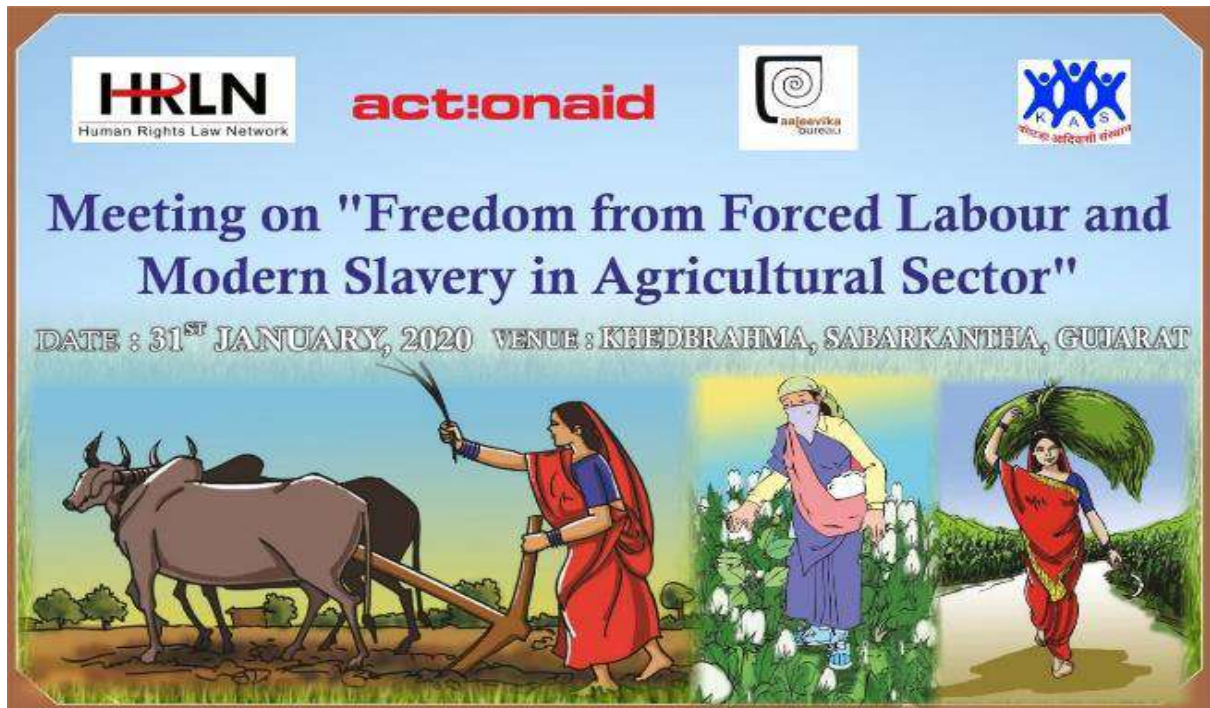


**Report of District Level Meeting on “Freedom from  
Forced Labour and Modern Slavery in Agricultural  
Sector” at Sabarkantha, Gujarat”**



**31st January 2020**

**Organised By:**

**Human Rights Law Network, Gujarat**

**Action Aid Association, Gujarat**

**Aajeevika Bureau, Gujarat**

**Kotra Adivasi Sansthan, Gujarat**

**Human Rights Law Network (HRLN)** had organised a district-level meeting in collaboration with ‘*Actionaid*’, ‘*Aajeevika bureau*’ and ‘*Kotra Adivasi Sansthan*’ on the



theme “Freedom from Forced Labour and modern-day slavery” on 31st January 2020 in Raghu Chaya Hotel, Khedbrahma, Sabarkantha, Gujarat. The sub-theme of the meeting was “Bonded and Potential Bonded Labourers in the Agriculture Sector.”

The meeting commenced at 11:00 a.m. and in the beginning, everybody gave his name, name of organisation and working on concerned issue. And that went on till 11:15 a.m.

**Session 1** (From 11:15 a.m. to 11:30 a.m.)

#### **Objectives of the Meeting:**

The first one to present was **Mrs Sushila** talked about the objectives of the meeting. She told that the meeting was organised to address the issue of numerous bonded labourers in the agriculture sector in that area as the area of Sabarkantha is trafficking and bonded labour affected zone.

The objective was to make the working conditions of the agricultural workers free of bondage. Another one was to identify the workers working as bonded labour in the agriculture sector in Sabarkantha and Banaskantha of Gujarat and to be able to understand this issue in a better way. There is a need to take 2 approaches namely at the Ground level and legal level. And what is most important is a need to work in solidarity to fight this evil of Bonded Labour and to overcome the challenges that can come in the way. It was also told that the Dainik Bhaskar also reported on the same issue on migrant labour becoming bonded labours. It was brought to light that though there is no plan right now to fight this issue which can be taken to the government for their approval. Therefore, in this meeting, the same shall be discussed to overcome the problem of bonded labour.

**Session 2** (From 11:30 a.m. to 12:00 p.m.)

### **The scenario of Bonded Labour in Sabarkantha and Banaskantha**

The next to speak was **Mr. Sarfraz Sheikh** of Kotda Adivasi Vikas Sansthan and he talked about the 'scenario of bonded labour in Sabarkantha and Banaskantha'. Kotda Adivasi Vikas Sansthan is working in Kotra, Rajasthan and Banaskantha district of Gujarat on labour rights. Udaipur is the most backward district of Rajasthan. There are two agriculture areas in Gujarat- Banaskantha and Sabarkantha and that Patel community is the main employer in these areas. It was also told that migration from Rajasthan to Gujarat is very convenient owing to the similarities in languages and familiarity of migration as the same had been going on for the past 20-30 years. Also, there is a tendency of emigration of local workers to other places and immigration of vulnerable tribal communities. Twenty years earlier, advance given to workers was Rs. 10,000/- but now they get around Rs. 30,000/- and as per a survey conducted, it was found that around 3000 families migrated from Kotra to Sabarkantha in 2005 but in 2018-19, 10,000 agriculture workers migrated.

