

Nagasandra bonded labour fact-finding mission (memorandum to the Rural Development Minister) KCLC (1984) [title added]

Introduction

Huduthi Hanumanthappa is 55. When he was barely 15 circumstances made him a Jeethadaalu (bonded labourer) under Nage Reddy for a wage of Re 1 (one) a year.

After six years of servitude, he ran away to Bangalore to join the army. But Nage Reddy traced him and forced him back into bondage. The landlord convinced the recruiting officials that Hanumanthappa could not be enlisted as he had yet to clear the former's debt. Even after Nage Reddy died Hanumanthappa was not freed. He was made to work for his master's family for Rs. 25 a year.

At the moment Hanumanthappa's first son is in bondage to Shiva Shankar Reddy, a close relative of Nage Reddy for the past six years, and is unaware about the terms of his bondage. In short he does not know how many years more he has to serve.

Incidentally, Nage Reddy was a 'freedom fighter' and was so powerful that in 1956 he played an active role in supporting the dissident leader within the Congress. He died in 1961 and his epitaph reads: "badavara bandhu" (friend of the poor)!

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20-year-old Gangadhara had borrowed Rs. 460 from Gangappa, another landlord of Huduthi Nagasandra two years ago for his sister's marriage, and became a jeethadaalu. To free himself he was asked to work for a wage of Rs. 120 per year. Gangadhara's wage was later increased to Rs. 230, as he agreed to work during nights as well in his master's house.

After about two years Gangadhara stopped working for Gangappa. The landlord threatened him, but Gangadhara refused to relent. True to his threats the landlord stripped him and beat him several times.

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These two cases are just an eye-opener to the state of affairs in Huduthi Nagasandra, a tiny village in Gauribidanur taluk of Kolar district, 80 kms from Bangalore city. In blatant violation of the laws under the Constitution the feudal practice of bonded labour (Jeetha) is rampant in this village. Nagasandra is one of the thousands of villages of India, where the bonded labour system exists and continues to flourish.

Fact-finding teams sent by the Karnataka Civil Liberties Committee (KCLC) could identify at least 77 bonded labourers in Nagasandra. Bangalore-based lawyers, journalists and lecturers formed the fact-finding teams which visited the village four times and kept constant track of the happenings there and pursued with the Government and its Officials for the release and rehabilitation of the bonded labourers. What follows is a report on the findings of the KCLC teams and the follow-up work:

The Village

H. Nagasandra is inhabited by about 420 families. Most of the land here (about 600 acres) is controlled by six Reddy families. Of these, Shiva Shankar Reddy's family alone holds more than 300 acres in the village. He has sunk 13 irrigation wells and owns a tractor. In addition he also controls 200 acres in Viduraswatha, a neighbouring village, making him the richest and the most powerful landlord in the area. He was also the Chairman of Village Panchayat and a Taluk Development Board member till recently and has very strong connections with the Congress (I). Typical of big landlords in such villages, the 59 Reddy families derive absolute authority by virtue of their massive land-holdings and tactfully sustain their supremacy by colluding with any political party in power.

The official figures in the Tahsildar's office show the following details of land-ownership :

Land (acres)	No. of Households
No Land	62
1—5	225
5—10	102
10—20	28
20—50	5
Above 50	NIL

In comparison, the details collected by KCLC teams show the following land holdings :

Land	No. of Families (Caste)
No land	About 110 (Harijan) and 3 (Vysya)
5-10 guntas (cents)	About 30 (Harijan)
1-2 acres	About 70 (Harijan)
2-10 acres	About 75 (Nayak) and 1 (Brahmin)
5-15 acres	About 50 (Reddy) and 50 (Sadara Gowda)
20-30 acres	4 (Reddy) and 3 (Gowda)
50-60 acres	4 (Reddy)
More than 300 acres	1 (Reddy)

Many of the landlords and rich peasants have irrigation wells and get two crops a year. Some of them also have sericulture units. Sugar cane, rice, ragi, and maize are the main crops in the village. About 110 Harijan families who do not own any land and those Harijans with a few guntas of land principally depend on the landlords for employment. In the non-agricultural season which lasts four to six months a year, the landless and poor peasants suffer near-starvation since only one member in a family gets employment and has to support five to six members.

These extreme conditions of livelihood where on the one hand there is absolute wealth and power and on the other utter

impoverishment, for exigencies like child-birth or ill-health and occasions like marriages or festivals they are forced to take loans from the landlords driving them into bondage and even worse exploitation. Most of the bonded labourers of Nagasandra are the landless Harijans

KCLC Fact-Finding Teams' Experience

Following members of KCLC and journalists took part in the fact-finding and subsequent follow-up work :

Prof. Hasan Mansur
 Mr. Babaiah, Lecturer
 Mr. Ramakrishna, Advocate
 Mr. Krishnappa, Advocate
 Mr. Havargi, Advocate
 Mr. Suhas, Bank ~~Employee~~ *Employee*
 Mr. Dakshina Murthy, Journalist, *Sunday-Midday*
 Mr. Chandramouli, Reporter, Indian Express
 Mrs. Nupur Basu, Reporter, Indian Express
 Mr. Manuvendranath Shetty, PUCL, Mysore
 Mr. Suchetana Swaroop, Prajavani
 Mr. Saketh Rajan, Pragathi para Vidyarthi Kendra
 Mr. Eswara Prasad, Engineer

Based on information about the prevalence of bonded labour in Nagasandra by a group of students from Bangalore who visited the village, KCLC sent its first fact finding team on July 3, 1984. The team identified more than 40 of the bonded labourers and recorded statements from ten of them. A host of grievances was also put forth. The Harijans complained of regular harassment suffered by them at the hands of the landlords. On the same day the first team visited the village, Nagaraju, a 20-year old agricultural labourer was forced by threats to go to Shiva Shankar Reddy's house for having defended a six-year old boy who was eating sugarcane from the landlord's field. The landlord caught Nagaraju by the hair, and boxed and slapped him. The incident was used only as a pretext by the landlord who did not like Nagaraju's active participation in the

newly formed Peasants and Farm Labourers Organisation. Further, it was evident that a tense environment prevailed in the village and several of the bonded labourers were apprehensive to talk to the team fearing victimisation by the landlords.

As investigations continued, the landlord sent 30 of his men to the Harijan colony to rough up the team. There was also an attempt to beat up the members, and a few statements made by the bonded labourers were snatched and torn. Thus the first team was forced to call off its investigations prematurely.

