh, Punjab, and Uttaranchal reported zero incidence of bonded labour. However, by the year 2004, about 2,85,379 bonded labourers were identified and released and none of the states had zero incidence of bondage.

The Supreme Court of India vested the responsibility of monitoring the implementation of the Bonded Labour Act to the National Human Rights Commission (NHRC) in 1997. The NHRC created a bonded labour cell for coordinating with Centre, States and Union Territories to address this issue. An important source of data on bonded labour, except for the individual reporting by the states to NHRC, were the primary studies conducted by scholars and activists in different parts of rural India. The most important of these, for studying bonded labour, were the studies conducted by Dr. Lakshmidhar Mishra as a Special Rapporteur for the NHRC. These reports continued to show the

prevalence of debt bondage in rural India (Mishra, 1983).

The secondary data on labour deployed in Indian agriculture, provided by the cost of cultivation data of the Ministry of Agriculture, clubs all forms of bonded and long-term labour in a general term “attached labour”. It is difficult to determine the nature of bondage through use of these data. The use of primary studies to investigate the nature of unfreedom in agriculture has been a main area of research for the scholars of agrarian studies.

The NHRC organized a national seminar on bonded labour in February 2017. State officials attended this seminar and some of them reported the incidence of bonded labour. Chhattisgarh government reported no case of bonded labour in their state, but raised concerns regarding the migrant workers from Chhattisgarh who are bonded in other states. Haryana government denied the prevalence of bonded labour. Himachal Pradesh government identified that bonded labour exists in the textile industry, horticulture, brick-kilns and hydro-electric power plants. Kerala government undertook 41000 inspections, however, no comment was made on whether they found any bonded labour. Madhya Pradesh identified 283 bonded labourers, out of which some were migrants from other states. The government recognized as many as seven types of bonded labour systems that prevailed in the Madhya Pradesh. Maharashtra recognised that bonded labour has significantly fallen, however, they made no comment on the present incidence of bondage. Andaman and Nicobar Islands officials claimed no case of bondage in the last 20 years. Uttar Pradesh’s government recognised that the incidence of bonded labour is very high in their State. They reported that around 4640 bonded labourers exist in brick kilns, of which many are migrant workers. Odisha government also recognised the existence of bonded labourers. Delhi government informed that 2076 bonded labourers have been rescued (National Human Rights Commission, 2017). Many states did not comment on the actual number of bonded labourers identified or rescued or on the presence of bonded labourers. Suggestions were gathered by the officials present in the seminar to tackle the issue of bonded labour. Notably, a major finding that emerged from the summary report was a higher prevalence of bonded labourers in non-agriculture and amongst the migrant workers.

This section traces the bonded labour systems in agriculture that were reported soon after the legal abolition of bonded labour by the Indian parliament. The primary

studies on different practices of bonded labour after 1976 are scanty and this review draws heavily from three major sources of data on bonded labour. These are: the 1978 survey of the Gandhi Peace Foundation (Marla, 1981), the reports of NHRC's special rapporteurs, and the few primary studies conducted by scholars of agrarian studies. The practice of bonded labour was widespread in the country and was known locally by different names. One can only comment on their contemporary existence through adequate field studies. A glimpse of some of these practices of bonded labour is presented here.

Jeetam and Vetti Chakkiri of Andhra Pradesh

Marla (1981) estimated 3,25,000 bonded labourers in Andhra Pradesh in the survey of 1978. Telangana region of the undivided Andhra Pradesh had the highest incidence of bonded labourers with almost all villages reporting cases of bondage. Labourers, known as *Jeetas*, belonged to the Dalit (Scheduled Caste) and Adivasi (Scheduled Tribe) households. They pledged their labour to the landlords (known as *Bhooswamy*) in exchange of the money loaned to them. Most of them were bonded against the mortgage taken by their parents. These were mostly men, in perpetual bondage, who started working at the age of 15 and worked with the landlord till 40 years of age, post which their children assumed their role. Inter-generational bondage was common in Rayalaseema and Telangana regions of Andhra Pradesh during the survey of 1978. About 85 per cent of bonded labourers in the survey worked as agricultural labourers and their children looked after the cattle of the landlords. Mishra (1983) recorded that 14,801 bonded labourers (*Jeetas*) were identified in about eighteen districts of Andhra Pradesh soon after the legal abolition of bondage. Of these, 90 per cent were Dalits. It was noted in the report that the state officials were primarily concerned with rehabilitating the identified bonded labourers and not in identifying more such cases.

Palhatiya, Kamias, and Bandhwa Mazdoor of Bihar

Marla (1981) estimated that there were 1,11,000 bonded labourers in Bihar in the year 1978. Highest incidence of bonded labour was found in the Palamau district.⁵ A vast majority of bonded labourers in Bihar were Dalits (80 per cent). The loans taken by labourers in Bihar were mostly in-kind instead of the common practice of taking cash

loans. 50 per cent of the bonded labourers in the survey had borrowed less than Rs. 100. About 80 per cent of these labourers, according to the study, were in life-time bondage. They were given one meal a day and had to work as an agricultural and domestic worker for the landlord. These labourers were illiterate and had no clue about the interest rate that was charged by the landlord to keep them under bondage. The landlords in Bihar were not just upper caste Hindus, but also Hindus from backward castes and Muslims from the northern Bihar region. Mishra (1983) describes the bondage that existed in Palamau district of Bihar in the year 1982. The state officials found eight estates of 13000 landlords who kept an average of 100 persons who mortgaged their labour to the landlords against 1.25 kg to 1.75 kg of grain per day. Mishra (1983) also noted similar bondage in Monghyr district of Bihar where the average duration of bondage was 30 to 40 years for 1.5 kg of grain per day. These bonded labourers were locally known as *Kamias*. By the year 1982, the government identified 7859 bonded labourers in Bihar. A recent report showed a case of a bonded labourer in Bihar who has been working for 27 years as a bonded labourer to pay off the debt of 40 kg of rice.⁶

Nagesh (1981) describes a system of bondage known as *Palhatiya* whereby the agricultural labourer is given either two to three quintals of paddy or a small piece of land in lieu of eight months work at the landlord's fields.

