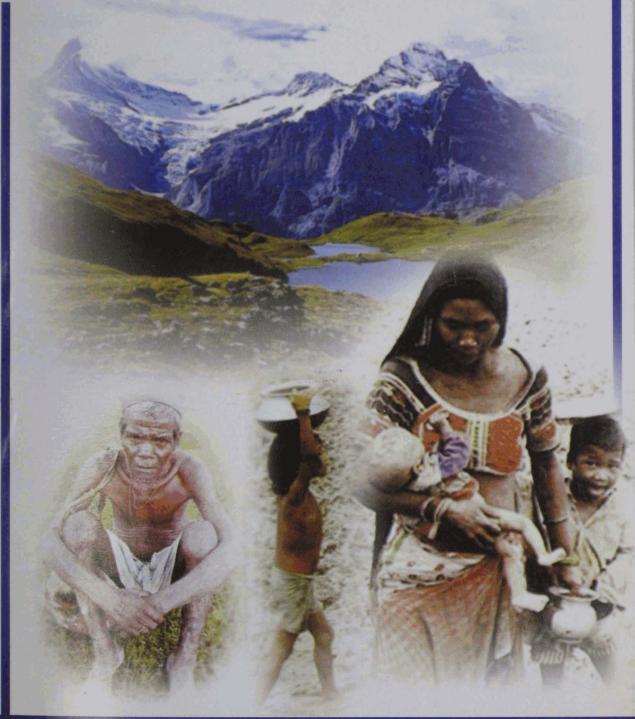
BONDED LABOUR (KAMAIYA) IN NEPAL



BONDED LABOUR (KAMAIYA) IN NEPAL

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Trilij Counselling Centre

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Dedicated to

My grandfather and grandmother

Mr. Jagannath Lamichhane &

Mrs Iswori Lamichhene

and the martyrs of

Janaandolan I & II

Prof. Mangal Siddhi Manandhar, Ph.D.

Former Vice Chairman
National Planning Commission
Govt./Nepal
Member of Parliament

FOREWORD

The book 'Bonded Labour (Kamaiya)' on Tharu Community in Nepal is a laudable work in the area of social development geography. The work is a comprehensive, eye-opening document sufficiently benefiting the Nepalese planners, policy-makers, researchers and implementers. Also, it is an exemplification of the often-made statement that the Nepalese are a feudal society, for there still thrive the systems of debt bondage and serfdom on a large number of marginalized groups such as the Tharu bonded labouresrs. Currently, the Nepali society is heavily burdened with the different forms of bonded labourers and Kamaiya Pratha (Kamaiya System) still prevails in the Tarai (Plains) of mid and far western Nepal.

Despite the heavy social and economic costs, the people and the country are paying for the long-drawn conflicts of interests. The state is still adamant and visionless in the act of addressing the long inherited varied processes of discrimination and marginalization. Appreciably, the government did declare the Kamaiya Shram (Nishedh Garne) Sambhandhi Act 2058 on 17 July 2000 AD, but it failed to address the associated challenges which only worked to add up further conflicts.

So, What is right now needed is a sense of coordination and commitment to the cause of the bonded laboures on the part of all development facilitators-the government agencies, the national/international agencies and the donor agencies.

I wish the book a wider reading and implementation of its recommendations for the development of all hitherto marginalized and excluded groups in Nepal. Also, I encourage the writer to come up with further such studies in the area of social development geography in Nepal.

2 Dec. 2005

Mayaal S. Manandhar

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My colleague Mr. Simon Gautam and my elder son Er. Aayam Lamichhane took the painstaking job of substantially refining and bringing my entire write up to the present shape with long patience. Also, the study has much benefited from their insight into the Nepali socio-cultural structure. I am deeply indebted to their professional contribution to get the work published. I was waiting for the day of publication due to the financial shortage where my son SLC Board topper of 2052 B.S. Er. Aayam Lamichhane has helped me to publish this book in this shape.

My thanks also go to Ram Kisan Tharu, Mohan Thapa, Bhakta Bahadur Khatri, Deva Bahadur K.C., Tara Bahadur Thapa, Raj Kumar Budamagar, Thakur Prasad Chaudhary, Kandhai Tharu, Dashratha Chaudhary, Tulsi Ram Tharu, Lahani Tharu, Lohari Chaudhary, Itawari Tharu, Beju Tharu, Bhawanidin Tharu and other respondents of the study area for their assistance during field survey. Social workers of the study area of Banke district and co-operative bonded labourers of the area are my sincere sources of primary data collection. I would like to thank all of the respondents who extended their cooperation during the field survey and data collection. The Tharu bonded labourers and their family members of the study area also deserve hearty thanks,

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I thank all those who provided me directly and indirectly support for completing this work. I am obliged to those martyrs who provided us such democratic environment in the country. I request all to keep peace and prosperity in the country. I thank the computer operator, printing and binding persons.

Dr.Padma Raj Lamichhane Tribhuvan University 2005

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ABBREVIATIONS

AAN Action Aid Nepal
AD Anno Domanie

BASE Backward Society Education

BCD Board of Community Development

CBS Central Bureau of Statistics
CCS Creation of Creative Society

CDO Chief District Officer

CDR Central Developmental Region
CDS Child Development Society

CEDA Asian Centre for Education and Development

CENAS
CRC
Convention of the Rights of the Child
CWCC
Child Welfare Coordination Committee
CWIN
Child Workers in Nepal Concerned Centre
DADO
District Agricultural Development Office

DDC District Development Committee
EDR Eastern Developmental Region

FP Family Planning

FWDR Far Western Developmental Region

GEFRONT General Federation of Nepal Trade Unions

GO Governmental Organizations

GRINSO Group for International Solidarity

HCH Himalayan Studies Centre

Hec Hectares
HH Households

HMGN His Majesty Government of Nepal

IDD Iodine Deficiency Disorders

ILO International Labour Organization

INGO International Non-Governmental Organization

INSEC Informal Service Centre

IPEC International Programme on Elimination of Child

labour

KCG Kamaiya Concerning Group
KLF Kamaiya Liberation Front

KLP Kamaiya Livelihood Programme

MCH Maternal and Child Health

MOLM Ministry of Land and Management

MT Metric Tones

MWDR Mid Western Developmental Region

NASPEC National Society for Protection of Environment

& Child

NC Nepali Congress

NCP National Planning Commission

NDHS Nepal Demographic and Health Survey

NEFEN Nepal Federation of Nationalities NGO Non Governmental Organization

NHRD Nepal Human Resource Development

NSP Nepal Sadbhawana Party

PRA Participatory Rural Appraisal
RDB Rural Development Bank
RPP Rastriya Prajatantra Party
RRA Rapid Rural Appraisal

RRN Rural Reconstruction Nepal

SB/VS Bikram Sambat/ Vikram Sambat

SN Serial Number

SPACE Society for Participatory Cultural Education

TUC Trade Union Congress
UML United Marxist-Leninist

VDCs Village Developmental Committee(s)

WDR Western Developmental Region

WIPN World Indigenous People's Network

CHAPTER 1 BONDED LABOUR (KAMAIYA)

1.1 Introduction

Nepal is a landlocked and mountainous country. Until recently it was the only Hindu kingdom in the world, but through the Nepalese Parliament Declaration 2006 (4 Jestha 2063), it has now become a secular state. Its total area of 147,181 square kilometres is divided into 5 developmental regions, 14 zones, 75 districts, 3915 VDCs and 58 municipalities (CBS, 2001). It consists of a multi-lingual, multi-religious and multi-ethnic society. Its population is 23,151,423, which is divided into 4,253,220 households. The average size of the household is 5.44 persons. Similarly the population density of the country is 157 persons per square kilometre (2001 Census).

The Tharu ethnic group is one of the earliest groups of Nepal which is still socially, economically and educationally disadvantaged and it survives on agricultural labour. Their share in the country's total population is 6.75 per cent while the share of those speaking the Tharu language is 5.9 per cent (CBS, 2001). Tharu bonded labourers are concentrated in the Tarai region of Nepal and they constitute more than 98 per cent of the total bonded labourers (INSEC, 1996).

The practice of *Kamaiya system* (bonded labour system) is a remnant of the practice of slavery, still continuing in the various parts of the Midand the Far Western Tarai Regions of Nepal.

The practice of human slavery began in Nepal with the Lichhavi dynasty (100-880 AD). There is also a mention of this practice in the Hindu religious book 'Manusmriti'. Slavery remained in practice during the Malla period (1380-1395 AD). During the reign of Jayasthiti Malla, caste system was introduced and the same became part of the Nepalese Hindu society (Sharma, 1951). In Hindu society, slavery was practised in many forms arising out of caste-system and poverty. Slaves were bought and sold just like animals. Chandra Shamsher, the then Prime Minister, had abolished the slavery by repaying the amount of Rs. 3,670,000 to slave masters as compensation for releasing their slaves.

The amount was borrowed from the Pashupati trust in 1925 AD. The remnant of this inhuman system continued as bonded labour system (Kamaiya System) until the present day Nepal (INSEC, 1992). Similarly, the emergence of slavery in Nepal is also attributed to the feudal structure of the Nepalese agricultural system. Nepal was a feudal society before 1951AD, because landlords held a large tract of land through the prevalent land tenure system of Birta, Jagir, and Jamindari. Through these systems, the royal family rewarded the individual persons for their loyalty. The then landlords had the authority to collect revenue from the public for that part of the land. They enjoyed many privileges as well as benefits and had authority to arbitrarily fix the share of crop (Kut) and collect it from the tenants. Many of the Tharu cultivators became squatters and Kamaiyas under the bonded labour system in Nepal. An agricultural Act was enacted to abolish the feudal system in 1962 AD. This was a revolutionary step, which converted all kinds of land into Raikar (state ownership) except Guthi land. Although it made all the tenants free from the clutches of landlords and moneylenders, but the remnants of the earlier system continued. A form of pseudofeudal land-ownership is still dominant in the plains; and the caste system

Although slavery was abolished in Nepal in 1925 AD, it did not bring any basic change and the exploitation of poor people continued in practice in one form or the other. This made people vulnerable to socio-economic, socio-cultural and socio-political exploitation. The rights and privileges of these people were bought and sold like the commodities and animals.

in the plains of Nepal until today.

is still prevalent in the rural areas of Nepal. This led to a division in society between landlords and serfs, high and low castes, exploiters and exploited dominators and dominated. As a result of this hierarchic social stratification, the practice of bonded labour got chance to survive

Nepal is a land of diverse ethnic groups living together with the "sentiment of nationalism" and the spirit of "unity in diversity". That is why this country is called the 'garden of different flowers' (castes/ethnic groups). Nepal is, constitutionally, a multi-ethnic, multi-lingual, democratic, independent, sovereign and secular state. The 1991 AD

Census of Nepal identified 61 individual caste/ethnic groups, whose number grew to 93 in 2001. According to the Census, a major proportion (53.55%) of the population belongs to six groups each with a population of over one million. In order of their percentage, they are: Chhetris (15.8%), Hill Brahmins (12.74%), Magars (7.14%), Tharus (6.75%), Tamangs (5.64%) and Newars (5.48%) (CBS, 2001). Nepal became a melting pot after the unification of the Kingdom. Different castes and ethnic groups have shown the process of cultural assimilation and are living peacefully in ethnic harmony. But the demographic and the socio-economic characteristics of the people vary according to the castes and the regions.

This study tries to analyze the demographic and socio-economic characteristics of the Kamaiyas (bonded labourers). Saunki is the debt taken from the employers that binds labourers and has deprived them of basic human freedom and mobility, choice and taking decision about their work. The labourers who are bonded and do not have land are required to send their family members to work for the employers.

The vast majority of the bonded labourers who are involved in this system are from the Tharu ethnic group. They are the indigenous people of Mid and Far Western Tarai Regions (MWDR and FWDR) Nepal. Farm workers are popularly known as Haliya, Haruwa, Kamaiya, Kamlahari and Jan. The animal herders are known as Gothala, Charuwa, Gaibar, Bhainsbar or Chebar. The Kamaiya, Kamlahari, Gothala and domestic helpers are the main forms of bonded labourers prevalent in the region. A number of ethnographic studies are available on Tharu ethnic group. Most of these studies are localized and more concerned with their culture, religion and society (Mac-Donauph, 1989; Pyakurel 1982; and Rajauriya, 1981). A brief survey of Kamaiyas (bonded labour) was conducted by INSEC (1992). BASE prepared a report on the Kamaiyas (bonded labour) in Dang, Banke, Bardiya, Kailali and Kanchanpur districts (INSEC, 1992). The Sukumbasi Samasya Samadhan Aayog drafted a field report on the socio-economic condition of the Kamaiyas (bonded labourers) in Tarai of Mid and Far Western Development Regions of Nepal. Department of Land Reform and Management (Govt. of Nepal, 1995) carried out an extensive survey of Kamaiyas (bonded labour) in the five different

districts of Mid and Far Western Tarai Regions. The Government of Nepal, realizing the gravity of the situation of the Kamaiyas (bonded labour), abolished all forms of Kamaiya system (bonded labour) and made the *Saunki* (debt) of the Kamaiyas (bonded labourers) illegal through the declaration of the 17th July 2000 AD (2 Shrawan 2057 BS). The government and different private agencies launched rescue and rehabilitation programmes like providing land pieces (not more than 5 Kattha), providing housing loan, training, skill development, education and co-operative programmes to the identified Kamaiya (bonded labour) families.

Poverty, illiteracy, poor health, unemployment, landlessness, homelessness, lack of awareness, ignorance, lack of means of subsistence and social factors like caste system have been responsible for promoting Kamaiyas (bonded labourers) in the district of Mid and Far Western Tarai Regions of Nepal. Tharus are the main aboriginal tribe of the study area, who are mainly dependent on agriculture for their subsistence. They work from birth to death in the field with their whole family but hardly have sufficient food, clothes and shelter for living. Sanitation and health conditions are miserably poor and many of them are suffering from incurable diseases.

The sociologists and anthropologists have done most of the researches in this field. Very few geographical and population studies have been done on the Kamaiyas (bonded labourers) in Nepal. Some of these studies are only based on the Kamaiya system covering five districts of Mid and Far Western Regions of Nepal Tarai. This study focuses its attention so as to make a detailed and micro-level analysis. This study could be of substantial use for planners, policymakers and social scientists who are interested in socio-economic planning. It would also be useful to the government agencies, researchers and students. Similarly it would also provide adequate data and guidelines to INGOs and NGOs to plan their programmes for the upliftment of the Kamaiyas (bonded labourers). Human rights organizations at national and international levels may also plan their activities for the emancipation of the Kamaiyas (bonded labourers) especially their women and children. The Kamaiyas (bonded labourers) are extensively scattered all over Nepal but agricultural Kamaiyas (bonded labourers) are mainly predominant in the Mid and Far Western Tarai Regions of the country. This form of bonded labour is called *Kamaiya system* in Tharu local dialect. Tharus are supposed to be the main indigenous native of Nepal Tarai but these people are socially, economically, educationally, politically and mentally disadvantaged, depressed and retarded. More than 96% of the Kamaiyas (bonded labourers) belong to the Tharu community. Women and children are also working as Kamaiyas (bonded labourers) in both agricultural and non-agricultural sectors.

1.2 Bonded Labourers' Issues

The studies undertaken on bonded labourers especially on Kamaiya system--conditions of their women and children, cultural, demographic and socio-economic characteristic--show that slavery gradually developed as an institution and became a necessary evil in the early Nepali society. Those who were born in a slave family were automatically enslaved for debt or fine or court's decree. One thus enslaved through use of force was the outcome of socio-economic conditions. Varieties of bonded labourers gradually increased as the time passed on and the official orders were issued during the eighteenth and nineteenth centuries. Bonded labourers did not possess the right either to act, as they liked or to control the movement of their own children, husband or wife.

All the power was attached to the owner or landlord. The slave or bonded labour was even deprived of the dignity of humanhood and his status was just like that of his master's cattle or commodity. Before the Rana regime the children and women were bought and sold due to poverty and lack of awareness. In some cases the bonded labourers were treated as member of the family and much liberty was granted to them and were not ill-treated by their masters and employed in any kind of work in Nepal (Parceval, 1976:164).

Slavery was a social evil; they said to be well fed, well clothed, kindly treated and contented with their lot. They were domestic servants but in some families the older slaves were shown great consideration. There was common practice among lower castes (liquor consuming castes) to buy or sell children and young ones as commodities in the

beginning of the 19th century, when the price of a male slave was 30 silver *Mohars* (Coins) and a female was 30-40 silver *Mohars* (Hemilton; 1971:234).

During 1836 AD the rate of a male slave was 80 silver *Mohars* and of a female slave was 100 silver *Mohars* and the children were rated the half of the amount of the male and the female respectively (Regmi, 1971). Deva Shamsher was the first person who had tried to abolish slavery from Nepal (Sharma, 1951: 354).

Some scholars view that Prithvinarayan Shah was the creditable king who abolished the evil practice of slavery in the society. Towards the last years of his reign, all the slaves of the royal palace and courtiers were freed and some of them had entered in his army and civil offices (Nath, ed. 1964:54).

During 1773 AD, Prithvinarayan Shah promulgated an order prohibiting Danuwar moneylenders in Satgaon village, of Salyan, from bonding or enslaving the children of their debtors but the order was not implemented effectively. That was a case of particular tribe of a particular village and was not meant for abolishing slavery from the whole country (Bajracharya and Shrestha, 1974:63).

The high class as well as the middle class people had several slaves of both sexes. Mostly they had been employed to perform household duties. Every free man could be enslaved and sold as punishment for certain crimes, such as incest and the offence against caste rule. Jung Bahadur Rana had emancipated slavery and reformed the old system where 20 to 30 thousand slaves in Nepal had been freed. He had ordered that the absconded slaves and those who had settled down in the district of Nayamuluk (Restored by the British in 1860) and Tarai were not restored to their owners. Jung Bahadur made the rule that if the slaves who had flown to Muglan (India) could return to Nepal and if they had inhabited only in the district of Morang and Surkhet the owners would not get them back. Jung Bahadur's law contained detail provision regulating the sale, purchase and working condition of slaves. The government had fixed the price of slave. Slaves of both sexes having the age 12 to 40 years had the highest rate. Jung Bahadur was interested to have more beautiful Kumaris at his palace. A proclamation was made with the intention of freeing all the female slaves of Kathmandu, Lamjung and Kaski but simultaneously was disapproved by the Senior Ranas. Slaves had dedicated their life to the service of their masters and worked all the time and situation (Regmi, 1971).

Slaves were attached to the master as if they had no separate existence and had to dedicate their life to the service of their master from early morning till late night. The abolition of slavery and emancipation of slaves took place in the period of Chandra Shamsher.

1.3 Bonded Ethnography

The point of origin of the Tharus is 'Karbang' of Dang. In a Ph.D. dissertation Jyanwali has further mentioned that the word 'Tharu' might have been originated from the area of residence. In this regard, they must have migrated to Karbang from India. During the Muslim invasion of India a number of Rajput soldiers were killed. Their wives with their servants and relatives moved to the forest to save their honour and dignity. Later on, they married each other and their generation became the Tharu (Jnawali, 1999:3).

Tharu population numbering 1,533,879 constitutes 6.75% of the total population of Nepal. Nearly fifty per cent of the Tharu population is largely living in Banke, Bardiya, Dang, Kailali and Kanchanpur districts of Far and Mid Western Tarai Regions of Nepal (CBS, 2001). The relationship between the population change and deterioration of environment has been analysized in the study. The food supply situation has been examined to develop Nepal's economic policy alternatives, which might help to cope with the rapid population growth. The demographic situation in Nepal has also been visualised in the broader context from the point of view of economic, agricultural and environmental change. It has also covered population composition, morbidity, mortality, marriage patterns, trends in family planning, migration, environmental aspects and suggestions for policy change in their research work (Banister, and Thapa, 1979: 190). Another study has been carried out on population dynamics of Nepal. It has explored the past and current population situation of the country with forecast for the future. The study has covered the sources of data on population, age structure, population growth trends, health and mortality, migration

and urbanization, nuptiality and fertility, prevelent family planning attitudes in relation to agricultural production, environment and future population prospects. Maps and figures were illustrated as the matterials and glossary of demographic terms and contents were also presented in the paper (Banister and Thapa, 1981: 78:120).

Demographic characteristic of teenager population in Lekhanath municipality was studied by Lamichhane. He has presented a survey methology, fertility and mortality levels where he has found out that women of higher age at marriage and having higher educational status have less children than the national average irrespective of any castes or tribes (Lamichhane, 1999).

A research work has been carried out by CEDA on a broad perspective of migration in Far Western Developmental Region of Nepal. In this research demographic characteristics of net migration have been studied and analyzed with implication of policy alternative for a desirable future course (CEDA, 1977:137).

Another such study has pointed out the issues of migration in Nepal as a challenge for today, in which the impact on the environment and living conditions in the hills have also been analysed. The reasons for migration and its effect on the social and economic level of the people have been covered in the study (Dahal, 1977: 137).

Another research work was done by David and Lauric in Nepal where four stages have been suggested in the evaluation of polulation policies. They are the family planning thrust, beyond family planing, development as the best pills and strong involvement of government in fertility related matters. The population problems and recommendations of the multiple factors like political, social, economic, cultural and psychological have been included in the study (David, and Lauric, 1983: 79).

The next study conducted by the Nepal Resettlement Company, the Resettlement Department and by the ex-service men was focused on resettlement activities. They were done in the district of Banke and Bardiya of Mid-Western Developmental Region of Nepal, in the light of policies and objectives of resettlement programmes in Tarai. The study has described various facilities available for the resettlement and has analysed the change in their economic status after resettlement. A detailed analysis of ethnic aspects of resettlement were presented with

an overall evolution of the resettlement programmes and purposes. Several recommendations for the improvement of the resettler's economic condition and for attaining the objectives of the programme were provided (Elder, Joseph, et al, 1976: 307).

A fertility survey was carried out in Nepal by FP/MCH project of Govt. of Nepal, under the world fertility survey programme. The background and the methodology of the study was conducted by an international research project which has presented a historial review of population planning in Nepal. It has estimated the level of fertility for the country as a whole and its differentials by major geographical regions. It has evaluated the progress of national family planning programmes interms of knowledge and actual practice of contraception in Nepal by which fertility has been affected. It was a comprehensive study of demographic and social background of Nepal and was followed by the findings of nuptiality and explosure to child bearing, fertility performance, sex of children and knowledge and use of contraception which were carried out in the study (FP/MCH, 1976: 347).

A well known report prepared by Harka Gurung for National Commission on Population consists of four volumes with the findings, recommendiations, maps, tables and annexures. It has examined the existing conditions and factors that influence internal migration from hills to Tarai as well as international immigration into Nepal. The inflow of foreign immigration into Tarai increased population growth in the region. Regional migration consits of an increasing flow of migrants from the hills to the Tarai as well as from rural to urban areas. The socio-economic aspect of such trend and various prevalent laws relating to trade industry, foreign ivestment, contracting and sale of immovable assets as well as laws relating to Nepal national boundaries have been analyzed in the report (Gurung; 1983:504).

Vidya Bir Singh Kansakar studied the effectiveness of planned resettlement programme in Napal for the CEDA. The study report consists of two volumes, the first volume contains the text of the study and the second with statistical tables. It has presented the history of population, land development and socio-economic characteristics of the different resettlement projects in the country. It has also provided the objectives, policies and suggestions of the resettlement programme

(Kansakar, 1979).

A Ph.D. thesis that has covered the main findings of a survey of selected rural and urban areas in Nepal, focussed primarily on the perceived advantages and disadvantages of children, satisfaction from having children and the parceived cost of children. People want children not only for economic reason but also for socio-psychological and cultural purposes. Children are also seen as containing substantial economic cost, particularly food clothing and education. The utility of the value of children were surveyed in strongly profertility society, which was assessed as the extent to which the study was complemented the widely used family planning survey (Karki, 1982:198).

There are some other studies related to migration. A report has covered the effect of migration from the hills on the Far Western Region of Nepal and has indicated more information flow about migration into the Tarai as compared to information on migration from the hills. The study has indicated how such migration are alleviate the problems of population and pressure on the environment in the area studied. The report has covered history of migration, trends and patterns of migration in Nepal (Manzardo, et al, 1975:49).

The first comprehensive study of inter regional migration was carried out by the New Era based on secondary data. It described the existing situtation with respect to inter regional migration in Nepal. Various process of migration as well as the causes and consequences were covered with discussions on the socio-economic and political consequences of such migration. It has covered disparities in exportable resources and developmental expenditure among the regions. Realistic approach to the resettlement programmes and recommendations were included in the research (New Era, 1981:181).

B.S. Rajbanshi studied patterns of migration and labour force in Kathmandu Valley. A large number of internal migration was absorbed in-service especially government service, whereas international migrants are found to be specialised in trade and skills. Labour force participation rate were varied with the ages (Rajbanshi, 1980).

A brief review of the trends in Nepal's agricultural sector was presented covering livestock production, food grains production, migration, water management, importance of rural markets, technological innovations, hill labour migration and other related aspects including a strategy for hill agricultural development (Sainju and K.C, 1981:111-122).

Rural-urban migration, its mechanism and the urbanization process in Kathmandu city were analysed with demographic, socio-economic and urban characteristics. The relationship between socio-economic background of in-migrants and migration differentials were analysed including age composition, literacy, education and occupation. Measures of reverse flow were recommended by way of increased investment and economic activities in the rural areas (Thapa and Tiwari, 1977:119).

Mountain environment and development crises were being experienced by Himalayan ecosystem, from where migration took place. The hills and mountains are facing the problem of deforestation, increasingly infertile soil, land slides, overgrazing and disappearing of animal species. A study of migration in Ankhu Khola of Dhading district was coducted, where three types of migration seasonal, permanent and employment migration in the area were noticed and causes of migration were indicated. Socio-economic developmental works are not benefited to the inhabitants of hills and mountains therefore they were forced to leave their villages and settlments in more economically viable regions of the country (Toffin, 1982:31–44).

An analytical study about the status of women in the communities of Maithali, Tamang, Newar, Parbatiya, Baragaunle, Loharung Rai, Tharu and Kham Magar has focused on role in the village economy and in the decision making process, demographic and social chatacteristics in overall developmental programmes (Acharya and Lynn, 1981:2:9:432).

They have also studied various socio-economic, cultural and demographic factors that affect the extent and structure of female economic participation in Nepal's largely subsistent economy. The study has investigated the relationship between these variables and examined women's input into the house hold decision making process. An extensive methodlological annex has described the complementary quantitative

and qualitative approaches to data collection that were combinly expressed in the study (Acharya and Lynn, 1983: 526: 140).

Another study has presented the situation of Parbatiya women in Bakhundol (Kavre) regarding its population on the basis of sex, age and ethnic group. The study has covered in depth the family and ideological dimension of women's status in the Hindu community, female participation in the economy, sexual divison of labour, nature of family, farm enterprise and women's access to opportunities beyond the home. Summary of the finding has been followed by the recommendations suggested along with training for women, commercialization of farm, identification of viable market for village products (Bennet, 1981:2:7:290).

Another study has covered the status of women in laws relating to public sector, property inheritance and their traditional legal status in the cultural context of Nepal. Concepts of marriage, divorce, child custody and customary practices reflecting women's status also have been encompassed. Inequality in laws governing property, inheritance and divorce were recommended. It has included identified campaign to increase legal literacy in rural regions and expansion of legal aid services that were reorientated of existing judiciary structures (Bennet, 1974: 107).

A study has assessed the economic contribution of children to households in a Tharu village. It has covered the socio-economic and demographic characteristics of Shukrawar village, including income and expenditure patterns, property ownership and time allocation. Recommendations were made for meeting the agro need of rural families and for effecting institutional arrangements in order to compliment family planning measures. Stresses have been given on the importance of developing a market oriented economy in order to lesser demand for labour, which is presently being met by the existing desire for large family size (CEDA, 1980:60).

The socio-economic and psychological factors that have constituted the main elements have shaped the children's growth, education and child participation in different economic sectors related to each other. A study was undertaken in connection with the specific

purpose for providing a framework within the assumed various child labour activities in Nepal (Lamichhane, 1983).

The relation between family size and employement was studied in Nepal. Changes of women outside the home, on the basis of the published reports and the subject, were examined. A description of the general existing condition of the women today were followed by an explanation relating to female employement to family size. It has included women employement outside home as a major factor in reducing family sizes (Himalayan Studies Centre, 1981:77).

National policies and programmes for fullfilment of basic needs, reducing poverty and improving income distribution were analysed by the international labour organization. The paper has included qualification of basic needs, agrarian reform of Nepal, role of agriculture in fullfillment of basic needs and educational opportunities in Nepal. Basic needs also have been studied in relation to health, mobilization of labour for rural infrastructural development and mobilization of financial resource (ILO-ARTEP, 1979:286).

The agricultural pressure and productivity of the area, land tenure system and the nature of rural employement pattern have been covered in a study made by Lamichhane in 1984 AD. Nepal's population growth rate is found to be higher than that of the world's average growth rate. So recommendations were included in the study for creation of job in the rural areas, provision of tenancy rights, livestock improvement and control of migration from the hills (Lamichhane, 1984).

A study of Gurung community was carried on the resource and population of Nepal. It is said to be a major contribution to the literature on population pattern in small and non-industrial communities. The study has also dealt with the growth and change in population of the Gurung community in the Annapurna range of the central Himalayas. A detailed study was made of the forest land and natural resources of the area along with the income, consumption and expenditure pattern of the Gurungs. It was further analyzed in the context of population growth of Nepal in relation with the social structure of the Gurung and fertility as well as their mortality patterns (Mac Farlane, 1972).

Another report was presented about interrelationship between various socio-economic and cultural factors in understanding the

population problem of Nepal. The study has indicated that increase on land holding size generally leads to increase in family size in both hills and Tarai region. Application of agricultural inputs leads to decrease of family size through increased productivity and income levels. Productivity, income level and other economic factors indicated that larger the land holdings the smaller the family size. Economically viable and small land holding policy is the only alternative with encouragement of increased productivity through a number of measures as have been suggested in the study (Management and Research Associates, National Planning Commission, 1982:79).

Another study has explored the status of rural Nepalese Kham women of Thabang in the Far Western Developmental Region of Nepal with their economic, political, educational level and family dimension. The status of women belonging to this ethnic group is found to be complex and varying in terms of complementary through division of labour. Flexibility in terms of the power assumed by women is under the circumstance of absence of male from the houeshold (Molnar, 1981: 211).

The children issue in the context of basic needs and community based service has been analysed through a brief survey of major service centres in Nepal. It has highlighted the problem relating to policy for children welfare and brief recommendations were also included with closer attention to the qualitative aspects of basic needs of children (Pant, 1982:34).

A study of women in a Newar community at Bulu village in the Kathmandu valley, examined their economic, social, political, educational, legal and ideological status in the society. It has also analysed household time allocation, contribution to the household income, decision making patterns and training opportunities for women. The status of women in eight ethnic communities of eight different villages and their input in the Nepalese rural subsistant economy were found to be almost as part with that of men depending on the ethnic and geographical variation. The study has covered women's role in decision making in farm level and the need for women development in Nepal (Pradhan, 1981).

A Ph.D dessertation paper has studied the agricultural and educational characteristics of Tarai and hilly regions of Nepal. It has determined the factor responsible for difference in technological innovation, educational and extension levels between the regions. It has examined the relationship between education, farm income and use of modern inputs. The main reason for low level of farm innovation, education and extension in the hills appear to be nonavailability of suitable modern inputs, lack of proper knowledge of new inputs, poor transportation and other infrastructures. Low capital formation, poor credit availability, low political consciousness and low importance of hills as a food producer are some of the infrastructures for the country (Pudasaini, 1981:185).

The status of Tharu women in Dang district was studied providing a general introduction of the village with social, economic and legal aspects. It has also provided a description of the art works of Tharu women. Suggestaions and recommendations have been provided in terms of the economy, employment, health, education and legal rights of the Tharu women in Nepal (Rajauriya, 1981: 144).

Another study on the child labour found the duration of marriage to be important determinant of the demand for farm children in the Tarai of Nepal. The decision making process of the parents regarding the demand for children were important variable in the study (Rauniyar, 1982:119).

Similar study has presented an analytical review of population trends, population composition as related to age, sex, ethnicity, occupation, education, fertility, mortality, migration, urbanization, socioeconomic implication of population growth and future population projection in Nepal. The study has pointed out that any increase in dependency ratio causes decrease in labour participation of the women (Thapa, 1980:103-156).

1.4 Socio-Economic Works on Kamaiyas

A comprehensive analysis of the two tribal groups, Tharus and Bhoksa, was studied with reference to settlement, house types and other socio-cultural aspects of human geography in the Tarai region of Uttar Pradesh. It has great significance for research on the tribal groups in the region (Singh, 1956).

A detail study on cultural ecology and the effect of population dynamics was made based on Santhal and Birhor tribes of Bihar state of India. The tribal communities have undergone transformation due to the effect of cultural ecology and the force like education, communication and urbanization (Varma, 1997).

In another study Ross carried out agriculture, population, ecology and economy that were found interelated in the Thakuri and Dingaba communities, and a change in one of these factors may have effected to other in the region. Widow marriage is not in practice among the Thakuri but it is common in Dingaba community. The total fertility on an average is the same among these groups though they have practice of polyandry and polygamy marriage system (Larry, 1981).

Yanadi tribal community of South India has full faith in tribal gods and goddesses and they worship them by chanting hymms and prayers like 'Rangam' and 'Kuluvu'. They follow the tribal way of religious life with a strong belief on cultural aspects. It was found in a research work (Gurumurthy, 1986).

A study was carried out by Murty in the Eastern Ghats of Southern India on a forest people. The objective was to study the cultural transectory of the people in the changing of physical and the social environment with long history of occupational style in the geographical region. The people depend on marine food and there existed interrelationship between the landform, resource and socio-economy as well as social organizational dynamism. There is relation between the culture of the people and the socio-political environment (Murty, 1994).

Sallapudi's study on ecosystem (1994) focused on the mannature of association of a fishing village in the estuary region of the lower Godawari valley that lies in the coastal Andhra Pradesh of India. The cultural attribute of the fisher men and the way of living in the community, even their festivals were also related to the fishing season. Panja (1995) has studied about the semi-arid tract of the central Maharastha among the Dhangars as sheep/goat pastoralists who have

adopted sedentary and semi nomadic culture and its change, through time, in the activities for their existence.

Bhasin (1987) studied two Tibeto-Burman speaking tribes in the northern part of Sikkim where he has proved that social and cultural aspects of the two tribal groups Lepchas and Bhotiyas, have a different type of socio-economic status due to ecological and topographical variation. Das (1993) has analysed the process of regional development in the selected tribal area of India where the study was associated with the natural resources. Knowledge has been provided to the researchers who studied in the area of tribal communities. Rajauriya (1977) has carried out an anthropoligical study of Tharu in Dang Deukhuri disrict in Mid-Western Developemental Region of Nepal.

Gurung (1996) has studied the customary system of natural resource management among the Tarami Magar in the Western Developmental Region (WDR) of Nepal. He has also carried out an anthropological study in the hilly region and ecological belt of Nepal. Jnawali (1999) has carried out a study on the Tharus of Bardiya in Mid Western Developemental Region (MWDR) of Nepal Tarai. He has concluded that early marriage, illiteracy of the parents, occupation, health and child sex preference are the main causes for the high fertility in the Tharu community.

The official statistics on ethnic populations are highly problematic in a developing country like Nepal because ethnic identities are reported to be mother tongue in the national census, which are ill-defined criteria (Dahal and Thomas, 1998).

A number of ethnographic studies are available in the Tharu community. Most of them are localized studies and are more concerned with their culture, religion and society (Mac Donauph, 1989; Rajauriya, 1981 and Pyakurel, 1982).

Human activities vary from area to area and many diversities occur in terms of race, occupation, culture and way of living (Clarke, 1996). The ethnic groups from the western Tarai are considered to be of low 'enslavable' status in the Nepali caste system but not 'untouchable'. The vast majority of the bonded labourers involved in *Kamaiya* system of bonded labourers are from the Tharu ethnic population. Synonymous terms like 'unfree', 'servitude', 'bondage',

'bonded', 'slavery' are commonly used in different research works. Kamaiya, Kamlahari, Haliya, Hali, Jhara, Jan, Khetala etc. are also commonly used under bonded labour system in Nepal.

Hussain Muitabha has named them 'The living dead' in a special report in news line of December 1992. 'They were burdened with debts. Sindha's Haris were shackled to live of virtual slavery and they can never repay. He also has named 'enslaved by the system' where they would chain over men and take their girls away to rape them and the children are the product of their repeated rape' (Mujtaba, 1992). The superstition goes to such an extent that any malady, physical weakness, natural calamities like droughts, excessive rainfall, damage of crops, sickness, malnutrition and so on are supposed to be the result of either the evil desire of the witches or that of the evil spirits. To do away with all these evils, they beat drums throughout the night chanting incantations and jumping with some meaningless words. The Tharu husbands are forbidden to enter the kitchen and the wives never take their food in eaten (defiled) plates (Juthothal) of the husband's, rather they push the food plates towards their husbands with feet. It is believed that during the Muslim invasion, they had fled with their servant and the desendents of these Rajput women and their servants became Rana Tharu. The Tharus of Nepal have a little difference in their mother tongues and were affected by the Avadhi in the west, Bhojpuri in the centre and Maithili in the east (Jnawali, 1999).

The area of such tribes are characterized by ecological, demographic, economic, political and social isolation from other ethnic groups and these people do not have social significance (Sachhidananda, 1987). The term 'indigenous' was first introduced by the ILO in 1957. Generally a tribal group seems to be traditional and a simple kind. The members speak common dialect and act together for certain common purpose. Such indigenous native groups are identified as indigenous groups whereas the other is treated as caste. The people of Nepal are socially segmented by castes, subcastes, ethnic and sub-ethnic groups (Lamichhane, 1992). The concept of *Jat* and *Jati* is used as caste and ethnicity in Nepal (Gurung, 1998:40).

The study area of this research is from Naya Muluk (New land) that was given by company government (East India Company) to Nepal

for the sincere co-operation of Rana prime minister Jung Bahadur Rana who had sent Nepalese troops during the 'Sipahi Bidroha (movement against British by Indian soldiers) for the independence of India.

1.5 Bonded Labour (Kamaiyas) System in Nepal

In many cases tenants and occupiers of 'Khet' or 'Pakho' land under 'Birta', 'Sunaguthi', 'Chhap' or 'Raikar' systems tenure have been providing porters and labourers on the basis of written agreements. The owners of such land should not be deemed to have committed any offence. If such owners were forced tenants and occupiers to supply porters and labourers in the absence of an agreement and if any person submited a complaint the land owners were ordered to pay wages at the rate of 10 Paisas per day and a fine of an equivalent amount was charged. If the tenant did not supply porters and labourers as agreed upon, he should be evicted (MOL&J, 1965:83).

Porters and labourers, whether it was written or verbal agreement of 10 Paisa per day as wages fixed in 1965, were also equilvalent to the forced labourers. All types of Khet, Pakho (in Raikar, Birta, Guthi etc.) were supplied forced labourers and consumed on wages at the rate of ten Paisa per day. Forced and unpaid labourers were 'Begari', 'Jhara' and Bethi'. Army Generals, Colonels, Chautariyas, Kajis, Sardars, Bhardars, Royal priests and preceptors and other personnels were provided forced and volunteer labour Jhara in case of needed labour work. If any complaint was received, fine of an equivalent amount was imposed. Prithvi Narayan Shah had described Tarai land as superior and revenue yielding and the hill land as inferior. King Srinivas Malla of Lalitpur in 1672, had used compulsory labour for construction of bridges and participation in war. King Jayaprakash Malla (1736-1768) of Kantipur had used such labour force for transportation of gunpower in the factories. All members of the four Varnas and thirty six castes living in the area between the Trishuli Ganga river in the east and the Bheri river in the west were under the obligation to contribute volunteer (Jhara) labour. King Rana Bahadur Shah had permitted freed slaves to wear the sacred thread with due loyalty to the King. The agrarian economy based largely on custom and tradition in different parts of

Nepal are characterised by social and economic relationship. Economic opportunities beyond agriculture were scarce, while caste and tradition have discouraged occupational mobility. Peasants have cultivated land on a customary and hereditory basis. The mobility of civil and military officers, selected groups in the society, ritual gifts on religious or ceremonial occasion to Brahmans were provided *Birta* and *Jagir* land. The *Kipat* system, as it existed at the time of the Gorkhali conquest, represented an attempt to compromise between the customary rights of a tribal community and the sovereign authority of the state (Regmi, 1971:21-49).

Pota tax was first imposed in 1972 on Birta land in Kathmandu valley. The system of assessing tax on each Kipat holding family was first introduced in 1782 AD. Levies called Wolak were collected from each family to meet the requirement of the royal palace. In the hill region, this levy was collected from the landowner according to the land area held by them and from trader according to their scale of enterprises. The headman of such communities as blacksmiths, leather-workers, tailors and others were imposed the rate based on their status but specific rate was levied in the case of team-leader of mine workers, local functionaries and members of certain occupational castes. The common people had to pay the levy at the rate as was assessed in such homesteads based on their economic status. Revenue and taxation were imposed by the royal palace on the people in different names such as 'Wolak', 'Gaddimubarak', Chumawan', 'Goddhuwa', 'Godan', in addition, special levies were frequently imposed on a local or countrywide basis to meet the occasional requirement of the palace for commodities or cash. The government levies like 'Darshanbhet', 'Salami', fee also were collected from the people who were affected on a regional or communial basis. Different occupational groups such as barber, blacksmith, curd vendor, oilmen, mid-wives and shopkeepers paid levies to the government on marriage and for the use of such communial facilities as forest and source of water. Leather worker had to pay two pieces of leather per Local levies were collected by the local functionaries at different levels from the chief district administrators to the village head men. In the hill region, levies were collected from peasants for use by village headmen during festivals, ceremonial occasion and after harvest of new crops. A load of grain used to be usually collected by the village head men. The Majhi, Kumhale, Darai, Danuwar, Newar, Kushle, Tharu, Hayu, Sunwar, Chepang and Muslims had to pay a levy every year (Regmi, 1971: 61-66).

Different commercial tax, sale tax, mine and minting, forest, judicial fine, Pota taxes were collected according to the need of the country. The Banke and Bardiya districts were based on ox-team unit system of land tax assessment as a result of historical, demographic and other factors. In hilly region including Kathmandu valley, rent on paddy (khet) land usually was collected under the 'Adhiya' system, under which the cultivator paid half of the crop produced to his landlord retaining the balance for himself Adhiya tenure also involved the payment of two cash levies, 'Ghiukhane' and 'Chardam-Theki' for the wheat crop and renewal of his lease every year respectively. 'Kut' was a natural levy of rent and was to be generally paid higher than that of 'Adhiya' (Regmi, 1971:80-85). Research is a careful investigation inorder to discover a new fact (Hornby, 1992: 1073).

CHAPTER 2 GEOGRAPHICAL SETTING

2.1 Location and Ecology

Nepal is a mountainous landlocked country. It is located between 26°22' to 30°27' north latitudes and 80°04' to 88°12' east longitudes (CBS 2001). It is rectangular in shape like a scimitar and bordered with People's Republic of China in the north and India in the south, east and west. It has a total area of 147,181 square kilometres extending from Mechi in the east to Mahakali in the west. Its average width is 193 kilometres which varies from 145 to 241 kilometres. Nepal has 4,253,220 households with total population of 23,151,423. This includes 11,563,921 males and 11,587,502 females. The average household size of population is 5.44 and the population density is 157 persons per square kilometre (CBS, 2001). The current population growth rate is 2.24 annually which will take about 31 years to double the present population. The urban centres are more crowded.

The kingdom has physical diversity. Toni Hagen, a prominent Swiss geologist divided Nepal into seven physiographic units. They include: (a) Tarai, (b) Siwalik hills, (c) Mahabharat Lekh, (d) Nepal midlands, (e) Himalayas, (f) Inner Himalayas and (g) Tibetan marginal mountains (Hagen, 1998:35).

Generally the kingdom is divided into three broad geographical regions extending from the east to west. These topographic regions are known as ecological region. They are: (1) The Mountains, (2) The Hills and (3) The Tarai.

The Mountain Region

This region is also called the Himalayan region which lies in the north extending from the east to the west. The altitude of the region ranges from 4,877 to 8,848 metres above the sea level. Eight, out of the fourteen highest mountain peaks of the Himalayas, are located in this region. Everest (8,848 m), the highest peak of the world, also lies in this region. It is also the source of major rivers of the country. It

consists of a large number of magnificent snow-caped peaks. It incorporates about 35 per cent of the total land area of the country of which only 2 per cent is under cultivation. This is the least populated region of the country where only 7.3% of the total population of the kingdom resides. The average population density is 33 persons per square kilometre. It incorporates sixteen districts of the country: Taplejung, Sankhuwasabha, Solukhumbu, Dolakha, Sindhupalchok, Rasuwa, Mustang, Manang, Dolpa, Mugu, Jumla, Humla, Kalikot, Bajura, Bajhang and Darchula (CBS 2001). These districts make 22 constituencies for the Pratinidhi Sabha (Lower House of Parliament) of Nepal.

The Hilly Region

The Hilly region with altitude ranging from 610 to 4,877 metres consists of numerous hilly spots including Kathmandu valley, the capital city and the city of numerous temples. Pokhara valley, a famous tourist centre with picturesque natural scenery also lies in this region. These valleys are the main trading centres of the country. Many fertile river valleys are located in this region. It includes 39 districts of the country incorporating 42% of the total area and 46% of total population of the country. Main occupations of the people of this region are agriculture, animal grazing, cottage industries and high altitude cereals production. The districts located in this region are: Illam, Panchthar, Tehrathum, Dhankuta, Bhojpur, Khotang, Udayapur, Okhaldhunga, Sindhuli, Ramechhap, Kabhrepalanchok, Kathmandu, Bhaktapur, Lalitpur, Nuwakot, Dhading, Gorkha, Makawanpur, Lamjung, Tanahu, Kaski, Shyanja, Parbat, Myagdi, Baglung, Gulmi, Palpa, Arghakhanchi, Pyuthan, Rolpa, Rukum, Salyan, Jajarkot, Dailekh, Surkhet, Achham, Doti, Baitadi and Dadeldhura (CBS 2001). These are divided into 95 constituencies for the Pratinidhi Sabha (Lower House) of Nepal. Kathmandu district alone has seven such constituencies.

The Tarai Region

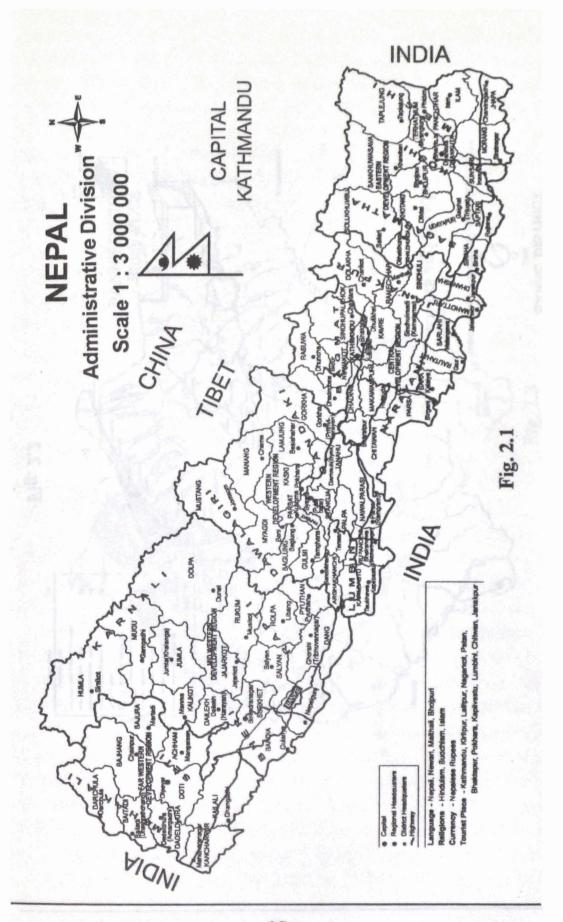
This region lies in the southern part of the country. It is the extension of the Indo-Gangetic plain having fertile and flat land. It covers 23 % of

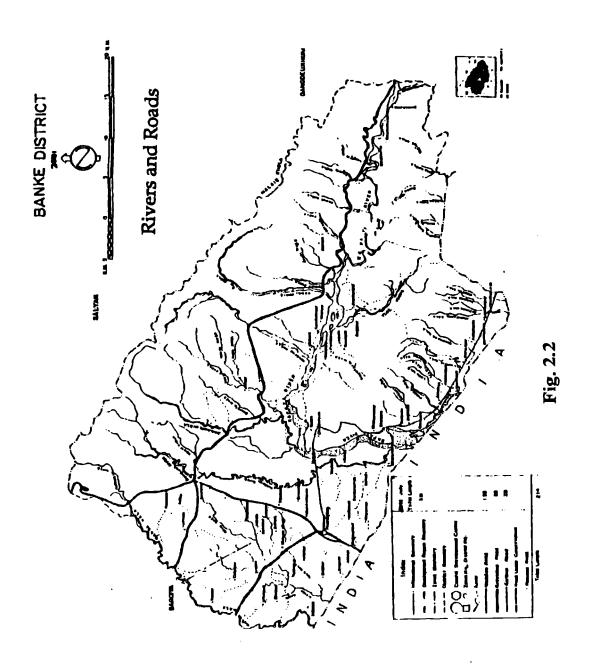
the total area of the country housing 48.4% of the country's population. Fertile soil, dense forest, wild animals, rich flora and fauna are characteristic features of this region. Nearly 40 % of the area of this region is under cultivation. Paddy, maize, wheat, sugarcane, tobacco and vegetable are the main crops. The region is facing the problem of phenomenal growth of population. It has a narrow tract of alluvial plain with a height rising up to 610 metres above sea level. The region incorporates 20 districts of the country: Jhapa, Morang, Sunsari, Saptari, Siraha, Dhanusa, Mohottari, Sarlahi, Rautahat, Bara, Parsa, Chitwan, Nawalparasi, Rupandehi, Kapilvastu, Dang, Banke, Bardiya, Kailali and Kanchanpur (CBS 2001). These are divided into 88 constituencies for Pratinidhi Sabha of Nepal. Three such constituencies lie in Banke district alone. The study area of this research, i.e. Banke district, belongs to Mid-Western Development Region of Nepal Tarai.

