

CHAPTER: I

INTRODUCTION

1.1 Background

Historically, the Terai strip of the south was thinly resided by the malaria immune indigenous group such as Tharu, Dhimals and Rajbansi as well as other caste groups. Until the eradication of the malaria in the 1950's the Tharus dwelt alone in big Himalayan tropical forest where they followed a sub-nomadic life based on slash and burn agriculture (Crooke 1987). Tharus are in the fourth position of population composition in 1533879 (6.75%) and language position even is in the fourth 1331546 covers in 5.87% out of the total population (2001, CBS). In the western Nepal viz, Dang, Banke, Bardiya, Kailali and Kanchanpur districts occupy 30-50% of total district population, where hill people make up the second largest groups. Only after the eradication of the malaria in the 1950's, the Terai become accessible to the outsiders for settlement. Thus, one can easily claim the Tharus status as an indigenous group. There are various push and pull factors for the migration from Hill to Terai.

Nepal is an overwhelmingly agricultural country with crop production. Within agriculture, land turns out to be the most important determinant of income. Thus, landless and land concentration are strong indicators of rural poverty. The issue of landless people has drawn much attention in recent years. There is hardly a district especially in the terai areas where this gigantic problem has affected toward those people who do not have their own land (Rising Nepal, 1993).

Nepalese society is fully of inequality and heterogeneity. Despite being the caste system is illegal in Nepal, people still follow it. As a result, some traditions of Nepal remain inhuman and cruel. Kamaiya

system (bonded labor) is one of them so prevalence of widespread poverty and absences of alternative means of livelihood the poor tharus fully depend upon their bare hands as farm labors. Farm workers are popularly known Haliya, Haruwa, Charuwa, Kamaiya, Gothala, Bhaisawa, Gaibar, and Chhegar. The practice of Kamaiya system is a resided of former slavery, which still exists especially in the mid and far western Terai districts.

1.2 A Brief Introduction of Kamaiya

The term "kamaiya" is derived from Tharu community at the structure of joint family system. Earlier, almost all blood relations stayed under one roof as it served the purpose of providing surplus labour needed for farming and household activities. Sometimes as many as a hundred families lived together. In such system the eldest son of the house, known as Ghardhuriya in Dang occupies the highest position in terms of power and prestige. In other words, he is the sole decision maker though not necessary the sole breadwinner. Besides he is even responsible for performing all religious ceremonies. All other members except the Gardhauriya are known as Kamaiyas in the case of male members or Kamlaharies for the female members. Saying in the short a Kamaiya means a hard worker in their native language who sustains his life with full of his own physical strength and self- commitment for his own family and his society. However afterward, it has been various implied, misinterpreted and extremely exploited during the course of history by feudal groups people in society where tharus are majority dwellers are very simple and strength for work for serving them. That is why tharus are mostly Kamaiyas in Nepal. (INSEC, 2001)

Kamaiya system is mostly concentrated in Dang, Banke, Bardiya, Kailali and Kanchanpur districts. The system is also believed to be in practice in some of the pockets of Kapilbastu, Rupendehi and Nawalparasi district where the tharu society is dominant. 98 percent of the total Kamaiyas belongs to the tharus. These Kamaiyas are treated as slave at the landlord's house. That was not tolerable behavior. They started strike to get the human right through various ways. Then they got a relief in the month of second, Shrawan, 2057 B.S. (17th July, 2002) legally declared by government of Nepal. Thus they are now as Ex-kamaiyas.

1.3 Statement of Problems

The issues of Ex- Kamaiyas can be considered as one of the gigantic phenomena to rehabilitate in the mid and far western districts of Nepal such as Dang, Banke, Bardiya, Kailali and Kanchanpur as well as even in practice of some pocket areas of Surkhet, Kapilvastu, Rupandehi, and Nawalparasi where tharu *Kamaiya's* population is high, which is a burning problem.

Especially in Magh month (approximately 14th January) between the land owner and an agricultural labor i.e. Kamaiya, labor is exchanged for payment in cash or kind. At that time, both parties may agree or refuse to enter the contract. They both had the choices to make the agreement, but in practices (INSEC, 2001). The kamaiya did not have his freedom of choice rather he was compelled socially, economically and other obligations commanded by the owners. Due to inhuman behavior, they could not bear such system and struggled against it. As a result, they became Ex- kamaiya from feudal landlord groups but wondering as refugees settling down in temporary camps.

As the Government declared the Kamaiyas as Ex-Kamaiya, it is legally good but in practice was not taken care of welfare solutions. They are still settling down in the camp as birds. Some of them came to dwell as Kamaiyas again with frustrated faces. Though the government gave the land for settling down but that is useless land and they had neither home nor way of fulfilling needs. Even they were carried far from their own society resided on the camp. As a result the existing social relation was deserted, cut off the chances of employment. Now the Kamaiyas are settling down at those places increased the scarcity of resources, means and opportunity. Therefore, this research focuses on the given fact so as the central problem.

- Where do they go for work?
- Do the existing resources sustain for life style?
- Why did the ex – kamaiya not allow to settle down own villagers?
- How did the kamaiya become the marginal people though they were landowners?
- Does there remain Kamaiya system in any name of even after the emancipation of Kamaiya system as child labor form or others?
- What attempts of Ex- Kamaiya rehabilitation, their employment and wages does government make?

1.4 The Objectives of the Study

The main purpose of the study is to find out the livelihood strategies of ex- kamaiya community and to identify their major problems and ways to solve; the specific objectives are as follows:

1. To trace the historical process of marginalization and landless of Ex-Kamaiyas.
2. To investigate the existing the demographic and socio-economic condition of the Ex- kamaiya community

3. To investigate the livelihood strategies of the Ex-Kamaiya.
4. To trace on the existing problems and government's attempts towards resolution.

1.5 Significance of the Study

This study is important to give information of the livelihood strategy of ex-kamaiya community. It will also be useful for the policy makers, researchers, planner and social workers to know about their economic, education, social, lifestyle, etc as disadvantages community. Many researches and scholars have done the various research works in the terms of disadvantages groups of people. However a few of them are done in the subject of livelihood of Ex-Kamaiya. Geographical condition of any area affects to their socio-culture for adoption in the community. It will also make clear that kamaiyas are not only tharus but they also belong viz. Brahmain, Chhetri, Dahit, etc. Somehow it will also be helpful to NGOS/ INGOS to conduct the ex-kamaiya management programs in the communities.

1.6 Limitation of the Study

This study have been done in micro level, it has mainly concentrated at Syani-Ambapur village of Tribhuvan Nagar Municipality in Dang and specially focused on Ex-Kamaiya community. The generalization of this study may not be extrapolated. Though Tharu Kamaiya Community is settling down the different parts of western Terai region it is basically focused on the livelihood strategy of the ex-kamaiya community.

CHAPTER: II

LITERATURE REVIEW

The issues of Ex- Kamaiya has been quite critical and achieving the dimension in the present day. Despite this fact there are a few empirical and comprehensive studies on these issues. Even the livelihood strategies of Kamaiyas are rarely studied in Nepal. Some of them have been reviewed in order to support the bases of present study.