The team members interviewed Shiva Shankar Reddy and his father on the following day and explained the purpose of their visit. Hostile at first, the landlord flatly said that no bonded labourers existed in the village. As the conversation drew on, he contradicted himself saying there were bonded labourers not only in Nagasandra, but also in the nearby villages. He also revealed that six labourers were bonded to him. He expressed anger at the attempt by the peasants to organise themselves saying it was "dangerous to the peace and tranquility of the village". He qualified the statement further saying that "no police had entered Nagasandra all these years and that no case had ever been taken outside the village" as they were "more than judges" in the place. The landlords did not mince words about who ruled the village. In disputes involving the landlords or their supporters on the one hand and the labourers and poor peasants on the other presided over by Shiva Shankar Reddy the matters invariably went against the labourers.

The team discovered that the landlords employed various methods to circumvent the Bonded Labour System (Abolition) Act of 1976. They did away with the traditional labour-against-loan 'agreements' (Appendix-1) and instead took promisory notes without any mention of the term 'labour' but nevertheless dictating the terms orally. While loaning money the masters retained the promisory notes in their custody. This arrangement helped in making the serfs feel that they were morally obligated to work

for the landlords for years together in order to clear the 'debt'. The 'legality' of the agreement was also used to frighten the serfs by showing the 'papers', lest anyone dared to walk out. However, the facade of legality was torn apart if the need arose. In certain cases the landlords cheated the bonded labourers even going by the terms of the 'agreement' itself by coercing them to work even after the periods of bondage was over. This often led to the use of violence by the landlords.

The team also observed that many bonded labourers were children who were asked to graze cattle and perform menial tasks such as cutting firewood and domestic chores.

On July 18 another team consisting of two KCLC members, three reporters from Bangalore-based newspapers and a member of PUCL, Mysore visited Nagasandra. They recorded more than 50 clear cases of bondage and collected extensive details. Still many were not willing to come forward to speak to them.

This time there was a better reception by the landlords. But Shiva Shankar Reddy who had earlier said that he had six bonded labourers denied he had employed any whereas, investigations revealed that at least 14 bonded labourers were working for his family.

Names of the bonded labourers and their masters, loan amounts, years of contract versus the actual periods of bondage and so on were recorded. From the findings of the two teams, totally 77 cases of bondage were recorded. Loan amount ranged from Rs. 80 to Rs. 1500 and the periods of bondage, from a year to life.

On August 3, a five-member delegation from KCLC met the Rural Development Minister Mr. Abdul Nazir Sab and spoke to him on the issue. The memorandum submitted (Appendix-3) clearly mentioned the perfunctory attitude of the officials as well as possible repression by the landlords and demanded immediate action in identifying and releasing the bonded labourers. The delegation also insisted on participation of KCLC in the identification process.

Development ~~is~~ In The Viilage

By now it was clear both to the landlords and the Harijans that the absolute authority of the landlords was at stake. On the one hand KCLC and newsmen made the facts known to the outside world and on the other, the Harijans were getting to know about the benefits of the rural development schemes which ought to have reached them and their right to become free and receive relief from the government. Many cases where even after the debt amount was cleared through servitude for years together, the bonded labourers were forced to continue working and cases of severe harassment and exploitation were being talked about in the Harijan colony.

Meanwhile, one of the landlords from Nagasandra visited a newspaper office in Bangalore. He was all praise for the 'bold' work of the reporters and claimed that he himself was very sympathetic to the cause of bonded labourers. He went on to say that he would work for the "uplift of the Harijans and make social work as his life's mission". "No efforts would be spared from me side to pressurise the government to redistribute government land to the landless", he said. It was not long after, that events in the village proved this to be double talk.

For nine days following the newspaper reports there was a virtual boycott of Harijans in Nagasandra. All the bonded labourers were asked to leave immediately. No Harijan could buy rice, pulses, oil or even a beedi from the shops owned by the Reddys and their supporters.

Not merely this. All the Harijans who were members of the peasant organisation (Sangha) were denied work in the fields and houses of the landlords. More than 120 families were thus driven to desperation as their very existence depended on the mercy of the landlords till then.

The Deputy Commissioner of Kolar and the DC (Special) visited the village following the instructions of the Minister for Rural Development and Panchayati Raj Mr. Abdul Nazir Sab who is in charge of rehabilitation of bonded labourers. They found out about the boycott and employed the 120 odd Harijans under NREP and REG schemes.

There were constant threats from the landlords' henchmen. Using force and beating up the bonded labourers became a day-to-day affair in Nagasandra. There were also attempts to lure them with offers of fresh loans and work, provided the Harijans withdrew from the Sangha. A certain gullible section was also enticed successfully by offering liquor. All this resulted in about 50 members going over to the landlord's camp.

Role of Bureaucracy

The bureaucracy on its part has done nothing over the years about the condition of perennial bondage, utter poverty and the atmosphere of fear and disgust among the Harijans. Moreover, the villagers mentioned a general apathy and absolute indifference and even contempt among government officials who did not even visit them on their tours to Nagasandra. There was no attempt to implement the various lofty development schemes meant for them. When some of them met officials at Gauribidanur town at various times to seek loans for purchasing livestock, on all occasions they drew a blank.

The joint team of reporters and KCLC members who visited Gauribidanur on July 18 met the Tahsildar and the BDO. In spite of the team's efforts to convince the Tahsildar about the existence of bonded labour he remained unmoved. In fact, he went on record saying that there were no bonded labourers in the whole of Gauribidanur taluk. His evasive attitude became clear when he said that the onus of identifying the bonded labourers fell on the Block Development Officer (BDO). In actuality,

it is the responsibility of the Tahsildar to identify bonded labourers and the duty of the BDO to rehabilitate them.

Apparently, the Tahsildar's overconfidence was based on official records which show that in 1980 two bonded labourers were identified in Nagasandra and rehabilitated by providing goats and sheep worth Rs. 4000. Incidentally, one of the beneficiaries, Nagappa, was persuaded by the landlord to pay back the loan and had to sell his sheep.

As far as the BDO was concerned, he had assumed office only on July 17th, a day before the team met him. However, he listened sympathetically and promised that if the incidence of bonded labour were true, he would do his best to rehabilitate them.

As investigations proceeded, the cold barrier which the bureaucracy put up became obvious in more ways than one. The DCs and BDO visited the village on receiving instructions from the Rural Development Minister to *identify and release* the bonded labourers. They hardly spent any time there or conducted a detailed enquiry. In spite of the media reports mentioning about the existence of 50 bonded labourers in Nagasandra where even a few names of the bonded labourers were mentioned, there was no effort to probe into the matter and extract the necessary information. On the contrary, the officials made the visit only as a matter of formality and spoke to some of the people who sided with the landlords. Both the DCs promptly reported back that there was not even a single bonded labourer. The stringer of Indian Express who accompanied the DC reported that the Harijans of Nagasandra said they were not in bondage which appeared as a news item in *Kannaḍa Prabha*.