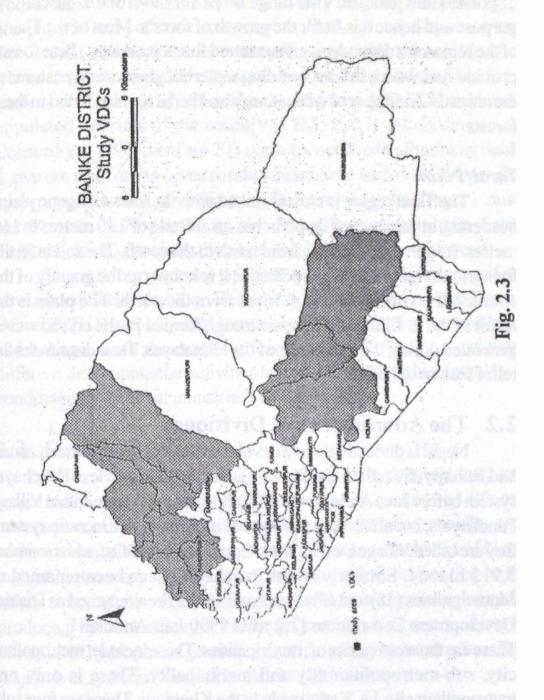
The district is located between 27° 51' to 28° 30' north latitude and 81° 30' to 82° 12' east longitude. It has a total area of 2,337 square kilometres (CBS 2001). It forms the gateway to Mid-Western Developmental Region. Nepalgunj is the main trading and the oldest urban centre of the region. The district is bordered by Dang Deukhuri in the east, Bardiya in the west, Salyan and Dang Deukhuri in the north and Baharaich district of India in the south. The district has Plains of low Tarai and Chure ranges. It may be divided into three micro geographical units.

Chure Range

The Chure range lies in the northern part of the district. The Rapti River and its tributaries flow to the south passing through this range. Rapti divides Banke district into approximately two parts. The height of the range increases from 250 metres to 1,146 metres in the north. This region is thinly populated consisting of undulated forestland. Bardiya wild life reserve lies in the western part of the district.







Bhawar Range

Bhawar range lies in the north and north east of the district. Its altitude varies from 160 metres to 250 metres. The range mainly consists of gravels and pebbles. This range is not very useful for agricultural purpose and hence it is fit for the growth of forests. Most of the Tharus of the region are dependent on forests and forest products. These forests provide fuel wood, fodder, building material, grasses and pastures to the animals. A number of wild animals and herbs are also found in these forests.

Tarai Plain

The Tarai region is closely linked with the Indo-Gangetic plains bordering in the south. The plain has an altitude of 130 metres to 160 metres. Its general slope lies from north to the south. The soil is fertile for agricultural production and hence it is known as the granary of the country. It is formed by the detritus from the north. The plain is the result of the in-filling of a tectonic trough formed by the crystal waves generated during the upliftment of the Himalayas. Tarai dominates the relief feature of Banke.

2.2 The Administrative Divisions

Nepal is divided into five developmental regions, fourteen zones, and seventy-five districts (Fig. 2.1). During the partyless Panchayat system before Jana Andolan (I) 1990, the local units were called Village Panchayats, but after the restoration of multiparty democratic system, they are called Village Development Committees (VDCs), which number 3,915 in total. Similarly Nagar Panchayats have been renamed as Municipalities (58) and Jilla Panchayats have been renamed as District Development Committees (75) after 1990 Jana Andolan I.

There are three categories of municipalities. These include: metropolitan city, sub-metropolitan city and municipality. There is only one metropolitan city, i.e. Kathmandu in the Kingdom. There are four sub-metropolitan cities. These are Lalitpur in Kathmandu valley, Biratnagar in the eastern Tarai, Birganj in the central Tarai and Pokhara in the western hilly region of the country. There are 53 municipalities which

represent the urban centres of the country. The urban population of the country is 14.20 per cent and the rest of the population lives in rural areas. Each VDC is divided into nine wards. Its population ranges from at least one thousand to above twenty thousands depending on geo-physical and political circumstances. Each municipality has at least nine wards. The Kathmandu metropolitan city (KMC) has 35 wards whose area and population vary depending on settlement characteristics. Kathmandu (1,093,414) is the highest and Manang (9,587), the lowest populated districts of the country (CBS, 2001). According to the Constitution 1990, there are 205 constituencies in the Pratinidhi Sabha drawn out from one to seven constituencies from each district depending upon population and other factors. The Rastriya Sabha (Upper House) has 60 seats in Nepal. These are elected by the Pratinidhi Sabha members, local representatives and nominated by the state head.

The number and size of these local units may change if the government feels necessary. Each district is headed by a Chief District Officer (CDO) who is mainly responsible for maintaining law and order and linkages with the central government. The CDO co-ordinates different developmental activities from local level to the central level conducted by different ministries and agencies.

2.3 Drainage System

Rivers of Nepal are major sources of hydroelectricity and irrigation. Since time immemorial these have guided the life and occupation of the people. Most of the rivers are of perennial nature and are turbulent flowing through narrow gorges. The rivers of Nepal except Karmanasa flow from north to the south originating in the mountains and hills of Nepal. These rivers have maximum velocity for producing hydroelectricity. It is believed that Nepal is the second largest potential of hydropower generation in the world. The country has three major river systems: Koshi, Gandaki and Karnali.

The Koshi River

The Koshi river is also called Saptakoshi in Nepal. It gathers water from Likhu, Indravati, Tamor, Dudhkoshi, Sunkoshi, Tamakoshi

and Arun. It provides many advantages to the country but it usually becomes troublesome during rainy season. It provides irrigation in the eastern part of the country. It erodes a great deal of soil transporting it to the Bay of Bengal. It has great potential for hydropower generation.

The Gandaki River

The Gandaki river flows through the central part of the country. It also gathers water from seven of its tributaries and is called the Sapta Gandaki. Kaligandaki, Budhigandaki, Marshyangdi, Trishuli, Seti, Madi and Daraundi are its seven main tributaries. All these rivers originate from the Himalayas and are perennial in nature. It has rich potential for hydroelectricity generation. Kali Gandaki is also considered as the holy river from which many Shaligrams (fossils) are gathered. It rises from the north of Kagbeni in Mustang. Pokhara valley is the main area drained by the river. Seti River flows through the heart of Pokhara city. The area has a lot of positive advantage from the river. It helps in irrigation and is important for rafting.

The Karnali River

It is the longest river of Nepal. It flows through the western part of the country. It provides rafting, hydroelectricity and irrigation facilities. It gathers water from Humla-Karnali, Mugu-Karnali, Bheri, Tila and Seti rivers. These rivers originate from the Himalayas and are perennial in nature. The river after crossing Nepal merges into the Ganga system of India.

Among other rivers of the country, mention may be made of Mahakali, Mechi, Bagmati, Kamala, Rapti, and Babai. These rivers are also perennial originating from the Mahabharat ranges. The Bagmati river is the main and the holy river of the capital city of Kathmandu. It flows east of the Pashupati temple and west of the Guheshwori temple. Its main tributaries are: Bishnumati, Rudramati, Bhadramati, Manumati, Hanumati, Pravamati (Nakhu), Ikshumati (Tukucha) and Godawari in Kathmandu valley. Besides, there are a number of small rivers and streams which are seasonal in nature. Most of these rivers, originate from the Chure and go dry during winter season.

Nepal has a number of lakes. Rara is the biggest lake of the country, which is located in Mugu district of Mid Western Developmental Region. Fewa, Begnas, Rupa, Khaste, Maidi, Dipang, Gunde and Niureni are the important lakes of Pokhara valley. Foksundo, Tilicho, Bahrakune and Satyavati are other important lakes of Nepal. Also there are numerous Kundas and ponds in the country.

2.4 Climate and Temperature

Climate and Temperature

Nepal has much diversity in its climatic condition due to variation in altitude. The Himalayas and Mahabharat ranges exercise their influence on the climate of the country. The climate varies from one region to another. However, the general condition of the climate of the kingdom is determined by the physical characteristics of the land mass of South Asia especially the Indian Ocean.

The seasonal change of wind direction in the region is affected by different climatic factors (Hagen, 1998:53). The Tarai region has subtropical Monsoon type of climate with high temperature and heavy rainfall. Temperate type (warm and cool) of climate occurs in the hills and mountains of the country. The mountain has cool temperature. Alpine and Tundra type of climate is found in the high altitude of the country. The temperature ranges from more than 38°C in Tarai to 28°C in middle hilly region of the country in summer. The temperature also varies according to the altitude. In winter, the maximum and minimum temperatures in Tarai vary from 7°C to 23°C. In the hilly region, average temperature during winter ranges from 12°C to below freezing point. The Kathmandu valley is located at an altitude of 1300 metres and enjoys pleasant climate with an average summer temperature between 27°C - 19°C and winter temperature between 20°C - 2°C. The main climatic types experienced in the country are tropical meso-thermal, micro thermal, Taiga and Tundra (CBS, 2001).

2.5 Natural Vegetation and Mineral Resources Natural Vegetation

Nepal has almost all the major climatic zones of the world due to its physical diversities. It has diversity in its vegetation (Hagen, 1998:39). In the southern part of the country there is a clearly defined belt of

forests, whereas it is quite irregularly distributed in other areas. The Tarai forests mainly consist of Sal, Pine and Oak trees. These trees have commercial importance for the country. There are extensive rhododendron forests along the Mahabharat Range. Some bushes and grasslands are also found with the mixed type of forest in the region. Due to altitude variation, the natural vegetation zones do not run horizontally in the district. Banke district enjoys sub-tropical climate and hence it has sub-tropical evergreen forest. Main trees and forest products of the region are Sal, Sisau, Khayar, grasses, flowers, fruits and herbal plants. The people and animals of the region depend on these forest products. They have been using these forests since time immemorial. These forests supply for housing, animal husbandry, firewood, grasses, medicines and herbs. The district also has some hardwood and softwood forest covering 48 % of the area.

Mineral Resources

The country is rich in mineral and natural resources. Mica, lignite, copper, nickel, cobalt, lead, graphite and iron are major mineral resources but their exploration and utilization is yet to be done (CBS, 2001). The country has rich potentials of hydroelectricity sharing nearly 2.27% of the world's total hydropower potentiality but the generation of hydroelectricity is quite negligible. Rapti river is the major source of hydro power in the studied area. Forest has covered most of the Siwalik ranges and riverbanks of the district. Wild animals like tiger, bear, deer, wild pigs and different kind of birds are found in the forest. More than 95 per cent of the domestic fuel comes from this forest.

CHAPTER 3 DEMOGRAPHIC BACKGROUND

3.1 Population Composition

The world is suffering from the problem of population explosion. This has resulted into imbalance in population and economic resources. The average birth rate of the population of the world is 22 and death rate is 9 per 1,000 people. Intant mortality rate is 55 and the total fertility rate is 2.8. Similarly about 30 per cent of the population is below 15 years of age, while only 7 per cent is above 65 years of age. Life expectancy of males is 64 years and of females is 68 years (CBS, 2001).

Nepal is a multi-ethnic and multi-religious society. The national census has reported 23,151,423 total population with an annual growth rate of 2.24% per annum of the total population, males contribute 11,563,921 (49.96%) and females 11,587,502 (50.04%). This exhibits adverse sex ratio. About 14.2 per cent (3,227,879) of the population lives in urban areas while remaining 85.8 per cent (19,923,544) in rural. The number of total households in the country is 4,253,220. According to the census 762,181 people (3.29%) are living outside the country. The average size of the households in Nepal is 5.44 persons (CBS, 2001).

The population of Nepal has complex distribution. Altitude, climate and the geophysical conditions have their bearing on the distribution of the population. Cultural impact of India is well perceived in the south while northern part is influenced by the Tibetans culture. The population of Nepal may be classified into two ethnic groups on the basis of historical origin and linguistic and cultural traits. The first one is the Indo-Aryans/Indo-Nepalese and the other is the Tibeto-Mongoloids/ Tibeto-Nepalese.

The Arya (of Caucasian origin) are believed to have migrated from India and settled in the plains and hills of Nepal, during the Muslim conquest in 13th century AD. The Parbatiya/Paharis, the Tharus and Nepalage at from the Arya group. The Newar are also of Mongoloid

origin and are mostly Buddhists. Tharus are mostly concentrated in the Tarai region of Nepal. The Bahun and Chhetri group is scattered all over the Kingdom. The Newar group is mainly concentrated in the valleys and in the main trading centres. Tibeto-Mongoloids migrated from the north and settled in the mountain region. The major groups of population are the Tamang, Rai, Limbu, Bhote, Sherpa, Gurung and Magar. Other native tribes are scattered in different parts of the country.

The percentage of urban male population is slightly greater (14.65%) than that of the female population (13.74%), but that of the rural male population (85.35%) is slightly less than that of the female (86.26%) population (CBS, 2001). This shows that there are more males in the urban centres and more females in the rural areas. Many rural youths have moved away to seek employment in the urban centres and some have even migrated to the foreign countries during the census period.

The population distribution between 5-14 year age-group shows the dominance of males (40.17%) over females (38.55%). In 15-59 year age-group, male population (53.28%) is slightly less than its female counterpart (55.01%). The same trend persists even in 60+ age groups. About 54.1 per cent of the population is in the working age group, while 39.4 per cent population is below 14 year age-group. That apart, 6.50 per cent of the total population belongs to old age (60+) category. In this age group, the percentage of males (6.56%) is slightly higher than that of the females (6.44%).

Among the bonded labourers under study, about 42.1 per cent belongs to below 14 age group category (males 41.5% and females 43.6%). It shows that female population in this age-group is greater than the male population. This is in contrast to the national trend. The population above 60 year age-group is only 3.9 per cent, which is much below the national average. About 53.7 per cent of the population belongs to the age-group of 15-59 years (male population 53.9% and female population (46.1%) (Field Survey, 2001). The analysis shows that while the fertility rate, as evidenced by the higher percentage of children in the population, is higher in the bonded labourers than in the general population of the country, the lower percentage of aged people (above 60 years) tells about the appalling condition about their quality

of life living standard, health and sanitation which have adverse effect on the longevity of the bonded labourers

Religious Composition

Population composition according to the religion in Nepal and Banke district is given in Table 3.I below. It can well be compared with that of the study area. Nepal was, until 18 May 2006, was the only Hindu country in the world, but with the historic Parliamentary Declaration on that day as a result of Jana Andolan II 2006, she has become now a secular state. Nepal being a multi-religious land, bearing a secular character and attitude was the desire of the Nepali people. Also, the land is characterised as holy and peace-loving Lord Gautam Buddha's birthplace. Besides, it is the land of the Mt. Everest (8848) metres height), the highest mountain peak in the world. By religious distribution, majority of the people are Hindus both nationally (80.62%) and by district (78.49%), followed by the Buddhists (10.74%) nationally, and the Muslims by district (18.98%) in the second place. Islam is the third important religion (4.2%) in the country. Other religious groups include Kirant (3.60% in Nepal and 0.01% in Banke district), Christian (0.45% and 0.36%), Sikh (0.03% and 0.08%), and Jain (0.02% each in Nepal and Banke district).

Table 3.1: Religious Composition in Nepal and Banke District, 2001

Religious groups	Total population (Nepal)	Per cent	Total population (Banke)	Percentage %
Hindu	18,330,121	80.62	302,859	78.49
Buddhist	2,442,520	10.74	7,803	2.02
Islam	954,023	4.20	73,254	18.98
Kirant	818,106	3.60	35	0.01
Christian	101,976	0.45	1,372	0.36
Sikh	5,890	0.03	306	0.08
Jain	4,108	0.02	66	0.02
Others	91,190	0.36	145	0.04
Total	22,736,934	100.00	385,840	100.00

Source: CBS, 2001. (Census Affected VDCs are excluded from the Table)

Out of a total sample of 832 households, 99 per cent are Hindus and only 1 per cent belongs to Muslim religion in the study region. Therefore the study area is absolutely a Hindu dominated region. Recently Christian missionaries through different nongovernmental organizations are making their presence in the region and are contacting people of low castes and poor families. After the restoration of democracy, the constitution of Nepal 1990, the work of religious preaching and movement was relaxed. The Kamaiya informants reported that an NGO known as Backward Society Education (BASE) was quite active in the region in carrying out its programmes on Christian religion preaching rather than other social services.

Sex ratio

The number or percentage of males per 100 females is called sex ratio. The average sex ratio of Nepal was 99.8 male per hundred female in 2001. The sex ratio of over-60 years age-group is 101.7 and the 15-49 years age group is 96.7 and that of below 14 years age group, it is 104.0. In urban areas, the sex ratio is 106.5 and that in the rural areas, it is 98.79. The average sex ratio in Banke district is 106.7, and that of the sample households of bonded labourers, it is 99.3. The urban sex ratio in the district is 110.8 and of the total bonded labourers in the study areas, it is 116.9 (CBS, 2001 and Field Survey 2001).

Elderly population

The population of above 60 years age is called elderly population. The percentage of elderly population was 5.0 in 1952/54, 5.8 in 1991 and 6.5 in 2001. It shows that the percentage of elderly population is continuously increasing. Similarly, 39.4 per cent of the total population of the country lies in the 0-14 age group (CBS, 2001). Increase in life expectancy, and decline in the fertility and mortality rates are the factors mainly responsible for the growth of elderly population. The growth rate of elderly population is much faster than the average growth of total population in the country. The elderly population grew at an average rate of 3.44 per cent per annum, and in 2001, it was 2.24 per cent. This shows that the country is going to face the problem of elderly

population in coming decades. The overall dependency ratio of the country is 84.7. The elderly dependency ratio is 12.0 and of the children 72.7. Traditionally, the elder males control the household property and farmland (CBS, 2001).

Aging population is a cryptic problem in Nepal and its magnitude is expanding day by day. The problem of senior people needs serious study and planning. Due to economic hardships and stiff competition, the new generation is faced with limited choices to meet its basic needs; the joint family institution is breaking up yielding place to nuclear families. The control of elderly people on household property and economic resources is also weakening. The respect for clearly people is warning down in new generation. The new socio-economic system is affecting the traditional values and norms. Hence, the issues of livelihood, socio-economic characteristics, supporting mechanism, impact of the eroding traditional beliefs and obligations, and the livelihood pattern of senior people deserve timely and careful study and planning. The percentage of aged population amongst the bonded labourers is just half of the national total.

3.2 Population Size

Population is an important human resource which plays significant role in the economic development of a country or region. But, the factors of illiteracy and over-population are a curse for the society yielding place to a number of problems. Hence, qualitative and qualified human resources should be developed in the country for its all round development. The population should be within a manageable limit in which minimum standard of quality of life could be provided to the people. This limit is determined by the availability of the resources and their utilization.

Population growth should be normalized so as to pave the way for the country's integrated development. Development depends on the size and quality of the population. In Nepal, the first Census was taken in 1911, however systematic Census taking started since 1952/54. This was the first scientific Census of the country.

Table 3.II: Population size in Nepal, 1911-2001

Census year	Total Population	Growth Rate	Population Doubling Time
1911	5,638,749		-
1920	5,573,788	-0.13	-
1930	5,532,574	-0.07	-
1941	6,283,649	1.16	60 years
1952/54	8,256,625	2.30	31 years
1961	9,412,996	1.65	42 years
1971	11,555,983	2.07	34 years
1981	15,022,839	2.66	26 years
1991	18,491,097	2.10	33 years
2001	23,151,423	2.24	31 years

Source: CBS, 2001.

Since then, Census is regularly conducted on decadal basis. Prior to 1930, the growth rate of population was in minus due to high mortality rate and poor health facilities. But, since 1941, it started to increase at a rate of 1.16 per cent per annum. The current total population of Nepal is 23,151,423 with an annual growth rate of 2.24 per cent. If the current growth rate persists, Nepal's population will be doubled in the next 31 years. The population of Nepal has increased rapidly since 1971. The present population growth of Nepal is overwhelming. It has led to numerous problems in the country. Therefore, there is an urgent need to arrest the population growth. The population growth rate of Banke district (3.6% per year) is even higher than that of the national average. Hence, with the current population growth rate, the region's (MWDR) population is likely to be doubled within the next 22 years.

3.3 Population Growth

The average population growth in Nepal is 2.24 per cent per annum. It is comparatively a very high population growth rate. Table 3.III exhibits the categorisation of the districts of Nepal on the basis of their high and low growth rates of population.

Manang district has recorded the highest population growth rate of 5.71 per cent followed by Kathmandu district (4.82%). Although, there is a general trend of population movement towards the urban

centres and to the Tarai plains, Manang district is an exception. Kailai, Kanchanpur, Banke and other districts of the Tarai region have high population growth rate. The lowest population growth rate has been recorded in Mustang district (0.20%). Hilly districts and areas infested by the Maoist insurgency generally observe low population growth rate. Gandaki Zone has the highest population growth rate (Manang 5.71%) and the lowest population growth rate (Mustang 0.20%) in Nepal (CBS, 2001).

Table 3.III: Nepal: Growth Rates of Population by Selected 10 Districts, 2001

Districts' name	High growth rate	Districts' name	Low growth rate y.
Manang	5.71	Mustang	0.20
Kathmandu	4.82	Bhojpur	0.32
Kailali	3.93	Khotang	0.73
Kanchanpur	3.90	Shyanja	0.77
Banke	3.16	Parbat	0.96
Sunsari	3.04	Terhathum, Solukhumbu	1.04
Rupandelii	2.97	Gulmi	1.10
Bara	2.93	Okhaldhunga	1.14
Parsa, Chitwan	2.84	Sankhuwasabha	1.18
Rautahat	2.79	Taplejung	1.21
Total	3.61	Total	0.87

Source: CBS, 2001.

3.4 Population Distribution and Density

The population of Nepal is not evenly distributed throughout the country. A number of factors have contributed to this uneven distribution. These include geographical, cultural, social, economic and polital factors. Nepal is a mountainous country. Hence, there is a major concentration of population in the Tarai region.. Similarly, urban centres with better economic and social-facilities too are drawing more and more population. The spatial pattern of the population of Nepal, may be analysed on the basis of ecological conditions, developmental activities and patterns of urbanisation. Better economic prospects, fertile lands, good administration and development activities are promoting higher concentration of population. The Tharu people generally like to live in

their own community. Population distribution is generally determined by the availability of the economic facilities. The highest population density of 2,739 persons per square kilometer is found in Kathmandu district, while the lowest density is recorded in Manang and Dolpa districts where it is only 4 persons per square kilometre. Average population density of Nepal is 157 persons/sq km. It varies according to the regions and the residensial area of the country.

Population distribution is the number of the population living within the given ecoloical, geographical and developmental region. Density concerns with the number of population and the area in square kilo mitres. It can be express on Arithemetic, physiological, agricultural, economic and nutritional density. In general it is the man land ratio in common expression of the people.

Population Distribution by Ecological Regions

Of the total population of 23,151,423 (2001 Census), about 7.3 per cent was concentrated in the mountain region, although it occupied 35.2 per cent of the country's area. The hilly region covering 41.7 per cent of the country's area houses 44.3 per cent of its total population. The Tarai region occupies only 23.1 per cent of Nepal's area, but it supports 48.4 per cent of the total population of the country. The average household size is estimated to be 5.3 persons in the mountain region, 5.2 persons in the hilly region and 5.8 persons in the Tarai region. The average household size of the country is 5.4 persons. The average population density of the country is 157 persons per square kilometre which varies from 33 persons/km² in the mountain region to 167 persons/km² in the hilly region and 330 persons/km² in the Tarai region.

Table 3.IV: Distribution of Population by Ecological Regions in Nepal, 2001

Ecological regions	Total population	Population in (%)	Average household size	Area in Sq.km.	Density Persons/Km²
Mountain	1,687,859	7.3	5.3	51,817(35.2)	33
Hill	10,251,111	44.3	5.2	61,345(41.7)	167
Tarai	11,212,453	48.4	5.8	34,019(23.1)	330
Nepal	23,151,423	100	5.4	147,181(100)	157

Source: CBS, 2001.

Different factors have their role in affecting the density of population in the country. Banke district with 2,337 square kilometers constitutes the most densely populated region of Nepal. The total population of this district was 385,840 in 2001 giving an average population density of 165 persons per square kilometre. The average household size in the district was 5.7 persons. The district thus supports 1.67 per cent of the total population of the country although it occupies only 1.59 per cent of the total area of the country.

Population Distribution by Developmental Regions

Table 3.V: Population Distribution by Developmental Regions in Nepal, 2001

Total population	Population (%)	Average household size	Area in square km²	Area in (%)	Pop. density Persons/km²
5,344,476	23.1	5.3	28,456	19.3	188
8,031,629	34.7	5.4	27,410	18.6	293
4,571,013	19.7	5.3	29,398	20.0	155
3,012,975	13.0	5.6	42,378	28.8	71
2,191,330	9.5	6.0	19,539	13.3	112
23,151,423	100.0	5.4	147,181	100.0	157
	5,344,476 8,031,629 4,571,013 3,012,975 2,191,330	population (%) 5,344,476 23.1 8,031,629 34.7 4,571,013 19.7 3,012,975 13.0 2,191,330 9.5	Population Population 10tal Population (%) household size 5,344,476 23.1 5,344,476 23.1 5,3 5.4 4,571,013 19.7 3,012,975 13.0 2,191,330 9.5 6.0	Population Population Sequare km² 5,344,476 23.1 5.3 28,456 8,031,629 34.7 5.4 27,410 4,571,013 19.7 5.3 29,398 3,012,975 13.0 5.6 42,378 2,191,330 9.5 6.0 19,539	Population population Population (%) household size square km² in (%) 5,344,476 23.1 5.3 28,456 19.3 8,031,629 34.7 5.4 27,410 18.6 4,571,013 19.7 5.3 29,398 20.0 3,012,975 13.0 5.6 42,378 28.8 2,191,330 9.5 6.0 19,539 13.3

Source: CBS, 2001.

Table 3. V exhibits the distribution of population in Nepal on the basis of development regions. The Central Developmental Region has the highest concentration of the country's population, i.e. 34.7 per cent of the total. The least concentration of population (9.5%) is recorded in Far Western Developmental Region. Eastern Developmental Region is a moderately settled part of the country supporting 23.1 per cent of the country's population.

Western Developmental Region occupying 20 per cent of Nepal's area houses 19.7 per cent of the total population. Here, the average size of the household is 5.3 persons with population density of 155 persons per km². The Eastern Developmental Region, with an area of 19.3 per cent of the country, supports 23.1 per cent of the population. The average size of household here is 5.3 persons with population density of 188 persons per km². The Central Developmental Region, with 18.6 per cent of its area supports 34.7 per cent of Nepal's population. Here,

the average size of households is 5.44 persons and population density is 293 persons per km². Far Western Developmental Region, with 13.3 per cent of country's total land area, supports only 9.5 persons of its total population. The region has a population density of 113 persons per km². It has the biggest household size. The Mid Western Developmental Region contributes 13 per cent of the total population of the country. It has the lowest density of population, 71 persons per square kilometre. Here the average household size comes to 5.6 persons. Majority of the population lives in the villages. Rural population constitutes about 85 per cent, while urban population's share is only 15 per cent. In Banke district, only 15 per cent of total population lives in the urban centres, while 85 per cent lives in the villages (CBS, 2001).

Population Distribution in Mid and Far Western Tarai

Four out of five districts are called *Nayamuluk*, (new land) because the British India government had handed them back to Nepal government which they had encroached upon earlier. The Tharu population dominates the area. They are known as Dangaura Tharu and Rana Tharu. Rana Tharu is predominant in Kailali and Kanchanpur districts and Dangaura Tharu in Banke, Bardiya and Dang districts. They exhibit slightly different socio-cultural behaviour. Their origin also is attributed to different backgrounds. The present study concentrates on the Dangaura Tharu of Banke district Of these Banke, Bardiya and Dang districts belong to Mid Western Developmental Region, while Kailali and Kanchanpur districts come under Far Western Developmental Region. Kailali district contributes 27.7 per cent of the total population and 26.6 per cent of the region with average population density of 191 persons per square kilometre. Kanchanpur covers 13.2 of the area and 17% of total population of the region. It records the highest population density of 235 persons' per square kilometre. Bardiya district contributes 16.7 per cent of the area and 17.2 per cent of its total population. It records the average population density of 189 persons per square kilometre. Dang district's share is 24.3 per cent in area and 20.8 per cent in population with an average density of 156 persons.

Table 3.VI: Distribution of Kamaiyas (Bonded Labourers) by Districts, 2001

Districts	Total	% of Total	Average	Areas in	Percentage	Population
	population	population	HILSize	Km.²	of area	density
Dang	462,380	20.8	5.6	2,955	24.3	156
Banke	385,840	17.3	5.7	2,337	19.2	165
Bardiya	382,649	17.2	6.4	2,025	16.7	189
Kailali	616,697	27.7	6.5	3,235	26.6	191
Kanchanpur	377,899	17.0	6.3	1,610	13.2	235
Total	2,225,465	100.0	6.0	12,162	100.0	183

Source: CBS, 2001.

Banke district contributes 17.3 per cent of the region's population and 19.2 per cent of its area. It records an average population density of 165 persons per square kilometre. Kailali district has the largest (6.5 persons) and Dang district has the smallest size (5.6 persons) of household. The average size of household comes to 5.7 persons in Banke district.

The distribution of population can also be explained by age and

3.5 Population Distribution by Age and Sex

sex. Table 3. VII shows the age and sex-wise distribution of population in Nepal. Figures in different age-groups are given in percentages. This cleanly exhibits the youthfulness of the population. The sex ratio has been determined on the basis of number of males per 100 females. The highest percentage of the country's population in both sexes is found in 5-9 age-group followed by the next 10-14 age-group. The children of 0-4 years constitute 12.29 per cent of male and 11.95 per cent of female population. Beyond 19 years, there is regular decline in the population of both sexes in different age groups. The least percentage of population is found in 55-59 age group. The elderly population in 60+ age group is growing for the last some years which contributes 6.5 per cent per cent of the total population of the country. The percentage of women is slightly less than than that of men in this age-group. This indicates the poor health and nutritional condition of women, which is a typical phenomenon in the developing conutries.

Table 3.VII: Nepal: Age and Sex Structure of Population, 2001

Age groups	Male (%)	Female (%)	Total (%)	Sex ratio
				males/100 females
0-4	12.29	11.95	12.12	102.7
5-9	14.38	13.87	14.12	103.5
10-14	13.50	12.73	13.11	105.9
15-19	10.44	10.57	10.51	98.6
20-24	8.33	9.40	8.87	88.5
25-29	7.23	7.95	7.59	90.8
30-34	6.39	6.71	6.55	95.1
35-39	5.73	5.79	5.76	98.8
40-44	4.75	4.82	4.79	98.5
45-49	4.13	3.99	4.06	103.5
50-54	3.46	3.28	3.37	105.2
55-59	2.80	2.49	2.65	112.4
60+	6.56	6.44	6.50	101.7
Total	100.0	100.0	100.0	99.8

Source: CBS. 2001.

The sex ratio is higher in the age groups of above fifty and below forty years. The table shows that the percentage of women is higher in the age groups of 15-59 years than that of men. The highest sex ratio is found in the age-group of 55-59 years which is 112.4 males per hundred females. On the other hand, the lowest sex ratio of 88.5 males per 100 females is found in the age-group of 20-24.

In the broad age group of below 14, males constitute 40.17 per cent and females 38.55 per cent of the respective population in Nepal (cf. 39.35% of total population). Sex ratio in this age-group is 104 males per 100 females. The working age groups of 15-49 years provide 53.28% of male and 55.01 of female (cf. 54.15% of the total population). This age group of population has a sex ratio of 96.7 males per hundred females. Similarly, age-group 60+ contributes 6.5 per cent of population with sex ratio of 101.7 males per 100 females. Here, the percentage of males (6.56) is slightly higher than that of females (6.44).

Population scenario of the Selected VDCs' in Banke

Banke district consists of 67,269 households with a total population of 385,840. Of this, male population is 198,231 (51.4%)

and the female population is 187,609 (48.6%) (CBS, 2001). The total population of nine VDCs is 113,539 which is spread over an area of 494 square kilometres. Baijapur is the largest VDC with a total area of 110 square kilometres, while Raniyapur is the smallest one (area16 square kilometres). Among the VDCs, Koholpur has the largest population of 20,134, while Raniyapur has the lowest population of 5,549. The average population density of the area is 222 persons per sq. km., which varies from one VDC to another depending upon the fertility of soil, potentials of resources, prospects of trade and transportation, availability of health facility and socio-cultural attributes.

Table 3.VIII: Population, Area and Density of the Study VDCs, 2001

VDCs	Area in sq.	Total population	Bonded % of total population	Density P/	Kamaiya labour density
Baijapur	110	10,991	9.68	100	1
Bankatawa	35	16,474	14.51	471	5
Binauna	43	6,583	5.79	153	3
Koholpur	101	20,138	17.73	199	1
Naubasta	52	15,570	13.74	299	5
Phattepur	91	14,830	13.06	163	2
Rajhena	24	14,898	13.12	621	9
Raniyapur	16	5,549	4.89	347	4
Titihiriya	22	8,506	7.49	387	4
Total	494	113,539	100.0	230	3

Source: Based on 839 Sample Households Survey, 2001.

The highest population density is found in Rajhena VDC (621 persons per square kilometre), while the lowest density of population is recorded in Koholpur and Baijapur VDCs (100 persons per square kilometre). Barkatawa is the second most densely populated VDC (population density being 471 persons/sq. km.) followed by Titihiriya VDC (387 persons/sq. km.), density followed by Raniyapur (347 persons/sq. km.) and Naubasta VDC (299 persons/sq. km.) Phattepur (163 persons/sq. km.) and Binauna (153 persons/ sq. km.) VDCs are characterised by the lowest density of population. The nine VDCs together provide 29.4 per cent of the total population of Banke district. About 78.04

per cent of population of these VDCs belongs to Tharu community who are mostly living along forests and river sides.

The area has open land for livestock rising. About 1.77 per cent of the total population of the district and 10.81% of the total population of the Tharus in the district belong to bonded labourers category (Field Survey, 2001). These bonded labourers are males and females of various age groups. Rajhena VDC has recorded the highest per square km. density of bonded labourers' (i.e. 9) followed by Naubasta and Bankatawa VDCs (5 bonded labourers per square kilometre) and Raniyapur and Titihiriya VDCs (4 bonded labourers/sq.km.).

Table 3.IX: Sex Composition and Household Size of the VDCs, 2001

VDCs	Total population	Male	Female	Sex ratio	Nos. of Total Households	% of HH	Average IIII.size
Baijapur	10,991	5,476	5,515	99.2	1,308	7.0	8.4
Bankatawa	16,474	8,144	8,330	97.8	2,774	14.8	5.9
Binauna	6,583	3,260	3,323	98.1	871	4.6	7.6
Koholpur	20,138	10,270	9,868	104.1	3,876	20.6	5.2
Naubasta	15,570	7,708	7,862	98.0	2,672	14.2	5.8
Phattepur	14,830	7,588	7,242	104.8	2,087	15.3	7.1
Rajhena	14,898	7,381	7,517	98.2	2,873	11.1	5.2
Raniyapur	5,549	2,794	2,755	101.4	941	5.0	5.9
Titihiriya	8,506	4,229	4,277	98.9	1,388	7.4	6.1
Total	113,539	56,850	56,689	100.3	18,790	100.0	6.04
			1	1	1	·	·

Source: Based on 839 Sample Households Survey, 2001.

The least population density of bonded labourers is recorded in Baijapur (1) and Koholpur (1) VDCs. Of these, Baijapur VDC is located along the eastern side of the Rapti river.

The people of rural areas have well adapted to the lack of even basic human facilities and a harsh living. The native Tharus of Dang-Deukhuri are called *Dangaura* Tharu. *Dangaura* is not their ethnicity but it is a calling name given by the people of the hill origin to the descendants of the Tharus. Most of the bonded labourers of this study area are originally from Dang. They were displaced after the land reform programmes of 1964.

The land has always been a sacred thing for the Tharus who hold the belief that land cannot be owned as private property. On the contrary, non-Tharu hill migrants firmly believe in holding land as an individual's private property. Heavy population pressure on land and non-availability of requisite natural resources in the hills has forced people to move out to other areas. The situation worsened with the private ownership of the land. The State effected certain constitutional amendments which intensified the concept of private ownership leading to unequal distribution of land. Consequently, the free access to land enjoyed by the Tharus was restricted and land became a scarce commodity with the introduction of land tax.

There are 56,850 male and 56,689 female populations in the study area. Koholpur, Phattepur and Raniyapur VDCs have more male population than the female. On the other hand, Bankatawa, Baijapur, Binauna, Naubasta, Rajhena and Titihiriya VDCs have more female population than the male. The average sex ratio is 100. Naubasta VDC has the lowest sex ratio of 98, while Phattepur records the highest of sex ratio of 105. Koholpur VDC has the largest number of households (3,876), while Binauna VDC has the lowest number (871). The average household size of the area is 6.04 persons. Baijapur VDC has the largest household size of 8.4 persons, while Koholpur and Rajhena VDCs have the lowest household size of 5.2 persons.

This book is mostly based on the bonded labourers' issues and based in Banke district on the following households survey.

3.6 Population Distribution by Size Class of Localities

Population in Banke district is not uniformally distributed. In the study area, 45.1 per cent of the population lives in VDCs with a size-class of 5,000-9,999. Another 42.5 per cent of the region's population is concentrated in over size VDCs (10,000+). Only 12.4 per cent of the district's population lives in small size (3,000-4,999) VDCs (Table 3.X).

Table 3.X Population Distribution by Size Class of VDCs, 2001

Size class of	No. of	Per cent of	Population	% of
VDCs	VDCs	VDCs %		population
3000-4999	12	25.5	48,561	12.4
5000-9999	27	57.5	176,703	45.1
10000+	8	17.0	166,539	42.5
Total	47	100.0	385,840	100.0

Source: CBS, 2001.

The average size of a VDC proposed in a Tarai district is 10,000 populations. If the proposal is implemented there will be only 18-20 VDCs in Banke district. This will require the VDCs' re-demarcation and change in boundary. More funds will be required to integrate administration, physical planning and economic development.

3.7 Fertility

Total reproduction of any married woman during her life time may be traced as fertility. Similarly, fecundity refers to the capacity of a married woman for giving birth to babies during her reproductive period. Fertility is mainly affected by the geographical conditions, education level, age at marriage, occupation, social status and cultural values of the people. Fertility has steadily declined during the last 15 years from 5.1 births to 4.1 births per woman. Similarly, fertility among the age group of women below 30 has also declined from 3.6 to 2.9 births per woman. The survey shows that variation in fertility may be marked by place of residence. The fertility in the urban woman is 2.1, while it is 4.4 births per woman in rural areas. It is also higher in the mountains (4.8 births) with little difference in the hills (4 births) and the Tarai (4.1 births) per woman. Education has restrictive role in fertility. Uneducated women have many births than those with at least some secondary education that have only 2.3 births (MOH, 2001).

Tharu women can take independent decisions within the family and have right over the family property. They have full regards for elders.

During family meal time, they serve other members first and themselves take their share at last. A woman as mother or wife brings behavioral changes in the family life. Rural women work from dawn to dusk to earn their living and contribute towards family income. These women, besides performing household chores, also contribute to agricultural production and local economy. They prefer large family to have extra hands to augment family income. These women have poor knowledge about family planning programmes and contraceptives. Children are generally born at home with domestic knife or blade exposing the risks for tetanus infections. The new born children have generally low weight and suffer from malnutrition, and deficiency diseases (Lamichhane, 1990: 41).

The average fertility for a woman during her entire childbearing age is 4.6 children. Urban women are less fertile (2.9 births) than their rural counterparts (4.8 births). Fertility is also affected by the geographical conditions of the region. A woman in the hill area generally bears 4.5 children against 4.6 children in the Tarai region. The mountain region shows 5.6 births per woman. Within the Developmental Regions, the highest fertility of 5.5 births is observed in Mid Western Developmental Region against the lowest fertility of 4.1 births per woman in the Eastern Region. Far Western, Western and Central Developmental Regions show 5.2, 4.7, and 4.6 births per woman respectively (MOH, 1996).

There is a strong negative correlation between fertility and education. It is 2.5 births per woman with the secondary education in the women as against 5.1 births per woman, in the illiterate females. The average fertility rate amongst women with primary education is 3.8 births per woman. Tharu women have higher fertility rate than the national average. Bonded labourers have still higher fertility rate (5.7 births/woman). Twenty-four percent of the women in their teens are either mother or pregnant with first child. Unplanned and unwanted births are generally associated with higher risk for child mortality because the mother is either too young (less than 18 years) or too old (over 34 years). Investigations show that 41.0 per cent of married (15-49 years) couples do not want any more children, 18 per cent of them are sterilized

and 13 per cent want a child within two years (MOH, 1996 and Field Survey, 2001).

Table 3.XI: Children Born of Married Female (15-49 Years) in Banke District, 2001

Married female with	Number of female	Per cent (%)
No child	17,395	23.81
One child	10,940	14.97
Two children	13,004	17.80
Three children	11,043	15.12
Four children	7,990	10.94
Five children	5,152	7.05
> Six children	7,212	9.87
Not stated	324	0.44
Total	73,060	100.0

Source: CBS, 2001.

Tharu bonded women are mostly illiterate and so, they do not use any contraceptives. They prefer more children to share economic burden of the family. There is hardly any use of family planning measures and contraceptives. They take reproduction as a natural process and the will of God and do not wish to go against it.

About 23.81 per cent of the married women are childless (Table 3.XI). About one-third of the women have either one or two children and a quarter of them have three or four children. Only about 16 per cent of the women have five or more children. During the last 12 months 0.01 per cent of the women aged 15-49 have been reported to have two children, while 5.80 per cent have been gifted with only one child. About 93.75 per cent of these women did not report child birth during the last 12 months. About 38.94 per cent of the girls of 15-49 ages are unmarried in the district (CBS, 2001 and field survey 2001).

Fertility level is determined by physical, social, economic, political, religious and cultural factors. Physical factors include residence, climate,

temperature and environment around the living place. Tharu bonded labourers are living in the hot subtropical climatic area of Banke district and at the foothills of Chure and Bhawar hills. Tharu girls are married at an early age, so high fertility is natural in them. Similarly, maturity of fertility organs also has an impact on fertility. In tropical areas, girls attain puberty at an early age and the practice of child marriage leads to high fertility. It was found most children of the bonded labourers were married at an early age of 13-17 and most of them give birth to their first child within a year of their marriage.

Social factors like women's birthplace and their education also have an impact over fertility. Urban educated women have less number of children than their rural counterparts. Types of family and use of family planning devices also affect fertility. In general, large family has higher fertility than the nuclear family. Availability and quality of health services also have their role in affecting fertility. Employment status, income level and quality of diet have also affected fertility. Poor people, in general, have higher fertility than the rich ones.

3.8 Migration

Migration is the third element of population change. It has direct relationship with the bonded labourers in two ways: the migration of bonded labourers and migration of the masters of the bonded labourers. Different social, cultural, economic, political as well as personal factors affect such migration. Of these, economic and social factors are very important in case of migration of bonded labourers (Donald J. Bogie, 1969: 753)

Migration may increase or decrease the size and change the structure of population of any region. It may help determine the size and rate of population growth, structure, distribution and characteristics of the labour force in a region. It may be considered as a symptom of basic social change (Lamichhane, 1999).

It is a form of geographical mobility or spatial mobility between geographical units, generally involving a change in residence from the place of departure to the place of destination. Such migration is called permanent migration and should be distinguished from other forms of movement, which do not involve a permanent change of residence. The terms like immigration and migration, place of departure and place of destination are used in migration behaviors. Likewise, gross and net migrations have positive impact on population growth of the region. The migration streams also depend on common area of origin and destination.

Migration is also the mobility of people within national boundary. People frequently move from on place to another, and these movements are very diverse in nature. The duration of stay may also vary from a few hours to several years. Demographers consider the change of milieu as an important aspect of migration. The movement or mobility flow of population from highland to lowland or plains, valleys, basins or in the urban areas is considered as the population interaction between two geographical areas. Place of birth, duration of residence, age, sex, marital status, employment opportunity, working skills and social pressure are other aspects of migration. The movement of people from place to place can be viewed as a spontaneous human effort to achieve balance between population and resources. It is a natural phenomenon, which produces demographic, social and economic interactions, which jointly reduce some of the irregularities of nature. Without these interactions, the spatial imbalance of such factors as wealth, food consumption and industrial output would go to an extreme. The result of cause of physical and human environment is seen in migration. Certain environmental conditions encourage movements of people and can change environmental conditions (K.C., 1995)

Unconscious drifts: Humans have always wandered and drifted across the surface of the earth. Earlier, this movement was perhaps without obvious reason or objective and it took place for thousands of years. Consequently, many social groups evolved from the cradle lands of human civilization.

Compulsory movements: Such movements have always been largely associated with unhappy and often violent periods of the history. Many such compulsory migrations were the outcome of either religious or political persecutions or economic needs. Slave trades, the plantation agriculture, escape from the persecution of the Nazis, labour movements, colonization programmes, government policy, economic prospects and

strategic advantages over possible attack are the important factors of such compulsory movement. Migration that results from uninformed motives is perhaps of the greatest interest. The study of voluntary movement inspires to consider the diverse geographical factors that determine human choice.

Migration is also the changing of shelter or change of settlement from one country or climate to another. It refers to permanent change in residence between spatially designated geographical areas within a state or across the political boundaries. Some short term changes of residence, such as excursions for visiting tourist places, pilgrim centers, holiday trips and business trips, even within or outside the country are excluded from the purview of migration. Broadly, it can be classified under two main categories: (a) national or internal migration, and (b) international migration. Another term seasonal migration is used to depict seasonal movement of people to earn their living. Rural to urban, rural to rural, urban to rural, urban to urban, highland to lowland, ridge top to valley region, mountains to plains and plains to mountains may be other types of migration.

In Banke, rural to rural migration is most common. Here, mostly Dangali (*Dagaura*) Tharu have migrated to work on land and for other employments. Some have migrated while in their mother's womb and others since their forefather's time. Very few of the bonded labourers have migrated during the recent time.

Table 3.XII and Fig.3.1 show that the highest percentage of migrants of Tharu bonded labourers belongs to second generation which is 34.92% of the total migration of bonded labourers in Banke district. This is followed by the third generation (23.84%), and first generation (15.97%). Tarai was opened after land distribution programmes since 1950 and the area was cleared for settlement after the eradication of Malaria in 1960. Migration was also affected due to political factor after 1995. Terrorism and violence due to Maoists insurgency made forced movement of the people from the area. Consequently a number of rural people irrespective of their age and sex have migrated to the urban centres. Many youths have even gone to foreign countries to earn their living. Both economic and political factors are responsible for sudden spurt of out migration.

Table 3.XII: Generation-wise Migration of kamaiya Households

Generations	Household (number)	Per cent
First	134	15.97
Second	293	34.92
Third	200	23.84
Fourth	76	9.06
Fifth	56	6.67
Unknown	80	9.54
Total	839	100.0

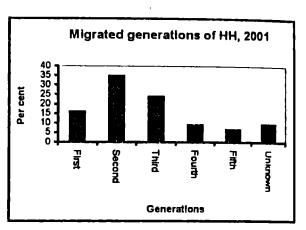


Fig. 3.1:

Source: Based on 839 Sample Households Survey, 2001.