2.1 Theoretical Framework

In Nepal, more than eighty percent of the total people are involved in agriculture. Their economic status of Kamaiya is very miserable so their life has not been improving as expected. Almost 31% of total population is still below the poverty line due to low productivity, lack of irrigation facilities and fragmentation of land in small size and slopping terraces (CBS, 2001). As a result Nepalese farmers are not able to increase more income and maintain their livelihood problems. Different literatures show that Robert Chamber is the pioneer person of the livelihood concept and often called the father of sustainable rural livelihood approach. He invented this approach in the mid 1980s in order to increase the efficiency and effectiveness of international development cooperation (Wyss, 2003). Then, Chamber and G. Conway further developed it in the early 1990s. Similarly, DFID incorporated the sustainable livelihoods approach as a central theme in the policy, advanced and adopted it to suit its work. Rather than introducing new elements in development studies, the strength of sustainable livelihoods approach lies in the synergy created by the combination of individual key elements. It aims to facilitate a holistic view that takes into account both micro and macro levels and includes natural conditions as much as

human made condition, such as technology, economy politics or cultural norms and beliefs, focusing on livelihoods of people. The subordinate aim there is to reduce poverty by increasing the sustainability of poor people livelihood.

"A livelihood comprises the capabilities assets (including both material and social resources) and activities required for a means of living. A livelihood is sustainable when it can cope with and recover from stresses and shocks and maintain or enhance its capabilities and assets both now and in the future, while not undermining the natural base". The sustainable livelihoods approach comprises of two elements: of which one is guiding principle for sustainable livelihood and other is sustainable livelihood framework as shown in the Fig-1.

Figure: 1 Sustainable Livelihood framework.

Source: DFID, 2002

2.1.1 Study related to Livelihood Strategy

Subedi and Pandey (2002) in their study enlisted "Livelihood Strategy of Rai Community in Arun Valley: Continuity and Change" focused livelihood strategy of the highland and low land people. It is the comparative study of two spatial locations i.e. Makalu and Sitalpati, which are different altitudinal places. According to them land ownership has been decreasing. Problem of population growth has become the serious at present. Over utilization of public resources created resources scarcity and to cope with this problem they brought marginal lands into cultivation. They have converted khorja into bari and bari into khet wherever possible. This followed the use of modern technology in the form of additional inputs. They further say to cope with the famine they had to adopt the multiple cropping technology and crop diversification strategy. Except these strategies such as wage laboring, pottering, borrowing, crediting, they had to cope with famine also adopt livestock selling.

Giri (2002) has made a study on "The Changes occurred in livelihood strategy of the Tharus in Surkhet". The main objective is to find out the changes occurred in livelihood strategy of the Tharus in Surkhet valley. He found that traditional occupation (agriculture) of the tharus of Surkhet is no more able to earn their living as previously. They are involving in different additional/complementary occupation other than agriculture as a change of livelihood strategy in order to tackle the changing situation. The degree of awareness on education, health and resources management is increasing among the tharus of Surkhet valley but they are not in a position to compete with other communities to earn their livelihood.

Bhattra (2001) studied the "Rickshaw Pulling as a way of earning Livelihood". This study is based upon the field survey of 200 respondents, as well as secondary information. The utilized both qualitative as well as quantitative methods. This study has concluded that as they were illiterate, rickshaw pulling was the opportunity for sustaining their livelihood. There is no such better strategy of life among the rickshaw pullers. Majorities of these rickshaw puller fall under poor economic stress. They spent life just in earn and spent system.

Sijapati (1998) has studied about the socio-economic status of Sarkis living in Jharuwarasi Village, Lalitpur. The main objective of the study was to study socio-economic condition skill and life cycle of Sarkis of the study area." Most of the Sarkis are engaged in agriculture. Their caste specific occupation in shoe making but that is in decreasing state. They run their livelihood from the agriculture, wage labor, masonry, shoe making and basket making. They have not enough land for farming, some of them are tended, and some of them have their small land. Their annual income is very low. Few of them are literate." So, socio-economic condition is very poor.

Pathak (2004) carried out a study on "Livelihood strategy of Street Cobblers, A case study of Kathmandu valley". The study was done by conducting census survey of 64 respondents. On the basis of the involvement in this job this study concludes that street cobbling in urban area has emerged as livelihood strategies for the young generation of terai and India than for the hill Cobblers. This study has concluded that this occupation is not secure and sustainable. By nature of work and space used by them, this occupation seems more vulnerable. Seasonality, space and institutional and social values, norms, political situation and lack of livelihood assets are more responsible factor to shape their occupational vulnerability.

2.1.2 Study related to Kamaiya

In many African, Asian and Latin American countries bonded labor system was prevailed. The present Caribbean of South American was also carried as a farm labor for the English people. As the time passed by many social revolutions occurred and people became free from the bonded labor. After the restoration of democracy, people in Nepal also organized and put their voice against such system. As the consequence, bonded labors freed and settling processing for freed Kamaiya took place (Chaudhary, 2005).

Basically tharus are honest, but other people played tricky role to control the land from the ownership of Tharu. Kamaiya sold the land in a very minimum cost. Then Tharu again remained as farm labor, Kamaiya(Lowe, 2002).

Land in Nepal has been assigned to individuals, certain tribal groups, and religious institutions, but the ultimate property rights have been vested in the state (Shrestha, 1990).

The modern meaning of the kamaiya is bonded labor. There are different kinds of bonded labor in Nepal. Kamaiya is probably the most exploitative form. It is practiced not in Nepal of movies and mountaineers, but in the western part of Nepal's lowland Terai plains. The vast majority of kamaiya are the indigenous Tharu (INSEC, 2001).

Poudel (2002) states that Man's three basic needs to live, to learn, and to know why the quotes are fitted to the freed Kamaiyas, because till 2001, freed kamaiyas did not have basic requirements both they had shelter, nor schooling the children, and they were not aware that why they are bonded and how they are bonded.

Subedi(1999) studied the social and economic condition of kamaiyas examined their decision practice and analyzed the process of landlessness of tharu kamaiya. He also explained about their housing and settlement pattern. He concluded that chicanery and fraud were the main causes of the landlessness of the Tharus.

Upreti(2000) studied religious-cultural belief and practice of Tharu Kamaiyas, analyzed their socio-economic characteristics and kamaiya system in relation to socio-economic condition of Tharus using interview, observation, case studies and focus group meeting.

Chaudhary (1999) has revealed the kamaiyas are these courageous, bold, laborious and energetic laborers or so called farmers who work with their families in the farms of landlord in stead of getting some cash amount or grain. It indicates that kamaiyas are poor persons who do not have their own land for cultivation. They are working as slave to the landlord's house.

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 kamaiyas movement in Nepal through the words 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 remain distant and elusive. Effort for their rehabilitation by providing them alternative jobs in already saturated market have provided not only insufficient but also increasingly frustrating to a majority of the freed kamaiyas.

Until the eradication of malaria in 1950s, the Tharu lived alone in the big Himalayan rain forest, where they led a semi nomadic life based

on slash and burn agriculture. The land reform in 1964 brought about an immense immigration of "Paharis"(Hill people) into the area. (In 1954 only the pahari 35% people out of total population, had lived in terai, whereas they today approximately 51% are settling down here). As a result, the Tharus were forced to become sedentary (small scale peasants) and many of them were exploited like a lemon by every hand within reach. So was the result of Kamaiya (Crook 1987).

Earlier mentioned literatures have dealt with theory of livelihood strategies, being kamaiya's causes and consequences, the history of Tharu, occurred landless though they were landlords as a kings of Himalayan forest rain in Terai at past. These all are not covered for the present research paper "Livelihood Strategies of Ex-Kamaiyas so I have focused to discuss it in my thesis paper.

CHAPTER: III

METHODOLOGY

Methodology is a process of completing the research in which method and techniques used and contain a description on how data were collected and analyzed. It is also critical review of what was done and what could have been done differently to enhance the reliability and the validity of the research. The approach adopted highlights the theoretical ground and scientific base. Methodology also describes essential and experience view for all academic work of the research.