Follow-up

As a follow-up to the second team's work, an Executive Committee member of KCLC (who is also a reporter) along

with an Indian Express reporter visited Nagasandra on September 24th. They found that polarisation along caste lines increased further. Harijans whose only fault was informing the KCLC teans about their plight over the decades were now the black sheep. A considerable chunk of Harijans who were bribed and coerced by the Reddys started intimidating the others and tried to pick quarrels on every petty issue. "Anyone from Bangalore will be thrashed if he steps into the village", the landlords' men faithfully repeated what their masters had prompted them.

Three drunken youth entered a house where the reporters were talking to the bonded labourers on 24th evening. Objecting to some photographs that had been taken by the reporters they demanded for the film. Half the exposed film was given to them sensing that they were bent in kicking up a row. Later, when about a hundred people gathered to talk to the newsmen, a volley of stones descended on them, injuring four persons including a two-year old girl. The men immediately herded women and children into the safety of a house, averting further casualties. Stoning continued intermittently for over an hour. The reporters who were escorted away by the Harijans managed to escape. Anjanappa, a bonded labourer, who was struck on the temple was bleeding profusely. Too frightened to stay, some of the Harijans wanted to leave the village immediately. But word got around that 30 of the landlords' men armed with sticks and sickles were waiting at the village entrance.

Next morning, more than 40 Harijans joined the reporters to lodge a complaint with the Sub-Inspector in Gauribidanur. The inspector showed only cursory interest in the matter inspite of the presence of newsmen, passed the case to the Head Constable and hurriedly left for Kolar. Neither police protection was provided in the Harijan colony nor was action taken against the landlords' henchmen.

What the reporters heard from the DC, DC (Special) and DC (Special-Revenue) whom they met in Kolar was even more

disappointing. The officials refused to accept the fact that there were bonded labourers in Nagasandra. In addition they remained indifferent to the landlords' repression in the village. "According to our *Investigations*, bonded labour system does not exist in the village and the chapter is closed as far as we are concerned", they said. "Our inquiries show that they (the Harijans) get Rs. 2 to Rs. 3 plus two meals a day and therefore their daily wage works out to Rs. 6.50 or 7.00 which is in order", they claimed.

Observing these developments and attitude of the officials a five-member delegation from KCLC met the Rural Development Minister, Mr. Abdul Nazir Sab on September 27th who promised the earlier delegation on August 3rd that he would visit the village along with KCLC members. The KCLC delegation told the minister in clear terms that the delay in taking action would make things worse for the Harijans and the High Court's intervention might be necessary to resolve the matter. (Appendix-4).

Official Enquiry

On 30th September, the Rural Development Minister with four KCLC members and one activist from PUCL, Mysore, and a couple of reporters started from Bangalore. They were joined at Gauribidanur by all the three DCs, BDO, Tahsildar, one Assistant Commissioner and a Correspondent of Deccan Herald.

Just four days prior to this there was a small altercation over collection of water from a well and this was reason enough for the landlords' men to severely beat up five Harijans including a woman, Muthu Gangamma. They were taken to Gauribidanur and admitted to the Government Hospital. Even complaints given in the Police Station and the demonstration by Dalit Sangharsha Samiti in Gauribidanur were of no practical use.

Meanwhile, a rival organisation of Harijans (Harijan Sangha) was floated by the landlords whose principal objective was to re-establish 'harmony' between the bonded labourers and

the landlords. Money and liquor flowed. Pamphlets were printed alleging that the peasants' organisation in Nagasandra and newspaper reporters from Bangalore were destroying the 'peace' of the village. The starting of this Harijan Sangha set the stage for open confrontation by the landlords.

When the Minister entered the village all the people from the Harijan colony gathered. An old man, emaciated and looking forlorn, fell at the Minister's feet and started saying, "We cannot stay in this village. Please show us some place where we can live in peace". KCLC members produced their list of 77 bonded labourers and suggested that the identification be done in a systematic way. One by one the names were read out and the minister, assisted by the AC asked questions regarding their wages, name of their landlords, whether they were in debt bondage, how much loan they took, etc. More than 40 out of the 77 cases recorded by KCLC spoke and revealed the facts. The DCs, Tahsildar and other officials who had no explanation for their earlier reports where they had mentioned that there was not a single bonded labourer in the village hurriedly noted the details.

But the work was interrupted by a procession taken by Harijan Sangha sponsored by the landlords. Slogans were raised against the Minister, the Janata Government and press reporters. After ten minutes of shouting and arguments, the Minister along with the officials had to call off the enquiry. As they were leaving Nagasandra, stones were flung at their vehicles.

Case Studies

(1) Peka Hanumanthappa borrowed Rs. 700 from Anjayya. He and his elder son, Govindappa (18), served Anjayya as his serfs for 11 years after which Hanumanthappa could no longer go to work due to advanced age.

The loan was to be cleared on the basis of bondage at Rs. 100 for the first year, Rs. 150 for the second year, Rs. 200 for

the third and fourth years. Hanumanthappa approached the landlord at least four or five times in the past two years but the standard reply he got was "Govindappa has to work for another two years to become free".

Circumstances forced Hanumanthappa to mortgage his second son Gangadharappa's freedom also to Mallayya (Anjayya's brother) three years ago for a loan of Rs. 400. It is unclear if Hanumanthappa's family will ever come out of bondage.

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(2) Gangayya (25), was forced into bondage for borrowing Rs. 800 from Shiva Shankar Reddy. Having served for 10 years continuously, he was thrown out after news reports appeared following the visit of the KCLC teams. Frightened by threats, he borrowed Rs. 200 from elsewhere and paid the amount to the landlord. "The landlord is still asking me to pay another Rs. 600", he told the team members.

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(3) Narasimhappa served the same landlord (Shiva Shankar Reddy) for nine years and stopped work about 10 months back when he fell seriously ill. The landlord threatened to kill him if he did not pay back Rs. 1000. The landlord's contention was that the nine years of service was just enough to clear the interest on the loan and the principle amount was yet to be cleared.

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(4) Narasimha Moorthy (18), an orphan, worked for Madan Gopal Reddy for five years after which he served Madan Gopal Reddy's brother, Balayya for three years. In the wake of publicity in the papers, he was forced to become 'free' only after he paid Rs. 50 to the landlord. The loan amount which bonded Moorthy eight years ago was Rs. 150.

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(5) Yeti Gangappa (45) served as a bonded labourer for 12 years for a wage of Rs. 30 per year. Five years ago he took Rs. 1,000 from Chakkriappa and sent his seven-year-old son Narayanappa to graze cattle for a wage of Rs. 120 per year. Gangappa had to borrow another Rs. 1,500 from the landlord this year for his daughter's marriage. The result: his second son Ramakrishnappa who is eight years old entered into bondage. "How can we escape from this system?" Gangappa asked KCLC members, "when we do not make an independent living and only Reddy can come to our rescue whenever we need money for marriages and for other festivals? "Sixty of us Harijans applied for a loan for buffaloes last year and since then we have been begging the officials in vain", complains Gangappa.

