

Chapter I INTRODUCTION

1.1 Background

The democratic movement in 1990 made the king a constituted monarch in a democratic multiparty system. The new democratic constitution legalised workers unions and other non-governmental organisations (NGOs), which had been banned under the *Panchayat* system. Many of these immediately started to work for the elimination of the historically established social indifferences and feudal practises. The agricultural bonded labour system known as *Kamaiya*, which mainly is the burden of the low caste ethnic group called *Tharus*, became a central issue.

The *Kamaiya* system is a working relation where a *Kamaiya* bind himself and his family to cultivate a big landowner's land for a yearly payment. In principle the system is based on a voluntary contract but the *Kamaiya* often becomes deeply dependent upon landowner; lives in a hut on his land and get indebted to him, which gives the landowner the role as landlord. As the debt is inherited from father to son some *Kamaiya* families are tied to the same landlord in generations. Is the *Kamaiya* not able to repay his loans at the end of the contract period the landlord can "exchange" his *Kamaiyas* with another landlord who is willing to repay the *Kamaiya's* debt. This characterises a sales transaction, which differentiates it from other bonded labour systems within Nepalese agriculture (INSEC 1997:15).

Through the 1990s the NGOs begins to rank the *Kamaiya* system with slavery and indicates that the system is inconsistent with Nepal's Civil Code, the new Constitution (1990) and the UN Convention on Slavery (1956) which Nepal has ratified. In the same period the *Kamaiya* system is object to an increased number of interventions from the NGOs and gradually also from the state, and the system becomes one of Nepal's best known human rights violations (UNDP 1998:151; Rankin 1999:28). However, in the end of the 1990s national and international NGOs state that the system is still going strong. Thus both in 1996 and 1997 the English grounded organisation *Antislavery International* reports on the issue to the

UN Human Rights Commission (ASI 1997) and in 1999 they send a delegation to Nepal to discuss the issue directly with the government in power (ASI 1999). In its 1999 annual report the *US Department of State* likewise documents that the *Kamaiya* system is still one of Nepal's most severe human rights violations (US Dep. 2000). In accordance herewith the Nepalese human rights organisation INSEC in 1998 establishes that the interventions have failed, as

they have only been able to address the effects of the *Kamaiya* system and not the cause that sustains the system:

In May 2000, 19 *Kamaiyas* file a case against their landlord in Geta VDC in Kailali district in the western part of the Nepalese lowlands. This becomes the start of *Kamaiya* Movement (*Kamaiya Andolan*), which was fully supported by the NGOs spreads to the neighbouring districts and grows in strength in a tornado of lawsuits, rallies and sit-ins. The 19 *Kamaiyas* lawsuit are thus transferred from Geta VDC to the district administration in Dhangadhi, the headquarters of Kailali district, who refuses to intervene by referring to that it is not within their field of responsibility. The *Kamaiyas* and their supporters make a sit-in in front of the building and a few days later it is a scene for a mass rally with thousands of participants. In June lawsuits and rallies are found in other areas of Kailali district and the four neighbouring districts and in July the capital of Nepal, Kathmandu, is hit by a mass rally. The 17th of July 2000 - only two and a half month after the movement started and it pressed government announce that the *Kamaiya* system is illegal and nullifies all debts.

Since the declaration, landlords have begun expelling former bonded laborers from their land, even though by law they were entitled to keep their houses and part of the land they farmed. The displaced *Kamaiya* have been forced to live in emergency camps where conditions are poor. Lack of access to clean water and food and the spread of disease is killing children on a weekly basis. It is estimated that approximately 14, 00 families currently have no land to farm or live on.

Though the Government decreed the *Kamaiya* to be freed and all debts waived, the sudden breakthrough was made in response to *Kamaiya* mass mobilization including protests in Katmandu, without consideration of the consequences. The sudden move has angered the landlords who are also organized. While some *Kamaiya* have left their service, others have been thrown out. Many of these displaced are now squatting in temporary transit camps or living illegally on occupied land (including in the main District town) hoping for Government action to allocate land and provide assistance with resettlement.

The District Development Committee has commenced the task of identifying and registering the displaced *Kamaiya* and a special committee has responsibility in each district for taking this process forward. However official action is slow and still *Kamaiya* families are facing great socio-economical problems.

1.2 The *Kamaiya* System

Before we introduce the theories we have used to analyse and structure our research, we will define our object of research. This chapter gives an

introduction to the characteristics of the *Kamaiya* system, its history and the interventions that have been conducted to improve their livelihood.

The *Kamaiya* system is in broad a long-term labour relation between a *Kamaiya* labourer and a landlord. The landlord hires the *Kamaiya* on an annual basis to perform all types of work at the landlord's farm and in return he is paid in-kind. There are two kinds of payment: *Masyaura* or *Bigha*. *Masyaura* is paid as a fixed amount of crops, usually paddy, but also lentils, oil seeds or salt. When paid in *Bigha* the *Kamaiya* receives the outcome of a plot of land the landowner has allocated to him, usually a share of 1/3 or 1/4 (INSEC 1998:2). In our case both payments were used. *Masyaura* was paid in advance and was described as approximately 9 *Bora* of un-husked rice, while *Bigha* was paid after harvest and described as a share of 1/4.

The contract between the landlord and the *Kamaiya* usually implies that the *Kamaiya* wife has to work along with him. She is called *Bukrahi* and she sometimes work in the field and sometimes in the house of the landlord. The interviewed *Bukrahi*'s duty was to work in the landlord's house in the morning where they mud-painted the house or collected cow dung for fuel. The rest of the day they assisted in the fieldwork by sewing, grinding, cutting and threshing the rice. The women are not ploughing, as it is considered to be men's work. If a female labourer does not accompany the *Kamaiya* he is paid less, but another female member of the household, for example a sister or a mother, can replace her. In one of the families we interviewed, the wife of the head of the family was old and weak why their family had chosen to replace her by a daughter-in-law. The women are only paid a fraction of the payment the husband receives; sometimes they do not get any specific salary at all, but just add to the salary of the husband. Often the children are also compelled to work as herders or servants for the landlord and in return they usually get two daily meals. But the contract does not necessarily include the labour of a whole household (BASE 1995:3). As the landlord requires the work from the *Kamaiya* couple - and sometimes their children - for almost only the payment of one person, the family income is a minimum. Furthermore they are often compelled to work for the landlord throughout the day what hinders them in supplementing their income (INSEC 1998:2).

Because of the *Kamaiya* low income they need to take loans to meet their daily needs for sufficient food or clothes, medicine and religious ceremonies. The landlord is often the only provider of such loans as official loan opportunities, if they exist, do not give loans to daily consumption and private loans from relatives are rarely an opportunity. As the *Kamaiya* has no alternative income opportunities, and he stays with the same landlord year after year, the loan tends to get piled up and thus impossible to pay back. The loan even can accumulate through generations as the debt can be inherited in the family. The high debt makes it difficult to change landlord (INSEC 1998:3, 49). If the *Kamaiya* wants to change landlord he must find someone who is willing to pay back his loan to his former landlord. Thereby the loan is transferred to the new

landlord where it tends to continue to increase. The loan transferred to the new landlord is called *Saunki*.

The *Kamaiya* can change landlord at a certain time of year. In principle both landlord and *Kamaiya* can terminate their oral or written contract during the important festival, *Maghi*, which is celebrated in the start of the month *Magh* (December-January). Although it thus seems, as the *Kamaiya* relation is open to negotiation and the free movement of the *Kamaiya* labourer; his debt is in reality often tying him to his landlord and leaves the *Kamaiya* with very little influence on where he is staying. Hence, the landlord can also change his *Kamaiya* if he wants to, despite the *Kamaiya* objection

However, the debt, *Saunki*, has been the key factor to the systems designation as bondage and a type of slavery, because it ties the *Kamaiya* to a specific landlord and gives the landlord the power to "trade" the *Kamaiya* in return of someone paying of his debts. The first major survey on the *Kamaiya* thus stated that only the *Kamaiya* with *Saunki* could be named bonded, although the *Kamaiya* labourers without debt were considered to be victims to a similar extent of exploitation. The survey was undertaken in 1991 by INSEC to explore the extent of deprivation of *Kamaiya* human rights (INSEC 1992:2-3). The report thus raised the issue, which has been central to the attention the system has evoked.

The *Kamaiya* system gained attention from the return of democracy with the Peoples Movement in 1990. It seems like it became a symbol of all the inhuman practises associated with the former undemocratic political systems: The recent party-less Panchayat system and especially the earlier aristocratic Rana family rule. The new constitution, which was declared at the turn of the political system, included a section of the fundamental rights of the people of which 3 articles have reference to the *Kamaiya*: The Right to Equality, Right to Freedom and Right against Exploitation (Constitution 1990). The issue was eagerly taken up by the organisations focusing on human rights and democracy that arose in the wake of democracy's establishment. Their joint effort in lobbying brought the issue to the political agenda and as a result political parties in general elections and in government, allocated budgets for "the eradication of the *Kamaiya* system" (KCG 1999:1). The great negative attention to the system has made the general public identify the word *Kamaiya* with bonded labour and slavery.

1.2.1 *Kamaiya* Facts and Statistics

The *Kamaiya* system of agricultural labour is an annually renewed patron-client relationship that is generally maintained through a system of loans and land contracts. The majority (98 per cent) of *Kamaiya* are *Tharu*, an ethnic group indigenous to the Southern lowland region called the terai. Until the 1960s, the *Tharu* were the primary inhabitants of the region, in large part due to the endemic malaria to which they had developed a natural immunity. A semi-successful malaria eradication program in the 1960s along with a 1963 land

reform act which resettled hill people to the lowlands induced an important migration flow from the hills to the Terai. As a result, many *Tharus* whose land was not legally registered were displaced and ended up working on the land that they once owned.

Low wages, caste discrimination, unequal access to resources and education, and unequal distribution of land force *Kamaiya* to take loans to satisfy their daily needs. The entire family is usually forced to work for the landlord for little or no additional income and food insufficiency ranges from 3 to 6 months per year. The debt is passed on from father to son, and many women marry into bondage, finding themselves trapped just as their husbands are. The following are additional facts regarding the system:

- *Kamaiya* and their wives work up to 12-14 hours per day
- 53 per cent of *Kamaiya* have debts averaging Rs. 4880 (US\$70) and 59 percentage are landless.
- 70 per cent of *Kamaiya* are illiterate and only 10% of their children are attending school
- Women in a *Kamaiya* household are usually required to work for the landlord as well, and cases of sexual exploitation are not unusual
- *Kamaiya* also suffer physical and verbal abuse
- Most *Kamaiya* lack: freedom of mobility; control over and access to funds; independence; and choice over when and how they work.

1.2.2 Beginning of *Kamaiya* System in Nepal

The *Kamaiya* system in Nepal is associated with *Tharu* community. Almost exceptionally, a negligible number of *Kamaiyas* may be found from other castes. Though the exact year cannot be traced back as to when the *Kamaiya* system emerged, but it is estimated that probably the system had started to develop since 1950 from Dang in the present form. *Tharus* had been cultivating the land under forest as much as they could when there was no legal right on land. Before malaria eradication, rulers of the period used to provide considerable quantity of land to the member of the royal family, government bureaucrats, Army officials and priests as the prize for their better services. Similarly after the control of malaria in Terai during 1960s, a large number of people from hills and mountains of the country and also from India started to migrate & settle in this region.

The clever & smart migrants gradually started to capture the better located & fertile land owned by the hard working and honest people of the *Tharu* community. The migrants registered the land legally in their own names with the help of the concerned government officials.

Consequently, most of the *Tharus* were displaced from their own land due mainly to the unfair means used by the migrants. They themselves also started

to sell their land at very cheap prices in order to pay land-tax, to buy seeds & other inputs, to repay their loans and to celebrate their traditional festivals. As a result, most of the small landowners of *Tharu* community became landless and started to work as wage labourer to the legal owners of the land.

As their condition became more & more vulnerable, borrowing loans from the newly developed landlords to maintain their livelihood, traditional culture and feasts increased further. But repaying of loans was not possible for most of them because of their declining access to land & other natural resources and very limited source of income. The ultimate and clearly visible result was that they were forced to work as bonded labourers (individually as well as the whole family), which created a chain of bondage from one generation to other generation. The Land Reform Programme implemented in '60s also promoted the *Kamaiya* system in this region, because the absentee landowners started to cultivate their land by using *Kamaiya* & his family to save their land from tenancy right.

1.2.3 Difference between *Kamaiya* and other Labour

Wage labour relationship associated with farming varies greatly in Nepal. Majority of farm holdings (64.4%) use their own family labour. Not more than 30 percent of the farm households supplement their unpaid family labour with hired casual labourers as and when necessary. A small proportion of about 5 percent (323,000 households in absolute figure) hires permanent labourers for farming & related works.

Table-1.1: Difference in *Kamaiya* System & Other System Wage Labour

<i>Kamaiya</i> System	Other System
Wage paid in kind, cash & produce of a proportion of land and sharecropping. The rate for sharecropping is found maximum to be 1/3 of the output and minimum ranging from 10 to 20%. Wage in cash or kind is found very low in comparison to the prevailing local market rate	Wage paid in cash & kind and sharecropping. The rate for sharecropping is normally half of each crop in an average. Wage in cash or kind is generally equivalent to the prevailing local market rate.
The means necessary to cultivate land (Halo, Kodalo, oxen, seed & other inputs to be provided by the land owner]	All necessary inputs to be provided to the wagemakers, but to be managed themselves by the workers in case of sharecropping.
A <i>Kamaiya</i> has to conduct various	Workers generally get extra

other activities including domestic work or as ordered by their land master in the same wage	remuneration for additional work in accordance with the nature of work & social practice
Family members have to work to the same master generally without any wage (Just for two meals a day or on a token wage.)	Each member of the workers' family is entitled to get separate wage for the work s/he has done.
The terms of loan taken from land owners create bondage from one generation to the next	The terms of loan generally do not create bondage to the worker & his family

Haliya, *Harawa*, *Kamaiya* and *Jan* are the local names of the tillers and casual workers in farming, whereas *Gothalo*, *Charawa*, *Gaibar*, *Bhaisbar* and *Chhegbar* are known as animal herders. These relations and terms & conditions associated with labor relations differ in different parts of the country. The *Kamaiya* form of permanent labour relationship is in practice in the mid and far-western Terai districts and has become synonymous to exploitation and bonded labour.

1.2.4 Status of *Kamaiya*

A. Before Liberation

It is estimated that the total *Kamaiya* population is approximately 100,000 in the five *Kamaiya* concentrated districts (Sharma; 1999: 20). The studies conducted by various organizations during different periods have recorded 15,000 – 20,000 *Kamaiya* families.

Table-1.2: Total Number of *Kamaiya* Families in Various Districts

Source	Year	Districts					Total
		Dang	Banke	Bardiya	Kailali	Kanchanpur	
INSEC Survey	1992	-	-	9185	6964	1579	17728
Survey by <i>Sukumbasi Samasya Samadhan Aayog</i>	1995	3032	1066	5419	6245	1673	17435
Survey by Ministry of Land Reform & Management	1996	1856	1060	5037	5557	1642	15152

Source: Shiva Sharma, *Nepalma Kamaiya Pratha*, 1999.

The available information shows that among the five districts, Bardiya and Kailali are the major concentration areas where there are two thirds of the *Kamaiya* families.

Table-1.3: Number of VDCs/Municipalities Covered

Districts	Number of VDCs/ Municipalities covered	Percentage to the total VDCs/Municipality
Dang	35	85.4
Banke	28	59.6
Bardiya	32	100.0
Kailali	37	84.1
Kanchanpur	18	90.0
Total	150	81.5

Source: Ministry of Land-Reform and Management

Of the total VDC/municipality of the five districts, the *Kamaiya* system had been found highly intensified in 150 VDC/Municipalities. The heaviest concentration is in the District of Bardiya (100.0%) and lowest in Banke district (59.6%).

Table-1.4 highlights the reality that almost 60 percent of the *Kamaiya* families are landless ranging from 45 percent in Dang to 92 percent in Banke. Among the *Kamaiya* families without debt, altogether 57 percent have no land in their name. More than 50 percent of the *Kamaiya* families are indebted though the average debt amount per family does not show similarity. It is lowest in Bardiya and highest in Kanchanpur where 81 percent *Kamaiyas* had been found indebted in 1995.

Table-1.4: Land Less and Indebted *Kamaiya* Family (in %)

Status	Dang	Banke	Bardiya	Kailali	Kanchanpur	Total
Total <i>Kamaiya</i> family	3032	1066	5419	6245	1673	17435
Landless <i>Kamaiya</i>	44.8	92.1	62.4	54.5	71.4	59.2
<i>Kamaiya</i> without Debt	58.7	65.8	61.8	33.6	18.6	47.0
Indebted <i>Kamaiya</i> family	41.3	33.2	38.2	66.4	81.4	53.0
Land less	39.5	65.8	62.5	56.6	72.4	58.1
Occupying barren land	22.9	21.2	16.8	30.5	16.2	23.8
Own land	26.8	9.0	18.6	10.4	9.2	14.2
Both own & Barren land	10.8	4.0	2.0	3.3	2.3	4.0
Average Debt per family (in NRs)	4404	3709	2916	4603	8766	4784

Source: Shiva Sharma, *Nepalma Kamaiya Pratha*, 1999

Among the indebted *Kamaiya* families, 58 percent are Landless, 24 percent have their *Bukura* on barren land (*Parti Jagga*) whereas the remaining 18 percent have their own land though a very small plot. Almost all-landless *Kamaiya* families had used to live in the '*Bukura*' provided by their landowners with whom they had worked before the announcement of *Kamaiya* liberation in July 17, 2000. The condition of landless families has been found more vulnerable as compared to those with small piece of land.

B. After Liberation

In July 17, 2000, His Majesty's Government of Nepal took a historical and bold stride by announcing complete liberation to all *Kamaiyas* from their age - old bondage relation. Thus the practice of bonded labour system has been declared illegal. All bonded *Kamaiya* labourers became free immediately from their *Saunkis* and previous contracts with their land masters whether written or oral. It also declared the provision of punishment of 3-10 years imprisonment for those who continue the practice of bonded labour. The government also formed a high level *Kamaiya* Identification and Monitoring Committee headed by Deputy Prime Minister in the centre and also in the five concerned districts headed by DDC- Chairman.

After the announcement of liberation, *Kamaiyas* from all over the five districts started to express their warm welcome to the decision and celebrated the moments of the history by organising mass meetings, rallies and demonstrations in the districts concerned. Though being confused in the beginning, Landowners, after a few weeks of the announcement, started to remove their *Kamaiyas* from the *Bukuras* provided earlier. The ultimate result was the unexpected gathering of *Kamaiyas* in the streets of district HQs along with their families. As they were forced to come to under the open roof of the rainy cloudy sky, there was no option for them than to sit on picket line in front of the DDC office. The stagnant situation was then blurred and there was no immediate solution with other social actors except Government, but government could not manage the situation in alien of immediate relief and long-term way-outs. As an emergency management for a very short period, *Kamaiyas* were asked to live temporarily on the fallow land in so-called camps by making temporary huts with tarpaulins or plastic roof provided by the DDCs and NGOs. Most of the *Kamaiya* families are living in a terrible condition. For instance, in Manahara camp of Geta VDC in Kailali district, floor of the hut was boggy and plastic roof was completely unable to check rainwater. The situation of expulsion and harassment differ district to district but it is grave in Kailali and Kanchanpur while comparing to other districts. A number of *Kamaiyas* in all districts still can be found remaining with landlords in the previous terms and conditions whereas some are working in a new agreement especially under sharecropping in the changed context. The new pattern of sharecropping has started again to exploit women and children of the free *Kamaiya* families. The landowners have given their land on sharecropping to

their former *Kamaiyas* but in a condition to use the adult female members or children for their household work. This indicates towards a changing form of exploitation of *Kamaiya* families after the declaration of liberation.

On the basis of 1995 survey, Ministry of land reform and Management conducted a new survey after liberation basically concentrated on *Kamaiyas* who were working with the landowner before 17th of July 2000. This survey identified 19, 863 *Kamaiya* households in the five districts of Dang, *Banke*, *Bardiya*, *Kailali* and *Kanchanpur* showing an increment of 4,711 households (31%) during 1995-2000.

The *Kamaiya* system is found in 150 VDC/Municipalities of the five districts. Of the total *Kamaiya* families, 57.6 percent are pure landless families. Among them, more than two thirds have neither the land nor the house.

Table-1.5: Number of Liberated *Kamaiya* Households in Five Districts

Districts	VDC/ Municipality	<i>Kamaiyas</i> Total No.	Homeless & landless	Only Landless	Having Land	Other
Dang	35	2417	239 (9.9)	153 (6.3)	944 (639.1)	1080 (44.7)
Banke	28	1342	186 (13.9)	874 (65.1)	21 (1.6)	261 (19.4)
Bardiya	32	6949	3155 (45.4)	1119 (16.1)	1020 (14.7)	1655 (23.8)
Kailali	37	6329	2688 (42.5)	1119 (17.7)	533 (8.4)	1989 (31.4)
Kanchanpur	18	2827	1552 (54.9)	355 (12.6)	222 (7.9)	698 (24.7)
Total	150	19863	7820 (39.4)	3620 (18.2)	2740 (13.8)	5683 (28.6)

Source: Shiva Sharma, *Kamaiya* Situation Analysis, NLA, 2001.