3.1 Definition and Terminology

3.1.1 Ex-Kamaiya

The ex-kamaiyas, who were in the state of bonded labor or in any form of kamaiya under kamaiya system till the declaration of emancipation on 17th July, 2000 by government of Nepal.

3.1.2 Livelihood strategy

Climate, available resources and cultural practices determine the livelihood strategy. Adaptation is the central concept of ecological studies because it is the process where by beneficial organism, environmental relationships are established where it is of the present research entitled "The Livelihood Strategy of Ex- Kamaiya: A Case Study of Syani-Ambapur settlement, Dang district" examine the socio-cultural practices and Kamaiya society. To sustain in the existing environment, man has to adopt some strategies for living. The traditional occupation of them is employed in the landlords house was cut off who are dependent only the landlords agricultural activities for serving. After the declaration of Ex-kamaiya, their occupation is in endangered; they are trying to adjust at same place with large family. However it has been tedious to live in same place without modifying their traditional livelihood strategies.

3.2 Selection of the Study Area

Syani-Ambapur of Tribhuvan Nagar Municipality, Dang, district has been selected as a field area for this research because of its proximity. The researcher has also sound access to reach in this village to perform different task of this work. Due to the limited budget it is also an essential to select the study place. In this place only ex-kamaiyas community settlement is concentrated. Their livelihood strategies are very grim condition. Therefore the researcher is to know so that the planners will emphasis to address it.

This study area is near from my own village so that I have a long experience about the geographical condition, social and economical status of Ex-Kamaiya community. Majority in the community is tharus i.e. homogeneous groups. As a result, the data collections will be more and more accurate and not so tedious work.

3.3 Research Design

The study is based on both exploratory as well as descriptive research design. Exploratory research has been done to collect the information about the livelihood strategy of the study area. Descriptive research method is used for collecting the qualitative information.

3.4 Methods of Data Collection

Various sources and techniques were used together with collection and overview of the relevant information. Both primary and secondary data were collected for the analysis.

3.4.1 Sources of Primary data

The major source of the primary data is the household sample survey. Through the primary data collection, information about the population, livestock, and types of agriculture, education, income and expenditure, occupation, migration land holding, amount of crop loss etc were extracted from the respondent household heads of the study area.

3.4.2 Sources of Secondary data

Secondary data are sources containing such data which have been collected and compiled for another purpose. To scrutinize the composition and nature of the population and its different characteristics, this research has also based on the secondary data mainly published by the Central Bureau of Statistics (CBS), published articles, magazines, etc. The available information about the study area from NGO's report, experiences of Kamaiyas leaders published in articles has also been utilized in the respective contexts.

3.5 Methods of Data Analysis

3.5.1 Processing and Analysis

Qualitative and quantitative methods of data interpretation are used in this study. In the quantitative techniques mean, percentage, etc are applied in the investigation of research facts. GIS technique is used to represent the geographic relationship of facts of objects. After the field survey and completion of necessary data collection all information is edited and processed through computer software program. Different tables, charts and diagram are prepared with the help of computer programs.

3.5.2 Sample Size and Sampling Procedure

The sample size was determined before going to the study area. The total number of the households in the study area was 137 and 70 households were selected in the systematic method where the settlement is in road line representing household survey about 51 percent of the total households. There are 384 people in selected 70 households.

3.6 Tools of Primary Data Collection

The collection of the data for the study is very challenging as well as it provided an opportunity to learn the problems of people. The following methods were applied to collect primary data.

a. Household Survey (Interview)

To collect the primary data such as family size, education, occupation, age, gender, income and expenditure, land holding, production, livestock, etc, household survey was conducted with a set of structured questionnaire. Before setting the final questionnaire it was tested in the study area and modified wherever it was necessary; some questions were added and some were deleted according to its importance. Questionnaires of the different researchers were also studied. After finalizing the set of questionnaire interview was carried out by the researcher himself.

b. Focus Group Discussion

Group discussions were carried out with the local people gathered in a certain area of Ex-kamaiya settlement. They were divided into four groups of Ex-kamaiya, women, child and stakeholders. The main aim of inviting people for group discussion was to get the information about the

programs of NGOs, INGOs, CBOs, User Groups, Cooperatives, Saving Groups, Woman Awareness Groups and its impacts, their perception how to become landless and kamaiya though they were landlord in past and try to find reasons .

c. Observation

Observation means viewing or seeing of the field study based research. During the field survey, I induced in observation from beginning day of field visit unless the data collection is completed. Actually, the technique is used to observe their drainage/sewer condition, average building and living condition, environmental condition, vulnerability caused by natural disaster, solid-waste disposal system, drinking water condition and their livelihood activities. These observed data and information were very essential for my study. For the purpose of document, I booked those observations in my field diary.

d. Key Informants Interview

To obtain the livelihood situation of the local people in the present time, it is very necessary to know the profession, occupation, income and expenditure, food sufficiency, local production, market place, distance to get forest resources etc of the past time. This type of interview is an easy way to collect the information. Furthermore the information related with historical overview of squatter people, their vulnerability is also reflected. The key respondents for this interview were selected from different groups. Six people were interviewed as key informants who live inside and outside the settlement. Two-school teacher, two elder people (above 50 years) of this settlement, one woman awareness group, and one club president were selected for the key informants' interview.