Many high and low caste people from the hills have moved to Tarai for food and shelter. These people penetrated into the Tharu community and made them landless. About 9.06 and 6.67 per cent of the migrants belong to the fourth and fifth generations of migrants respectively. Remaining 9.54 per cent of the total migrants were not able to mention their generations. A large number of bonded labourers belonged to this category. Exploitation of the aboriginal tribes in the Tarai region was rampant during the seventies. The Jhapali Movement started in 1972 and eight landlords were killed by the Santhals and aborigines. Traditionally, the cultural values and way of life of the aborigines were intimately linked with agriculture and their access to land. In many of the tribal groups, their relation to land is clearly expressed in their mythology and social practice.

Probability of Further Migration

A question was asked to the bonded labourers to get some idea on the probability of further migration. Table 3.XIII shows that majority of the labourers did not like to move from the present settlement area. Such population is 90.94 per cent of the total households surveyed. Only 9.06 per cent of the bonded labourers expressed their desire to migrate to such places where they could get better land opportunity and employment.

Table 3.XIII: Probability of Further Migration

Sample Households		
Numbers	Per cent (%)	
76	9.06	
793	90.94	
839	100.0	
	Numbers 76 793	

Source: Based on 839 Sample Households Survey, 2001

Causes of Migration of the Kamaiyas

Migration is a common phenomenon in the society. Today, the world has become a global village. Humans can travel to far off places within a short period. Science and technology has made the humans more enterprising and curious to know the unknown places. The bonded labourers of the study region lack these modern amenities. They lack skills and technical know how. That is why there is very little change in their economic and social conditions.

Table: 3.XIV

Causes of Migration

Sample IIII (No.)	Percent	
479	57.09	
320	38.14	
15	1.79	
6	0.72	
19	2.26	
839	100	
	1111 (No.) 479 320 15 6	

Source: Based on 839 Sample

Households, Survey, 2001.

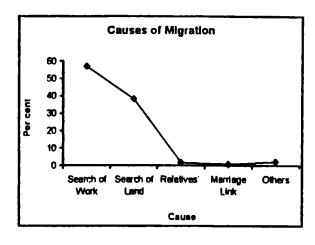


Fig.3.2

In the sample survey, families of the bonded labourers were asked the cause of their migration. As expected, majority of them (57.09%) mentioned the necessity for searching work and employment as the principal cause for migration. This was followed by a sizeable number of families (about 38.14%) migrating to acquire new lands to carry on agricultural activities. Only small percentages of them migrated for reasons of their relations (1.79%), marriage linkage (0.72%) and miscellaneous causes (2.26%). It has also been noticed that migration is easier for the families of the bonded labourers, because they do not have large assets and household goods to move.

Reason of Absence from the District

At the time of enumeration, 6,329 persons were absent from their homes. Among them 52 (0.82%) persons were absent for reason of their work in agriculture, 73 (1.15%) for business purpose, 4,157 (65.68%), 613 (9.69%) for private work or personal services, 182 (2.88%) for institutional jobs (for study or training purpose), 109 (1.72%) for marriage and 1,143 (18.06%) for miscellaneous purpose (CBS, 2001).

Destination of Migration

Majority of the people who were found absent from the district had migrated to India. According to the census record of 2001, 6,326 persons were absent from the district of which 5,650 (89.31%) had reached India. Similarly, 386 (6.10%) persons migrated to Saudi Arabia, 34 (0.54%) to UAE, 24 (0.38%) to Hong Kong. Singapore gave shelter to 31 (0.49%) and Qatar to 55 (0.87%) persons. North American countries attracted 30 (0.47%) persons, the United Kingdom 22 (0.35%) persons and other countries 94 (1.49%) persons (CBS, 2001).

3.9 Mortality

Death is the permanent disappearance of the person from the earth. There are two major types of deaths of human beings. These are physical death and moral death. Physical death is a post-natal cessation of vital function without capacity of resuscitation and is inevitable. On the other hand, mental death can be taken care of with proper planning. Descendant's characteristics and event of death depend upon age, sex, place of residence, type of work and other socio-economic factors. The risk of death and descendent has close relationship. The system of death registration is not full proof and free of error in Nepal. A special characteristic of descendant depends upon his marital status, occupation,

education, hospital admission, urban and rural residence and socioeconomic conditions of the area.

Two types of deaths are recorded within the community of bonded labourers, which include natural death and accidental death. There are different types of Antesti (funeral) ceremonies performed among the Tharu bonded labourers. Other two types of death mentioned are endogenous and exogenous deaths. Both these deaths occur due to degenerative and communicable diseases, which are classified into different categories: a) infective and parasitic, b) neoplasm, endocrine nutritional and metabolic, c) of the blood and blood-forming organs, d) of the circulatory system, and mental disorders, e) of the nervous system and sense organs, f) of respiratory system, g) of digestive system, h) of the genitourinary system, complications in pregnancy/child birth, i) of the cellular tissue, and j) of the muscular-skeletal system and connective tissue. Besides, early infancy, accidents, poisons, violence, HIV, AIDS etc. are other causes of death in the region (Lamichhane, 1990). Bonded labourers suffer mainly from skin diseases due to unhygienic living conditions and poor drinking water facilities. Work risk, accidental death, death due to alcohol and smoking and pregnancy deaths are very common in these labourers. Many of these bounded labourers die without proper diagnosis of their diseases and treatment. It is recorded that there is 33.1(CBR) per 1000 live birth, 9.6/1000 CDR, 64.4/ 1000 IMR and 91.2/1000 child mortality rate in Nepal (CBS, 2001). TFR per a married woman was 4.1 in Nepal in 2001.

CHAPTER 4 KAMAIYA SYSTEM

4.1 Origin of Bonded Labourer System

Human origin is considered as the last stage of evolution among the living creatures of the earth. The origin and development of the human beings may be traced from evolution of the first successful unicellular form (protozoa) of life in the planet. Since then, the life species have progressively evolved into different forms with growing complexity in their texture. Many new varieties of plants and animals have also come into existence through the effort of human beings since the Neolithic period (6000-3000 years BC). Darwin's principle of 'survival of the fittest' is found absolutely true when we observe the appearance of new forms of life and disappearence of the old ones (Banerjee, 1994). Likewise, bonded labour is the legacy of the earlier slavery system prevalent in Nepal. The elites of the plains exploited the Tharu and put them as bonded labourers and treated them as mere commodities.

The living conditions then were very difficult for humans and they were in ceaseless war with hostile environment and many enemies made survival very difficult. Gradually, using their skills, they started developing tools which gave them additional advantage over other wild animals. Later, the use of fire, discovery of wheel, domestication of plants and animals led to the beginning of new era of civilization. The beginning of speech, the art of writing and learning were the real turning points in the history of human civilization which enabled the humans to transmit his experiences and knowledge to new generations.

The humans secure unique place among other primates owing to their physical and cultural capabilities. The cultural development of humankind is supposed to grow through evolution from simple to complex. Culture is the product of humankind. Human socities have evolved from lower into higher types. With the invention of pottery, the human entered the early phase of cultural evolution. Domestication of animals and cultivation of land with irrigation led to the beginning of civilization. Culture is superorganic and superindividual which is carried, participated and produced by organic individuals through learning. This

is the product of human society of earlier days and has been handed to them through generations (Banerjee, 1994:13).

The human is a gregarious animal who prefers community living. A large assemblege of human beings in a particular territory, which grows around the principle of co-operation and unity, led to the evolution of social organizations. Social groups of common social thought, will and purpose, co-operated in the formation of a distinct economic and political system. There was also conflict between different social and political organisations. Stronger groups defeated weaker ones, forcefully captured their territory and plundered their wealth. Thousands were slain but some were retained as slaves and servants to serve their masters. These slaves were placed at the lowest level of the society and were always exploited by the people belonging to the upper hierarchy of the society. It is with their toil and hard labour the society flourished but the concentration of social and economic power remained in the selected few. This led to the evolution of the early feudal system and development of the institutions like kings, feudal lords and zamindars.

4.2 Social Customs

The United Nations' statistical commission on standard of living (1960) has laid down certain guidelines to assess the general living conditions of the people. These guidelines focus on the people's health, food consumption and food habit, education, employment, housing, social security, clothing, recreation and freedom.

Material culture includes occupation, animals, utensils, weapons, settlements, dress and ornaments. Tharu bonded labourers live in the vicinity of forest or rivers having lanes along the settlement. Their settlements have rectangular ground-plan. Thatching materials like tiles, plastic sheets are used for roofing these houses. The roofs are made slanting. Mud is a popular wall material. Around the houses are groves, shrines and basil plants. Most necessary daily and occasional goods are hung under the hut-roof both inside outside and inside the house. Tharu have their own typical dresses for male and female. But, now due to the impact of urbanization, readymade and mixed clothes are used. Silver, brass, bellmetal, iron, wood and bamboo ornaments are used by the females. Women put on necklaces, bangles, armlets and

also make tatoos on their arms, legs and bodies. Males may tatoo on their fore-arms and wrists. Tatooing is done through indegeneous method. The tribe, clan, family, kinship, marriage, succession, property, inheritance, the local unit of administration, death, funerals and religion are considered social institutions (Quigley, 1995:1-15).

Most tribes practise endogamy, group solidarity and cultural marriage. They have their own social customs and rituals based on their culture. There are many sub-tribes holding different customs and beliefs. Most clans in Nepal are patrilineal and totemic in nature. These clans are named after the father's clan. Husband, wife and unmarried children form a family. Members of the family have different roles to play, but always with a sense solidarity within the family. The family have relations as uncle, aunt, nephew, niece, brother-in-law and so on. Generally, sororate, leverate and preferencial marriage are common without emphasis on polyandry system. No cousin-marriage is prevalent among the Tharu, but the elder brother's widow may remarry the younger brother-in-law.

Family surname or clan name is followed through the male line which is inherited by a son. A daughter inherits her father's surname till her marriage but after that she adopts her husband's surname. The Tharu own private and personal property. Women have special 'Pewa' and dowry (Daijo) according to their economic condition. There may be common property like pasture-land, religious places, community forest, rivers and streams, school, and health spot. A council of the elders is formed to maintain unity and peace and to mediate during disputes. It also punishes the criminals in terms of physical punishment, fine, social boycott and so on. Mahato, the head of the social group, maintains social order and discipline as per the cultural norms of the group.

A number of rituals are performed during accidental deaths. Funeral ceremonies (Anteshti), obsequies and annual tributes are common practices among the Tharu people. The Tharu community believes in supernaturalism and animism. Also, the community believes in spirits—benevolent or malevolent. According to their belief system, such spirits live in the hills, forests, rivers and water bodies. The Tharu

also worship a number of Hindu gods and goddesses like Sitalamata, Dharma Deuta, Bhanyar, Gudia and others. They worship them so that they guard them against epedemics, and diseases during festivals and at other times. Majority of the Tharu population is engaged in agricultural and domestic activities to earn livelihood.

Totem is an object, animal or plant that holds special regard for an individual or social group. This belief is called totemism. Sorcery is a black-magic used for antisocial purposes, and so it is banned. Fetishism is a supernatural power and a point of faith. It may be in the form of simple or precious stones, implements, plants, epitome of mountains, a feather, or an amulet endowed with power. Taboos are used occasionally to cure diseases. Curse of disease is attributed to sorcery, breech of taboo, intrusion of evil spirit and curse of god. Sanction is imposed on the violation of traditional rules and regulations in the society.

4.3 Caste System

Jat (caste) denotes a particular type of micro human social group, which has its own distinctive characteristics. The word caste has been derived from the Portuguese word 'casta' meaning breed, tribe, race, clan or lineage. Its Latin equivalent is 'castus' meaning pure and unmixed (Chambers 20th Century Dictionary, 1983:196).

'Jati' has been derived from an Indo-European verbal root meaning genesis, origin or birth. It applies to any species of living things including gods and humans. Between humans, the word 'Jati' can designate a distinct sex, a race, a caste/tribe, a population of the followers of an occupation, a religion or a nation (Quigley, 1995: 3).

Caste is the product of a particular ideology, which produces conflicting belief systems. One system attempts to legitimize the caste institution, while the other attempts to repudiate it. The Hindu world has been made up of a number of castes. These castes are closed social groups. One has to marry within one's caste only and the children belong to the caste of their parents. It is hierarchically ranked on a purity or impurity scale according to the traditional occupation. Caste division and family institution are the building blocks of Hindu society. Membership to a caste comes by birth or heredity which is a system of

social ranking of the people in defined groups. The top and bottom ranks of the social ladder are fairly well defined and are occupied by the Bahun and the Shudra castes. There is much competition for the middle position. According to the traditional caste ideology, the Bahun are considered the brainchild in terms of ritual purity (Quigley, 1995:1). In materialist interpretation, caste is simply a rationalization and obfuscation of base-inequalities. High castes are generally better than the low castes. Therefore, the idiom of purity and impurity, through which caste differences are expressed, must be simply a means of legitimizing and obscuring the true nature of social divisions. According to the idealist interpretation, caste is a cultural construct, the product of religious ideas: castes are higher or lower in relation to religiously conceived notions of purity and impurity. Caste is essentially an ideological framework for explaining universal problems of social order. Nepal's caste system is the outcome of the Hindu impact of the past. As in India, in Nepal also, castes are explained as touchable and untouchable. Untouchable castes are not allowed to touch water pots, that is water is not acceptable from them. Touchable castes mainly consist of the ethnic groups including Janajati, and the Newar occupational groups. Untouchable castes include Kami/Lohar (blacksmiths), Sarki (leather workers/cobblers), Damai (tailors & musicians), Badi (dancers), and Gaine (traveling minstrels), Dhobi (washerpersons), Halkar and Chamar (latrine cleaners), Dushad and Dum (undertakers/sweepers), Tatmas and Musahar (labourers and ditch diggers) and many more. Similarly, Newar-Pode (fisherpersons), Chyame (scavengers), Pode (sweepers), Kusle (Musicians) are the main untouchable castes in the Kathmandu valley (Regmi, 1971:11-51).

Water acceptable castes are Tagadhari (holy cord wearers) Brahmin, Thakuri, Chhetry, high class Newar. The Magar, Gurung, Limbu and other Matwali groups are called the non-enslavable groups, whereas Sherpa, Tamang, Chepang, Kumal, Hayu, Gharti (descendents of freed slaves), Satar, Dhimal and Jhangar are called enslavable groups. The agrarian society kept bonded labourers to carry on agricultural activities. The Tharu in the Tarai region are bonded labourers (under Kamaiya system) due to their hard work, honesty and sincerity.

The basic idea is not of birth, but of occupation to ensure that social harmony and cosmic stability are maintained. It has a long history and dates back to the invasions of North West India beginning approximately 1500 BC by the Aryans from Central Asia. These Aryans are often referred to as Vedic, a word that is derived from the priestly ritual and literature, with which they are primarily associated (Quigley, 1995: 5-6).

Varna is simply a theoretical category never actually encountered on this ground, while Jati is the real operational unit, the real caste. Castes are, in general, bounded groups with a fixed membership to embark on a path of endless frustration from which many Hindus have never escaped. The boundaries of caste are relatively unambiguous and the principle of hierarchy in the caste system is the opposition of the pure and impure, superiority and superior purity, which are identical. It is in this sense that ideological distinction of purity is the foundation of status (Quigley, 1995:6-9).

The fundamental characteristic of the caste system is the hierarchical disjunction between status and power. Caste is a Pandora's Box. The positions of Bahun and the untouchables depends on their respective relation with the dominant caste. The caste depends on material factors, on access to certain resources, primarily land and trade. The Tharu of Banke belong to water acceptable castes, who claim to be an aboriginal group of Nepal Tarai. The caste system is also responsible for promoting an unhealthy practice of bonded labour among the Tharu group.

One's Own Place

Caste is a basic attribute of the Nepalese social structure. For centuries, it has served as a major reference point in social interaction and it continues to do so in one form or the other, even today. Social hierarchy is based on caste and it is this philosophical vision that determines the behaviour of millions of Nepalese people in whichever walk of life they are from. However, this is not to say that the caste attitudes are not undergoing changes as a result of education, economic development and social and political reform movements. In fact, changes

have occurred in the caste attitudes in relation to education, settlement and occupation (Gautam, 2001:22).

Caste rigidities have weakened with time as a result of economic development, urbanization, weakening of feudal values and more importantly the process of building a secular, democratic policy. Coupled with other legislative measures to rehabilitate the socially deprived and the underprivileged sections of population have helped transform the traditional view of caste. Urbanization and industrialization in many regions of the country have resulted in occupational diversification thus changing the traditional inter-caste relations drastically. Migration has created a new climate for change in people adopting new occupations and leaving behind their home villages and traditional occupation which were caste specific. The land rights were transferred to their tenants who were mostly middle ranking castes. The country also adopted a policy of scheduling certain socially deprived castes. These castes of the scheduled category enjoy certain privileges. They have a quota in government jobs and scholarships are instituted for them to enable them to join schools and higher institutions of learning.

In the contemporary society, the changing role of caste in politics, economy, education, social networking and bureaucracy may be probed in order to comprehend the existing social reality. Traditionally, the Nepali society has been governed by the institution of caste. The position of an individual in society and his/her sphere of social interaction and code of conduct were determined by his/ her caste, that is to say, the accident of birth in a family. Caste, therefore, operated as an instrument of social ordering. Each individual was supposed to lead a life in accordance with the socially accepted norms imposed by this rigid and unchanging social order defined by the caste. The concept of caste should be evaluated in this historical backdrop.

It is generally believed that as a phenomenon, caste is unique in and specific to the Nepali society. Tracing its origin, therefore, may require understanding the social mechanics that led to the emergence of a hierarchic social order. The origin of the caste system is, of course, shrouded in mystery, although there is a general agreement that the beginning was made in the Vedic Age.

As the mode of agriculture took place, its roots expanded in space and resulted into a new organization of social force of production. The expansion of agricultural mode implied an assimilation of the hunting. the food gathering and the pastoral communities into an agricultural society. This process of transformation was attended by a simple division of labour among the different constituent groups who came together to live in the pioneer villages. Understandably, the colour of the skin became the primary basis of this social division (Ahmad, Aijazuddin, 1999). The Indo-Aryans asserted thier superiority by creating a four-fold division of the society which came to be known as 'Chatur Naranaya' and placing themselves in the upper stratum of the Brahman and Kshatriya ranks. The Indus valley people and the tribes who lived on the periphery were assigned a lower status of Vaisyas and Shudras, or even treated as outcastes. The Indo-Aryans emerged as the custodians of knowledge (Brahmins) and defenders of territory (Kshatriyas). There were other unclean jobs, such as treating the dead bodies or removing the skins of the dead animals by the lower stratum of the society. sometimes described as the 'exterior' castes. The four Varnas were Brahman, Kshatriya, Vaisya and Shudra which constituted a hierarchical social division with Brahmans at the top and the Shudra at the bottom. Within each group, they are individual families on the basis of clan or Gotra. This gradually led to the emergence of a social practice of Varna endogamy and Gotra exogamy.

Varnas are differentiable from one another on the basis of rituals performed on occasions such as birth, marriage and death. The details of these rituals are prescribed in the scriptures. The Brahminical interpretation was that the Kshatriya was a legitimate "Raja", and more importantly, a divine incarnation.

As the economy got diversified and a section of the population concentrated in large settlements, occupations too got diversified. The Varna divisions were ratified in accordance with the process of economic diversification into the 'Jati' divisions. The Jatipratha worked in conformity with the Varna system and its ranking too worked in accordance with the Varna order.

The Varna-Jati system is specific to the cultural regions, and the inter-regional comparisons are fertile. It is region-specific in its relation

with other castes. The relations with the members of the same caste can perhaps be understood in the context of regions. Jati represents the diversity of the regional ethos within the overarching all-unity. The process of cultural differentiation expressed itself over a domino of language. Infact, migration was a common phenomenon that resulted into a mechanism of preservation of cultural traits. Each emigrant group in a city found it more convenient to function as a brotherhood that promotes intra-group interaction. Within the sub-castes, there emerged a system which imposed restriction on marriage, commensal relation and communal behaviour.

Table 4. I Classical Verna Model Based on Division of Labour

Varna	Class	Deity worshipped	
Deskeroe	Diagta Internation of Dhama	Ai	
Brahman-	Priests, Interpreters of Dharma -	Agni	
Kashatriya	Warriors, Rulers	Indra	
Vaisya	Commoners, Cattle herders	Visvadeva	
Shudra	Peasants, Workers, Servants		

Rig-Veda mentioned only the first three Varnas. Shudra was a latter addition. Caste is viewed as a product of the division of labour and is viewed as social stratification leading to the caste is hereditary and cannot be acquired and it determines the marriage field as all caste groups is endogamous. It also determines the pattern of social interaction and commensally relation

Brahman-Chhetri group was followed by cultivating castes, middle ranking castes and service castes. Unclean castes are settled at the periphery of the settlement system or pattern. Central upland is settled by the Brahmin and the main cultivating castes are followed by the central upland area. Service castes are covered around the central upland and main cultivating caste settled areas. Unclean castes are settled around the periphery of the above groups.

4.4 Class-Caste Distinctions

Class is the social discrimination or differentiation of groups. Here economy determines the objective criterion of relationship with the means of production, i.e. ownership and nonownership of land and capital. Many advocate for classless society but much of the recorded human history is the history of class struggle. Class struggle is the only menifestation of change and conflict which are prevalent in the society. Different groups with their vested interest permanently seek to promote and define their interest. A social class is as a community marked off from the rest by social status (Banerjee, 1994).

The class system reflects the social values of a society at a particular moment. The nature of class system may vary according to the geographical and social situation. There are open class-dominated societies which have marked inclination towards 'achieved' and 'ascribed' status such as in America and Europe respectively. A common born human may occupy an upper birth of the social stratum by dint of 'achived' status which no previous society had ever done. Wealthy prestige and plutocracy are considered the primary determinants of social status in America. Neither birth nor wealth counted for the social status in former Soviet Union. The Indian society is dominated by caste hierarchical system in every sphere of life. Industrialization, urbanization and Westernization have introduced a new trend towards the formation of social class based on traditional casteism. Different economic, social, political, cultural and religious classes are emerging due to the changing value system. The class, status and power are the three dimensions of social stratification. Class system is the result of intensification of the class principle (Quigley, 1995:18).

The society is made up of elements from diverse origin, caste groups, languages and religions. Differences in racial and ethnic indentities are strongly defined in almost all religions from tribal forms of animism and totemism to the monism of universal religions. Hinduism, Buddhism, Judaism, Christianity and Islam have their followers distributed in different parts of the world. These social groups, with diverse ethnic origins, found place at different points of time and adapted themselves to different ecological niches which were offered by the

physiographic and climatic settings of the country. There are strongly defined tribal identities based on ethnic origin. The tribes have been living in a world of their own, where is permitted some interaction among themselves, and with the rest of the country's population. The tribal identities are based on ethnicity along the ethnolingual lines.

Tribalism implies allegiance to traditional values of social equality, freedom, communitarian ethos, equality of status, gender equality, segmentation along clan and kinship structure rather than social stratification or hierachical order governing the status of different sections of the population. The exogenous influences have helped transform the traditional tribal relations by acquiring and losing access to natural resources including land in the upper and lower class. The origin of space in tribal regions may thus be seen as a manifestation of the ways of adaptation for environmental setting which are determined by the historical process of the people in the traditional habitats as homogeneous clan and kinship groups (Quigley, 1995: 1-21).

A hilly area, which is defined as the watershed or the channel of rivers, may serve as a boundary separating the core region of one tribal group from the other. The placement of tribes in spatial segments may be an outcome of a social history. Tribes have lived away from the river valleys ever since the colonization of the fluvial basins by the agrarian communities. The Tharu bonded labourers have been living mostly in the foothills of the Mahabharat range, forest areas and river basins by clearing the forests. Different social and economic circumstances have forced them to adopt the system of bonded labour.

4.5 Caste and Clan Territories

Residensial patterns of the rural settlements are influenced by the caste and the clan/lineage structures. The caste influences in subtle ways both the behavioural attitudes of the people and the social values that determine them. The houses of certain caste groups are situated along the farm side and the daily movement patterns of the people from their homes to the fields and the market place are determined by factors distance. Caste creates a network of relationships based on economic, functional interdependency, ritual and religious customs and the feudal

social order. The traditional way of life and the spatial organization of habitation continue without much change. However, democratic institutions to which the rural population has been exposed since independence, the impact of plannned development such as that of the social infrastructure in the villages has added new elements to the traditional settlement morphology.

Nomenclature has it that caste names vary from region to region due to variations in language and dialect. So, caste becomes a regional phenomenon. Even the common castes of barbar, washerperson, oilperson, gardner, potter and boatperson have several regional variants in Nepal.

In pre-British India, in many parts, the lower castes were serfs or slaves, either attached to the land and liable to be transferred along with it, or attached to the landowner and be sold by him. Even now, the agricultural hierarchy is mixed up in different ways and degrees with the caste hierarchy. In the period after independence, the problem of bonded labourers continued unabated, and until today remains largely unresolved.

A great many town dwellers are terribly poor. They are huddled up in dismal dark and smelly slums, sleeping in by four to ten persons in a small, dark, smoky room, and eating of the banest. These urban dwellers were pushed out of the villages and mostly drawn from among the ranks of the landless castes (Ahmad, 1999: 1-23).

4.6 Tribal Societies

The main characteristic of the Tharu tribal society includes subsistence economy, without any surplus for growth. It has common territory, deep sense of unity, common language, group edogamy, totemic clan, blood relationship, village headed system, common names and animalistic religion in the region (Gunaratne, 1999).

The threshold of Brahmanic hierarchic civilization has stratified the Hindu fold, where the caste may be regarded as a social group, while a tribe is a territorial group (Banerjee, 1994). Technological skill to exploit nature for human needs is based on the specialized knowledge and the system of division of labour in the society. Livestock

raising, shifting cultivation, barter system, and agriculture exploited natural resources in different ways. Within an agrarian economic system. different sub-groups like potters, blacksmiths, weavers, oil-pressers. grocers, washerpersons, barbers, and manual labourers have different ways of life and social customs. Similar were the forms of landownership practices like land owners, landless cultivators, share croppers, and agricultural labourers. Bulk of the hard labour like ploughing, levelling of land and lifting heavy weight were done by men labourers. Women labourers performed transplanting, weeding, harvesting, threshing. husking, and storing food grains. They performed all the domestic work like child rearing, cooking, fetching water, and washing. These labour families were also bound by social customs and rituals. Sometimes they had to incur huge expenditure in the ceremonies like child birth, marriage, death and had to borrow money from the landlord, money lender, and employer. To pay these debts and interest accruing therefrom, they sometimes pledged themselves, their wife and children berfore the money lenders as bonded labourers.

According to a Nepali national daily, Gorakhapatra (2057/6/10, Tuesday), 23 castes belong to the category of Dalit castes in Nepal. These include Lohar, Sunar, Kami, Damai, Sarki, Gaine, Badi, Kasai, Kusle, Kuche, Chyame, Pode, Chamar, Dhobi, Paswan (Dusadha), Tatma, Dum, Watar, Khawte, Musahar, Santhal, Satar and Halkhor. The government of Nepal has reserved 4 graduate seats with full scholarship in technical eduction for these Dalit groups. Also, the government has reserved some more seats in technical education for the people of remote areas, and the children of martyrs (Gorkhapatra, 2000).

Nationalities

Heritage of nationalities are the identity of the nation and the gallantry of nationalities are the glory of the nation. Nepal is a multi-ethic, multi-lingual, multi-cultural and multi-religious country. The constitution of Nepal, 1990 put forward a conceptual design to a) uplift the living standard of the disadvantaged nationalities and communities of any ethnic group, color and creed by removing all the existing

economic and social inequalities; and b) set up and develop their healthy social life based on justice and morality consolidating the national integrity, preserving people's identity and cultural diversity by developing their language, literature, art, scripts, religion and culture and by creating special opportunities for education, health and employment. It has now become a major responsibility of the Government of Nepal (Declaration of Parliamnet, 4 Jestha 2063) to work meaningfully for the upliftment and development of indigeneous nationalities.

Nominal welfare and development programmes were implemented during the forty years planned period in Nepal but these were not effective to raise people's condifidence and help them explore their potentials. They could not be effective to expand the areas and possibilities of overall national development. There existed a long list of glaring weaknesses like the lack of development of necessary institutional infrastructure, failure of the centrally formulated development programmes to draw the attention of the beneficiary communities, widespread feeling of the indigenous community that the centrally designed programme for their upliftment was only a feature of compassion, lack of adequate attention towards human resource development, lack of appropriate evaluation of conventional knowledge, skills and life-style of the indigenous people. The outcome of the state's development efforts could meet the expectations of neither the planners and policy makers, nor the indigenous nationalities. Consequently, nobody could ever feel that the nation was moving forward respecting the sentiments of the idigenous nationalities. The Government of Nepal formed a National Committee for the Development of Nationalities by issuing an ordinance in 1997 to strengthen the nationalities and to support their overall development efforts.

A Nationality (*Janajati group*) is a group of people with its own mother tongue, traditional culture, religion, and civilization, but it does not fall under the conventional fourfold Hindu Varna system or Hindu hierarchial caste structure. A Nationality (*Janajati group*) has a distinct collective identity. It has a traditional egalitarian social structure, traditional homeland (i. e. geographical area) and a written or oral history with we-felling. However, these nationalities have no decisive role in

politics and government in modern Nepal. So far, there have been identified 61 nationalities spread out through out the country Different nationalities in different ecological regions are noted as Mountain region has 21 different nationalities. They are Barhagaule, Bhutia, Byansi, Chhairotan, Chimtan, Dolpo, Larke, Lhomi (Shingsawa), Lhopa, Manange, Marphali, Mugali, Siyar, Sherpa, Syangtan, Tangbe, Thakali, Thintan, Thudam, Topkegola and Wallung are listed nationalities of the Himalayan region of Nepal.

Like that hilly region has 23 nationalities they are Bankaria, Baramo, Bhujel/Gharti, Chepang, Chhantyal, Dura, Fri, Gurun, Hayu, Hyolmo, Jirel, Kushbadia, Kunsunda, Lepcha, Limbu, Maar, Newar, Pahari, and Rai are noted. Inner Tarai has 7 different nationalities they are as Bote, Danuwar, Darai, Kumal, Majhi, Raute and raji in the areas. Tarai region has 10 more nationalities they are as dhanuk (Rajbanshi), Dhimal, Gangai, Jhanad, Kisan, Meche, Rajbanshi (Koche), Satar/santhal, Tajpuria and Tharu are noted (Nepal Government Ministry of Local Development, National Committee for Development of Nationalities, Kathmandu, 1999).

4.7 Forced Labour and Slavery

Forced labour was primarily a consequence of the interaction between the ratio of high caste ownership on land and the increased demand for labour. The bulk of the cultivated land area was utilized as 'Birta' grants and 'Jagir' assignments. The government, therefore, was hardly in a position to pay wage to the large number of porters and other labourers. Besides, it had also to meet its military, administrative and other requirements. The labour service the Gorkhali government extracted from its subjects was thus not only compulsory but also generally unpaid. This system of compulsory and unpaid labour was known as 'Jhara' (Regmi; 1971:102).

Brahmins were traditionally employed in check posts. *Hulak* services were generally utilised for the transportation of arms, salt and other military supplies. *Jhara* labour was also utilised to reclaim fallow lands which were alloted for cultivation to local peasants. In 1790 AD, *Jhara* labour (*Hulak*, *Beth-Begar system*), forced labour, and unpaid labour

were abolished. Consequently, slave labour was limited primarily to the domestic work.

Indebtedness was one of the most important causes of slavery. The majority of the peasants did not enjoy property rights on the land they were cultivating. Indebtedness often led not only to slavery but also to bondage. Many lenders compelled the peasants to work for them under the bondage system for the repayment of the debt and its interest.

'Bondsperson', also called *Bandha*, literally means a person taken up on mortgage as land or other property. He/she has to work for his/her creditor during his/her bondage in lieu of payment of interest. The difference between slave and bondsperson was that the latter had the rights to free himself/herself after payment of the loan, but it was hardly exercised due to work for their own economic gain. Often, the debtors sold themselves (men or women or children) into slavery for settlement of loans. There were also numerous cases in which influential persons in the village would enslave poor people by the use of force. Tax evasion often resulted in enslavement. Local officials and revenue collectors often enslaved the wives and children of those who would default the tax payment and sold them in India. The peasants used to sell their children to purchasers from the plains and Tibet. They even used to kidnap the children of others for such sale (Regmi, 1971:103-118).

Traditional Hindu rules prohibited and cow slaughter. Also, the rules introduced enslavement of wives and children to pay high amount of fine in case of any sin committed to the low castes. A person who committed adultery with a woman of higher caste would generally get death sentence. But when such offences were committed among persons belonging to the groups as Khas, Magar, Gurung, Tamang, Majhi or untouchable castes, such as Damai, the punishment would be usually in the form of enslavement.

Slavery is a consequence of a number of factors that are deeply rooted in the economic and social fabric of the Nepalese society. Hundreds of poor people of both sexes ranging from 3 to 30 years of age were annually disposed off in the form of human trafflicking. They were sold out for Rs. 10 to Rs. 150 each. But, no Brahmin or Rajput was enslaved. Some lower caste people are still enslaved with their consent in the

presence of respectable persons of the village, but not through the use of force. In 1807 AD, an order was issued saying that all persons enslaved on ground of default in the payment of taxes and fines should be freed and that any body should no longer be enslaved for nonpayment of taxes (Regmi, 1971:119-122).

The sale of slaves was one of the many sources of revenue of the East India Company in Calcutta in 1752 AD. Slavery and the forced labour system had a very good effect on economic activity. The insecure and inequitable land tenure system was prevalant during that period constituting forced labour and slavery as the major factors which inhibited the growth of a stable and prosperous agrarian society (Regmi, 1971:123).

4.8 Nomenclature of Bonded Labourers

Different names have been given to bonded labourers in different parts of India and Nepal. A brief description of some of these names are given below:

4.II Nomenclature of Bonded Labourers

India (Regions)		Name of Bonded Labourers
Himanchal Pradesh	-	Jeeta
Uttar Pradesh	-	Harwaha, Hariya, Sevak
Gujrat	-	Hali
Orissa	•	Halias, Muliyas, Naga Muliya
Tamil Nadu	-	Padiyal, Paniyal, Charmars, Pannyals,
		Adiamar, Cherumar, Anchilla Kurichious
Kerala	-	Mappila, Paniyans, Λdyas, Wynand,
		Pulayans
Andra Pradesh	-	Jassigula, Palcras, Zothi, Vethi,
		Baramasiya, Harwaha.
Madhya Pradesh	-	Salkari

Karnataka	-	Jeetha
West Bengal	-	Chakar, Hali, Nit-Mazdoor
Rajastha	-	Sagari
Punjab	-	Sepi
Maharashtra	-	Veta, Begar, Salkari
 Nepal		Name of Bonded Labourers
Tarai	-	Kamaiya, Kamlahari, Hali, Haliya, Jan

Mountain and Hills

Most of these bonded labourers were from untouchable and tribal groups. These groups functioned as transmission belt to pass on bondage from one generation to another (Subedi, 1999: 12-13). The system was always favourable to the high castes. It was approved by the society because it served the interest of the dominant and powerful persons

who were leaders, officials and who always controlled the society.

Gothalo, Keto/ Keti, Hali

The poor peasants and cultivators had to work according to the dictate of the landlords who had grabbed the bulk of the land in the villages. The peasants had no other means of livelihood. They had to work free or on paltry wages with their family members for the landlords. There was harsh exploitation of the workers and their subjection to subhuman level. The bonded labourers' democratic rights are restricted in use. Much of the labour force came from the aboriginal tribes and the unskilled labourers who were mainly recruited through the contractors (Srivastava, 1999: 14).

There is also a recruiting organization at Gorakhpur, which attracts the hilly and Tarai Nepali youths. The chief asset of the bonded labourers was their physical labour, which was mortgaged to their master who provided loan. This is the system of barbarous and volatile of human dignity (Chaudhary, 1999: 19). The bonded labourers had no security against the loan and were forbidden to move out from the villages. The amount of loan led them towards the agricultural landlessness and pushed

the poor peasants into debt bondage. Loans were generally taken for survival or consumption, for meeting social obligations like marriage and other rituals. Most of the bonded labourers utilized the amount of loan for food (53%), for health (28%) and for marriage expenditure (11%) in the region (Field Survey, 2001).

Debtor's children and wife were also auctioned and purchased in the market for some money depending on their capacity to work, beauty, age and so on. The future of the teenaged girls was very insecure and many were sold for the purpose of prostitution. Poor, meek toiling people did not venture to raise their voice because no one would support them. There are cases where masters of bonded labourers have molested women of bonded labour families and in certain region wives of the bonded labourers are mortgaged with the landlords to clear off debt and during that period the landlords could use them as their concubine (Singh, 1994: 21).

Debtor's children and grand children also had to work for clearing the debt and thus the system of bonded labour continued from generation to generation. They had to do everything to please their masters. They even sacrificed their lives to fulfil the interst of their masters.

4.9 The Old and New Slavery System

The system of slavery can be differentiated on the basis of their old and new patterns. The system of old slavery is now not in existence but its remnant is still found in the form of bonded labourers.

Old Slavery System

The main characteristics of the old slavery system are asserted legal ownership, low profit and high purchasing cost. Other characteristics include shortage of potential slaves, long term relationship with slaves and ethnic differences.

New Slavery System

This system is characterised by avoided legal ownership, very low purchasing cost and very low profit. It has surplus of potential slaves, short-term relationship and disposable slaves. Here ethnic differences are not considered important.

There is a common slang used by the local people, i.e. 'rice in the field, fishes in the river and daughters in the brothel' (Bales, 1999: 37). 'One girl equals to a television' for a family of bonded labour (Bales, 1999: 39). These are the horrible and heart-rending feelings about real situation of the bonded labourers. We can easily understand the appalling socio economic conditions of these disposable people in the system. Bales Kevin has explained three basic forms of slavery in the region. Some people say that men are the servants of nature but in reality it appears that men are the servants of poverty, landlessness and illiteracy. There is also exploitation and fraud committed by the elite class against these helpless bonded labourers.

Chattel Slavery

Here a person is captured, born or sold into permanent servitude and the ownership is often asserted. The slave's children are normally treated as property of the owner and are even sold as commodities. Occasionally these slaves are treated as items of consumption. This form of slavery system was prevalent in North West Africa and in some Arabian countries.

Debt Bondage

Debt bondage is the most common form of slavery in the world. A person pledges himself/herself against a loan, but the length and nature of the service is not defined and the labour does not reduce the original debt. This debt is passed on to subsequent generations, thus enslaving the children. Seizure or selling of children to further debt bonds can be punishable for "default". Ownership is not normally asserted, but there is complete physical control of the bonded labourers by the master. Debt bonded system was most common in the Indian subcontinent. Nepal Tarai was also dominated by such system, which was called *Kamaiya system*.

Contract Slavery

It shows how modern labour relation is used to promote new slavery. Contract offers the guarantee of employment perhaps in a workshop

or factory, but when the workers are taken to their place of work, they find themselves enslaved. The contract is used as an enticement to trick an individual slavery, as well as a way of making slavery look legitimate. If a legal question arises, the contract can be produced, but in reality the "contract worker" is a slave, threatened by violence, lacking any freedom of movement and is paid nothing. This is the second horrible form of slavery prevalent today. Contract slavery is mostly found in south East Asia, Brazil, Arabian and Indian sub-continents (Bales, 1999: 19-20). Nepal is also facing such problem under the bonded labour system.

Girls are trapped into prostitution for debt bondage and sometime they have to sign a contract for such obligations. The people are enslaved through violence and held against their willingness for the purpose of exploitation (Bales, 1999:20). This trend is specific to a particular geographical or political region. Similarly slavery may also be linked with politics which includes government-sponsored slavery. In Myanmar today, there is wide spread capture and enslavement of civilians by the army. The slavery can also be linked with religion as with the Indian "Devadasi" women and the children who are ritualslaves in Ghana. The families give several thousands of girls and young women as slave to local fetish priests in Southeast Ghana, Togo and Nigeria. The girls are held in brothels for debt bondage (Bales, 1999: 21). Nepal has Deuki and Badi system in the western hills and Tarai region. Banke district is also facing such problems in the recent days. Kamaiya system is a burning issue under the bonded labour in Nepal Tarai

CHAPTER 5 HISTORICAL PERSPECTIVE OF BONDED LABOUR SYSTEM

5.1 Forced Labour in Myanmar

The State Law and Order Council (SLORC) is systematically using forced labour in Myanmar since 1988 AD. This form of forced labour is used in construction projects, road repairing and in states owned by the army. The country has used such unpaid labour and forced labour in developmental and infrastructural projects. However, this act is hid under the disguise of terms as 'voluntary labour' and 'public donations in cash, kind and services'. Villages in the designated area must be provided with a set of workers each day on rotation basis making shifts regardless of age or the health. Such labourers die due to overload and fever or overwork. They are even killed while trying to escape, they may be shot, fined or given rigorous physical punishment (Asian Labour Update; 1997:25).

In the mainland of South East Asia, parents are obliged to send their children into the cities to find work in order to contribute to the family income. Ironically, the exploitation of child labour and child prostitution have emerged as a central feature of the area. Trafficking in children is another salient feature with regard to child labour and child prostitution. The mediators or the recruiters sell the children to private households, manufacturing industries or brothel owners at cheaper rates. Trans-border trafficking has become a serious problem in the region. In Thailand, child prostitution and use of children for pornography is becoming alarming.

Children are trafficked without their knowledge about what actually is going to happen to them, when they have left their home. The purpose of trafficking may be for prostitution, pornography, domestic work and illegal international adoption. They may be forced into sexual exploitation, physical and emotional abuse and be at high risk of contacting deadly diseases like AIDS (Asian Labour Update, 1997:23).

5.2 Bonded Labour System in Greek and Roman Societies

Slavery and bonded labour were also prevalent in the Western society, where conditions of societal life of certain persons were taken as the property of other persons either legally or by customary law. A slave is an individual who is the property or is at the disposal of the other who has the right to employ him as he/she pleases. Slavery and bondage system were much in debate in America since its independence where about one fifth of black men and women of African decent were slaves. Thousands of people from Spain, Portugal and other parts of Europe went to America in search of gold. Colonial government needed more labourers for plantation, mining, industries and other sectors. So they had passed laws in the 16th century that blacks were to remain slaves for life in America (Singh, 1994: 23).

The captives were chained together in long lines and made to march towards a seaport. There they were crammed into sailing ship and were taken to a long dangerous voyage across the Atlantic Ocean offering rum and clothes to the rulers of African tribes in exchange for slaves. New English merchants, who owned many of the ships, brought African slaves to America in course of doing slave trade. Slaves were bought and sold like commodities and were treated like animals. Supporters of the system wrote books, published newspapers and made speeches to promote their interests. Some even quoted passages from the Bible to prove that god had intended Blacks to be the servants of the Whites (Singh, 1994:27).

Abraham Lincoln was the first person to raise voice against the system of slavery and considered it a blot on the face of democracy. He abolished slavery. The thirteenth amendment under section one of US Constitution provides "neither slavery nor involuntary service, except as punishment for crime where all the party shall have been duly convinced, shall exist in the United States or any place subject to their jurisdiction." The Congress was empowered to enforce this Article through appropriate legislation. The 13th Amendment to US Constitution abolished slavery and the 14th amendment guaranteed the right to equality. Even then, it persisted in south and mid-west for several

decades. In fact, all challenges to slavery and apartheid here failed to give desired results (Singh, 1994; 25).

Tenant farming or sharecropping was developed in America and slaves were sold openly on auction. Freed Negroes were conspicuous among London beggars and were known as St. Zeles Black Bird's. A parliamentary committee was set up in 1786 AD for relieving the 'Black poor' through abolition of slavery. The early Spanish and Portuguese conquerors too were accustomed to power and delegated excessive authorities to middle men to exploit poor people. They were keen to exploit labourers, so the debt bondage and serfdom became the order of the day. The geographical boundaries of debt bondage and serfdom were not clearly marked. A multitude of local variation is practiced through out South America and Northern frontiers of Mexico. The impact of oil revenues and traditional bonds of kinship gave some ground to political patronage. Nevertheless, in majority cases, the relationship between tenants and landlords remained one of the shared risks in the Middle East. Chattel slavery, debt bondage and serfdom existed even in the ancient Greek and Roman societies. As a result of the introduction of agricultural slavery, on a vast scale, the slaves were in abundance and cheap. The Roman upper classes became immensely wealthy and built up huge estates through the exploitation of these slaves (Singh, 1994; 29).

Aristotle advised that all slaves should be offered ultimate reward of manumission, but unfortunately no slave could be manumitted in any of the Greek cities. In Rome, from a very early period, slaves were freed and they became citizen of the country with limited civic rights. Slaves had suffered from frightful abuses and cruelties leading to total derogation of human dignity. It was said that Greeks had accepted the theory of natural slavery according to which some humans were slaves by nature. Some were born with saddles on their back and others were booted and spurred to ride them and the riding did them good. They needed reins, the bit and the spur but in reality the theory of natural slavery seemed to have never caught on. After Aristotle, it almost disappeared in antiquity. Good and wise humans are never a slave but free. The real slave is the bad person who is in bondage due

to his/her own faults, i.e. lusts, gluttony, lechery, drink or foolishness and over ambitions. The state of slavery is the result of accident of future rather than nature. Slavery resembles with poverty and war on the one hand and liberty, riches and peace, on the other (Singh, 1994: 32-34).

It is the fundamental rights of every individual in this world to live with dignity, which includes protection of health and promotion of strength. It also includes opportunities and facilities to develop in a healthy manner with freedom and dignity, educational facilities, good working conditions and maternal relief. Focus has been given towards dignity, liberty, equality and freedom of bonded labourers. Provisions of weekly one day off for rest and six days for work (48 hours a week) has been fixed. In case of night shift, there is a provision of 24 hours rest when the shift ends. Extra wages are given for overtime work. Employment of children in any work and that of women in hazardous work is prohibited (Singh, 1994:70-73).

Bonded labourers live a life worse than that of animals. Their freedoms are robbed of and they have either to live in hovels or under the open sky. They have to be satisfied with whatever little unwholesome food they can manage for their hungry stomach. They are driven by poverty, without any choice, into bonded life without any hope to be rescued (Bhagwati, 1983).

Bonded labour system is a remnant of the caste system of Hinduism. Ancient slavery, poverty and backwardness are the main causes for the emergence of bonded labour in western Tarai of Nepal.

5.3 Bonded Labour System in India

Indian sub-continent projected society took to an inequitable turn since the early stage of human evolution. There has always been exploitation of the weak, poor and lower castes by the powerful, wise, wealthy and higher castes. It is a form of the variegated abuse, which existed in Indian society in the forms of serfdom, debt bondage, contract bondage, peonage, forced labour etc. (Singh, 1994: 1-3).

Slave labour has probably existed both in the countryside and the urban areas. The Aryan society was stratified into four *Varnas*: *Brahmin*,

Kshyatriya, Vaishya and Shudra. The aborogines and early inhabitants, who were defeated by the Aryans, were included in the Shudra group in Aryan society. They were not given rights to property, education and choice of occupation (Singh, 1994).

The institution of slavery existed during the Buddhist period as well as a basis of economic and social life. Its evidences are found in the Jataks where there are various descriptions of cruel masters giving horrible and inhuman treatments to their slaves. During the Mahabharat time, the practise of 'Das' and 'Devadasi' was common as evidenced by the defeat of the 'Pandavas' in the gamble and their becoming 'Das' of Duryodhan. Queen Draupadi was forced to become a 'Dasi'. The institution flourished under the Mauryan period as well.

It is stated that a person could be a slave by birth, by voluntarily selling himself, by defeat in war and by judicial punishment (see Kautilyas' Arthashastra). According to Manusmriti, God created the Shudra group for serving the Brahmin group as das/dasi and they could be sold or bought like animals or commodities. Even if their master freed them from slavery, the Shudra remained servile and continuted to serve thinking it as their natural duty (Singh, 1994).

Literary as well as epigraphic evidences suggest that the labourers offered a service called *Visti*. The State itself employed labourers around the first century AD. This practice continued up to the third and fourth century AD. Peasants vendored for *Visti* for the king, during *Gupta* period, in central and western India. During Harsha's time, forced labour was utilized in carrying load for the army, hunting and procuring guides for the king's march. During *Mughal* period, emperor *Akabar* tried to abolish slavery, but he could not succeed completely.

The period of 6th and 7th century AD is regarded as the period of transition from antiquity to the middle ages. The 8th and 9th century inscriptions from various parts of India refer to the practice of forced labour. Forced labour was in practice in the form of *Vetti* during the Chola period in South India. The custom of *Davadasi* also was in practice in many temples during this period. Slavery was widely practised during the 11th and the 12th century AD in the form of domestic slaves.