Halis, Halipatras, Mahindari and Harwahi Hali of Gujarat

Marla (1981) estimated 1,71,000 bonded labourers in Gujarat in 1978. The system of bonded labour was more prevalent in the southern Gujarat. Gujarat was the only state where most of the bonded labourers, 65 per cent according to the survey, were Adivasis. The bonded labourer, known as *Hali*, worked on average for one to five years in bondage and freed himself after repaying the debt. The survey found no incidence of inter-generational bondage in Gujarat and no bonded worker doing any domestic work. All bonded workers were indebted and worked as agricultural labourers for the landlords. An interesting finding of the survey was the high prevalence of Muslim masters in this region, about 10 per cent, which was not the case in any other State. Breman et al. (1994) conducted extensive field studies to trace the changes in the *Hali* system of bondage in south Gujarat.

***Siri* of Haryana**

Rawal (2004, 2006) studied the *Siri* system of bonded labour in a village of western Haryana. The *Siri* workers were long-term workers employed on contract that resembled a sharecropping contract. Rawal (2006) distinguished between a sharecropper and a *Siri* worker on two grounds: the power to take all managerial decisions related to sowing of crops, purchase of inputs and disposal of output was completely in the hands of the landlord and second, the *Siri* worker had a low share in the material costs and total output. He generally provided all labour and about one-fifth of the material costs of inputs in return for a one-fifth share of the total produce. The landlord advanced the *Siri* a loan typically on an interest and the *Siri* paid off the loan by selling his share of the produce. The author noted severe forms of unfreedom experienced by these workers. The average duration of bondage was 2.3 years for *Siris* working in the main village and four years for the *Siris* who lived in the fields of the landlord. They were denied the right to work for someone else and to take leaves for any ceremonies including marriage or death of someone in the family. They performed various services for the landlord other than agricultural work. These included domestic work, non-agricultural tasks and tending to the livestock of the landlord. The *Siri's* family also contributed their labour in the fields and other services.

***Jana, Manzhi, and Lazhari* of Jammu and Kashmir**

These were the bonded labour practices reported from Poonch area of Jammu and Kashmir. Nagesh (1981) described these as debt bonded labourers who performed both domestic and agricultural work for the landlords. This was an inter-generational bondage.

***Jeetadalu* of Karnataka**

Marla (1981) estimated that 1,93,000 workers were bonded in Karnataka. Similar to the other cases, these were indebted households who pledged their labour to repay the debt. The survey reported that while the workers (*Jeetas*) had entered into a one year contract with the landlord, most of them ended up working for five to ten years. The annual wages paid to them were very low to allow them to save the money for repaying the loan. Unlike other states, Karnataka had a high prevalence of female bonded labour.

About 6 per cent of bonded labourers in this study were women.

State government of Karnataka identified 62,699 bonded labourers between 1976 and 1982. Mishra (1983) conducted field enquiries in Hassan and Bangalore district of Karnataka in 1982 and found the prevalence of a system of bonded labour known as *jeetham*.

Paniyal of Kerala

Mishra (1983) identified 828 bonded labourers across four districts of Kerala during 1976-1982. Notable incidence of bonded labour was in Wynad district of Kerala. Mishra (1983) described the bonded labour system in Wynad district. Landlords employed the labourers belonging to Paniya, Adiya and Kattu to grow paddy in their fields. These men were given an advance in a public ceremony held for the *Valliyoora Kavva* festival celebrated after the harvest of paddy. The labourers took the loan, worked for a nominal wage paid usually in kind, and served the landlords to do all his work. The contract was renewed each year on the day of the festival. For the full year, the *Paniyals* were not allowed to work under any other person. Nagesh (1981) recorded that the amount of advance, known as the *Vallurkavu panam* ranged from Rs.100 to Rs. 1000 for one year.

Harwaha, Laguna and Bandhwa Mazdoor of Madhya Pradesh

Madhya Pradesh had a high incidence of bonded labourers, particularly in the Northern regions of the state. Marla (1981) estimated 5,00,000 bonded labourers in the Madhya Pradesh. Adivasis accounted for about 53 per cent of the bonded labourers in the state during the survey of 1978. The case of Madhya Pradesh was peculiar as the bondage was not just because of debt. Marla (1981) reports that there was a system of customary obligations prevalent in this area which was used to exploit the workers. Under this system, the worker had to work for a landlord failing which he was fined a sum of Rs. 5 per day. As the fines accumulated, the workers were left with no choice but to work for the landlords. The landlords used threat and power to make these workers comply to their demands. Debt bondage was also common in Madhya Pradesh. The survey reported that about 35 per cent of labourers were bonded for an average 5.4 years. Another atypical feature observed in the survey was prevalence of intra-tribal bondage.

23 per cent of the masters in the survey were Adivasis. This was common in Bastar district, which is now a part of the State of Chhattisgarh in India.

Mishra (1983) noted the prevalence of *Harwaha* system in Rewa and Satna districts of Madhya Pradesh in the year 1982. The system entailed an interest free advance that was taken by the male member of the family (*Manseru*) against his services as an agricultural labourer to the landlord (*Bhumiswami*). The ploughman (*Harwaha*) was paid a nominal wage and until the advance was cleared, he was not allowed to work for anyone else. The nominal wages were far below the minimum wages for agricultural labourers.

Bonded labour in Maharashtra

Marla (1981) estimated 1,00,000 bonded workers in Maharashtra in 1978. The survey reported three different systems of bonded labour operating in the state of Maharashtra. Debt bondage, bondage due to customary obligations and bondage against the land allotted by the landlord. The state had the highest incidence of women in bonded labour (about seven per cent of total bonded workers in the state).

***Gothis* and *Halyas* of Odisha**

Mishra (1983) noted that bonded labour in Odisha has been prevalent since the nineteenth century. The system of bonded labour, known as *Gothis*, was one of the first to be addressed by the legal system. The Orissa Debt Bondage Abolition Regulation, 1948 declared the *Gothi* agreement as void and illegal. Mishra (1983) showed that while only 349 persons were identified as bonded labourers during 1975-1980, the identification efforts were escalated by the state government and 15,632 bonded labourers were found by the year 1982.