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(6) The struggle of Karethimmappa (30) is again long drawn and futile. At 18 he became a slave to landlord Anjiah.

Anjiah had forwarded Rs. 500 to Karethimmappa's uncle for his marriage. Karethimmappa, his father and his uncle had to work for five years to repay the debt. As the five-year term came to an end, Anjiah asked Karethimmappa to remain as a slave and promised to get him married "as a reward for his dedicated servitude". "But when it came to paying the money for my marriage", Karethimmappa raised his voice in anger. "he said the money would not be interest-free. In disgust I left Anjiah, prepared to face his wrath. However on my way back, Pedda, Chakrappa called me and asked me to work for him." Pedda Chakrappa was a landlord and Anjiah's brother.

Since Karethimmappa was 'still working for the same family' he escaped Anjiah's vengeance.

Anatomy of the Problem

Both under the Zamindari and Rayotwari systems of the British, many small peasants and artisans became impoverished.

Land became a commodity for sale and mortgage. The landlords and rich peasants normally were the high caste Hindus. Intermediate castes such as Nayaks became marginal farmers. Many Harijan families of Nagasandra lost their tiny bits of land even after Independence, (mainly in the 50s) to the Reddys, entering into a relationship of total dependency with the landlords. There was very little or no development in the productive forces and feudal relations prevailed in Nagasandra. To circumvent the Land Reforms Act and the Land Ceiling Legislation the landlords usually divided land among their family members. Mr. Shiva Shankar Reddy still manages to own 300 acres of land in Nagasandra alone and another 200 acres in Viduraswatha, a neighbouring village by proportioning it under the names of his family members and relatives. The abysmally low level of wages and the continual need to borrow money for exigencies and marriages or festivals kept the labourers in a perennial state of dependence and bondage. Disputes over wages and the periods of bondage, etc. are alien to this feudal setting since the landlords are the only source of employment and the only money lenders. With their high political clout and in close connivance with the bureaucracy and police, the landed gentry maintain an autocratic rule.

Backward agricultural methods and concentration of power in the hands of one or two landlords by virtue of very big landholdings result in bondage of the poor in villages like Nagasandra and their labour as cheap as Rs. 50 to Rs. 100 a year in contradistinction to the bonded labourers getting upto Rs. 1000 a year where the agricultural methods are developed and where such high concentration of wealth and power does not exist. The low caste and depressed economic status makes the servility of the labourers in relation to his master an accepted norm. Even those who are outside these more or less customary ties in Nagasandra are paid low wages (Rs. 3.50 to men and Rs. 2.50 to women). In fact, considerable number of cases where a Harijan family holding one or two acres of land also borrowed money

from the landlords and mortgaged one member of the family were observed. Nagasandra is famous for the 'jeetha' system even among neighbouring villages. Jeetha is a rule rather than an exception here.

A few months back, the landless Harijans and poor peasants formed a Peasant and Farm Labourers Association and many issues like minimum wages for the free labourers, years of bondage and payment of wage to those bonded and distribution of Govt. land to the landless, development schemes for the poor-Harijans came up to the Sangha for implementation. The entire framework of dependence and subjection is now called into question. Poor peasants from other castes were coerced by the Reddys to disown the organisation and successfully alienated the Harijans. Only one condition was to be met for a Harijan to escape the wrath of the landlords : coming out of the Sangha.

Press reports and intervention of the government after persuasion by KCLC further intensified the social contradictions. Regular harassment, serious threats and refusal to give work accompanied with favours and booze divided the Harijans and more than 50 of them moved over to the side of the landlords.

Attempts are being made to bury the fundamental issues of exploitation, payment of minimum wages, rehabilitation of bonded labourers. land ceiling and distribution of surplus land and government or gomal land under the issue of caste. The problem is cleverly twisted into one of the Peasants Sangha versus the landlords' Harijan Sangha.

The bureuacracy on its part shows a casual and indifferent attitude. Figures in thousands exist in the records of the District Rural Development Societies including the yearly targets for release and rehabilitation of the bonded labourers (In Mysore District, for instance, out of a target figure of over 22,600 hardly 1000 bonded labourers were released and given the compensation amount of Rs. 4000 in 1982-83 according to official figures). Yet the DCs and Tasildar managed to miss the fact that bonded

labourers existed in Nagasandra. The very authorities to enforce the Act and implement rehabilitation programmes create confusion over the definition of Bonded Labour where none exists. The Act of 1976 and subsequent Supreme Court judgements make this very clear. Rather than welcoming the civil liberties activists and social workers about whose role in the process of identification and rehabilitation there is explicit mention in the Act and the judgements, the politicians and bureaucrats almost all parts of the country collude with the local vested interests and frustrate their efforts.

A facade of liberation for the millions of bonded labourers was created during the Emergency in 1975-76 and the much wanted media publicity was successfully managed by the Congress (I) in order to attain a "progressive" colour. The lot of these millions of people has not improved a wee bit during Janata rule and after. Even those who were officially released were not effectively rehabilitated driving them once again into bondage. Non-implementation of the proclaimed progressive policies is not only due to lack of will and commitment on part of the officials and politicians but is structurally linked with the social base of the political parties themselves. Janata and Congress (I) both rely on landlords for electoral support and funds. This is quite clear from the fact that hardly any landlord has been tried under the law and penalised although the Act spelt out the punishment quite clearly. (Appendix-5). 'Equality before the Law' does not apply to the landlords and officials who abett the practice who are no less than criminals as per the Act.

Nagasandra is not the only village where bonded labourers exist. Nor is it the primary task of civil liberties organisations to bring the facts and figures from these villages which are already available in government records to the notice of the ministers and officials. With parliamentary elections round the corner, the political parties in power are putting up their best efforts to rake up the issue once again.

Summary

1. KCLC teams identified 77 cases of bonded labour in H.Nagasandra(Appendix-2.) The debt amount ranged from Rs. 80 to Rs. 1,500 and the period of bondage from one year to life.

2. One landlord employed at least 14 bonded labourers while another two landlords had seven and five bonded labourers each. The big landlords employed free labour only in busy harvest seasons and managed with their serfs during the other period.

3. Most of the bonded labourers or their fathers borrowed money for medical expenses or marriages and some of them borrowed money for their day-to-day sustenance.

4. The interest rates are never known to the bonded labourers. In some cases, even after 10 to 12 years of serfdom, the landlords told the bonded labourers that their services cleared only the interest accrued and if they stopped working the debt amount had to be paid back. Alternatively, someone else from the bonded labourer's family (sons/brothers) had to be bonded instead.