Note: Figure in Parentheses indicates percentage of the total.

As an outcome of the continuous pressure by the *Kamaiyas*, Trade unions and NGOs, HMG ultimately decided to provide five *Katthas* of land to the liberated but landless and homeless *Kamaiyas*. However, the government has not implemented the decision effectively. Recently, the government declared that altogether 9,378 landless *Kamaiyas* have been provided land for their settlement. Unfortunately in practice, it is found that most of the *Kamaiyas* who received Land Owner's Certificate are not getting land. Most of them are still compelled to live in the so-called camps in extreme hardship and under an intolerable situation.

1.3 Statement of the Problem

Bardiya, the study area of this research, is one of the districts where *Tharus* populations are greater than in other districts. The *Tharus* were the main inhabitants of this district until the early 1950's. This situation changed when

the government opened Bardiya for the hill-people by eradication malaria and executing the resettlement program during the late 1960s. Currently the non *Tharus* are in the majority while the native *Tharus* are in the minority. The impact of migration has affected the indigenous *Tharu* people on several fronts as they lagged behind in the socio-economic competition with the more educated hill people. Due to these compelling circumstances, the majority of the *Tharus* are losing their land and are becoming poor and landless bonded laborers

At present, landlessness has become one of the major problems in Nepal. It is reported that the incidence of landlessness is higher in the Terai than in the hillside and mountains. Poverty is said to be widespread and deep rooted in rural Nepal and inequity is continually widening.

After the land reform program formulated in Nepal in 1964 AD, the situation of the *Tharu* community became worse than before. They were forced out of the cultivating land. Jajaure remarks; “As the old landowners could not hold more than 28 *Bighas* of land, they sold their excess land before the implementations of the new law to the people coming from the hills. The hill people bought such land in small fractions from the previous *Jamindars*. Now they began to cultivate fractions themselves without seeking any help from the *Tharu* tenants or labours. Who had previously been cultivating the land for the *Jamindars*, thus the *Tharu* tenants were deprived of the land which they had been cultivating” (Jajaure, 1977). In this way, *Tharus* are being made landless, poorer and forced to be bonded labours. The bonded laborers are forced to work under any terms and conditions to fulfill their and their family’s minimum basic needs. Because of various conditions they are forced to take loans from their masters to manage their livelihood and to settle small domestic difficulties. For that reason, they work for their masters with their families. However, they are not able to repay even the interest of that small loan even after working for their masters for generations (INSEC, 1991). This is how the *Kamaiya* are buried with loans deeper and deeper! This is very surprising.

On the surface, the *Kamaiya* system was a contractual agreement for a year in *Maghi* (approximately 14th January) between the landowner and an agricultural labor, where labor was exchanged for payment in cash or kind. At that time, both parties may agree or refuse to enter the contract. They both do not have this freedom of choice. He is forced by social, economic and other compulsions to accept the agreement with any conditions directed by the masters. Now this bonded labor system is a tradition in these five major districts. And various rules have been made by the landlords to exploit these helpless people.

About 5 years passed since the government announced the emancipation of *Kamaiya*. The government has also established freed-*Kamaiya* rehabilitation committee in each related district. Huge amount of budget is said to invest by government as well as NGO, to rehabilitate and resettle the freed-*Kamaiyas*. So

the focus of this study is on analysis the current socio-economic and re-settlements of ex-*Kamaiya*. The existing legal provisions became ineffective in the eradication of this undesirable practice. The majority of *Tharu* people lack property rights, especially in land. They are landless share cropping peasants, relying entirely on the money of the landlords. Most of the women and children of the *Kamaiya* are socially and economically exploited. Women of *Kamaiya* are sometimes subjected to sexual abuse by their masters as well (INSEC, 1995). Human rights are violated by their masters. So, the present study is conducted in mapping up the socio-economic condition of the *Tharu Kamaiya* in particular, in relation to their socio-cultural beliefs and practices and major problems face by them. Since the problems of *Kamaiya* is alarmingly high in the mid and far western Terai region, this study concentrates on the incidence, prevalence and causes and effects among the *Tharus*. The effects of recent change and development regarding their exploitation will be investigated, as well as the awareness level of the *Tharus* themselves. This study will be concerned with their human rights status, settlement pattern and the present status of *Kamaiya* women and children.

1.4 Objectives of the Study:-

The general objective of this study is to investigate the socio-economic and ethno-political conditions of *Kamaiya* of Rajapur Delta of Bardiya district. Apart from this, it has some specific and subsidiary objectives also, which are given below.

- a. To identify their housing and current settlement pattern.
- b. To determine the Livelihood Development Program for these abolished *Kamaiyas*.
- c. To assess the economic conditions (viz.; property, Wealth, income, occupation and the likes) of the *Kamaiya*.
- d. To find out the recommendation for Poverty reduction and re-settlement of *Kamaiya*.

1.5 Significance of the Study

Nepal is very rich in bio-diversity. The *Tharus* of Nepal have their own social, economical and cultural identity. They have been exploited in various ways by both *Tharu* and non-*Tharu* landlords. Due to extremely low wages for their work, usurious rates of interest on their loans, and all kinds of deplorable conditions, these poor people cannot get out of the vicious circle of indebtedness from generation to generations. So, thousands are bonded even before they are born.

The constitution of Nepal 1991, article twenty, sub-article one, has clearly mentioned that it is prohibited to buy and sell a person, enslave them, bond them or compel them to work against their desire and willingness. The bonded

labour abolition Act 1993(INSEC) has also strictly prohibited bondage of anyone.

In addition, Nepal agreed to and signed the anti-slavery treaty on 7th January, 1963 in Geneva (UN, 1989). The international treaty of antislavery is 36 years old, but in Nepal there has been no change at all with bonded laborers. Therefore, knowledge generated from this study will be helpful in understanding the bonded labour system and will provide information needed for developing programs of sustainable reform.

This study is important in order to understand the attitudes toward *Kamaiyas* and toward their masters and the rest of the inhabitants of the study area. It attempts to present the incidence of landlessness in the study area. It makes an effort to depict the socio-economic and ethno-political conditions of the *Tharu Kamaiyas* of the study area. It attempts to present the recent information about incidence of landlessness and bonded labour in a specific locality with a specific group.

Pyakuryal, who is very familiar with *Tharu* community and who has worked with them during his studies has an opinion that general or of any one specific ethnic group. To accomplish this specific study is needed. In his words, “studies so far on the *Tharus* are confined to anthropological sphere. There is virtually lack of studies on the economic problems facing the *Tharus*. Studies carried out in general or regional basis alone can not present the comprehensive picture of the problem. Besides obvious regional disparities, substantial socio-economic and political inequalities continue to exist among different ethnic and among caste group” (Pyakuryal, 1982).

Recently, the government of Nepal has under taken a policy to uplift the socio-economic conditions of the weaker section of the society. In addition to that ‘poverty alleviation’ was set as only one major objective of the ninth plan (1997-2002). The present government is giving well afford on rehabilitation of *Kamaiyas* and livelihood development programme.

The land reform programme of 1964 did not help many *Tharus* to own their own land. That programme did not pay much attention to the *Tharus*, not even especially to the *Kamaiya Tharus*.

Most researchers, both foreign and native, have conducted their research on other ethnic groups and other issues in mountain and hill areas. Only a few researchers have paid attention to the *Tharus* and very few on the *Kamaiya* system. Therefore, this study of the *Kamaiyas* system will be of great significance for any one who wants to gain more knowledge about it.

In the present context the topic / issue of the *Kamaiya* system is a very hot issue among different political parties in Nepal and among other development oriented organizations, So that this study will be useful.

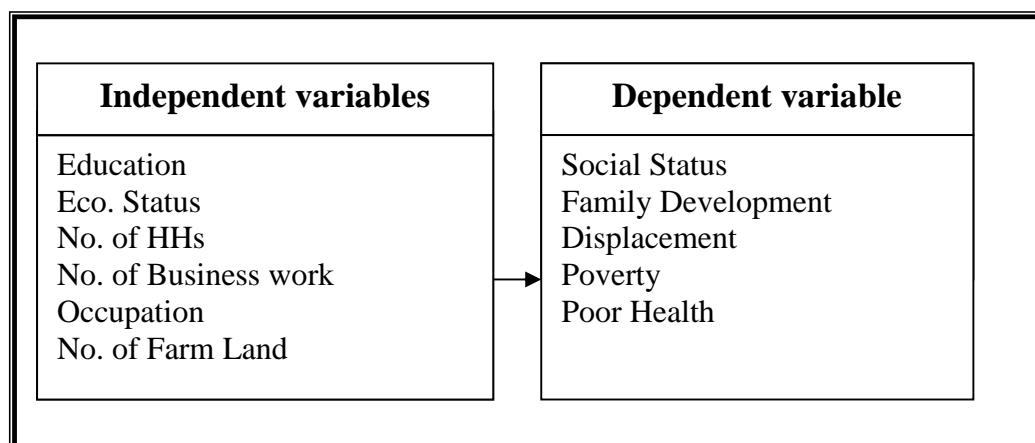
1.6 Conceptual Framework

The conceptual model gives an exact idea of the research problem and shows its various properties and variables. To be studied, in social science research, every problem seems very vague and multidimensional. However, a conceptual framework provides the researcher a path by which he or she can clearly observe the problems of social science and find out their solutions.

In order to make the present study more specific and clear, a conceptual framework has been conducted. This model is the outcome of review of literatures concerning the research topic the framework.

This study adopts an integrative framework to analyze the process of marginalization, landlessness and transformation of bonded labor as a product of internal social, political and economic structures of society and the country. So, the historical, social, economic as well as political processes have been examined to understand the problems in its true perspectives as far as possible. Therefore, the historical materialism perspective is used in this context as the approach of this study.

Figure-1.1
Conceptual Framework Showing the Relationship Between the variables



1.7 Importance of the Study:-

Some researches have been made on the ethnic group of Nepal, Some of them focused on *Tharus* and sociological/anthropological in nature. Some deal with marriage system while others with cultural feasts/festivals and *Kamaiya* Pratha. They have, thus, their own nature and limitation. No search has yet been made on the displaced *Kamaiyas* people on re-settlement pattern after they abolished.

In this regard, the present study deserves its own importance. First of all, the research will provide an idea about current re-settlement position in the study area. Secondly this research provide a key information to future research work in such areas, in the same way, the present study will be beneficial for the people, the nation, policy maker, non government agencies and also the coming characters as individual workers.

1.8 Limitations of the Study

- A. This study was carried out in Rajapur Delta (11 VDCs) of Bardiya district. This study does not and can not portray views and ideas of all the *Kamaiyas* of the country. This is a micro-level study so the views, ideas, findings and realities of this area might be different from other areas in Nepal.
- B. Both *Kamaiya* and landlords were busy on agriculture, due to the pick time for cultivation, but the landlords could set aside time for us and the female *Kamaiya* were able to meet us early in the morning. The male *Kamaiya* were on the contrary working from early morning to late evening, and were only possible to meet late in the evening. At that time they were tired and sometimes relaxed with drinking. We had feared that the landlords would have intervened in the interviews and tried to prevent the interviewees in criticising the system. That was not the case, and except one person, we found the *Kamaiya* labourer was not afraid to say their opinion.

1.9 Organization of the Study

This study is divided in six chapters. The chapter one deals with introduction, objectives, justification as well as organization of the study. Having introduced the research topic to be investigated, chapter two literature reviews is relevant to *Kamaiya* with particular emphasis on a brief history of *Kamaiya*, *Kamaiya* System in Nepal and the impacts of irrigation systems and project. The methodology chapter, chapter three, begins with research design, nature of data, sampling procedure, methods and instruments of data collection, analysis. Chapter three concludes with a description of the present study's limitations. Chapter four presents a historical overview on Slavery system in Nepal. This chapter divided in four parts. The first deals with Slavery and Evolution of Slavery System in Nepal. The second part deals with Land Tenure System in Nepal, third part deals with Land Tenure Before 1964, fourth part deals with History of Landownership, fifth part deals with The Land Reform System in Nepal, sixth part deals with Being *Kamaiya*, Marginalization, Landlessness, seventh part deals with Movement for Freedom, last but not least eight part deals with Immediately impact after decision. Chapter five introduces the reader to the area of the study. This description of the research site, focus on geographical conditions and the socio-economic conditions of the people in the study area. Chapter six deals with Result and Discussion mainly focused on

Resettlement and Rehabilitation of Freed *Kamaiya*. In this chapter we present the data and analytical discussion about findings. Finally, summarizes the main points of the previous chapter with conclusion of the study and recommendations.

Chapter II

LITERATURE REVIEW

Reviewing literature is a way to develop the idea about the research thoroughly. In a research, literature comprises an important part. It helps a researcher to acquire knowledge about the topic, hypothesizes the research, to set the Objectives and to design a research framework.

2.1 In General

The Kingdom of Nepal has unique characteristics of subsistence, agrarian, rural economy: low GDP, high rate of population growth, high infant mortality rate, low level of per capita income more than 60 percent of the total population below the poverty line, and is ranked as one of the poorest countries in the world.

In spite of increased levels of investment in the previous eight successive development plans (1956-1997) in the agricultural sector, yields of major crops have declined and cropping intensity has remained almost the same. Most of the agricultural land has become fragmented into very small holdings. Although this land is still owned by thousands of small farmers, this pattern is changing quickly day by day. Small land owners are gradually being converted to landless laborers. Their occupations are changing and they are being displaced.

Although agriculture is the backbone of Nepalese economy and is therefore central to the national development strategy, it has low levels of output and income, and low levels of productivity.

It has been a great challenge for developing countries whose majority of the total population reside in rural areas and depend upon agriculture as the principle source of livelihood. The economic condition of these people is mainly determined by their access to land; the sole means of earning in an agricultural setting. However, the majority of the rural population lacks access to land. There is also a lack of alternative opportunities in non-farm sectors. It is widely accepted that increasing levels of poverty and inequality are due largely to increasing landlessness among the inhabitants of rural Asia (CIRDAP, 1987).

Landlessness is often considered to be both a cause and symptom of poverty. In the world of FAO, "The landless are the most underprivileged section of rural

society. Without land, the basic means of production in agricultural economy, they are powerless. They have little or no access to credit, marketing systems or other services and also suffer from social deprivation, poor health, illiteracy and high rates of child mortality. Insecurity is the raw reality of their lives” (FAO, 1987)

The access to land largely determined the extent of poverty. It is stated that the growing incidence of landlessness in rural Asia is manifested by the increasing proportion of rural population below the poverty line (FAO, 1987).

2.2 Kamaiya/Slavery Related Studies

Most literature on agricultural relations in South East Asia concern peasants. However, a *Kamaiya* cannot be termed a peasant in the classical sense, as the term involves ownership of land, sufficient for the subsistence support of his family. Thus, we term the *Kamaiya* as an agricultural labourer. However, the *Kamaiya* is not a wage labourer either. The *Kamaiya* differentiates from the wage labourer because he works for a landlord on a long-term basis. He has an annual contract and he is paid for one year. The wage labourer is on the contrary not bound for a long period or enjoys the security an annual contract offers. However, as *Kamaiyas* are engaged in agricultural production and their concerns are to secure their subsistence needs and not to invest in and accumulate resources, they share some of the same features, which we find in Erik Wolf’s definition of the classical social category of peasants (Kearney 1997:42). Thus we found that we can apply James Scott’s study on peasants’ rationality in Southeast Asia to agricultural labourers as well. Although Scott uses the term peasant, his studies describe resource weak workers in general, whose subsistence is on stake, and their relation to the rural elite in agrarian societies (Scott 1976:179). One can ask what the difference is between a landowning labourer and a small peasant, who work for a large-scale landowner. The answer must be that the two share some features, but the fundamental difference is extending to they can support their family from their own production and resources, and, hence, how much they depend on a landlord.

“The extraction of the *Tharu* is veiled in the haze of undocumented history. It is true that life is not permanent and history is not destiny, but it is nevertheless useful to ask, who are the *Tharu*?” (Meyer, 1995)

Tharus populate the entire length of the Terai region of Nepal. According to the population census of 1991, the total population of *Tharus* in Nepal is 1,194,224 which is 5.4 percent of the total population of Nepal and rank 4th in majority order. Of the total population, 3.6 percent of Nepal’s group of the Terai and constitute 13.5 percent of the total Terai population. On the basis of the census of 1971 and 1991, the population of the *Tharus* is growing at an annual growth rate of 4.5 percent which is a significantly high rate of population growth (ibid).

There are a numbers of stories about the origin of the *Tharus*. And, there are many theories forwarded to shed light on their early history. It has, however, been a difficult task, for semi-nomadic people leave few tracks behind; maybe some coins and pottery shards. Hence, there are so many questions, so many uncertainties, so few records and so many possibilities about the origin of the *Tharus*. Some views of different scholars are presented here.

“Once upon a time the remote past when the king of these parts was defeated by the forces of an invader, the women of the royal palace, rather than fall into the hand of foe, fled into the jungles with the *Saises* and *Chmars* belonging to the palace, from these sprang the *Tharus*” (Neville, 1904).

“Four sons and five daughters of King *Okamukha* of Banares left the kingdom in a huff and moved to Kapil’s Asharm. Kapil allowed them to clear the land and settle there on the condition that the new state be named after him ‘Kapilvastu’. The *Tharus* are their descendants and have spread over the entire length of the Terai” (Singh, 1982).

“The *Tharu* are a jungle tribe. According to some, the word *Tharu* is derived from the Hindi word ‘Thahrey’, ‘halted’, because they are said to have halted after the alleged flight into the forest. The origin is also traced to the Hindi word tarahua, wet, an allusion to the swampy means ‘resident of the Terai’ (Sharma, 1961).

J.C. Nesfield, Says “The origin is the word ‘*Thar*’, which is the lowest colloquial language (but not in books) signifies a man of the forest, a name which correctly describes the status of the tribe, considering the name of sprung from the language of the tribe itself, which is now for the most part obsolete. An aboriginal name derived from Sanskrit is the fit appellation of an aboriginal, casteless, un-Brahmanised tribe whose customs have been only slightly modified by contact with those of the Aryan invaders”. He continues, “Another tradition is that after the fall of Buddhist dynasty of Kannauj, the *Tharu* descended from the hills and occupied Ayodhya (only to be driven out by Raja Sri Chandra from Sringer)” (Nesfield, 1885).

An analysis, titled “The *Tharus* and their Blood Group” D.N. Majumdar found that the *Tharu* are definitely a Mongoloid tribe. “They can not be placed in any other constellation of tribes and castes of the province, Indo-Aryan or Uraloid. Also the jajput origin is not supported on the basis of serology. Thus it is concluded on the basis of the evidence that, the *Tharus*, a Mongoloid people, or predominantly so, who have successfully assimilated non-Mongoloid physical features as well” (Majumdar, 1942).

“The ‘*forest people*’ are comprised of more than one tribe and they may well have come from many regions at different times, thus contributing to the diversity of culture, facial features and customs found in today’s population:

the environment then molded them over a very long period of time into a special group of people, the *Tharus*, a people who, therefore, not surprisingly, are comprised of many sub-groups, such of the Rana, Dangaura, Kochila and others' (Meyer, 1995).

In his book *Eastern India*, Buchman refuted the often-heard claim that *Tharus* are descendants of *Rajputs* who were evicted from *Rajasthan* by *Moslem* invaders. "No Moslem historic an has mad the slightest allusion to the *Tharus* in connection with these events (expulsion by Moslems_. The fiction of having migrated from *Rajputana* into the Terai, therefore, must have become invented by some of the clans merely to raise themselves in their own and the neighbor's estimation" (Meyer, in Himal, 195).

"The forest people came from many regions at different times to seek the peace and shelter of the Jungle; the environment then moulded them, over a very long period of time, into groups of special people, all of them called the *Tharu*"(Meyer,1995)

In this book *Eastern India*, Buchman refuted the oft-heard claim that *Tharus* are descendants of *Rajputs* who were evicted from *Rajasthan* by *Muslim* invaders. "No *Muslim* historian has made the slightest allusion to the *Tharus* in connection with these events (expulsion by *Muslims*). The fiction of having migrated from *Rajputana* in to the Terai, therefore, must have been invented by some of the clans merely to raise themselves in their own and the neighbor's estimation" (Meyer, in Himal, 1995)

Dor Bahadur Bista is a pioneer in identifying and describing *Tharus* of Nepal. In this ethnographic survey of Nepalese people, Bista writes. "The traditional territory of the *Tharu* is called Thrown or Tharto. It consists of the forested land along the southern base of the Shiva-lake (Siwalik) mountain range and south a few miles into the Terai itself. "Bista continues, "The Thaur's are probably among the oldest groups to inhabit the Terai. They usually live very close to the heavily forested regions. A great number of the villages of the *Tharuwan* are found in small clearings in the middle of the forest itself. Most of the large compact *Tharu* settlements are found in tropical malarial areas, infested with wild animals such of elephants, rhinoceros, bears, tigers and poisonous snakes. Easily accessible areas in the open are generally inhabited by other people" (Bista, 1967).

In the last decade of the nineteenth century, Risely (1891) and Crooke (1890) collected information about the *Tharus* and further added to it Theories about the history of the *Tharus*. About the racial composition of *Tharus*, whether they are mongoloid or non-mongoloid people, Risely found the Mongoloid style features predominant among them. Crooke maintains *Tharus* of Dravidian race whose alliances with Nepalese and other hill races have acquired some degree of Mongoloid physiognomy (in Devkota, 1996).