It also continued during the Muslim period. Qutab-ud-din Aibek was a slave and became one of the generals of Mohammad Ghori. After the death of Ghori, he became the ruler of the Indian possession and had founded the Slave Dynasty. Feroz Tughlak was induced to present himself with the help of the slaves (Singh, 1994:4). Portuguese carried on slave trade in Bengal before the arrival of East India Company. Hereditary bonded slaves of the landholders were permanently attached to the soil. The bondage of agrestic slaves in Bengal originated during the great famine of 1770 AD when about one third of the population died due to starvation and many people were sold to purchase food items (Singh, 1994: 5).

The effect of natural calamities forced the peasants to borrow money from the Zamindar or moneylender who charged exorbitant rate of interest and even used fraudulent means to cheat the illiterate and innocent peasants. As a result, a great portion of the agricultural labour force fell under debt load and became slaves (Singh, 1994:6). Most Hindu landlords and elite middle class owned agrestic slaves and bonded labourers in Bihar, Deccan, and Tarai. They used to buy, sell, lease, mortgage and even transfer these slaves. Agrestic slaves like domestic slaves were disposed off like chattels in Bengal presidency as marketable item at home or abroad during the eighteen century (Murty, 1994).

Domestic slaves were usually fed, clothed and housed by their masters, while agrestic slaves mainly lived in separate huts, with their families. These slaves were brought to Bengal so as to export them to Sumatra, Sri Lanka, St. Helena, Pondicherry, Myanmar, Australia and other places by the Portuguese, Dutch, French, Swiss, Danes and Arabs. A good number of people were engaged in this organized traffic. Sale and purchase of slaves was permitted everywhere in British India as a profitable business (Singh, 1994: 7).

In 1772 AD, the Governor of Bengal, Warren Hastings issued proclamation to ban enslavement. In 1774, a regulation was issued forbidding the stealing of children and their sale as slaves. All the offsprings and descendents of a person who once became slave were kept in bondage (Singh, 1994: 8).

The Company in 1798 AD enacted a legislation to govern slaves in accordance with the principles of Hinduism and Islam. The measures of Hastings, criticism of Sir William Jones and the vigorous language and actions of Cornwell made a notable psychological impact upon the Bengali Society. The slavery could not be wiped out completely because its root was deeply embedded in the social and economic life of the country (Singh, 1994: 10-11). After the abolition of slavery, the vested interests gave it another nomenclature to evade the provisions of the Act. The same system came to be perpetuated in the name of bonded labour.

5.4 Bonded Labour System in Pakistan

We are in the age of modern technology, development, prosperity, independence and civil liberty. Pakistan's rulers claim that there is a free and democratic society based on justice and equality. But the existence of bonded labourers in Pakistan has revealed a much different picture. Millions of workers in Pakistan are bought and sold as slaves and are forced to work for paying off their debt to landlords. The root of this bondage is widespread poverty and remanent feudalism in the country. Approximately fifty per cent of the population of Pakistan is living below the poverty line and half of it is hardly able to maintain its daily subsistence.

Bonded agricultural workers in Pakistan are called *Haris*. They fall into three categories: (a) tenants, (b) casual labourers and (c) permanent labourers. Landlords take full advantage of their illiteracy and their desperate condition. The vicious circle of debt quickly comes into operation, so the *Haris* are obliged to work for the landlords until they have paid off their debt. Due to the charge of high rate of interest, the workers are unable to pay off their debt. So, they become bonded to the landlords with no other way out. Women and children have also become victims of the system. They are beaten up with chains, raped, bought and sold by the lanlords.

There is another kind of bonded labour system being practised in Pakistan. It exists in brick kilns, carpet industry, fishing industry, agriculture, powerlooms, shoe making, Biri making, cottage industries, hotels, and construction work. The vicious circle of the debt has transformed the workers into bonded labourers and has affected their family and children for genrations. No limit of working hours, paltry wages, high amount of interest on the debt, and expensive social rituals are some of the characteristics of the system. Most children of the bonded labourers have no birth certificate as they are born in slavery and remain as slaves throughout their life (Asian Labour Update, 1997:97). But Nepal does not has such citizenship problem till date.

5.5 Slavery in Nepal

Slavery in Nepal began with the reign of Lichhavi Dynasty (100–880 AD). Manusmriti, a Hindu religious code, describes a period of slavery and bonded labourers when they were sold and purchased like goods or animals. In the Malla period (880-1768 AD), especially during the period of Jayasthiti Malla (1380-1395 AD), the slavery system was spread out in large dimension with the introduction of the caste system in the society. The poor and the blamed people were forced to be enslaved by the landowners and clever people (Regmi, 1971). Prime Minister Chandra Samsher abolished slavery system after taking an amount of Rs. 3,670,000 from the Pashupati trust in order to pay back the debt due to the slave owners and made them resettled at Amalekhganj in central Tarai of Nepal (Regmi, 1971).

The remnant form of the old slavery, Das or Dasi, is the bonded labour under Kamaiya system. It is an inhuman behaviour of the society towards the helpless and poor people. In 1964 AD, land reform progamme converted all kinds of land into Raikar (state ownership) except Guthi land. The tenants were freed from the landlords, and the moneylenders, but the system continued. This system led to the divison of the society into two groups, namely the landlords and serfs, high and low castes, exploiters and exploited, dominants and depressed. It paved the way for social stratification and prevalence of the practice of bonded labour under the Kamaiya system. Under the system, the poor and the weak were exploited and victimized. They became a means of entertainment at the hand of the landlords and the rich people. This was a clear violation of human rights where the children become slave by

birth and had no future except to lead a miserable and pitiable life worse than that of the animals.

5.6 Kamaiyas (Bonded Labourers) in Nepal

Majority of the bonded labourers in Nepal are from Tharu community. According to an estimate, about 98 per cent of the bonded labourers belong to this community and most are *Dangaura* Tharu (INSEC, 1996). Nepal Tarai was thickly forested before the eradication of malaria. So, the place was unhealthy for living, and therefore the area was abandoned. It was called the *Kalapani* of Nepal. The *jamindars* with *birta* and *jagir* land attracted the Tharu's of Dang for cultivating their lands. The descendents of the forest are landless now and are debt-bonded labourers in Nepal Tarai (INSEC, 1992:52). In late 1950's, the government launched a major rehabilitation programme clearing the forests. Tractors were used for ploughing the field and the government distributed the land to those who wanted to settle in the area after eradication of malaria (Pyakuryal, 1982:).

Bonded labourers are usually called Kamaiya in local Tharu dialect. It means a hard worker, and an obedient and honest person who has sincerely devoted his/her life to the welfare of the landlord's family for agricultural production. These courageous, sincere, labourious and energetic Kamaiyas work with their families on the farms of landlords. They both work in the field and at households for paltry wages and food grains. Such agricultural workers are mostly Tharu and are considered as the bonded labourers (INSEC, 1992). Physically, Tharu have Mongoloid traits and speak Aryan language. During the past, they might have accepted Buddhism, but later they got influence by Hinduism. The Tharu might have gradually converted their religion to Hinduism (Pyakuryal, 1982). The Tharu are the least previleged indigenous ethnic group who became the victims of the social, economic and political exploitation in the region. The landlords gradually made the honest and loyal Tharu bonded labourers due to their illiteracy and backwardness, According to Pyakuryal (1982:). The Tharu are extremly deprived, go enormous hardship and are exploited physically, economically and socially. They are the most superstitious, backward

and timid group. Illiteracy and unawareness about their rights are other characteristics of the Tharu population. The Tharu are probably among the oldest settlers of the Tarai region who have lived in forested plains in the tropical malerial locations infected with wild animals like elephants, rhinoceros, bears, tigers, lions, deers and many other poisonous snakes (Bista, 1967). They reclaimed the area for their livelihood which was later on grabbed by the elites/landlords.

The general Tharu mentality of feeling content within their own Tharu community and circumstances which keep them in isolation within their own localities and are relatively unknown to outside world is neither found among the hill ethnic groups (Tibeto-Nepalese) nor among the Tarai (Indo-Nepalese) groups (Rajauria, 1977). Landlessness is one of the major problems of this community. The incidence of landlessness is higher in Tarai than in the hills and the mountains. Poverty is wide spread and deep rooted in rural Nepal. The Tharu are generally deprived of arable land which is considered as the most important income generating asset in an agrarian society (Mc Donaugh, 1984).

According to a existing land ceiling rule, the landlords could not hold more than 28 bighas of land in Tarai therefore they sold the excess lands to the people coming from the hills. Now, the ceilling limit of the land has been brought down to 11 bighas in Terai by the democratic overnment of Nepal. The hill migrants buy buy the excess lands from the jamindars. Most of these new landowners cultivate their fields themselves without seeking any help from the Tharu tenants or labourers, who previously cultivated the jamindars' lands. Thus the Tharu tenants are being deprived of the land which they cultivated earlier (Rajauriya, 1977). As has already been mentioned that bonded labour system in the western Tarai of Nepal is a remnant of the Hindu caste system. It is the outcome of ancient slavery, poverty and landlessness of the people. There are different types of bonded labours in Nepal which are known by different forms and names. Majority of the higher and higher middle class people do engage child labourers of either sex at their homes to carry on domestic work. These children are trapped by brokers and sometimes by their own relations and even parents and they are paid very low wages and are often assaulted and abused by their masters.

Table 5.1 Types of Kamaiya (Bonded Labourers)

Types	No. of HH.	% of total HH
Kamaiya	556	66.3
Kamlahari	13	1.5
Gothalo	31	3.7
Bukrahi	9	1.1
Domestic servants	230	27.4
Total	839	100.0

Source: Based on Sample Households Survey, 2001.

Out of a total of 839 sample households, the highest percentage (66.3%) belongs to the Kamaiya bonded labourers followed by domestic servants (27.4%), Gothalo (3.7%), Kamlahari (1.5%) and Bukrahi (1.1%) (Table 5.1). The survey has covered only the household heads of the bonded labourers. Children and women are more exploited and assaulted by the landlords and moneylenders. Most of these children remain illiterate. Bonded labourers can be classified into (a) life-bond, (b) time-bond, and (c) work-bond according to the situation of the place and person of the area. The entire work is hardly sufficient to pay the interest on the debt. Hence, wages are either absent or very meagre. Landlords keep watch on what form of labour will profit them the most. In life-bond, successive generations of the bonded labourers are engaged to pay the debt. Time-bond is being practised now to work on the agriculture farms in Tarai. The working time is more than 9 hours which is fixed under agreement between the labour and the landlord. Workbond is provided for some fixed amount to a particular work. All these forms of bonded labourers abound in Nepal Tarai.

5.7 Tharu Population and Kamaiyas

In the Western Nepal, the Tharu population has been trapped under slavery of bonded labour system. The system is prevalent in the area since long past. The labourers work for their landlords. The children

along with their parents work as slaves to pay off their debt from generation to generation. These bonded labourers are illiterate, landless, homeless and helpless. These Tharus have mostly migrated from Dang district to Banke district. Extreme poverty over the years has led many families to become bonded labourers. These families have taken loan from the landlord and rich farmers and have pledged their services to pay off the loan and the interest. The interests are so exorbitant and the wages so paltry that even whole life work by the entire family is not enough to remove the bondage. After the death of the father, the son bears the burden of the loan repayment.

In general, the men work in the master's fields, the women at the master's house and the children look after the livestock and help in domestic work. These labourers are paid in kind with a fixed weight of grains from the farm harvest. Bonded labour is a social problem in this area and its root cause is poverty. More than 40 per cent of the Nepalese population lives below the poverty line (CBS, 2001). The need for survival has forced many Tharu people to send their children and wives to work as bonded labourers. Due to urbanization, industrialization and growing agricultural activities, the demand for labour has increased but the wages have not been increased in the same proportion. Instead, the system has helped the industrialists and rich people to mint money at the cost of the poor people.

Bonded labourers are engaged in various occupations like manufacturing, construction of building, quarrying, mining, domestic services, agriculture, animal husbandry, handlooms, potteries, grocery shops, domestic and family work. In Nepal, the total population of the Tharu is 1,533,879 (6.75%) of which 1,331,546 (5.9%) uses Tharu language as its mother tongue (CBS, 2001). No Census of bonded labourers has so far been done to ascertain their actual number.

The Tharu Language Speaking Population

Nepal has been conducting Census after every 10 years since 1911 A.D. Although, the first census was taken in 1911, it was the Census of 1952-54 AD which is considered the first scientific Census of the country.

Table 5.II: Tharu Speaking Population in Nepal (from 1952/54 to 2001)

Сепянь	Total population	Growth rate	Tharu speaking population	% of total
1952/54	82,56,625	-	3,59,594	4.4
1961	94,12,996	1.65	4,06,907	4.3
1971	1,15,55,983	2.07	4,95,981	4.3
1981	1,50,22,839	2.66	5,45,685	3.6
1991	1,84,91,097	2.10	9,93,338	5.4
2001	2,31,51,423	2.24	13,31,546	5.9

Source: CBS, 1995, 2001

Table 5.II exhibits the number and percentage share of Tharu speaking population in Nepal since 1952-54. The table shows that although there has been general increase in the population since 1952-54, the percentage share has either remained constant or has declined between 1952-54 and 1981. Only in the last two censuses (1991 and 2001), there is an increase in the percentage share of the Tharu speaking population. There has been a phenomenal increase in the Tharu speaking population (8.2% per annum) during 1981-91, but which declined substantially during the 1991-2001 (3.4% per annum; cf 2.24% per annum growth of Nepal's population). This clearly shows that there is abnormal increase in the Tharu population which will pave way for more bonded labourers.

Distribution of Tharu Population in the Tarai Districts

The Tharu population lives in different parts of the country but its heavy concentration is in the following 20 Tarai. Among them, in 8 districts its percentage share is less than 10 per cent of the total population of the district. Highest concentration of Tharu population (18.15% in 2001 and 17.33% in 1991) is in Kailali district followed by Bardiya (13.56% and 13.19%), Dang (9.92% and 9.60%), Nawalparasi (6.25% and 6.32%), Kanchanpur (5.94% and 6.07%) and Sunsari (5.90% in 2001 and 6.46% in 1999) districts. The study district Banke houses only 4.27 per cent of the total Tharu population (Cf. 3.92% in

1991). Compared to the district population, the Tharu are more numerous in Bardiya (52.60% of the district population), Kailali (43.70%), Dang (31.86%), Kanchanpur (23.33%), Nawalparasi (16.48%) and Banke (16.92%) districts. Other districts like Dhanusha (0.58%), Jhapa (1.39%) and Mahottari (1.63%) districts have less than two per cent share compared to the district population (Table 5.III).

Table 5.III

Distribution of Tharu Population in Nepal Tarai

Districts	Total population (1991)	There population (1991)	% of district pop., 1991	Share (% of Tharu Pop.) 1991
Jhapa	688,109	9,600	1.62	0.83
Morang	843,220	60,391	8.95	5.20
Sunsari	625,633	75,079	16.20	6.46
Saptari	570,282	61,640	13.24	5.30
Siraha	572,399	20,617	4,47	1.77
Dhanusha	671,364	1,697	0.31	0.15
Mahottari	553,481	7,522	1.71	0.65
Serlehi	635,701	15,359	3.12	1.32
Rautahet	545,132	21,821	5.27	1.88
Bere	559,135	49,389	11.8	4.25
Parsa	497,219	32,701	8.78	2.81
Chitwan	472,048	45,392	12.80	3.91
Newalperasi	562,870	73,494	16.85	6.32
Rupandehi	708,419	55,803	10.69	4.80
Kapilbastu	481,976	43,709	11.76	3.76
Dang	462,380	111,575	31.48	9.60
Banke	385,840	45,564	15.95	3.92
Berdiye	382,649	153,322	52.81	13.15
Keileli	616,697	206,933	49.52	17.33
Kanchanpur	377,899	70,544	27.35	6.0
TOTAL	11,212,453	1,162,151	13.47	100.00

Districts	Total population	Theru population	Share (%) in	Share (%) in
	(2001)	(2001)	district (2001)	Tharu (2001)
Лара	688,109	9,588	1.39	0.65
Morang	843,220	63,673	7.55	4.29
Sunsari	625,633	87,523	13.99	5.90
Saptari	570,282	73,161	12.83	4.93
Siraha	572,399	27,252	4.76	1.84
Dhamusha	671,364	3,909	0.58	0.26
Mahottari	553,481	9,025	1.63	0.61
Sarlahi	635,701	20,225	3.18	1.36
Rautahat	545,132	27,502	5.05	1.85
Bara	559,135	63,259	11.33	4.26
Parsa	497,219	40,970	8.24	2.76
Chitwan	472,048	60,121	12.74	4.05
Nawalparasi	562,870	92,779	16.48	6.25
Rupandehi	708,419	74,888	10.57	5.04
Kapilbastu	481,976	60,574	12.57	4.08
Dang	462,380	147,328	31.86	9.92
Banke	385,840	63,344	16.42	4.27
Bardiya	382,649	201,276	52.60	13.56
Kailali	616,697	269,521	43.70	18.15
Kanchanpur	377,899	88,155	23.33	5.94
Total			13.24	100.00
TOTAL	11,212,453	1,484,667	13.24	100.00

Source: CBS. 1991, 1995 and 2001.

About 1.77 per cent of the Tharu population against the total population and about 10.81 per cent against the district population are Kamaiya or bonded labourers in Banke district.

Distribution of Kamaiyas (Bonded Labourers) by District

A survey was conducted on bonded labour in five Tarai districts of Mid and Far Western Developmental Regions. The study provided some facts about the bonded labourers (Kamaiya) in the regions. The report does not however contain complete facts about the bonded labourers. The table below presents some figures about the Kamaiyas:

Table 5. IV: Distribution of Kamaiyas (Bonded Labourers) in Five Selected Districts

	-	Kanu	aiyas	Total pope	ulation			Average Kamaiya s HH.
No	%	No	%	No	%	No	%	size
1,856	12.2	12,275	14.7	462,380	20.8	147,328	19.1	6.61
1,060	7.0	6,846	8.2	385,840	17.3	63,344	8.2	6.46
5,037	33.2	25,846	31.0	382,649	17.2	201,276	26.2	5.13
5,557	36.7	30,463	36.5	616,697	27.7	269,521	35.0	5.48
1,642	10.8	7,945	9.5	377,899	17.0	88,155	11.5	4.48
15,152	100.0	83,375	100.0	2,225,465	100.0	769,624	100.0	5.50
	No 1,856 1,060 5,037 5,557	1,856 12.2 1,060 7.0 5,037 33.2 5,557 36.7 1,642 10.8	No % No 1,856 12.2 12,275 1,060 7.0 6,846 5,037 33.2 25,846 5,557 36.7 30,463 1,642 10.8 7,945	households Kansiyas households No % 1,856 12.2 12,275 14.7 1,060 7.0 6,846 8.2 5,037 33.2 25,846 31.0 5,557 36.7 30,463 36.5 1,642 10.8 7,945 9.5	Kamalya households Kamalya households Total population No % No % No 1,856 12.2 12,275 14.7 462,380 1,060 7.0 6,846 8.2 385,840 5,037 33.2 25,846 31.0 382,649 5,557 36.7 30,463 36.5 616,697 1,642 10.8 7,945 9.5 377,899	Kamalya households Kamalyas households Total population No % No % 1,856 12.2 12,275 14.7 462,380 20.8 1,060 7.0 6,846 8.2 385,840 17.3 5,037 33.2 25,846 31.0 382,649 17.2 5,557 36.7 30,463 36.5 616,697 27.7 1,642 10.8 7,945 9.5 377,899 17.0	Kamalya households Kamalyas households Total population That population No % No % No 1,856 12.2 12,275 14.7 462,380 20.8 147,328 1,060 7.0 6,846 8.2 385,840 17.3 63,344 5,037 33.2 25,846 31.0 382,649 17.2 201,276 5,557 36.7 30,463 36.5 616,697 27.7 269,521 1,642 10.8 7,945 9.5 377,899 17.0 88,155	Kamalya households Kamalyas households Total population Tharm population No % No % No % 1,856 12.2 12,275 14.7 462,380 20.8 147,328 19.1 1,060 7.0 6,846 8.2 385,840 17.3 63,344 8.2 5,037 33.2 25,846 31.0 382,649 17.2 201,276 26.2 5,557 36.7 30,463 36.5 616,697 27.7 269,521 35.0 1,642 10.8 7,945 9.5 377,899 17.0 88,155 11.5

Source: HMG/N, Ministry of LRM, 1998 and CBS, 2001.

There are 15,152 Kamaiya (bonded labourer) households according to the survey conducted by the government in 1998. The highest number (5,559) and percentage (36.7%) of the Kamaiya (bonded labourer) households is found in Kailali district, while the lowest percentage (7.0%) is found in Banke district. The total population in these Kamaiya (bonded labourers') households is 83,375, which is 10.83 per cent of the total Tharu population and 3.75 per cent of the total population of these districts. The maximum concentration of these Kamaiyas (bonded labourers) is found in Kailali district (36.5%), followed by Bardiya (31.0%) and Dang (14.7%) districts. On the other hand, Banke (8.2%) and Kanchanpur (9.5%) districts are characterized by the lowest concentration of these labourers.

CHAPTER 6 SOCIO-CULTURAL CHARACTERISTICS OF KAMAIYA

6.1 Peasant Movements in Nepal

Land assigned for the use of charitable, religious or philanthropic institutions is called Guthi land. The Guthi Act was formulated in 1668/ 69 in order to protect the religious assets of the country. It was well established in Kathmandu with higher rents on Guthi lands than on other lands. In 1774, Kipat system (Limbu tradition) was introduced through a royal order according to which certain ethnic groups were permitted to own land. It was essentially a form of communal tenure system. Another type of land tenure system was Rakam land system, which meant that was assigned to carpenters, mine workers, caretakers of religious places, and other categories of manual workers and artisans. This system was prevalent during 1854-56 in Nepal. In 1970, the Kipat land was redistributed under the Raibandi system and the Rakam tenure was initiated in all the hilly districts and the Kathmandu valley. In 1923, recognition was given to the registered landlords for their legal right to sell and mortgage Raikar land. Raikar is the land for which taxes are paid to the government. In 1950-51, Rana regime replayed by the democracy in Nepal. New legislation was passed to declare the abolition of Jagir and Guthi land system (SPACE, 2000).

A declaration for converting all *Birta* lands into *Raikar* was made so as to end their privileged status and the normal taxation on *Birta* land was also abolished. In 1955 all the *Rakam* land tenure was abolished and converted into *Raikar* land system. *Bhumi Sambandhi Ain*, 2014 was issued in 1956 and a Land Acquisition Act was passed in 1957. Land legislation was passed in favour of the Act 1958. An amendment to the Land Act was made in 1959 and *Birta* land was abolished through legislation then by the Nepali Congress Government. Enforcement of the *Birta* abolition Act started in 1951. *Raikar* and *Kipat* lands were made equivalent to *Raikar* without official documents in 1963. In 1964, the Land Act, popularly known as the Land Reform

Act, was passed under which the *Kipat* system was removed. Consequently, landless peasants were benefited by the redistribution of land under the Act. The transfer of surplus *Kipat* land was made to the non-Limbus in many cases; consequently, *Kipat* lands were converted into *Raikar* by the Government (SPACE, 2000).

In 1771, tax was imposed on certain categories of *Birta* land. In 1906, the Government for the first time enacted legislation seeking to regulate rents on *Birta* lands and to provide security for tenant's rights. The relationship between the *Birta* owners and their tenants was also the purpose of the regulation. In 1957, finance Act was passed and nominal taxes were imposed on all *Birta* lands. It was amended in 1958 to bring *Birta* taxation up to the level of *Raikar* taxation and the latter it was abolished in 1959 (SPACE, 2000).

Measures were taken, for the first time, to control rents and provide security to tenants' rights on *Birta* land in 1906. In 1957 cultivators' welfare was manifested in the legislative action. An enforcement of the 1906 measures would have made the cultivators liable to pay lower rents than those prescribed by the 1962 amendment to the 1957 land Act (Regmi, 1971).

A Review of Peasant Movement in Nepal

In 1917, Subba Krishna Raj Adhikari was severely punished for portraying the plight of peasants in Nepal in his magazine of 'Makaiko Kheti'. In 1948, a declaration of the formation of Akhil Nepal Kisan Sangha was made and activated with huge public gathering at Tundikhel, Kathmandu. This association had offices in 24 out of 35 districts of the country. In 1948/49, a peasant movement was launched in Rautahat and Bara districts demanding a change in behaviour meted out to them. First meeting of Akhil Nepal Kisan Sangha was held in Rautahat district under the leadership of Tulsi Lal Amatya. Following this movement, demands for tenant rights and abolition of Birta land and Jamindari system gained momentum. In 1949/51, Khamar Rok Andolan was organized by the peasants for three years and a threshing area was captured. Dr. K.I. Singh launched a peasant support programme and the land surveyor's office was captured at Rautahat district in 1950.

Peasants of Kathmandu valley launched a movement demanding cash payment of revenue instead of grains, and abolition of *Jamindari* system. Cash collection, instead of grains, for the state trust was, equal to the amount of revenue (rent) collected from the peasants. On the contrary, owners of the tax-free grant land demanded that such system be annulled. A prominent activist of the peasants' movement Bhim Datta Panta was arrested and executed in Dadeldhura (SPACE, 2000).

In 1951, peasants attacked police headquarters demanding the release of their leaders Madhu Singh, Ram Bikash Chaudhary and others. Amendment Committee was formed under the leadership of the then president and secretary of Nepal Kisan Sangh. Alarge number of peasants joined the Akhil Nepal Kisan Sangha. In 1953, Nepal Sanjbadi Kisan Party was formed. In 1957, another peasant movement was launched when Ramprasad Devakota, Manik Lal Gautam and Keshav Raj Gautam were arrested and jailed. Historical peasant movement in Beluwa-Banjari of Dang was launched with a slogan "land for the tillers and house for the builders". Peasants in Dang revolted against scrapping of tenant rights. They demanded the government to rethink Bataiya, Trikur and Chaumali land production system and they demanded abolition of Begari system (SPACE, 2000).

Post-1957 Peasants' Movement

Peasants' movement was launched to protest against the agricultural budget in 1962. Female peasants struggled for *Dharma Bhakari* in Nawalparasi dristrict in 1965/66. A peasants' rebellion under the leadership of Prem Bahadur Limbu was launched in Morang in 1967. Hill migrants from the southern fertile areas in Morang and local squatters (*Sukumbasis*) had cleared tracts of malarial land for civilization in 1967-68. Clearing of large tracts of jungle for resettlement was carried on in Rautahat, Tarahara, Panchang and Boka areas of Nepal Tarai. Peasants in Jhapa revolted against the local feudal lords in 1967-70. People in 1970, supported and participated in a demonstration at Lumbini against the unfair tax system and also demanded that the budget in all district headquarters be returned. In the same year, Left-oriented youths led people's movement in Arghakhanchi district and attacked the local feudals, *Jamindars* and confiscated thousands of unjust bonds,

cash and grain stock and burned them (SPACE, 2000).

In 1972, peasants clashed at Jugeri in Chitwan. Military action was taken to displace squatters in Chulachuli village and along the Mahendra highway in Illam. In 1974, a movement was launched in Janakpur region for breaking all granaries (*Bhakari*). In 1973-75, another peasant's movement was launched repeatedly against the very high interest rate levied by the regional feudals. Peasants participated in the nationwide struggle during which the Tarai peasants demanded suitable prices for their production in 1975-76. In 1976, *Akhil Nepal Kisan Sangha* formed regional committees and transferred the management, and the movement marched ahead. Ruthless military operation was staged in Dhankuta to suppress peasants' movement. Peasants in Dhanusha looted granary of Justice Prakash Man. Military action was taken against peasants in Dang in 1960. In 1977-78, peasants revolted in Jhapa, Morang and other districts (SPACE, 2000).

In 1980, the aristocrats caused the Piskar case to the overpower peasants' movement, but the peasants revolt back against the feudals' atrocities and the movement surged against the autocratic *Panchayat* rule. In 1986, notable peasants were involved in peoples' movement and the third historic meeting of *Akhil Nepal Kisan Sangha* was held in 1987. Another movement called *Geta* Movement was launched after the restoration of multiparty system in Nepal in order to free Kamaiyas. During 1995, a survey on bonded labourers was conducted and more recently on 17th July, 2000 most of the Kamaiyas were freed from the debt.

6.2 Child Labour

The system of child labour was prevalent during the course of the world history in different parts of the globe. It was considered a process of socialization and learning for the children. Child labour, however, can be defined by differentiating it from the child work for it is exploitative and detrimental to the child's growing process, depriving the child from the rights to mental, moral and physical developments and his/her protection and survival in the society. Various socio-economic causes like poverty, traditional agrarian economy and feudal history of societies are some of the roots of the problem. Child labour has assumed a new

form due to urbanization and industrialization resulting into the migration of adults and children alike in search of better life options. In most cases, children are found working in unhealthy and inhuman conditions (UNFPA, 1993). Recently, in 2001, ILO reported that more than half the world's 250 million children, in South Asia, work in difficult circumstances.

Europe banned and scrapped off the child labour after the end of the Industrial Revolution in 1930 and other developed countries followed the suit. However, it is still a social menace in the Third World countries, and Nepal is not an exception. Moreover Nepal is still at the initial stage of industrialization. Here, child labour has been accepted by the Nepalese traditional society as a normal practice. About 39.36 per cent of the population falls under the age group of 0-14 (CBS, 2001). CWIN, an NGO, claims that there are 5.7 million children in Nepal who have been either directly or indirectly employed as child labourers (CWIN, 1998).

About 80 per cent of Nepal's population depends on agriculture but its contribution to the GDP is only about 40 per cent leaving 42 per cent of the population below poverty line (CBS, 2001). This fact indicates that agriculture is the largest sector for employing child labour. Villages with agrarian economy treat children as assets and they are devoid of their basic child rights including proper education. Besides agriculture, it is believed that the largest sector to use child labour is the domestic work (Robertson and Mishra, 1997).

Antislavery International promoted the first South Asian seminar on child servitude in 1989. It was organized by the Bonded Liberation Front of India and was held at New Delhi, India. There were social action groups, lawyers and scholars from India, Pakistan, Bangladesh, Sri-Lanka and Nepal in the seminar (UN, 1989). Child Workers in Nepal (CWIN) have estimated that at least two million children are living in near-slavery conditions in Nepal. Children are working away from their family and homes and working to pay off debts incurred by their parents.

The Nepal Children Act, 1992, prohibits the employment of children below 14 as child labour. Child labour is practised clandestinely in different parts of Nepal. Ignorance of the value of education,

suppressed child rights, legacy of feudal system, predominance of religion and cultural traditions have produced cumulative effect on bonded child labourers in Nepal.

Poverty and landlessness in the rural areas are encouraging urban migration at unprecedented rate. The trend led to the establishment of an informal labour industry where brokers supply with a cheap workforce to urban business. Some of the working children are often sold into bondage in the new urban industries to pay off the interest on loans, which desperate parents had taken from the brokers. The worst forms of child labour which were recorded in the 35 districts of Nepal are given below:

Worst Forms of Child Labour Recorded in the 35 Districts of Nepal

Types of Child Labour	Number	
Bonded child labour	14,150	
Child porter	28,450	
Street children	2,900	
Domestic helpers	40,850	
Child labour working in mines	400	
Carpet child labour	3,350	
Total	90,100	

Source, Tenth plan, Planning Commission Nepal, 2003.

The main objective of the plan is to eliminate most of the worst forms of child labour existing in various sectors in Nepal. Quantitative targets of this plan are to alleviate 60,100 different types of child labour in Nepal.

Nepal's Commitments in Relation to Child Labour

The UN Convention on Child Rights 1989

The UN General Assembly passed a convention on the rights of the child on 20 November 1989, recognizing that children need special care and protection because of their vulnerability. The convention defines a child to be a human being below the age of 18, unless under the law of any particular state, maturity is attained (minor status crossed) earlier. Nepal ratified it on 14 September 1990 (UN, 1989).

ILO's Minimum Age Convention

One of the fundamental goals of the international labour organization (ILO) is to eliminate child labour. The goal has taken a concrete shape by means of convention and recommendations. The ILO adopted the first of its eleven conventions on the minimum age for admission to employment in 1919, the year of its creation. A more comprehensive convention (No. 138) was adopted in 1973 followed by its recommendation No. 146. The convention No. 138 requires ratifying states to pursue policies designed for effective elimination of child labour. It rose progressively the minimum age for admission to employment or work to a level consistent with the fullest physical and mental development of the young persons. It also has a provision for progressive extension of the application to different sectors of economy starting from some core sectors (MOL, 1997).

The convention has fixed 15 years of age to be the minimum age for employment. The minimum age may be fixed at 14 years for normal work and 12 years for light work for a state whose economy and administrative facilities are insufficiently developed. The minimum age may be fixed at 16 years for employment or work hazardous to health. Safety and morals of young persons are fully protected against such hazards and are given adequate specific instructions and vocational training in the relevant branch of activity. Nepal is the only country in South Asia to have ratified the convention.

Other Commitments

The world summit for children was held at the United Nations in New York in 1990 where Nepal endorsed the declaration on the survival, protection and development of children. It undertook to work for special protection of the working child and for the abolition of illegal child labour. As a member of SAARC, Nepal has also endorsed the Colombo Resolution (1992), which has set goals for basic education and elimination of child labour. Below is a mention of the ILO conventions ratified by the Government of Nepal:

Convention No. 14 is about the weekly rest in the industry. It has noted that there must not be more than eight hours a day and forty-eight hours a week for work. The government ratified it on 10th

December 1986. Convention No.98 is related to the application of principles of the rights to organize and bargain collectively. The government ratified it on 4th October 1996. Convention No. 100 is concerned with the equal remuneration for man and woman workers for work of equal value. This was ratified on 6th October 1976. Convention No. 111 is concerned with the discrimination in respect of employment and occupation. It was ratified on 19th September 1974. Convention No. 131 is related to the minimum wage fixing with special reference to developing countries. It was ratified on 19th September 1974. Convention No. 138 is concerned with the minimum age for admission to employment and it was ratified on 4th October 1996 (MOL, 1997).

The Constitution of Nepal 1990 re-emphasized the prohibition of slavery, bonded labour and the trafficking human beings. The government of Nepal ratified the UN convention on the rights of children and has drafted new legislation including Labour Act 1992 and Nepal Children's Act 1992 in order to safeguard the rights of Nepalese children. The government endorsed the Colombo Resolution on children in September 1992.

Regulatory and Structural Framework in Nepal

Various legislations enacted before 1990 have provisions relating to child and minor labourers. The Factory and Factory Workers Act (HMG/N, 1959) has categorically prohibited employment of children under the age of 14 and employment of minor workers of age between 14 and 18 only for light work. This Act has been already nullified after the enactment of the Labour Act (HMG/N, 1992).

The Constitution of Nepal 1990

The Constitution of Nepal 1990 seeks to protect the interest of children by conferring certain fundamental rights on them, and imposing certain duties on the State in the form of the "Directive Principles and Policies of the State". Regarding the fundamental rights of children, article 11 of the constitution guarantees equality before the law to all citizens and persons. It further lays down provisions for the state to

make special laws for the protection and advancement of children. Article 20 prohibits employment of minors to any factory and mine or to any other hazardous work. Furthermore, Article 26 (8) of the chapter on directive principles and policies mentions an obligation of the state to make necessary arrangements to safeguard the rights and interest of children and gradual arrangement for free education (HMG/N, 1990).

Labour Act 1992

Article 2 of Labour Act 1992, which is applicable mainly to an establishment with 10 or more employees defines a child (*Keta Keti*) as one who has not attained the age of 14 and a minor (*Nabalig*) as one who is above 14 but has not completed the age of 18 years. Article 1 of the Act prohibits employment of a child in any establishment. Article 5 (2) of the Act provides for employment of minors only between 6 AM to 6 PM except under prescribed conditions. However, Article 3 of the Labour Rules (1993) provides for an employment of a minor of a between 14 and 16 years only for six hours a day and 36 hours a week. Similarly, the minors of above 16 could be employed during hours other than 6 AM to 6 PM through mutual agreement between them and the management (Government of Nepal, 1992).

The Act also mentions in Article 32 (2) that minor workers shall not be subjected to carrying weight more than what is specified by the law. And, the Labour Rules (1993) formulated on the basis of this provision specifies this in Article 39 that a female minor worker between 14 and 16 years and a male minor between 16 and 18 must not be subjected to carry or move a load of over 15 kg and 25 kg respectively.

Children Act 1992

Article 2 of Children Act 1992 defines a child as a person who has not attained the age of 16 years. Similarly, Articles 17 and 18 of the Act prohibit the use of children below 14 years as labourers. Article 47 (1) of the Act further adds that children can be employed only for 6 hours a day and 36 hours per week. Further, after continuous work for three hours, an interval of half an hour and one holiday each week shall be given to the child. The rest hours and holiday shall be included in computing the working hours. Article 48 (1) also states that in case of

employment of a child of over 14 years, the employer has to get approval from the "Child Welfare Officer" and his / her parents or guardians. The Act also prescribes setting up a Central Child Welfare Board and District Child Welfare Boards in the interest of the children, for prohibition of use of child labour and for finding means to eliminate the practice (1992). The children rules (1995) have also prescribed the functions of the boards.

Structural Frameworks

The Ministry of Labour (MOL) is the apex body for administration of labour in the country. It is responsible for formulation, implementation, monitoring and coordination of the policies and programmes of the government regarding labourers. Department of Labour and several Labour Offices in different parts of the country function under the supervision of MOL Senior Labour Officers, Labour Officers, and Factory Inspectors.

MOL has a child labour section for enforcement of the provisions for implementing the minimum age for employment. ILO has a representative office in Nepal. It has been playing a key role in formulating and implementing policies on labour by advising and assisting the government and other labour bodies in the country. It recognized that purely legislative approach would not halt child labour. Hence it launched a comprehensive technical cooperation programme called the 'International Programme on the Elimination of Child Labour (IPEC) in 1992. It is to assist member states to combat child labour (UN, 1979). IPEC was extended to Nepal in 1995 in response to a request by the government. Nepal is the eleventh country to join the programme. A national steering committee was formed by MOL in accordance with the memorandum of understanding, which recommended a number of action programmes and proposals for support from ILO. The action programmes are being implemented under the preparatory phase of IPEC (MOL, 1997).

Since the establishment of multi-party democracy in 1990, Nepal developed a strong and vibrant NGO movement. Some of the NGOs are working against child labour. They are Child Workers in Nepal-Concerned Centre (CWIN), National Society for Protection of

Environment and Children (NASPEC), Child Development Society (CDS), and Informal Service Centre (INSEC). These NGOs have become successful in raising awareness about child labour problems particularly in urban areas. Apart from this, they are rehabilitating street children, bonded labourers, refugees, child prostitutes, working children, exploited or battered children. Trade Unions like Nepal Trade Union Congress (NTUC) and General Federation of Nepal Trade Unions (GEFONT) are working for these groups. Attention and activities of government authorities, NGOs and Trade Unions have so far been concentrated on child labour and bonded labourers like Kamaiya, Kamlahari and different forms of bonded labourers in the mid and far western Tarai region of Nepal (GEFONT, 2001).

Factors and Forces of Child Labour

It is commonly asserted that poverty is the root cause of bonded and other forms of child labour. In fact, poverty is only one of many factors that encourage creating and sustaining the conditions that facilitate endemic bondage. Society and socio-economic factors push the labourers on the one hand and the landlords and their agricultural fields pull the labourers on the other. Especially poverty, illiteracy, large family size, lack of awareness, helplessness and landlessness are the governing factor for encouraging the process of the bonded labourers in the study area. In Nepal and India, the other key elements behind bonded child labour are the ancient tradition of slavery, and debt. Lack of alternative small-scale loans for the rural and urban poor and the lack of concerted social welfare scheme to safeguard them from hunger and illness are the causes of such condition of child labour. Noncompulsory and unequal educational system, the lack of employment opportunities and living wages for adults, corruption and indifference of government officials and societal apathy are other causes. A final element is caste-based discrimination, which is closely intertwined particularly with agricultural debt bondage (UNICEF, 1997).

Large numbers of children are working as domestic servants, agricultural helpers, animal herders, childcares, porters and rag collectors. Likewise, they are working as forced labourers, prostitutes, beggars, drug sellers and petty criminals. Gender-specific forms of

exploitation from the employers were rape, lower pay and extreme sexual abuses. Girls suffered from the higher demands placed on them within household. They were exacted hard labour at home: nursing children, cleaning the floors and utensils, doing shopping, cooking meals, and gruelling for long hours outside home. In all, the child is treated like a commodity of exchange or a cheap/captive labour for a nominal debt.

Nepal is an agriculturally dominated country where about 80 per cent of the total population depends upon agriculture for its livelihood. Ironically, 46 per cent of the total agricultural land is owned by 9 per cent of the population consisting of a handful of feudal and rich people. The remaining 91 per cent of the population shares 54 per cent of the land. As as a result, a majority of the people are engaged in subsistent farming. About 30 per cent of the total population is living below the poverty line in Nepal. Here, an average poor family consists of seven people and owns about half a hectare of land, which produces food grains to feed the family only for three to six months. Because of the dual ownership system of the land and unfair land distribution, almost half the crops goes in payment of rent to the landlords. And for the substantial part of the year, they live either on debt or are forced to leave the native villages to become migrant workers in the urban centres or across the border (CBS, 2001).

Landlessness as result of unfair distribution of land can be treated as a major cause for the major socio-economic problems in the country. Ultimately, mass poverty, social injustice and illiteracy are the results of the faulty land holding system. Mostly, the children are affected by this system. The per capita income of Nepal is US \$ 210, whereas each new born child is indebted with Rs. 18,000/US \$300 (Sattaur, 1993).

Table 6.I

Land Ownership and Housing Conditions of the Kamaiyas (Bonded Households), 2001

Land areas (in Katthas)	HII.No.	%	Types of residence	IIII.No.	%
Landless	603	71.87	Houseless	546	65.08
< 2 Katthas	161	19.19	Owner's Hut	103	12.27
2-5 Katthas	49	5.84	Parti Land	90	10.73
5-10 Katthas	12	1.43	Rented	9	1.07
> 10 Katthas	14	1.67	Others	91	10.85
Total	839	100.00	Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001.

Out of a total of 839 sample households, 603 or 71 87 per cent belongs to landless category. Similarly, 161 households (19 19%) own less than two *Katthas* of land in the name of their family. Another 49 households (5.84%) have 2-5 *Katthas* of land in their names. The remaining 26 households (3.10%) own 5 or more *Katthas* of land which represent only a small fraction of the bonded households. This skewed distribution of land holdings shows that most of the bonded labourers are deprived of land resources which are the prime cause of their economic deprivation and poverty.

Table 6.I also exhibits the appalling housing condition of the bonded households. Out of a sample of 839 bonded households, 546 (65.08%) are houseless, 103 (12.27%) only own a hut, 90 or 10.73% have built their houses on the landlords Parti land (Government Unregistered land). Such people are living along the riverside or foothills or around the forestlands. Such lands are generally called Bad Lands. Only 9 or 1.07% households live in rented houses. These people pay rent to their landlords with their additional work. Remaining households 90 or 10.85% have not specified their type of residences clearly.

This very well proves that majority of the landless families of bonded labourers are also homeless people. These mostly belong to the Tharus bonded labourers under the *Kamaiya system* in the Tarai region of western Nepal. Although the Government has recently tried to improve the situation through a declaration on 17 July 2000 but the progress is not very satisfactory.

Child Abuse

Child education and freedom of expression are necessary motivations for the minorities. People of minority groups and oppressed communities are generally neglected and discriminated in their every day social life. In some places, children of untouchable castes are not allowed to use public water taps and wells. Likewise, they are prohibited from entering the temples and participating in religious ceremonies. There also prevails discrimination against job opportunities despite the fulfilment of basic qualifications. There are examples that Dalit children are not allowed to attend school along with the children of so called high castes (CWIN, 1998).

Because of landlessness, poverty, illiteracy and ignorance, the children of ethnic minorities and the oppressed communities fall victim to different forms of exploitation and oppression. If we look into the growing trend of child labour we find that majority of the children come from these poor and deprived native communities. The educational status of these children is very low and they are almost illiterate. They enter into labour at an early age due to family compulsions. Child marriage and early child bearing is very common in these communities. In the southern Tarai of Nepal, Tharu communities have the tradition of child marriage. There is very low school enrolment in such areas (UNFPA, 1993).

Despite the equal constitutional rights to all children, gender discrimination is more than obvious in every walk of life. Girls are discriminated, exploited and over burdened. They contribute most to improve family income by working as labourers since their childhood (Acharya and Bennett, 1981).

Slums and squatter settlements are almost a part of the Nepalese landscape. Illegal settlements are spreading along the riverbanks, on dry riverbeds, deforested areas and around the industrial belts. Landlessness, insufficient land, unemployment, indebtedness, natural disasters, and family break-ups are different causes for the migration of bonded labourers in the region. Mass illiteracy, ignorance, organized crimes including prostitution, trafficking and drug paddling are some of the evils of the society that invite different crimes in the region. Alcohol abuse, family violence, hazardous environment, lack of structural development and protection are among multiple social problems of the region.

Child abuse generally occurs due to various physical, sociopsychological and socio-economic causes such as poverty, broken homes, disharmonious family environment, alcoholism, lack of basic awareness and respect to child's rights. Child abuse and neglect may take various forms such as sexual abuse, trafficking, child prostitution, cruel punishment, inhuman treatment, imprisonment, detention, underage marriage, abandonment, exploitative child labour and murder (CWD, 1994).

The number of street children has grown in recent decades because of wide spread recessions, political turmoil, civil unrest, increasing family

disintegration, natural disasters and growing urbanization. The problem of street children is the consequence of many social and family realities, such as social disintegration, family break-ups, child abuse and child neglect, domestic violence, poverty and depression. Some institutions are active to help and protect these children. They are providing necessary support for rescue, socialization and rehabilitation of the children at risk. Many of the street children are found injured as a result of street fight, rape, sexual violence, burn, road accident, drug addiction and other problems. They develop harmful habits, negative behaviour toward themselves and to others. Smoking cigarette, chewing tobacco, drinking alcohol, theft, pick-pocketing, drug selling, drug abuse, exchanging sexual favour, street addiction, begging, dominating character, and visiting prostitutes are very common in these street children (Sattaur, 1993).

Sexual Exploitation

Girls are the main victims in different forms of commercial sexual exploitation through prostitution, pornography and sex tourism in the city centres and on the high way. Teenaged girls and women from the rural villages are lured and trapped by traffickers through deceits and tricks like fake attraction, fraud marriage, kidnapping and the like. Most victims of trafficking and forced prostitution have a background of working in the farm and factories. The most prominent causes of prostitution include poverty and insecure home environment including molestation by close relations and friends. Scavengers, porters, men in the street, police and army recruits, drivers, rickshaw pullers are important links in this unsocial business (Sattaur, 1993). Mostly young girls are made victims of sexual violence both inside and outside their work places. Majority of these cases are not reported due to sociocultural stigmatization. Cases of rape and sexual violence to women and children aging from 18 months to 45 years have been recorded by CWIN. Homosexuality is also found in males. Adult sexuality molests young boys. Women and children who are trafficked to India are forced into prostitution in the red light areas and brothels of metropolitan cities of India. Bonded labourers of Banke district are also exposed to these problems (CWIN, 1998).

According to the survey of the sample households, 688 (82%) households are not subjected to any of the abuses mentioned in Table 6.II. The survey records that there are only 18 per cent bonded households which are exposed to one or the other form of abuse in the region. Of these 0.60 per cent households have been sexually abused, 0.83 per cent have been exposed to trafficking, 0.48 per cent have suffered from physical torture, and 0.36 per cent have been forced into prostitution. These bonded labourers are hurled with frequent abuses (32.83%), exposed to brutal force (15.88%), fired (7.87%), frightened (6.87%) and subjected to physical torture like biting (3.85%).

Table 6.II

Abuse of and Misbehavior Meted to the Kamaiya
(Bonded Households)

Type of abuses	HH. No.	%	Misbehaviours	HH.No.	%
Sexual exploitation	5	0.60	Abuse	196.	32.83
Prostitution	3	0.36	Biting	23	3.85
Trafficking	7	0.83	Fining	47	7.87
Physical torture	4	0.48	Using force	93	15.58
Others	132	15.73	Frightening	41	6.87
None of the above	688	82.00	Others	197	33.00
Total	839	100.00	Total	597	100.00

Source: Based on 839-Sample Household Survey, 2001.

Child Servitude

Tharu people are among the most backward ethnic communities scattered in the southern belt of Nepal Tarai and working as Kamaiya labourers. A Kamaiya is a person who works for the landowner on the basis of a one-year verbal contract of employment. He/she is indebted to the landowners. Due to high interest rate on the loan and the low wages, the labourers gradually sink deeper into the debt and become bonded for life. The entire family of a Kamaiya works for his /her master for more than 12 hours a day. After the death of the father the son inherits the debt and serves as bonded labourer to his landlord.