5. In 1980 whereas there were more than 125 bonded labourers in the village, only two were identified and given sheep. One of them went back into bondage after selling the sheep to repay the loan to the landlord.

6. The village was completely under the control of a handful of landlords who owned about 600 acres of land and most of the irrigation wells. No benefits from rural development schemes reached the landless Harijans and bonded labourers.

7. Bureaucracy was totally indifferent and cold to the issue of bonded labour, low wages and backwardness of the 200 odd Harijan families. Initially sending false reports to the Ministry, the DCs and Tahsildar identified the bonded labourers only

under pressure and in the presence of the Minister and KCLC members who persuaded the Minister to visit the village.

8. Subsequent to the official enquiry by the Minister and KCLC, the officials identified 83 bonded labourers in H. Nagasandra.

9. While writing this report, KCLC is pursuing with the Rural Development Ministry the methods of release and rehabilitation of the identified bonded labourers. Schemes whereby the bonded labourers can be permanently rehabilitated by giving them land and assistance till they become self-supporting are being suggested to the Ministry.

Bonded Labour System—Present Situation

Bonded labour and violence by the landlords is not exclusive to H. Nagasandra village. Right from 1806, with the Bengal Regulations Act which banned the agrestic slave system but allowed forced labour by Act VI of 1825, and a series of apparently progressive legislations abolishing bonded labour have had a very feeble impact in altering the plight of the lakhs of bonded-labourers in India.

1. The Indian Penal Code of 1862 banned the bonded labour system and made it a punishable offence. In 1947, the Provincial Labour Minister's Conference agreed in principle to abolish the bonded labour system.

2. Consequent to the adoption of the Constitution of India (1951), forced labour in any form was made a punishable offence under Indian Penal Code 874, according to Article 23 of the Constitution which guarantees the 'right against exploitation' by prohibiting "traffic in human beings and 'begar' and other similar forms of forced labour".

3. Bonded Labour System (Abolition) Act, 1976, made provisions to form vigilance committees to take up a detailed survey

and identify the bonded labourers, initiate the release and complete rehabilitation work. According to this Act, the creditor extracting work from his bonded labourers can be punished with a fine upto Rs. 2,000 and imprisonment upto three years. *The Act also placed the burden of proof on the creditor.*

4. According to a survey conducted by the Gandhi Peace Foundation (GPF) in 1978-79, more than 26 lakhs of bonded labourers exist in 10 states in the agricultural sector. Uttar Pradesh tops the list with 5.5 lakh bonded labourers followed by Madhya Pradesh with five lakhs. The GPF study also shows 1.93 lakh cases of bonded labour in Karnataka, with 'very high incidences' (20,000 and above) in Bangalore and Shimoga districts, 10,000 to 20,000 in Gulbarga, Kolar, Mysore, Uttar Kannada and Raichur districts, and 'medium' incidences (5,000 to 10,000) in Dharwar, Hassan and Mandya districts.

5. As recently as May 1984 the Supreme Court judgment (Justices J. Bhagavathi and A. N. Sen) in the case of Nirja Chowdhury, Human Rights correspondent of the Statesman Vs the State of Madhya Pradesh noted that the officials responsible are "either in sympathy with the exploiting class or lacking in social commitment" and the members of the Legislative Assembly "hardly have time" and the Panchayats "dominated as they are sometimes, by the vested interests" may not be very effective in the task of identifying and rehabilitating the bonded labourers.

6. The final report of the Programme Evaluation Organisation of the Planning Commission released on June 12th, 1984, revealed that there are over 32 lakh bonded labourers in the country. The report attributed the plight of the bonded labourers (especially those released but not rehabilitated) to lack of urgency on part of the officials at various levels.

The report categorically stated that no effort was made to integrate the rehabilitation schemes with ongoing beneficiary schemes like the Food for Work Programme, Integrated Rural

Development Programme and PWD works. Further, this report urged the Ministry of Labour to raise the rehabilitation assistance from Rs. 4,000 (at present) to Rs. 10,000 to Rs. 15,000.

7. According to the latest figures received from various states by the ministry (which is administratively responsible for the rehabilitation programme), only 4,190 bonded labourers were rehabilitated between April and July this year as against the target of 30,633 for 1984-85. In Karnataka the actual and target figures are 1,553 and 10,000 respectively.

8. In the fourth meeting of the Central Planning Committee of Bonded, Migrant and Casual Labour on October 9th, Mr. Veerendra Patil, Minister for Labour, asked the law enforcing machinery of the Central and State governments to be more vigilant, sensitive and responsive to the complaints of harassment and exploitation of bonded, migrant and casual labour by the employers. Bonded Labour System (Abolition) Amendment Bill has been introduced in the Rajya Sabha for bringing within purview of the Act the contract and migrant labourers who work under conditions akin to debt bondage but who might not be identified as such in terms of Section 2 G of the Act.

Recommendations

1. All the identified bonded labourers should be given the release certificates.
2. The officials shall ensure that the landlords do not force the released bonded labourers to pay back the loan amounts or extract forced labour from them or their children.
3. Each bonded labourer shall be given buffaloes, seeds, goats, sheep etc. worth at least Rs. 15,000 as the compensation (foot note (i))
4. a) Land should be allotted to all the released bonded labourers as well as other landless Harijans. At least 4 to 5

acres of land should be given to a family of 4 or 5 members. This is the only way to ensure that the Harijans do not go back to bondage (foot note (ii))

- b) According to the official records, surplus land (Gomal, etc) was distributed among Harijans. But in actuality most of the land was occupied by the big landlords and rich farmers. This land should be given back to the landless Harijans.
- c) In addition to the land, all facilities to make every landless Harijan independent such as seeds, bullocks, agricultural implements, irrigation wells, etc. should be provided to them.
- d) Sufficient loan amounts shall be provided to the Harijans from the banks.
- e) KCLC recommends collective farming.

5. While working out the rehabilitation schemes and implementing them, KCLC demands that the Government should involve two members from KCLC and one journalist as a watchdog committee.

6. Legal action should be immediately taken against the landlords who continued to employ bonded labourers after the Act and harassed the Harijans in the recent months.

Foot notes :

- (i) The Planning Commission recommended in June, 1984 that the compensation shall be raised to Rs. 10,000 to Rs. 15,000 from Rs. 4,000 presently given.
- (ii) One of the DCs himself conceded while talking to the KCLC members and the Rural Development Minister that about 200 acres of land including the Government land can be readily released and distributed to the Harijans of H. Nagasandra.