CHAPTER: IV

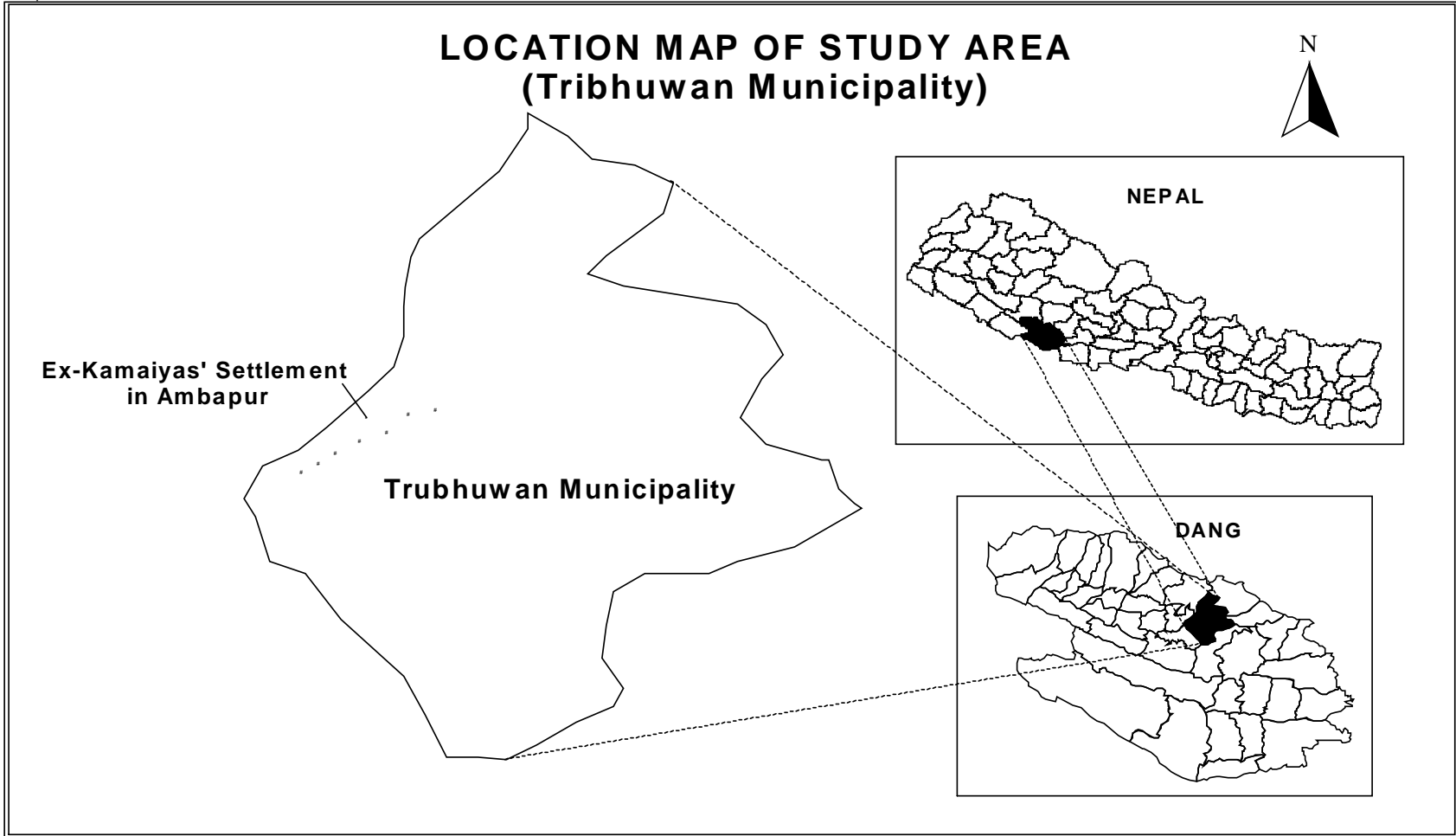
INTRODUCTION TO THE STUDY AREA

The district Dang is originated from the Tharu King *Dangichara Tharu*. It is extended from 27⁰ 26' 00" to 28⁰ 29' 00" north latitude and 82⁰ 02' 00" to 82⁰ 05' 00" east longitude which covers an area of 2955 square kilometers. This district is like a frog shaped valley which is surrounded and protected by mountains on all sides and drained by the Rapti River and the Babia River.

There are two ex-kamaiyas settlements in Dang district only. One of them is Ambapur located in the south-western part of Tribhuvan Municipality. The area is demarcated by Hapur VDC in the west, Jhingaura village of Tribhuvan Municipality in the north, Saudiyar VDC in the south and Gularia village of Tribhuvan Municipality in the east. It consists of the part of Tribhuvan Municipality ward no. 1 covering the areas of 3 bighas (See in map- 1). The settlement is in a linear configuration covering a very narrow strip of public land along the Tulsipur- Ghorahi link road 3 kms far from Tribhuvan Municipality. It was settled down after the declaration of kamaiya in 2000.

There are 137 households in the settlement and they have total population of 695 in which 344 are males and 351 are females (Municipality Profile, 2004).

Map 1

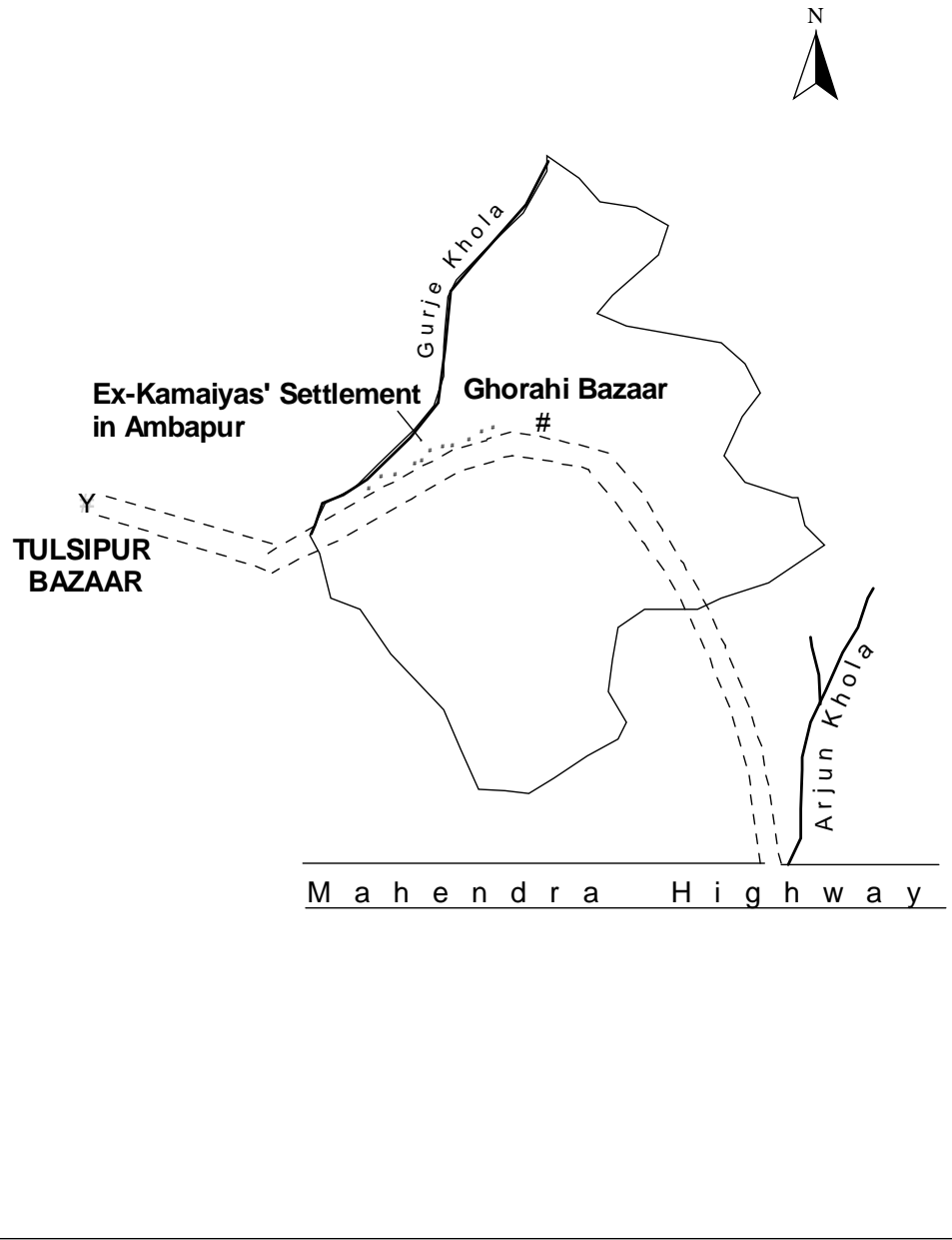


Prepared by: Kul Bahadur Chaudhari, 2006

Source: Survey Department, HMG of Nepal, 1993

The geographical distribution of soil in the study area is uneven with red and black color soil. All the dwellers in Ambapur ex- kamaiya settlements are in linear form. Most of the house walls are built of bricks and they do not have pitch roof. NGO's like BASE, RRN are also involved in importing the facilities of the settlement especially the shelter, literacy, awareness, income generating and saving, drinking water, etc. For the study for their children, one primary school is in the east of the settlement 1 km far. Women literacy centre, club house are also there. There is a metalled road in front of their settlements which passes through the entire settlement from Gharahi bazaar to Tulsipur bazaar. The ex-kamaiya settlements have occupied on public land (See in map-2)

SETTLEMENT OF EX-KAMAIYAS IN AMBAPUR TRIBHUWAN MUNICIPALITY, DANG



CHAPTER: V

HISTORICAL OVERVIEW

This chapter deals the review of history of slavery, and land tenure system in Nepal in general and the process of marginalization, landless and transformation to Kamaiya (bonded labor) of Tharu peasant in particular.