Marla (1981) found that bondage in Odisha, though very high (an estimated 3,50,000 bonded labourers) was not due to debt. Only 30 per cent of the bonded labourers, according to the study, had taken any loan from the landlords. The rest of the bonded labourers continued to work with no freedom of choice to change employers, with lower than minimum wages and subject to exploitative conditions due to abject poverty and no other source of employment. It is notable that bonded labour constituted 18.4 per cent of the total agricultural labour in the state and thus bonded labour contracts have

been established as a stable source of employment. The average number of years a labourer was bonded was three years. These labourers worked as agricultural workers, cattle grazers and domestic workers. Jena (1957) argued that *Gothis* were at the lowest rung of the ladder of slavery. Their condition was comparable to medieval serfs. The worker borrowed money from the landowners and pledges the labour of himself and his dependents, in writing, to the landowner until the debt is repaid with 25 to 50 per cent of interest. Each year, a deduction (*Chidni*) of Rs. 12 to Rs. 20, was allowed from the loan.

***Sagri* of Rajasthan**

Sagri of Rajasthan was a system whereby the Adivasis of Rajasthan, mostly Bhil tribes, used to secure a loan at high interest rates from the moneylenders and in lieu of the loan, they pledged their services to the money lenders for work as agriculture labourers. The debtor was known as *Sagri* and on his death, the loan (or *Sagriship*) would pass to the next of kin and this system perpetuated for generations. *Sagris* were unable to release themselves even after the sale of assets. Mishra (2007) described that the *Sagris* used to take loans mostly for unproductive purposes such as ceremonial and consumption expenditure at an interest rate varying from 12.5 per cent per annum to 150 per cent per annum on a 100 rupee loan. Nagesh (1981) noted that a *Sagri* was allotted two meals a day and sometimes one-tenth share of the total produce after accounting for all expenditures.

The Rajasthan government abolished this form of bonded labour in principal by enactment of the *Sagri* System Abolition Act, 1961. The study by the Tribal Research Institute of Udaipur in 1965 also showed that the system continued despite its abolition from the state.

Marla (1981) estimated 67000 bonded labourers in Rajasthan under the *Sagri* system in 1978. The survey reported that 98 per cent of labourers were indebted and about 77 per cent were in indefinite bondage. Landlords who bonded these labourers belonged mostly to upper caste Hindu households but there was also Adivasi landlords who bonded labourers from their own communities. Another significant feature of bonded labourers in Rajasthan was that they were not landless. 63 per cent of the bonded labourers had land. As many as 17 per cent possessed more than 5 acres of land. Marla noted

that bondage despite having access to land shows that mere ownership of land does not guarantee enough income for sustenance. Mishra (2007) conducted a study in 2007 which confirmed that the rehabilitated *Sagris* were under dire poverty and many have succumbed back to the *Sagri* system.

***Padiyals* of Tamil Nadu**

High incidence of bonded labour, known as *Padiyals* was noted in Tamil Nadu by (Marla, 1981). There was an estimated 2,50,000 bonded labourers in the state. The main instrument of bondage was debt. A notable feature in Tamil Nadu was that with development of productive forces and usage of diesel and electric pumps, about 2 per cent of bonded labourers were employed to operate diesel and electric pumps. This percentage was the highest across all the states under study. An average master or landlord in Tamil Nadu employed three bonded labourers. Landlords were mostly upper and backward caste Hindus but there were Muslim masters too. The survey estimated that 9 per cent of landlords were Muslim.

The state government had identified 32760 bonded labourers in Tamil Nadu from 1975 to 1982. These labourers were hill tribes who were bonded by the (*Jagirdars*), a class of revenue collectors during the Mughal period in India. These revenue collectors levied taxes and fines on the hill tribes for use of land and forest produce. Customary obligations was the main instrument of bondage (Mishra, 1983). Another form of bondage prevalent among the paniya tribe of Nilgiris district. The landlords (*Chetties*) used to advance a loan of Rs. 10 per male and Rs. 5 per female of the family and the *Paniyal* family pledged their labour to repay the loan and earn the nominal wages which were paid in grains per day (Mishra, 1983).

***Koltas* and *Bandhak* of Uttar Pradesh**

Marla estimated that 5,50,000 labourers in Uttar Pradesh were bonded. Majority of bonded labourers were Dalits and about 7.4 per cent of the bonded labourers were Muslims. Debt was the main instrument of bondage but the survey reported that 23.3 per cent of labourers reported to be bonded due to customary obligations and use of force. Inter-generational and indefinite bondage were common in UP.

***Adhiars* of West Bengal**

The *Adhiars* of Bengal were sharecroppers who grew paddy at the land of the landlord (*Giri*). The *Adhiar* was obliged to return the interest-free loan (sometimes taken in terms of paddy) to the landlord. However, all other inputs such as seeds, bullock were supplied to the *Adhiar* at an interest rate of 25 to 50 percent and all repayment was due at harvest time. A bad harvest would make these terms onerous and leave the *Adhiars* in bondage (Peabody, 2017) Chaudhuri (1976) showed prevalence of bondage in the Purulia district of Bengal where the landless Dalits and Adivasis took loans from the landlords belonging to the Mahato caste (upper caste Hindus) and in return provided labour in their agricultural fields and domestic work. The work in the fields and domestic chores of the landlord only remitted the interest of the borrowed money and not the principal. The interest rates were as high as 72 per cent per annum on an average loan that ranged from Rs. 300 to Rs. 600. To get back the principal, the worst forms of coercion were used. The women of these indebted households had to engage in prostitution that was facilitated by the landlords. The families of labourers were heavily dependent on the loans from moneylenders and their last resort to sustain themselves was to engage in looting and thievery.

***Bitti* of Karnataka,/Nadapu/ of Lakshwadweep, *Vavla* of Nagar Haveli, *Halemaga* of Karnataka, *Begar* in many other parts of India**

Nagesh (1981) recorded existence of forced labour extracted by the landlords from their tenants. These tenants were not bonded by debt but since they were using the land extended by the landlord, they had to perform paid and unpaid services for the landlord. These forms of coercion were prevalent all over India. The system was known as *Bitti in Karnataka,/Nadapu* in Lakshwadweep, *Vavla* in Nagar Haveli, *Halemaga* in southern Karnataka, *Beth-Begar* in northeast India and *Chakran Begar* in Chota Nagpur plateau.⁷

4 Short-term Debt Bondage in Contemporary Rural India

The above review of various forms of bonded labour observed in Indian agriculture shows that bonded labour was pervasive. It existed in almost all states of India despite being abolished legally. The above discussion, however, does not include the contemporary forms of bonded labour observed in the last decade in rural areas. A distinguishing feature of the traditional forms of bondage and the contemporary ones is that the average duration that the labour is in bondage has grown considerably shorter in the recent period. Marla (1981) estimated that the average duration of bondage for a bonded worker in India was 6.4 years in the year 1978. It is difficult to estimate the present duration of bondage without conducting a national survey on the incidence of bonded labour. The evidence from independent primary studies across rural and urban India in agriculture and non-agriculture, however, points towards the fact that the average duration of bondage has fallen significantly. Some of these contemporary forms of bondage are presented in this section.