**LIST OF BONDED LABOURERS
IDENTIFIED BY KCLC**

Name of the bonded labourer	Name of the bond master
1. Ramanjappa	Shiva Shankar Reddy
2. Narasimhappa	"
3. Gangadhara	"
4. Narayanappa	"
5. Gangappa	"
6. Ramanjappa	"
7. Narasimha	"
8. Kadirappa	"
9. Nanjundappa	"
10. Anjinappa	"
11. Nanjundappa	"
12. Kadirappa	"
13. Anjappa	"
14. Krishnappa	"
15. Anjanappa	Madana Gopala Reddy
16. Madanappa	"
17. Narasimha Murthy	"
18. Gangappa	"
19. Murthy	"
20. Ashwatha	"
21. Kachi Kadirappa	"
22. Govindappa	Chinna Chakirappa Reddy
23. Narayanappa	"
24. Yeti Gangappa	"
25. Ramakrishnappa	"
26. Siddesh	"

27.	Gangadharappa	Pedda Chakkirappa Reddy
28.	Gangayya	„
29.	Narayanappa	Dayakara Reddy
30.	Anjanappa	„
31.	Gangappa	Hanumantha Reddy
32.	Kokki Narayanappa	„
33.	Kadirappa	„
34.	Murthappa	Thimma Reddy
35.	Gangadharappa	„
36.	Shivashankar	Chinnappa Reddy
37.	Dali Narasimhayya	„
38.	Govindappa	„
39.	Gangadharappa	Krishna Reddy
40.	Gangadharappa	Reddappa
41.	Keshavappa	„
42.	Ashwathappa	Thimmappa
43.	Kari Thimmappa	Mallayya, Anjappa
44.	Gangadhara	Mallappa
45.	Ramanujappa	Sanjiva Reddy
46.	Mangappa	Ramakrishna Reddy
47.	Narasimhudu	Jukappa
48.	Narayana	Chinna Chakkirappa
49.	Chitrappa	„
50.	Rameppa	„
51.	Sanivarappa	Babu Reddy
52.	Hanumanthappa	Thimma Gowda
53.	Dalappa	Venkatarama Gowda
54.	Sriramayya	Narayana Gowda
55.	Aswatha	Nindappa Gowda
56.	Murthappa	Venkataramappa
57.	Nagarajappa	Thimmayya
58.	Gangappa	„
59.	Narasimha	Gangi Reddy
60.	Venkatesha	Ramayya
61.	Anjappa	Anjinappa Reddy
62.	Aswathappa	Srinivasa Gowda
63.	Anjappa	Sigi Rangappa

64. Narasimha Murthy	Thimmappa Reddy
63. Narasimhayya	Ramayya Gowda
66. Narasimhappa	”
67. Anjappa	Mudda Malappa
68. Machappa	Venugopala Reddy
69. Thimmayya	”
70. Kadirappa	”
71. Nagaraj	”
72. Venkatesh	”
73. Rangappa	”
74. Nagaraju	Chikkaramayya
75. Narasappa	”
76. Gopal	Sigi Rangappa
77. Gangadhara	Gangappa

KARNATAKA CIVIL LIBERTIES COMMITTEE (KCLC)

Memorandum To The Minister For Rural Development And Panchayatraj (Karnataka), Mr. Abdul Nazir Sab

1. As you are aware the Karnataka Civil Liberties Committee (KCLC) recently deputed fact-finding teams to Huduthi Nagasandra village in Gauribidanur Taluk of Kolar District to investigate into the existence of bonded labour. Brief reports describing the plight of the bonded labourers appeared in the Indian Express and Sunday Mid-day on July 22/23, 1984. A detailed report is being prepared and will be forwarded to you shortly.

2. The primitive practice of employing bonded labourers is widespread in the State. A study conducted by the Gandhi Peace Foundation in January 1981, identified 26.17 lakh bonded (agricultural) labourers in ten States in India of which about 1.93 lakhs are in Karnataka. This inhuman and exploitative system is prevalent inspite of the Bonded Labour (Abolition) Act, 1976. Besides even those few bonded labourers identified and released from bondage and loans were not effectively rehabilitated. Hundreds of them neither received the relief amount nor were shown any alternative means of livelihood. Very predictably they went back into bondage.

3. The case in point is H. Nagasandra where *only two persons* were identified as bonded labourers and rehabilitated. What the members of KCLC's fact-finding teams recorded and experienced when they visited the village is shocking. Over 50 bonded labourers were identified and several others hesitated to be identified openly. The poorest of the poor live virtually at

the mercy of a few landlords in H. Nagasandra. Government (Pasture) or 'Gomal' land has not been distributed to the landless. Proper education and medical facilities were not available to the Harijans and poor villagers of other castes. The rural development programmes are patently ineffective. Many of the poor people took small loans ranging from Rs. 100 to Rs. 1,500 (and even smaller amounts in a few cases) from the landlords and have been serving their landlord-masters as serfs for periods ranging from 3 to 18 years (and more than 25 years in a few instances). This is a primitive loan-against-labour arrangement where the adequacy of labour as loan repayment is entirely decided by the money lending landlords. Even small boys from 8 to 15 years are victims to this feudal practice which forces them to carry out hard labour and domestic work in the landlord's farms and households.

Cases of assaults instigated by the landlords were also reported to the KCLC. The members of our team which visited the village on July 3, 1984 were intimidated and there was an attempt to attack them. This was apparently aimed at disrupting their mission of gathering statements from the bonded labourers.

4. KCLC strongly felt the need to focus this problem and take up the H. Nagasandra case in the High Court. However, we are glad that soon after reports appeared in newspapers, you have directed the concerned officials to take the necessary action in this connection. Based on reports from Bihar, UP, Madhya Pradesh as well as districts of South Canara, Bijapur, Raichur, Kolar, etc in Karnataka, we state with a good degree of certainty that the rehabilitation programmes have been very ineffective. Landlords themselves are, in many instances cynically appropriating compensation amounts, casual and perfunctory officials fail dismally in the difficult task of identifying bonded labour. Under threat and intimidation always, the poor are understandably not forthcoming.

5. KCLC's study and interviews in H. Nagasandra have made it possible to collect details such as the names of landlords who had forced labourers into bondage, the period of bondage, loan amounts, etc. KCLC members are familiar with the local problems and are quite conscious of the possible conflicting pressures that the bonded labourers would face—from officials in charge of the identification and rehabilitation programme and from landlords, on whom they are entirely dependent for their livelihood. In view of this, KCLC is ready to participate with the Government in making the identification and rehabilitation more meaningful and complete, by supplying the data collected during its investigations and accompanying the concerned officials during identification programme.

6. The combined efforts as suggested above should make the process of identification of cases smooth and the rehabilitation programme thorough. We strongly believe that many lacunae can be avoided at this stage itself.

7. KCLC further requests you to examine the rehabilitation programme vis-a-vis distribution of 'Gomal' land, surplus private land, IRDP and NREP schemes and direct the BDO, Tahsildar and Village Accountant to provide official records regarding these four items to KCLC's team which will visit Gouribidanur and H. Nagasandra.