5.1 Slavery and Abolition of Slavery System in Nepal

The crux 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 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 negotiation of the old social order by the new; primitive communism by slave society; slave society by feudalism by capitalism by socialism (Chaudhary, 2005)

The slave society replaced 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

Pastoral nomadic 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 taming of man, it is supported that the nomadic herds man who has learned to domesticate animals begins also to domesticate, to enslave man (Woodhouse, 1954).

Indeed with the dawn of private property and commodity exchange 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 of nobility. Since, the producer began to make more things than were necessary for his own subsistence, consequently some members of society getting rich at the expense of others. Thus, the first antagonistic classes slaves and slave-owners appeared.

Let us examine the slavery in the context of Nepal. In the view of historian Drama Vajra Vajracharya- slavery system was already in practice since Nepal's authentic history begins in the Liechhavi Period (Vajracharya, 1973). 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 previous to Liechhavi period. Prashrit expressed that there was only the form of domestic slave of few nobility in Kirat regime, because they had practice of co-operative labor, whereas there was widespread of slavery in the regime of Shakya, Bideha, Koliya etc. in the Terai (Prashrit, 1989). He further wrote that during the period after Kirati, to Mandev I, the society of Kathmandu valley was either primitive communal type or as developed as feudalism, so could it be considered as slave society. The same view is given by Dhungel(1986) as:

The lichhavi were acquainted with slavery from Vaishali, brought this system, and continued after coming to power in Nepal also

The Lingeswor inscription of Narendra Dev (642-679) also supports the existence and spread of slavery, in Lichhavi period:

One hundred and forty Manika paddy for ten Devdas (Slavery) and three-hundred and sixty manika (paddy) for twenty Devdashi for their services.

Historian Kormi strongly expressed that the 'slavery' was the integral part of society during Lichhavi period. In the same way, there was practice of forced labor in the lichhavi regime in the name of 'Bhot Bista' (Poudel, 2002).

However, the history of Nepal after Mandev I mainly characterized by the feudalism, the enslavement of slave was continued side by side during the Medieval period as well as after political unification of Nepal. The inscription of Krishna Mandir and the Banshawali presented the evidence of slavery during the Malla period as it was written Siddhi Narshing Malla donated slaves (Chhetri, 1992).

During and after the unification, the ruler of the Kathmandu, Gorkha as well as different principalities used unpaid labor to meet their needs and other services (Regmi, 1999).

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 (Chhetri, 1992). The 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. Citing his expression Regmi writes:

At the fort of the pass leading to Har-Ka Pairi is a Gorkhali poor, to which slaves are brought down from the hill and expose for sale. Many hundreds of these poor, of both sexes, from three to thirty years of age, are annually disposed of in the way of traffic. These slaves are brought down from all parts of the hills and sold at Hardwar at from ten to one hundred fifty rupees cash (Regmi, 1999).

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 wide neither spread 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 with in the feudalism by supporting feudalism. (Prashit, 1999).

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 (Chhetri, 1992). However, different historians have given emphasis to different rulers as first step toward emancipation though they had few slaves' attempts against the slavery. In this regard, the name of Josman Shah King of Kaski, Prithvi Narayan Shah, Bhimsen Thapa, Jang Bahadur Rana, Dev Shamsar and finally Chandra Shamsar is found frequently mentioned in the literature.

It was said that Prime Minister, Chandra Shamsar had abolished the slavery system by appealing all to co-operate with him on 28 November 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 1923. In this connection he did not follow Dev Shamsar who had openly collected the data of slaves in districts 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 (Chhetri, 1992). He promulgated a law in 1921 relating the abolition of this system. According to that law the slaves were given the right to their ancestral property as well as their own (Shamsar, 1925). Before this law came into existence there was no provision of slaves' personal property. In 1921 he had promulgated another law about the slaves which mentions:

.....escaped slaves who have resided for three years in a foreign land may, on return claim emancipation payment of the legal amounts to their former masters, and those who had been away for ten years can claim to be liberated without having to make any payments.

In his speech in 1924, he attempted to touch the humanitarian feeling of slave owners and convincing them by giving the instances of economic benefit of daily wage rather than having slaves as well as the example of foreign nation.

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

With respect to rehabilitation of emancipated slaves, the government issued orders to the officials of hills, Terai and other districts to grant the cultivable wasteland to emancipated slaves. Some expressed their desire to remain in the houses of their old master as wage laborers, others decided to start their own business or to be an independent farmer. The land to be granted for rehabilitation of freed slaves was fixed as four ropanis for

each person the hill area and one Bigha in Morang and Sunsary districts. Besides this, Bhichhakhori (Amlekhgunj) at present in Bara district slaves were settled for the rehabilitation. Thus, it seems that the work of Chandra Shamsar 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 (Poudel, 2002). Being an ambitious and cunning person, Chandra Shamsar, intended to present him 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 on slavery and trafficking.

5.2 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 Kamaiyas's whole life is centralized around land, so Kamaiya system is associated with the land pattern (INSEC, 2001). 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, system of land structure develops 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. The concept of property rights in the land divorced from the requirements of personal use (Regmi, 1999).

Discussion of the socio-economic structure of a country can not be isolated from its corresponding demographic history, for 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 (Kansakar, 1984). 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 crust probably comprised the Gurung and Magar whose geographical domain is found in the central hills and their wage of 'Tibeto- Himalayan' people probably during the mid-seventeen century. The Aryan migrants first reached the western hills of Nepal somewhat 1,000 years ago.

5.2.1 Land Ownership Before 1964

Today, the land in the Terai, or plains, is the rice – basket of Nepal, it's most productive and sought after agricultural land. But it is not much more than fifty years ago that the area was only sparsely cultivated. A hundred years ago the vast majority of the Terai was still covered by thick, malaria jungle. At that time the area's only full-year residents were various indigenous groups, the largest of which was the Tharu. They tolerated the jungle's malaria and wild animals, in return for which they had ample land off which to live. It was a time that old men still talk about, when a family entering a new settlement could have as much land as they could carve out of the jungle. In this environment, the Tharu developed largely self-sufficient communities in and around the jungle, with building styles, settlement patterns, religious and agricultural practices very distinctive from what is practiced in the hills or further south in the Gangetic Plains of northern India.

The Tharu communities had only seasonal contact with outsiders. Fear of malaria insured that people visited the plains only in the winter. Hill kings and later the Rana aristocracy who claimed legal ownership to parts of the land were not interested in actually living there. Instead, local village headmen, known as Chaudharis, collected revenue and passed it upwards. In practical terms, land was free to use. There were few people, and always more jungle to cut down. (Lowe, 2002)

In the middle of 19th century the Rana rulers in Kathmandu made in an active economic policy to sell off the tall, straight sal tree of the jungle to the British railway in India and attempt to settle the Terai. But it was not until the 1950s that large-scale population shifts happened in the region. It was then that the World Health Organization (WHO) sprayed large parts of the jungle with DDT in a very successful anti-malaria drive. All of a sudden the deadly anopheles mosquito, that long time neighbor of the Tharu- always troubling but also paradoxically protecting their livelihoods- was decimated. The consequent destruction of the jungle and establishment of large scale settlements by hill accelerated almost overnight.

The hill people came with political and family connections in the new one-party national Panchayat government. Through these connections, by manipulating claims of prior land ownership, or simply through trickery or outright purchase, the hill settlers quickly forced their ownership of most of the available farmland in this region. The illiterate Tharu cultivators had little sense of the importance of legal land-title. They were used to an environment in which there was ample land available. Within one lifetime, Tharu communities witnessed the disappearance of their lands and livelihoods.