The present forms of unfreedom and bondage prevalent in rural India often take the form of short-term bondage. The peculiar features of short term bondage are as follows. The labourer is bonded for a fixed period of time, ranging from, as little as three months to one year. He/She is generally advanced a loan before the work begins. The right to change the employer during the period of employment is forfeited. The worker works to pay off the debt and is rendered free once the debt is cleared. He/she voluntarily enters into this contract.

A distinguishing feature of this bondage is that the duration is “designed to be short” by the employer. There are multiple reasons for this design. One, given the seasonal nature of work in industry and agriculture, the employers do not want to hire the labourers for the full year. They do not wish to incur costs of bonding a worker full time. Second, and more important reason, is that the long-term bonded labour contracts are more susceptible to be checked and caught, however, short-term bonded labour contracts can be concealed in a better manner. Third, the duration is shorter because the social factors that prevented the workers from breaking away from the system of bonded labour have weakened over time. The workers have access to

precarious work in the informal sector which allows them or members of their family to pay back the debt and break free from bondage

The short-term bondage is not perpetual, yet it conceals high labour exploitation. It still continue to have the classical feature of using debt as an instrument to exercise coercion. The worker sells his labour power to pay off his debt and not to earn wages. There is nothing inherent in capitalism and the universal rule of wage relation to prohibit these forms of unfree labour. In fact, I would argue that making these contracts dynamic and easier to get in and out of, the capitalist has created methods to exploit workers easily. As Marx argued, just as lengthening the hours of working day was a method to exploit workers, with technological innovations, the capitalist would continue to come up with other forms of exploiting workers to increase his own profit share. Such forms of bondage are so widely prevalent in the capitalist economies that the distinction between new forms of labour relations and such short-term bonded labour contracts often tends to blur. In this review, I have tried to make those boundaries clear by drawing attention towards the different forms of unfreedoms that workers who are bonded have to face. Breman (2019) extends a similar concept called neo-bondage, however, in his framework, all exploitation is primarily economic. I argue, using field survey data and citing other studies, that the coercion faced by workers during the period of bondage is also extra-economic in nature. It cannot merely be accounted for by negotiating a better contract.

These forms of bondage are thriving in capitalist economies and are a form of precarity that workers endure because of lack of decent employment. This points to the failure of the state to provide basic minimum employment and social protection to workers. This is clearly a form of capitalist exploitation. The weaker commitment of the state towards welfare of workers and deregulation of labour markets under neoliberalism has been key to the emergence of such forms of bondage. In a recent case, the Allahabad High Court observed a case of forced labour where the state government of Uttar Pradesh has been paying a Class IV government employee the minimum wage of Rs. 450 per month (6.4 USD per month) since 2001.⁸ This is a clear case of forced labour exercised by the state.

This study interrogates the nature of such short term bondage in context of the agriculture sector. However, here I shall also discuss some other examples of this kind of bondage from the non-agricultural sector.

Brick Kilns

Brick kilns are major employers of migrant workers in India. Bihar, Chhattisgarh, Odisha, Jharkhand are common places from where workers go to work in brick kilns in Uttar Pradesh, Maharashtra, Gujarat, Karnataka and West Bengal. Debt and advance wages are used to tie the workers to bondage in brick kilns for a period of three to six months. These migrants are mostly tribals and Dalits. Majumder (2015) conducted a field survey of 338 brick kilns in Uttar Pradesh in 2013 and covered 608 migrant labourers in the study. He found that 84.6 per cent of these workers were tied to a system of advanced wages by the brick lords. They took the advance wages to pay off the debt taken from landlords and moneylenders of their native villages. This system create conditions where the brick kiln workers remain in debt for a long time and though they move from one brick kiln to another, they are in the loop of taking advance wages from one brick lord or another. The employment of seven months in a year, interest free advance wage, housing, existence of social network in the destination were the main factors that tied them to bondage.

Garment Factories

Young women in erode district of Tamil Nadu state of India were recruited from different parts of rural India to work in cotton mills. Agents recruit them on the promise of decent wages and a sum of money they would receive after three years of work under a scheme called Sumangali thittam (wedding scheme). Parents send their daughters to work in order to accumulate money for dowry and for loans from the agents. Young women from low castes such as Dalits and Adivasis, are often the chosen employees for work in cotton mills. These women work in the factories for much lower pay than they are promised, they live in hostels in poor sanitary conditions, are overworked, subject to abuse and are not allowed to leave the hostels.⁹ These short-term debt bondage contracts take a distressed dimension because of caste based employment. Delaney and Tate (2015) argued that seven of the eleven criteria of forced labour identified by ILO were present in this case.

Carpet Weaving

In a field research conducted by Harvard university on carpet weaving industry, in nine states of India in 2014, multiple cases of bonded labour were found. They found 2010 cases of bonded labour in the sample, which accounted for about 28 per cent of workers in the industry. The study showed that about 80 per cent of workers took loans for consumption from the contractors. Cases of entire village in bondage were also documented. Muslim villages in rural areas near Shahjahanpur in Uttar Pradesh, and in Morena and Gwalior in Madhya Pradesh were entirely in debt bondage. Each family member, including children, worked for the contractors and were not allowed to change their employment or leave the village without clearing the debt. The study also found cases of human trafficking- specifically children- in the carpet weaving industry near Patna, Bihar. Kara (2014) described the conditions of work as “nothing short of sub-human.”

Stone Quarries

The existence of bonded labour in the stone quarries is a known phenomenon (Srivastava, 2005). The prevalence of debt bonded labour was noted as recently as 2020 in the stone quarries of Rajasthan. The study showed that from about 120 workers interviewed in the study, 84 per cent were under debt bondage. This bondage was of a seasonal nature. The work was seasonal and the owners of the stone quarries hired labour through the use of middlemen known as *jamadars*. These *jamadars* extended loans to the workers and ensured that the workers do not abscond with the money by making contacts in their native villages (Human Rights, 2020).