“Physically, and especially in facial features, the *Tharus* look like they stem from Mongoloid stock. They speak an indo-Brahman language. In ancient times the *Tharus* may have accepted Buddhism but later they were influenced by Hinduism. During the 13th Century when Buddhism faded from North India, the *Tharus* too, may have gradually converted to Hinduism”. (Pyakurya, 1983)

In the past the *Tharus* were landlords, but now many are landless and being bonded like slaves. Their loyalty, honesty and illiteracy contribute to their landless condition. Nepal is a multi-ethnic country. The *Tharu* are one of the least privileged indigenous ethnic groups. They have become the victims of social, economical and political exploitation.

Upreti (2000) studied religio-cultural belief and practice of *Tharu Kamaiyas*, analyzed their socioeconomic characteristics and *Kamaiya* system in relation to socio-economic condition of *Tharus* using interview, observation, case study and focus group discussion.

K.N.Pyakuryal has concentrated his Ph.D. thesis on the study of *Tharu* people. Assessing the general socio-economic situation of the *Tharus*, he sums up “Indeed, they are one of the major ethnic groups in the Terai region and of the more underdeveloped groups in Nepal. Their history is a story of extreme deprivation, enormous hardship and blatant class exploitation. Because of physical and social isolation from development activities in the region and from cultural contacts with other people, their superstitions, backwardness, and timidity were reinforced. As a people they are generally illiterate and unschooled, they lack awareness about their rights and privileges. The gap between them and non-*Tharus* is very wide” (Pyakurayal, 1982).

Chhetri (1992) carried out the study on the slavery in Nepal from a historical perspective. He analyzed historically the nature of slave, their origin cause and condition of slave in Nepal and in the world. He also described the abolition of slavery by Chandra Shamsheer and rehabilitation of this emancipated slave. He found that much land was fixed i.e. Four *Ropanis* in Hill and one *Bigha* in Terain.

Upadhyaya (1989) studied the socio-economic condition of *Tharu Kamaiyas* in terms of their demographic characteristics literacy and education level housing and resettlement pattern based on exploratory research design and descriptive approach. He derived the conclusion that the land reform project was observed just as paper tiger for *Tharu Kamaiya*.

Whyte (1998) on the basis of his two-research project of slavery in Nepal described about legacy of slavery in Nepal. He concluded that not all emancipated slaves in 1924 were settled in Amlekhganj or only about sixty families were resettled in Amalshgunj, but they had long ago been killed or driven away by the malaria and wild animals of jungle. He also expressed that

the emancipation of slaves in 1925 was evoked from the perspective of the emancipator, not that of slaves.

Sharma (1998) analyzed the factors which have contributed to the perpetuation of the bonded labour system in Nepal, examines present and past policies and programmes and their impact on the bonded labour system, identified their strengths and weaknesses and suggested changes that are required in such policies to deal more effectively within the problem of bonded labour in Nepal. He also developed the conceptual framework to understand *Kamaiya* system by historical economic and social processes. In the same way, he also sketched the socio-economic characteristics of *Tharu* as well as *Kamaiya* population.

Guneratna, in his Ph.D. thesis on the *Tharu* of Chitwan, summarized that, the most important issue acting as a catalyst for the genesis of *Tharu* identity has been the loss of land both a symbol of identity and the root factor in the development of ethnic consciousness. Although the *Tharus* are the indigenous people of the Terai, who cultivated the forest land for the first time but they failed to understand the significance of registration of land and last, but by no means least, many of them lost some or all of their lands to in-migrants through chicanery and fraud”

The study by G.M. Gurung (1994) about the Rana *Tharu* with other indigenous people is another contribution to the study of *Tharu* people. He summarized that, the present deteriorated socio-economic life of the *Tharus*, one of the indigenous people in Terai regions of Nepal, in relation to their group existence and cultural identity due to uncontrolled flow of in-migration and settlement both from hills and border areas of India, in Terai has analyzed in his study. He has described general ethnographic account of the Rana *Tharu* and about their socio-cultural institutions such as *Kamaiya*, *Deshi Mahajan*, *Bhalmansa*, *Munim ji* and *Deshi Share* cropper in the *Urma-Urmi* Village of Kailali district. He says, the overflow in-migration, settlement and encroachment of other people into the *Tharu* area have been forced to reline with their traditional semi-nomadic ways based on slash and burn agriculture and become sedentary (in Devkota, 1996).

“*Tharus* are the migrants from the ‘*Thar*’ desert of *Rajasthan* in India and hence their name became *Tharu*. The *Tharu* language has been generally influenced by various north Indian languages found in nearby *Urdu*, *Hindi*, *Bhojpuri*, *Maithili*, and *Bengali*. The *Tharu* people have average height of five feet two inches” (Bista, 1967).

About *Tharu*, in the words of Drone P. Rajaure, “A general *Tharu* mentality, who are found neither among the hill ethnic groups (*Tibetan-Nepalese*) nor among those of the Terai (*Indo-Nepalese*), makes the *Tharus* feel content within their own *Tharu* society and circumstances. This has kept *Tharus* almost

isolated within their own localities and has made them a group relatively unknown to outsiders” (Rajapure, 1977).

The socio-economic condition of most of the indigenous people (including the *Tharu*) in Nepal is becoming deplorable. They also experience the loss of their cultural identities such of language, religion, rituals etc. due to the domination of the Hindus.

Although some of the theories and stories that are put forth are based on word-of-mouth recitals by old tribesmen, a type of oral history which certainly cannot be overlooked and needs to find its proper place. In search of *Tharu* history, we have found various literatures about the *Tharus* of Nepal studying mostly about general ethnography and ethnicity of themselves. Even now there is a general lack of literature about the ethno-political condition of Nepalese *Tharu*. Similarly, there is also lack of literature about the *Tharus* of Bardiya and especially about *Kamaiya Tharus*. So it is hoped that the present study will contribute the filling of this gap.

Tailor in Labuje IDP camp in Uganda An internally displaced person (IDP) is some one who has been forced to leave their home for reasons such as natural or man-made disasters, including religious or political persecution or war, but has not crossed an international border. The term is a subset of the more general displaced person. There is no legal definition of IDP, as there is for refugee, but the rule of thumb is that if the person in question would be eligible for refugee status if he or she crossed an international border then the IDP label is applicable. IDPs are not technically refugees because they have not crossed an international border, but are sometimes casually referred to as refugees.

INSEC (1992) attempted to identify the existence of bonded labour under *Kamaiya* system in Nepal based on sample study of three districts viz. Bardiya, Kailali and Kanchapur. The study analyzed the genesis of the *Kamaiyas* system and its causes, procedures for employing *Kamaiyas*, *Kamaiyas* working hours remuneration and facilities, reasons to borrow loan socio-economic condition of *Kamaiyas* based on the sample study established the fact that there exists a situation of bonded labour within the *Kamaiya* system. It also concluded that the *Kamaiyas* had been working for about 18 hours a day and receiving extremely low remuneration for their works.

Minister of Labour (1994) studied the socio-economic condition of *Kamaiya* in Nepal taking the sample of 287 *Kamaiyas*, 67 landlord and 82 social workers in Bardiya, 252 *Kamaiyas*, 50 landlords and 68 social workers in Kailalai and 193 *Kamaiyas*, 60 landlords and 30 social workers in Kanchanpur districts. The study was designed to identify the fundamental problems of labour and to suggest the solution. In analyzed the nature, causes, impact of *Kamaiya* system and *Kamaiyas* interest toward alternative employment. The study also

documented the loan, housing and child labour condition in different districts under *Kamaiya* system.

The United Nations via the Office of the United Nations High Commissioner for Human Rights recently agreed on non-binding Guiding Principles on Internal Displacement based on the refugee instruments, which defines internally displaced persons as: "Persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalized violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognized State border."

2.3 Landlessness Related Studies

Bhatta, (1996) identified and analyzed the process and causes of landlessness and estimated their magnitude of the *Tharu* community of Patihani VDC of Chitwan district by socio-economic perspective. He analyzed how the *Tharu* people become bonded labour and landlessness in Chitwan. He found that land administration system of the state (tax-collection) and resettlement program without considering socio-economic condition of aboriginal *Tharu* resulted to landlessness.

Shrestha and Conway, (1981) examined the relationship between migrations of colonization and also analysed the micro proximity model of migration. They only examined how hill to terai migrant becomes landlessness but the study remains incomplete in sense that it couldn't incorporate the landlessness of indigenous group.

Chaudhary, (1999) estimated absolute poverty line on the basis of minimum norm followed by FAO and calculated magnitude of poverty using Gini coefficient, Lorenz curve and variance. He also dealt the process of landlessness in Ratna Nagar Municipality.

Dahal, (1998) reconstructed the historical of migration and examine the mode of adaptation and its subsequent problems of squatters in Barny area of Jhapa Districts using political historical as well as ecological approach. He concluded that whenever the landless people do not get place of permanent settlement adoption to the natural and social environment they continue to squat.

2.4 Livelihood Related Studies

Pandey (1987) has carried out a research under winrock international project and has gone through the livelihood of landless peasants. He has studied about the agriculture farming, nutrition and health condition of women, children, human resources, renewable resources and food policy in Nepal. He concluded

that the small portion of land provided by government of resettlement to the migrants, which could not support them. The highest sector of employment opportunities for them was agriculture labour but its seasonal nature and the small area of farmland owned by their clients left them with limited opportunities. So, the peasant has been increasing there.

Bishop, (1990) has brought out his research on the livelihood strategies and seasonal rhythm of the Karnali Zone. He has focused on the timing as well as the vertical and aerial distribution of livelihood activities. He describes the dynamics of economic systems, traces their interaction through the movement of people, animals, goods and places in the context of the larger developing economy of Nepal.

Bhurtel, (2000) studied the changing livelihood of the Kumals of Pokhara valley. He mentions that the changes in the livelihood strategies have been closely related to the changing natural, socio-cultural, economic environment with the day of time. People change their way of living style and strategies in order to come with the environment. He concluded that the Kumals has changed their traditional occupations.

Bhattarai, (2001) studied the socio-economic status, sustainability of their livelihood of the Rickshaw puller in Birtamod Jhapa. He analyses the working condition, working hour, earning, consumption pattern and relationship between income and expenditure of Rickshaw pullers. He concluded that there are no such better strategies of life among the Rickshaw pullers. They spend life just on “earn and spend” system.

Dahal, (2001) has studied natural, economic and socio-cultural environment of the Baramus of Gorkha district and the impact of these changes on the livelihood strategies of these Baramus. He has attempted to examine historically the changed livelihood strategies of the Baramus as well as to sketch the present situation widely. He concluded that the closer development has come to their area, the faster the pace of incorporation the Baramus into the process of underdevelopment. So, they are forced to change their traditional way of life and to adopt the new livelihood strategy.

Subedi, (2002) have done their field survey study on livelihood strategies to Rai communities of Arun Valley. They have focused their study on the various livelihood strategies such as agriculture, animal husbandry, wage labour, borrowing, credit, tourism and trekking related activities. They have concluded that a specific sequence of change has found in land utilization pattern and conversion of land into more productive categories. They also adapted several activities to fulfil their needs because food sufficiency was limited and agriculture is heavily dependent on nature.

Timilsina, (2003) on his study focused that a clear picture of rural urban linkage by the road and its impact on livelihood of rural people. He concluded on his study that livelihood is a process of adapting with environment in particular space and time. There is change in any space and society if development takes place. The primary economic activities of rural people i.e. agriculture itself is undergoing noticeable change in the past.

2.5 Resettlement Related Studies

Lowe, (2002) presented the story of the *Kamaiyas* about their slavery and freedom in the form of documentary book. It provides the chronicles of the turbulent history of the ongoing *Kamaiya* movement in Nepal through the word of *Kamaiyas*, social workers as well as landless and narrative sequence of documentary photograph. It concludes that even after about two years of legal freedom from bondage, for thousands of *Kamaiyas* real freedom still remains distant and elusive. Efforts for their rehabilitation by providing them alternative jobs in already saturated market have proved not only insufficient but also increasingly frustrating to a majority of the freed *Kamaiyas*.

Joseph, (1974) sketched the history of resettlement projects in Nepal, examined Nepal Resettlement Company's relation with the resettles and provisional of infrastructure facilities and resettlers response to activities of the company from sociological and anthropological perspective. They found that the resettlement program resulted in the trouble to find job for the *Tharu* people of the surrounding areas. The landless *Tharu* didn't get any piece of land while only 23 percent resettlers were landless in their place of origin in the hill.

Singh, (1984) made a comparative study among projects of resettlement of Department, Resettlement Company and squatter settlement taking into consideration socio-economic parameters. He found that the resettlements a project has been benefited mainly hill ethnic groups.

Thapa, (1985) analyzed the settlers' success or failure in Khajura and Janmuni resettlement projects of Banke developing different types of index. He developed index of satisfaction to measure the level of satisfaction of settlers, to analyzed relative importance of social activity employed index of relative importance. He also used index of degree of participation, index of household assets and finally index of settlers' success failure to source the overall position of settlers, resettlement type. The rehabilitation of settlement was examined considering settlers perception.

K.C.,(1986) examined the land reform and resettlement program in Nepal. He concluded that tenure reforms of whatever magnitude are counter productive without simultaneous adequate credit facility, without credit and supporting service farmers protected by law again fall in to the traps of money lenders and landowners.

Koirala (2001), documented the socio-economic profile of the squatters living in Banshighat, Kathmandu, analysed the housing and living environment, and dealt about resettlement and rehabilitation of the squatters in the own land and their perception toward it in the other hand including infrastructure; and facility. However, his study did not consider the location parameters and geographical environment and its effect on resettlers though the resettlement within the bank of the river.

Bhusal and Whyte, (2001) documented the situation of the freed *Kamaiya* based on a field visit conducted in September 2001. The report revealed that many freed *Kamaiya* have received *Lal Purja* or landowner certificate without being showing real land plots even, the plots i.e. 5 *Kattha* or less than that which is provided to ex-*Kamaiyas* is far from meeting the basic food requirement of a family. They also concluded that the rehabilitation programme seems to lack of long term vision.

Chapter III METHODOLOGY

3.1 Study site Description

Bardiya is one of the districts of the Bheri zone of the Midwestern Development Region. Banke district lies to the East, Surkhet lies to the North, Kailali lies to the West and U.P. of India lies to the South. (All of the Southern Part of Bardiya is Adjacent to the Indian Border). The Eastern part of Bardiya is wider and it has 31 VDCs.

According to the National Population Census-2001, the total population of this district is 3,82,649 and the total number of HHs are 59569 Out of this total population, 1,92,655 are male and 1,89,994 are female.

Table-3.1: Bardiya District Information

Total Area - 228000 hectare	Headquarter- Gulariya
Total population- 382649	No. of HHs- 59569
Male population- 192655	Female Population 189994
Average HH size 6.42	Pop. Density/sq.km 189.00
Latitude - 28°7' North to 28°39' North	Longitude - 81°3' East to 81°41' East
Length - 64 km. East to West	Height - 138 to 1279 m.(from sea level)
Climate - Tropical and sub-tropical	Annual Rainfall - 1050 ml
Slope - Below 20°	Average Temp - 17.5°C – 34.5°C
Maximum Temp.- 40.2°C	Minimum Temp.- 7.7°C
No. of VDCs - 31	Municipality - 1 (Gulariya)
Boarder - East - Bankey West - Kailali, North - Surkhet, South - UP India	Tourists Places - Royal Bardiya National Park (Thakurdwara), Black Buck (Khairapur VDC), Badhaiya Lake, Karnali River (Chisapani)
Lakes - Badhaiya, Somraj etc	Rivers - Karnai, Babai, Bheri etc
Religious Place- Bageshwari Temple Kotahi Temple (Gulariya), Shiva Temple (Thakurdwara) Shiva Temple (Magaragarhi and Rajapur)	Election Area - 3 (Parliamentary)

Source: DDC, CBS, VDC

Study site Rajapur Delta which has 11 VDCs (Manau, Khairi Chandanpur, Manpur Tapara, Rajapur, Vimmapur, Naya Gaun, Badalpur, Daulatpur, Pashupati Nagar, Gola and Patavar) which is surrounded by Karnali River from its all side so that this area called as Rajapur Delta/Island (*Rajapur Tappu*).

According to the National Population Census, of 2001, the total population of this area (Rajapur Delta-11VDCs) is 92908 and the total number of HHs are 13303 Out of this total population,46780 are male and 46128 are female. In other words, the total population covers 50.35% of male and 49.65% of female. The main castes living in this area were *Tharu*, Brahman, Chhetri and Thakuri. The main occupation of the residents of this area is agriculture followed by animal husbandry.

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3.2 Rationale for the Selection of the Study Site

Rajapur Delta lies in the south-west part of the Bardiya district, borders Uttar Pradesh (UP) in India and possesses all the general characteristics of *Kamaiya* inhabited areas of the mid-and Far-western Development regions of Nepal. For the purpose of this study it is assumed to be representative of Nepal. Besides this, the following are some other reasons for selecting this area for this study:

The issue of the *Kamaiya* system exists in the Tarai and Inner Tarai regions of Nepal. It is specifically confined among the *Tharu* ethnic group. Bardiya district of Mid Western Region of Nepal, which represents one of the affected areas of the *Kamaiya*, has been selected for the study. The rationale of studying this district is based on the following grounds:

1. This district has 52.6% of the population consisting of the *Tharu* and Shares 37.77 % of total freed *Kamaiya* HHs of the country and 29.72 % of the *Kamaiya* representing landless or having no land ownership.
2. The situation of *Kamaiya* of Bardiya suffers from expulsion and harassment very grave to in comparison with other district.
3. Resettlement programme for the landless people was also launched in Bardiya district while it assumed as a far-reaching even to bring about socio-economic changes to native *Tharus*, who were living in these areas for centuries in isolation.
4. Last but not least, the present researcher hails from Study area and has good knowledge of the district except the problems and issues of the *Kamaiya*. It also represents one of the reasons in selecting Bardiya district for study

3.3 Research Design

This study follows both exploratory and descriptive research designs. Descriptive research design has been used to gather qualitative information about the research area and exploratory research design has been used to collect information about the *Kamaiya* system as a whole and specifically about the socio-economic, political, health & sanitation, education conditions, status of women of *Kamaiya*, their housing, food and the caused of their landlessness.

Research Design helps the researcher to clarify the method by which the research problem is tackled. The design depends upon the nature and scope of a problem. A problem can be studied with the help of various research methods.

3.4 Nature and Sources of Data:-

This study is supported by both primary as well as secondary data. Although the research is intended to be more field based with data collected from the fields, secondary source data also are used. Primary data were collected through various tools of data collection. The secondary sources data can be broadly categorized into two sets viz. attributes data and map data. They were obtained from the following sources.

A. Attribute data

-) Published and unpublished data from Department of Land Reform, Land reform Office of Bardiya district as well as from the offices of NGO/INGOs which are working in the field of Bardiya
-) Census report of different period with 2001.
-) Relevant Literatures
-) District Land Reform data

B. Map data

In order to have spatial perspectives on the prevalence and distribution of *Kamaiya* system and the distribution of the freed *Kamaiya*, following maps were consulted and used in the study report.

-) District map of Bardiya on the scale of 1:250000 published by survey department
-) Land Capabilities maps on the scale 1:50,000 published by survey department

) Topographic maps on the scale 1:25000 published by survey department

3.5 Universe

In a research, it is impossible to study whole universe of a problem under study due to high cost, time consuming and complexities. Therefore, sampling plays important role in research work. Data collected without a proper sampling procedure and suitable sample size may not meet objectives on the study underway (Raj,1999). There were 1109 HHs of *Kamaiya* in resettlement camp after the abolition, which are distributed in 11 VDCs which is the universe sample of our study.

Table-3.2: Name and Number of Resettlements Camps in Study Area

S. No	VDC Name	No. of Resettled Households in camp	No. of Settlement Camp in VDC	Name of Resettlement camps
1	Patabhar	216	12	Bagahipur, Ganeshpur, patabhar, tikaligand, Banghushra, Bhairampur, Rajipur, Ultanpur, Janaknagar, Sarkhol, Thapapur, Bankatti
2	Gola*	5	3	Ward no. 5, 8, 9
3	Pashupati-Nagar*	8	6	Kateshpur, Sukhar, Pathriya, Bindra, Banjriya, Jhabahi
4	Daulatpur	37	8	Sonpur, Nangapur, Tihuni, Sedura, Jhabahi, Daulatpur, Chotki Daulatpur
5	Nayagaun	219	6	Nayagaun, Chainpur, Bargadahi, Jotpur, Guwari, Sohariya
6	Manau*	35	5	Manau, Ramnagar, Parseni, Belbhariya, Nauranga
7	Badalpur*	125	10	Badalpur, Pahadipur, Krishnanagara, Jhapari, Bhabara, Khallajayapur, Basanta, Nihalpur, Saduwa, Jayapur
8	Khairi-Chandanpur	70	5	Gidarapur, Pahadipur, Khairi, Karmohani, Karjenipur
9	Rajapur*	76	5	Ghumna, Fattepur, Muraiya, Tediya, Kusahi
10	Manpur-Tapara	111	8	Tapara, Mahuwa, Koili, Bhokpur, Vastaspur, Saduwa, Jamnabojhi, Gogipur
11	Vimmapur*	128	6	Vimmapur, Durganagar, Deepnagar, Shankarpur, Rampur, Ishworigunj

Source: Land Reform Office Bardiya/Field visit

* VDCs are selected for research as a cluster area

3.6 Sample Size and Sampling Procedure

The sampling of freed *Kamaiya* camp and a freed *Kamaiya* household was conducted in two stages viz. stratified cluster sampling of resettlement areas (Camps) and random sampling of households.