According to INSEC, 73 per cent of the Kamaiyas are homeless. Children start working since the age of 10. Some Kamaiyas are working as bonded labourers for the fourth generation now. Orphan Kamaiya children become extremely vulnerable to the worst kind of exploitation and torture. Domestic helpers must work from early in the morning to late night and subsist on very little left-over food. They are punished brutally for petty mistakes. They are bound to do all the household work including washing dishes, clothes, cleaning floors, rearing small babies and whatever may come to their lot. Punishments like pulling by the child's hair, beating, kicking, and dragging are very common. Many girl children are abducted giving them some chocolate mixed with intoxicants (INSEC, 1992).

Economic, social, cultural and psychological problems are the causes of crimes. Criminologists, juvenile justices and experts have confirmed that child delinquency is also a bio-product of social and family atmosphere and it can also be hereditary in a family. Social problems such as child marriage, child labour, children in debt bondage, child migration and other socio-cultural exploitations of children are common in Nepal. Children are also arrested and put into jails for simple crimes or even on false charges (Sharma and Thakurathi, 1998).

Child Migration

Fetching water, collecting firewood, grazing cattle, caring for younger children and supporting parents in the field are most common works entrusted to the children. The migration of children to the urban areas has been increasing tremendously, and this has ultimately contributed to an overwhelming increase in the magnitude of child labour. Children are now being employed in mines, factories and domestic services. The increasing magnitudes of slums and squatter areas have also been contributing to the growing number of street children in urban areas.

Thousands of children are working as domestic servants to rich people in the cities. Some are working in construction work, woodcutting, catering, industrial units, hotels, restaurants, shoe polishing, and shoe factory, portaging or working as coolies in the railway stations,

circus and magic shows. Bonded labourers are economically exploited, mentally and physically abused and are at risk (Sauttar, 1993).

The cross-border child labour migration can be viewed side by side with urban migration. Poverty, economic pressure, hardships of life in the villages and curiosity contribute to the migration of such children.

Traffic in human beings, slavery, serfdom or forced labours are prohibited by the Constitution. Forceful sexual intercourse, sexual harassment and intercourse with a minor girl, even with her consent, are legally considered as rape. The prevalence of various crippling diseases due to lack of adequate health care facilities, malnutrition, endemic micro nutrient deficiencies, poor sanitation, environmental problems and the magnitude of disability in Nepal cannot be underestimated.

Drug addiction among the children is a new phenomenon in the urban society. Poverty, rapid population growth, unemployment, shortage of agricultural land and other social problems like family break-ups, parental negligence and inappropriate family atmosphere have led the children to the street. Once they are displaced from their homes, they find themselves without shelter and means of survival (Sauttar, 1993).

Due to lack of awareness and education, many women and children in Nepal are ignorant about the sexual exploitation. Lack of proper adolescent education system in Nepal has contributed to creating many problems relating to sexual harassment and sexual abuses of women and children. Nepal has signed and ratified a number of international covenants on human rights after the restoration of multiparty democracy.

6.3 Relationship among the Kamaiyas

Kamaiyas (bonded labourers) have different linkage and relationship that can be explained through their nature of job and work place. This relationship is developed during the course of their work with their fellow beings and also with their master or employer. Such relationship may be personal, social, economic, cultural and political. These have been grouped under the following categories:

Inter-Household Relationship among Male Kamaiyas

The relationship of a Kamaiya (bonded labour) within the household is called inter-household relationship. A male Kamaiya (bonded labour) is sometimes involved in different types of social work. Some male Kamaiya bonded labours have gained expertise in doing social work—making inter-household relationship concerning social work as below:

Inter-household relationship between family members revolves round the spouse and their children. Mother and father-in-law, brother and sister-in-law and other relations in a joint family are helpful in maintaining such relationship. In general, their mobility is limited and so are their household activities. They are not even permitted to talk about outside affairs. Their relation mainly revolves round the landlord or *Kisan*. Other connections are limited, although the community maintains close-knit ties with other stakeholders. One of the implications of the intra- and inter-household relations is that it reinforces gender roles. It shows that women have minimum access or exposure to the outside world and are confined to doing household chores only. This poses serious challenge against the work of women's empowerment.

The household relationship is mainly based on the link and contact with the members of the landlord family. It can be arranged as landlord's wife, landlord, *Kamaiya*, *Kamlahari*, relative, *Mahatau* and neighbour on decreasing contact basis.

Inter-Household Relationship among Kamlaharis

Like that of the male, the female bonded labourers (Kamlaharis) also have low social relationship within the house. Such relations are called inter-house relationship. In this, the female bonded labourers (Kamlaharis) have slightly different relationship from that of the male bonded labourers. Her relation is limited to the landlord's wife, landlord, Guruwa, Mahatau, relatives, neighbour and Kamaiyas. Efforts should be directed to create attitudinal changes both at the societal and individual levels along with provisions for services of increased opportunities for employment and income.

Inter-household relationship shows the level and sources of information to the Kamaiyas (bonded labourers) in the domestic affairs. They are guided to the work rather than to taking their own initiative.

They lack the information about the surroundings except what is necessary for their work.

Intra-Household Relationship of Kamaiyas

A relation of a Kamaiya (bonded labour) maintains closeness and linkage with the following social ranks for his intra-household relationship. It includes his wife, mother, father, brother, daughter, son, sister(s) and daughter-in-law. A male bonded labour has close contact with them but the closeness may decrease by the order in the social rank. There is also a social network among the bonded labourers within the community.

Intra-Household Relationship of Kamlaharis

Like that of the male, there is female intra-household relationship limiting them within a single house in the region. A woman-bonded labour (Kamlahari) has linkage with her husband, brother-in-law, sisters, daughter, mother-in-law, son, daughter-in-law, sister-in-law and brother in decreasing order. This relation of social network also depends on her personal behaviour.

Social Network of Kamaiya Family

There is a social network of a bonded household. The social norms of the family depend upon the nature and characteristics of its family members. A family has closeness and relation with *Guruwa*, landlord, neighbour, *Mahatau*, relative, blacksmith, liquor seller, local leader, health post, VDC and other shop retailer. This is the outer world of the Kamaiyas (bonded labourers) where he has contact with other members of the society. They are born within this circle; they grow and finally die within this social limit.

There is a strong mutual and cohesive relationship between the bonded labour and the landlord and also the other community people. He has established a social network of mutual assistance for livelihood.

Such networking is particularly strong in the same ethnic group (Tharu) or kin ties. It is obvious to feel more homely if the landlord is also a Tharu. They have intimacy among them both in terms of places and types of food. There is no feeling of disparity both in verbal expression and activities undertaken. There is no feeling of superiority

or inferiority at times of discussion. There is a feeling of satisfaction. But, the same is not seen in non-Tharu relation. Alcohol is an integral part of Tharu culture, available in all Tharu houses. It also plays an important role in mutual relationship.

Kamaiyas' (bonded labourers) perception of the Brahmin landlords is negative and detrimental. They have perceived them as misers, exploiters, abusers and cruel persons, who demand work all the time both in the field and at household levels. The landlords show neither any appreciation nor sympathy to the Kamaiyas (bonded labourers) for their hard work, and there is no reward for the good work and no gift of alcohol (Niraula and Paudel, 1998). The *Thakuri* landlords generally treat them in a crude, hateful and dominating manner. The practice of threatening and handling them with rough and cruel behaviour are very common. Kamaiyas (bonded labourers) live in isolation from the social milieu at the households of *Thakuri/Brahmin* landlords.

6.4 Population by Caste/ Ethnic and Language Groups

Nepal is a country of multi-castes and multi-ethnic groups. People speak different languages in Nepal. The population census of 2001 has recorded 103 different caste/ethnic groups amongst whom Tharus have been placed at fourth position with a total population of 1,533,879 (6.75%). The cumulative percentage up to the Tharu is 42.43% of the total. Alist of 10 important ethnic and linguistic groups is given below (Table 6.III):

Table 6.III: Ten Dominant Caste and Linguistic Groups in Nepal, 2001

Caste/Ethnic groups	Population	% of country's pop.	Cumulative %	Mother tongue	Number of speakers	%	Cumulative
Chhetri	3,593,496	15.80	15.8	Nepali	11,053,255	49.0	49.0
Brahman	2,896,477	12.74	28.5	Maithili	2,797.582	12 4	61.4
Magar	1,622,421	7.14	35.7	Вһојрип	1,712,536	7.6	69.0
Tharu	1,533,879	6.75	42.4	Тһаги	1,331,546	5.9	74.9
Tamang	1,282,304	5.64	48.1	Tamang	1,179,145	5.2	80.1
Newar	1,245,232	5.48	53.5	Newar	825,458	3.7	83.8
Muslim	971,056	4.27	57.8	Magar	770,116	3.4	87.2
Kami	895,954	3.94	61.8	Awadhi	560,744	2.5	89.7
Yadav	895,423	3.94	65.7	Ваптама	371,056	1.6	91.3
Rai	635,151	2.79	68.5	Gurung	338,925	1.5	92.8
Total			68.5	Total			92.8

Source: CBS, 2001. (Ethnic Castes out of Recorded 103 and Mother Tongues out of Recorded 93 in the Latest Census, 2001). These ten important caste and ethnic groups together occupy 68.5 per cent of the total population of the country. Similarly, ten major mother tongue speaking groups share 92.8 per cent of the country. Nepali is the most popular language which is spoken by 49 per cent of total population of the country. It is followed by Maithili (12.4%) and Bhojpuri (7.6%) and Tharu is the fourth important language of the country which is spoken by 5.9 per cent of the total population of Nepal (cf. Tharu population 6.75%). Other mother tongues like Newar, Magar, Awadhi, Bantawa and Gurung contribute less than fair percent of the country's population. Chhetri (15.80%), Brahman (12.74%), Magar (7.14%) and Tharu (6.75%) are four dominant caste groups which together constitute 42.43 per cent of the country's population.

6.5 Linguistic Composition of the Kamaiyas' Households

Language is the main medium of expression of views and ideas from one person to another by means of accepted set of expressions. People learn speaking their mother tongue since childhood. Such language which people speak at home is called mother tongue. Nepal is multi linguistic and multi-caste-ethnic society. Some people speak more than one language. According to the field survey conducted in 2001, Tharu was the most dominant language spoken by 96.19 per cent of the sample households (Table 6.IV).

Table 6.IV Linguistic Composition of the Kamaiya Households

Mother tongue	HH.No	%
Tharu	807	96.19
Nepali	18	2.15
Awadhi	8	0.95
Hindi	5	0.60
Magar	1	0.11
Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001.

There are 2.15 per cent household heads that use Nepali as their mother tongue and another 0.95 per cent of them speak Awadhi as their mother tongue. Similarly Hindi is spoken as mother tongue in 0.60 per cent of the sample households, while Magar is spoken in only 0.11 per cent of the households of the Kamaiyas (bonded labourers). The adoption of the language also depends upon family status and surrounding environment.

Structure of the Kamaiyas' Households

Tharu was the main dominant group in the study area, out of the total of 839 sample households, 813 (96.9%) belonged to the Tharu community (Table 6.V). Besides Tharu, there were 26 households (3.1%) who belonged to non-Tharu group, but fell into the the Kamaiya (bonded labour) category.

Table 6.V Structure of Kamaiyas' Households

S.N	Structure	HH.No	%
1.	Tharus	813	96.90
2.	Kamis	12	1.43
3.	Muslims	7	0.83
4.	Chamars	4	0.48
5.	Chhetris	1	0.12
6.	Sunuwar	1	0.12
7.	Yadav	1	0.12
	Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001.

The other groups of Kamaiya consist of Kami (Blacksmiths) (1.43%), Muslim (0.83%), Chamar (0.48%), Chhetri (0.12%), Sunawar (0.12%) and Yadav (0.12%). Kami, Chamar and Sunawar belong to untouchable castes in practice, though this is against Law. (Muluki Ain). Common people do not agree with this view. The Chhetri, Magar, Kami and Sunawar caste-ethnic groups are said to be of hill origin, while the Tharu, Muslim, Chamar and Yadav caste-ethnic groups are said to be of Tarai origin.

6.5 Marriage

A physical phenomenon involving the pairing with individuals of opposite sex under the influence of sexual drive is called marriage, the basis of the continuation of human society. It helps in the multiplication of human number and growth of the society. It is interpersonal relationship of the kinsmen of the married couple and a cultural complex as a social universal institution (Banerjee, 1994: 10).

The traditional Hindus consider marriage as a religious sacrament and not a civil contract. It is a sort of holy performance based on religious rites, with conspicuous utterance of Vedic Mantras (Incantations) in the presence of the members of the society and gods. These gods are kept as witnesses and their favour is sought for successful marital life. Marriage is also a licensing of parenthood. The ceremony varies according to religion, caste, ethnicity, geographical region and so on.

Causes of marriage include canalized sex satisfaction, desire for children and co-operation between husband and wife. The institution of marriage is as old as the human society and both marriage and family are co-eval and universal. Family is a social and biological unit but marriage is a social institution. Mating is biological but marriage is social and cultural.

The humans in their primeval state had no marriage forms and lived in a state of promiscuity (sexual anarchy). Group marriage came into existence whereby sets of males and females shared more or less equal conjugal rights over each other. Later, this polygamy and polyandry slowly gave way to monogamy. The aim of Hindu marriage is resting on 'Dharma' Praja (progeny) and Rati (pleasure) (Banerjee, 1994:1-14). Marriage system among the Tharu bonded labourers is clan-exogamy and group- endogamy. The type of marriage is monogamy. Marriage involves a social religious contract between the individuals and the families to cement alliances and to provide a wider base for inter societal co-operation. Preferential mating is levirate and surrogate marriage among the Tharu bonded labour. The forms of acquiring male/female are through negotiation marriage, probationary marriage through mutual consent and elopement, divorce and remarriage.

In the Tharu community, both groom and bride have equal rights to dissolute the marriage. Barrenness, disloyalty, laziness, and quarrelsome nature on the part of both sexes lead to divorce. After divorce, remarriage can be held again without the payment of bride price in the community. The children of previous wife generally stay with their mother.

Marriage is arranged early during childhood through a systematic exchange marriage, which is also called' Sataha' in the Tharu dialect. 'Damaha' is another kind of marriage where the bride price is paid in kind (rice, salt, oil and liquors and 22 metres of cotton clothes). Kinds are given to the bride's father in exchange of his daughter. Tinkhut (three folds) is another system of marriage where three households are involved but now arranged marriages are more common. Divorce or separation is quite common and frequent among the Tharus and has been socially accepted. All rituals regarding marriage are adapted to the earlier exchange system, which was mostly done in kind rather than cash. The son and daughter of a particular house are respectively married off to the daughter and son of another house if the situation and condition are favourable. Other different groups of the bonded labourers have marriage tradition according to their own culture and tradition but largely they are also affected by Tharu culture and tradition. In general, there is early marriage system in the Tharu community and the age difference is generally reported 2/3 years between male and female. Mostly female are younger than the male but exception is recorded that 5-10 years elder wives were also married by the male. It may be the cause of widow marriage and remarriage of the bonded labourers' households in the study area (Rankin, 1999).

6.6 Family

Family is the smallest social unit. It is also called the first primary school of the people, where they learn lots of things for future. The psychic instinct of parental love and affection binds the members of the family. Tharu bonded labourers have unlimited number of family size. Each family has formative influence with some sense of responsibility. It has

nuclear position in the social regulation. Temporary and ever changing nature is found in the family where there is bilateral nature. From structural point of view, joint family dominantly appeared rather than the nuclear family. From the viewpoints of blood relation, procreation, and marriage, the families are monogamous. On the basis of residence, these families are patrilocal and on the basis of succession, these people live in patrilineal family system.

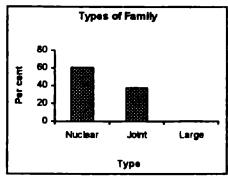
The essential functions of the families are sexual reproduction, maintenance, placement and socialization of the child. Likewise, nonessential functions are economic, educational, religious, health and recreation, care of the aged, civic, political control, physical protection and social relations. The functions seen in the bonded family are only work and reproduction. There is no thinking of even the present, leave alone that of the future. In fact, there is no proper condition available for these groups to think of their life and that of their children. So, generations come and generations go through the bonded system in the plains of Nepal Tarai. Bonded families are living together in a joint family for three or more generations. It was found that there were 31 family members in a Tharu house during the field survey. Father depended upon the eldest or clever son of each family. Among the women, the eldest daughter-in-law Ghurnya, looks after the management of the family. In every village, there is a village chief called 'Badghariya' between the Dangaura and 'Bhalamansa' of Rana Tharus. Dangaura have unique physical features. They celebrate different festivals and believe in superstitious practices like *Jhankri*/ Dhami (Traditional Faith Healer) treatment. They also consider diseases as the anger of the god and get a patient treated by Guruwa.

Family Types in Kamaiya Households

Kamaiyas (bonded labourers) live in huts or *Bukraha* in the region. These are either made by themselves or under the landlords' direction. They perform all ritual events within the members under the same hut. According to the situation, they have mainly two types of family, nuclear and joint family. In a hut, there live more than on family.

Table 6.VI
Types of Family of the Kamaiyas
Family types

Family types	HH No.	%
Nuclear	514	61.26
Joint	319	38.02
Large	6	0.72
Total	839	100.00



Source: Based on 839 Sample Households Survey, 2001.

Fig. 6.1

Generally, the nuclear type of family is preferred in the region. Most Kamaiyas (bonded labourers) lived in nuclear family. There lived 38.02 per cent in joint family and 61.26 per cent in nuclear family (Table 6.VI). The type of the family has not affected the bonded labourers. Family size and Kamaiyas (bonded labourers) are inversely related. Only family size is not an indicator of the assumed hypothesis. There may be various other factors, which are affecting the Kamaiya household families.

Type of Houses of Kamaiya

Settlement is the combined form of the houses in the area. House is a fundamental necessity of an individual whether he is a bonded labour or a landlord. Gas, Bas and Kapas (Food, Shelter and Clothes) are the three basic needs of human beings. The quality and quantity of these basic needs may vary according to the socio-economic conditions of the people. Geographical factors may have positive impact on of house types (Tiwari, 1984).

Tharu houses are of rural nature with isolated form. Tiled houses, thatched houses and plastic houses are most common in the study area. Mud is the common raw material of the house whether it is small hut or a big house. No concrete house was seen among the bonded labourers. Majority of were mud made huts. The survey shows that 55.33 per cent of the houses is mud built and thatched. Wood, thatch and mud are the main building materials of these houses. The roofs are not flat but sloping. Mud plastering is done to strengthen the walls. Recently plastic sheets are being used as roofing material in some of these houses.

Table 6.VII Type of Houses of the Kamaiyas

Type of houses	HH.No	%
liuts	367	43.74
Mud built	464	55.33
Not responded	8	0.95
Total	839	100.00

Source: Based on 839 Sample Households

Survey, 2001.

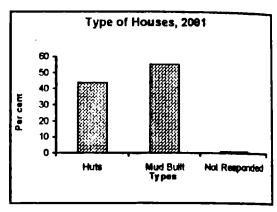


Fig.6.2

There are 29.76 per cent concrete houses in Banke district and 25.53 per cent semi-concrete houses. Likewise, 42.90 per cent houses are mud built and 1.81 houses are of miscellaneous type. About 88.46 per cent houses are owned by house owners, 8.10 per cent houses are rented and 3.25 per cent are used for institutional purposes. There are only 0.43 per cent rent free houses and 0.06 per cent houses are of other types (CBS, 2001).

Essential Features of Houses

A house combines a number of essential features. They are of indoor and out door type. Daily use materials are hanged inside from the roof. Different features of culture and religion are painted on the mud-plastered walls of the house. About 40.44 per cent of the houses have courtyards, while 15.88 per cent have verandah.

Table 6.VIII: Essential Features of the Kamaiya Houses

Features	Number of houses	%
Court-yards	611	40.44
Verandah	240	15.88
Doors and windows	348	23.03
Kitchen	204	13.50
Stories	13	0.86
Others	95	6.29
Total	1,511	100.00

Source: Based on 839 Sample Households Survey, 2001.

Windows and doors were used in only 23.50 per cent of the total houses in the region. About 13.50 per cent houses had separate kitchen. Most of the huts had one simple room for common use of the family. Only 0.86 per cent huts had second story. Table 6. VIII presents a description of some of the essential features of the houses in the study region.

6.7 Position and Role of Women

A social structure may be regarded as a tool of social behaviour. It operates and maintains its existence only through the individual role and the occupied status within it. The mechanism of social control encourages them to attain the behavioural standard achieved through the conformity of social and cultural norms. A person may have multiple status and also different roles to perform in the various situations of corporate living. The bonded labourers have multiple roles in agricultural and domestic affairs depending upon the guidance of the masters. The role of mothers can be only practised in the presence of persons willing to play the role of a child (UNICEF, 1996).

Women's place in the primitive societies was a little better than a slave or beast of burden or undisputed mistress of the family. The position of women in any society depends upon a biological fact based on sex dichotomy. Women possess the basic reproductive role that is fixed biologically. As such babies are born of women and this fact creates different status of male and female. Every society assigns roles to the male and female. The division of labour on the basis of sex is found to be present in all societies, modern and primitive (Acharya and Bennett 1981).

The position of women depends on the treatment of women in a society, her legal status, her opportunities for public activities and the character and extent of her labour in contrast to her masculine partner. The supremacy of women in household affairs is found in many of the primitive societies. Women have the equal rights to divorce and remarriage. A woman cannot inherit parental property after her marriage in matrilineal society and she adopts the clan name of her husband in the event of marriage. She has to move out after marriage and live on permanently in her husband's parental house (Bennett, 1974). Some

amount of freedom and equal status in families are found in indoor activities, without the permission of the housewives, no husband can sell or purchase any-domestic goods or even social behaviour in Tharu tribal group. It is also prevalent in the Kamaiya (bonded labourers') families of Nepal Tarai.

The Tharu communities of Nepal offer a superior legal status to their women. In matriarchal families, a female holds better social status including right over the family property. Like that, religious and social ceremonies are constituted and managed by women. They have also power to nominate a person for a vacancy in the council of chiefs and also have the power to cancel the nomination of unworthy persons. The superiority of the wife's kin is regarded rather than feminine superiority in matrilineal society. The historical, economic and geographical relations can play significant role for the women in our society. The women and children of these communities are backward and deprived of normal privileges. They are used as commodities in the region.

Women in Debt Bondage

Women who migrate from home to escape from poverty and go away to work as domestic servants at the landowners' houses are in bondage. They are desperate to find cash to provide a better life for their family. They borrow money for their basic needs and social events. They are frequently ill-treated and punished for the slightest offences. They are vulnerable to extortion, violence, prostitution and enslavement. The employer cheats women in every aspect of their work and faith. According to the article 23 of Indian constitution, though all forms of forced labour are prohibited, bonded labour system is widespread in the country. In spite of the existence of legislation designed to abolish bonded labour, the practice is still going on. Majority of these women bonded labourers (Kamlaharis) come from the Tharu group. The remaining labourers come from the untouchable castes. Women who work along with their family have a shattered life in terms of widowhood, divorce, rape, molestation, destitution and prostitution.

6.8 Birth Place of Tharu as Kamaiyas

There is a web of social and cultural relationship of people of different caste/ethnicity and religion. Tharus are one of the indigenous ethnic groups of Nepal who live in the southern plains. The large concentration of Tharus is in the far- and mid-western Tarai regions of Nepal.

There is no written history about the Tharus. We can only speculate about the origin of the Tharus in Nepal, and the historians and scientists have mentioned that they were nomads of river basins of the temperate zone. Some coins and shards of pottery have been recovered and have been identified which were associated with the Tharus. According one story, *Okamukha* was a king of a holy city *Banaras* (North India). His four sons and five daughters left his palace and took refuge in the area, cleared the jungle and settled there, the place later came to be known as 'Kapilvastu'. Tharus in fact are the descendents of these princes and princesses, who totally spread all over the Nepalese Tarai (Singh, 1991).

On the basis of some anthropological and historical resources, others have argued that Tharus are the remnant of the tribe of the Buddha. Tharu originally was named after 'Thar' meaning people living in the jungle. Most of the evidences prove that Tharu were nomads and ultimately settled in the forested area of Nepalese Tarai. In spite of being rich, Tharu culture is an integral part of the Tarai becoming Nepali national culture as a whole. However, they are one of the most deprived, marginalized and exploited groups in Nepal. Most Kamaiyas (bonded labourers) are from this community.

Table 6.IX: Birthplace of Kamaiya Household Heads

Birth places	HH.NO.	%
Same VDC	571	68.06
Neighboring VDC	81	9.65
Same district	86	10.25
Neighboring district	86	10.25
Other places in Nepal	13	1.55
Not responded	2	0.24
Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001.

Table 6.IX exhibits that about 68.06 per cent of sample households have been born at the same VDC. Another 9.65% households of Kamaiyas (bonded labourers) are born in the neighboring VDCs. Similarly 10.25% of the Kamaiyas (bonded households) are born in the same district. While 10.24% are born in the neighboring districts of Banke. Only there are 1.55% households who are born in different parts of the country. Majority of the Kamaiyas (bonded) households are born in the same working VDC. These people mostly migrated at an early age with their parents.

Primary institution of the Tharu society is the family where the basic units of production, religious life and social life are carried out. Tharu family is patriarchal and the family head is always the senior male. The father or the first son plays the major role in the decision making process within the family and in the community as well. They have fragmented nuclear families.

6.9 Social Beliefs

Worship of Hindu Deities

Hindu deities are venerated by Tharus of Nepal Tarai. They believe in nature and worship her. It helps them keep environmental balance in the region. Man is also bonded by religious faith and factors within the society. (Bonded labourers) in Nepal worship the Hindu deities. Like the Hindu followers, Kamaiyas too consider some plants and trees to be sacred, associate them with gods/goddesses and venerate the place.

Table 6.X

Name of Plants and Trees and Belief in God and Goddess

Plants/ Trees	God/Goddess form of power
Tulsi	Laxmi, Vishnu, Ancestor worship
Bel	Maheshwar, spirits, Shiva
Ashok	Buddha, Indra
Amola	Laxmi, Kartikey, fertility
Tad	Spirits, Ghosts, Buddha

Mango	Laxmi, Govardhan, fertility cult
Kadambar	Krishna, fertility cult
Neem	Sitala, Manasa, witches
Palaans	Brahma, Gandharva
Pipal	Vishnu, Krishna, ancestor worship
Mahuwa	Fertility cult
Simal	Fertility cult
Aank	Fertility cult
Coconut	Fertility cult
Fig	Vishnu, Rudra
Kapur	Moon
	I

Source: Field Survey, 2001 and Banerjee, 1994.

Hindu Deities and Their Vehicles

There are a number of animals and birds which are worshipped as the vehicles of the Hindu gods and goddesses. Such faith and belief are followed in the Tharu community and among the bonded labourers. This is due to coming in contact with the Hindus and adopting their religious and social rituals. Table 6.XI presents a summary of the animals and birds which are associated with Hindu gods and goddesses.

Table 6.XI

Animals/Birds used as Vehicles of Gods and Goddesses

Animals/ Birds (Vehicles)	Associated Gods/ Goddesses
Lion	Durga
Swan	Brahma
Elephant	Indra/Ganesh
Bull	Shiva

Mouse	Ganesh	
Swan	Saraswoti	
Eagle	Vishnu	
Snake	Shiva	
Fish	Kama	
Monkey	Ram	
White horse	Sun	
Peacock	Kartikey, Saraswati	
Owl	Laxmi	
Vulture	Shani (Saturn)	
Crocodile	Ganga	
Tortoise	Yamuna	
Tiger	Katyayani	
Dog	Bhairav, Dattatreya	
Deer	Vayu	

Source: Field Survey, 2001 and Banerjee, 1994.

Kamaiyas (bonded labourers) believe in spirit and traditional healers. They have a notion that if a dead person is not pleased and well treated, he/she becomes a spirit. They have strong faith in god and their mounts. Both the spirit and god must be pleased to avoid any harm to the family members. Annual sacrifice of chicken, goat, pig and the offering of liquor signify the importance attached to this belief. If there is drought, women dress as men, use umbrella and walk through the streets of the villages singing songs to please the rain god. The Table 6.XI shows the deities and their vehicles as per the notion prevalent among the Tharu population. Different animals and birds in the name of various gods and goddesses are kept and cared to get the form of the deities. In Hindu religion are worshipped different types of gods and goddesses. Many of the Tharus have also adopted Hindu traditions.

They pay respect to these gods and goddesses through worship and gifts offering.

Besides, there are a number of traditional practices. A sterile woman may be covered with Helka, and Gaija to recover her fecundity. If a woman enters into or touches a divine place of another man's house, she has to be his wife, which may be the cause of controlled mobility of women. There are several other superstitious beliefs that concern men, women, and children in the Kamaiya (bonded labourers) family and community.

6.10. Life Cycle of Tharu Kamaiyas

Ghardhuriya, Kamaiya, Chhegrawa, Bhaisarwa and Berchya are common terms (55 years and above) used to denote bonded male labourers.

Table 6.XII: Functions from Childhood to Adulthood of the Kamaiyas

Age groups	Types of Kamaiyas labourers
10-12 years	Chhegrahawa / Chhegrinya
12-13 years	Bardiya / Bardinya
14-15 years	Bhaisarwa/ Bhaisarnya
> 16 years	Kamaiya/ Kamlahari
Eldest son	Ghardhuriya/ Ghardhurinya

Source: Field Survey, 2001.

Male goats or sheepherders who are generally 10-12 years old are called *Chhegrahawa* and the female form of this group is called *Chhegrinya* (Ulrica, 1999). In general, the life of the Tharu Kamaiya labourers is guided by these functions based on their age groups. According to the traditional pattern of division of labour, based on age/sex-specific roles, various names are ascribed to the Kamaiya labourers (Table 6.XII).

Ghardhuriya/Ghardhurinya

It is a term used for the household head and usually the eldest son who manages the domestic and out-door activities. He plans to make decisions and delegates work to other male members of the family. He is also the ritual head of his family deity (Gharak Deuta) and represents his family in 'Khel'. His wife is called Ghardhurinya, who is the senior female member of the family and she co-ordinates with other female members of the household. This type of role still continues in Tharu society whether it is debt bonded or not.

Kamaiya/Kamlahari

Any adult male member of the family other than the Ghardhuriya is called Kamaiya. His responsibilities are directly related to productive works like food production and other subsistence-related activities. He also provides unpaid labour service to the 'Badghar' and community. Female unmarried members of the family, other than the family heads, are called Kamlahari, who generally work on bondage in a landlord's house/farm. It is also a system of Kamaiya under which a bonded labourer works for the landlord in order to support himself and his family.

Bukraha/Bukrahi

Married son, other than the *Ghardhuriya*, is called *Bhai Bukraha* in an extended Tharu family. He constitutes a sub-family unit with his wife (*Bukrahi*) within the extended family. He takes responsibility to meet the needs of the family for food, health, and clothes. In general, the wife of Kamaiya is called *Bukrahi*. She works for the landlord along with her husband and does not receive any wage for the labour.

Organi

Adult daughter or daughter in-law, any female member of the family who takes responsibility of the kitchen and prepares food for the family is called *Organi* in Tharu society. This duty is taken on a rotation basis by *Bukrahi*. Female members between the age group of 41-50 also join as *Organi*. In present Kamaiya system, unmarried daughters and married women who work for domestic service in the landlord's house are also called *Organi* in some parts of the western plains of Nepal.

Kothari

The adult male member of the family who is appointed by the Ghardhuriya to keep records of the crops, seeds and production is called Kothari. He works as the assistant of the Ghardhuriya and coordinates with the work of other Kamaiya brothers. Kothari is loyal to the landlord and co-ordinates with the work of fellow Kamaiyas. Generally, the landlords appoint Kothari preferably from non-Tharu group.

Bhaisarwa/Bhainsarnya

The buffalo herder boys and girls aged 14-15 years are called *Bhaisarwa* and *Bhainsarnya* respectively. The elder people aged 50-55 years may also become *Bhaisarwa* and *Bhaisarnya* according their gender status after being discharged from their adult roles like *Ghardhuriya/Kamaiyas*. Now-a-days, children and elderly members (aged people) also perform these jobs in the landlord's house.

Bardiya/Bardinya

The children before reaching teenage, between 12-13 years, who are assigned the work of cattle herding, are called *Bardiya/Bardinya*. The male children are known as Bardiya while their female counterparts are called *Bardinya*. They are hired in the landlords' house for minimum wages, food and some clothes. These children mainly come from the Kamaiya families.

Chhegrahwa/Chhegrinya

The children between 10-12 age group and elderly members who are assigned the responsibility of looking after goats, sheep and the like are called *Chhegrahwa Chhegrinya*. This role is designated to young children and elderly people belonging to the Kamaiya bonded labourers. The family role is based on gender status and age and it is operated in accordance with the functional requirement in joint and extended Tharu family as a system of Kamaiyas (bonded labourers).

Tharu Kamaiyas (bonded labourers) are characterised by their honesty, simplicity and high degree of morality. They are loyal to their

master and landlord. They are ready to make any sacrifice for their landlord and consider his happiness or sorrow as their own.

Naya Muluk (Kalapani)

Naya Muluk (New land) is the land given back by the Company Government (East-India Company) to Prime Minister Janga Bahadur Rana, for his assistance to crush the Freedom Movement in India in 1857. Banke district is part of such understanding. Here, Tharus took shelter in the malarial area where they used to live as nomads and practised gathering food hunting, fishing and agriculture. New comers were also accepted into Tharu community to add to their number. Here, males belonged to the lower caste, while female represented higher caste. These people were condemned and sent to the forbidden lands to work as forced labourers.

The area was politically named as 'Kalapani' Naya Muluk, which was then forested and malaria-infested. Here, administration sent condemned criminals and convicts to clean forest. Tharus used their might to clear forests and reclaim the area for agriculture. Local leaders, Jamindars and landlords took possession of these agricultural fields. They employed Tharu people to work on these fields as labourers. Traditional agriculture yielded less production on the one hand and polyandry, polygamy, child marriage, unfavourable marriage greatly disturbed the family life on the other. Economic condition went on deteriorating. So, in order to meet family expenses, family members started working with rich farmers. This slowly led to the evolution of the system of bonded labour in Tharus. Thus, poverty, illiteracy and lack of awareness turned most Tharus into Kamaiya (bonded labourers). Tharus are self-dependant, honest, non-enterprising and habituated to liquor drinking. Migrants from hills and mountains also dislocated Tharus from their homes and fields. High rate of interest charged by moneylenders and landlords made them all the more difficult to come out from the debt-trap.

6.11 The Kamaiyas System Under Bonded Labour The practice of Kamaiya system, as culturally rooted division of labour

within the Tharu community, is an institutionalized form of slavery in agriculture and domestic work. The system is prevalent in the western Tarai region of Nepal. This system is a symbol of an ancient form of exploitation and oppression of human beings prevalent during feudal time.

The Kamaiya system has been defined in many ways. The term is derived from the Tharu dialect. The Nepali dictionary has defined its meaning as a hard tiller of land and earner who is obedient and works along with his family in other's land to repay borrowings, in cash or kind, from the land owner. The definition does not portray the nature of Kamaiya fully in its present context. It virtually fails to recognize the bonded nature of Kamaiyas. Traditionally, a Kamaiya has been defined as an agricultural labour, whose labour has been mortgaged with the landlord. Long involvement of work in land and earning livelihood from land without any ownership right are other characteristics of Kamaiya labourers. Instead, the Kamaiya worker remains tied to the land throughout his life (INSEC; 1992).

The squatters' problem resolving commission of the government of Nepal also defined Kamaiyas along with Haliyas as those bonded agricultural labourers who are forced to do hard physical labour for the landlords/money lenders without receiving wage (GON, 1995).

Kamaiyas in the Tharus Cognitive Cultural System

The Kamaiya terms like Bukraha/Bukrahi, Chhaghrawa/Chheghrinya, Bardiya/Bardinya, Bhaisarwa/Bhaisarnya, Kothari, and Kamlahari are commonly used to refer to roles of different people under the existing Kamaiya system which had dignified meaning in the past. These words denoted gender and age specific division of labour within the Tharu community.

Land has been an integral part of the Tharus' historical lifestyle but private ownership of land was not the cultural norm. The Tharus' land cannot be passed on to others because they have emotional attachment to the land. They consider land as the product of the soil that requires labour to yield crops.

Tharus worship 'Bhuyar' who is regarded as the God of land. Tharus believe that those who labour hard on the soil will naturally reap its benefits. Kamaiya means male and Kamlahari means female hard

workers in Tharu society. The Tharu popular sayings "Kamaiya Chhawa Pahad Phori" means a Kamaiya's son tears down mountains and "Kamlaharik Dai Baisala Khai" means the mother of Kamlahari seats and eats.

Reciprocal labour contribution (*Begacari*) by family members to their community chiefs and religious priests was part of services exchanged among Tharu community members. An extended family used to be the unit of production and all family members above the age of six to seven have the obligation to repay the debt taken by his elders and ancestors (HMG/N, 1995).

It shows that a Kamaiya is bound to be a bonded agricultural labour. The problem of Kamaiya system is based on the over-riding emphasis of debt bondage in agriculture. It highlights five important elements which circumvent freedom of labourers thus leading into bondage. They are:

- 1. Excessive hours of working for one day's wage
- 2. Low wage
- 3. More than one labourer for single wage
- 4. Indebtedness circumvents the mobility
- 5. Interlinked labour, land and loan (credit) contract.

The issue of *Kamaiya* has become a national and public issue. The liberation of Kamaiya labourers from such forms of exploitation no doubt, remains an ultimate goal of every individual of right thinking. *Kamaiyas* are undoubtedly from the Tharu community, and hence one is recurrently posed with the question why only Tharus? The answer may again sadly suffice us. Some of us are quick enough to blame the poor Tharus themselves, their culture and tradition for the present system. The rate of literacy, lack of awareness, culture of tolerance, amount of debt and rate of interest may be the indicators to explain the problem. The liberation, human rights, social security and poverty alleviation all comfused the whole situation without any appreciable positive results. The problem, therefore, needs more serious study and strongest measures to tide over the situation.

The Origin of the Kamaiya System

Landlessness (Squatters) and indebtedness are compelling factors

to pave way for the Kamaiya system. The historical evidences show that Tharus were the real owners of the Tarai areas of Nepal. But gradually their land was grabbed by migrants, rich landlords and money lenders making them landless and destitute. The enslavement of the poor and landless Tharus as Kamaiya working as bonded labourers to the very land, which belonged to their ancestors, began when self sufficient-and egalitarian structure of their society was weakened. They were gradually dispossessed of their land. This process began following the unification of Nepal and intensified throughout the 19th century. The unification of Nepal affected to different local principalities, indigenous communities and cultural groups. Land was the most important resource for the state not only to sustain its economic base but also to safeguard the political and economic interests of the ruling class. The state policy was to expand the agricultural productivity by clearing forests and other uncultivated lands for agriculture and to generate revenue imposing tax and levy on the peasants.

The land under state ownership was known as *Raikar*; which could be cultivated by peasants paying certain amount of rent to the government. The tenant under *Raikar* enjoys tenancy right according to which land could be inherited or divided but could not be sold or mortgaged. The land was granted to the member of royal family, the senior civil and military personnel, priests and religious institutions by the monarch after the unification of Nepal. These grants were made both to consolidate the monarch's own political position and to increase land revenue. Land grants principally took the form of *Birta*, *Guthi*, *or Jagir*. The *Birta* system represented land grant to members of the royal family and nobility (high caste people) as symbol of patronage or ritual gift.

Land donated for religious and charitable purposes is known as Guthi. Land given to the soldiers and government officials for their service and loyalty was called Jagir land. Land granted under the Birta system was usually inheritable and transferable. Jagir land recipient was allowed to benefit from land only during the period of his/her service. The groups of people who were granted land through different sources were called Birtawal, Rajas and Jagirdars and were authorized to extract rent and volunteer labour services from their tenants. Local functionaries like Tulukdars, Jamindars, Chaudharies, and Mukhiyas

were known differently in different parts of the country and who acted as intermediaries between the State and the peasants. These local functionaries were paid salaries and were granted land entitlement. They were the local rulers who, by legal and extra-legal means, exploited the peasants and accumulated wealth and land for themselves and for other ruling elites. The restrengthening of the feudal system vastly resulted into inequalities and unequal distribution of land.

The state policy of extracting unpaid labour from the peasants in terms of *Jhara*, *Rakam*, and *Hulak* for different governmental work became very oppressive when the land holding elites and the local functionaries were given the right to do so. Oppressive measure to extract volunteer labour contribution was common. The peasants failing to abide by such labour obligations were subjected to severe punishment and even to enslavement (Regmi, 1971). The peasants were forced to shoulder the burden of production for the entire elite groups and in return were subjected to the exploitative and oppressive labour system under the state ruler. The peasants were like the golden goose which laid golden eggs for the state and the ruling elites, so they were careful not to kill it, but they did not let the goose grow fat either (Regmi, 1971).

Communities Staying as Kamaiya Labourers for Livelihood

The Dangaura Tharus are supposed to be the native tribe whose name originated from the Deukhuri valley of Dang district. It is not their ethnicity but a calling name given by the people of the hill origin to the aborigines of the region. There are many sub-clans like Dahit, Magar, Joshi, and Ultahana annong the Tharu who have migrated from Dang as per their clan (Gotrais) and have followed their traditional customs of praying, offering ho mage and performing marriage. Most of these sub-clans have dropped writing Dangaura and/or the names of their clan or sub-clan (Gotrais) and have instead written Chaudhary. These people started inhabiting the district as Maujawals and brought labour from Dang. Daungaura provide the highest number of bonded labourers in Banke district (Gautam, 1988).

Rana Tharus are believed to be the royalties of *Chittor*, India who have had fled to the region to avoid Muslim persecution. There

are some Rana Tharus in the district but their number is limited. They have Indian influence in their language, marital system and customs. There are some similarities between this community and *Dangaura* Tharu in facial structure and complexion. But there is a vast difference in their dressing habit, food and culture. In due course of time, the Tharu were displaced for several reasons and eventually became the bonded labour under Kamaiya system. Most of these Tharu stay as bonded labourer in their own community.

The Kamaiya (bonded labourers) of hill origin belong to the lowermost castes in the strata of Hindu culture. The Kami, Sarki, Gaine and Damai serve as bonded labourers. The socio- economic condition of these people is very miserable. They were employed to plough the lands and carry on agricultural and household work.

6.12 Food Habit and Diet

The wage of a bonded labour is not sufficient to feed him/her all the year round. It is quite natural that even the *Masyaura* and *Bigaha* cannot meet the necessary expenses of the family. The bonded labour lacks sufficient food to eat for the whole year. Each family has food deficit. For half of the year, the family has to subsist on minimum food. The major source of meeting the deficit of food grain is the owner of the bonded labourers in the district.

Table 6.XIII

Type of Food Used by Kamaiya Households

Types of food	HH.No.	%
Rice	765	34.41
Roti	406	18.26
Pulse (Dal)	424	19.06
Vegetables	519	23.34
Fish	68	3.06
Meat	23	1.03
Cereals	11	0.49
Eggs	7	0.31
Others	1	0.04
Total	2224	100.00

Source: Based on 839 Sample Households Survey, 2001.

The Table 6.XIII shows that rice is the staple food for 34.41 per cent of the *Kamaiya* households. For another 18.26 per cent households, *Roti* is the regular food. Pulse, though a common eatable item, only 19.06 per cent of the sample households is able to afford it. About 23.34 per cent of households is able to eat vegetable, while only 3.06 per cent is able to supplement it through fish. Meat (1.03%) and eggs (0.31%) are not very popular as items of food because of low income and purchasing power. There is deficiency of nutritive food and protein. Deficiency diseases are rampant and the general condition of the health of lactating mothers and children is worse.

6.13 Festivals

There are many festivals in Tharu community. The Kamaiya families participate in all these festivals. Among them, *Maghi*, *Dhuleri* and *Guriya* (snake worshipping festival/Nage Panchami) are *Dangaura's* main festivals. An *Aunli* festival is celebrated after paddy harvest and *Pindhiya* after paddy threshing. These are celebrated for three days. *Hudiya*, *Rehri*, *Dashain*, *Tihar*, *Khichari*, *Kajari* and *Titha* are important festivals celebrated by *Kamaiya Tharu* population in Nepal.

Table 6.XIV: Main Festivals Celebrated by Kamaiyas'

Main festivals	HH.No.	%
Maghi	344	41.01
Maghi&Dashain	184	21.93
Maghi, Dashain & Tihar	156	18.59
Maghi, Dashain, Tihar & Iloli	58	6.91
Not responded	97	11.56
Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001.

Maghi is the main festival of Tharu population, which is celebrated with eating, drinking and dancing with their family and relatives for 3-7 days depending upon the socio-economic condition of the family. About 41.01 per cent bonded households celebrate Maghhi as their main festival. Likewise 21.93 per cent households celebrate Maghi and Dashain as their main festival, while 18.59 per cent households celebrate these festivals together with Tihar festival. Only 6.91 per cent households

celebrate Meghi, Dashain, Tihar and Holi as their main festivals. About 11.56 per cent households remained silent about the celebration of any of these festivals due to their belief in Christianity. Maghi is also called the black day for the Kamaiya Tharu in the region because they are contracted to be the Kamaiyas on the very occasion of this Maghi day. In general, the labourers rejoice in this festival with great pomp and show, even by borrowing from others. They sing and dance and indulge in merry making (Table 6.XIV).

The prominent dances among the *Tharu Kamaiya* are *Sakhiya*, *Maharba*, *Lathaiba* and *Kathaghori*. *Baka* dance is, however, very popular among Rana Tharu. Local issues are sorted out through a villager and general meeting is presided over by *Bhalamansa*, *Badghariya* or *Mahato*. The issues are related to irrigation, roads, and worship of gods and there may be other issues as well. All the inhabitants are guided by the decisions made by the village meeting. These people are looked upon with respect in the community and receive *Begaari* (volunteer labour). They invite relatives with great respect on every feast and festival. Some major festivals are described below:

Maghi

Maghi is the most important festival of Tharu people celebrated by all irrespective of their class and clan. It is generally celebrated in January when the people relax and engage in joyous activities such as eating and drinking. It is the main contract day for the Kamaiyas bonded labourers. It is also called the black day of Kamaiya. The labour Contract is generally made, renewed and transferred on this day. If loan is repaid, the labourer may be set free to lead on independent life. The merry making goes for 3-7 days. Loan is taken to meet the expenses and extravagance.

Dasya

Dasya is celebrated for 9 days; it is like the Hindu's Dashain festival, where on the 9th day dried fish, rice, legumes and vegetable are offered to the deceased members of the family. These offerings are later consumed by the male members of the *Tharu* society. A *Tika* (prepared from pre-soaked powdered rice) giving ceremony is held at

the Badghar's house. It is an occasion to pay respect and make offering to the ancestors of the family just like in the orthodox Hindu festival Pitripaksha (Rajauriya, 1977).

Astimki

Astimkii is celebrated on the day of Lord Krishna's birthday in July/August month of the year. Women take fast and pray to lord Krishna with joy at the household. Women stay awake at night singing hymns in praise of Lord Krishna. After Puja, they break their fast taking fruits and dairy products. Some food is set aside for the Bartalus brothers, which is given to them only by next day.

Atwari

Atwari (i. e. Sunday) is celebrated during the same week of Janmastami and exactly on Sunday. Mostly male members take part in this festival taking fast for the day. They perform Bheja Puja and worship Bhima of the Pandava family of Mahabharat legend. The men set aside a portion of their food for their sisters after it is broken. This is purely impact of Hindu culture over the people of plains in Nepal, especially the Tharu.

Holi/Dhuleri

Holi/Dhuleri is celebrated during March-April months on Fagu Purnima day. People play with colours and indulge in merry-making They worship their village deity Bhuyar and rub two sticks of Gainyari wood together to light fire. The fire is used for baking Roti that is later offered in the deity. Roti, milk and liquor are offered to the deity and men and women participating in the celebration. Deshbandya Gurba (village priest) performs all rituals with assistance from the male members of the village. The festival is also influenced by the Hindus for whom Holi is a festival of rejoice to welcome the spring season.

Khel

Khel is culturally organized through an indigenous organization. Traditionally, it serves social, cultural and political functions at the village

level. It is a traditional form of common labour exchange system prevalent in the *Tharu* society. *Sakhaina* is a form of communal labour exchange system which purely has functional purpose. *Sakhaina* means interchange of labour during harvest or cultivation, if needed. *Begaari* (free labour) for 2/3 days in a year is provided to *Badghar* and *Gurwas* in recognition of their contribution.

CHAPTER 7 HEALTH CONDITION OF KAMAIYA LABOURERS

Good health has been broadly and appropriately defined as a physical condition of body to perform its daily activities (MOH, 1998:56). Health is an important factor for every human being because it affects his/her ability to work, fertility, mortality and migration. No labour is possible without good health. Therefore, it has the most important role for the labourers. The general condition of bonded labourers' health is far from satisfactory owing to their poverty, illiteracy and lack of awareness about the use of health facilities.