Domestic Work

Bonded labour in domestic work also operates through debt which the employer’s family advances to the worker and adjusts each month in the salary. These workers, mostly women, often do not understand the calculations made by the employer to adjust loans. Bondage in domestic work is a relatively new phenomenon and is much different from the other cases documented above. Most of these workers are allowed to work for other employers and are generally not bound to just one employer. But, as they are advanced

a loan, they are forced to do extra work for the household and are subject to physical and verbal abuse. In rural areas, bonded domestic workers also have to clean cattle sheds. They have to clean cow dung and bathe animals. Often, if these domestic workers take leave, the work is left for them to do the next day. In a recent study by Action Aid in rural Punjab, women workers engaged in cattle shed cleaning (*gotha kuda*) were studied. These women were often in debt and were paid in kind wages for cattle shed cleaning work (mostly 30 to 40 kg of wheat per buffalo). Often, due to the payment in kind, these workers are not able to pay off the cash loan that they took from the employers and forever remain in debt. Old aged, widowed, women with disabled family members were the main victims of this practice in rural Punjab (Iyer, 2019). In a few cases, these women were the wives of bonded agricultural labourers and had to perform duties for the employers as domestic workers.

When the state fails to provide decent opportunities for employment, people fall prey to middlemen who are labour contractors/jobbers/agents who promise work to these men and women. A common way in which these agents work is to give employment to people in lieu of a security deposit or recruitment fee which the workers' usually can't afford. This money becomes the debt that the workers take from these agents and pay off with the wages they hope to earn in future with the promised job. This ties them in debt bondage. Migration to work in such jobs is highly prevalent. Migrant labour have fallen prey to the bonded labour contracts because of weak laws governing migration, lack of security of employment, lack of decent employment in the villages of migrant workers and lack of provision of social security for these workers.

5 Other Forms of Bonded Labour Contracts

The prevalence of short-term bondage where debt is used as an instrument to tie the workers has been noted above. This is not to say, however, that other long-term bonded labour systems have completely disappeared. Another instrument due to which long-term bonded labour systems continue to prevail is customary obligations. Customary obligations refers to tying a particular work to specific caste groups where, if members of a household does not abide to the customs, they are likely to be outcast from the village's social life, often also, asked to leave the village, or is subject to other forms of coercion. The minor ethnic groups, Dalits, Adivasis, women and children are the main

victims of such bondage. While this form of bondage is atrocious and is against the SC/ST Prevention of Atrocities Act, 1989, it is still practiced in India. Some examples of this form of bonded labour contracts include:

A practice of bondage known as *Bitti Chaakri* found in fifteen districts of North Karnataka in a recent study by Jeevika organization. Under this system, labourers from Dalit communities, particularly two sub-caste groups- *Madiga* and *Holeya* in Bidar district- were bonded to perform household chores and cleaning of cattle shed for the upper caste households. The survey found 3387 families involved in this work in 964 villages of the selected districts of north Karnataka. Of these, only 4.4 per cent of households had taken an advance from the employers. In terms of wage, these workers were given left over food and annual kind payment. The wages were far below the minimum wages and the study found that entire household was in obligation to perform the duties for upper castes of the village.¹⁰ Jeevika organization identified the bonded labourers in the *Bitti Chaakri* system and have recently been successful in persuading the Karnataka government to bring these workers under the Bonded Labour Act (Abolition) act, 1976.

Manual scavengers are workers who are tasked to clean, carry, dispose of, or otherwise handle in any manner, human excreta in an insanitary latrine or in an open drain or pit. These workers, mostly dalits, are often coerced into this work and find it difficult to leave the employment. While manual scavenging is prohibited under the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013, it is not considered bonded labour. However, case studies have shown that refusal to engage in this work has resulted in threats and violence at the workers and their families. They are made to continue to serve as manual scavengers which is another form of bonded labour.¹¹

Forced inclusion is a common form of bondage practiced in rural India. Households from a specific caste are forcefully obliged to provide caste-based services to the village. These include, for instance, *Chamars* (a Dalit caste) obliged to remove dead cattle, *Dhobis* (washers) required to wash clothes of the dead or of women after delivery, and *Naais* (barbers) who are obligated to perform hair cutting and shaving services in the village. These are collective forms of oppression. Saket (2019) documented various cases of such forced inclusion in his work in selected villages of rural Madhya Pradesh.

Another example of long-term bondage occurs when workers cannot access any upward mobility in their work because of their caste and gender status. An example of this kind of occupation fixity is noted in the case of Dalit and Adivasi transgender workers who are often the most exploited category of workers in bondage. They have no choice but to work as beggars and sex workers (Kothari, 2019).

6 Introduction to Study Villages

This study is based on a primary survey conducted in 2018-19 in four villages of rural Haryana as part of a research project on “Agrarian relations in rural Haryana” by the Society for Social and Economic Research, New Delhi. The objective of the study is to understand the agrarian relations in Haryana and how they have evolved over time. For this purpose, various old survey reports were collected from different organizations and universities. Finally, four villages were selected after a careful review of various studies and field visits to many villages in rural Haryana. The selected villages belong to different agro-ecological regions of Haryana. To select the four villages, a village questionnaire was canvassed with multiple residents of the village. The respondents included the landlords, farmers, private salaried workers and farm labourers. Information about the total village land, cropping pattern, ownership of tractors, combine harvestors, employment avenues in non-agricultural sector, access to public programmes was captured here to make an informed decision about the selection of the village for this study. Haryana is divided into three major agro-ecological zones and an attempt to choose at least one village from each zone was made.

- Zone-I : Bhiwani, Mahendragarh, Rewari, Jhajjar, Gurugram and Mewat.
- Zone-II : Sirsa, Fatehabad, Hisar, Jind, Rohtak, and Faridabad including Palwal.
- Zone-III : Panchkula, Ambala, Kurukshetra, Yamunanagar, Karnal, Kaithal, Panipat and Sonipat.

Haryana was at the forefront of Green Revolution, and has had significant technological advancement in agriculture. Although, it is a small state in terms of geographical area, agriculture in Haryana is diverse in terms of cropping pattern, land relations and forms of labour use. Rural villages of Haryana have been a location of a large number

of village studies, by the Agro-Economic Research Centres as well as research scholars and activists, in which dynamics of change in the labour market were discussed. Several studies have discussed the continued relevance of long-term workers in agriculture in Haryana, the increasing casualisation of agricultural labour, and high growth of non-agricultural sector of Haryana (Bhalla, 1976; Jodhka, 1994; Lerche, Byres, and Kapadia, 1999; Rawal, 2006).