These strata were made on the assumptions that the rehabilitation process and the livelihood strategy of the freed. From these strata random sampling of cluster was done keeping in mind that at least 15 percent of settlement will be selected from each strata.

Random sampling design was adopted for selecting the resettles/freed *Kamaiya* for the interview. The sample households selected for questionnaires survey constituted at least 20 percent of the total households in the respective freed *Kamaiya* camps/settlement. Altogether 116 HHs were selected from 6 VDCs (Gola, Pashupatinagar, Manau, Badalpur, Rajapur, Vimmapur) from Northern to Southern part of this island. In a research method of sampling and sample size taken, hold an important part. It has its direct effect on the quality of the sample and so also on the research report.

Again, sample household were interviewed using structured questionnaire for the household survey of 116 sample household. Field Survey was conducted during the field visit during Aug-Sept 2006.

3.7 Data Collection Techniques/Instruments

In order to meet the stated objectives of the study, the following tools of data collection were used.

3.7.1 Questionnaire

A survey questionnaire sheet was formulated consulting the dissertation supervisor and filled out in the field to collect quantitative HHs data including family size, education, health & sanitation, economic, social, political conditions, status of the women of the *Kamaiya*, etc. of *Kamaiya* HHs. An attempt is also made in the questionnaire to obtain information about their awareness about their forum, awareness toward their exploitation by various people, and about government and non-government organizations programmes designed to uplift the *Kamaiya* socio- economic status. The questionnaire sheet used both opened and closed types of questions.

3.7.2 Participant Observation

Most of the qualitative information was collected through direct and non-participant observation during the field visit. Lots of interactions and activities such as interactions between ex-*Kamaiya* and their masters, *Kamaiya* and non-*Kamaiya Tharu* people, and among *Kamaiya* themselves, were observed. Their food habits, housing and settlement patterns, health and sanitation status, their children's educational attainment, their work load, dressing pattern, and service

facilities provided in this area were also be observed. The effects of habits of drinking liquor, smoking and chewing of tobacco on their health and economic condition etc were also observed. In short, the whole study area, as well as *Kamaiya* day-to-day lives, was observed during the field work.

3.7.3 Focus Group Discussion

Focus group meetings were conducted with *Kamaiya*. Some relevant topics like how they became *Kamaiya*, “how they are feeling after being freed from bonded labor”, “what are the benefits and disadvantages of being *Kamaiya*”, “why they work for a long time for a single master”, “what they themselves think of *Kamaiya* system” etc, were discussed in the focus group meeting. The landlords who employed *Kamaiya* dissuaded the researcher from establishing rapport with *Kamaiya* and collecting information from them. Hence, the researcher had to approach them at dead night for authenticity of information in the group discussion/meeting.

3.7.4 Published and Unpublished Documents

Along with the tools discussed above, used in this study, published as well as unpublished materials are also be used. These sorts of materials helped in reviewing the literature and formulating a necessary theoretical framework for the study. Also, these types of documents had helped in interpreting the primary data collected from the field.

3.8 Method of Data Analysis:-

After the completion of the field survey, the informations were gathered in one place. The data thus gathered, were first edited and then coded with the help of a coding table. After coding the data, they will tabulate. Before tabulation of the data, the data were classified and put under required headings and sub-headings. Tabulation has converted the data into percentage as well as frequency tables.

The information obtained from secondary sources as well as field observation, FGD and formal and informal interview were similarly processed and tabulated. The analysis will be done with the help of simple statistical tools such as cross tables, percentage, percentage frequency (PF), average etc. so this study presents the data analyzed quantitative and qualitatively.

Chapter IV

HISTORICAL OVERVIEW

4.1 Slavery and Evolution of Slavery System in Nepal

The core of historical materialism is the proposition that the mode of production plays the decisive part in society's development. In other words, the mode of production or the relation of production shape all the other social relations and is the basis of society. The history of society is the law governed development of social production the necessary process of replacing one lower mode of production by another higher one. The history of society consists of a chain of negation of the old social order by the new; primitive communism by slave society; slave society by feudalism; feudalism by capitalism; capitalism by socialism.

The slave society replaces the primitive communal society, which was based on common ownership of the means of production, after the concept of private property developed in the human society. The Encyclopedia of Religion and Ethnic supports this view in this way: "Pastoral Nomadism has been considered favorable to the growth of slavery. There is the mystical belief, as Nichboer calls it, that the taming of animals naturally leads to the humanizing of man, it is supposed that the nomadic herds man who has learned to domesticate animals begins also to domesticate or enslave man.

Indeed with the dawn of private property and commodity exchanges began the disintegration of the clan into families. Family became the owner of means of production. However, the means of production were mainly concentrated in the hands of families of former clan nobility. Since, the producer began to make more things than were necessary for this own subsistence, consequently some members of society getting rich at the expense of others. Thus, the first antagonistic classes slaves and slave-owners appeared.

Lets us examine the slavery in the context of Nepal. In the view of historian Dharma Bajra Bajracharya; slavery system was already in practice since Nepal's authentic history begins in the *Liechavi* Period. There are limited literatures showing the mode of production and the relation of production as well as the classes of society in the *Kirati* period, so that it is difficult to trace the history of slavery pervious to *Lichhavi* period. Prashrit expresses that there was only the form of domestic salve of few nobility in Kirati regime, because they had practice of co-operative labor, where as there was widespread of slavery in the regime of Shakya, Bideha, Koliya etc. in the Terai. He further

writes that during the period after *Kirati* to Mandev I, the society of Kathmandu valley was neither primitive communal type nor as developed as feudalism, so it could be considered as slave society.

During and after the unification, the ruler of Kathmandu, Gorkha as well as different principalities use unpaid labor to meet their need for portage and other services. The existing religious and legal provisions were also in favor of enslavement during this period. Many instances are found to have enslaved the person who had gone against the caste system and religion like having sexual relation with untouchable caste by 'higher' caste. People enslavement of vanquished and rebellion by the victorious in the war was common. Edwin T. Atkinson, an English writer, estimated more than 200,000 people were sold as slaves by the *Gorkhali* administrators in *Garhwal* area.

Thus, it is clear from above evidences that even during and after the unification, there was practice of slavery as an institution in different parts of the country. The history of world shows that any movement or struggle of slaves has destroyed the slave society and raised the feudalism. But in Nepal neither the slavery as in ancient Greece; Egypt, Rome etc was widespread nor such movement. The form of slavery is also found distinct character in Nepal. However, this aspect of Nepalese society is the question of further research. Throughout the medieval period and even in Rana regime the slavery was continued by supporting feudalism.

So far emancipation of slavery is concerned the well-planned policy, although limited to certain area of community, was adopted from the time of Bhimsen Thapa. However, different historians have given emphasis to different rulers as first step toward emancipation though they had freed few slaves or framed the certain law against the slavery. In this regard, the name of Josman Shah King of Kaski, Prithivi Narayan Saha, Bhimsen Thapa, Jung Bahadur Rana, Dev Shamsar and finally Chandra Shamsar are found frequently mentioned in the literature.

It is said that Prime Minister Chandra Shamsar had abolished the slavery system by appealing all to co-operate with him on 28 Nov. 1924. He had deeply studied the non-effectiveness of the attempts and law made by the different previous rulers to abolish the slavery system. Therefore, he had made solid ground for the successful implementing of the work. He had taken a well-planned step toward this mission. Firstly, he collected the data of slave and slave owners respectively in census 1920 and in 1923. In this connection he did not follow Dev Shamsar who had openly collected the data of slaves in district of Kaski and Lamjung because he was of the opinion that there could be revolt by the slave owners if they had been informed that the data of slaves were being collected in connection with the abolition of slavery system. He promulgated a law in 1921 relation the abolition of this system. According to the law the slaves were given the right to their ancestral property as well as

their own. Before this law came into existence there was no provision of slaves as a personal property.

He declared the abolition of this system again only after the collection of opinion of slave-owners. After having read the opinion of slave-owners, he started to emancipate slavers since March 1925, providing the slave owners with the amount of legal compensation in addition. In 1926 April, he promulgated a law stated nobody would be assumed and compelled to be a slave since 1926.

With respect to rehabilitation of emancipated slaves, the government issued order to the officials of hills, Tarai and other district to grant the cultivable wasteland to emancipated slaves for their livelihood. Out of 51782 slaves, one-third of emancipated slaves expressed their desire to remain in the house of their old master as wage laborers other decided to start own business or to be an independent farmer. The land to be granted for rehabilitation to freed slaves was fixed as four *Ropanis* for each person in the hill area and one *Bigha* in Morang and Dharan Distrists. Besides this, Bhichhakhori (Amlekhgunj) at present in Bara district slaves were settled for the rehabilitation. Thus, it seems that the work of Chandra Shemsher was well organized and planned one.

But the Rana Prime Minister had taken this step from the perspective of the emancipator not that of slaves. Being an ambitious and cunning person, Chandra Shamsher, intended to present himself as a great social reformer on the one hand and save the Rana regime from the movement that may have evoked from slaves as had experienced in the world on the other hand. Anyway, he did that and laws and constitutions of Nepal framed thereafter have imposed restriction of slavery and trafficking.

4.2 Land Tenure System in Nepal

Land is the main means of production in the feudalism or agrarian society. Land is the prime source of wealth and ownership of land has historically implied prestige, affluence and power, apparently, the *Kamaiya*'s whole life is centralized around land, so *Kamaiya* system is associated with the land pattern. Therefore, it is relevant here to discuss land pattern or land tenure system in general.

We may begin with the truism that in any society, systems of land structure develop within the framework of its political philosophy and its general policies toward property in land. Where the society is still in the primitive stage of economic development, land tenure policy is based upon the custom that

land belongs to the persons who reclaims and cultivates it. The nature and extent of rights in the land in a situation are governed by the need for survival and personal use.

Discussion of the socio-economic structure of a country cannot be isolated from its corresponding demographic history because they are intrinsically connected with each other. The population of Nepal represents waves of migration from the north and south at different periods of history. The first wave came primarily from the eastern and central parts of Mongolia, especially ancestors of the tribal groups such as the *Kirats*, *Rais* and *Limbus* who were concentrated in the eastern hills. The second wave came probably comprised the *Gurung* and *Magar* whose geographical domain is found in the central hills and their wave of 'Tibeto-Himalyan' people probably during the mid-Seventeenth century. The Aryan migrants first reached the western hills of Nepal somewhat 1,000 years ago.

4.3 Land Tenure Before 1964

Before the arrival of the Aryans, the mode of production commonly found among the Mongoloid was communal, generally characterized by pastoral and Sweden types of economic activities. The production relations were based on kinship relations and communal alliances rather than class stratification. The property relations were characterized by communal landownership "Known as the *Kipat* system".

The emergence of feudalistic production relations had a significant impact on the country's socioeconomic formation. It gave the rise of class stratification i.e. landowner and tenants or serf. Under the agrarian system prevailed in Nepal before and after political unification, ownership of land was normally vested in the state. For political and administrative reason, large portion of state owned land granted to members of aristocracy and bureaucracy, religious and charitable institution etc. in the form of *Birta*, *Jagir* and *Guthi*. Similar land tenure system was existed until downfall of Rana regime in 1951. However in certain geographical location '*Kipat*' system was also prevalent among the few tribal groups like *Limbu*, *Rai* etc. The provision of unpaid labour, *Jhara* and *Rakam* System was also common. Hence, during this period the actual cultivator usually held his land on tenancy. Either he paid rent to the government or to individuals or institutions who were beneficiaries of state land grants. Thus, fruits of cultivation were divided into two parts: landlords share and cultivator's share. In effect the system meant that the surplus production to land belonged to aristocratic and bureaucratic groups in the society, whereas the peasant was mere instrument to work the land and produce taxes for their benefit.

Raikar land was known as *Birta* when it was alienated by the state in favor of individual such as priests, soldiers, members of nobility and the royal family. The assignment of the revenue of the *Raikar* land as emoluments of office to

government employees in lieu of salaries in cash was known as *Jagir* System. While *Raikar* land not so assigned was called *Jagera*.

Guthi tenure originated from the alienation of *Jagera*, *Birta* or *Kipat* land by the state, or by private individuals, for religious and charitable purposes. Whereas, *Rakam* land refers to *Raikar* land including that assigned as *Jagir* and *Guthi* land on which the cultivator were required to provide unpaid labor on a compulsory basis to meet governments requirements.

4.4 History of Landownership

Before 1960s cultivation was not optimized in the Terai because people afraid from *Malaria*. The area was covered by forest and the population density was low. The *Tharus*, who are believed to have some resistance to malaria, were the ethnic majority but as the Rana rulers began to distribute the land titles of the Terai among the urban elite as land grants, other ethnicities slowly started moving to the area. To cultivate the land the new large landowners the *Jamindars* brought *Tharu* labour from other areas.

According to the *Jamindar* the land of Rajapur used to belong to a few large landowners. He does not describe any other farmers living in the land before the urban elite arrived and positioned themselves as *Jamindars* and employed *Kamaiya* to cultivate the land. Though he mentions that there were a few smaller landowners *Kisans* he holds that they were dependent on the *Jamindars*.

Also two of the Kisan-landlords, Bhakta lal and Loharman, highlights that the land on Rajapur Island used to belong to a few *Jamindars*. According to Bhakta lal both landowners and farmers stayed few up to the land measurement in 1964, so few that the *Jamindar* (the present *Jamindars* father) gave them a plot of land if the family would choose to stay after a flood:

Many of the *Kamaiya* and sharecroppers say they came to here to get new land by cutting the jungle but only few *Kamaiyas* says that their family came before most of the “foreign mountain people”, the *Paharis*, and that the newcomers took their land. Although half of the interviewed establish that their father or grandfather originates from Dang, where the landlords according to the *Jamindar* recruited their workers, they are not indicating whether they came to this area by invitation from the big landlords needing labourers or just because they wanted new land and a new place to live. But most of the interviewed labourers indicate that their family have had land at some point.

4.5 The Land Reform System in Nepal

The government of Nepal introduced the land reform programme in 1964. The main objective were abolishing the *Jimindari* System, imposing a ceiling on the landownership, acquiring land in excess of the ceiling and allotting such land to others, giving security to tenant farmers, regulating the rent, and collecting saving compulsorily.

The land reform programme and the Land Act of 1964 remain to have merely a paper tiger since the basis of society i.e. the semi feudalistic and semi colonialist relation of production or agrarian mode of production was not changed.

Since the ruling class was representative of feudalism and capitalism, they set such legal provisions which helped them to retain their land holding by redistributing land among their families and relatives or registering themselves as cultivators by evicting tenant to retain their land hold. One the other, the land reform programme and land Reform Act was so framed that it sustained the existing agrarian mode of production. Thus, the prescribed ceiling did neither affect the holding system nor the size of the holding; the reform gave rise to the tendency to resume land by the landowners for personal cultivation and resulted in the progressive displacement of peasants.

4.6 Being *Kamaiya*, Marginalization, Landlessness

The *Kamaiya* system is generally associated with the *Tharus* but non *Tharu* households had also entered into the system. The landless hill people who migrated to Tarai as the adaptation strategy for landlessness where entered the system since they were unable to acquire any piece of land on the one hand and the condition of labour market in the other. There was lack of employer/landlord had been using cheap labour in the form of *Kamaiya* so that it was also difficult to get work in agriculture field as wage labour. Thus, the poor, illiterate and ignorant *Pahari* people (mostly lower caste or Mongolian origin) compelled to work as *Kamaiya* as their *Tharu* fellows did. In some cases the *Hali* or *Haruwas* who were working under bondage in hill area, migrated with their previous landlord or brought by them also became the *Kamaiya*. Once anyone entered to *Kamaiya* system, it was often impossible to escape from it. The process of transformation to *Kamaiya* was continued in successive generation. Thus the successive generation of *Kamaiyas* beneath it, likewise the poor small land holding peasant gradually transformed to the *Kamaiya*. Thus the number of *Kamaiya* was increasing in successive year. Table below shows from which generation the ex-*Kamaiyas* family entered to the *Kamaiya* system in Rajapur Delta.

Table-4.1: Being *Kamaiya* in Generation in Sample Households

Being <i>Kamaiya</i> In Generation	No. of HHs from Sample VDCs					
	Gola	P.Nagar	Manau	Badal- pur	Raja- pur	Vimma- pur
Themselves	2	6	3	9	11	15
Father	1	5	2	7	8	12
Grandfather	1	3	2	5	6	8
Don't Known	-	2	1	2	3	3
Pahadi Master No.	2	8	3	11	13	18
<i>Tharu</i> Master No.	1	5	2	7	8	12
Pahadi/ <i>Tharu</i>	1	3	2	4	7	8

Source: Field Survey 2006

In search of livelihood within the feudalistic and agrarian society, the poor landless people entered in the *Kamaiya* system. Families spent life times there after wandering from landlord to landlord to landlord. Not only the household head but entire family members i.e. children from 6 years and above were engaged to work in landlords' house in different form of *Kamaiya*. Since whole family members worked in very low wage rate compared to the market rate and received the insufficient amount of food grains, they were compelled to borrow more money or food grains from their master for hand to mouth. The new loans received were added up annually to the principal known as *Saunki*, thus the *Kamaiya* were chained in the vicious cycle of indebtedness and bondage. If the parents fail to pay the '*Saunki*' in his life time then the parent handovers the liabilities to their children. Thus, the grand father's loss of their land became the grand child's cursed inheritance the hole that no amount of borrowing would fill.

The working condition was very poor in *Kamaiya* system. The *Kamaiyas* were not only bonded economically, they never felt physical liberty even to decide when to get up in the morning and go to bed in the night. Abuse beating and other inhuman treatment were also the usual practices with them when their masters were not pleased with their performance.

Once *Kamaiya* entered contract, he was bound to serve his master for the whole year and could not break it. Till the next *Maghi* he had to work under his masters' direction. The *Kamaiya* without *Saunki* had freedom of choosing his masters in *Maghi*. However, the *Kamaiya* with *Saunki* could change his master in *Maghi* if another master paid his loan.

4.7 Movement for Freedom

After the restoration of democracy 1990, many governmental and non-governmental organizations started to work for the *Kamaiya*. They started awareness activities like education and livelihood development programme. In the mid 1999 the *Kamaiya* started to campaign on demanding their freedom.

After considerable pressure from the *Kamaiya*, media, donors, NGO/INGOs, human right organization and other social activities, HMG immediately declared freedom for the *Kamaiya* on July 17, 2000 thus the practice of bonded labour system was declared illegal. All bounded laborers became free from their *Saunkis* and previous contracts, written or oral with their land masters. It also declared the provision of punishment of 3-10 years imprisonment or 2500 Rs fine to those landlords who continue the practice of bounded labour.

4.8 Immediately impact after decision

In the immediate response to the decree of emancipation of *Kamaiya* landowner freed their *Kamaiyas* and asked to leave their property. They also started them to remove forcefully from *Kamaiyas Bukuras* provided earlier for them. As they forced to come under the open roof of the rainy and cloudy sky, there was no option for them than to sit on picket line in front of DDC, VDCs offices or under the tree in public land making a small hut. In this respect Sharma found that the landlords of Bardiya were more aggressive towards the decision. So they behave cruelly to the *Kamaiyas*. Thus, the *Kamaiya* found themselves in the open street with nowhere to go and no means of livelihood.

The ex-*Kamaiyas* eagerly waited for their planed resettlement for 5 months after their decree of liberation. But the effort of government bought them only frustration with gave bight to the second phase *Kamaiya* movement this phase concentrate on securing land for the newly emancipated so that they could make a living of the soil. Thus, freed-*Kamaiya* stated to take hold of public land since last Jan 2001 after the failed to get any other land for habitation. The encroachment of public land was mostly concentrated in the river bank or in the fringe of forest.

Thus as an adjustment strategy, landless, homeless poor freed *Kamaiya* started to encroach upon the forestland as well as pastures. Such encroachments of forestland in many cases cause the conflict between freed *Kamaiyas* and neighboring people.

Chapter V INTRODUCTION OF THE STUDY AREA

5.1 Background

Bardiya is one of the districts of the Bheri zone of the Mid-Western Development Region. Banke district lies to the East, Surkhet lies in the North, Kailali lies to the West and U.P. of India lies to the South.

Bardiya lies in between $28^{\circ} 7' - 28^{\circ} 29'$ North latitude and $81^{\circ} 3' - 81^{\circ} 41'$ East longitude. The climate of this district is hot in summer and sub-tropical in other seasons. The average length (East to West) is 64km. it is 138 to 1326 meters height from the sea level. The slope of Bardiya is less than 20 degrees. Its northern part is covered with forested ridges up to 1326 meters high of *Chure* hills without fertile land. The rest is plain land, sandy as well as *Bhaver* and *Panga*. The sandy land is not fertile and covered with forest. On the other hand, the *Panga* land is leveled and fertile.