A comparative survey in Dang valley, one of the most heavily settled Tharu regions, showed the extent of the transformation. In 1912 A.D, the great majority of landowners were Tharus. Fifty years later, in the late 1960s, the landowners were mostly settlers from the hills. Eighty percent of the Tharu were tenants and 90% of the landlords they worked for were high caste hill people (McDonaugh, 1984). Some initially accepted the reduction to tenant farmers perceiving it as a continuation of the prior taxation systems. Only too late they realized that the landlord could evict them if they were not legally registered as tenants. Some migrated west in search of what remained of the virgin jungle, only to find that similar developments taking place there. Despite the eventual land reform, most of the fields in the Western Terai legally disappeared from under the plows of those who worked them. Families spent lifetimes thereafter wandering from landlord to landlord.

And so in three generations, tens of thousands of Tharu cultivators became bonded laborers farming in other people's land. Wives became servants in landlords' kitchens as a kamalahari. And children worked in others' households as child labor until they were old enough to take over their parents' work. The grandparents' loss of their land became the grandchild's cursed inheritance, the hole that no amount of borrowing would fill.

Before the arrival of the Aryans, the mode of production commonly found among the Mongoloid was communal, generally characterized by pastoral and Swede 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 (Shrestha, 2001).

The emergence of feudalistic production relations had a significant impact on the country's socio-economic 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 the aristocracy and bureaucracy, religious and charitable institutions etc in the form of *Birta*, *Jagir and Guthi* (Regmi, 1999). Similarly 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 labor, *Jhara and Rakam* system was also common. Hence, during this period the actual cultivator usually held his land on tenancy. Either he paid tent to the government or to individuals or institutions who were beneficiaries of state land grants. This, 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 a mere instrument to work the land and produce taxes for their benefit (Regmi, 1978).

Thus, prior to the installation of democracy, broadly there were two system of landlordism (Fig 1): The *Raikar* system that is the system of state landlordism and the *Kipat* system in which land belongs to the community under a customary form of land tenure system.

Raikar land was known as *Birta* when it was alienated by the state in favor of individuals 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 (Kansakar, 1984). 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 cultivators were required to provide unpaid labor on a compulsory basis to meet governments' requirements.

Figure: 1 Land Tenure System in Nepal

Land Tenure

Source: Regmi (1999)

Thus, the land tenure system in Nepal prior to 1951 was oriented towards the benefit of the land owning class rather than the actual tillers. After the installation of democracy in Nepal in 1951 A.D, the previous

land tenure systems were abolished subsequently accordingly the *Jagir* system was abolished in 1951, and all government employees were paid cash salaries according to prescribed pay scales. The *Birta* system was abolished in 1959 and the land were registered as *Raikar*. Likewise, *Rakam* system was abolished in 1963 and *Kipat* system was abolished in 1968. However, the abolition of different types of land tenure system was not aimed at the improvement of the condition of peasants. The main objective of these abolition programmes was to model the land tenure system of the country on the Raikar pattern in order to widen the land tax base.

5.3 The Land Reform Programme of 1964

The government of Nepal introduced the land reform programme in 1964. The main objectives were abolishing the Jamindari 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 colonialist relation of production or agrarian mode of production was not changed. In this regard Kansakar writes:

.....the land reform programme was ineffective in changing the agrarian structure of the country. It could not achieve its objective to ensuring on equitable distribution of cultivated land.

Since the running 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. On the other hand, the land reform program 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.

After the declaration of ex-kamaiya, the government has been distributed the lands to the ex-kamaiyas' households only in the name of land reform programs in five districts as in Table 1

Table 1: District Wise Land Received Status of Ex- Kamaiyas

S.N	District	Status of Land Received family		
		Total	5 kattha land(0.15hector)	Less than 5 kattha land
1	Kanchanpur	2799	2462	337
2	Kailali	4288	1684	2604
3	Bardiya	3586	710	2876
4	Banke	901	150	751
5	Dang	445	206	239
	Total	12019	5006	6568

Source: Municipality Profile, 2004.

Moreover, legal provisions aimed at protecting tenancy rights were never effectively implemented. Table -1 reveals the scenario of five Terai districts about the number of total tenants as recorded by government and the number of tenants getting land under redistribution program. However, the actual cultivator never got a chance to enroll as the tenant, with the result that he was more prone to displacement or landlessness. Basically Dang district has the least number of Ex-Kamaiyas got lands.

Figure 2: Land Received Status of Freed Kamaiyas by district wise

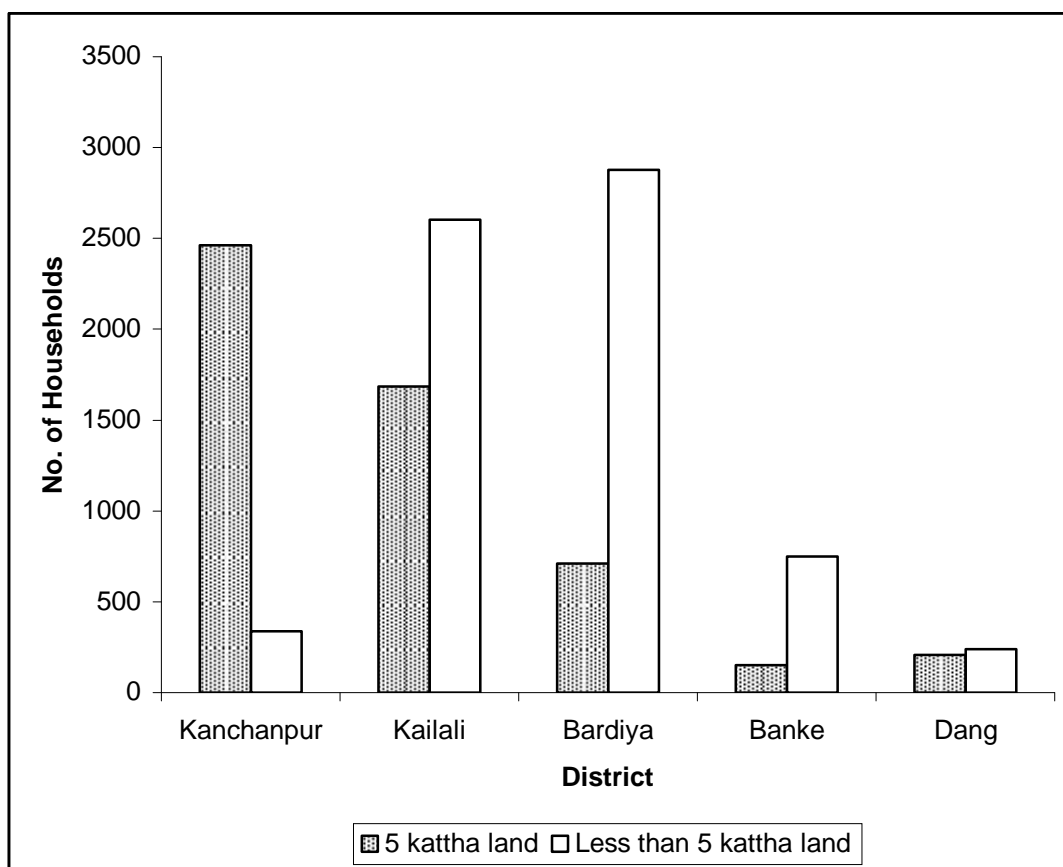


Fig.2 predicts clearly that the government has been distributed the lands to the ex-kamaiyas in Dang, Banke, Bardia, Kailali and Kanchanpur districts after the declaration of freed kamaiya, 2000 A.D. Out of total 35721 ex-kamaiya, 12019 got land in the name of land reformation programs. They got two categories of land 5 kattha and less than 5 kattha. In comparison, Kailali is the highest land received families whose number is 4288 in which 1684 ex-kamaiyas got 5 kattha lands whereas 2604 ex-kamaiyas got less than 5 kattha lands. Dang falls in the least numbers land received families whose contains only 445 ex-kamaiyas in which 206 ex-kamaiyas got 5 kattha lands and 239 got less than 5 kattha lands whereas the settlement of Ambapur Ex-kamaiya haven't got the lands so they have settled down on public lands.