- Modernity in terms of the use of tractors, threshers, combine harvestors, use of chemical fertilizers, high reliance on use of migratory labour from UP and Bihar and high use of herbicides characterise Haryana's agriculture as one which is aptly **modern**.
- There is prevalence of long-term attached workers, landlords, existence of khap panchayats (quasi judicial bodies pronouncing harsh punishments based on age-old traditions), and other relations even in the modern agriculture as it exists today.

The four study villages were selected due to high diversity in terms of cropping pattern, type of land, irrigation and access to non-agricultural employment. After the selection of the villages was finalised, a listing of households was done. These villages were large and required an extensive listing process. This work was done by using the ASHA workers' records of households who typically do a survey of each household in the village and record the basic demographic information, medical history and current ailments amongst the residents of the household. These records helped in making a list of households based on major social group and the sample for each village was selected randomly from the different social group strata. Some households, such as the largest landowners of the village, were purposively selected. The survey continued for about 2 months (May and June) in different locations and a team of survey investigators and coordinators managed the survey. In each selected household, a visit was made by a team of two to three investigators. A typical farmers' survey used to take about 2.5 to 3 hours to complete whereas the survey of landless workers used to take about an hour. In each household, a detailed questionnaire, where the respondent was the head of the household/ the most informed member of the household was canvassed. This questionnaire captured the basic demographic characteristics, information about

the various sources of employment, income, landholding, assets and credit, information about access to various public schemes and services that the household has.

The four selected study villages are Khandrai, Cheher Kalan, Birdhana, and Jamalpur Shekhan. Khandrai village is located in Gohana block of Sonapat district and Cheher Kalan is located in Loharu block of Bhiwani district. The Agricultural Economics Research Centre (AERC) of the Delhi School of Economics studied the villages, Khandrai and Cheher Kalan, in 1954-55 as part of a pilot study of fourteen villages in U.P. and Punjab. The other two villages, Birdhana and Jamalpur Shekhan, are located in Fatehabad district. Though belonging to the same district, these villages were distinct in terms of their agrarian structure. Birdhana village was surveyed by Indian School of Womens Studies and Development in the year 2002-03. Jamalpur Shekhan was studied by the Board of Economic Enquiry, Punjab twice during the British period. Once in 1925-26 and then again in 1935-36.

Birdhana Dhanis (farmlands), the area outside the main settlement of the village Birdhana, was also included in the survey. Households residing in the Dhanis were not captured in the list of Asha Workers' survey. Many of the houses in these farmlands belonged to landlords who shifted to townships and left a worker to look after their plots of land. To sample these households, a random sample of latitude and longitude was taken from Google maps. The tubewells were used to identify the households in the fields. These households are thus classified separately in a few tables, however, they form a part of the Birdhana village. Many *siri* workers of Birdhana used to reside in the landlord's houses located in the farmlands.

Table 1 shows the number of households and persons surveyed in the selected villages. A total of 293 households were surveyed in the selected villages. The last column of the table 1 shows the number of households according to the Census of 2011. Birdhana village was the third largest village of the Fatehabad tehsil with 2306 households and Jamalpur Shekhan was the ninth largest village with 1865 households. The other two villages were relatively smaller.

Khandrai village is located in Murlana, Gohana Tehsil of Sonapat district in Haryana. Gohana is the nearest town, 3 kms, from Khandrai. Khandrai village inhabited 897 households (Census, 2011). Hindu Jaats dominate the other caste groups in this village in terms of population (43.73 %). Apart from the Jaats, other castes included Kumhar,

Table 1: Number of households and persons, survey data, 2018-19

Village	District	Number of households (surveyed)	Number of persons (surveyed)	Number of households (Census)
Khandrai	Gohana, Sonapat	69	395	897
Cheher Kalan	Loharu, Bhiwani	53	306	829
Birdhana	Fatehabad	72	415	2306
Birdhana Dhanis	Fatehabad	24	130	
Jamalpur Shekhan	Tohana, Fatehabad	75	426	1865

Balmiki, Jhimar, Chamar, Dhanaks, Jogi, and Khati. Among the Dalits, there was high proportion of Dhanak households. Dhanaks constituted 35 per cent of the total households. Paddy, Cotton and Jowar were the main Kharif crops. Wheat, Bajra and Mustard were the main Rabi crops.¹² Sugarcane was also grown in Khandrai. Jaats, owning 99 per cent of total agricultural land, engaged dominantly in agricultural occupations. Most Jaat households did not engage in manual labour work in agriculture. They hired labour on casual or piece-rate basis or hired “Mazhaaras” who were the bonded labourers who worked for a small share of the produce. The *Mazhaaras* belonged to Chamar or Jhimar caste in this village. A few Jaat households were also engaged in other occupations such as salaried jobs and non-manual businesses. In none of the Jaat household under study, members worked as agricultural labourers. Live-stock rearing for self-consumption of milk and ghee was a common occupation amongst various caste groups. Dhanak households were landless and depended on work available outside the village for their livelihood. They were engaged in occupations such as trading of fodder, livestock, hiring out tractors and other loading/unloading work. Most of these households were either self-employed in manual businesses or engaged in non-agricultural casual labour work. They also did casual agricultural labour in Khandrai. There was a stark difference in the socio-economic position of Dhanaks and Chamars in the Khandrai village. The Chamar households in the village were amongst the most poor households, living in semi-pucca or kutchha houses and a few did not even have toilets in their house. They worked as farm labourers or as *Mazhaaras*. Many of them were employed in non-agricultural occupations under casual wage contracts.

The second village, Cheher Kalan, is in the Loharu block of Bhiwani district. It is about 50 km away from Bhiwani. The AERC studied the villages, Khandrai and Cheher Kalan, in 1954-55. At that time, Khandrai village was located in Gohana tehsil of Rohtak district of Punjab. The village was not served with any railway station or post office. There were 290 households inhabiting the village in 1954 with a total population of 1680 persons. Cheher Kalan village was located in the Bhiwani tehsil of district Hissar in erstwhile Punjab State. The choice of Khandrai and Cheher Kalan provided an interesting contrast in the study. Cheher Kalan represented a backward village of Punjab. Main crops grown in the Rabi season were wheat, bajra, gram and mustard and in the Kharif season were cotton, guar, jowar and moong. Cotton was a relatively new crop in this village, it has started only in the last 5 years. Crop yields in this village were very low. The average yield of wheat was 15.9 quintals per acre while in other study villages it was around 20 quintals per acre. Average yield of cotton crop was 4.5 quintals per acre.