The average rainfall in this district is 1,050 mm. the rain starts from mid-June and runs up to mid-October. The recorded rainfall is 2,100mm. The average temperature differs from 17.5°C to 34.5°C the maximum temperature is around 43°C in July and minimum is 7.7°C in January.

Bardiya district has 31 VDCs and one municipality named Gularia. The total area 2025 Sq.km. of Bardiya 92,995ha (42.98%) are covered by Bardiya National Park, 39034ha (17.12%) are covered by forest outside of the National Park, 14982.5 ha (16.58%) are covered by water resources like rivers, streams and gorges, 980ha (0.43%) are covered by pasture/barren land, 74989ha (32.89%) are use for cultivation by the people and the remaining 3875ha 1.7% are use for house land. The population density in Bardiya is 158 persons per sq.km the population growth rate is 3.77% per year that is higher than the national rate.

Bardiya is one of the districts, annexed into the territory of unified Nepal, at the time of the unification movement by the great King Prithivi Narayan Shah. Later on, it came under the sovereignty of British East India Company to suppress it by sending huge numbers of military troops into action during the regime of the 10th Rana Prime Minister Junga Bahadur Rana. Mahakali River, this district Bardiya is a part of that returned territory.

Bardiya is located in the western Terai region. It has an area of 2025 sq.km the district is a part of *Nayamuluk* (new land) with a total population of 382649. Geographically, the district may be divided into three regions. They are firstly *Chure* range or *Siwalik*, Secondly the *Bhabar* and lastly the Terai Plain. Administratively the district is divided into 32 units' one municipality and 31 village development committees. Gulariya is the only urban center in the district. The district is drained by two rivers the Karnali and Babai. Approximately, 43% of the total land is covered with national reserve. Most part of Bardiya enjoys sub-tropical monsoon climate with high temperature and high rainfall. The district is also affected by a hot wind 'loo' blowing from the western part during summer. The singer period is warm and cool.

The Karnlai River originates in the mountains as the Humla, Jumla and Mugu Karnali tributaries. It leaves the gorge through the *Siwalik* Hills at Chisapani, the border of the Bardiya and Karnlai districts. It splits into two major branches, the *Karnali* and *Geruwa*. The Rajapur area is on a permanent island flanked by these two branches. The Karnali is the west, and the *Geruwa* in the East. The *Geruwa* is currently the dominant branch, but this may change. The Rajapur area is bounded in the south by the Nepal - India border. Hence, the Rajapur area is isolated.

5.2 Agriculture

The main occupation on the Island is within agriculture. In 2001 the number of people employed in agriculture and fishing was 81% in Nepal and 83% in Bardiya district. But at study in 1991 on 125 households on Rajapur Island states that as many as 97% of the households reports farming to be their main occupation (Cederroth 1994:9).

In the fiscal year 2061/62BS, a total 112,548 metric tones of food grain was produced from the district and from this some surplus grain was sold to the people of the other parts of Nepal. Because of the fertile soil and high productivity, it is called the 'store of food grain' (*Anna Ko Bhandar*)

Bardiya, and especially Rajapur, constitutes some of the most fertile land of Nepal. The Terai lowland has been termed "the bread basket of Nepal" as its production in the subtropical climate can feed much more than the people living in the area. Rajapur Island's location between big rivers furthermore promotes the use of irrigation in cultivation, a method that is pervasive on the island. The Nepalese part of the island covers 15.000 ha agricultural land and is one of the world's largest areas of community-based irrigation.

5.3 Natural Resources

Plain and fertile land is the main natural resource of this area. It is said that the productivity of Rajapur area is very high. Because of its high yielding land the food grain and oil production are high. Level and fertile land make crop cultivation easy therefore, productivity is high. Most of the cultivable land of this area is irrigated by the canals from *Budhi-kulo*, the large farmer-managed system in Bardiya district in Terai, which irrigated over 12000 hectares. The total irrigated land in the district was 24,731ha, which comes to be 41.47% of the total fertile land. Bardiya district had only 71.5 km, of black –pitched motor road and 87.5km is graveled. Other roads were small mud trail and paths. In winter the canals do not have sufficient water to irrigate the winter crops like wheat, oil seed and lentil seeds. Another important natural resource of this study area is the water resource of the *Karnali* River. This area is limitedly depending on forest resources. This area is attached with Bardiya National park from east, *Chisapani* from North, *Chedia* Forest from West and Indian *Katarniya Ghat* Forest is in South, the *Geruwa* River is to the East and the *Mahila* River is to the West. People of this area have shortage of forest production like timber and firewood. Hence, they do not have many facilities for grazing cattle. They generally go in search of grazing pastures in the neighboring jungles of the Indian border area. They have to pay in the form of food grain or cash to the Indian forest officials to use the Indian protected forest for grazing cattle, collecting firewood, dry leaves, and bushes to make the roofs of their houses. When the villagers need timber, to build houses or for other purposes, they have to go to the neighboring jungle of *Katarniyaghat* and pay the Indian officials to get timber. The lack of their own forest resources makes most of the people of this area dependent on the Indian officials.

5.4 Demographic Scenario

The total population of Bardiya is 382649 of which 192655 are male and 189994 are female and total HHs are 59569 (CBS 2001). The total area of Bardiya is 2025 Sq.km. (CBS 2001) and the head quarter of this district is Gularia, which recently became a municipality in 2001. Analyzing the demography of last 40 years, we can see following position.

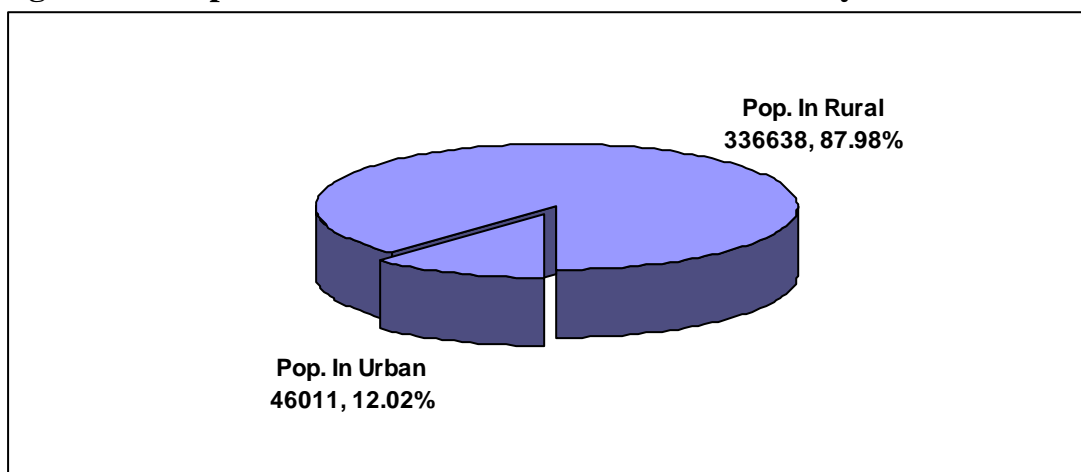
Table-5.1: Demographic Scenario in District in Different Years

Year	Population			Increased %	Number VDCs	%
	Male	Female	Total			
2018	34071	33660	67731		26	
2028	75578	74772	150350		26	221.98
2038	103879	95165	199044	3.55	34	132.38
2048	147454	142386	290313	3.75	34	145.85
2058	192655	189994	382649	3.79	1MC/31vdc	13.81
In %	50.35%	49.65%		No. of HHs-59569,Av.HHs-6.42		

Source: Different years CBS reports.

Most of the Bardiya district is covered by rural area. Now Bardiya district has 31 VDCs and 1 municipality. Gulariya municipality is the only one city of this district. Population of district by rural and city is as follows.

Figure-5.1: Population in Rural and Urban area of Bardiya District



Source: CBS Report 2001

5.5 Population Distribution by Caste

The caste system is still prevalent and exists in most of the societies of Nepal including Rajapur Delta. Different castes, ethnic and religious group had been settled in this area. Although, the demographic characteristics were heterogeneous in this area, *Tharus* comprise the majority. Brahmin, Chettri and Thakuri were minorities. Magar, Gurung, Newar, Kami, Damai, Sarki, and other were very few. In this area more the 52% of the total population were *Tharus*, hence the dominant mother tongue of the people of this study area was the *Tharu* language.

In this district also lot of different caste and ethnic variation we can see. Around 75 type of caste/ethnic were recorded in report of district development committee.

Table-5.2: Population Distribution by Caste and Ethnicity

S.N.	Caste/Ethnicity	No. Population	
		2001	Percentage
1	Tharu	201276	52.60
2	Kshetri	40681	10.63
3	Bramhin	36163	9.45
4	Dalit	32390	8.46
5	Magar, Tamang, Gurung, Rai Limbu, Sherpa	15218	3.98
6	Muslim	11569	3.02
7	Rajput, Thakuri	9712	2.54

8	Yadav, Kurmi	9258	2.42
9	Bramhin (Tarai)	3314	0.87
10	Newar	2446	0.64
11	Teli, Kanu	1790	0.47
12	Dunuwar, Chepang, Gharti Bhujel, Kumal, Dhimal, Girel, Meche, Lemcha	951	0.25
13	Badi	517	0.13
14	Kyasta	441	0.11
15	Haluwai	25	0.01
16	Others	16898	4.42
	Total	382649	100.00

Source: DDC Bardiya report

Table-5.3: Land Use Pattern

S.N.	Area Description	Quantity (ha.)	%
1	Bardiya National Park	97995	42.98
2	Agriculture land	74989	32.89
3	Forest	39034	17.12
4	River	11127	4.88
5	Settlement	3875	1.70
6	Grazing	980	0.43
	Total	228000	100.00

Source: DDC/Land Reform office Bardiya

5.6 Land Ownership Pattern

There are 2/3rd marginal farmers, 1/3rd small and large farmers in this district. 1.65 percent are large farmers who have more than 6.33 hectare land under them. 4.92 percent are small farmers holding 3.7 hectare of land under them and tenants are 9.99. Average area for per family is 1.34 hectare.

Table-5.4: Land Use Pattern in District

S.No.	Particulars	No. of Family	Percentage
1.	Farmers holdings below 3.33 ha.	39582	70.98 %
2.	Farmers holdings 3.33 ha. – 6.66 ha.	2745	4.92 %
3.	Farmers holdings above 6.66 ha.	918	1.65 %
4.	Tenants (Mohi farmers)	5568	9.99 %
5.	Kamaiya Farmers	6949	12.46 %
	Total	55762	100.00 %

Source: LRO Bardiya/Field Visit Data

5.7 Religious – Cultural Apects

The people in this study are generally adhering to two religions viz. Hinduism and Animism. The hill migrants, such as Brahman, *Chetteri*, *Thakuri*, *Magar*,

Kami, Damai, etc, follow Hinduism whereas the *Tharus* are animists by tradition, believing in ghosts, *Magical-Tantric* rituals and spirit worship.

Tharus have their own god/goddess called *Bhutwa*. Every *Tharu* house has a separate place for *Bhutwa*, they have their own priest called *Guruwa* to perform any religious activities with the village. The *Tharus* have another *Guruwa* called *Bhuitar* who is senior to the village priest and look after 5-6 of the *Tharu* villages. When *Tharus* fall ill, they do not go directly to any hospital. At first, they worship their *Bhutwa* through *Guruwa*, and if their condition does not improve, then they go to the health post or hospital. *Tharu* have their own household level ancestral deities, which are placed in a separate place in their own house.

People of the study area celebrate *Dashain, Depawali, Janaipurnima, Saunesankranti, Teej, Manghesankranti* etc, which the *Tharu* people also celebrate. The greatest festival of *Tharus* is *Manghesankranti* called *Maghi*, during *Maghi*, *Tharu* worship their Kuldevata *Bhutwa*, and drink, Jaad, Raksi and eat Sikar. *Tharus* have common deities in their villages as well. The whole village worships their common village level deities for their welfare and healthy life.

Tharus also celebrate other seasonal festivals like *Hardawa*, by dancing and singing on this occasion. The *Tharus* dance while beating drums and playing other traditional instruments. In present those traditional dances, songs and instruments are being lost and replaced by Hindi dances influenced by the cross border Hindi Movies/Music. The people living near the border of India have easy access to the neighboring people for trade and social intercourse. The *Tharu* religion, festivals and other cultural rituals are getting lost due to influence of movies and merging of other cultural groups.

It can be concluded that due to the inter-ethnic relations among different groups, and the consequences of migration and in-migration in the area the *Tharus* have change in their lifestyle such as the loss of their native culture and philosophy as dictated by their tradition religion. Dominated by Hinduism, they are losing their connection with their own old Animistic culture and traditions.

Tharu religion is a complete one. They have many beliefs and practices. The *Tharus* priest *Guruwa* is supposed to be traditional healer who protects the people against the attack of witches, chronic diseases and also natural diseases. Every *Tharu* house has some idols and artifacts representing particular deities installed inside the deity room of the house and one the corner of the courtyard, whereas *Kamaiya Tharus* have their idols only inside their *Bukra* (house).

Tharus are attached to their local religious traditions. They have been equally influenced from other religions especially through the Hindu religion from their Hindu masters. It is not clear when this influence began. Stories from the *Ramayana*, *Mahabharata* and *Krishna Charitra* have become the themes of the *Tharu* Traditional songs. Songs sung in many villages during night or group dances performed at the same time illustrates some of the scenes and stores from the Hindu epic.

The festival of *Maghi* is celebrated for the New Year of the *Tharus* every year on the 1st of *Magh* and the celebration period may take 3-5 days. After this festival, the *Kamaiya* are free to choose their masters and it was a period of contract renewal for the next year.

The *Tharu Kamaiya* of this area like any other prehistoric societies are irrational. According to them, the world is inhabited by supernatural powers. They have their own beliefs and practices, which help to strengthen their social unity. This contributes to the existence and maintenance of social order in their society. Their religious beliefs and practices help them to confront the supernatural world and restore confidence in the minds of the community. The *Tharus* consider natural calamities as draughts, flood, and damage to crops are the result of evil spirit or witches. The local shaman known as *Guruwa* among the *Dangaura Tharu* Performs the religious activities to get rid of the evil spirits. The *Guruwa* plays a unique role in the social system of the *Tharus*. He is required to be present in all social and religious activities of the community. According to the instruction of the *Guruwa*, one offers fowl, pig, duck and goat for getting rid of the evil spirits. If a person falls sick, a *Guruwa* is expected to recover him. If a cow stops, giving milk it is thought to be the doing of a witch. The owner visits the *Guruwa* with a handful of rice and coin to examine the cause. The *Tharus* worship the spirits of their ancestors and believe in rebirth. It is believed that the displeased ancestral spirit inflicts misfortunes upon the family. They worship their ancestors and offer those fowl, pig, duck, and goat also they workshop some Hindu Deities. Now a day they celebrate *Dahain* and *Bhaitika* too.

The *Holi* festival is very important. They celebrate it with great enthusiasm. They eat meat and drink liquor and go visiting friends and relatives. They go to the Kisan's family and offer eggs and liquor as a sign of love and respect. Sometimes, a *Kamaiya* takes loan from his Kisan or local moneylenders to celebrate the festival. The most important festival falls in mid January and is called *Maghi*. The *Kamaiyas* of this area got three days off to celebrate *Maghi*. They generally bathed in the Karnali River and visit the *Ganesh* Temple called *Hathiababa* locally. Bathing in the Karnali is considered religious and the *Tharus* believe that all the diseases of the past year are washed away. During the death ceremony, also they use liquor and pig meat. Thus as a member of this community even a *Kamaiya* celebrates such ceremonies and festivals. He

has to take loan from his Kisan or local money lender. Alcohol is widely use by the *Tharus*.

5.8 Caste/Ethnic Groups and Mother Tongue

The caste system is prevalent and still exists in most of the societies of Nepal including Rajapur Deltas VDC. Different castes, ethnic and religious groups had been settled in these VDCs. Although, the demographic characteristics are heterogeneous in this area, *Tharus* comprised the majority. *Brahman*, *Chhetri* and *Thakuri* were minorities. *Magar*, *Gurung*, *Newar*, *Sanyasi*, *Mushlim*, *Gaine*, *Kumal*, *Kami*, *Damai*, *Sarki* and other were very few. According to the CBS: Census 2001, 52.6% of populations are belongs to *Tharu* community. Hence, the dominant mother tongue of the people of this study area was the *Tharu* language. According the census of 2001, of the total population of this area 51.74% people speak the *Tharu* language, 36.7% people speak Nepali and the remaining 11.48% people speak *Awadhi*, *Hindi*, *Maithili*, *Magar*, *Limbu* and other local dialects as their mother tongue.

Table-5.5: Language by Mothertongue in Study Area

S.N.	Languages	Percentage
1.	<i>Tharu</i>	51.74
2.	Nepali	36.78
3.	Awadhi	7.18
4.	Hindi	1.72
5.	Magar	0.74
6.	Others	2.07
	Total	100.00

Source: Census 2001. Nepal.

5.9 Marriage

Marriage has been an important social institution since the dawn of the human civilization which permits men and women to live together as a family and breed children. It is a permanent bond. With regard to the *Tharus*, marriage is an important affair arranged by the elders of a family. Child marriage was the custom in the olden days but as the children go to school it is arranged in the adulthood. Before the marriage the ceremony called the *Pakkapodhi*, which is a formal engagement takes place. During the marriage, the parents of the boy and girl meet together. In the party pork and a local delicacy called *Dhikri* (steamed rice cakes) and the local rice beer called *Jand*, is essential. The bride wears the traditional *Lehenga* (a local patchwork skirt) and silver ornaments. Now days the *Lengha* is replace by a sari. In this area the women now days wear skirts or sari. Since these ceremonial customs are expensive, the *Kamaiya* do not

perform it in a lavish manner but prefer a simple ceremony with basic requirements.

Every ethnic group has its own marriage, birth and death rituals. Marriage is an important factor affecting fertility. It is also a social institution. *Tharu* marriage is performed according to Hindu Religion. When a girl attains the age of 14-15, the parents and relatives start to search a husband for her. The community has a tradition of arranged marriage system. In the past, there was a high demand for girl in the community but today the situation has been changed. There is a high demand for boy. In this regard, the parents and relatives of a girl are engaged in searching a husband/boy for her. This is known as *Aguwa*. After an understanding between two sides, the date for the wedding ceremony is fixed. *Diuli Darna* is very popular among the *Tharus*. It is performed in initial stage of marriage. Some dal and rice flour is prepared on the first day. On the second day, *Bariya* is made and *Pakkapori* is performed. It is a function of showing a new bride-groom. On the occasion, the head or *Badghar*, seniors and relatives are invited. The girl's parents in a poor family demand *Jhanga* from groom's parents. It is an amount paid bridegroom to bride's mother as per agreement. The bridegroom visits all the temples of gods and goddess and offer *Chuni*, *Bariya*, Cow Milk, Liquor and pure water to them. After that, he puts *tika* on his forehead.

Next day, the bridegroom and *Saivalva* (groom's brother) on a *chandol (dola)* moved toward bride's home. In some cases, it is difficult to identify the relatives of bridegroom and *Saivalva* because they put on similar dresses. It is known that the relatives of bridegroom are afraid of some unpleasant even due to the effect of malaria, encephalitis, etc. If the bridegroom dies all of a sudden, the *Saivalva* takes place and marry the girl. Marriage ceremony is mainly performed during the month of Phalgun (Feb/March) which is the most auspicious month for marriage. A song known as *Magar* is sung among the *Tharus* during the period of return from Bride's home.

5.10 Dress and Ornament

Langutia made from white cotton is the traditional dress of the male *Tharu*. Similarly, *Lehenga*, *Choliya* and *Gatya* are the traditional dresses of female *Tharu*. Before migrating to Bardiya, the *Dangali* female *Tharus* were used to wear a white colored dress, whereas the *Deukhuriya* female wore a black colored dress. After in – migration to Bardiya, according to the key informant, both females started to wear same type of colored dress. Nowadays the traditional dress of the *Tharus* is disappearing. These day males wear modern readymade dress, whereas females wear a blouse, sari/dhoti, petticoat, *lungi* etc.

Earlier, an unmarried girl would wear her *Choliya* (Blouse) with a backside button and after marriage; she would wear a front button *Choliya*. These days,

both married and unmarried females wear the same type of *Choliya* (blouse). However, the use of *Choliya*, *Lehenga* and *Gatiya* is decreasing. These days female likes to wear colorful dresses. Yellow and blue are the favorite colors of female *Tharu*. In the field, the researcher found most of the *Kamaiya* families bare footed. During the rainy and summer seasons, this is dangerous because of poisonous snakes like karat and cobra and other injurious crawlers are found in abundance.

Tharu women love ornaments and if they can afford them they decorate themselves from head to toe with silver, gold and bronze, *Nathiya* (worn in nose, made of gold/silver), *Churi* (worn on wrists, made of silver bronze) and *Kanpata* (worn in the ears, made of silver or gold). *Thumak* (a chain like ornaments, worn on the head, made of silver), *Chandrahara* (worn on the neck, made of silver or bronze coins), *Ghungahat* (veil use for the marriage ceremony, with silver embroidery), *Bindi* (worn on the forehead, with a silver chain attached to the hair) etc. are some of the traditional ornaments of the females.