KARNATAKA CIVIL LIBERTIES COMMITTEE (KCLC)

Memorandum To The Minister For Rural Development & Panchayatraj, Mr. Abdul Nazir Sab

SUB : BONDED LABOUR-H NAGASANDRA

1.0 On 3rd August, 1984 a delegation from our organisation met you and submitted a memorandum requesting your intervention in the bonded labour issue brought to light by our fact-finding teams in July.

2.0 As an organisation working against violation of human rights, we expressed our deep concern about the primitive and inhuman practice of bonded labour ("Jeetha"). We pointed out that utmost importance shall be given to the release and *effective rehabilitation* of all the bonded labourers of Huduti Nagasandra village as identified by our fact-finding teams. We volunteered to offer assistance from KCLC in identifying the bonded labourers. You have informed us that you would take personal interest in the matter and assured us that you would initiate and supervise the identification as well as rehabilitation programmes together with a watch-dog committee proposed by our organisation. We have so far not received any intimation from your office.

3.0 We gather that as soon as reports appeared in the newspaper, the landlords of H. Nagasandra ordered all the bonded labourers to leave their work and started harassing them to return the loan amounts. Further, there was a social boycott in the village in which more than hundred families of Harijans (including those who were bonded) were isolated and put to many

hardships. They were denied work and not allowed to buy even rice and other daily necessities from the shops owned by the landlords and their supporters. There seems to be more polarisation on the caste lines and the landlords had split the Harijans and by way of threats and bribes have managed to pit a few of them against the rest.

4.0 The District Commissioners who visited H. Nagasandra on your instructions are reported to have spent hardly one hour in the village. We gather that they could not meet the bonded labourers and other Harijans who went for road works. Only those who are hand in glove with the landlords spoke to the DCs and gave them false report that there were no bonded labourers.

5.0 That the tensions have mounted at dangerous proportions in the village and strong-arm tactics are used to harass and oppress a large section of the poor Dalits is clear from the recent reports in the Press (Indian Express-25th and 26th September). We would like you to also notice that even the journalists were not spared by the henchmen of the landlords and upper caste people of Nagasandra. One of the reporters who were attacked happens to be a member of our Executive Committee and we were informed by him that even the sub-inspector at Gauribidanur with whom they feild a complaint was not sympathetic. Even the DCs whom the reporters met do not seem to appreciate the seriousness of the problem.

6.0 In light of the above, we would like to point out that delay on the part of the government and apathy of the officials are responsible for the unfortunate and most disturbing developments in H. Nagasandra. We therefore request your immediate attention to the problem and demand action in respect of the specific issues of (i) identifying all the bonded labourers employed till two months back, (ii) arranging compensation amount as per rules to them and effectively rehabilitating them, (iii) Protection to the Harijans who are being haraseed by the landlords, (iv) Action against those responsible for the attempted

assault on the reporters and Harijans on September 23rd. We would also state that if no immediate action is taken in this regard, we will be forced to seek alternative methods to release and rehabilitate the bonded labourers.

THE BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976

No. 16 of 1976

[9th Feb, 1976]

An Act to provide for the abolition of bonded labour system with a view to preventing the economic and physical exploitation of the weaker sections of the people and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Twenty-seventh Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

Short title, extent and commencement

1. (1) This Act may be called the Bonded Labour System (Abolition) Act, 1976.
- (2) It extends to the whole of India.
- (3) It shall be deemed to have come into force on the 25th day of October, 1975.

Definitions

-
- (f) "bonded labourer" means a labourer who incurs, or has, or is presumed to have, incurred, a bonded debt;
- (g) "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 any 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 an obligation devolving on him or 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,

he would—

- (1) render, by himself or through any member of his family, or any person dependent on him, labour or service to the creditor or for the benefit of the creditor, for a specified period or for an unspecified period, *either without wages or for nominal wages*, or
- (2) forfeit the freedom of employment or other means of livelihood for a specified period or for an unspecified period, or
- (3) forfeit the right to move freely throughout the territory of India, or
- (4) forfeit the right to appropriate or sell at market value any of his property or product of his labour or the labour of a member of his family or any person dependent on him.

and includes the system of forced, or partly forced labour under which a surety for a debtor enters, or has, or is presumed to

have entered, into an agreement with the creditor to the effect that in the event of the failure of the debtor to repay the debt, he would render the bonded labour on behalf of the debtor,

- (h) "family", in relation to a person, includes the ascendant and descendant of such person;
- (i) "nominal wages" in relation to any labour, means a wage which is less than,—
 - (a) the minimum wages fixed by the Government, in relation to the same or similar labour, under any law for the time being in force, and
 - (b) where no such minimum wage has been fixed in relation to any form of labour, the wages that are normally paid, for the same or similar labour, to the labourers working in the same locality;
- (j) "prescribed" means prescribed by rules made under this Act.

CHAPTER II

ABOLITION OF BONDED LABOUR SYSTEM

Abolition of bonded labour system

- 4. (1) On the commencement of this Act, the bonded labour system shall stand abolished and every bonded labourer shall, on such commencement, stand freed and discharged from any obligation to render any bonded labour.
- (2) After the commencement of this Act, no person shall—
 - (a) make any advance under, or in pursuance of the bonded labour system, or

- (b) compel any person to render any bonded labour or other from of forced labour.

Agreement, custom, etc., to be void

- 5 On the commencement of this Act. any custom or tradition or any contract, agreement or other instrument (whether entered into or executed before or after the commencement of this Act) by virtue of which any person, or any member of the family or dependant of such person, is required to do any work or render any service as a bonded labourer, shall be void and inoperative

CHAPTER III

.....

Creditor not to accept payment against extinguished debt

9. (1) No creditor shall accept any payment against any bonded debt which has been extinguished or deemed to have been extinguished or fully satisfied by virtue of the provisions of this Act.
- (2) Whoever contravenes the provisions of sub-section (1), shall be punishable with imprisonment for a term which may extend to three years and also with fine.
- (3) The court, convicting any person under sub-section (2) may, in addition to the penalties which may be imposed under that sub-section, direct the person to deposit, in court, the amount accepted in contravention of the provisions of sub-section (1), within such period as may be specified in the order for being refunded to the bonded labourer.

CHAPTER IV

IMPLEMENTING AUTHORITIES

.....

Duty of District Magistrate and other officers to ensure credit

11. The District Magistrate authorised by the State Government under section 10 and the officer specified by the District Magistrate under that section shall, as far as practicable, try to promote the welfare of the freed bonded labourer by securing and protecting the economic interests of such bonded labourer so that he may not have any occasion or reason to contract any further bonded debt.