The next two villages are in the Fatehabad district of Haryana. Birdhana village is located in the Fatehabad Tehsil of the Fatehabad district in Haryana. The nearest town to this village is Fatehabad, at a distance of about 12 km. Birdhana village had a total of 2306 households in the village (Census of 2011). The main upper castes residing in the village were Jaats, Jat-sikhs, and Bishnois. Dalit castes were Chamars, Raisikhs, Mazhabi Sikhs, and Dhanaks. There were Rebaris, Kumhars, Lohars, Baniyas, Khatis, Nais and others belonging to the Other Backward Caste groups. There were also immigrants from Pakistan: the Mehtas, Aroras and Punjabis who came during 1947 and were allotted large tracts of land in the village and have taken shelter in urban areas such as Fatehabad or Hisar. Most of these households hired *siri* workers who work on share produce to look after their agriculture. Members from the households of Raisikhs and Chamars engage in such kind of long-term agricultural labour contracts. The village residents opined that it is the Dalits and primarily the Raisikhs and Chamars who were trusted to work as *siris* than the Dhanaks in this village. Land was cultivated in both seasons: Kharif and Rabi. Paddy, cotton, vegetables and jowar were the major kharif crops. Wheat, mustard, seasonal vegetables and barseem were the major Rabi crops. The average per acre yield of paddy was 22.2 quintals, of cotton was 4.2 quintals, and of wheat was 19 quintals. Use of modern seeds, pesticides, fertilisers and other inputs

was widespread in the village. Use of tractors, combine harvesters, and straw reapers was also prevalent in the village.

Jamalpur Sheikhan, in Tohana tehsil of Fatehabad district, is the ninth largest village of the district (by population). It is 6 kms away from Tohana and 52 kms away from Fatehabad. The village is on the boundary of the Fatehabad district of Haryana and Sangrur district of Punjab. The nearest town to the village is Tohana. In terms of occupational diversity, most Jaats and Jat sikhs were into agricultural occupations in the village. Over the years, a lot of Saini households, who owned some land, have ventured into non-agricultural occupations. These were mainly shop keepers in the main village market. There were about 200 shops in the village. These shops ranged from food stalls, sweet shops, salons, agriculture input sellers, agricultural machinery repair workshops, electrical shops, to local provisiona stores. Chamars, Odhs and Raisikhs in the village were mostly engaged in labour work. A few households in the village engaged in agricultural labour. Cotton picking, paddy transplanting, weeding in cotton and paddy were the main tasks in which the members of such households got employment. Some Chamar households had government salaried jobs and the socio-economic position of such households was much better than the other SC households. In terms of the socio-economic position, the scheduled castes of this village were in a much better position than the other study villages. Wheat, paddy, cotton and vegetables were the main crops grown in the village. A few households also had small plantations of guava, flowers and ber. Due to excessive use of tubewells and presence of canal, this village is cropped in both Rabi and Kharif season. 96 per cent of area is cropped in Rabi and 91 per cent is cropped in Kharif.

7 Unfree and Bonded Labour in Rural Haryana

Haryana is a technologically advanced state in India where the use of migratory labour from the neighbouring states, use of agricultural machinery and use of local casual labour is pervasive. Moreover, it is one of the few states of India which has the lowest labour absorption in agriculture. Haryana has been at the forefront of development of productive forces in agriculture. Despite this, the present day labour relations in rural Haryana are fettered with inequality, precarious employment bondage and caste-class inequalities.

The state government of Haryana claimed through data from two independent surveys in 2004-08 and 2012-13 done by NGOs and universities that there is no incidence of bonded labour in the State National Human Rights Commission (2017). This claim is false, as the present study conducted in 2018-19, has found evidence of bonded labour in three different districts of Haryana. This means that further studies in this region is necessary to bring forth the evidence of bondage in rural Haryana.

It is noteworthy that while the earlier work on *siri* system showed a large prevalence of *siris* in the Fatehabad and Sirsa districts of Haryana, this study also found the prevalence of such labourers in Sonapat and Bhiwani district of rural Haryana. The incidence of bonded labour in the study villages was found during the survey in 2018-19. Ten per cent of the sample households were in bondage. These labourers were known by different names in different parts of Haryana. The popular terms being *siri* worker and *mazhaaras*, however, the terms of contracts amongst all these workers varied. There were no standard terms of contract. These were long-term workers who typically worked on the farm for one or two seasons in the year and did all labour work required for cultivation in exchange for a share of the crop produce. These workers were bonded by a loan advanced by the landlords, often along with an interest charge. The workers are expected to work for the landlord until they have repaid the loan. The share of a bonded worker in the total crop produce varied from as low as one-twelfth to one-fourth. The bonded worker had to bear the cost of material inputs often in the same proportion. These workers were typically responsible for incurring 100 per cent labour cost and were also prone to risk in case the crop fails. An important distinction between these bonded workers and tenant farmers is that the bonded worker is basically a farm worker who takes no managerial decisions on what crops to grow, from where to buy the inputs or where to sell the produce.

The variation in the nature of contracts across the bonded workers is astonishing. Households have to engage in providing different unpaid labour services to the landlord. These households typically rely on exploiting their family labour to the maximum to minimise their costs of labour. These workers were the most exploited category of farm workers. They were subject to various kinds of atrocities by their landlords. In most cases, they were advanced a loan by the landlords. Workers were expected to work for the landlord until they have repaid the loan.

A *siri* household earned only Rs. 1382 per acre in cotton production, Rs. 3621 in paddy production and Rs. 8662 in wheat production over the paid-out costs in agriculture. This was meagre in comparison to peasant households. The income that *siri* workers earned was due to the fact that they over-exploited their family labour. In the households where *siri* workers did not have enough family members and had to hire in a lot of labour, much of their income was paid as wages. In terms of days of work, the *siri* households who are at the bottom most rung of the peasantry get on average 194 days of work per worker in agriculture. This is primarily because *siri* workers cultivate large landholdings, amounting to on average, 12 acres.

The average income of a *siri* household from the work in crop production only is Rs. 1,39,198 annually compared to the the average income of a hired manual worker household which is Rs. 1,19,937. The average income of *siri* household is much higher when we include other sources of employment. The average income of the *siri* household reaches about Rs. 2 lakhs per annum. The socio-economic status of a *siri* household is better than a hired manual worker household but worse than the peasant household in the study villages.