These days, only a few (especially old) females wear such types of ornaments. The young females wear modern ornaments such as *Jumka*, chains, top, *Pauji*, etc, which are common among the other non-*Tharu* females too. Most of the married females mark their arms and legs with tattoos. This kind of female ornamentation has been disappeared these days. There is a saying about the marking practice of the female *Tharus*. Once upon a time in the remote past, when the Hindus were defeated by Muslim invasion, the females (specially unmarried girls) of the Royal Palace were insecure and they protect themselves from the Muslim forces, by marking their bodies pretending as if they were married. Later on, these females of the Royal Palace, rather than fall in to the hands of foe, fled into the jungles with their servants, with whom, they eventually married. From these sprang the *Tharus*. The marking practice till survives with the married *Tharu* female.

Chapter VI
RESULT AND DISCUSSION
Resettlement and Rehabilitation of Freed *Kamaiya*

6.1 Distribution of *Kamaiya* in Nepal

Various surveys conducted by different NGO, INGOs and governmental records report that the *Kamaiya* system is concentrated mainly in five Mid and Far western Tarai Districts of Nepal. So that Freed *Kamaiys* are also naturally distributed within the same districts i.e. in Dang, Banke, Bardiya Kailali and Kanchanpur. The date of freed *Kamaiya* distribution reported by the government and NGOs is found different. The table reveals that the date of the government and the NGOs information are varied.

Table-6.1: Classification of Freed *Kamaiya*, 2000

District	Classification				Total Govt.	Total NGOs
	Red Card	Blue Card	Yellow Card	White Card		
Dang	215	230	397	324	1166	3248
Banke	174	776	135	260	1345	1455
Bardiya	2691	1310	1115	1833	6949	8810
Kailali	2488	2620	189	598	5895	6253
Kanchanpur	2463	495	33	55	3045	34362
Total	8030	5431	1869	3070	18,400	23,202
Percentage	43.6	29.5	10.2	16.7	100.0	

Source: Minister of Land reform, 2000/INGOs

6.2 Distribution of Freed *Kamaiya* in Study area

Freed *Kamaiya* are distributed in all Tarai VDCs and Municipalities. In the process of resettlement freed *Kamaiya* are found categorized into four classes. In this respect the homeless and landless ex-*Kamaiya* are only resettled in new places according to the identification and availability of land. Thus for the distribution of freed *Kamaiya* this classifications is dynamic one. Likewise the other ex-*Kamaiyas* who are not identified and landless have also the dynamic characteristics since they have been shifting new areas like squatter settlements.

According to the *Kamaiya* survey report conducted by NGOs there are 8810 homeless and landless and other categories freed *Kamaiya* in districts. However the government record reveals lower numbers as presented in the above table. According to the district office records of department of land reform, freed *Kamaiya* excluding homeless and landless are distributed in 30 VDCs and 1 Municipalities.

Table-6.2: Distribution of Freed *Kamaiya* in Bardiya District

S. No.	V.D.C. Municipality	<i>Kamaiya</i> HHs No. 1995 Survey	<i>Kamaiya</i> HHs No. 2000 Survey	Total <i>Kamaiya</i> HHs NO.	Total		Total Family No.
					Female	Male	
1	Gulariya M.	93	27	120	258	314	572
2	Mohammad pur	24	18	42	62	63	125
3	Kalika	89	54	143	186	229	412
4	Mainpokhara	88	51	139	193	234	427
5	Sorahawa	22	41	143	229	289	518
6	Jamuni	102	0	22	9	33	42
7	Motipur	153	27	179	175	258	433
8	Belawa	152	5	157	239	239	478
9	Deudakala	173	62	234	400	437	867
10	Magaragadi	237	91	294	602	575	1177
11	Baniyabhar	133	117	354	411	376	787
12	Dhadawar	203	123	256	350	408	758
13	Padnaha	265	86	351	1070	801	1871
14	Sanoshree	12	9	21	29	37	66
15	Taratal	2	4	6	6	9	15
16	Dhodari	252	143	395	650	778	1428
17	Baganaha	186	104	290	848	1008	1856
18	Suryapatuwa	179	105	284	303	339	642
19	Neulapur	81	32	113	140	212	352
20	Shivapur	25	25	50	78	62	140
21	Thakurdwara	95	64	159	276	225	501
22	Khairichandn	172	24	196	458	482	940
23	Manpur Tapara	244	96	340	525	493	1018
24	Bhimmapur	222	58	280	480	509	989
25	Rajapur	260	86	346	558	648	1206
26	Badalpur	307	32	320	718	826	1544
27	Daulatpur	288	82	389	323	389	712
28	NayaGaun	224	84	308	564	579	1143
29	Patabhar	279	141	420	608	704	1312
30	Gola	105	51	156	217	375	592
31	Pashupatinagar	132	40	172	262	320	583
32	Manau	290	46	336	664	707	1371
	Total	5087	1928	7015	118888	12958	24876

Source: District Landreform office Bardiya Report

6.2.1 Household and Family Structure

The population of freed *Kamaiya* is found characterized by a preponderance of male 52% and female 48%. The age and sex structure of freed *Kamaiya* in sample VDCs and municipality shows that the preponderance of male over female is found in all age group. The age and sex composition of 116 Sample household in 6 VDCs is shown in the table below.

Table-6.3: Sex Structure of Freed *Kamaiya* in Study Area

Name of VDCs	No. of HHs	Total Pop.	No. Male	% Male	No. Female	% Female
Gola	4	24	12	50	12	50
Pashupatinagar	16	88	49	56	39	44
Manau	7	44	23	52	21	48
Badalpur	23	148	79	53	69	47
Rajapur	28	192	98	51	94	49
Vimmapur	38	182	93	51	89	49
Total	116	678	354	52	324	48

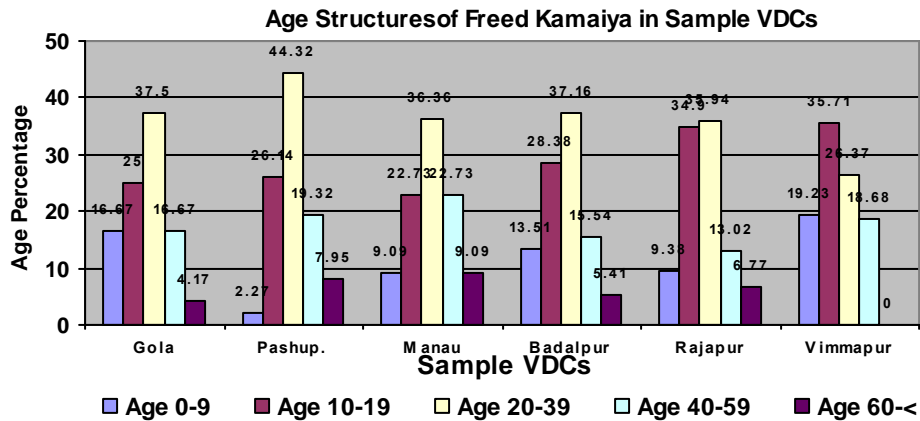
Source: Field Survey Data 2006

Table indicates that out of the total sampled population 678 about 12.24% are below 9 years of age. Thus, child dependency ratio among freed *Kamaiya* is very high compared to national average of child dependency. This suggests a far higher burden of the productive ex-*Kamaiya* population. The ageing population (i.e. above 60) is only 4.87 percent compared to high proportion of national average. It indicates the low life expectancy among the *Kamaiya*.

Table-6.4: Age Structures of Freed *Kamaiyas* in Study Area

Name of VDCs	Total Populaton	Age Structures				
		0-9	10-19	20-39	40-59	60-Above
Gola	24	4	6	9	4	1
Pashupatinagar	88	2	23	39	17	7
Manau	44	4	10	16	10	4
Badalpur	148	20	42	55	23	8
Rajapur	192	18	67	69	25	13
Vimmapur	182	35	65	48	34	0
Total	678	83	213	236	113	33
% by Age		12.24	31.42	34.8	16.67	4.87

Figure-6.1



Source: Field Survey Data 2006

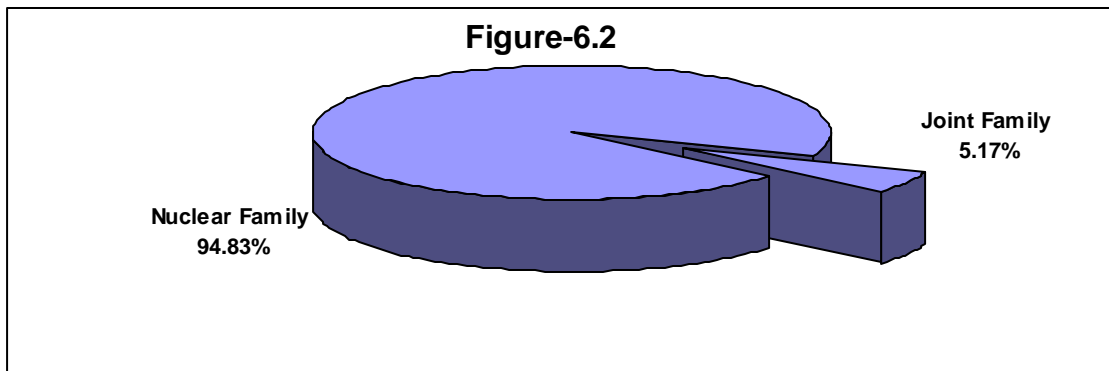
6.2.2 Family Type and Marital Structures

Mainly in our society two types of family structures we have: nuclear and joint family. After the abolition, many joint families separated because of governments’ free distribution of land; so that in our search it was found that 94.83% families are nuclear and the rest 5.71% only are still in joint family.

Table-6.5: Family Type in Study Area

Family Structures	VDC Gola	VDC Pashupati	VDC Manau	VDC Badalpur	VDC Rajapur	VDC Vimmapur	Total HHs	%
Nuclear	4	16	7	21	25	38	110	94.83
Joint	0	0	0	2	3	0	6	5.17
Total	4	16	7	23	28	38	116	

Source: Field Survey Data 2006



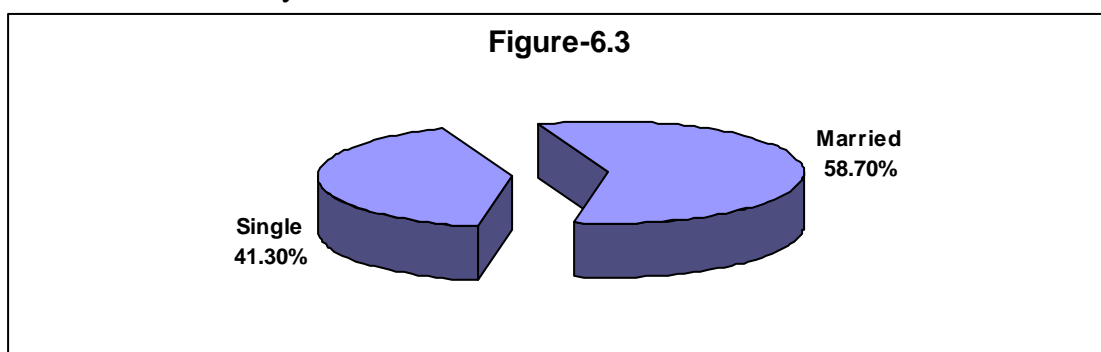
The data expresses the married status of freed Kamaya where 58.70% are married and 41.30% are unmarried. However, child marriage is widely popular among the *Tharus*.

Table-6.6: Marital Status of Respondent of Study Area

Marital Status	VDC Gola	VDC Pashupati	VDC Manau	VDC Badalpur	VDC Rajapur	VDC Vimmapur	Total Number	%
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Single	10	25	18	49	80	98	280	41.30%
Married	14	63	26	99	112	84	398	58.70%
Total	24	88	44	148	192	182	678	

Source: Field Survey Data 2006



Source: Field Survey Data 2006

6.2.3 Literacy and Level of Education

The literacy status of freed *Kamaiya* indicates that illiteracy is 61.22% as expected from this group. Where 13.86% attending Primary, 14.86% in L.secondary level, 7.52% are in the high school and 2.8% are literate by informal way

Table-6.7: Literacy Status of Freed *Kamaiya*

VDC status	Illiterate	Primary (0-5 class)	L.Sec-H.S. (6-9 class)	H.School (10-Above)	Informal Education	Total Sample
Gola	13	5	3	3	0	24
Pashupatinagar	39	19	22	6	2	88
Manau	25	6	8	4	1	44
Badalpur	121	15	7	5	0	148
Rajapuar	110	16	31	21	14	192
Vimmapur	107	33	28	12	2	182
Total	415	94	99	51	19	678
Percentage	61.22	13.86	14.60	7.52	2.8	100%

Source: Field survey 2006

6.2.4 Drinking Water and Sanitation

Pure drinking water and sanitation are the most necessary things for healthy life. In earlier time generally people use pond, river, well and spring water but now public are using taps and tube-well. Therefore, the sources of drinking water are taken as an indicator to find out the health situation of the study area.

Table-6.8: Sources of Drinking Water

Sources	No. of HHs /%
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	Gola	P.Nagar	Manau	Badalpur	Rajapur	Vimmapur
Public Tap	0	0	0	0	11	0
Tube-well	1	13	5	10	18	20
Pond/river	2	4	0	0	0	11

Source: Field survey 2006

In the past, there was no use of toilet so they used to go nearby bushes and streams for excretion but now situations are little changed and people are conscious about sanitation so that they here started to use toilet. Mainly *kachi* toilet can be seen in the study as shown in the table below.

Table-6.9: Consciousness of Sanitation

Attributes	No. of HHs /%					
	Gola	P.Nagar	Manau	Badalpur	Rajapur	Vimmapur
Kachi Toilet	0	4	3	8	15	10
No. Toilet	4	12	4	15	13	28
Total	4	16	7	23	28	38

Source: Field survey 2006

6.2.5 Settlement and Housing

House is basic need of human beings. It gives shelter from rain, storm and winter air or cold. Generally our rural houses are made of soil and unburned bricks. In our sample area generally *Kamaiya* has his own home which was contributed by government by giving 10000 Rs. each family. The settlement patterns of them are generally about government land distribution pattern. Survey data shows that most of all have *Kaccha* Hut mad of mud bamboo where as few houses are mad of Tile, slightly more durable than *Kaccha* houses. The houses have thatched roofs and small windows. However, all the houses are plastered with mud and dung. Generally houses have no doors in side; the kitchen lies in the north-eastern corners of the house. The *Tharus* construct houses in North/South direction. *Konti*, Kitchen, gallery and *Bahari* are the main parts of house. *Knoti* is used as a room for worshipping gods and goddesses and placed in the north-eastern corner.

6.2.6 Reasons to Come out of the Kamaiya system

While asking about the reasons why did they reject the employment as *Kamaiya* where they were involved for so many years, responses of more than two thirds had been normal that they because of the declaration by the government in 17th July 2000.

With the declaration, the hope of land distribution and resettlement caused them to move out of the grip of the land master. Associated with the declaration is also reaction of the land master to remove their *Kamaiyas*. Among other causes, significant is the involvement of 17.24 percent *Kamaiyas* in other works outside *Kamaiya* system. (Table-6.10)

Table-6.10: Major Reasons for Coming out of the System

Reasons	Number	%
Declaration of Liberation by the Govt.	85	73.28
Became unable to work	4	3.45
Involvement in other works	20	17.24
Repayment of <i>Saunki</i>	3	2.59
Others	4	3.44
	116	100.0

Source: Field Survey, 2006

6.3 Resettlement and Rehabilitation process

Within a week of decree, *Kamaiya* were expelled from landlord's household and forced to take refuge in public places. The Ministry of Land Reform and management started providing emergency relief to expel *Kamaiya* in co-ordination with district *Kamaiya* identification and monitoring committee. They have provided little emergency support to free *Kamaiya* especially, food, drinking water and medical support. In this regard DDC of Bardiya provided few tarpaulin and bamboo stick to freed *Kamaiya* who were settled in the forest, Likewise three hand pump were installed and distributed some relief (that is supported by INGOs.)

6.3.1 Identification and Categorization of *Kamaiyas*

After the proclamation government constituted "Central Co-ordination and Monitoring Committee for rehabilitation of former *Kamaiya* at centre level under the chairmanship of Hon. Deputy Prime Minister and District Co-ordination and Monitoring Committee for rehabilitation of former *Kamaiya*. The function of committees was to identify *Kamaiyas* in the bonded labor form, distribute the land for rehabilitation and coordinate various rehabilitation activities including the employment to *Kamaiyas*. Re-identification of *Kamaiya* was conducted by the District Coordination and Monitoring Committee in cooperation with Village Development Committee (VDC), Municipal Authorities and NGOs. The secretariat was district Land Reform Office. It was difficult to take cooperation of landowners, the master of *Kamaiyas* initially. There was great pressure for settlements of *Kamaiyas* as well as landless persons at that time. The *Kamaiyas* were identified by house to house survey including those *Kamaiyas* moved to the forest. The list was published and finalized after investigation of complaints. There was also concerned that all the *Kamaiyas* in the bonded form be listed, as the masters of *Kamaiyas* did not allow all of them to register.

Bases of *Kamaiya* Classification

- The *Kamaiyas* who are landless and homeless was categorized in “A” Class and given (Red Card)
- The *Kamaiyas* who have a small hut in public land or landless but having home was categorized in “B” class and given (Blue Card).
- The *Kamaiyas* who have less than 2 *Kattha* of land and a small Shelter was categorized in “C” class and given (Yellow Card)
- The *Kamaiyas* who have more then 2 *Kattha* of land was categorized in “D” class and given (White Card).

The 1st category *Kamaiyas* needed emergency assistance, 338 - 1700 sq. m of land for housing and the second category *Kamaiyas* needed to have secured land ownership of the land occupied for housing. All the four categories of *Kamaiyas* needed assistance for drinking water, education and food for work programmes. All the categories of *Kamaiyas* were issued identification cards with their categories. Most of *Kamaiyas* were from *Tharu* community, they worked as *Kamaiyas* in their own community and some time with other communities.

The *Kamaiyas* were settled as far as possible near the area where they were working before, to avoid social adjustment problem. So, the local authorities were requested to provide government land for the resettlement of *Kamaiyas* of that area. The distribution of *Kamaiyas* in the districts is as per the attached Map No. 1 and Appendix 3.

6.3.2 Identification Cards

All *Kamaiyas* are issued the proper identification cards with their categories by the concerned Land Reformed Officer. It was easier to conduct further rehabilitation works.

6.3.3 Citizenship Certificates

Most of *Kamaiyas* did not have citizenship certificates and it was essential to have land registration be referenced to citizenship certificates. The concerned Land Reform Officer also studied the documents of *Kamaiyas* and persuaded concerned authorities to expedite to issue of citizenship certificates.

6.3.4 Land Identification and Distribution

The *Kamaiya* rehabilitation and Land registration committee subsequently started to identify the available land for resettlement. However in few places the government process of identifying available land is found hampering in many places by underlying conflicts between the forest ministry and the land reform and some places between District Land Reform Department Office and local government (VDCs).

The target group for distributing land is landless and homeless or red card-holder. The government has made a provision to provide maximum 5 *Kattha* of land to the ex-*Kamaiya* receiving red card. For ex-*Kamaiya* having blue card (Occupying unregistered land or *Prati* land) the government has made a provision to provide landowner certificate (Maximum 5 *Kattha*) of that land.

The land ownership certificate either provide to red card or to blue card freed *Kamaiya*, prohibited to sell, mortgage or transfer the land to another for a period of ten years of allotment.

According to the district land reform officer, till this year the freed *Kamaiya* of the Rajapur Island in 6 Sample VDCs were distributed land as shown in table below and they have already got their landowner certificate.

Table-6.11: Land Distributed in Study Area

VDC	Total HHs	Land Distributed for Red Card holder HHs		Land Distributed for Blue Card holder HHs	
		HHs No.	Area	HHs No.	Area
Gola	5	0	0-0-0	5	1-4-4
Pashupatinagar	87	47	4-16-7	40	3-14-6
Manau	35	17	1-17-5	18	2-16-10
Badalpur	125	100	12-3-12.5	25	2-11-7
Rajapur	76	64	3-19-8	12	1-16-19
Vimmapur	128	113	20-10-6	15	3-5-13

Source: field survey 2006

However, there has been considerable controversy over the government survey with many *Kamaiyas* claiming that they were not included. In order to document the extent of undercounting, local NGOs conducted their own “hut to hut” survey of the freed *Kamaiyas* in five districts. They found less than government survey.

The reasons that some *Kamaiyas* were not included in the card distribution are various. Some reasons given by the *Kamaiyas* include:

- A. Many families were missed in the initial survey by the government.
- B. The Land Reform Office created a process for families that the registration initially missed. This is a long process; however that requires a *Kamaiya* getting the signature of his previous landlord (to certify him as a previous *Kamaiya*). Many landlords were not willing to sign the documents.
- C. The Land Reform Offices themselves operate inefficiently. Even families that are registered as “Red Category,” or landless, *Kamaiyas*

complained that they had been unable to receive their cards, despite visiting the land reform office many times.

6.3.5 Assistance in Construction of Houses

HMG/Nepal decided to provide support of Rs10, 000 (on the support of ILO) and local construction materials with timber up to 35 cu.ft from local forest or depot for construction of permanent house of *Kamaiyas*. For this purpose government spent Rs 3,884,000 on this Sample 6 VDCs. Due to the following reason government is still not providing timber for *Kamaiya* even this year. Here are the reasons.