Though 35721 ex- kamaiyas are identified according to the status of 2004 government reports, among them 12039 got lands and 23702 are landless families till now. It can be seen district wise in Table 2 –

Table 2: District wise Status Ex-Kamaiya Families landholder

S.N	District	Status of ex- kamaiya families		
		Land received	Landless	Total
1	Kanchanpur	2799	2207	5006
2	Kailali	4288	6213	10105
3	Bardia	3586	11620	15206
4	Banke	901	2185	3086
5	Dang	445	1477	1922
Total		12019	23072	35721

Source: Municipality Profile, 2004.

Figure 3: Landholder Status Ex-Kamaiya Families

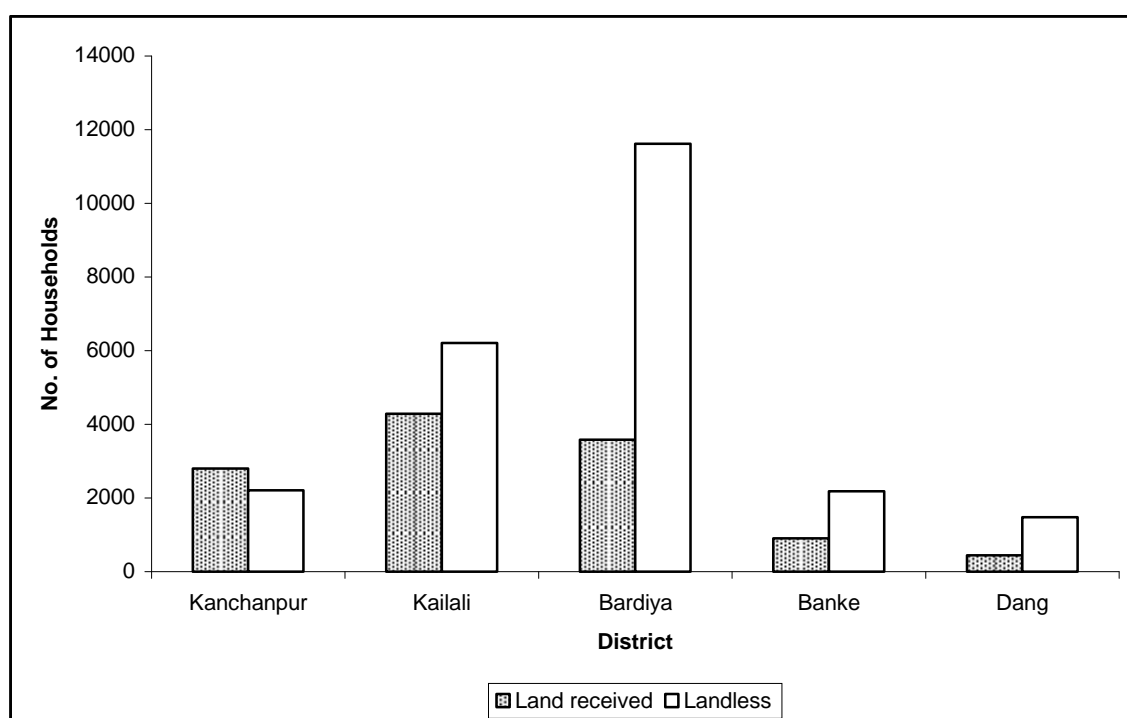


Fig.3 shows that Bardia has consisted of highest ex-kamaiyas among five districts whose number is 15206. In it 3586 got lands whereas 11620 do not get lands till now it is the highest numbers of ex-kamaiyas not getting lands among five districts. Similarly, Dang comes in the last in number as well as land received and landless. 445 ex-kamaiyas families have got land but 1477 families still wait for receiving land whereas 1922 ex-kamaiyas families have recorded in the data.

5.4 Land Pattern Developments in Mid and Far Western Terai

There are many evidences of ancient civilization like Videha(Janakpur) in the eastern Terai, Lumbini in western Terai etc., however there are not such instances of mid and far western Terai regions. Historically, it is believed the entire region was densely forested and there were sparsely settlements practicing, shifting cultivation and nomadic pastoralisms. Chaudhary (2005) writes with this context:

The pasturage facilities available in the forests of the Terai attracted grazer and dairy men from India in Larger number and rearily cultivated as Bihar or Banaras.

The mid and far western Terai had been lost to India temporarily as a result of treaty of Sughauli in 1815, was restored to Nepal in 1858 after Nepal's aid to Britain during the Sepoy Mutiny of 1857. Initially the region was deployed as a defense frontier against British Indian. Such a frontier land- based defense strategy should not be interpreted to mean that the rulers were not interested in reclaiming the Terai land to establish cultivation settlements. It is said that Jang Bahadur Rana had reclaimed the mid and far western Terai region as common property of his three brothers. Later, the Rana regime encouraged the clearing of forest for cultivation in these regions through grants of *Birta* land. According to an

official report 1897, the districts of Kailali and Kanchanpur were largely waste and uncultivated; hence, the rots leave their holding fallow after four or five years and shift to new land (Regmi, 1988).

As started earlier the indigenous of mid and far western Terai regions were Tharus, they were behaved as second-class citizen by the ruling class. Therefore, the Tharus mostly treated the tenants of land and the Rana and other Jamindar control over the land.

The both Ranas and Shahs ruling elites, were afraid that it would open the floodgate of revolutionary ideas from the south (India), thereby undermining their political rein. Thus, the rulers were interested in settling the Terai with the people from the hills in order to achieve the goal of the Tarai's ' *Paharinization* ', that is the Terai's domination by the Paharis (Shrestha, 2001). Nevertheless, the unhealthy, malaria climate and other dangers of the region offered little attraction to settlers from the hills. Those hill families which did acquire land in the region normally stayed there for only a few months during the winters visited the place rarely, it at all, managing their land through intermediaries.

In the earlier period, when the governments effort of *Paharinization* of the Terai through its colonization by the paharis (hill residents) in large failed, it actively pursued a policy of encouraging Indian immigrants. Birta and Jagir landholders were also allowed to settle Indian immigrants.

The Rana ruler used to appoint as *Jamindar*, a revenue collector of land at village level, to the either hill in-migrant or Indian immigrants. But during 1920s a ban was imposed on purchases of land and *Jamindari* holding in Terai by Indians. No ban, however, was imposed on immigrations. It is said that there were Jamindars in the Terai regions of

Nepal even before the installation of Rana regime. The chief function of Jamindars was to collect land taxes from the inhabitation of the villages under his jurisdiction and to transmit the proceeds to the districts revenue office. If a farmer could not pay the tax, the land was transferred to another farm. The zamindars enjoyed several powers and privileges. Under this system they forced the farmers to work for their interest as they like. This system was however put to an end by enacting the land act 1964.

Thus, till 1964 there was *Jamindari* system enjoying with Birta and Jagir land tenure. With the land reform programme, the *Jamindari* system was put to an end, however not such structural change has been noticed in mid and far western Terai regions till now.

Regarding the effectiveness of the land reform programme in terms of ceiling and allotment measure in Kailali district under land reform programmer concluded that the effect of acquisition of excess land and allotment is minimal either in terms of beneficiaries of areas. Thus, no major change in the disparity of landholding was found (Rathor, 1978).