He put a light on the issue of workers not coming forward to protest for the Rs 40 wages that are given to them as against the minimum wage which is set at Rs. 178 per day. This is because there is a wage hunting condition and workers are ready to work for any wage that is given due to the absence of any other alternative. There is a need to approach the government to address the issue of livelihood of such people.

He also told that there are two types of methods of farming that are done in these areas. One of which is *bhag ki kheti* in which bonded labour is widely prevalent. Workers are made to sign a *naukarnama* and are given one-sixth part of the production. The justification for the same is given by stating that workers take *Zameen, khaad, paani, technique* and *beej* from their masters. Workers like to get daily wages but they get trapped in the exploiting practice of *bhag ki kheti*. In this practise, the whole family of the labourer is taken into the production. These workers do not have any criteria for their wages and no social protection is provided to them. The other is Dehadi worker and they are also given fewer wages than fixed by the state.

There are two types of workers. One who works for 6 months and the other who works for 12 months or more and vegetables and BT cotton are produced. Women in these areas do domestic work and animal husbandry work and also do cultivation in Agriculture site. At the workplace, men are exploited at the field, women are sexually harassed and children are made to work in the production of BT cotton due to their soft hands. Also, there is no record

kept for the no. of hours they worked and the wages to be given to them. The working conditions are also very hazardous and they die due to snakebite and poison by pesticides. The labourers are living in dismal conditions under tin-sheds without any drinking water, electricity and sanitation facilities.

He talked about the commendable efforts put in by the organisation. They made diaries keeping track of the wages of the workers and rules and regulations to be followed and assisting them in settlements. One malpractice is followed by the masters in which workers are fired so as to not pay them the wages they deserve.

**Session 3** (From 12:00 p.m. to 12:30 p.m.)

### **The Bonded Labour System (Abolition) Act, 1976**

**Mr. Hamzah Hassan** from Action Aid Association addressed in Section 2 of the Act, which



consists of various useful definitions like that of bonded labour. He emphasised on the putting efforts in identification of bonded labourers. He informed everyone that it is the District Magistrate who is responsible for implementing the provisions of the act.

He meticulously explained the role and responsibilities of the Vigilance Committee which are mentioned in Section 13 and 14 and also their constitution and also raised the issue of these Vigilance Committees not being formed. Their aim is to free the labourer from bondage. The punishment for the offenders can be extended up to three years and also with fine up to two thousand rupees which are mentioned in Section 16 of the Act. Section 21 mentions of summary trials but District Magistrate of Gujarat doesn't use it often.

**Session 4** (From 12:30 p.m. to 1:30 p.m.)

### Migration and Migrant Labour

**Mr. Santosh Pooniya** was the next one to give an address on the topic ‘Migration and



Migrant Labour’ and gave various useful and detailed statistics: 19-20 crore people are working as seasonal migrants. 6.5 crore people are agriculture labourers. 4 crore people are construction workers. 2 crore workers work in mines. 1.8 crore

people are restaurant workers. Maximum people that come in Gujarat come from Jharkhand, UP, and Bihar. He also told that in Rajasthan, there is no fixed process of recruitment of the migrant labour. There is no accountability of the employers and no fixed wages. Also, there is no social security given to them and also, they are not given ration in the new states and this leads to their exploitation.

He was the last speaker before the Lunch break which went on from 1:30 p.m. to 2:30 p.m.

**Session 5** (From 2:30 p.m. to 3:30 p.m.)

### Bondage in Agriculture

Mr. Nirmal Gorana shared some case studies on the rescue of bonded labourers in Gujarat. Gujarat government is indifferent towards the issue of bonded labourers. For bonded labourers, the main challenge is the recognition. The vicious cycle of bondage continues generation after generation.

This is the high time to break this cycle. This cannot be done by individual efforts. We must join hands with various voluntary organisations & trade unions and sensitise them on the issue. There is a need to make a strategy for the same.

During this session, there were many questions raised and they were replied to. He also suggested that there is a need to file a PIL in the Gujarat High Court regarding the survey and awareness on bonded labour of working conditions of workers in agriculture site.

#### **Session 6 (From 3:30 p.m. to 5:30 p.m.)**

#### **Action Plan**

This session was presided by Mr Govind Parmar and Mrs Sushila. They ask for suggestions and made a plan which is as follows:

1. Mrs. Sushila, Mr. Sarfraz and Mr. Santosh will send a letter to district Magistrate of Sabarkantha regarding the constitution of Vigilance Committee and would also send them the project proposal on the bonded labour issue.
2. Mr. Banshi of Khet Kangar Union, Disha would spread awareness in 5 districts namely- Sabarkantha, Banaskantha, Mahisagar, Panehmahal and Arvali.
3. Mr Gulnar of Sarvodaya Mahila Jagriti Sewa Trust will send request letter and project proposal to the District Magistrate of the above mentioned 5 districts. Also, he will file 1 case regarding bonded labour.
4. State level meeting is to be organised within this year in Ahemdabad in which all voluntary organisations and trade unions shall be invited.
5. We will file a PIL in Gujarat High Court regarding the survey and awareness on bonded labour of working conditions of workers in agriculture site.