- Due to the bad situation, timber can not be loaded from stock pile.
- GTZ was the authorized for transportation of timber but they are unable.
- Due to the poor transportation facility it is impossible to transport timber in each house of *Kamaiya*
- Due to the internal misunderstanding on fund distribution *Kamaiyas* are not so co-operative for timber cutting, loading and transportation

6.4 Livelihood Programme

The department of Land Reform has been launching *Kamaiya* livelihood programmes since 1995 with the objective of empowering and rehabilitating *Kamaiya*. The overall objective of this programme is to build and strengthen the capacity of *Kamaiya* to improve their social, cultural and economic condition.

6.4.1 Group Making

Economic condition of freed *Kamaiyas* is so poor, without labour power, they do not have any alternate options for economy. In this reason government of Nepal started group making program of this *Kamaiya* for rehabilitation, livelihood development and self-sustaining. About this policy groups are formatted in 10 – 25 family. In the group making process the following factors are kept in mind. First, always being active for self development, second any time availability and lastly supporting the governmental support programme.

6.4.2 Revolving and Saving Fund

After 2052 district has been organizing *Kamaiyas* groups under the institution building schemes. In these schemes each group was given Rs 4000/ to Rs 30,000/ as a revolving fund. Following are the conditions and rules of revolving fund program.

- In the name of Group, joint Account was opened duly sign by LRO officer and group leader.

- HMG Nepal and ILO source of fund are deposited in revolving account.
- From above condition fund of account will be used by any body of that group by the authorization from other candidates of that group.
- Main fund will be returned to the office after 5 years.
- Interest of that revolving account will be deposited in that account and that will be equally distributed each for any work.

Saving fund was also started from 2052. In this scheme a group was formatted and opened a saving account jointly. Each member of that group deposited Rs10/ every month and the fund to be used for any work of the group member. Following type of fund are deposited in the group saving account

- Donation fund from GO/NGOs
- Monthly saving by each member of group deposit RS10/ month
- Interest money from revolving fund.
- Interest from Bank and Financial institution.

6.4.3 Skill Development Programme

For the development of *Kamaiyas* status training and skill development programme is very important. Always being engaged in household work and agriculture work *Kamaiyas* do not have any other skill to work out side of agriculture field. So that to develop the skill of those kamaiys who don't have any other skill, training is very important for development of them.

Mainly two types of training program are being held

- Enhancing skill and labour efficiency program for *Kamaiya*. After this program *Kamaiya* can work in market.
- start small business by using locally available resources.

Skill development training were conducted in masonry, carpenter, driving, pig and goat farming, vegetable farming, veterinary works, welding, electrician, white washing, maintenance of bicycles, radio and television, tailoring. The participants were given tools/ seeds/piglet or kid and Rs 100 allowance per day, half of which i e. Rs 50, given to master of *Kamaiya*. The trainings were decided on the basis of the recommendation of *Kamaiya*, interest, qualification /ability of participants as well as locally available employment opportunities. The participants were *Kamaiyas* or their family members (wife, son or daughter). The existing local technical training institutes were used as far as possible to train *Kamaiyas*.

Table-6.12: Types of Training Taken by Freed *Kamaiya*

S.N.	Types of Training	Number of Trainings		
		M	F	Total
1	Barbary (3mon.)	60	-	60
2	Tailor Training(3mon)		20	20
3	Cycle maintenance	99	1	-
4	Carpentry	60	-	60
5	Masonry	80	-	80

6	Electric Wiring	60	-	60
7	Radio, TV maintenance	30	-	30
8	Motor cycle maintenance	3	-	3
9	Motor Driving	4	-	4
10	Goat keeping	40	40	80
11	Pig Keeping	31	43	74
12	Vegetable Farming	92	103	195
13	Handy Craft		15	15
14	Cement Tile	10	-	10
15	Tube well	75	-	75
16	Bee keeping	78	1	79
17	Nursery	65	-	65

Sample: VDCs report/Field Study 2006

After this training program about 50% are benefited. However, lack of labour market and work, still their self confidence is not developed. After evaluating the future training should be conducted by considering the following facts

Training should be based on local cultural value and belief.

- Training should be based on local resource material and market.
- Training should be able to promote self confidence of trainees

Table-6.13: Respondent Access in Training

Training by Government	Sample VDCs HHs					
	Gola	P.Nagar	Manau	Badalpur	Rajapur	Vimmapur
Yes	1	6	1	9	13	15
%	25%	37.5%	14.29%	39.13%	46.4%	60.5%
NO	3	10	6	14	15	23
%	75%	62.5%	85.71%	60.87%	53.6%	39.5%

Source: Field Survey Data 2006

6.4.4 Sources of Loan

Major two financial components are studied under this heading, which include loan lending agencies and their interest rate. Freed *Kamaiyas* income sources were limited and insufficient for their livelihood. The inadequate production from the land, low level of wage and unemployment in the off-season compelled them to take loan. So, they have taken loan from different sources to maintain their household expenditure. These kinds of sources are bank, cooperative groups, relatives, money lenders etc. Most of the households utilized the loan and only a few misused the loan. Among them most of the households used the loan to buy oxen. The detail about sources of loan and interest rate is presented in the table below.

Table-6.14: Sources of Loan of Sample HHs

Sources	HHs Number and their Percentage						
	Gola	P.Nagar	Manau	Badal	Raja	Vimma	Total

				pur	pur	pur	%
Cooperative group	2	8	3	11	12	21	49.14
Money Lender	0	1	0	8	2	6	14.66
Bank	1	9	4	5	9	14	36.2
Relative	3	6	3	4	6	11	28.45
Loan not Taken	0	0	0	3	0	7	8.62

Source: field survey 2006

The above table clarify that among the total 116 Households 8.62% HHs did not take any kind of loan. In this way, 49.14% HHs have taken loan from cooperative, 14.66% HHs have taken loan from local money lender and 36.2%-28.45% HHs have taken loan from bank and their relatives respectively. Most of the HHs have taken loan from cooperative groups because of easy access and own investment also.

6.4.5 Food for Work

The government (Ministry of Local Development) is also initiating food for work programme to freed *Kamaiya*. The food for work is an ongoing activity of RCIW funded by GTZ, DFID and WFP. In Bardiya district RCIW has been launching this programme for freed *Kamaiya* as freed *Kamaiya* food security project through CCS. This programme was mainly based on local pilot road construction, rural infrastructure construction, irrigation and river training work etc in which local people mainly freed *Kamaiyas* were mainly participated and benefited. As per this program in the year of 2058/59, 427238Kg of rice was distributed and 1659 No. of labour were benefited from this programme.

Specially, a joint programme was started by government of Nepal and GTZ to develop the community infrastructures in 31 VDCs of Bardiya district during the period of 1993. In this programme mostly local inhabitant *Kamaiyas* were being participated and also the programme was focused. Before *Kamaiya* abolition mainly 'a' and 'b' class *Kamaiya* were bonded with *Jamindar* so that they can not participate in this programme, in such case mainly 'd' and 'e' class *Kamaiya* were benefited with this programme. After *kamayas* were freed from bond then main stakeholders of this programme were 'a' and 'b' class *Kamaiyas*.

For those newly freed *Kamaiyas*; instant relief and survival this food for work programme was launched in 2001 for 3 years by GTZ and government of Nepal, again it was a huge success.

6.4.6 Other District Programme

The ongoing project under DDC Bardiya PDDP, SCDP and WTPAP have also includes the some programmes for freed *Kamaiya*. Accordingly WTPAP has

made the plan to install hand pump (tube well), boring and pit latrine in the resettlement camp (red card). The project has plan to distribute one hand pump for 5 household one boring for 10 households and one pit latrine to each household. Likewise, the SCDP has planned to provide roof for the house.

6.4.7 Organizations Involved in Intervention Programmes.

More than one dozen GOs, national and INGOs/NGOs and Trade Unions from national level have been found working for the benefit of *Kamaiyas* concerning one or more VDCs in one or more or all five districts of mid and far-western Terai. Of the total respondents interviewed, 50.3 percent have heard about one or more organizations, which have provided services to them. 42.9 percent of them are involved in these programmes and only 38 percent have been benefited from the programmes.

BASE is more familiar to *Kamaiyas* in comparison to other organizations, but is benefited more from the programmes launched by the GEFONT and INSEC. As a labour organization, the activities of FAWN are expanding in all districts. BASE, INSEC, GEFONT and FAWN are popularly known in all the study districts (Table-6.15). RRN and CCS are less known among the *Kamaiyas* in comparison to the four mentioned above.

Table-6.15: Organizations Involvement and Benefits

Organization	Number of Respondents		
	Heard about	Involved in the Programmes	Benefited by the Programmes
HMG	13	8	5
Local government	9	5	4
<i>Kamaiya</i> Liberation Forum	9	4	3
FAWN	22	11	9
GEFONT	28	28	25
INSEC	27	25	24
RRN	2	1	1
BASE	33	23	21
Plan International	7	4	4
Lutheran International	2	2	2
CCS	1	1	1
NNSWA	14	14	14

Source: Field Survey, 2006

6.5 Market accessibility from resettled Area

This section is going to give information about accessibility from *Kamaiyas* resettled area to the market. So the location of settlement directly influences

the access of people to the services. The resettlement area or camps are located in the forest fringe or in public land, and usually the settlements are in forest environment rather than in village environment. These settlements lack infrastructures like drinking water, health, education services and community environment. The distance between location of service and ex-*Kamaiyas* settlement is longer that influencing the access of freed *Kamaiya* to the service.

- There is no any development in agriculture facility; lack of transportation service *Kamaiya* can not use fertilizer, improved seeds and pesticide. A land which was given to them are sandy so that is not suitable for cultivation. Likewise there is not any such serious institution providing agriculture credit to freed *Kamaiya*.
- Due to the resettlement area is remote area, so there is no availability of market center, health center, co-operative bank, postal services. So that freed *Kamaiya* have to go more way to found facility and service.
- Freed *Kamaiya* can not survive only from the agricultural product. So that they have to search job in labour markets in this regard the access to labour market is important to understand to know more about their rehabilitation process. The condition of freed *Kamaiya* of Rajapur and Vimmapur is found little bit better than other camp in terms of access to laobut market than other camp since they are closer to the market, where they could get employment in other sectors including agriculture.

6.6 Economic Characteristic in Sample VDCs

The *Kamaiya* system is not only a matter of local power-balance and changing ideologies. In the following we describe how the economic conditions reproduce or transform the ex-*Kamaiyas* life system. This is done by an examination of alternative income sources in Rajapur Delta and the skills and resources, which the *Kamaiyas* need in order to make use of them.

The cost of living is increasing every year. In order to meet the two ends and for expenses on other bare needs of life, it is essential to increase the wages at least in accordance with consumer price index (CPI). Altogether 46.55 percent of the *Kamaiyas* told that their wages had increased once in last five years, whereas 28.49 percent had worked in constant wages and 12.03 percent have been the victims of decreased earnings during last five years.

Table-6.16: Earnings During Last Five Years

Earnings	Number	%
Don't know	15	12.93
Increased	54	46.55
Constant	33	28.49
Decreased	14	12.03

Total	116	100.0
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Source: Field Survey, 2006

6.6.1 Urban Employment

Nepal's industrial growth has been limited to the urban areas, which is also the location of most of the occupations in administration, trade and service. But even in urban areas such employment opportunities are few. On a national basis only 19% of the working population is employed in areas outside farming and fishing, with the two next largest numbers in service work (6.2%) and sales work (3.0%)

As described in the field profile, this area is a typical rural area with agriculture as the main occupation. The closest urban areas are those of Rajapur Market and Bardiya district headquarters, Gulariya. While Rajapur Market is just one-hour walking distance from any where of this Delta, Gulariya is not located on Rajapur Island and the poor infrastructure makes it difficult for the people from this area go there. Although Rajapur used to be an important trade town for traders going between Nepal and India, it has more or less lost its position as the main roads that were later constructed, does not connect with the town. Similarly is Gularyia's position as a big town influenced by the much bigger district headquarters Nepalgunj in the neighbouring Banke district, which has more facilities (international agencies, large banks and markets, domestic airport and close to main roads). Rajapur Delta is thus not well integrated in the national economy. As a result the jobs that can be obtained in the urban areas within administration, service, trade and industry are limited (mainly in the market, mills and rice storage), moreover the man-job ratio is big. According to the landlord Gopal G.C, the population of this area is steadily increasing and results in a growing pressure on land.

As fewer households can support their income from the land more and more households will have to look for other means of income, which has subsequently resulted in a buyers market. Freed *Kamaiya*, who seek job in the urban areas thus have to fight with all the other workers for the limited jobs on the island.

6.6.2 Skills and Employment

Adding to the high man-job ratio, urban employment often requires a certain level of skills that the *Kamaiyas* seldom have. In general the *Kamaiyas* skills are few outside the sphere of farming. In a survey in Bardiya district, conducted by the Ministry of Labour only 5% of the *Kamaiyas* replied they had artisan skills as masons, carpenters, blacksmiths and goldsmiths. The majority replied they had farming skills, while the other skills in diminishing order were rearing of pigs, poultry, fish and goats, cane, bamboo and cloth weaving (MOL 1995:56). Similarly the *Kamaiyas* skills in terms of formal education are few, however, equal to the district average.

If the *Kamaiya* labourers can not obtain urban type of employment in their local area due to the limitation of jobs, migrating to towns outside the island or to the capital Kathmandu, where most of these jobs are located, are also alternative income sources. But of course that still requires a certain level of skills. Alternatively the *Kamaiyas* can work as wage labourers in agriculture, but also here certain technical skills such as ploughing, driving tractor, loyalty etc. can be a prerequisite. Whether migration can work as an income source depend upon the skills and other resources of the households. That we elaborate on in the following.

6.6.3 Migration

As this area is located close to the Indian border and there are no restrictions for Nepalese to cross the border, migration to India seems like an obvious opportunity for alternative employment. During the field visit we came to know that many of man *Tharus* are employed in the hotel service in India, others have worked in steel industry and in the peak season, there are lots of works in plantations.

Even when the household are guaranteed the return of the migrated person, migration implies a risk. For a household close to the subsistence limit, migration gambles with the lives of the whole household. They can never be sure that the migrated will be able to earn enough to ensure their subsistence. Unlike subsistence farming and *Kamaiya* work, wage labour does not guarantee any minimum of food for the household. Therefore a certain level of resources in the form of land or savings will promote the use of such an income opportunity, while the lack of such resources will be a great obstacle. But also a resource as size and content of household is important in the households' considerations of choosing migration as an income strategy.

As described above, rural workers have a limited choice of employment outside agriculture and migration is only an option for few. According to the VDC Secretaries only 10% of the labours of this area are employed in fields outside agriculture. Most of the income opportunities are thus within the agricultural field.

6.6.4 Sharecropping and Agricultural Wage Labour

To raise money to buy land is hard for the *Kamaiya* and if he can not become a subsistence farmer, the opportunities left for him are, either his present work wage labourer or sharecropper. As we already put forward, wage labour contains a certain risk, as it cannot guarantee a subsistence income the whole year. To make use of wage labour as an income source, the rural poor needs to

make use of other income sources as well in order to guarantee the households subsistence. As we already pointed out it means that they should have sufficient land for example a kitchen garden or that another person in the household work as *Kamaiya*. Although most of the *Kamaiyas* have poultry, some also a pig, the livestock is mostly for their own consumption and can only contribute little to the household income, along with the sale of the local alcohol *Jar*. Moreover, to be valuable for the landowner as an agricultural wage labourer, the household need to consist of young able-bodied men who are able to work hard and not old men and children. This also goes for the sharecroppers.

A sharecropper cultivates land for a landowner and shares the inputs and outcome. Unlike the *Kamaiya*, the sharecropper has almost the full responsibility for the cultivation, but also gets a greater outcome, the more he can produce. *Jangalu's* family cultivated the *Jamindar's* land together with 8 other sharecroppers, with only small interventions from the landlord. The *Jamindar* changed his tenure form from *Kamaiya*-relations to sharecropping two years ago and his explanation can clarify the resources, which the agricultural labourer needs in order to do sharecropping:

The difference between the *Kamaiya* and the sharecropper is not only his share of the production, but they also have different responsibilities. Unlike the *Kamaiya*, who gets a more or less fixed remuneration, the sharecropper gets half of what he produce and can thus increase his output by working harder, on the other hand he also has to share the cost and provide draught animals for ploughing. In the above mentioned case, the sharecropping initiative was not taken by the *Kamaiyas* but by the *Jamindar*. This case shows how the transformation of the *Kamaiya* system does not only depend on the *Kamaiyas's* strategies but also on the landlord's interests. The reasons why the landlords would prefer to tie the labour force because he needs ready and available labour force for the relative short harvesting time of rice. But in our case, the landlords seems to be able to supply their *Kamaiyas* work with casual labourers during the peak season and they are not in shortage of labour and thus they have no interest in tying the labour force. However, keeping in mind that labourers are not a homogeneous group, the landlord might still prefer to tie the labourers in the *Kamaiya* system if they show to be reliable work-force. By changing his tenure-system, the *Jamindar* both ensured himself a ready and reliable work-force and reduced his own work load.

Thus, lack of land, indebtedness and small size landholding and absence of other employment opportunities were main factors that led to *Kamaiya* system. No change is observed even two years after liberation on economic conditions of freed *Kamaiya*. However they were freed from *Saunki*.

The *Kamaiya* always engaged in agriculture and never went to the big cities of Nepal, India or abroad for employment so that population mobility for economic purpose is very limited among freed *Kamaiya*. The poverty of freed *Kamaiya* household is not reflected only in landlessness or in smallholding. They are also poor in terms of livestock holding and ownership of other assets. The table ... represents the livestock ownership of freed *Kamaiya* by livestock combination.

As we discussed above the landless ness, indebtedness and small size landholding and lack of alternative employment opportunities were main factors that led to *Kamaiya* system. No change is observed even after many years of freed. However they were freed from Saunki.

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Thus agriculture is the main source of income of the *Tharus* in this island, but the agriculture labour is the main occupation of the *Tharu* *Kamaiys*. The data indicates that most *Kamaiya* depends on agriculture wage labour whereas other has mostly livestock, which they would sell, either in the village or in Rajapur Bazar.

Table-6.17: Income Sources of Freed *Kamaiya* HHs

Source of Income	VDC Gola	VDC Pashu.	VDC Manau	VDC Badalpur	VDC Rajapur	VDC Vimmapur
Share cropping	1	12	3	6	8	22
Agriculture Wage	4	15	6	17	22	30
General Labour	4	8	4	16	18	21
Livestock	3	10	4	9	25	29

Source: Field Survey 2006

6.6.5 Pattern of Wage

Kamaiyas in the settlements are aware of minimum wages - RS 60 a day fixed by HMG (in Bardiya District it is RS 80, as per decision of the District Development Committee). They can bargain for minimum wages only during harvesting and plantation. At this time, they general receive above the minimum wage, sometimes earning as much as RS 90 to 100. In other seasons

they have to compromise, sometimes even taking RS 30 because there are limited jobs available.

The *Kamaiya* in the past were bonded, because of the too low wage which was not enough to live. The government has announced minimum as the wage for agriculture labour. The government has announced minimum as the wage for agriculture labour. But the observation of wage pattern that received by the freed *Kamaiya* is found in many cases too low than the minimum wage fixed by government. The freed *Kamaiya* are mostly found either working as agricultural labour or as construction labour. Both these lack trade union and temporary nature. Due to which the issue of minimum wage is not being raised effectively.

Table-6.18: Type of Wage Pattern Receiving by Freed *Kamaiya*

		Sample VDCs HHs						
		Gola	P.Nagar	Manau	Badal-pur	Raja-pur	Vimma-pur	Total %
Do you Cultivate the other's Land	Yes	4 100%	14 87.5%	6 85.7%	20 87.0%	23 82.1%	31 81.6%	87.31%
	No.	0 0%	2 12.5%	1 14.3%	3 13.0%	5 17.9%	7 18.4%	12.69%
Do you work Beside Agriculture	Yes	3 75%	11 68.7%	1 14.3%	15 65.11%	18 64.3%	25 65.8%	58.87%
	No.	1 25%	5 31.3%	6 85.7%	8 34.89%	10 35.7%	13 34.2%	41.13%

Source: Field Survey data 2006

From Table-6.18 we can see that 87.31% respondent *Kamaiya* cultivating other's land in other hand 58.87% *Kamaiya* involving in out side of agriculture work.

6.7 The Condition of Health

After abolition, when *Kamaiya* freed from the landlords house and they started to living in the temporary camps suffered from hunger, health and sanitation problem. The Japanese encephalitic, diarrhea and other monsoon sickness attacked *Kamaiya* people so other different problem arises. Access to clean drinking water is still a problem in many settlements.