Duty of District Magistrate and officers authorised by him

12. It shall be the duty of every District Magistrate and every officer specified by him under section 10 to inquire whether, after the commencement of this Act, any bonded labour system or any other form of forced labour is being enforced by, or on behalf of, any person resident within the local limits of his jurisdiction and if, as a result of such inquiry, any person is found to be enforcing the bonded labour system or any other system of forced labour, he shall forthwith take such action as may be necessary to eradicate the enforcement of such forced labour.

CHAPTER V

VIGILANCE COMMITTEES

Vigilance Committees

13. (1) Every State Government shall; by notification in the Official Gazette, constitute such number of Vigilance Committees in each district and each Sub-Division as it may think fit.

(2) Each Vigilance Committee, constituted for a district, shall consist of the following members, namely :—

- (a) the District Magistrate, or a person nominated by him, who shall be the Chairman;
- (b) three persons belonging to the Scheduled Castes or Scheduled Tribes and residing in the district, to be nominated by the District Magistrate;
- (c) two social workers, resident in the district, to be nominated by the District Magistrate;
- (d) not more than three persons to represent the official or non-official agencies in the district connected with rural development, to be nominated by the State Government;
- (e) one person to represent the financial and credit institutions in the district, to be nominated by the District Magistrate.

Functions of Vigilance Committees

14. (1) The functions of each Vigilance Committee shall be :

- (a) to advise the District Magistrate or any officer authorised by him as to the efforts made, and action taken, to ensure that the provisions of this Act or of any rule made thereunder are properly implemented;
- (b) to provide for the economic and social rehabilitation of the freed bonded labourers;

- [c] to co-ordinate the functions of rural banks and co-operative societies with a view to canalising adequate credit to the freed bonded labourer;
 - [d] to keep an eye on the number of offences of which cognizance has been taken under this Act;
 - [e] to make a survey as to whether there is any offence of which cognizance ought to be taken under this Act;
 - [f] to defend any suit instituted against a freed bonded labourer or a member of his family or any other person dependent on him for the recovery of the whole or part of any bonded debt or any other debt which is claimed by such person to be bonded debt
- [2] A Vigilance Committee may authorise one of its members to defend a suit against a freed bonded labourer and the member so authorised shall be deemed, for the purpose of such suit, to be the authorised agent of the freed bonded labourer.

Burden of proof

15. Whenever any debt is claimed by a bonded labourer, or Vigilance Committee, to be a bonded debt, the burden of proof that such debt is not a bonded debt *shall lie on the creditor.*

CHAPTER VI

OFFENCES AND PROCEDURE FOR TRIAL

Punishment for enforcement of bonded labour

16. Whoever, after the commencement of this Act, compels any person to render any bonded labour shall be puni-

shable with imprisonment for a term which may extend to three years *and also* with fine which may extend to two thousand rupees.

Punishment for advancement of bonded debt

17. Whoever advances, after the commencement of this Act, any bonded debt shall be punishable with imprisonment for a term which may extend to three years *and also* with fine which may extend to two thousand rupees.

Punishment for extracting bonded labour under the bonded labour system

18. Whoever enforces, after the commencement of this Act, any custom, tradition, contract, agreement or other instrument, by virtue of which any person or any member of the family of such person or any dependant of such person is required to render any service under the banded labour system, shall be punishable with imprisonment for a term which may extend to three years and also with fine which may extend to two thousand rupees; and, out of the fine, if recovered, payment shall be made to the bonded labourer at the rate of rupees five for each day for which the bonded labour was extracted from him.

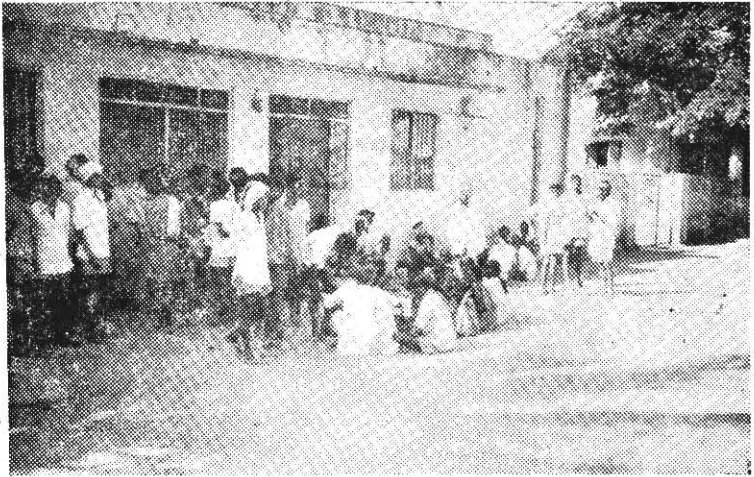
Abetment to be an offence

20. Whoever abets any offence punishable under this Act shall, whether or not the offence abetted is committed, be punishable with the same punishment as is provided for the offence which has been abetted.

Explanation :—For the purpose of this Act, “abetment” has the meaning assigned to it in the Indian Penal Code.

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Bonded Labour In Nagasandra



Bonded labourers of Nagasandra gather outside the taluk office at Gauribidanur following an attack on them by landlords.

**KARNATAKA CIVIL LIBERTIES
COMMITTEE (KCLC)**

BANGALORE

NOVEMBER-1984

'No one shall be held in slavery or servitude'—Article 4

'Everyone has the right to freedom of movement and residence within the borders of each state'—Article 13 [1]

'Everyone has the right to work, to free choice of employment and favourable conditions of work and to protection against unemployment'—Article 23 [i]

—From Universal Declaration of Human Rights

India is a signatory to the above declaration proclaimed by the General Assembly of the United Nations. Besides, Article 19 of the constitution of India guarantees the fundamental right 'to move freely within the territory of India, to reside and settle in any part of the country and to practice any profession and to carry on any occupation, trade or business'. Article 23 guarantees the 'right against exploitation' and prohibits 'traffic in human beings and other similar forms of forced labour'...

Yet children are sold into bondage, generations of men have lived under serfdom and the rights enshrined in the constitution of 'free' India are unknown to the lakhs of bonded labourers. For thousands of Kamiyas in Madhya Pradesh, Bandhuas of Bihar, Palarus of Andhra Pradesh and Jeethadaalus in Karnataka, the only way of life is everlasting bondage. The complicity of the government in the centre or the states has made no qualitative difference in the lives of bonded labourers who are denied even the right to sell their labour in a free market or for fair wages. Despite the tall talks, Acts and Laws, no landlord has been brought to book till now. The dilemma confronting many a bonded labourer is to choose between famished existence as slaves and starvation in freedom.

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Top: One of the bonded labourers relating his tale of woe to KCLC member.

Below: Landlord Shivashankar Reddy's residence.