7.1 Family Planning

Family planning includes better management of health of the family members including reducing it to a manageable size. Each and every responsible family head should think it in terms of better management of family life. The study shows that only about 36.59 per cent of the bonded labourers' households are aware of family planning programmes, the rest (53.16%) lack any awareness. So, there is no question of taking any benefit from the programme. This apathetic situation needs to be remedied.

Table 7. I

Awareness about Family Planning

Knowledge	Number	Per cent
Yes	307	36.59
No	446	53.16
Not responded	86	10.25
Total	839	100.0

Source: Based on 839 Sample Households

Survey, 2001.

Awareness about family planning

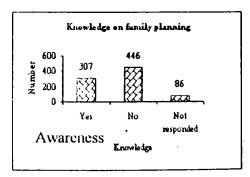


Fig. 7.1

The Kamaiya families are not interested in family planning. Due to their abject poverty every addition to the family is considered a resource that can contribute to the family to earn food. Therefore, effective measures are needed not only to increase their awareness about family

planning programmes, utility of a small family and reduction of their poverty (Table 7.I).

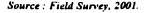
Adoption of Family Planning Measures

The study shows that about 36 per cent reproductive couples have knowledge about family planning and about 24 per cent household heads are familiar with different forms of contraceptives. Only 4.17 per cent bonded labourers have gone for vasectomy, while another 9.18 per cent preferred laparoscope as permanent means of family planning. About 86.65 per cent bonded labourers did not use any means of contraceptive or adopt any family planning measure. Why a large percentage of the labourers is not using contractive is a matter of serious study. On enquiry, it was found that lack of knowledge, no interaction amongst couples, social and cultural inhibition, fear of side effects, nonavailability of contraceptives, poverty, and child sex preference were the main causes for the failure of family planning programme. In the adoption of family planning, female sterilization (15%) is more popular than male vasectomy (6%) (MOH, 2001). Very small percentage of people is the regular user of family planning devices. About 70.20 per cent bonded labourers' households preferred the use of condom as temporary device for family planning. It shows that condom is widely accepted among the labourer couples. Another 13.13 per cent married women among the bonded labourers' households used Norplant. Pills were the other important means of contraceptive for 6.57 per cent among females. Similarly, about 10.10 per cent bonded labourer households used natural methods of family planning (Table 7.11)

Table 7. II

Adoption of Means of Family
Planning

Contraceptive use	Number	Percent
Condom	139	70.20
Norplant	26	13 13
Pills	13	6.57
Natural/Others	20	10 10
Total	198	100 00



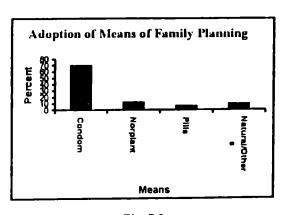


Fig. 7.2

Most of the couples are afraid of the side effects of the family planning devices. Lack of knowledge, illiteracy, superstition and non-availability of family planning devices are the restrictive factors in the adoption of family planning devices.

The most important nongovernmental supplier of contraceptive is the family planning association of Nepal (FPAN), but it is providing services only to 5 per cent of the users. The private medicals supply contraceptive to 7 per cent of the users. About 6 per cent of the users of family planning devices purchase the supplies from the pharmacies (MOH, 2001). This issue is sensitive and requires careful handling. Among the newly married women, sub-fecundity and in-fecundity and fear of side effects are the important reasons for non-adoption of contraceptives. More than 50 per cent newly married men did not intend to use family planning devices. This shows that there is considerable scope for popularising family planning programmes. It is also reported that about 28 per cent of newly married women in Nepal have an unmet need for family planning services (MOH, 2001).

Types of Diseases

The study region, being a forested, moist and mosquito-infested, was exposed to several diseases. A list of the chronic diseases most common among the Kamaiya (bonded labourers) are given below in Table 7 III

Table 7.III

Prevalence of Chronic Diseases among the Kamaiyas

Type of disease	Number	Per cent
Asthma	2	1.79
Blind	1	0.89
Bronchitis	3	2.68
Diabetes	1	0.89
Ear pain	2	1.79
Eye pain	1	0.89
Gastritis	5	4.46
Handicapped	6	5.36
Pyloric	1	0.89
Injury	1	0.89
M igraine	1	0.89
Pneumonia	3	2.68
Hepatitis	2	1.79
Skin Disease	74	66.07
Tuberculosis	3	2.68
Ulcer	4	3.57
Uric acid	2	1.79
Total	112	100.00

Source: Based on \$39-Sample Household Survey, 2001

Food habit, malnutrition, type of work, working hours, working environment, sanitation and lack of awareness are some of the factors responsible for the prevalence of these diseases. Majority Kamaiya (bonded labourers) households (66.07%) are largely suffering from skin diseases of one type or the other. This is due to moist climate in the region and less precaution taken against these diseases.

About 5.36 per cent Kamaiya (bonded labourers) are handicapped, while 4.46 per cent suffer from gastritis (3.57%) pneumonia (2.68%), tuberculosis (2.68%) bronchitis (2.68%), asthma (1.79%), hepatitis (1.79%), ear pain (1.79%) and kidney problem (1.79%). Owing to abject poverty, no proper treatment is provided, and this has led to a fatal state (Table 7.III).

Many Kamaiya (bonded labourers) are not able to reach the hospital and the doctor and their diseases remain undiagnosed. Due to ignorance and poverty, traditional methods including sorcery are often adopted to treat the diseases.

Health Expenditure

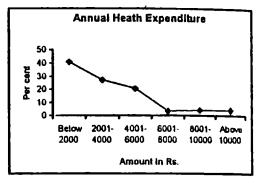
It is recorded that 50.0 per cent of the pregnant women receive antenatal care in Nepal. Among them 28 per cent women receive doctors, nurses and midwives' care. Likewise, 11 per cent women receive antenatal care from health assistants or auxiliary health workers, 3 per cent from maternal and child health workers and 6 per cent from village health workers (MOH, 2001).

The Kamaiya (bonded labourers) spend a sizeable portion of their income on health treatments. It is reported that 40.76 per cent bonded labourers' households spend less than Rs 2,000 annually in the treatment of diseases. Another 27.06 per cent spend Rs 2,000-4,000 annually on health. Likewise, 20.50 per cent spend Rs 4,000-6,000 annually on health treatment. There are only 3.46 per cent households whose annual medical expenditure ranges between Rs 6,000-8,000. About 4.17 per cent households spend Rs 8,000-10,000 annually, while 4.05 per cent households are able to spend more than 10,000 rupees per annum on medical treatment.

Since Tharu labourers have no surplus or saving, they have to borrow the money from their landlords for medical treatment. This also puts them in debt trap and under bondage.

Table 7.IV: Kamaiyas' Annual Health Expenditure

Amount (In Rs.)	Numbers	Per cent
Below 2,000	342	40.76
2,001-4,000	227	27.06
4,001-6,000	172	20.50
6,001-8,000	29	3.46
8,001-10,000	35	4.17
Above 10,000	34	4.05
Total	839	100.00



Source: Based on 839-Sample Household Survey, 2001.

Fig. 7.3

7.2 Handicapped Population in the Kamaiya Family

The study shows that about 6.67 per cent bonded labourers are handicapped. Among them physically handicapped constitute the largest category (46.43%) followed by the blind (21.43%), mentally handicapped (17.86%) and dumb (7.14%) (Table 7.V). These Kamaiya (bonded labourers) are almost burden on their families. Most of the disabilities are due to inability for timely treatment. They are mostly confined to their homes and engage themselves in indoor household work. They are mostly unmarried. They are illiterate and lack professional skill. Some labourers become handicapped during work at their landlords' house. They get no compensation for their disability and treatment.

Table 7.V The Kamaiyas'
Handicapped Population

Types	Number	Per cent
Blind	12	21.43
Physically	26	46.43
Mentally	10	17.86
Dumb	4	7.14
Others	4	7.14
Total	56	100

Source: Based on 839 Sampled Households

Survey, 2001

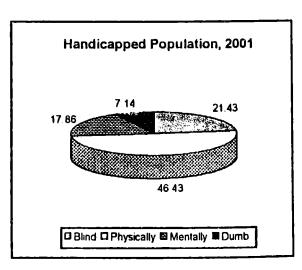


Fig. 7.4

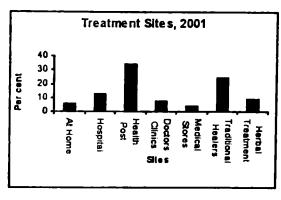
7.3 Treatment Sites

Most of the Kamaiya (bonded labourers) are careless about their health. They use traditional methods of treatment during their sickness. They do not care till their movement or work is impaired. At the initial stage, they consult their own *Guruwa*. If the illness persists or aggravates, they go to the health centres or consult medical practitioners.

Table 7. VI

Treatment Sites Used by Kamaiyas

Treatment site	HH.No.	Per cent
At Home	52	6.20
Hospital	111	13.23
Health post	289	34.45
Doctors clinics	67	7.99
Medical stores	36	4.29
Healers	205	24.43
Herbal treatment	79	9.41
Total	839	100.00



Source: Based on 839 Sample Households Survey, 2001.

Fig. 7.5

Out of a sample of 839 households of the Kamaiya (bonded labourers), about 6.20 per cent do not leave their homes for medical treatment. These people never go to hospital or consult doctors for medicine. If the disease becomes serious, there is no alternative except death. This category includes old people, widows and orphans. About 34.45 per cent bonded labourers visit health posts and 13.23 per cent visit hospitals for their treatment. About 7.99 per cent consult private doctors and 4.29 per cent visit medical stores for advice and medicines (Table 7.VI and Fig. 7.5).

A sizeable percentage of 24.43 the Kamaiya (bonded labourers) use traditional means for their treatment while 9.41 per cent of them depend upon herbal treatment. Dependence on these traditional methods of treatment is based on the ignorance and poverty prevalent in Tharu society. The sanitary condition of the Kamaiya (bonded labourers) is extremely poor. It is not only that they live in dirty and moist huts that are infested with flies and mosquitoes, but that their drinking water too is polluted. The huts lack toilet and bathing room facilities. Open fields are used for toilet which pollute the entire environment.

7.4 Causes of Kamaiyas' Death

Most of the Kamaiya (bonded labourers) meet untimely death and their children become orphans who are further exploited by the elite and the landlords. The table 7.VII gives, based on survey, the causes of the Kamaiya's death.

The table shows that tuberculosis is the most rampant disease causing death of 6.15 per cent male and 5 per cent female labourers. Maleria (4.28% and 2.86%) and respiratory diseases (2.94% and 5%) are the other important fatal diseases. This happened because they have to live and work under unhealthy and unhygienic conditions. In a majority of cases, the cause of death has not been diagnosed because these people could not have access to the hospitals and medical practitioners. These shows there might be many more causes of their death.

Table 7.VII: Causes of Kamaiyas' Death

Causes of deaths	Father	%	Mother	%
Malaria	16	4.28	12	2.86
Tuberculosis	23	6.15	21	5.00
Accident	7	1.87	9	2.14
Respiratory	11	2.94	21	5.00
Heart disease	4	1.07	8	1.90
Unreported diseases	313	83.69	349	83.10
Total	374	100.0	420	100.0

Source: Based on 839 Sample Households Survey, 2001.

7.5 Source of Medical Expenditure, Drinking water and Fuel/Energy

The main source of medical expense of the Kamaiya (bonded labourers) is the debt (48.27%) or borrowing (43.38%) from the landlords or moneylenders. Other sources include land selling (0.36%) and mortgaging land and property (including houses and ornaments).

Table 7.VIII: Source of Medical Expenditure

Sources	HH.No.	%	
Debt	405	48.27	
Borrow	364	43.38	
Selling land	3	0.36	
Others	67	7.99	
Total	839	100.00	

Source: Based on 839 Sample Households Survey, 2001.

This situation clearly amplifies that why labourers do not go to the health centres for their treatment, and rather prefer traditional healers which are less expensive. It is under compulsion that they consult modern health centres and doctors. The loan and borrowing taken for medical treatment also put them into debt trap and bondage (Table 7.VIII).

Sources of Drinking Water

Water is the most necessary material without which none of the living creatures can survive. Quality and quantity of drinking water depends on the nature and source of water supply. Most of the Kamaiya (bonded labourers) use tube well water for drinking and bathing. This water is used in untreated form without any chemical test and mixture of chlorine. About 50.34 per cent labourers depend on the tube wells, for their drinking water. Pipe water supply is accessed to only 40.98 per cent of the inhabitants. Similarly drinking water supply through tube wells is available to 4.49 per cent of people and 0.89 per cent Kamaiya depend upon natural springs for drinking water. Most of this drinking water contains harmful chemicals, pesticides and is polluted, which can lead to ill health, diseases and death.

Fuel and Energy Type Used

Wood is the main cooking fuel used by 54.10 per cent of Kamaiya households of (bonded labourers). It is followed by Kerosene (23%), L.P. gas (16.55%), cow dung (3.63%) and biogas (0.31%). Although, the administration claims to have provided electricity to 48.03 per cent of the population in the study area, most Kamaiya (bonded labourers) have hardly any access to this facility. They use kerosene to light their homes during night.

CHAPTER 8 ECONOMIC CONDITIONS OF BONDED LABOURERS

8.1 System of Land Tenure

The Tarai region is important for Nepal for both defence and richness of natural resources. Historians have traced out the existence of slavery system in Nepal, since the time of *Lichchhavi* (300-800 AD). The system continued during medieval (1200-1769) and premodern (1769-1950 AD) period. The slaves (*Kamara/Kamari*) were bought or sold to kings for the construction of bridges, irrigation canals, temples, royal buildings and for transporting goods within Nepal and to Tibet. Slaves were also employed throughout the pre-modern period to work on land and at home.

Prime Minister Chandra Shamsher Jung Bahadur Rana made the system of slavery illegal in 1924, when 59,873 slaves were freed. The compensation amounting to 36.7 million Rupees was paid to the owners of the slaves. Besides, 4,650 additional bonded men and women were freed from their bondage (Sattaur, Omar, 1993: 42).

Although the state abolished slavery in 1924 AD, it did not implement comprehensive land reform programme with view to restore the land-tiller right which meant redistributing the land to landless peasants. Since land was owned by a handful of landlords and elites, vast majority of landless labourers had no alternative than to sell or mortgage their labour to landlords for their subsistence. This initiated a new system of slavery and bondage.

The following is a summary of different types of land tenure system prevalent in Nepal:

Raikar Land

Raikar land is the main form of land tenure in Nepal. Here, government is the real owner of the land and individuals are allowed to use it for agricultural purposes on payment of land revenue. Local administrators of such land are called *Jamindars* in Tarai and *Jimmawals/Talukdars*

in the hills. They administer land and collect land revenue from the landholders. These Jamindars work as intermediary between government and the farmers. They have the right to dispossess farmers from land, enhance land revenue and use harsh methods in its collection. They even force poor farmers and landless labourers to provide free services or on nominal wages.

Birta Land

Birta land was exempted from tax and revenue and rewarded to the recipient for his/her good service and loyalty to the nation. The Birtawal (the land awardee) took the role of an adjudicator and employed labourers for agricultural work. His/her behaviour was almost similar to Jamindars and Talukdars using exploitative and extortionist measures for his/her gains.

Jagir and Rakam Land

The land, which was granted to the government employees in lieu of their salary or wages during the course of their employment, was called *Jagir* land. Then it was difficult for the government to collect cash due to political instability in the country.

Rakam land was similar to Jagir except that the recipient was granted permanent ownership. Both Jagir and Rakam landowners too exploited local people making them work on their lands on paltry wages or no wages.

Guthi Land

Guthi land was owned by the religious trusts and was utilised to generate income for the performance of worship of the deities. A number of landless and homeless people were employed to work on such lands. The land recipients had no tenancy right and the trustees were free to withdraw the land any time. Workers generally received no wages; instead they were offered a small portion of the produce at the time of harvest. This system is still in practice. Most of the Guthi land is now transferred to the remote areas instead of valuable core regions of the cities. There is lack of proper record and management of such land in Nepal.

The Land Act abolished the Jagir; Birta, and Rakam land systems in 1964. But the Raikar and Guthi systems are still in practice. The

Act attempted to redistribute the land to the landless and the rural poor on egalitarian principles, but traditions handed on through centuries were not easy to break. In effect, the Land Act metamorphosed into the contemporary forms of slavery in the Nepali society. Earlier slavery was confined to certain castes with generations of families serving the landlords or the elite castes, but today bondage is not adhered to castes. Modern slavery is more a function of poverty and indebtedness rather than social backwardness.

The situation is very complex now. Research into contemporary forms of slavery has just begun in Nepal. The conditions under which bonded labourers have work their roots in the period before Nepal's unification, so different terminologies have been used to describe the system. Different forms of bondage and semi-bondage have been identified. The origin of the system is largely based on poverty and indebtedness (Sattaur, Omar, 1993: 44-45).

8.2 Land Allocation System

The Tarai region of Nepal is called the country's granary. Here different types of land tenure are in practice. The important features of land tenure and their impact on farm activities and labour relations are presented below:

Haruwari System

This type of land ownership is common all over the Tarai region where a landlord allots a portion of his/her land to a labourer. The recipient becomes a *Haruwari* and is bound to carry out all sorts of work allotted to him by the landlord. The *Haruwari* can utilise the production, but has no legal right over the land. He is not even recognized as a tenant and must give up the land if the landlord so desires. This is also a type of labour exploitation going on in the region. A number of Tharu are working under this system being exploited by the landlord.

Hali System

Usually people belonging to poor and low castes, especially untouchables, come under the *Hali* system. Here, the duration and type of work and wages are at the sweet will of the landlord. Some of

the Hali labourers are bonded to their benefactors. Women and children in the Hali family are often abused and sexually exploited by the owner. They are usually treated, as the property of the owner. This system is most popular in the rural hills of Nepal. Hali means one who tills the land using plough. Generally, it is a verbal contract for between the landlord and the labourer on a yearly basis. Wages are generally paid in kind, i.e. 4/5 sacks of paddy depending on the farm size and working condition of the labourer. He is not allowed to break the contract unilaterally for which he is fired and punished.

Dhakre System

In most mountainous and hilly areas of Nepal, poor people agree to work for traders as *Dhakre* (porters). These people transfer goods or people on their back in return of small loans from the traders. Because of high rate of interest, such loans are heavily repaid and the loanee has no choice than to serve his lender/merchant.

These people transport the merchants' goods/loads throughout the year. Rainy season, difficult tracks and natural calamities sometimes destroy the goods for which the porter alone is held responsible. Due to poverty, this system is well rooted in the rural poor and low castes. Poor and low caste people, especially, untouchables participate in this system knowingly or unknowingly. Once entrapped, they have no choice to leave the system and the exploitation continues for years

Khetala and Jan System

The property of a man is equally divided among his sons and unmarried daughters after his death. Consequently the size of landholding is gradually decreasing and the families are unable to support themselves from the product of the land. The so-called hungry months preceding the harvest can last for half of the year. If they choose not to migrate for temporary work, their only hope of survival is to take loans from traders, moneylenders and big landlords who charge high rate of interest ranging from fifty to hundred percent per year. The loanee is compelled to work for the landlord during the plantation, and harvesting seasons on daily wages, cash or kind. Such borrowers are called *Khetala* in the hills and *Jan* in Tarai. Their female counterparts are called *Khetali*.

Bali System

In many parts of Nepal, scheduled castes, like Kami, Damai, Majhi, Sarki, and Gaine are forced by poverty to take loan for buying food items, repairing homes and meeting social obligations.

The contract/bond can be verbal or written. The borrower works to pay the interest and the principal. The system is confined to some selected castes. All these systems have drawn labourers under bondage in Nepal. Tharu bonded labour system is also a part of such system which is still prevalent in the Tarai region of the country.

8.3 Poverty and Population

Nepal has been categorized into a least developing country with high population growth rate, low standard of living, low literacy, low life expectancy at birth, low investment and huge budgetary deficit. The country's landlocked location has hindered its free contact and trade with the outside world. The economy is based on traditional agriculture. Majority of the population is reeling under object poverty. Studies have shown that two out of five Nepalese continue to live under abject poverty, despite an annual economic growth rate of 5 per cent and significant improvement in life expectancy and education over the last two decades. About 30 per cent of the country's population is living below poverty line despite the launching of massive anti poverty programmes during recent years.

The spatial pattern of poverty is highly skewed and uneven. It is more pronounced in rural and remote areas of the country. It is closely linked with the caste system and tribal relation. The lower castes, untouchables and ethnic minorities like *Limbu*, *Tamang*, *Magar*, *Tharu*, *Mushar*, *Chepang*, and *Raute* are poorer and more deprived than the others. Heavy dependence on agriculture is also a cause of poverty (CBS, 2001). The Tharu are mainly dependent on agriculture which is very traditional. It hardly meets the basic needs and deficit is the order of the day (Srivastava, 1949).

Disparities in the distribution of assets, income earning opportunities and access to decision making have significantly influenced the income distribution. Poverty has affected a number of political and

social nerves including absence of transparency, accountability, inequality in the distribution of resources and opportunities and vast disparity in ownership of productive assets. Good governance is lacking causing the poverty reduction programmes unable to meet their targets. Poverty exists more in the rural areas of mountains, high hills, less accessible areas and among lower castes and ethnic minorities. Nepal is poor in terms of socio-economic and human development indicators. The main challenge in the economy is how to commercialize and diversify agriculture so as to increase production, improve income, generate more employment and raise the quality of human life. The Tharu mostly depend on agricultural activities and are poor. Due to abject poverty, most are forced to act as bonded labourers. Their living conditions are apathetic. So much so that they are not even able to fulfil their minimum basic needs.

8.4 Rationale of the Bonded Labourers

Previous studies revealed the system of bonded labourers as a normal phenomenon among the Tharu community. Most Tharu accepted it as their providence and the will of God. Researchers, social workers and political activists attributed a number of causes responsible for this evil system.

The system was socially recognized as an established custom in the community and the bonded labourers were not able to inherit their share from the ancestral property. They were forced to mortgage or sell their property to meet their family expenses and were not able to retrieve their property from the deceitful landlords. People mortgaged, sold and rented their own little land and preferred to live as bonded labourers. Due to lack of resources, they were not able to invest in agriculture. They were forced to take loans to meet the domestic expenses for marriage, funeral ceremony, child delivery and illness. The rate of interest on such loans was exorbitant and a debtor was hardly able to repay it.

The Tharu people were compelled to accept the system of bondage due to their precarious economic and security condition. People were ignorant, illiterate, simple-minded, and were easily exploited by clever and dishonest moneylenders and landlords. They had no access

to any alternative means like granting of loans from government agencies and co-operatives. They also lacked alternate sources of livelihood

The bonded labourers hardly cherished ambition higher than the fulfilment of their basic needs. Due to centuries of exploitation, they suffered from inferiority complex as a result of which they consider themselves inferior in social, economic, political and other status. They were hardly ashamed of paying off Jari and so they took debt exceeding their repaying capacity and many individuals lived in their fathers-inlaw's house for not being able to pay the marriage expenses. High rate of interest and cheating in the recording of the loan put them into permanent debt trap. Drawbacks of Jhara, Beth and Begaari imposed by the landlords also put them into the system. The elites of the society opine that this system was originally good helping the cause of the poor people. But, in due course of time, their failure to pay the interest and repay the loan invited heavy penalty including bondage and forced labour. As the amount of debt increased, even women and children were brought to bondage. Fathers' unpaid loans and debts became the responsibility of their son(s) for payment. Consequently, there emerged a bondage-trap from one generation to another—birth in debt, life in debt and death in debt and again the cycle goes—leaving behind them a for his children.

8.5 Employment Contract

The bonded labourers were also called *Kamaiyas*. This was an established system in the Tharu community in the mid- and far-western Tarai regions of Nepal. Most of these labourers were poor, homeless and mainly engaged in cultivation and domestic work. There were mainly two types of contract for employment: verbal and written. Most of these labourers were employed on contract basis and were renewed every year on the 1st of *Magh*. Service conditions of these bonded labourers were discussed at the time of contract with the landlord. The labourers are forced by social and economic compulsions to accept the contract which is heavily in favour of their masters. They are bound to pay off the loan, but for lack of suitable employment opportunity mainly for reason of their illiteracy and lack of technical skill, they have no alternative except to accept the terms and conditions dictated by

the landlords. Due to poverty, unemployment, profuse supply of labour and decreasing number of employers, bonded labourers are not in a position to bargain for higher wages and remuneration or relinquish the job before the expiry of the duration of the contract. In case of any offence, the labourers have to face heavy penalty and punishment, even physical torture.

Khojhani-Bhojhani

Here the bonded labourer himself looked for a master. One who was unwilling to renew the contract to serve for the next year would search for a new master after eating the feast on the day of Maghe Sankranti. If he desired to change his old master, he came out encircling cloth around his body and carrying a stick on his shoulder so as to indicate that he was looking for a new master. If he got a new master, he accompanied him and he would pay off his outstanding debt or loan. Thereafter, the labourer would work for his new master. Sometimes, instead of changing the old master, the labourer would negotiate for higher wages and facilities at the time of contract renewal. This they called Khojhani-Bhojhani in Tharu dialect.

8.6 Occupation

The Tharu bonded labourers' job was to work in the agricultural land, and also help in domestic animal breeding, fishing and collecting forest products. Most farm labourers reeled under abject poverty and practised traditional agriculture which was characterised by low level of production. Even if they owned some land, they hardly had sufficient money to buy agricultural implements and augment the production.

They were afraid of complications involved in paying land revenue and seeking employment during drought and failure of crops. Many landowners sold their land and preferred to live as bonded labourers under Kamaiya system in the house of their land buyer. These labourers ploughed land, planted crops and looked after domestic affairs of their landlords. Gradually, they became pauper, homeless and were forced to live under permanent bondage. They became busy in attending the indoor and outdoor activities of their owner and obeying the command of the entire members of landlords' family.

Table 8.I

Types of Secondary Occupation of the Bonded Households

Occupation	HH.No.	%
Agriculture	515	61.4
Livestock	137	16.3
Fishing	103	12.3
Hunting	21	2.5
Gathering	15	1.8
Not responded	48	5.7
Total	839	100.0

Source: Based on 839 Sample Households Survey, 2001.

The table above shows that agriculture was the dominant occupation absorbing 61.4 per cent of the sample bonded households. Similarly, 16.3 per cent households became engaged in animal husbandry (livestock) as their prime occupation. Fishing (12.3%), hunting (2.5%) and food gathering (1.8%) became their other important occupations (Table 8.1).

The state policy of reclaiming forestland for cultivation during the 19th century made excessive exploitation of the peasants at the hands of the local landlords and the state machinery. The factors of population growth and the deteriorating economy of the hilly region also encouraged the progressive colonization of the Tarai region. Many of the bounded labourers recalled how their ancestors were disposed of their valuable land by the clever high caste people and migrants. Consequently, the natives became deprived of their land and were forced become bonded labourers for livelihood.

Sharecropping (Bataiya) based on a verbal agreement was the major occupational activity in agriculture. The households with large family size and oxen took up the sharecropping successfully and the landlords too trusted them. The sharecropper contributed the entire labour including animal power for agricultural production. He offered Begaari to the landlord—carrying the grain for grinding, carrying cattle manure to the field, washing clothes, putting up fences around the farm plots, collecting firewood and fodder from the jungle, cleaning and roofing of the landlord's house. This was like the Jhara system which

had a bond to provide various services free of cost to the landlord. Sharecroppers also provided gifts, vegetable, dry fish and milk products as the Walak to the landlords. Since agreements were made verbally, the sharecroppers could not claim for the legal status of a tenant. This deprived them of tenancy rights. The lack of legal support to ensure tenancy rights always put the sharecroppers at loss. If the sharecroppers were not provided land, they were forced to act as bonded labourers to earn their livelihood.

8.7 Type of Work Performed by Bonded Labourers

The bonded labourers did all sorts of work as directed by the landlord some routine work and others occasional. A question was asked from the bonded labourers regarding the type of work, they had to perform (for results of the work, see Table 8.II). There were a number of labourers who performed several pieces of work. The total number of work recorded is more than the actual number surveyed. The bonded labourers were mainly engaged in agricultural activities (25.16%) followed by wood collection (19.43%), grass cutting (19%), wage labour (18.49%) and clearing of utensils and cloths (11.83%).

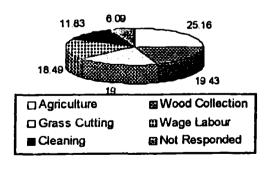
Table 8.II

Types of Work Performed by Bonded

Labourers

Types of works	IIH.No.	%
Agriculture	351	25.16
Wood collection	271	19.43
Grass cutting	265	19.00
Wage labour	258	18.49
Cleaning	165	11.83
Not responded	85	6.09
Total	1395	100.00

Types of Works Performed by Bonded Labourers



Source: Based on 839 Sample Households Survey, 2001.

Fig. 8.1

The different pieces of work mentioned in Table 8.II were of general type, and were entrusted to bonded labourers. Besides, there could be some more casual work which they would have to perform.

However, the labourers were mainly employed in cultivating land—cutting grass, cleaning animals' sheds, collecting fuel from the forest and doing domestic work like fetching vegetable, and taking children to school. Every labourer was expected to cultivate at least two *Bighas* of land daily. He ploughed land; sew seeds, planted saplings, irrigated crops, harvest and thrashed crops. The master generally entrusted the entire agricultural work to bonded labourers and extra labourers were rarely employed. Amaster owning more than two *Bighas* of land employed one bonded labour per two *Bighas* of land and all employed labourers had to work collectively on the farm.

The word *Kamaiya* means also a buffalo/cow herder. A person, who can plough and dig land and has a healthy wife, is considered eligible for becoming a Kamaiya. Those who are old and have no wives or are unmarried (below 14 years of age) are employed as cattle herders. The members of a labour family cannot seek job at other landlord's place. They are not allowed to go out to other landlords and are forced to do volunteer work

The Tharu Kamaiya maintained certain quality in their work and did not like to compromise with it. However, sometimes people from Muslim and untouchable groups might agree to serve as Kamaiya even below the set standard, facility and remuneration, and this might lead to conflict amongst the labour class.

Labourers were employed on contract basis, but once they accepted the contract they were treated very badly. They had to do all sorts of work assigned by their master without raising any voice. These masters might also beat them, abuse them and misbehave on failure to meet the commitments. Sometimes, they had to serve their masters even without food and during odd hours. They were also asked to do such work as was not the part of their contract. They were forced to work beyond the time limit and in conditions when they were tired or even ill. No additional wages, in cash or kind, were given for such additional work. This state of affairs suggests that masters possess power and labourers are helpless bearers of all sorts of inhuman torture. The apathy was that since they were not organised they were not able to raise their voice against such exploitation and torture.

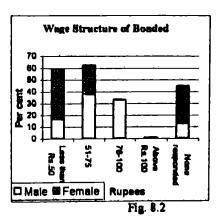
8.8 Renumeration

This was given to them for clothes and maintenance of their family. One who received Saunki was not paid Bigha. It was a system in which a fixed amount was paid for the labour and services. Other forms of wages included Mashaura and Majuri. These wages were paid in the form of land, produce (sacks of paddy etc.) and cash. Under the Bigha system, some land was provided to the labourers. Bonded labourers cultivated this land and utilised the entire produce to fulfil the family needs. The land, which was given to the labourers for their labour, was called Bigha after which this system was known. Here a labourer paid some amount annually to the landowner as revenue for the land allotted to him. It was paid after the completion of the work or maturity of the crop.

Table.8.III
Wage Structure of Bonded Labourers

Wages in Ra	Male (No.)	%	Female (No.)	%
Lous than 50	138	16.45	359	42.79
51-75	316	37.66	205	24.43
76-100	276	32.90	3	0.36
Above 100	6	0.71	0	0
None responded	103	12.28	272	32.42
Total	839	100.00	839	100.00

Source: Based on 839 Sample Households Survey, 2001.



Masters who employed many Kamaiya used their labour to transport load, dig canal or to do other income generating activity. In Sauski a pair of simple quality clothes is provided to the labour whose and quantity of work is always a matter of debate. Bukrahi is a woman who is usually assigned domestic work in her master's house. One of the main criteria for eligibility to bondage is to have a Bukrahi among the Dangaura Tharu, the practice which was not popular in the Rana and Katheriya Tharu. A Kamaiya without Bukrahi usually got less Bigha. Bukrahi was generally the wife of Kamaiya. If he was not married his elder or younger sister, mother or sister-in-law could take her place.

Table 8 III shows that male labourers were paid higher wages than their female counterparts. Children were paid still lower wages. There was discrimination in the distribution of work and payment of wages between male and female grown up children and old people. Overtime service and extra work were also demanded without payment of extra wages or remuneration. More than 50 per cent males and two thirds females were paid wages of less than Rs. 75 per month (Fig. 8.2).

Masyaura and the Bonded Labourers

The food grain, which was given to the bonded labour as wages. was called Masyaura. It may be of two types: (i) food provided from the master's kitchen, and (ii) a definite quantity of grain. The labourers were generally not provided with the first type of Masyaura. Most of them preferred second type of Masyaura that comprised paddy, pulse, salt, and chilly as essential items of food. In some VDCs, located east of Rapti river, bonded labourers were given land for kitchen garden to grow vegetable. A Bukrahi shared Masyaura with her husband. She extended her support in cultivation and carrying breakfast, lunch and water to the field. She looked after her master's household affairs: cleaning dung, fetching water, washing utensils and clothes, and rearing children, but all without additional remuneration. The amount of Masyaura remained the same even if the children worked at the landlord's house. They were paid only half of the wages given to an adult bonded labourer. In some cases, Bigha was paid in cash but the amount of cash payment varied from Rs 100 to Rs 300 per month and Rs 1,000 to Rs 4,000 per annum in Banke district. Aged bonded labourers were paid just half the wages of the adult and women got less payment than the male counterparts.

A fixed quantity of crop produce was sometimes paid for Bigha. The system included Bataiya, Trikur, Chaukur Chaumali, and Panchkur Lahure Bataiya. In Baitaiya system, the crop produce was divided fifty-fifty. Trikur meant only one third of the produce given to the bonded labourer and the remaining two thirds to the landlord. In Chaukur Chaumali system only twenty -five per cent of the total

produce was given to the labourer. Similarly, only twenty per cent of the produce was provided to the labourer in *Panchkur/Lahure Bataiya* system. More than one bonded labourers were employed in the bigger size lands. In such cases, all labourers worked collectively in the field and the produce was equally shared by all. The labourer with large family could cultivate land in a better way. That is why *Bigha* was given only to the labourers of large family. In principle, *Baitaiya*, *Trikur*, *Chaukur* and *Panchkur* were applied to the entire produce of the land but in practice only principal crops were taken into consideration. Similarly, expenses involved in cultivation, such as for fertilisers, irrigation, HYV seeds, and pesticides, were also shared among the involved bonded labourers.

Saunki and the Bonded Labourers

Saunki was the amount of debt taken by the labourer from a landlord. It had great impact on labour system. The labourer had to undergo extremely miserable financial crisis and dedicate his entire life and his family's services to the landlord. Since he had no sufficient earning to repay the debt, he was forced to take loan after loan. Besides Saunki, bonded labourers also go for pawned loans taken from neighbours and relatives or from moneylenders. If a master repaid such loan on behalf of the bonded labourer, it was changed into Saunki.

Most Saunki loan was taken for medical treatment, family livelihood in case of insufficient earning, marriage, social events and festivals, purchasing livestock and paying off Sapati loans and meeting litigation expenses by the Kamaiyas.

Bonded labourers are illiterate and simple minded who do not know how to maintain accounts of the loan. As a result their masters manipulate the loan accounts. In principle, there was no provision for charging interest on Saunki loan, but in practice it was often violated. Exorbitant interest was levied on Saunki, and consequently, the loan amount became so heavy that it was beyond the labourers' capacity to repay. There were two types of fresh and old loans. The number of fresh loan takers was limited; for they were the individuals either deprived

of their share in parental property or had large family size to support. The amount of Saunki increased depending on the conditions with which the loans were borrowed. Exorbitant rate of interest, loss or damage done to the master's property, and fine imposed on for negligence in the work, all added to the loan amount. Landlords generally used all sorts of fraudulent means to keep on increasing the loan amount affecting repayment. This encouraged and allowed them to keep their grip tight on the bonded labourer and put him and his family under vicious cycle of bondage.

Heavy amount of Saunki also made it difficult for a labourer to change his master despite his rude behaviour and exploitation. No other master became ready to employ the labourer because he had to incur huge expenditure to repay his loan. As a result, a bonded labourer was forced to continue with the old landlord despite his unfair terms and conditions.

Debt and Bonded Labourers

Debt was the main cause through which majority of the bonded households were put under bondage. It was transferred from one generation to another if its repayment was delayed or not made within the bonded labourer's lifetime. As a result, a father's unpaid loan was transferred to his son for repayment. Thus, he inherited bondage, not property from his father.

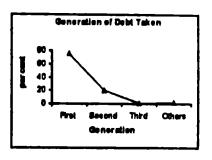
The table 8. IV shows the number and percentage of households who were put under bondage from first to third generation. Although, majority of the sample households (75.80%) had taken debt in the first generation, 20.74 per cent had taken it in the second generation and 1.48 per cent in the third generation. This was an apathetic condition that needed immediate action from the government policy makers and administrators. It was also recorded that there were only 48.3 per cent bonded households who actually took debt from the landlord. This situation indicates that debt was not the only cause of bondage in the region.

Table S.IV Generations of Bondage

	_
HH.No.	%
307	75.80
84	20.74
6	1.48
8	1.98
405	100.00
	307 84 6 8

Source: Based on 839 Sample Households

Survey, 2001.



Amount of Debt

The amount of debt has positive role on bonded labourers. It means higher the loan lowers the chances of freed from the Kamaiyas. It was found that 48.3 per cent households took debt from the landlord. The debt amount varied as per the need and economic condition of the bonded households. Table 8. V below shows the amount of debt the bonded households took. The principal amount of Saunki was much lower than the amount shown in record with compounding interest.

The debt amount fell under six categories from less than Rs. 2,000 to more than Rs. 10,000. About 31.61 per cent sample households borrowed less than Rs. 2,000, followed by 23.70 per cent households between Rs. 400 and Rs. 6,000, 19.75 per cent between Rs. 2,001 and Rs. 4,000, and 12.10 per cent between Rs. 6,001 and Rs. 8,000. Only 2.96 per cent borrowed between Rs. 8,001 and Rs. 10,000, and 9.88 per cent households more than Rs. 10,000. This was nearly equal to the amount of one day's dinner bill of a person in a five star hotel. This also highlights that how the poor and illiterate people are exploited by the rich and elite class. Due to lack of resources, even this petty amount was beyond their paying capacity.

Table 8.V: Amount of Debt Taken by the Bonded Labourers

Amount in Ra	HH.no.	%
< 2,000	128	31.61
2,001-4,000	80	19.75
4,001-6,000	96	23.70
6,001-8,000	49	12.10
8,001-10,000	12	2.96
> 10,000	40	9.88
Total	405	100.00
		1 1

Source: Based on 839 Sample Households Survey, 2001.

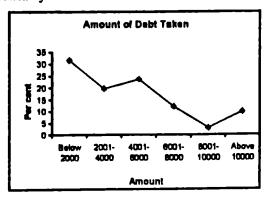


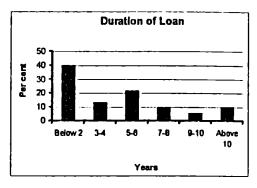
Fig. 8.4

Duration of Loan

About 40 per cent debtors took loan for a period of less than two years. Another 13.09 per cent took loan for a period of 3 to 4 years, 21.73 per cent for 5 to 6 years, 9.63 per cent for 7 to 8 years and 5.43 per cent for 9 to 10 years. Only 10.12 per cent took loan for a period exceeding 10 years (Table 8.VI). This shows that loans were not there for so long a period of time as to allow chances for charging exorbitant interest.

Table 8.VI Duration of Loan

Years	Number of HIH	Per Cent
Below 2	162	40.00
3 to 4	53	13.09
5 to 6	88	21.73
7 to 8	39	9.63
9 to 10	22	5.43
Above 10	41	10.12
Total	405	100.00



Source: Based on 839 Sample Households Survey, 2001.

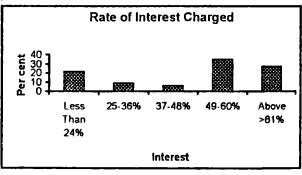
Fig. 8.5

Rate of Interest

Amount of loan taken carried with it the rate of interest mentioned, more than 61 per cent in 27.41 per cent cases. Although the government fixed up the interest rates depending on duration of the loan, but the moneylenders violated it in cases more than they followed it.

Table 8.VII: Rate of Interest Charged from the Bonded Labourers

Rate of Interest	HH.No.	%
(Annual)		,
Less Than 24%	88	21.73
25-36°6	38	9.38
37-48%	25	6.17
49-60%	143	35.31
Above >61%	111	27.41
Total	405	100.0
Source: Based on	930 Cama	la II-w



Source: Based on 839 Sample Households Survey, 2001.

Fig. 8.6

Table 8. VII shows that about 21.73 per cent households paid less than 24 per cent interest per annum. The rate of interest between 25 - 36 per cent was seen in 9.38 per cent of the sample households,

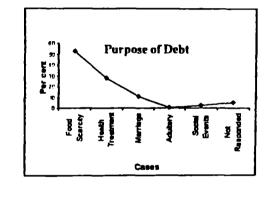
37-48 per cent in 6.17 per cent households, and 49-60 per cent in 35.31 per cent cases. Only 27.41 per cent of the sample households paid the interest in 27.41 per cent cases.

Purpose of Debt

Although the amount of loan/debt was not heavy, the bonded labourers were put into such a vicious cycle of debt-trap that they saw no way to escape from it. They were very poor, landless and helpless. Therefore, they often took loans to fulfil their basic needs. Table 8. VIII shows that 52.84 per cent of the bonded labourers took loan for food, 27.90 per cent took to meet medical expenses more than 80 per cent of the debt for food and health care. About 10.86 per cent bonded households took debt for marriage, followed by 2.72 per cent for social events and festivals, and 0.74 per cent compensation payment to the husband of a woman who was remarried to another bonded labourer.

Table 8.VIII
Purpose of Debt

Causes	HILNo.	%
Food scarcity	214	52.84
Health treatment	113	27.90
Маггівде	44	10.86
Adultery	3	0.74
Social events & festivals	11	2.72
Causes not responded	20	4.94
Total	405	100.00



Source: Based on 839 Sample Households Survey, 2001.

Fig. 8.7

8.9 Bonded Generation involved in the System

Majority of the bonded households worked under the bondage since their father or grandfather's time. The survey showed 24.08 per cent households to have been kept under bondage since their grandfather's time, followed by those (24.08%) working since their father's generation. About 22.5 per cent of women and 4.03 per cent of children were forced to bondage to repay the amount of debt.

Some households worked as bonded labourers for many generations. Field studies showed mainly three generations that were

involved in Kamaiya system. There were a number of labourers who were born in bondage, lived in bondage and died in bondage.

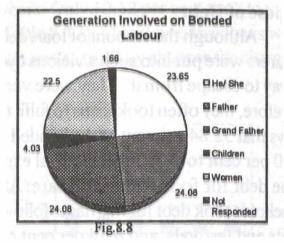
Table 8.IX

Generations Involved on Bonded Labour

Generation	HH.	%
He/ She	270	23.65
Father	275	24.08
Grandfather	275	24.08
Children	46	4.03
Women	257	22.50
Not responded	19	1.66
Total	1142	100.00

Source: Based on 839 Sample

Households Survey, 2001.



Causes of Bondage

No one liked to be a bonded labourer unless economic conditions forced him to go for that. Bondage was not willingness but it shows the helplessness and conditions of economic deprivation under which a human being was forced to mortgage his life. In case of Tharu also it was poverty, illiteracy and landlessness which were responsible for bondage and exploitation.

Table 8.X describes the causes responsible for bondage. According to the table, in 34.84 per cent of the sample households, poverty was an important cause of bondage. Illiteracy was another important cause of bondage in 17.33 per cent of households. Landlessness was the third important cause responsible for bondage in 16.52 per cent of the households. These three factors together contributed to more than two-thirds of the bonded labourers in the region. Among other causes, mention may be made of unemployment (15.16%), lack of awareness about development programmes (3.85%), indebtedness (2.30%), social compulsions (0.31%) and even the use of force (0.12%). This leads to prove the validity of the hypothesis that more than half the bonded labourers were forced into the state of bondage due to their abject poverty and mass illiteracy.

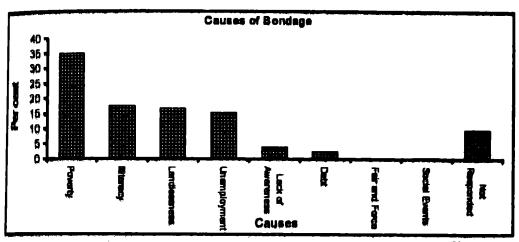


Table. 8.X: Causes of Bondage

Fig. 8.9

Causes	HHLNo.	96
Poverty	561	34.84
Illiteracy	279	17.33
Landlessness	266	16.52
Unemployment	244	15.16
Lack of awareness	62	3.85
Indebtedness	37	2.30
Forceful means	2	0.12
Social compulsions	5	0.31
Not responded	154	9.57
Total	1,610	100.00

Source: Based on 839 sampled households survey, 2001.

Level of Balanced Diet

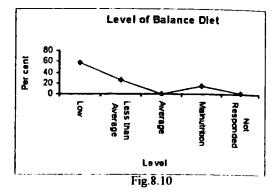
Malnutrition was a common problem among the bonded labourers. While food-insecurity was a major contributing factor, lack of adequate knowledge about nutritious food further worsened the situation. Women and children were the worse sufferers. Rice was their major staple food which they ate with salt and chilly. The left-over rice was baked in the fire and used as breakfast and snack for the children. There was lack of green vegetable, lentils, meat, eggs and protein in the food. Chilly and liquor were much preferred. Fish and *Ghongi* were their delicacies, but which showed decreasing chances of availability due to population growth and unscientific management of water resources. They lacked pure drinking water which often led to diseases and poor health.

Table.8.XI: Level of Balance Diet of the

Level	Number	Per cent
Very low	485	57.81
Low	216	25.74
Average	5	0.60
Malnutrition	121	11.12
Not responded	12	1.43

839

100.00



Source: Based on 839 Sample

Households Survey, 2001

Total

Bonded Labourers

Majority of the bonded labourers' households (57.81%) showed very low level of balanced diet (Table 8.XI and Fig. 8.10). Similarly a quarter of them (25.79%) consumed low balanced diet. There were only a few (0.60%) bonded labourer households which consumed an average balanced diet. About 14.42 per cent of the households faced the problem of malnutrition and deficiency diseases and non-availability of balanced feed, low purchasing power and non-awareness were the major contributing factors for the apathy.

Majority of the bonded labourers lacked food security throughout the year. In general, they faced the problem of food deficiency between Ashad and Bhadra months. For these three months, they requested the landlord to meet the food shortage, and such food they called Khaurahi in their language. Interest on such borrowing for food grains was double the normal rate. The entire amount of food grains together with the interest was to be paid at the time of harvest in the month of Paush/ Magha. Once a bonded labourer is forced to ask for Khaurahi, it is a misfortune for him, his wife and children, for it opened the way for their permanent bondage and exploitation. This was a root problem in the Tharu bonded labourer community in the plains of Nepal. If the bonded labourer is unable to pay such amount within the stipulated time, it was converted into Saunki. Management of food supply was very poor among the Tharu. They sold food grains to buy alcohol and celebrate feasts and festivals. They exchanged food grains to buy vegetable, salt and chilly. In conclusion, all this led to fast depletion of food grains and shortage during rainy season.

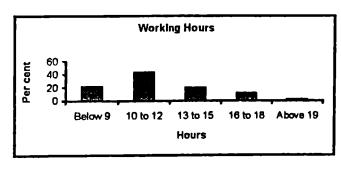
Working Hours

A bonded labourer worked from early in the morning till late at night, for about 18 hours a day. He got up at 4 a.m. in the morning and planned his day's agricultural work. He ploughed fields from morning till afternoon. Thereafter, he engaged himself in other agricultural and domestic work. There is no rest time for him except the mealtime and about 5/6 hours sleep at night. He did not sit idle and his hands were active all the time. He was ready to collect grass, wood and fuel. He did any other domestic work, the master entrusted him. If he were allowed to take rest and relax in between his work hours, it was a chance that his master was a human in true sense of the term. Otherwise, he worked non-stop without any time for rest.

On the basis of the sample household survey, it was found that about 43.74 per cent bonded labourers worked from 10 to 12 hours a day and more than 13 per cent worked for more than 16 hours. It was only 22.05 per cent of the bonded labourers who enjoyed about 9 working hours a day (Table 8.XII). Such inhuman practice of long and unlimited working hours without any provision for leisure in between showed a telling effect on their efficiency and health. The problem was further aggregated when accompanied with malnutrition. It exposed them to several diseases and shorter life span.