Why this work continues in Haryana? A primary reason is that though this is a short-term contract ranging from one season to a year or two, it gives some stability of employment compared to the alternative options of working as hired manual workers in agriculture or non-agriculture. The present situation of *siri* workers highlight the precarity of work that exists in the non-agriculture sector.

8 Changes in the Nature of Work: Past vs Present

Birdhana village was surveyed in 2003-04. Rawal (2006) documented the work of *siri* labourers. The main changes since the survey of 2003-04 are that: there was about 9 months of work in agriculture during 2003-04. It meant all members of the family of *siri* workers were engaged in agriculture to provide unpaid labour. It has fallen to less than 6 months now. This has led to other members of the family diversifying into different occupations. The shift from cotton to paddy is one of the reasons for decline in use of *siris* in Birdhana now. Paddy crop does not require a steady supply of labour. Landlords extracting a major share of surplus as rent is a reality that persists in today's Birdhana too. *Siri* workers are relatively more mobile now than earlier. The average

duration of bondage of a *siri* worker has significantly fallen over the years

Jamalpur Shekhan surveyed during 1920s presents evidence of use of *siri* workers. Presently, in the survey of 2018-19, there were no siri workers in this village. Table 2 presents the nature of *siri* work for which men were employed.

Table 2: Nature of *Siri* work in the 1920s, Jamalpur Shekhan Village

Nature of work	No: of peasants	Man hours
Weeding	2 siri chamars	18
Weeding and raising embankments		18
Ploughing and sowing of bajra and moth		30
- Ploughing	2 ploughs	
Levelling ground	1 man (either siri or owner)	26
Weeding and keeping watch at night	1 siri does the work	12
Watching and taking home the grass		10
Guarding the crop	Siri/owner takes turns	
Cutting Bajra & Moth	3 persons	90
Removing bajra stalks & keep watch	3 persons	168
Threshing & winnowing bajra & moth	2 siris	84
Carting the produce & stacking fodder stalks	2	48
Nature of work	Man hours	
Total (hours)	-	504
Total (8 hour-equivalent days on 2.5 acres of land)	-	63
Total (per acre)	-	25.2

9 Summing Up

Bonded labour continues to thrive in India, albeit, in different forms than the traditional long-term bondage. The contemporary form of bonded labour can be best described as short-term bonded labour contracts. These can be of two types: short term by design and short term because of alternative employment opportunities. There are contracts designed by employers that are short-term in nature because of seasonal nature of work

in the industries and agriculture and also because bonding a labour for shorter duration is easier and less susceptible to be captured by the authorities. The examples of this kind of short-term duration contracts are migrant workers bonded in brick kilns, carpet weaving industries, other industries and agriculture. Debt remains a crucial instrument of tying the labourers. The duration of bondage may be short, but, it is not easy to break free from this bondage until that short period is over. Short-term bondage can also occur when the worker gets into shorter contracts knowingly that the debt can be paid off by alternative sources of income. The case of *Siri* workers of rural Haryana fits this situation. The *Siri* workers enters into shorter duration bonded labour contracts and are able to pay off the debt rather early than the traditional debt bonded labour that used to exist in agriculture. This is made possible because, though distress may lead the workers to work in long-term bonded labour contracts, the availability of employment in the non-agricultural sector to other family members helps in paying off the debt. The non-agricultural employment available to rural workers primarily takes the form of precarious work in the informal sector. It is this precarity of work, the unknowns of the contracts, the duration of this work, the income from this work, that makes the workers push themselves into debt bondage which is more exploitative but present itself as a stable source of employment and income.

These short-term contracts are pervasive and can be seen across various sectors ranging from agriculture, brick-kilns, carpet weaving industry, construction work, to domestic work. Migrant workers are most commonly the victims of this kind of bondage. In terms of the social caste structure, the evidence from the primary studies reviewed above shows a shift in terms of caste structure. Earlier Dalits were mostly subject to bonded labour contracts because of their landlessness but now Adivasis are more prone to be trapped in such contracts. The dispossession of tribal lands and forests have rendered them incapable to sustain themselves without taking loans against their labour. The continuous land grabs and withdrawal of their rights on forests and rivers have made them vulnerable to such forms of employment.

A comparison with previous surveys indicate that bonded labour in agriculture has declined significantly, though, it still continues to exist in some pockets and is masked in short term contracts. There is no denying that the nature of siri contracts has changed a lot over time. The average duration of bondage is much shorter. Debt, however, still

continues to be an instrument of bondage.

Adequate field studies are necessary to capture the multiple dimensions of bondage in rural India.

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Notes

¹See Michael Dottridge, Eight reasons why we shouldn't use the term modern slavery, Beyond Trafficking and Slavery, openDemocracy, 17 October 2017, and <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/antiblackness-of-modern-day-slavery-a>

²See <https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/illegalised-migrants-and-temporary-foreign-workers-new-international-seg/>

³See <https://www.thehindu.com/news/national/india-disputes-ilos-slavery-report/article19803909.ece> and

<https://timesofindia.indiatimes.com/india/8-million-people-live-in-modern-slavery-in-india-says-report-govt-junks-claim/articleshow/65060986.cms>

⁴<https://www.opendemocracy.net/en/beyond-trafficking-and-slavery/>

⁵Palamau district is now a part of the state of Jharkhand.

⁶<https://timesofindia.indiatimes.com/india/repaying-40-kg-rice-with-27-yrs-of->

bonded-labour/articleshow/1812477.cms

⁷Chota Nagpur plateau in eastern India covers primarily the state of Jharkhand, and adjacent parts of Bihar, Odisha, West Bengal, and Chhattisgarh.

⁸<https://www.livelaw.in/news-updates/paying-450per-month-wages-forced-labour-violation-article-23-allahabad-hc-up-govt-minimum-wages-ivclass-employee-183596>

⁹<https://www.actionaidindia.org/blog/the-textile-mills-of-tamil-nadu-and-that-weird-employment-offer/>

¹⁰<https://www.newsclick.in/bonded-labour-bitti-chakri-karnataka-dalit-oppression>

¹¹<https://thewire.in/caste/india-should-recognise-that-manual-scavenging-is-akin-to-slavery>

¹²Rabi refers to winter crop season. Kharif refers to monsoon or summer crop season.