Due to the poor health education, High fertility rate, lack of access, availability and malnutrition are the main problems related with female *Kamaiyas*. From the survey data we can see that female *Kamaiya* population is less then male

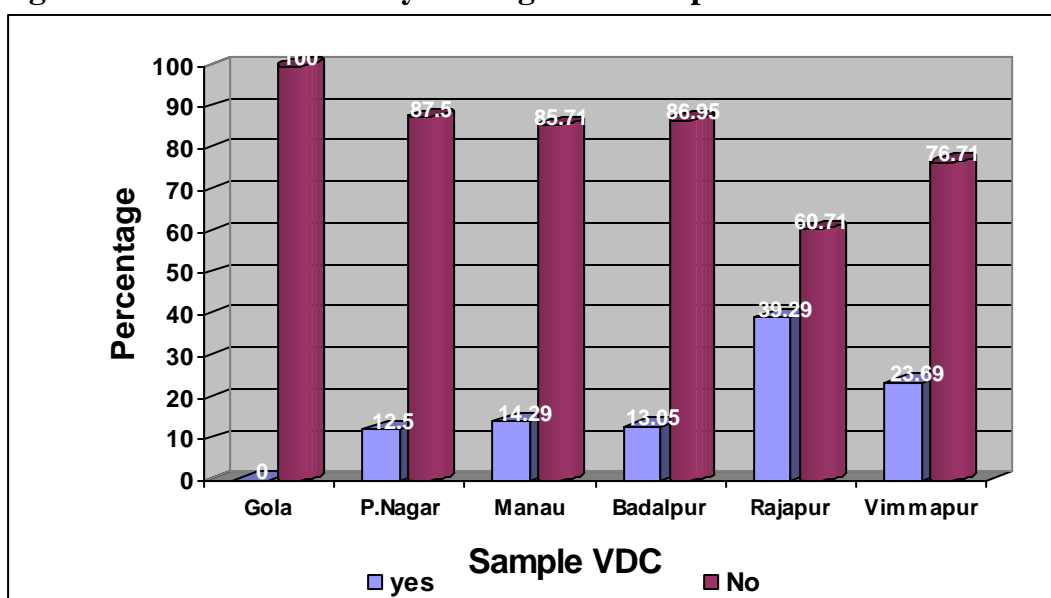
Kamaiya population because it can be happen by mother death rate at the pregnancy period.

6.8 Food Insecurity among in freed *Kamaiya*

In this short time it is very hard to find the effectiveness of rehabilitation and resettlement on resettlers, since it is very short time to observe and evaluate all the component of sustainability or population supporting capacity of resettlement area. Here, we are going to identify the food insecurity, health hazard and indebtedness after liberation of freed *Kamaiya*.

Malnourishment and food insecurity are the symbol of inadequate resettlement. Mostly respondent stated that the production from their own land and other sharecropping crop product is not much for survive for whole year. Table below represent the food shortage among freed *Kamaiyas*.

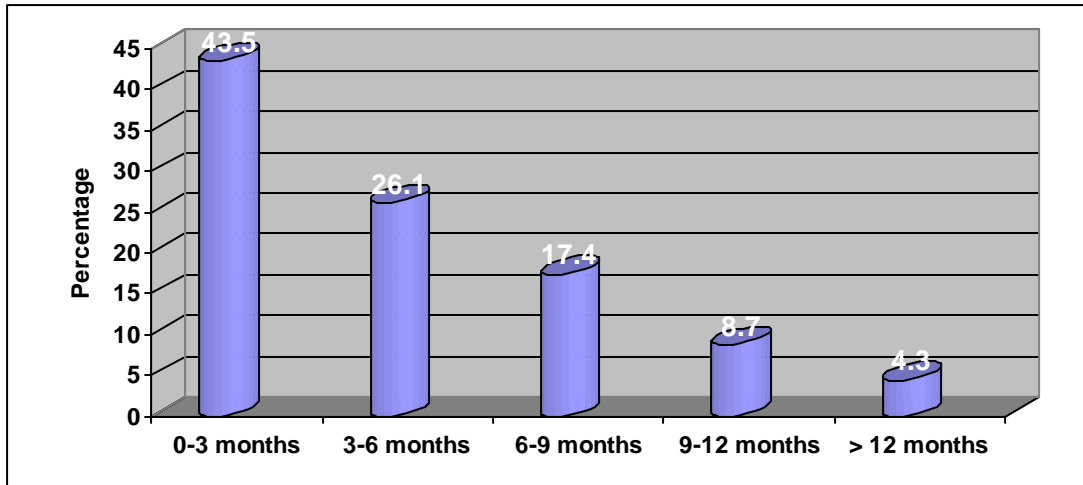
Figure-6.4: Food Sufficiency Among to the Respondent for Year



Source: Field Survey data 2006

Among the respondents, the food sufficiency is worst in rural VDCs. Their Primary source of income is grain collection from their own small land and sharecrops. Along with it, their own land feed them hardly for six months. In the other hand, little developed VDCs like Rajapur and Vimmpur have relative better status because they have other options after agriculture.

Figure-6.5: Food Sufficiency Status Among the Respondents



Source: Field Survey data 2006

Food-deficit surveyed households manage the scarcity by salaries and wages, borrowing debts, rearing livestock and least by remittance. Among 90% of the respondents are entangled in dept-trap. Thus, borrowing of debt seems to be a pre-dominant medium of deriving livelihood of majority of the food-deficit households, which govt. had to minimize by creating self employment opportunities.

6.9 Issues Arises in Resettlement and Rehabilitation Programme

Following issue arises when the land is distributing as a resettlement and rehabilitation programme for freed *Kamaiya*.

Sher Bahadur Deuba, the new Prime Minister, has promised to finish the process of distributing land within the month of Paush (mid-January 2002). This is the 5th time the government has extended its deadline for completing process since freedom declaration in July last year. It is doubtful, however, that the new deadline will be met either however as the registration of *Kamaiyas* is still incomplete.

The current distribution program has been not so acceptable by many problems. Many Freed *Kamaiyas* have received *Lal-Purja*, or Land Ownerwhip Certificates, without being shown any real plots of land.

The government's process of identifying available land has been hampered in many places by an underlying conflict between the Forest Ministry and the Land Reform Ministry. Initially, Land Reform officials had indicated that they intended to make land available by reclaiming *Ailani*, or unregistered, land that is often cultivated illegally by large landowners. This would save Forest Land and was supported by the Forest Ministry. However, it now appears that the government has decided to distribute forest land instead.

The size of plots given to the former *Kamaiyas* is in many cases less than 5 *Kattha* (0.15 hectare). Whole settlements are planned with plots of 3 *Kattha* per

household. We found instances where families had been given as little as 1 *Kattha* (0.03 hectare), even $\frac{1}{2}$ *Kattha*. These plots are far from what is needed for basic food-sufficiency of a family.

The distribution of small plots of land has continued despite the government's announcement of the Land Reform Bill, which plans to provide each landless Nepali family with a minimum of 5 *Kattha* of land. It seems contradictory for the government to be proclaiming 5 *Kattha* as a legal minimum for land reform programs, while at the same time providing freed *Kamaiya* families with much less than this. The government could provide the *Kamaiyas* with 5 *Kattha* under current guidelines (which provide for a maximum of 5 *Kattha*), but in many cases they are not doing this. When we asked local Land Reform Officials about this, they stated simply that they had received no new instructions from Kathmandu regarding this.

The qualities of plots in many cases are so poor as to be almost worthless. Some plots are in areas about to be eaten by rivers, some with sandy soil, and some simply too far from laboring opportunities.

Our own visual estimate was that some plots distributed may not in reality measure up to the size indicated on the Land Certificates.

The Land certificates only show husbands picture, contrary to land distribution guidelines adopted by Landless People's Problem Solving Commission (*Sukumbasi Samassaya Samadhan Ayog*). Both the husband and wife are meant to be shown on the picture, to ensure their joint ownership.

In general there seems to be a lack of long-term vision in the rehabilitation programs. Even 5 *Kattha* plot sizes are not at all sufficient to provide subsistence for the families. In settlements close to the bazaars daily wage labor may support the families. But subsistence will be very difficult in the many settlements being designated on forestland away from other villages. Here the government's policy seems to be directly encouraging illegal use of forest materials and/or further encroachment, as well as ongoing dependency on aid programs.

Integrated planning, including various governmental departments, NGOs and donors/INGOs, is needed to provide a strategy for *Kamaiyas* livelihoods in the future. The government seems to be missing the historic opportunity of its freedom declaration to significantly improve the lives of 100,000 of its citizens.

With many freed *Kamaiyas* settled illegally on forestland, the threat of government harassment is still very much present. Forest Officers and an assembled group of locals burned down one settlement of over 200 households near Tikapur on the 22nd of September. The Forest Office claimed that it was a squatter settlement, and further stated that they would not evict any *Kamaiyas* until the government completed its resettlement program. NGO activists

admitted that there were other landless squatters in the settlement in question, but stated that at least 40% of them were unregistered *Kamaiyas*. When the Forest Office clears settlements, they demand that *Kamaiyas* produce ID cards to have their huts saved. However, as a significant number of the freed *Kamaiyas* still have not received ID cards, they have no way of proving to the Forest Office that they are *Kamaiyas*.

There are on-going inconsistencies in punishment of forest encroachment. Near some *Kamaiya* settlements, other squatters have been allowed to stay. The Land Reform office continues its policy distributing land through legalizing existing encroachments. Other families are issued land certificates for as much as 1.5 bigha (30 *Kattha*) under this policy.

6.10 Perception of *Kamaiyas* on Various Issues

Presently 91.7 percent *Kamaiyas* take a sigh of relief that the present work is easy as compared to the past, whereas 7 percent feel it the same and 1.3 percent of the respondents consider the present situation more difficult.

More than 90 percent respondents are hopeful that their living standard will improve in future. Only 2 percent view the situation with frustration and negative attitude while 7 percent are of the opinion that their living standard cannot change on the basis of present development.

With regard to their perception on declaration of *Kamaiya* liberation, overwhelming majority feels that the liberation has pushed up their moral and social condition (Table-6.19) however; they are feeling that their economic condition is very difficult.

During the informal discussions with a number of *Kamaiyas*, most of them agreed that they are now happy while enjoying a change into citizen from semi slaves. They have become free to work voluntarily based on their own judgment. They are ready to struggle for their better life in future even though they are now living in a temporary plastic huts without proper roof to check the rainwater in these rainy days.

Table-6.19: Perception of *Kamaiyas* on the Condition after Liberation

Perception	%
Moral Boost up	41.5
Improved Economic condition	27.5
Improve social status	28.1
Not much useful	2.0
Extreme hardships (<i>Jhan bichalli</i>)	0.9
Total	100.0

Source: Field Survey, 2006

7.1 Summary

Having discussed the changes in the socio-economic environment of the research area, the comparison of the particular economic activities in which the resettled *Kamaiyas* were involved before and after the liberation are made in the following passages.

Before liberation most of the *Kamaiya* families used to live in joint family but now they live in nuclear family. It is so because each of the *Kamayyas* got land separately. Likewise their educational awareness and imitation to neighbouring families have also become the reasons behind it. Most of the freed *Kamaiyas* are attracted toward nuclear family system because they felt that it is better than joint family system.

Before the liberation they were deprived from the educational opportunity but now they have started to send their children to school and even they go to the literacy classes. Different INGOs have started educational programmes in this area to uplift their educational status. They are aware and confident to follow new development therefore, they have realized the changing situation and have become mentally prepared to accept the change and adopt the alternative livelihood strategy other than traditional one in order to make themselves fit for the changed circumstance.

In terms of agricultural input like fertilizer, improved seeds, pesticides, the adoptive level of freed *Kamaiyas* has not been encouraging. Only a few respondents are found using the fertilizer, improved seed and pesticide. The

underground boring and linkage or irrigation channels are being built with the help of GTZ. They are hopeful that the boring will be beneficial for their production.

They are interested to grow varieties of vegetable in their irrigated land according to the current demand of local market. Ditch farming, goat farming, poultry farming and cultivation of hybrid vegetable and cereals are the new areas of technology adoption practiced by them. Diversity in agricultural practices and adoption of improved technologies has been a concrete ground for the option of change in strategy for livelihood of freed *Kamaiyas*. Increasing market facility, increasing price and high demand of vegetable in local market and access of them to different development agencies have facilitated to shift on to newly created occupational areas.

The government is also initiating 'food for work' programme to freed *Kamaiyas*. 'the food for work' programme is launched by DDC and funded by GTZ, DFID and WFP in Bardiya district. This programme has been launching for freed *Kamaiys* as *Kamaiya* food security project. by this project unskilled freed *Kamaiyas* of study area are also utilized to construct the rural road and they received the rice according to their work.

The allotted land to freed *Kamaiyas* is not so enough as it can sustain their life from its own agricultural products. So that they need to supply their power in labour market. In this regard, the access to labour market is important to understand more about their resettlement and rehabilitation process. The labour market of research area is closer from the resettlement area. Since, they are closer to the market centre where they could get employment in other sectors including agriculture. But most of the freed *kamaiyas* of study area are mainly engaged in agricultural wage labour.

The freed *Kamaiyas* of research area are resettled near from the existing other settlements. There are facilities of market centre, health post, bank, postal service nearby the resettlement area. There is a road facility to go any where from their settlement area. There pre-primary school for freed *Kamaiyas* children has been just established in the settlement area. Te secondary school is situated in the distance of about. 1 km from the settlement, which is not so far comparing other is existing communities.

The government has been also providing Rs 8 thousands (on the support of western Terai Poverty Alleviation Project) under the *Kamaiya Tatha Britti Bikash Kryakram* and 35 cubic feet timber per family in order to construct house to *ex-Kamaiyas* receiving red card. However, the government has formerly decided to provide 75 cubic feet timber. The support providing to them is not sufficient to build houses according to their family size.

Various groups of freed *Kamaiyas* have been formed in order to make them aware about the reason of poverty, develop their leadership and socio-

economic condition. It also aims to develop self-confidence, self-privilege and empowerment through the medium of freed *Kamaiyas* institutional development. The freed *Kamaiyas* of the study are having also practiced this system.

The 'revolving fund' has been also established by the help of land reform office to meet the credit requirement of group members and saving programme has been initiated under internal resources mobilization. The district land reform office also aims to mobilize these savings and revolving fund.

The reliable interest rate saved them from the exploitation of high interest rate of local moneylenders. This also supported to their livelihood. Nowadays, they are more confident to manage their need without the help of those moneylenders.

Government has been providing funds in low interest rate to fulfill the required money for their income generating professions. Similarly, many GOs and NGOs providing different kinds of training and exposures to the freed *Kamaiyas* of study area. Appropriate and sufficient training have developed knowledge and skill among them. They are capable and motivated enough to start new works other than traditional one. The freed *Kamaiyas* who have received the training on new skill and technology which make them able to earn more for livelihood.

With regard to their perception on declaration of *Kamaiyas* liberation most of them prefer the present condition rather than previous. About 99% respondent preferred present condition than the previous. They feel that the liberation has increased their moral and social condition. They feel not only the liberation from loan and bondage but also from physical and mental burden.

Most of the respondents preferred their resettlement area, location and site of their house. However, most the re-settlers feel that land provided to them is not adequate i.e. most of them are not so much satisfied, majority of respondents reported that these facilities were accessible. Due to the site of resettlement are in the edge of forest, most of the freed *Kamaiyas* are found satisfied with the fire wood supply and surrounding environment. Likewise, majority of respondents are found satisfied with the intra- community interaction where as in terms of inter-community interaction mixed responses are found. The freed *Kamaiys* are getting more facilities from the nearby market. The freed *Kamaiya* have also got opportunity to work on daily wages in the nearby markets i.e. Rajapur.

7.2 Conclusion

To create the real freedom only policy and speech is not sufficient. Effective rehabilitation and implementation to real ex-Kamaiyas is necessary, real freedom is locally defined by the gradual attempt to overcome social alienation, to assert land claims and family claims.

But the consideration of fact about origin of *Kamaiyas* evidenced that without reconstructing the present structure of land holding pattern the true rehabilitation of freed *Kamaiya* is impossible. Government activities after liberation seem to have been carried out obviously without doing any homework. *Kamaiya* liberation movement, pressure from INGOs and human right organization as well as from international community and the internal society had pressurized government to compel make such proclamation. The governments' efforts made after that have lacked seriousness and commitment in this regard.

After the liberation *Kamaiyas* of the study are in much better condition than in past. However, the conditions are not so much convincing. Without proper homework and planning *Kamaiyas* are still landless and jobless facing hands to mouth problem. Encroachment of forest and capturing the valuable land like *Tikapur* airport are the result of delay on distribution of land to the freed *Kamaiya*.

7.3 Recommendation

The present study clearly shows that the *Kamaiyas* of the Study area are much better than past but the results are not so promising. Based on the study findings, the following recommendations are made.

- An immediate action should be taken to identify the genuine *Kamaiyas* and provided card, land and other relief to the unidentified *Kamaiyas*, so that we can stop the more encroachment of forest and capturing the valuable property of land like airport and other public place
- An immediate effective rescue and rehabilitation programme is needed to withdraw ex-*Kamaiyas* child labour. For this, awareness advocacy, educational programmes and legislative measures should be taken.
- Due to the population pressure supply of drinking water pump, toilet etc. should be established in ex-*Kamaiyas* resettlement area.
- They should be provided sufficient loan without any deposit.
- School enrolment of *Kamaiya* children is very low as compared to other community. Almost all *Kamaiyas* are unaware of the importance of education. They are unable to bear school expenses of their children due mainly to their poverty. Thus it is necessary to launch Formal Education Support Programme extensively combined with market-friendly vocational training to the youths.

- Government had already banned to keep the *Kamaiyas*, however some *Jamindar* keeping *Kamaiya* in new method.
- The intensive agriculture system mostly commercial vegetable farming or other such intensive practice should be implemented in freed *Kamaiya* settlement because they do not have enough land for farming. At the initial stage, the loan, tools as well as technological support should be provided.
- The housing programme also needs to be run for blue card ex-*Kamaiyas*. If the revolutionary land reform is not to be implemented, it should be provided at least 5 *Katthas* land to the blue card as well as to white and yellow card in the case, when land holding is less than 5 *Kattha*.
- Usually resettlement camps closer to the market and headquarter receive many non-formal benefits from the INGOs, it is necessary to focus anywhere.
- The minimum wage rate Rs 80/day for men and Rs 60/day for women seems minimal than market condition of Bardiya so on the one hand it should be increased.
- The programme should be free of any biasness regarding *Kamaiya* type.
- Skill training programmes for both male and female should be conducted intensively in accordance with the market demand, mainly the local market demand. This may be helpful also to substitute Indian semi-skilled and unskilled workers working freely in Nepali Labour market. Carpentry, masonry, plumbing, electrical works etc. related to construction sector along with street selling of seasonal fruits and vegetables, hair cutting, painting, shoes repairing etc. may be the areas of training programmes. Through a concrete training policy and

coordination to avoid duplication, training activities should be undertaken.- Current health facilities should be mobilized to provide necessary health services since the ex-*Kamaiyas* are more vulnerable and can expose to the disease due to their housing and living environment.

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Appendix

Central Department of Rural Development
**“Impact Study on Resettlement and livelihood development Program
 for Abolished Kamaiya”**

Questionnaire Prepared for the Dissertation work entitled

Household head Name:..... Date :
 .../...../2063
 Respondent Name:..... Sample HH
 No:.....
 Relation to house holds head.....
 VDC.....

1. General Particular about Family

S.N.	Relation with Head	Age	Sex	Education	Marital Status	Occupation

2. Housing/Settlement Condition:

(a) Own House: yes.....No.....
 (B) Type of House: Pakka..... Kacha.....Temporary
 camp.....

3. When u became

Kamaiya?.....

4. How long had You been working as

Kamaiya?.....

Where u worked before? Kamaiya Master.....Pahadi
 Master.....

5. In your view, which condition is better for your livelihood?

Previous Kamaiya State () Present Freed Condition ()

6. Please tell about your History of land holding and generation? (The last generation number indicates to household head).

Generation	Land holding size	No. of sons	Remarks
1			
2			
3			
4			

7. How much land you have this time got from your father?.....

8. How much land do you get from the government in the process of resettlement of freed Kamaiya?.....

9. Do you have enough food for the whole year from your field? Yes (.....) No (.....)

(a.) if surplus, how much?..... (b.) if no, how many month?.....

10. Do you rent or cultivate other's land? Yes..... No.....

11. What are the Crops that you're cultivated after you got land from the government?

Crop	No	Yes	Total Production

15. Did you use fertilizer? Yes.....
No.....

16. Do you work in others Field for wage (*Majuri*)?
Yes.....No.....

a. If yes how many family member works for, how many day/month and what is the rate.

Age group	Male	Day	Daily wage	Female	Day	Daily wage	Remark
Below 10							
10-14							
15-59							
Above 60							

17. Do any family member work for wage besides agriculture? If yes mention.

Age Group	Male	Place of work	Daily Wage	Female	Place of work	Daily wage	Remarks
Below 10							
10-14							
15-59							
Above 60							

18. Besides Agriculture, did you get money from any other Sources? Yes.....
No.....

Income Source	Amount

19. Is it enough to manage your livelihood by the income of your family?
Yes.....No.....

20. If not how it is managing?.....

21. Did you get any training for livelihood from the government?

Yes.....No.....

if yes (a) Type.....(b) any advantage from that training?.....

.....

22. What did you detain to build house from the government?:

Money.....

Material.....

23. Did you get any other support from the government/NGOs to resettle in this place?

Yes..... No.....

If yes mention the type of support and supporter.....

24. Have you borrowed money during this one hand half years?

Yes.....No.....

if yes mention

Source	Amount	Interest	Purpose
Bank			
Cooperative			
Money lender			
Other.....			

25. From where do you getting following services?

Service	Place	Distance	Time	Remarks
Market Service				
Primary School				
Secondary School				
Health Post				
Cooperative				
Bank				
Postal				
Labor Market (Agr.)				
Labor Market (Other)				

Resettlement camps

Resettlement camps