Table.8.XII: Working Hours of the Bonded Labourers

Hours	Number	Per cent
Below 9	185	22.05
10 to 12	367	43.74
13 to 15	166	19.79
16 to 18	100	11.92
Above 19	21	2.5
Total	839	100.00



Source: Based on 839 Sample Survey, 2001.

Fig. 8.11

Yearly Leave Allowed for Bonded Labourers

In general, bonded labourers were assigned continuous work with no provision of leave weekly, fortnightly or monthly. Leave and work were inversely related and leave was given only in extra ordinary circumstances like illness, accident and social ceremonies like marriage and death

Table S.XIII: Annual Leave Allowed for Bonded Labourers

HH.	14	
362	43.15	Annual Leave Allowed
333	39.93	50 g
66	7.87	50 40 40
65	7.75	# 46 15 15 16
3	0.36	
3	0.36	6
3	0.60	No leave Less than 10 11-20 days 21-20 days 21-40 days 41-50 days Above 51 days
839	100.00	Days
	362 335 66 65 3 3	362 43.15 335 39.93 66 7.87 65 7.75 3 0.36 3 0.36 5 0.60

Results of the sample study showed that about 43.15 per cent of the bonded labourers were hardly allowed to go for a single day of leave per annum. Another 39.93 per cent were granted less than 10 days of leave annually. Only 1.32 per cent was fortunate to enjoy more than 30 days of leave per annum (Table 8.XIII), but again this made them feel monotonous and exposed them to alcohol and gambling and other health hazards and bad habits.

8.10 Contract and Agreement

The labourers and the landlord maintained both written and verbal contracts. These contracts might be interlinked with various other contracts that would create a Kamaiya trap for the labourers from where they could never escape for generations. The types of contract are:

Labour Contract

The landlord required the Kamaiya to bring his spouse (known as Bukrahi) together as per the contract. The spouse performed the household chores in the landlord's house and assisted her husband in farm activities for nominal annual wages. For other female members of the house, sister or mother may accompany spouseless bonded labourers in the villages. In other words, the bread earning members of the family got tied up with a single job and a single payment—the only sources of their livelihood. Children, as animal herders (known as Gaibar, Bhainsbar, Chhegar), received only two meals and nothing extra. Female children worked as domestic servant (known as Kamlahari). They washed clothes, cleaned utensils, house, and other domestic chores as directed by the landlord's family members.

Credit Contract

Due to lack of alternative employment and low earning, the bonded labourers required loan to meet their emergency needs such as food deficit. The employer provided loan with high rate of interest, which only forced the labourer into the virtual slave-trap. If a labourer wanted to change the employer, he should borrow the money to pay back the landlord. Such loan was called 'Saunki'. The decision to change the landlord took about a month's time, particularly in Magha. The act of changing the employer was the outcome of competitiveness in the labour market, but the wages and other terms and conditions varied from time to time and from employer to employer. Saunki was the major factor of bondage in the Tharu community.

Land Contract

If a contract was done in the form a share in the farm produce, it was called land contract. This was also called a sharecropping contract where the tenant was paid in terms of output share. Such agreement generally supplied all farm input and provided a part of the output share to the labourer. In this arrangement, the family labour was supplied by the labourer and the employer provided other agricultural inputs needed for cultivation. The output share given to a labourer was about one third or one-fourth of the total produce. These labourers did not have tenancy right over the land they cultivated. The Kamaiya system was a distinct type of permanent labour relationship under bonded labour system in Nepal. The system was regarded as the most exploitative form of labour relationship in rural Nepal. The Kamaiya is a system of bonded labourers, which included different forms that prevailed in the rural areas of Nepal. Except for some of the local community heads/ leaders, generally Tharu were exposed to the system like working tenants, share croppers, landless labourers and bonded labourers.

Table 8.XIV: Types of Contract done by the Bonded Labourers

Contracts	HH.No.	%
Verbal	791	94.28
Written	41	4.89
Others	7	0.83
Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001

The sample survey showed that most contracts (94.28%) were verbal, no written record whatsoever (Table 8.XIV). Only 4.89 per cent contract was in written form. The absence of written contract allowed the employer to manipulate and interpret terms of agreement as per his convenience and advantage. Since the majority bonded labourers were illiterate, they put thumb impression on the contract paper without any knowledge about the language and terms and conditions of the agreement/contract. In most cases, the employer manipulated the contract to his advantage putting the labourers in inconvenience.

8.11 Skill of Entertainment

Bonded labourers possessed their own culture and tradition. They ate, drank, sang and danced during festivals and special occasions. A question was asked to the bonded household whether they had entertainment skills or not (Table 8.XV). About 25.15 per cent labourers responded that they had the requisite skill for entertainment. Contrarily, 42.07 per cent labourer gave negative response. Remaining 32.78 per cent did not show their response either in positive or negative manner, although the result of the enumeration was unsupportive. There is no denying the fact that Tharu have a rich cultural heritage, and they enjoy their festivals and social functions with a lot of fun and merry-making. This also helped them break the sorrow of their otherwise painful life.

Table 8.XV: Skill of Entertainment among the Household Heads

Skill	HH.No.	%
Yes	211	25.15
No	353	42.07
Not responded	275	32.78
Total	839	100.0

Source: Based on 839 Sampled Households Survey, 2001.

Use of Personal Conscience

Tharu labourers are obedient and honest. For this reason, they are entrusted with the entire farm work and household chores. They are so much loyal to their landlord that they hardly use their own

conscience in taking decision during the work. The study showed that 13.11 per cent households never used their conscience, while 42.67 per cent used it partially. However, 28.13 per cent labourers used their conscience during the work (Table 8.XVI) and 16.09 per cent did not respond. In fact, the labourers were so terror-stricken that they did not dare speak their mind and take independent decision. The landlords always dictated them.

Table 8.XVI: Use of Personal Conscience during the Work

Conscience	HH.No.	%
Never use	110	13.11
Always use	236	28.13
Partially use	358	42.67
Not Responded	135	16.09
Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001.

Technical Training

Table 8.XVII and figure 8.13 exhibit the type of technical training received by the bonded labourers. Results showed that majority labourers acquired traditional skill in farming (31.58%), plant nursery (20.81%), and livestock raising (5.98%) from their senior family members. It was only a small number of such labourers who acquired training in carpentry (13.64%), masonry (12.40%), rickshaw pulling (11.72%) and hair-cutting (3.83%). Lack of technical training and skill provided less opportunity to earn higher wages, supplement their monthly income, diversify their activities, improve their economic condition and break down the shackles of their bondage.

Table 8.XVII: Technical Training Received by the Bonded Labourers

Types of Training	нн.	%
Sikarmi	57	13.64
Dakarmi	52	12.44
Saloon	16	3.83
Rickshaw driving	49	11.72
Nursery	87	20.81
Farming	132	31.58
Livestock	25	5 98
Total	418	100.00

Source: Based on 839 Sample Households

Survey, 2001.

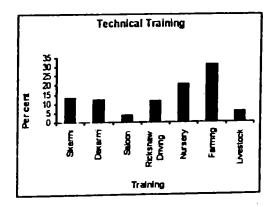


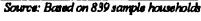
Fig. 8.13

8.12 Literacy

Mid-Western Development Region has three districts in Tarai Dang, Banke and Bardiya. Banke Bardiya, kailali and Kanchanpur are called the Navamuluk of Nepal. Banke district supported 1.67 per cent of Nepal's population in an area 1.65 per cent. Here, the average population density was 165 persons per square kilometre with an average household size of 5.7 persons. In the district, only 45.96 per cent population was literate, of which 41.50 per cent was educated up to primary level, 19.59 per cent up to lower secondary, 12.88 per cent up to class ten, 8.59 per cent up to SLC and only 1.27 per cent up to bachelor level. Among the bonded labourers, only 10.01 per cent had education up to primary, 1.31 per cent up to secondary and 0.12 per cent up to bachelor. Only 27.77 per cent was literate in the bonded labourer population. Female literacy was still lower. Low level of literacy was an important cause for bondage (Table 8.XVIII and Fig. 8.14). It not only diminished the prospects for better employment, but also made room for tyranny and exploitation.

Table 8.XVIII: Literacy Level of the Bonded Labourers'

HH	96
510	60.79
233	27.77
84	10.01
11	1.31
1	0.12
839	100.00
	510 233 84 11



SIEVEV. 2001.

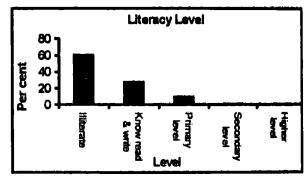


Fig. 8.14

Causes of Non-Schooling of the Bonded Households

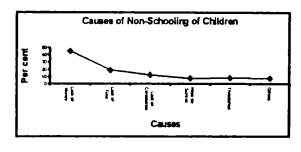
Most children of the bonded labourers were source of extra income for the family. Even at the age of six, Tharu children worked and supplemented the family income. Very few Tharu children were sent to school. The dropout-rate was very high in these children. Some nongovernmental organizations had launched child literacy programme, but Tharu were less receptive to such it due to unawareness, illiteracy, poverty and lack of foresight. A study about the causes of non-schooling of the children of bonded labourers showed the lack of money to pay the school expenditure to be the main cause (45.19%), followed by

lack of time (19.0%), lack of desire (12.35%) and threatening given by the landlords preventing children to go to the school (8.15%), and compulsion for supplementing family income for survival (7.65%) (Table 8.XIX and Fig. 8.15).

BASE, PLAN Nepal, RRN and others tried to motivate the labourers to send their children to the school, but the result was not encouraging. Besides providing free-ship, they need to be supported in school dresses, stationery, books, meals and some cash.

Table 8.XIX: Causes of Non-Schooling of the Bonded Children

Causes	нн.	%
Lack of money	183	45.19
Lack of time	77	19.01
Lack of desire	50	12.35
Work for survival	31	7.65
Threatening	33	8.15
Others	31	7.65
Total	405	100.00



Source: Based on 839 Sample Households Survey, 2001

Fig. 8.15

8.13 Modern Amenities

The Tharu were nomads who ultimately settled in the forested areas of Tarai. They are originally named after 'Thar' (in the colloquial dialect) meaning 'people living in the jungle'. Despite the richness of the Tharu culture, they were one of the most deprived, marginalized and exploited people of Nepal. Radio and bicycle were the only modern amenities available for the bonded households. Only 2.97 per cent of the bonded households owned tractors, 2.02 per cent used electricity, 1.59 per cent enjoyed television and 0.59 per cent used telephone facilities (Table 8.XX). Even bullock carts the traditional and the cheapest means of rural transport the bonded households could not afford due to abject poverty.

Table 8.XX: Modern Facilities used by Bonded Households

Modern means	Used HH.No.	%
None	188	19.96
Radio	197	20.91
Television	15	1.59
Electricity	19	2.02
Telephone	8	0.85
Bicycle	391	41.51
Tractor	28	2.97
Bullock cart	96	10.19
Total	942	100.00

Source: Based on 839 Sample Households Survey, 2001

8.14 Marketing Behaviour

Surely, not every commodity a household consumes can produce it. Hence, there must be interlinkage and interdependency between producers and distributors. One produces the crops and the other produces essential items of daily use. The traders collect and sell them to consumers. The rural folks still barter the commodities such as kerosene, salt, cloth, and Bidi for rice and cereals. The following table shows the goods the Tharu bonded households bought for consumption. The study showed 25.98 per cent of the bonded households to have directly purchased the consumption goods, while 22.41 per cent bought them indirectly from the traders and local market. Clothes, an essential item, 20.86 per cent bonded households purchased it from the market, 18 per cent bought different items of consumption from the nearest market, and 12.75 per cent did not respond about their marketing behaviour. Except the food grains, the other items of daily and occasional use were purchased by bonded labourers (Table 8.XXI).

Table 8.XXI: Marketing Behavior of the Bonded Labourers' Households

HH.No.	%
218	25.98
188	22.41
175	20.86
151	18.00
107	12.75
839	100.00
	218 188 175 151 107

Source: Based on 839 Sample Households Survey, 2001.

8.15 Social Rituals

A traditional midwife typically known as *Sorinnya* usually assisted during child-birth and gave proper attention to whether the placenta (*purin*) had come out successfully or not. Once it was out, it was buried in the south-western corner of the house next to the shed. *Ghatwa Karaina* ceremony was normally held after four/five days of the child birth (when the umbilical cord over the baby's navel dried and dropped away) to purify the mother and child who, till that time, were treated as impure and untouchable. They were allowed to enter the house only after they were bathed and a *Puja* (worship) was performed.

The first hair cutting ceremony of the child, male or female, is known as Kapar Khaurna. Generally maternal uncle performed the ceremony in the community. There was no prevalence of any particular ceremony regarding the naming of the child. The name could be given any time from the fifth day after the birth until the age of 18 months. The name was given to the newborn child depending on the particular day, time or other events. When a male child was born Sathaura Puja was performed in which offerings of rice and sweets were made to the ancestral deities. The birth of a girl child did not show the same enthusiasm and practice of elaborate ritual.

Like every other community, the Tharu bonded labourers too have their own death rituals, which are not the same for natural death and unnatural death. In case of unnatural death, bodies are not given full funeral rites and are usually buried. In natural death, the dead body is either buried or burnt depending upon the wishes of the deceased. The affluent people preferred burning the dead body. The death of a Badghar (the village head) received special attention where all villagers assembled with firewood to participate in the last rite. Oil, turmeric and chilly were not taken for seven days during the mourning week of the deceased. On the seventh day, rites were performed and a feast was arranged for the relations and villagers. If a person died during the absence of the elder or male members of the dead body is buried but other rituals are not performed till the arrival of the dead bodies' relatives. Social rituals varied in different castes and religious groups.

Dressing style of *Deshaure* Tharu was different from their Danguara counterpart. *Danguara* Tharu males wore a *Languthi* (loincloth) and a vest while females dressed in *Lungi* (white piece of cloth) and blouse. They decorated themselves with a lot of silver and gold ornaments and jewellery. Deshaure Tharu dressed in Indian style. They wore *Dhoti*, loin cloth and *Salwar* (traditional Indian dress consisting of *Payajamas* and a dress). Females wore a *Lehenga* (long skirt with lots of frills) and *blouse*. Cultural contacts with other groups have led to change in dress style.

CHAPTER 9 CASE STUDY: THE BONDED LABOURERS

9.1 Some Selected Cases

Case 1: Bali Charan Tharu

Bali Charan Tharu, about 70, lives at Rajhena VDC, Ward No. 4 at Bankhet in Muktinagar of Banke district. He passed more than 6 decades of his life under bonded labour in Dang and Banke districts. He has a lot of bitter experience in his work and with his landlords. He recalled some of these past events with tears rolling down his cheeks. He started his labour carrier since his early childhood at the age of 8. He had joined a landlord's house in Dang district. He did not have courage to tell the name of the landlord. He was compelled to carry heavy load on his head. Once he fell with the load in a stream and became sick for two months. He was rebuked and abused for the loss of load material by the landlord. He neither expressed any sympathy for his injury and illness nor was provided any monetary help for medical treatment. Instead he was fined for the negligence. He left Dang and migrated to Banke. But again, he was put in the same condition. He was with a Muslim landlord. He was much crueler than the previous one. There was no fixed time for working. He had to work from early morning to 10/12 at the night. His Saunki of Rs. 2,000 was increased to Rs. 6,000 through fraudulent means.

He thanked the social workers and the government officials through whose efforts he was freed from bondage and was helped start a new life. He received 4 Katthas of land, but he has no hut for shelter. Recently, the government granted him a loan of Rs. 10,000 to construct hut which has brought smile on his wrinkled face. His 6 children are still working as bonded labourers. Taking a long breath, he expressed his desire to establish a new world free from bondage and exploitation. His only worry was his children who were illiterate and who lacked any skill of the hand.

Case 2: Ram Kisan Tharu

Ram Kisan Tharu, while narrating his woeful story, said he lost his mother

at the age of 2. His father and brother left him in a landlord's house for some hundred rupees of loan. He became Kamaiya at the age of 7/8. He faced many problems after his mother expired. He worked with the landlord for 3 years and got Rs. 130 per month as wages. He tried to run away to India but was caught and handed over to the landlord. He said, "My father kept me at the same landlords' house where he worked before he left for India. The landlord and his family members mercilessly beat and abused me." After 2 years, the landlord told him that his father had taken a loan of Rs15,000. He was forced to sign on two bonds that were prepared by the landlord. He was cheated by the landlord and was trapped under bondage. It was almost impossible for him to repay the debt by working in his house even in his lifetime. He was helpless and hopeless about his life. In his experience, Tharu landlords were less exploitative and cruel than the Pahadiyas.

He liked Tharu goods and culture and loved the festivals. He thanked the social workers and the government for making a provision in favor of the bonded labourers. He left his landlord's house and stayed on roads. He faced many problems for 7/8 months, and then he got 4 Katthas of land in Rajhena VDC, Ward No.4, Bankhet. He expressed gratitude to almighty for making him free. His anxiety was to build a hut on that plot of land. He looked for a better future for his children.

Case 3: Ram Prasad Tharu

Ram Prasad Tharu and his father worked at the same landlord's. Ram was only 10/11 years when he started to work. He said he was often scolded and misbehaved by the landlord. "My father couldn't tolerate it, so he left the landlord's house at midnight", he said. His father went to Sonbarsa of Raniyapur VDC seeking for new work. The new landlord too misbehaved with his father, which he could not tolerate. He said "My father jumped into a deep pond while he was cutting fodder at its edge and he died there. I did not even get a day's leave to perform my father's death rituals." Ram was doubly tortured because he had to pay the landlords' debt and perform his father death rituals. After the declaration of Kamaiy liberation, he left the landlord's house and stayed on roads. Later on, he said he received 4 Katthas of land in the name of his mother. He thinks to build a hut on this land. He

looks happy but is faced with the problem of livelihood.

Case 4: Suji Tharu

Suji Tharu took a long breath and started narrating his life history. He started his work at the age of 12. He possessed neither food nor shelter. The only alternative was to change the landlord's house. He fell into the debt mire when his father took loan to support his large family. He took Rs 2,000 Saunki from a landlord at an annual interest of 40 per cent. He worked day and night without adequate food. After the freedom from bondage, he was allotted a plot of 4 Katthas of land in Rajhena VDC-4, Bankhet. He was happy, but at the same time he was worried about how to build a shelter and get into a job.

Case 5: Congress Tharu

Congress Tharu was a Guruwa and practised sorcery to cure diseases, but before that he was a bonded labourer during his young age. He learnt the mantra (the formula) from a senior Guruwa. His mantra read, "Hiro Gari Hanuman Siota Karo Karu Phul Maidan Hatjor Binti Karu Karu Bich Maidan Khada Bandhu chalenapaya Gar Sat Dharti Sat Samundra Barha Kalap Dharti Udenapaya Panch Kalpake Weundar Udenapaya Suraj Phikka Rahe Jamin Asman". He repeated the mantra three- or four times and blew his breath over the sick person. He did this to cure all kinds of disease like headache, pain, and diarrhea. He tried his mantra on women under labour and complications related to delivery.

Case 6: Social Rituals

Bonded labourers generally take the help of midwife at the time of child delivery. Only hot water was given to the mother until 2 days of delivery. After that, *Thasaura* made from rice and *Mirchabani* (like tea) was given to her for 10 days (2+8 days). If the newborn child was a boy, celebration continued for 10 days, but if it was a girl child it continued only for 9 days. Home-made beer and pork were given to the mother. The guardians sometimes negotiated marriage even for an unborn child or after one week of the birth. After one week, 5 Man of rice, 2.5 Man of lentil and some oil, salt, chilly, and potatoes were

taken to the bride's house. The very next day was performed the marriage ceremony. Four Myana (Doli) of the bridegroom, his father, father's sister's husband and his sister's husband were carried to the bride's house. The ceremony took place along with eating and dancing in a joyful environment. The other day, the bride was accompanied to the groom's house by her relatives. The bridegroom goes to his father-in-law's house with his 4/5 friends to bring his recently married wife in Mangsir or Baisakha month. He gift some hand made matters like mats for his wife's relatives and stays there for 5/7 days and come back his home with his accompanied friends.

I found a Tharu person not using electricity despite its easy availability in the area. The reason he said was the high charge, for it cost Rs 78 per month (the minimum charge), which in a year amounted to Rs 78x12=Rs. 936 for a year. But, if he used 12 litres of kerosene per year, it cost Rs 17x50=Rs. 850 only. I understood the real situation of the place and people. Generally a *Chaukidar* was employed for night duty in a village. He delivered message to the villagers and guarded the stray animals against going to farm land. For that he received 10 kgs (Dui number) of cereal grains from each house for a year.

Tharu labourers generally used the word *Maharaj* and *Jaya Sitaram* to welcome each other. They prepared mud images of different animals like peacock, horse, elephant, lion, and tiger. They believed that the God would use these animals as his mount. They believed in nature because all things happened naturally.

Case 7: Mr. Shahi (a retired police officer)

Mr. Shahi claimed that the bonded labourers were previously in better position than they were at present. He blamed the government policy, role of NGOs and INGOs who minted money in the name of *Kamaiya*. He said they all failed to improve their socio-economic condition. These labourers were born in farm and grew up in farm. So, they needed farm and farming skill to learn and practice, rather than other things to improve their lot. The *Saunki* amount was fixed in front of the labour and the landlord. This amount was provided according to the requirement of the labourers. Contract was made for a year which we renewed yearly on mutual understanding. Some clever *Kamaiya*

gave this Saunki amount to others on higher interest rate. This amount was invariably not returned to the labourers. So they become victim of the trap. The whole family of the labourers was provided with food, shelter and employment by the landlord. They cultivated the land and there was virtually no pressure or any misbehaviour. They were treated as members of the family and generally worked as storekeeper of the farm products. In case of sharecropping, farm produce was equally divided. The statement of Mr. Shahi was pro landlord. He seemed to be one of the beneficiaries of the system and hence did not want to replace it.

Case 8: Tulsi Prasad Tharu

Tulsi Prasad Tharu was about 60/65 years old, and he was the chairperson of Kamaiya Mukti Manch of Banke. He had 5 sons and 6 daughters. His father migrated from Dang district when he was only 2/3 years old. He started to work at Tek Ram Tharu's house at the age of 12. He was married to Lahiya when he was 16/17 years. His marriage was done according to their culture in Dang. He did Sataha marriage (exchange marriage) with his brother-in law's sister. He did agriculture on Trikur sharecropping system where he got 7/8 sack of paddy from the production. He worked there for 12 years and shifted to Taruwa to work as bonded labour (Kamaiya). He again worked as bonded labourer for 2 years and for additional 2 years as Chaukidar in Binauna village. He got 5 kgs. of paddy, maize, and wheat as wages from each house for acting as Chaukidar. He had borrowed Rs 4000 as Saunki some 10 years ago from a Tharu landlord. He regularly paid the interest at the rate of 36 per cent per annum. It was since the 17th of July 2000 that he refused to make any more payment.

His wife also worked as *Kamlahari* and *Bukrahi*. His main work was to drive the bullock cart, plough the field, clean the cow dung, and feed animals. Besides, he performed domestic chores. *Kamlahari* generally performed the kitchen work—cleaning the kitchen, utensils, collecting grass and fuel wood from the forest, washing clothes, grinding and husking the grains at the landlord's house. She was scolded and misbehaved many times by the landlord. *Masyaura* was given in terms

of 5/6 sacks of paddy, 1 sack of wheat, ½ sack of maize and ½ sack of pulse to the laborers. He narrated his history with a lot of pathos but he hoped for a bright future. He was freed from the bondage and since then started agriculture on sharecropping basis.

Case 9: Krishna Bahadur Tharu

Krishna Bahadur Tharu worked as a bonded labourer at Deva Tharu's house in Phattepur VDC since his father's time. He used to get 7 sacks of different food grains as Masyaura. He worked as agricultural labour, domestic helper and animal herder depending upon the situation of the work needed. He borrowed Rs 3,000 as Saunki from the landlord. He left his parents and 4 brothers in Dang. He looked happy after emancipation from the bondage. He received the land ownership document from the Government, but still he was waiting for its actual possession

Case 10: Darane Tharu

Darane Tharu of Phattepur VDC, Ward No. 7 said he became a bonded labour since his forefathers' time. He added that his father worked as *Kamaiya* since the age of 10 and was married to a *Kamlahari* and he kept her as *Bukrahi* at the same landlord's house. He had 7 brothers and 3 sisters and all worked as labourers under the *Kamaiya* system. He and his wife took care of their two sons, one daughter and his old parents. After emancipation, he began to rickshaw in Nepalgunj. He was supposed to get a piece of land in his village. He only took Rs 2,000 as loan, but his landlord manipulated it to Rs 20,000 through fraudulent means. However, he refused to pay the additional loan.

These were some sample cases of bonded labourers collected from Banke district. They had faced many problems since last two generations. Poverty and illiteracy were the main causes which forced them into the bondage trap. Most of them were loyal to their landlord. Very few changed the landlords. Some of them worked for the landlord with their entire family. Though they were emancipated, still they were worried about the future. Some had received land registration certificate (Lalpurja/Red card), but they were yet to possess the land in reality.

9.2 Some Selected Case Photographs

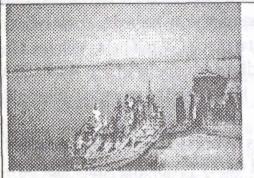
These are some photographs from the study area that depict various conditions and characteristics of the bonded labourers. The photographs have caption underneath except that the phenomenon is repeated and the previous caption explains the situation. These photographs can help us in understanding the socio-economic condition of the bonded labourers.



P.1: Old singer playing Sarangi in Titihiriya VDC. He belongs to Gandharva caste.



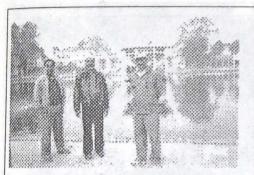
P.2: Bhaisbar of Fattepur VDC working as a bonded labour since his forefathers' time



P.3: A group of bonded labourers carrying fuel on a boat, the only means of transportation to get headquarters from the eastern VDCs of Banke.



P.4: A bonded labour is consulting with a traditional healer (Guruwa) in Titihiriya VDC of Banke district. Mostly these labourers visit Guruwa for treatment.



P.5: Bageswori temple and Talab with a statue of standing mustache Shiva in the middle of the Talab.



P.6: Chairman of Kamaiya Mukti Manch of Banke providing information to the researcher in Binauna VDC.



P.7: Two couples of bonded labourers smoking Hukka. They are brothers and sister-in-laws and have exchanged marriage (Sataha) in Binauna VDC of Banke.



P.8: A bonded woman grinding millet in a stone grinder in Binauna VDC of Banke.



P.9: A couple of bonded labor going to their relatives to celebrate Maghi in Raniyapur VDC. They are in their typical dress.



P.10: A cultural dance performed by a group of Magar and Tharu in Phattepur VDC. It is a Maruni dance celebrated on Ekadasi Mela.



P.11: A bonded labour is sitting in front of his hut, which has been recently built with mud plaster and plastic roof at Muktinagar in Rajhena VDC, Banke.



P.12: Two bonded labour sawing timber through traditional method at Raniyapur VDC



P.13: Kamlahari (bonded labourers) are going to catch fish. They have nets on their shoulders and spades in their hands (Binauna VDC, Banke).



P.14: A bonded labors' family in front of his tiled house in Binauna VDC. The women and children are seen on new dresses.



P.15: A newly built hut of a bonded labour on Government allocated plot (Rajhena VDC, Banke).



P.16: Group of women bonded labourers catching fish in a farm of Koholpur VDC. It is a hobby of Tharus to catch fish.



P.17: A bonded labour (Kamaiya) grazing buffaloes and a Kamlahari is carrying landlords' kid on a bicycle from the school (Phattepur VDC).



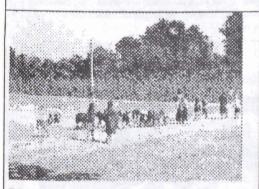
P.18: A bonded labour is dancing Maruni Nach. Others are singing for entertainment (Phattepur VDC).



P.19: Kamlahari with a child and husking instrument (Dhiki) (Binauna VDC).



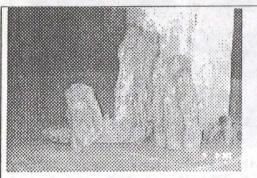
P.20: A Kamlahari is winnowing paddy in the courtyard of her landlord' house (Phattepur VDC). There is no division of work according to sex.



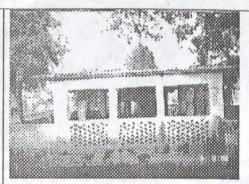
P.21: A group of child bonded labourers are watching goats and cows near a forested area of Phattepur VDC.



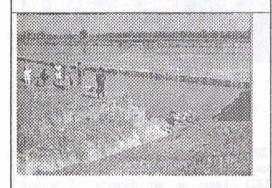
P.22: A cowshed and a hut of bonded labourers near landlord' house (Binauna VDC).



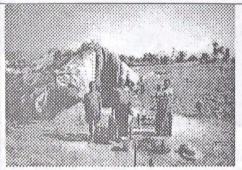
P.23: A Devi's temple in Titihiriya VDC. The statues are made of fossil. People worship these statues as the Hindu Goddesses.



P.24 Temple of god Shiva in the middle of Titihiriya VDC. Tharu people worship at the temple daily and celebrate different festivals at this place. Every Tharu villages have such temples.



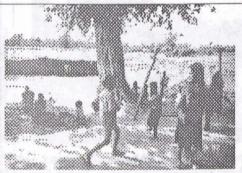
P.25: Funeral rite is being performed near the bank of Rapti river.



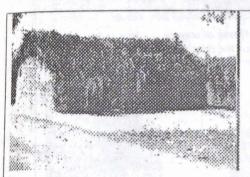
P.26: Dilapidated hut of a Tharu bonded labour depicting his poor economic condition. The researcher is standing between the couple of the bonded labourers (Rajhena VDC).



P.27: Bonded labourers constructing road under Food for Work Programme (Rajhena VDC, Muktinagar).



P.28: Bonded labourers' children playing during leisure time in front of a school.



P.29: A school at Rajhena VDC to which very few children take admission. The roof of the school is in bad shape.



P.30: A view of land use and physiography of Muktinagar, Rajhena VDC.,



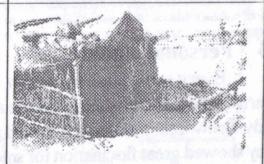
P.31: A bonded family thrashing paddy using oxen and buffaloes. The hut with paddy storage is in background (Baijapur VDC).



P.32: Bonded labourers carrying paddy load on a bullock cart, landlord's house is in the background (Baijapur VDC).



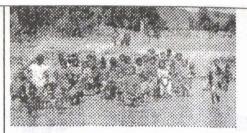
P.33: A boat in Rapti river near Aghaiya Ghat of Baijapur VDC. Bonded labourers use it on yearly payment of food grains to cross the river.



P. 34: A hut of the bonded labourers (Kamaiyas) with plastic sheet on its roof. It has been built on the land provided by the government.



P. 35:Bonded labourers cooking food in a plastic covered hut.



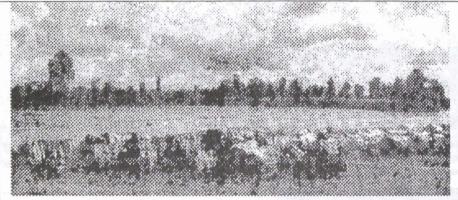
P.36: Group of bonded children and women crossing the river after being freed.







P.37: Bonded woman with kids at work. P.38: Bonded labour in melancholy. P.39: Bonded child-fetching water.



P.40: Dislocated settlement (Plastic huts) of Kamiyas along the river bank in Nepal Tarai.

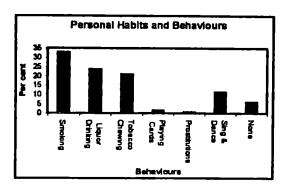
9.3 Personal Habits

Every person has his or her own habit, nature and ways of entertainment. The bonded labourers are no exception to this rule. The study threw light on their habits and personal behaviour (Table 9.I). They showed great fascination for smoking (33.27%), liquor drinking (24.11%) and tobacco chewing (21.41%). Only a few of them (11.73%) enjoy singing and dancing and a negligible per cent (1.93%) spent their leisure in playing cards (also gambling) or visiting prostitutes (1.10%). Smoking and drinking have harmful effects on their fragile economy, while growing cases of gambling and prostitution are matters of serious concern and need careful handling and immediate action.

Table 9.I

Personal Habits and Behaviours of Bonded Labourers

Habits	HH.	%
Smoking	516	33.27
Liquor drinking	374	24.11
Tobacco chewing	332	21.41
Playing cards	30	1.93
Prostitutions	17	1.10
Sing & dance	182	11.73
None	100	6.45
Total	1551	100.0



Source: Based on 839 Sample Households Survey, 2001.

Fig. 9.1

9.4 Means of Entertainment

Entertainment is a necessary requirement for mental and physical health and happiness of the people. The bonded families have access to different sources of entertainment (Table 9.II and Fig. 9.2) among these, cultural dances (singing implied) are the major source of entertainment (45.77%). This is followed by the bonded labourers remaining indoor listening to radio music (37.43%). Cinema (4.65%) and community shows (3.81%) are not very popular sources of entertainment. Most of the bonded labourers have very busy schedule throughout the day and till late at night. With bones-breaking hard labour in the day and compulsion for rising early in the morning, they hardly have leisure time to go for cinema. Similarly, their poor economic condition does not permit them to buy television, home music system and even a tape recorder.

Table 9.II
Sources of Entertainment

Sources	нн.	%
Family (radio etc.)	314	37.43
Community clubs	32	3.81
Cinema	39	4.65
Cultural dances	384	45.77
Others	70	8.34
Total	839	100.00

Source: Based on 839 Sample

Households Survey, 2001.

Means of Entertainment

50
40
50
20
10
Fairty Community Chema Dances Others
Sources

Fig. 9.2

9.5 Causes and Consequences

Literacy status has negative relation with chronic health problem of the bonded labourers. As literacy rate increases, the chronic health problem of the bonded labourers decreases in the area. The literacy status of the bonded labourers and migration has negative relation. It means literate bonded labourers have not migrated; rather it is the illiterate bonded labourers and their generations who have migrated in the region.

Literacy status and adoption of family planning measures have positive relation among the bonded labourers of the area. Higher the literacy level greater is the acceptance of the family planning means. The illiterate Tharu bonded labourers show little response to the adoption of family planning means. Literacy status and child's education show negative relation. Literate parents have sent their children to school, while the illiterate ones have not done so. Literacy status and skill of entertainment in bonded labourers exhibit negative relation. It means illiterate bonded labourers have more entertainment skills than their literate counterparts. The level of social security and schooling of children have negative relationship. School going children show better social conditions in the society, while non-schooling children create insecurity in the society. Working hours and social security of the bonded labourers have positive relationship in the area. It means good social security creates long working hours and lower wages. Working hours of the bonded labourers and leave from the work have perfect negative relation. That is to say no leave is allowed to bonded labourers who have longer working hours. Working hours and migration also have negative relation. It means non-migrant bonded labourers have longer working hours than the migrant bonded labourers. Working hours and land holding have negative relationship in the area. It means landless bonded labourers have longer working hours for their survival than those who own land. Landholders save some time for their own land and hence they have less time for work on landlord's farm. Working hours and political affiliation have negative relationship in the region. As the working hours increase, the bonded labourers have less time to come in contact with political leaders and parties. Working hours and share of knowledge by the bonded labourers have negative co relation

co-efficient. It means as working hours increase, share of knowledge by the bonded labourers goes on decreasing. Working hours and skill of entertainment have negative relation in the region. It shows that long working hours allow less time for entertainment.

Personal habits include smoking, drinking, chewing tobacco, playing cards, dancing and visiting prostitutes. There is perfect correlation between smoking, drinking and chewing of tobacco. Similarly playing cards and going to prostitution also have positive relation as is between dancing and prostitution. There is no significant relation between personal habits and yearly leave enjoyed by the bonded labourers of the region.

Causes of indebtedness like illiteracy, poverty, unemployment, homelessness, lack of awareness, social exigencies have significant relation with bondage. Illiteracy has perfect relation with indebtedness. It has been found that illiterate bonded labourers have taken more loan than their literate counterparts. Likewise unemployed labourers have taken more debt than those who are employed. Illiteracy and poverty have perfect positive relation. It shows that unemployment, homelessness, lack of sensitiveness, debt and social exigencies have significant correlation with illiteracy of the bonded labourers. They work as cause and effect against each other.

Government has provided more facilities to bonded labourers than INGOs, NGOs and other organizations. Bonded labour is not only a compulsion but a system of the Tharu community. It has been found that some unidentified bonded labourers are in better condition than the emancipated ones in the region. It is because they are not properly inducted in the system by the Government and other organizations. Although, paper work has been done, fieldwork is always lacking, due to political instability and economic crisis in the country.

The results of the research prove that the socio-economic condition of the bonded labourers is far from satisfactory. The labourers are very poor and much exploited in the society. Emancipated bonded labourers are also facing numerous problems than the unidentified ones due to lack of full proof policy of the Government. It may lead to return to the same old system. Children and women are more exploited than the adult males. The photos alone speak louder than the human words may attempt to speak about the untold suffering and the poor status of the bonded labourers.

CHAPTER 10 POLICIES AND PROGRAMMES FOR BONDED LABOURERS

10.1 Government Policies on Bonded Labourers Action for Rescue and Rehabilitation of Recently

Emancipated Bonded Labourers (Kamaiya) of Western Nepal

Kamaiya is a name given to the agricultural bonded labour system traditionally in operation, in five western Tarai districts (Dang, Banke, Bardiya, Kailali and Kanchanpur) of Nepal. The government of Nepal recognized the problem in 1995 by getting the data collected on Kamaiya family through door-to-door visit. The government launched programmes based on the survey data with a view to create a situation, which would encourage the Kamaiya themselves to come out of the bondage system. The government decided to take a bold step for the liberation of Kamaiya on 17 July 2000. The problem now facing the government is of rescue and rehabilitation after the Kamaiya families were declared free and the system illegal (GON, 1995).

Reported Causes of Bondage

Root causes of *Kamaiya* bondage and human slavery are recorded to be poverty, illiteracy and ignorance, which developed under in the absence of subsistence means in tribal culture. The data show 62.7 per cent *Kamaiya* to have fallen prey to debt (*Saunki*), the average debt per *Kamaiya* being US \$75. The percentage of illiteracy is very high (83.9%) among the *Kamaiya*) and among the literates too, only very few (2.8%) have seen the primary school (GON, 2000). Most *Kamaiya* belong to the Tharu tribal culture.

10.2 Traditional Evolutionary Approach for Desolation of Bonded Labour System

The government of Nepal, in the past, adopted traditional evolutionary approach for the empowerment of *Kamaiyas* through group formation by promoting different *Kamaiya* enlistment activities.

These activities involve development of revolving fund on low interest and funding of income generating activities carried out by the *Kamaiya*, generation of fund for financing the settlement of homeless *Kamaiya*, training of *Kamaiya* in different skills, and distribution of land for *Kamaiya*. The skills like carpentering, masonry, animal husbandry, driving, horticulture, welding, electricity, painting, mechanics, tailoring and other practical training were provided to the labourers. Relief programmes undertaken by the government were not encouraging. Only 3736 bonded labourers were granted skill training and only 1056 bonded labourers got liberated as a result of these programmes in 2001.

10.3 Cabinet Decision Declaration of New Revolutionary Approach of Kamaiya Emancipation

On July 17, 2000, the government declared in the Parliament that keeping bonded labour was illegal and prohibited. The labourers were emancipated outright by the legislation. Any written or verbal contract made between the landlord and the bonded labourers or a family member was declared null and void and bondage was made punishable by law. The debt under *Saunki* due to the labourers was declared illegal. Therefore it should not be paid back. The government was responsible to look into the immediate problem of rescue and rehabilitation of the emancipated bonded families and the whole bonded population.

The survey was based on door-to-door visit but it was alleged that the figures were under-enumerated. It was felt that fresh survey and identification of emancipated bonded labourers should be done.

Table 10.1: The Bonded Families and Their Population

Districts	Kamaiya families (No. & %)	Kennelya population (No. & %)	Kamalya squatter families (No. & %)
Dang	1856 (12.25 %)	12275 (14.72 %)	396 (5.68 %)
Banke	1060 (7.00 %)	6846 (8.31 %)	215 (3.09 %)
Bardiya	5037 (33.24 %)	25846 (31.09 %)	2642 (37.91 %)
Kailali	5557 (36.68 %)	30463 (36.54 %)	2796 (40.13 %)
Kanchanpur	1642 (10.83 %)	7945 (9.53 %)	919 (13.19 %)
Total	15152 (100.00%)	83375 (100.00%)	6968 (100.00%)

Source: GON, 2000.

10.4 Steps Undertaken by the Nepal Government

According to the government decision of July 17, 2000, Kamaiya system was banned in Nepal. A nine member central level coordination and monitoring committee and eleven member district level coordination and monitoring committee under the chairpersonship of the concerned DDC Chairperson were constituted on 24 July, 2000. The central level coordination and monitoring committee made the following decisions on 27, July 2000:

The district level committees shall take immediate action to update the 1995 Kamaiya survey record within a fortnight and distribute identity card to all emancipated homeless and landless Kamaiya. The district level committees shall take immediate action to identify government or public land, within a fortnight, suitable for distribution to the landless Kamaiya. The district level committees have to propose possible rescue and rehabilitation proposal, once the emancipated Kamaiya are identified. They have to implement the governmental and nongovernmental, social and developmental work in an integrated and coordinated manner for the welfare of the Kamaiya.

The updating of the record of 1995 and identification of the governmental and public land suitable for distribution to the landless is now nearly complete. It has made programme to implement *Kamaiya's* skill development for their subsistence. Prioritization of the target groups includes those who have neither a piece of land nor a house, those who have a house but not a piece of land, those having a house and piece of land of less than 2 *Kattha* and others. Emancipated labourers falling in the first category, i. e. those not having any land and a house will be provided with 1 *Kattha* of government/ public land for settlement. The eroded land along the bank of rivers will be reclaimed using emancipated labourers through Food for Work Programme and this reclaimed land will be used for settlement of the bonded labourers.

Most labourers have nowhere to go, nor do they have any roof to protect themselves from heavy monsoon rain, wind and heat. They have no food to feed their family. They lack alternate source of income. They have neither skill to get job elsewhere, nor are the landlords ready to employ them on official wages. The action to be undertaken regarding

the rehabilitation of these labourers may be classified into three stages: immediate action (rescue), middle term action (rehabilitation) and long-term action (assimilation).

Rescue action includes management of tents and temporary roofing materials, support of food until job or alternate source of income arranged through Food for Work Programme. Likewise it also includes support for minimum cooking utensils, ground sheets, blankets, medicines and minimum healthcare for sick, children and elderly bonded labourers. Daytime meals and stationary for school going children of bonded labourers are also included in the rescue action.

Rehabilitation action includes support for the development of low housing, education, healthcare and installation of drinking water tube-wells. Here unskilled labourers should be employed immediately on priority basis in income generating activities. Likewise they should be imparted skill development training, so that they can seek employment elsewhere or may be employed in self-employment schemes

Help Provided by the Government to the Emancipated Households

The government has provided a lot of help to the emancipated bonded households for their rehabilitation. These have been listed in Table 10. II and Fig. 1.

Table 10. II

Help Provided by the Government

Help provided	нн	%
Land	271	32.31
House loan	40	4.77
Training	45	5.36
Employment	56	6.67
Others	63	7.51
None	364	43.38
Total	839	100.00
Source: Based on	839 Sam	<u> </u>

Households Survey, 2001.

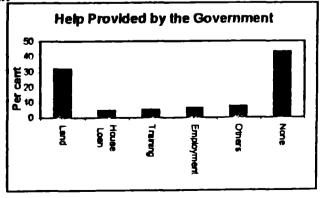


Fig. 10.1

The Government of Nepal has provided land measuring 2-5 Kattha to the dislocated labourers for their rehabilitation. Sample survey shows that 32.31 per cent of the households have got a plot of land at the camp in Banke district. There are three camps in the district located at Rajhena, Phattepur and Baijapur VDCs. Similarly, 4.77 per cent of the households have got house loan from the Government for the construction of house. About 5.36 per cent households have been provided training to acquire skills to earn their living. About 6.67 per cent of such bonded households have been provided manual work jobs. Still there are 43.38 per cent of bonded households who are still waiting for government help.

Different organisations and agencies have come forward to help in the rehabilitation of bonded labourers, different ways which at times leads to duplication of help. Hence there is a need for monitoring of rehabilitation activities. According to one estimate, the cost of rescue comes to Rs 40.1 million and the cost of rehabilitation is Rs 941.24 million. Hence there is need to chalk out a comprehensive rescue and rehabilitation work plan to be implemented through different government and non-government agencies. Immediate cooperation and support through national, international, bilateral, multilateral, governmental, institutional and non-governmental agencies is very essential. Interested donors may be requested to consider supporting one or the other activity related to the rescue and rehabilitation of bonded labourers. It is better to involve local authorities in the supervision, management and monitoring of development programmes launched by INGOs, NGOs and international agencies.

10.5 Bonded labourers and Development Interventions

After the restoration of democracy in 1990, the issue of the bonded labourers was brought to the limelight. Different political parties and leaders incorporated this issue into their popular agenda, seemingly with the purpose of gaining popularity rather than with genuine intention for help. The government included bonded labourers' (Kamaiya system) issue in its programme. Since then about a dozen of INGOs and NGOs have taken interest in the liberation and rehabilitation of bonded

labourers.

The creation of additional employment, mainly self-employment, for bonded labourers has remained a consistent and key theme of government policy and programme for the last two decades. A number of schemes and strategies have been chalked out to achieve this objective. The government initiative was also focused on a limited scale extension of educational and vocational training to the labourers to improve their skill. But most of such training was incomplete and the trainees could not compete in the labour market.

In 1995 the department of land reform launched the Kamaiya Livelihood Programme (KLP). Its main objectives were to empower and rehabilitate the bonded labourers, capacity building and strengthen improve social, cultural and economic conditions and overcome socioeconomic forces working against them. Good intentions but poor implementations have always been a chronic problem in the country's administrative history. As a result of it the programme could not achieve desired success.

Another important programme launched by the government was the *Sukumbasi* rehabilitation programme in 1994, although it was not exclusively oriented to the needy group. On the basis of a detail survey, bonded families were identified and given the priority to resettle in model villages in each of the five core districts. The total cost was Rs 40 million in this programme.

The government ratified ILO convention and forced labour convention Nos. 29 and 105, which showed its commitment to the concerns of the international community. The land reform commission (1994) during UML government had two major areas of intervention in their recommendations: the pulling, plotting of land and abolition of dual rights over the land. The government programmes so far focused on housing, debt alleviation, skill development and income generation. The restoration of the rights of the bonded labourers over the land has not been given adequate attention in such rehabilitation programmes.

10.6 Reaction of Emancipated Labourers

The government as well as NGOs and other organizations have carried out a number of programmes to better the lot of the bonded

households. The Constitution of Nepal (1990) also bans all forms of slavery including bondage and debt bondage. But despite great hue and cry, these development programmes have not yet reached all Kamaiya households. There is low coverage and duplication of programmes by two or more organizations at the same place and time Certain households are yet to be identified and brought under the programme.

Table 10. III: Reaction of Emancipated Labourers

Reaction	нн	%
Good	156	18.59
Better	297	35.40
Best	247	29.44
No different	139	16.57
Total	839	100.00

Source: Based on 839 Sample Households

Survey, 2001.

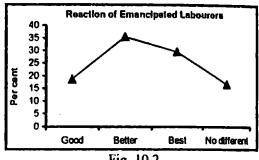


Fig. 10.2

The study has tried to collect information on the reaction of bonded households towards these programmes (Table 10.III & Fig. 10.2). The study shows these programmes to be the best in the opinion of 29.44 per cent of the emancipated bonded households, better in the opinion of 35.40 per cent households and good in the opinion of 18.59 per cent of the household. About 16.57 per cent of the households have not expressed their reaction about the utility of these rehabilitation programmes.

10.7 Role of NGO and INGO in Rehabilitation

Some nongovernmental organizations have been active in the emancipation of bonded labourers in Banke district since last one decade. Most of them have stereotypic programmes like improving literacy, creating awareness and improving economic condition of bonded labourers. Sharma and Thakuri (INSEC, 1998) have listed eleven different NGOs working in the region for bonded labourers. They are funded by foreign donors and INGOs. Poverty and the bondage have attracted these organizations but many of them are not exclusively concerned with the bonded labourers. Instead they focus

their attention on the poverty and Tharu community. There are education and awareness programmes targeted to the children of the Kamaiya by Plan Nepal, BASE and RRN in different VDCs of the study area. The activities of these organizations do not exhibit any immediate impact because the problem of bonded labour is more economic than social. That is why activities that enhance their access to income without creating permanent means of production and alternative income generating sources are bound to fail in their objectives. Many of these programmes are limited to some selected VDCs and some bonded households.

The Kamaiya Liberation Front (KLF) was formed in 1996 as a result of the initiatives taken by INSEC. It is registered as a wing of the General Federation of Nepal Trade Unions (GEFONT) since January 1998. Anumber of its leaders and human right activists are fighting for the cause of Kamaiya labourers. The Kamaiya Concern Group (KCG) was formed in 1997 after a meeting among the NGOs (local, national and international) working in the region. It aimed at sharing information about the bonded activities initiated by respective organizations and planning and working together for optimal output. The group is composed of a dozen organizations.

The Human Development Report 1998 (pp. 117/18) states that in Nepal top 6 per cent landlords control more than 33 per cent of the total agrarian land area of the country, while the bottom 40 per cent of agricultural households operate only 9 per cent of the total agricultural land area. About one million households who depend on agriculture own less than 0.1 hectare of land. They are petty and landless farmers lacking adequate resources for building houses and improving agricultural operations. Bonded and agricultural labourers are also the outcome of the non-implementation of the land reform programmes and skewed distribution of land resources in the hands of selected few.

Responsibilities and Weaknesses in Rehabilitation

There are certain responsibilities of the government towards the liberated bonded labourers which include free education to their children, skill development training based on market demand, efficient management of rehabilitation programme, healthcare facilities, pure drinking water,

security, allotment of about 10 Kattha of land, strict and effective implementation of minimum wages for agricultural workers, fair identification of Kamaiya and necessary budget allocation to complete the rehabilitation programmes in time. However, there are some weaknesses in the government that are hindering the elimination of Kamaiya system in the country. The government enacted the legislation without adequate homework and preparation. The problem cannot be solved only through announcement of providing a maximum of 5 Kattha of land for landless and homeless Kamaiya. This land area is insufficient to meet their requirement, especially in case of large families. No effective measures were taken to grant them employment or provide permanent source of employment.

There are some responsibilities of the NGOs which give preference to awareness programmes. They should provide market-based skill training to the bonded households, co-ordinate with other organizations, concentrate on non-formal education, and emphasize on sustainable development keeping away from politics. There are some loopholes in the NGO rehabilitation programmes which include incomplete nature of action programmes, attachment to individual interest, less co-operation with the government and low employment opportunities in development programmes. The Nepali society still considers *Kamaiya* as an inseparable part of the socio-economic system, and so shows very little concern about their exploitation and ill treatment. This can only be changed through education and awareness.

The organizations should also create adequate awareness among the people to accept *Kamaiya* on equal footing with other members of the society. Political parties and social organizations should adopt policies to put an end to this exploitative *Kamaiya* system instead of harping on populist gains. Kamaiya labourers should unite themselves and express their resentment over tyranny and exploitation and pressurize the government to accelerate the pace of development programmes.

10.8 Laws Related to Bonded Labour Issues

The international convention on the elimination of all forms of racial discrimination has prepared the directive principles of state policies,

which explicitly declare in Article 26 (10), "That the State shall adopt a policy of raising the standard of the socially and economically backward tribes and communities by making special provisions with regard to their education and health." The ILO's convention number 29 concerning forced labour has already been ratified by 135 countries including Nepal. But these solemn declarations have not been truly implemented by the successive governments in Nepal.

The Sub Article 1 of Article 20 of the Constitution of the Kingdom of Nepal, 1990 clearly states that trafficking in human beings. slavery, serfdom or forced labour in any form is prohibited (GON, 1990). Any violation of this provision is punishable by law. Similarly the Civil Code (Muluki Ain) tenth amendment section 11 states that no one shall enslave or undertake bondage to anybody; he or she shall be imprisoned for a period of 3 to 10 years if found guilty. Similarly section 4 on wage states that no one is permitted to extract work from any person without his/her consent. Forced to work against the workers will is illegal and an individual can recover the relevant wages. The person who forces someone to work for him/her shall pay a penalty (GON, 1953). The Contract Act 1964 (2023) is another legal statement, which declares that everybody is free to contract a work and conditions of work suitable to him/her. The contract shall be invalid if it is made through force or under undue influence (GON, 1964). The Act bans all forms of slavery that manifest in labour relationships and institutions that nurture bonded labour practices. The Act provides authority to cancel the debt and other interest-linked contracts and recognize agricultural bonded labourers as sharecroppers and ensure their tenancy rights. However, the need is to strictly implement these laws and punish those who violate them.

10.9 BASE with Bonded Labourers

Backward society education realizes the potential to overturn the bondage labour system not through legislation but through creation of consciousness among the *Kamaiya* and Tharu community. BASE started imparting non-formal education to bonded labourers. They have started evening literary classes for the purpose. Civil right was taught to the bonded labourers to create and launch struggle against exploitation. It provides education to children of bonded labourers in some VDCs

of the study area. The children go to school with BASE's support in school dress, books, stationery. However, People expect more teeth to such development programmes. A number of non-governmental organizations have started ambitious plans for rehabilitation of bonded labourers. Some of them have contributed a lot to uplift the ethnic groups by creating social awareness. They have run some effective programmes for creating awareness among the Tharus. This awareness against the exploitation of landlords (*Zamindars*), merchants and elites has generated hatred and anger among the youths. Many of these educated youth who are unemployed become frustrated and they are exploited by the political parties including the Maoists.

10.10 Role of Land Reform Office

The district land reform office is coordinating the rescue and rehabilitation of the bonded labourers in Banke district. According to the record of the office, 1342 families of the bonded labourers are living in different parts of the district. Among them, 165 families are landless and homeless and 736 families are landless only. The office has provided land to the labourers in the following resettlement sites: Rajhena VDC, Ward No 4, Bankhet is the main resettlement spot of the bonded labourers. Here there are 106 families who have been distributed land piece of 4Kattha each. These families were from the different parts of the district. The entire land is divided into 12 plots which are separated by 6 metre wide road. VDC Sinabas is the second important resettlement site in the district. Here 47 families of the bonded labourers have been provided land piece of 4 Kattha each and 15 families 2 Kattha each. It consists of 6 plots which are linked by a 4 metre wide road. Phattepur VDC-9, Chatakpur is the third important rehabilitation site in the district. Here, 4 families of bonded labourers have been allotted 4 Kattha each, and 78 families 2 Kattha each. The entire area is a part of 2 plots connected by 4 metre wide road. These bonded labourers were provided 100 tents, 25 blankets and 24 tube wells. Two primary schools are being run by Plan Nepal and BASE. Various NGOs are providing literacy and basic education to the children of the bonded families. The school physical facilities are very poor and the response is not very encouraging (see pictures in earlier chapter) DDC Banke is constructing road under the Food for Work Programme.

It has provided technical assistance to develop low cost housing and conduct basic training in this respect. The Department of Forest has provided 75 cubic feet of timber to the families of bonded labourers free of cost. The Western Nepal Poverty Elimination Commission is providing Rs. 10,000 to each household for housing work. Thirty-five tents and three tube wells have been provided to the Baijapur camp. The settlement has been divided into different groups each consisting of 25 families. These groups have been named after different flower names.

Training Provided to the Bonded Labourers

Some organisations are providing training to the bonded labourers to improve their skill. Such training include carpentry (Sikarmi) (20), masonry (Dakarmi) (20), electric wiring (15), sewing and cutting (20), vegetable farming (20), hair cutting (6), bee farming (30) and nursery (40 persons). GTZ has provided Food for Work programme. The labourers are provided with vegetable seeds, and agricultural implements. Plan Nepal has installed 10 tube wells for drinking water to the bonded households. Garibi Nibaran Manch and Water Supply Authority have bored 8 and 3 tube wells respectively. RRN has started literacy programme for bonded labourer's children.

10.11 Intervention

Ministry of labour (MOL) is operating various programmes to develop skill in tailoring plumbing, repairing, press composing, electric fitting, weaving, hair cutting and carpentry among the bonded labourers. Backward Society Education Program (BASE) has been working on social reforms Informal Sector Service Center (INSEC) is launching programmes to create awareness among the bonded labourers since 1993. The current situation of bonded labourers in the study area is characterised by a landlessness, homelessness, unemployment, food deficit, lack of integrated system for rehabilitation, dearth of basic facilities. Landlessness and uneconomic small landholdings are the major causes behind bonded labour practice. Generally they earn their livelihood by working in the farms and houses of the Zamindar/merchants. Due to lack of alternative employment and suitable skills, these labourers are solely dependent upon loans taken at high interest

from the landlord. The labourers are required to do all agricultural and household chores till repayment of their loan to the landlord. Seeing this, a number of NGOs and voluntary organizations are working in the area to champion the cause of the bonded labourers. They have provided immediate and long-term help to these labourers. Table 8.IV presents a list of such organizations.

Table 10.IV: NGOs and Voluntary Organizations involved in Rehabilitation

Organizations	Benefited HH. (No.)	%
BASE	67	7.99
Garib nivaran	5	0.60
INSEC	4	0.48
None	577	68.77
Others	176	20.98
GTZ	4	0.48
Red Cross	6	0.72
Total	839	100.00

Source: Based on 839 Sample Households Survey, 2001.

With different awareness raising programmes, BASE has reached 67 bonded households (7.99%) in the region, Garib Nivaran to 5 bonded households (0.06%) and INSEC to 4 households (0.48%). GTZ has provided rehabilitation aid to 4 bonded households (0.48%) while Red Cross has supported 6 bonded households (0.72%). About 76 bonded households (20.98%) have got help from different voluntary organizations. These organizations are mostly localized based on the collective efforts of the people. Some 577, out of 839 sample bonded households (68.77%), have so for not received any help from NGOs and voluntary organizations in their rehabilitation. This shows the extent of slow pace in the rehabilitation programme causing frustration to the emancipated bonded households. Failure to reach timely aid to bonded households compels them to again go back to the bondage system. This makes mockery of the entire programme.

When asked about the condition of social security, 57.57 per cent of bonded labourers described it good, 17.40 per cent as better and only 22.05 per cent as non-congenial. About 2.98 per cent of the households of the labourers did not respond to the question on social security. (Field Survey, 2001).

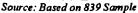
Political Impression

When questioned about the role of political parties in the emancipation and rehabilitation work, 94.01 per cent of the sample households replied negative. Only 3.46 per cent of the bonded households saw the role of the Nepali Congress, 2.15 per cent saw the role of other regional and national political parties and 0.36 per cent saw the role of Trade Unions and Trade Union Congress in the rescue and rehabilitation of the bonded labourers (Field Survey, 2001). Locally involved organizations like Bhumisudhar District Office, District Development Committee Banke, GTZ, Mahila Manch and some Clubs have also extended their cooperation in the rehabilitation of the bonded labourers.

Human beings are a social creature who cannot live without society. Although people consider politics a dirty game, yet they play it endlessly. A question was asked to the bonded labourers whether they liked any political party or not. It is clear from the table that 282 bonded households (33.61%) of the total sample have indicated their support for Nepali Congress, 32.78 per cent for UML, 12.40 per cent for R.P.P., 1.07 per cent for Maoists, and 0.36 per cent for R.S.P. About 12.40 per cent showed their preference to the independent candidates and 7.39 per cent to various small political groups (Table 10.V and Fig. 10.3).

Table V Political Impression among the Households

Political parties	Impressed HH.No.	%
NC	282	33.61
UML	275	32.78
RPP	104	12.40
RSP	3	0.36
Maoists	9	1.07
Independent	104	12.40
Others	62	7.39
Total	839	100.00



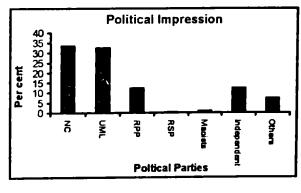


Fig. 10.3

Households Survey, 2001.

More than two-thirds of the households were not very happy with the behaviour and ruling style of the political parties since the restoration of

multi-party democracy in Nepal. Corruption, groupism, lack of good governance and terrorism are the main demerits mentioned by the people.

Situation After Emancipation

Govt/N took a historical and bold stride by announcing a complete liberation of all bonded labourers from their age-old bondage on July 17, 2000. The practice of bonded labourer system has been declared illegal and all bonded labourers have been made free from their debt as well as the previous contracts with the landlords. It is also declared that breach of this law shall result into 3-10 years of rigorous imprisonment. The government also formed a high level Kamaiya Identification and Monitoring Committee headed by Deputy Prime Minister at the centre and also in the five concerned districts headed by the respective DDC chairperson.

Table 10.VI: Situation after the Abolition of Bondage

Situation	нн.	%
Was better earlier	43	5.13
Is better now	600	71.51
Not different	93	11.08
Don't know	103	12.28
Total	839	100.00

Source: Based on 839 Sample

Households Survey, 2001.

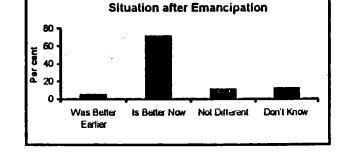


Fig. 10.4

The study survey shows that despite the enactment, there are still a number of bonded labourers in the region which have not been made free. They can be found living with landlords under the old terms and conditions whereas some are working under new agreement of sharecropping in the changed context. The new pattern of sharecropping has again started exploitation of women and children of the freed *Kamaiya* families. The landowners give their land on sharecropping to the former *Kamaiyas*, but the adult female members and children are oblized to work at the landlord's household. This is a new form of exploitation of *Kamaiya* families after the declaration of their liberation. Almost all families of the bonded labourers are still the most vulnerable group. The children are always deprived of the basic primary education

and minimum health care facilities. They work without receiving anything in return or in exchange of their labour except two meals a day and one or two pairs of clothes a year. When a question was asked to the bonded households about the situation after the abolition of bondage, majority of them (71.51%) expressed satisfaction over better situation than in the past. But for 11.08 per cent households, the situation is not different from the past, while for 5.13 per cent, it is worse than before. About 12.28 per cent of the bonded households did not like to answer the question (Table 10. VI and Fig. 10.4). The government has formally accepted the existence of bonded labourers in the form of Kamaiya system and has allocated some amount in the annual national budget to conduct various activities under Kamaiya Rin Mochan Tatha Britti Bikas Karyakram, under the Ministry of Land Reform and Management. Later on, this programme was renamed as Kamaiya Punarsthapana Tatha Britti Bikas Karyakram after the declaration of Kamaiya liberation. In addition, the Ministry of Labour launched Kamaiya Mahila Ship Bikas Karyakram in five Kamaiya dominated districts of the country. Various training programmes were launched for landless and homeless labourers like training in vegetable farming, bee farming, papaya farming, tailoring, carpentry, masonry, electrification, and hair cutting to improve their skill for employment including selfemployment. The Ministry of Local Development has also taken concentrated initiatives to launch Food for Work Programme with the help of GTZ, DFID and WFP in the areas to provide employment to Kamaiya families. But as the results of the enumerations show many Kamaiya families are still suffering because the benefits of the rehabilitation programmes have not reached them due to corruption, red-tapism and nepotism. There is a need to remove these obstacles and give more teeth to development programmes so that their benefits can reach the poorest families of the bonded labourers.

CHAPTER 11 SUMMARY, CONCLUSION AND RECOMMENDATION

11.1 Summary

The study has attempted to provide an account of the bonded labourers (Kamaiya system) of the Mid-Western Tarai Region of Nepal, especially of Banke district. Under the landlord's age old Kamaiya system, the agricultural labourers have been entrapped since long time. The government development initiatives have failed to redress the economic problems of the weakest and most marginalized members of the village who have no say in the decision making process. Instead, these marginalized groups have been used to reinforce the power of the landlords and the elite class at the local level. The Nepali caste and landholding structures are regarded as the major causes for the Tharu to fall victim to the system of bondage. Abject poverty, mass illiteracy and landlessness have further aggravated the situation.

The bonded labourers' issue is the remnant of the feudal system. Consequently, the system of debt bondage and serfdom still exists in many districts, slightly in different forms. Accordingly, the bonded labour in the form of *Kamaiya system* prevails in the western Tarai region of Nepal. The experience of both India and Pakistan shows the need to introduce legislation to abolish this system of forced labour and slavery. Ethnic groups from the western Tarai are considered low in social status, but they do not fall under the 'untouchable' group. The vast majority of the bonded labourers who are affected by the system are from Tharu community which has low social status. The *Dangaura* Tharus are the native people of mid- and far-western Tarai regions. Farm workers are popularly known as *haliya*, *haruwa*, *kamaiya*, *kamlahari* and *jan*. The animal herders are known as *gothala*, *charuwa*, *gaibar*, *bhainsbar* and *chebar*. The *kamaiya* and *kamlahari*, *gothala* and domestic helpers are the main forms of labour found in all sexes and ages.

The study has attempted to show the relationship between economic and social compulsions and the bonded labour. Bonded labour

in this study has treated as dependent variable where as geographic, demographic, socio-cultural, economic and political compulsions are treated as independent variables.

The research hypothesis formulated for the study visualizes that educational status and bonded labour are inversely related because most of the Tharu who are illiterate are in the bonded labour system. Bonded labour is not only the compulsion, but also the system of the community. Similarly, poverty and bonded labour also have positive relationship. Landless and homeless people are in bonded labour under the Kamaiya system. Children of the bonded labourers do not go to the school, because they need to work for supplementing family income. Women and children of the bonded labourers are more exploited than the adult male. Family size and bonded labourers have no positive correlation. Social events have invited debt, and the debt has forced the people into bonded labour. Illiteracy of parents and lack of awareness are the causative factors for bondage. The system that was handed down by the ancestors has been adopted by the new generation and has continued since long time. Poverty and debt have worked as the raw material for the bonded labour producing industry in the region. Emancipated bonded labourers are freed from the owners, but have been again chained under a new system. In some cases, the situation of the unidentified bonded labourers is worse than the emancipated ones. The government has provided basic needs to the emancipated bonded labourers more than the INGOs or the NGOs.

The present research is based on the primary sources of data where 839 households were selected from nine VDCs in Banke district. Questionnaire, observation and interview were the main methods of data collection. Some secondary sources especially CBS data were also used

The research has been organized into nine chapters. The first chapter deals with conceptual framework that includes introduction, review of literature and methodology. The second chapter deals with geographical setting of the study region. The third chapter discusses the demographic background of the region. The fourth chapter describes the bonded labour system while the fifth chapter analyses the socio-

cultural factors responsible for the ignoble system. Sixth chapter throws light on the economic condition of the bonded labourers. The seventh chapter enlists the case studies, relevant photographs, and results of the statistical analyses. The eighth chapter describes the policies and programmes for the emancipation and rehabilitation of bonded labourers. The last chapter presents summary, conclusions and recommendations of the study.

The kingdom of Nepal presents geographical diversity due to the effect of altitude. It presents variation in climate, natural vegetation, soil, agriculture type and economic activities. The study district Banke has no such remarkable topographical variation except the caste-ethnic diversity.

Banke district covers a total area of 2,337 sq. km. housing a total of 385,840 populations (2001 A.D.). The average household size of the district is 5.7 persons and the average density of population is 165 persons per sq. km. Majority of the population belongs to the working age-group of 16-60 years while only 5.59 per cent falls into the old age group of 60+ years (bonded labourers 3.9%) (CBS, 2001). The study region is dominated by Hindus (78.19%) followed by Muslims (18.98%), and Buddhists (2.02%). Majority of the bonded labourers belong to Hindu community.

Nine VDCs were identified for field work which covered 29.4 per cent of the total population of the district. The average population density of these VDCs is 230 persons per sq. km. which varies from 100 to 618 persons. The average household size of the sample VDCs is 6.04 persons, which varies from 5.2 to 8.4 depending upon the situation of the area. The total population of these VDC is 113,539 with a sex ratio of 100.3.

The bonded labour system has been reviewed and the description is based on the analysis and interpretation of the available data. The origin of bonded labour system, social organizations, class-caste distinctions, concept of caste system, tribal societies, forced labour and slavery, Tharu population and bonded labour, historical perspectives of the bonded labour system in Myanmar, Pakistan, India, Roman and Greek societies have been analyzed.

The bonded labourers come under different categories: *Kamaiya* (66.3%), domestic servants (27.4%), *Kamlahari* (1.5%), *Bukrahi* (1.1%) and *Gothalo* (3.7%).

About 96.19 per cent of the bonded labourers speak Tharu language while 2.15 per cent speaks Nepali language. The percentage of other language speaking population is negligible. Among the bonded labourers, 96.9 per cent is touchable, while the untouchable and the marginalized groups are very limited (Field survey, 2001).

The bonded labourers have their own marriage system in which they spend a lot. Most of these labourers have nuclear family (61.26%). Joint family (38.03%) and large family (0.72%) are limited. Most of the houses are mud-built (55.33%) and thatched (43.74%) These huts have one common room with sloppy roof covered by grasses and plastic sheets.

The position and role of women in the family of the bonded labourers are better than in other untouchable caste groups, although they are exploited and abused by the landlords.

Majority (68.06%) of the bonded labourers reported that they were born in the same VDC where they presently live. Some of them reported that they migrated from Dang district during their father (34.92%) and forefather's (23.84%) time. Only a small percentage said that they migrated in their life time. A sizeable majority of them said that there is probability of further migration (90.94%) in search of better economic opportunities. The reasons of their migration, as they reported, are search for new employment, agricultural land and better prospects for food.

Bonded labourers have their own social customs, which reflect impact of Hindu culture. They worship many Hindu deities, gods and goddesses, plants/trees and mountains. The stages in the life cycle of the Tharu bonded labourers may be traced as 10/12 years Chhegrahawa Chhegrinya, 12/13 years Bardiya/Bardinya, 14/15 years Bhaisarwa/ Bhaisarnya, more than 16 years Kamaiya/Kamlahari and the eldest son as Gardhuriya/Gardhurinya. The labourers' staple food includes rice (34.41%), Roti (18.26%), Dal (19.06%) and vegetable (23.34%). Fish is a rare delicacy available to

only a few (3.06%) of the bonded households. The lack of nutritious diet and hard manual labour expose them to deficiency diseases.

A good number of bonded labourers celebrate Maghi as their main festival (41.01%). Other festivals are *Dashain*, *Tihar*, *Holi*, *Krishnastami*, *Atbari*. *Maghi* is the New Year and is called the black day, because they generally get into bondage on that day through a verbal or written contract. It is celebrated from three days to one week with eating, dancing and merry making. Bonded labourers have a lot of traditional skills. They produce most of the goods of daily use themselves. They dress simple and most of their ornaments are made of copper. They like to be addressed as *Maharajji*. They utter *Sitaram* to greet each other.

Different types of land tenure systems like Raikar, Birta, Jagir, Rakam and Guthi were prevalent in Nepal. The main land tenure systems in Tarai are Haruwari, Hali, Dhakre, Khetala, Jan and Bali. Tharu bonded labourers have a definite procedure to enter into bonded system. Khojhani-Bhojhani is the main process through which contract between landlord and labourers are made. This contract may be written or oral. The bonded labourers do different types of farm and domestic work in the landlord's house. They are mainly employed for agricultural work but are forced to do all domestic work as well. As a secondary occupation, during leisure, they are engaged in self-farming (61.4%), animal husbandry (16.3%), fishing (12.3%) and hunting (2.5%).

The bonded labourers' jobs include agriculture (25.16%), wood collection (19.43%), grass cutting (19.00%), wage labour (18.49%), cleaning (11.83%) and miscellaneous work (6.09%). The amount of wages varies depending on their sex and age. Mostly women, children and old people get less remuneration than the adult males.

Most of the women employed in household work and children engaged in cattle herding are not paid fixed wages. The wage rate for male labourers lies between NRs. 75 and 100. There are very few labourers who get more than NRs. 100. In majority of the cases wages are paid in kind (crop produce) than in cash.

Saunki (debt) is the main aspect of these labourers that binds them with the landlords. Majority of them (75.80%) have taken Saunki (debt) themselves while in case of a few households, the loan was taken by their fathers (2.74%), and grandfathers (1.48%).

Most of the bonded labourers had taken Saunki to meet food shortage (52.84%) followed by medical treatment (27.90%), marriage (10.86%), social events (2.72%), adultery (0.74%) and miscellaneous purposes (4.94%). About one-forth of the bonded labourers were working since their father's time and almost equal percentage since their grandfather's time. Among the bonded labourers, 22.5 per cent are women and 4.03 per cent children.

The rate of interest charged by landlords on the loan given to the bonded labourers varies from 0 to more than 60 per cent per annum. The sample survey shows 21.73 per cent of the bonded households to have paid less than 24 per cent of interest, 35.3 per cent households to have paid between 40-60 per cent of interest, and 27.4 per cent household, to have paid more than 60 per cent of interest per annum. Only 9.38 per cent and 6.17 per cent of the bonded households pay between 24-36 per cent and 36-48 per cent of interest per annum respectively. This exorbitant rate of interest puts these bonded households into permanent debt trap from which there is no possibility of escape.

Poverty (34.84%), illiteracy (17.33%), landlessness (16.52%) and unemployment (15.16%) are the main causes for bondage in the region. Lack of awareness (3.85%) and payment of debt (2.30%) are other causes which put bonded labourers into the debt trap.

More than half (57.81%) of the bonded households have very low nutrition level. A quarter of them (25.75%) have low level of balanced diet, while 14.42 per cent come under less than average level. Only a small fraction of (0.60%) of bonded households is capable of taking average balanced diet. Lack of proper nutrition exposes them to the risk of ill health and deficiency diseases.

There are 22.05 per cent bonded labourer households that work for less than 9 hours per day. Similarly for 2.5 per cent households, the work hour is more than 19 hours per day. About 43.74 per cent labourers work from 10-12 hours, and 19.79 per cent households, from 13-15 hours per day. Another 11.92% of households of bonded labourers have to work from 16-18 hours per day. About 43.15 per

cent of bonded households cannot enjoy any leave during the year. Another 39.93 per cent households get less than 10 days of leave per year. Leave is hardly granted to bonded labourers, while extra labour is a common practice. This makes the life of bonded labourers dull and monotonous.

Contract is generally made for labour, loan and land (3Ls). Labourers also do verbal contract, but in case of cash loan, written contract is preferred. Written contract is popular among 4.89 per cent of households and 0.83 per cent households have other type of contract. The amount of debt varies from NRs. 2,000 to above NRs. 10,000. About 31.6 per cent of the debtors have less than N Rs. 2,000 loan. Like that 19.75% households have loan of N Rs. 2,000-4,000. The amount of debt, 23.70% households have from N Rs. 4,000-6,000 and 12.10% households have the loan of N Rs. 6,000-8,000. Only 2.96 per cent of the bonded households took the loan amount between NRs 8,000 and 10,000. Least but less than 9.88 per cent households took more than NRs. 10,000 loan. About 40 per cent labourers took the loan for 2 years back. Similarly 13.09 per cent bonded households took the loan from 2-4 years back. Likewise 21.73 per cent from 4-6 years back, 9.63 per cent from 6-8 years back, 5.43 per cent from 8-10 years back and 10.12 per cent from more than 10 years back loan duration.

Majority of the bonded labour households (about three-fourths) lack skills for entertainment. Some of these labourers have obtained technical training: carpentry (13.64%), masonry (12.44%), Saloon (3.83%), rickshaw pulling (11.72%), nursery development (20.81%), farming (31.58%) and livestock raising (5.98%).

The sample study shows that 60.79 per cent bonded households are illiterate and 27.77 per cent households are able to only read and write. Only 10.01 per cent bonded labourers have schooling up to primary level. The number of those bonded labourers who have achieved secondary and higher level of education is negligible. Most of the children of the bonded labourers do not go to schools because they lack money (45.19%) and time (19.01%). Other causes responsible for the malady are lack of conscience (12.35%), survival (7.65%), threatening by the

landlords (8.15%), etc. (7.65%).

The main source of drinking water for bonded labourers is tube well. Most of this water is untreated. Villages lack piped water supply, and toilet facilities. Wood is the main source of domestic fuel (71%) followed by cow dung (21%).

There is a lack of modern means of transport and communication except radios, bicycles and bullock carts. Bonded labourers buy mainly goods for consumption from the nearest market centre. They have their own birth and death rituals. Smoking, drinking, tobacco chewing, singing and dancing are their main personal habits. They get entertainment from family, community and cultural programmes in the area. They generally do not use their conscience during their work in the landlords' house. Various photographs of bonder labourers have been presented to explain their overall status. The photographs show the socio-cultural, economic and traditional characteristics of these labourers. Some statistical analyses have also been made to test the validity of the hypotheses.

Health conditions of the bonded labourers are not satisfactory. There is no visible impact of family planning programmes on these labourers. The sample study shows that 36.59 per cent households have only heard about family planning programmes, while 23.60 per cent of the households have shown their liking for these programmes. About 86.65 per cent households do not use any family planning devices. Among temporary means of family planning, 70.20 per cent users like condom, 13.13 per cent like Norplant, 6.57 per cent use pills and 10 per cent use other means of family planning. Only 13.35 per cent have adopted permanent means of family planning in the area. Among them, 4.17 per cent have gone for vasectomy and 9.18 per cent have preferred laparoscope. About 6.67 per cent are handicapped and disabled. Most bonded labourers are illiterate, ignorant and lack awareness about the consequences of rapid growth of population. Education appears to be the most important factor which could bring change in the attitude, awareness and thinking of these people. It may also help in rising the age of marriage of boys and girls and understanding the issues of human rights. Population education and health education programmes are

necessary for these labourers. Fulfilment of basic needs and infrastructural facilities need careful attention. Integrated developmental programmes should be launched and the unidentified bonded labourers should be identified and rescued. Rehabilitation programmes should include employment and job guarantee. There is also a need to take effective step for eradicating malaria and encephalitis from the region. Adequate and cheap medical facilities should be provided which should include proper care to pregnant women, children, old and destitute.

The Government emancipated bonded labourers on 17 July 2000 by declaring bondage as an offence and punishable under Nepalese Law. Since then various programmes have been launched for the identification, rescue and rehabilitation of bonded labourers. The government has provided land to 32.31 per cent households and house loan to 4.77 per cent households. Training was imparted to 5.36 per cent households and employment opportunity to 6.67 per cent households. Still there are 43.38 per cent households of the bonded labourers who are not benefited from rehabilitation programmes. Most labourers expressed happiness over the emancipation, but 16.57 per cent did not find any difference between bondage and freedom. Although laws have been formulated declaring forced labour and bondage illegal, but the inherent loopholes in them have encouraged their violation and defiance. INSEC, BASE, Plan Nepal, RRN, GTZ, KLF, KCG DDC are working for the rehabilitation of bonded labourers in the region. A number of bonded labourers are yet to be identified and rescued. Some of the clever landlords have made these bonded labourers as share croppers and are openly defying the law. The situation needs a thorough survey of these labourers, and stringent laws. Post-emancipation needs GO and NGOs' serious attention to the bonded labourers.

11.2 Conclusion

Nepal is a country of geographical diversity due to the effect of its varying altitude. There is variation in climate, natural vegetation and ethnic groups. Banke district possesses not topographical, but ethnic variation. However, Tharu ethnic group is predominant.

The study is mostly based on primary data collected through bonded

labourers' household survey and interview. The sample included different types of bonded labourers from *Kamaiya* (66.3%) to domestic servants (27.4%), *Kamlahari* (1.5%), *Bukrahi* (1.1%) and *Gothalo* (3.7%).

The result of the study shows extremely deplorable social and economic condition of bonded labourers. Not only are they kept under life long bondage with high interest on petty loans, but their women and children too are exploited and abused. Historical evidences show that forefathers of these bonded labourers were the original settlers of the Tarai region. Their main occupation was agriculture and allied activities. But in due course of time, they were deprived of their valuable cultivated land by later migrants, elites and moneylenders. Disposed of agricultural land, they became landless labourers and were gradually put under bondage due to their poverty and ignorance. This is also a region of mass illiteracy in Nepal. Over 60 per cent of the bonded labourers are illiterate. Among the literates majority have schooling up to primary level. While poverty (71.87% of bonded labourers are landless) compels these people to go to the landlord and moneylenders for taking loan, the illiteracy (61.79% of bonded labourers are illiterate) makes room for manipulating the loan amount and the terms of contract (94.28% of the contract are oral). That is why a small amount of loan (75% of bonded labourers have of taken loan of less than NRs. 6,000) becomes non-payable despite life long toil and hard work. These loans carry exorbitant interest (84.45% bonded labourers pay more than 24% of interest annually) as a result of which burden of dept increases many fold with the passage of time. So much so that unpaid loans are transferred to successive generations (48% of bonded labourers are working since second and third generations). Many Tharu are born in bondage, live in bondage and also die in bondage. The system is a remnant of the old feudal society wherein weak, simple, and ignorant people have been exploited by the strong, rich and clever ones.

The social condition of these bonded labourers is far from satisfactory. About 61.26 per cent of these labourers have nuclear family (the average household size being 6), while 38.02 per cent live in joint family. About 65.08 per cent of these labourers are houseless, 12.27 per cent live in the huts built by their landlords and 10.73 per cent have illegally occupied government land for building their huts (mud wall and

thatched/polythene roofs). They have to work from early morning till late at night (78% of bonded labourers work for more than 10 hours/ day), with no or very limited provision for leave (43% of bonded labourers do not get any leave while 40% have less than 10 days of leave per annum). Due to poverty, they are not able to afford balanced diet. Over 71 per cent of the bonded labourers depend only on rice. bread and pulse as their staple food. In majority cases, the behaviour of the landlord is bad to worse. Not only do they abuse and fine them for the slightest reason, but also they subject them to physical torture. Women and children are the worse sufferers. Young women are molested and equally abused. The living condition of these bonded labourers is from bad to worse. They have almost lost the pleasure of life. Lack of nutritious food and poor working condition characterised by long working hours make them prone to disease which shorten their span of life or compel them to lead a life of disabled. The government of Nepal is quite aware of the problems of bonded labourers in the country. It has not only enacted laws to make the bondage and forced labour illegal and punishable but has taken the rigorous task of identifying bonded labourers, emancipating them from the clutches of the landlords and taking effective steps for their rehabilitation. Many NGOs and voluntary organisations (even from foreign contribution) are contributing to the task of rehabilitation. The programme includes allotment of 2-4 Kattha of land to each household, free land for building house, monetary help including loan for the construction of house, installation of tube wells to provide pure drinking water, providing school and hospital facilities and training for skill development and self-employment. But, hardly one-third of the bonded labourers have been benefited. There are still a number of families of bonded labourers who are to be freed from the clutches of landlords. Taking advantage of the loopholes of the laws, many landlords are clandestinely carrying out the practice declaring bonded labourers as sharecroppers. Due to non-effectiveness of the rehabilitation programme, some emancipated bonded labourers have preferred to return to the system of bondage. This exhibits that unless effective measures are taken to better the economic and social conditions the bonded labourers, the problem will remain ever unsolved. The analysis of the information proves the validity of the hypotheses

formulated to be proved.

11.3 Recommendations

The Tharu were once the landlords of Dang district, but were gradually deprived of their land and were relegated to the status of bonded labourers (Kamaiyas). Their poverty, illiteracy and ignorance made room for their bondage, exploitation and victimization. In general, they are feeble, suppressed and exploited (Chaudhary, 1999). On the basis of the study of the sample households of the bonded labourers, the researcher is of opinion that the problem of bonded labour has deep roots in socio-economic condition of the region which needs careful study and serious planning. So, the following guidelines are proposed to be incorporated in the emancipation and rehabilitation programmes:

- 1. There should be fresh proclamation abolishing all types of slavery, bondage and forced labour with stringent punishment for offender. Since Nepal has ratified the Slavery Convention (1926) and the Supplementary Convention on the abolition of slavery, the slave trade and institutions and practices similar to slavery (1956). The government declaration based on the Cabinet Decision of July 17, 2000 suffers from many loopholes which are necessary to be plugged to make the law more effective and purposeful.
- 2. An autonomous organisation should be constituted to be entrusted with the entire task of identification of bonded labourers, causes of bondage, type of exploitation and quantum of punishment to be given to the landlords and exploiters. Not only all previous and existing agreements of loan/debt and mortgaging labour should be declared null and void, but special court should be formulated for early and quick disposal of cases related to bonded labourers, their exploitation and ill-treatment.
- 3. The victims of bonded labour and serfdom must be provided adequate means to generate enough income of their own to lead a normal and decent life. Each bonded labour family should be provided not less than 5 Katthas of land for agriculture.

The area should be increased at a rate of 0.5 for every additional member of the family. These bonded labourers should also be provided with necessary training for new agriculture, allied activities in agriculture and sufficient expertise for self-employment. Agricultural inputs and financial help should be provided to boost up the morale of these labourers.

- 4. There is a need to launch land reform whereby tiller's right is restored over the land. Surplus land should be confiscated through new Land Ceiling Act and distributed among the landless bonded labourers. Consolidation scheme should be introduced to bring scattered fields together and avoid further division of land holding.
- 5. There are still a number of bonded labourers in the region who are yet to be identified and rescued. Massive drive should be launched with the help of local public to search out such bonded labourers and to emancipate them.
- 6. The Labour Act of 1992 fixes up minimum wages and conditions of work in the industrial sector. The Act is not extended to agriculture, except in case of some government owned plantations. According to the Muluki Ain (Civil Code) of 1991, conditions of work and rate of payment are matters to be decided by the mutual consent between the employer and the employee. That is why even if an employee is working without any wages, no legal action can be initiated against the employer. The Act should be suitably amended to fix up minimum wages for agricultural workers, construction labourers and domestic servants (both male and female) with provision for holidays, insurance, provident fund and pension.
- 7. There should be complete ban on child labour. Children between the age group of 5-16 years should be compulsorily sent to school where provision should be made for free-ship, scholarship, free distribution of text books, mid-day meal, and health check up for weaker section of the society like bonded labourers, *Dalit*, *Janjati*.
- 8 There should be complete ban on discrimination on ground of

- community, caste and sex. The poor and weaker section of the society including women and untouchables should also be involved in the formulation, monitoring and implementation of development programmes. Village Development Committees (VDCs) should be entrusted with such work.
- 9. Bonded labourers have borrowed money from informal sources like landlords, moneylenders for purchasing food grains, medical treatment and social obligations at exorbitant rate of interest. It is this debt which has kept them under bondage. The government should make arrangement to provide such loans on nominal interest through Village Development Committees (VDCs), Co-operative societies, banks and similar organizations.
- 10. NGOs and voluntary organizations should be allowed to chalk out detail plan to train the emancipated labourers in skill development (for employment), to adopt ways and means to remove their poverty, to start adult literacy programmes, to make drive for child education, to provide medical facilities, to popularise family planning programmes and to improve their awareness about rehabilitation programmes so as to oppose tyranny and exploitation.
- 11. NGOs should also work on awareness raising group formation, human rights education through the introduction of non-formal literacy programmes and evening classes. Emphasis should be laid on such programmes like income generation, credit and saving schemes and special attention on the condition of women and children in bonded labourers' families.
- 12. The government should enact stringent laws prohibiting bonded labour, slavery, forced labour, child labour, exploitation of women and children and trafficking in women and children. Special law courts should be constituted for speedy trial and disposal of cases pertaining to such offences. Security arrangement should be tightened along the international borders especially Indo-Nepal border.
- 13. Minimum wages for the agricultural labourers and their working

hours should be fixed. Provisions should be made for leave, medical relief and accident benefit insurance cover for labourers. Rate of annual interest to be charged on loans and all loan agreements should be in written form and authenticated by a government officer not below the rank of a gazetted officer. Banks and public agencies should be directed to advance loans to small farmers and landless labourers at cheaper rates. There should be special provision for advancing loan to unemployed educated / skilled youths for self-employment.

- 14. It has come to the notice of the researcher during the course of survey that many children from poor families of Tharu and other communities are working with rich people and elites (including the government servants and ministers) as domestic servants. These servants are paid very low wages and are often exploited. Some children are also employed by the hoteliers, businessman and factory owners on small wages. Such type of child labour should be banned through legislation which should include strict action and heavy penalty against employer. A detailed survey should be conducted of the area through which presently working children should be freed and sent to school. To avoid financial loss to the concerned family, some monetary help may be provided with strict warning for not discontinuing the child education below the age of 16 years.
- 15. A number of government, non-government, and voluntary organizations are working on the programme pertaining to the liberation and rehabilitation of bonded labourers in the study region. Due to lack of co-ordination, there is duplication in welfare schemes, hence a co-ordination committee should be constituted at VDC level to co-ordinate different schemes, decide priority, monitor the implementation of the schemes and give feedback to the funding agency/organization.
- 16. The study region is witnessing abnormal growth of population. It should be checked by popularizing family planning programmes with main focus on providing incentive for small family. Population education may be very fruitful in this

direction.

- 17. Bonded labour households should be imparted adequate knowledge about childcare, health care, balanced diet and cleaning the environment. This would help in improving the quality of life of these people.
- 18. Women are treated as a second grade citizen from home to their place of work. This gender discrimination against weaker sex should be prohibited through legislation. Accordingly females should be given adequate representation in VDC assembly, *Pratinidhi Sabha* and government employment.
- 19. Due to poverty and pressure of work, cultural associations are disappearing. These should be reactivated to break the monotony of life and work.
- 20. Institutions like VDC should be more democratised and given greater autonomy to manage the local affairs. The entire task of identification, emancipation, rehabilitation and development may be entrusted to such VDCs (with elected representatives) and the government should only have supervisory role. These programmes and schemes should not remain on paper only. Instead these should be sincerely and honestly implemented so that their benefits will go to the bonded labourers and permanent solution to this problem will be applied. If such exploitation and backwardness of this section of the Nepalese society are allowed to go on unchecked, they will attract antisocial and anti-national elements making the area a hide-out of criminals, anti-social elements, terrorists and separatists.

The Findings of the present research are based on the survey of a limited number of households of bonded labourers. For more authenticated and in-depth study, there is a need for more micro level research based on cent per cent sample managed through primary data collected at household/individual level.

GLOSSARY

Aailani Unregistered land

Aandolankari Revolutionist Aayog Commission

Afnomanchhe One's own person
Ahir Tarai caste people

Ammarmati Divine earth
Armal Compensation

Astimki Celebration of Krishna Janma Asthami

Atwar Sunday

Atwari Sunday ceremony of Krishnasthami's week

Aunli A festival after harvesting paddy

Babiyo Tall grass used for making rope and paper

Badar Badari Jari amount paying system

Badghar Elected authority of Khel, the Tharu

indigenous

Badghariya Elite of the village

Badi (Badinifem.) A traditional untouchable singing and dancing

group, exploited in sex market at the moment

Bagar God of saving animals

Bali System of food grains as wages, tax,

harvesting

Bardinya Female cattle herder
Bardiya Male cattle herder

Barhal Increase
Bar-Pipal Banyan tree

Bataiya/Andhiya Sharecropping on fifty-fifty basis

Bathaniya Young girl
Bayer Dried cherries
Begaari Unpaid labour

Bel A kind of sweet-fruit

Beri Evening food

Bhainsarwa 14/15 year children or 45/50 year old men,

buffalo herders

Bhainsbar Buffalo herder

Bhaisarnya 14/16 year's girls or 45/50 years female

buffalo herders

Bhalamansa Chief Person of Tharu community

Bhewa puja Worship of Bhimsen the brother of Pandava Bhuyar Land god of Tharu and the main village deity

Bidi Nepali traditional cigarettes

Bigaha Yearly wage of Kamaiya/Bonded labour
Bigha A unit of land measurement, a type of wages,

(0.67 hector=1Bigha), 30Bigha=1 hector)

Birta Granted land

Brahamin Upper caste Hindu group

Buddhi Knowledge

Budhan Surrounding district of Dang to which Tharus

have migrated

Bukra Hut

Bukrahi Wife and female of Kamaiya who works along

with male labourer

Chaklabandhi Plotting of land

Chaudhary Local functionary who collect taxes, a

headman

Chaukur/Chaumali One forth share of production

Cheli Girl

Chelibeti Close female relatives

Chhailagocha Young boy

Chhawa Son

Chhegrahawa Male shepherd
Chhegrinya Female shepherd

Chhekbar/Chhegriya Goat herder

Chhetri Hindu warrior caste, hill immigrants

Chulaha Oven area, kitchen

Dal Pulses

Dalit Hindu untouchable caste (So call)
Dangaura Tharu originated from Dang district

Daphala A kind of singing instrument
Dashain/Dasya Hindu festival, Durga Pooja

Deshaura Tharus from Bardiya

Deshbandya Gurba Village priest

Deuki Hindu girl offered to temple for boons

Deurher Worshipping room

Dhakre Porters for traders who transport goods and

people

Dhiki Local husking instrument made of timber and

iron

Dhuleri Tharu term for Holi

Dhur/Kattha Land measurement unit

Doko Conical wicker basket used to carry goods

and people in rural Nepal

Ghar gurba House priest

Ghardhurinya Female head of the house Ghardhuriya Male head of the house

Ghatwa Karaina Purifying ceremony held four or five days after

a child is born

Gochali A close and intimate friend

Gurba Traditional healer

Guthi Land assigned for the use of charitable,

religious or philanthropic institutions

Haliya/Hali/haruwa Bonded agricultural labourers

Helka/Gaija Some sort of fishing net

Holi Festival of colours celebrated in March-April
Hulak Land provided for postal carriage, postal

work

Jagir Land for soldiers and governmental officials

for their services and loyalties

Jagirdars Civil servants
Jamindar Landlords

Jand/ Raksi Local brew, alcohol

Jar Person who carries other's wife
Jari A system of paying alms to Sadhu
Jhanga Dowry received by the bride's father

Jhara/Jharali Unpaid labour

Kam oriel dukha bisal Selfish nature

Kamaiya A system of bonded labour, hard working

male, tiller of soil

Kamaiya Mukti Manch Kamaiya Liberation Front

Kamlahari/Kamlariya Hard working female tiller of soil, female

bonded Labourer

Kapar Khaurna First hair cutting ceremony of a child-usually

done by the maternal uncle

Khel An indigenous organization of Tharu

Khojani/bojhani Wages paid to the Kamaiya by the landlord

Kisan A farmer of small holding

Kothari Male member who looks after his family's

needs

Kut Tax or land revenue

Lahure Bataiya One-fifth crop sharing system to the share

cropper

Lalpurja Land document (red colour book)

Languthi Loin clothes

Lehenga Deshaura Tharus women dress consisting of

a blouse and long skirt

Lohar Blacksmith, low caste group (So call)

Maghi Important Tharu festival celebrated in mid

January, Contract day, also called a black day

Mahato Village head

Masyaura Payment in kind made by the landlord to

bonded labourer for one year in Kamaiya

system

Matwali Liquor drinking caste, low caste people

Mauja Unit of land tax assessment

Mijani Afternoon food, lunch

Mukhiya Village head

Muluki Ain Civil Code of Nepal

Muslim Followers of Islamic religion

Nayamuluk Four districts of Nepal (Banke, Bardiya,

Kailali and Kanchanpur)

Organi Female member attend the landlord's

household chores

Organiya Young unmarried girl working as domestic

Kamaiya servant

Pahariya Hill originated people

Panchkur Twenty percent of crops produce to the share

cropper

Parhal Educated

Pathuna Sari Phori Break

Pidiya A festival after paddy harvest

Raikar State registered land cultivable on paying tax
Rakam Land granted by the government to all manual

labourers for wages

Sadhu Hermit, a person relinquishing worldly life

denoted to the worship of God, Whose wife

is remarriage by other

Sakhaina/Parma Community labour exchange system during

the harvesting and planting season

Samadhan Resolution
Samasya Problem
Sapati Borrowing

Sarbahara Sukumbasi Landless poor people, squatters

Sataha Marriage by exchange

Saunki Loan provided to the bonded labourer

Shudra The lowest of the four main division or Varna

in the orthodox

Hindu caste system consisting of occupational

castes and trades

Sorinnya Traditional Tharu mid-wife

Sukumbasi Aayog Squatters commission Sukumbasi Landless squatters

Tagadhari Wearers of the sacred cord signifying the high

caste

Tappa Sector, groups of Maujas

Tarai Narrow low land strip bordering the Indo-

gangetic plain, the most fertile region of Nepal

Tatmas Caste of untouchable status

Teej Women's festival to please Lord Shiva for

welfare and longevity of the husband

Tharu Ethnic group from the western Tarai

considered to be of low enslavable status in the Nepali caste system, but not untouchable; the vast majority of bonded labourers

(Kamaiya) belong to this group

Tihar Deepawali, Festival of light in Nepal, Yam

Panchak, Mha Pooja, Bhai Pooja, (New

year of Newars Nepal Sambat)

Tikur One third of agricultural produce to the share

cropper

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About the book

This book deals with the research work on subject of bonded labourers in Nepal Tarai. It explores the bonded labour (Kamaiya system) in Tharu community. The book is not only analyses the bond processes but also their new emerging causes and consequences of the free bonded labourers (Kamaiyas). The book suggests all the planners, administrators, researchers, non-governmental organizations and to the INGO's to minimized the bonded problems by concerning authorities.

The author has generalized the problem on the basis of intensive research work. Profusely the work is illustrated with maps, diagrams, tables, photos and case studies. So the book is equally invested to the book.

is equally important to the social researchers and students.



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