The resettlement program was also launched in mid and far western Terai in order to rehabilitate the landless and homeless people. However, the main intention was to cover natural calamities victim of hill people and landless hill people, the landless Tharu people were not considered except few families in mid western Terai of Syani- Ambapur Ex-Kamaiya settlements in Dang district (137 households).

5.5 Process of Marginalization, Landlessness and Transformation to Kamaiya

The purpose of sub chapter is to provide a historical, political and economical analysis of the process of marginalization, landlessness and transformation to Kamaiya of Tharu peasant. Within such a framework landlessness and transformation to bonded labor is directly related to the institutional policies as reflected in the changing social formations, in which the relations of production and the corresponding modes of development are featured. As we discussed earlier, there was no such slave society like ancient Greece, Rome and etc. One can broadly identify three general phases in its social formations and transformation in case of mid and far western Terai regions of Nepal: a) communal or tribal; b) tributary (feudalistic) and c) agrarian (semi capitalistic/ semi feudalistic) (Shrestha, 2001).

Tharus had habit of alcohol or liquor of brewing out of food grains and to protect from the malaria they dark liquor like a water which ultimately made them poor and virtually kamaiyas.

Tharus economies have been damaged by both sides hill from the north and Indian immigrants from south. In general hill immigrants especially Brahmins, Chhetri and Thakuris as well as Money lenders from south tortured the Tharu and their economy. In the beginning due to illiteracy and ignorance, Tharus were unconscious so their lands were snatched and exploited to the fullest extent turning them into Kamaiyas.

In B.S 1969, 2nd land survey was done during king 3, Chandra Shamser J.B.R and bigger Maujas (better ownership lands) were given to Chaudhary family and 2-4 Maujas were given to the name of Rana family and rest unproductive Maujas to Mahato (leader of village) family.

About for 30 years many Maujas were under Chaudhary family in the name of Chaudhary title awarded. In 1984 B.S when Chaudhary systems were abolished by King 3, Chandra Shamser J.B.R and Mainjani system (head of the area) was introduced. So this system remained as head of that areas and used as samant (exploiter group). According to instructions of landlords, Mainjan used to work and perform their duties. All the irrigation bunds and kulos (canal) were built by the Mainjani systems water was distributed in the field accordingly. Mainjan was the head of the society and even hard rules were followed by Mainjan if not maintained by general people either in civil works like irrigation bund management or in social functions patwari (Revenue collectors) system was also there and patwari collected revenue of the Mainjan and paid to landlords and government. They turned towards tharu into kamaiya because they were decision making level of those areas and messengers as well (Chaudhary, 1999).

There was communal mode of production among the Tharus of Terai region, Tharus had their own tribal society of primitive stage that was free from any kind of state intervention. They had adopted shifting cultivation in the certain areas within their access. The problem of landlessness of Tharu peasants originated with the integration of tribal land into the land- administration system of the state. There is lack of information since when the land of the Tharu in Terai districts put within the command of state. Information so far available tells that it was brought under the control of state in the earlier years of Rana regime.

As we discussed in former section, the basis of society under Rana regime was feudalistic. Hence, the land tenure system which was favorable to feudalism i.e. *Birta* and *Jagir* were also practice in Dang district. The ruler of nation introduced a tax collection system in the responsibility of village based functionaries in the Terai region in 1861, which was known as *Jamindari* system. The indigenous Tharu peasants gradually became landlessness and transformation to Kamaiya. The process of marginalization, landlessness and entrance to Kamaiya system of Tharu is presented.

Most of the Tharu of Dang district was either migrated to Banke, Bardia, Kailali and Kanchanpur districts due to unfavorable behavior of Jamindars. So, the origin place of Tharus is in Dang district.

The transformation of primitive communal society to feudalistic society characterized by the emergence of two antagonistic classes: ruling and working. The ruling class in feudalistic society of Dang district comprises Birataholder, Jagirdar, Jamindar, Mahajan, Kothar and Bureaucrat and in agrarian society the landlord/ feudal, broker, capalistic and bureaucratic capitalist are the members of ruling classes. In another side the most deprived group of working class in Dang district that means the poor tharu are characterized by ignorance, illiteracy and dociling.

These two classes argue with many factors which are specified. Further complexity arises when ecological characteristics as subsistence farming and uncertain monsoon enter into this argument on the side and influence of political framework on the other side. The argument between two classes contributed the landlessness, indebtedness and lastly transformation to Kamaiya. Now due to emancipation of kamaiya became as ex-kamaiya from 17th July 2000.

There were various systems of unpaid labor in the name of kamaiya in Dang, Banke, Bardia, Kailali and Kanchanpur such as Jhara, Beth Begari acted as push factor of migration of Tharus and other working class people. Likewise the artificial land scarcity, which appeared as the outcome of feudalistic relationship of production was another factor that was responsible to out migration of Tharu from their origin areas. In this context (Chaudhary, 1999) expressed that flights of peasant from the nobles' estate to avoid taxes and ill treatment were frequently and sometimes took place in mass scale. Whole villagers disappeared in search of other land and freedom.

Thus Tharu peasants in the past had to migrate in the search of a piece of land. Anyway the privileged landlords looked for the laborers to cultivate their land. Mc Dougal expresses his experience of existing tharu communities as:

In order to obtain labor for the purpose of extending the area under cultivation; Jamindar(Landlord) who acquired land in the district sent their agents in Dang to procure Tharu laborers or tenants, offering the latter better terms than they were receiving in Dang learning of this situation many other Tharu themselves migrated to other districts as well in the hopes of bettering their economic condition. In time, many of the Dangaura Tharu immigrants who began to live in Banke, Bardia, Kailali and Kanchanpur districts as landless laborers or tenants

By the course of time, the most of the Tharu peasants, who were living in primitive types of society, lost their access to land in the circumstances of their subsistence farming; non-trading, non-monetized and isolated economy; peculiar nature of the Tharus not going outside from their territory in the search of income earning jobs; occasional crop failure and taxes or in fulfilling the obligation to Jimdars etc. When the peasants failure in paying taxes or in fulfilling the obligation of *Jimidars*, their right on land was withdrawn and cultivated by anyone who wished or by the *Jimidar* himself as it was his liability for the full collection of land and other taxes in the mauja under his jurisdiction, even if land remained uncultivated for any reason (Regmi, 1978). The families of the peasants, which were evicted from the land, had to work as bonded labor, called Kamaiya, for their survival. During the field survey period, some ex-kamaiyas expressed to become the kamaiya history recited in Box -2

As we stated earlier, the Tharu peasants were living in non-trading, non-monetized society. With the advent of Indian relatively monetized

immigrant and the gradual transition toward agrarian mode of production the Mahajan system came into the existence. Mahajan were Indian Merchants who advanced credit to the Tharu cultivators' and later purchased their crops at a low rate. Tharu cultivators were not able to realize a fair share of profit from the sale of their agricultural produce, since Mahajan had controlled all sorts of their transaction through the advanced credit. The role of Mahajan in the connection in Dang district is described by Mc Dougal (1984) as:

Almost all of surplus crop was purchased directly at the Tharu village by the Mahajan most of them were the agents of merchant and big mill-owners in India (Northern U.P), the Tharus themselves rarely took their crops to the market to sell. Price dictated by the Mahajans. The Tharus were unaware of market condition of local price variation. The Mahajan, each of whom established himself with particular Tharu villagers, used to make advances of cash used by the Tharus to pay taxes; purchases livestock or cloth and other consumer goods to the Tharus. The latter in turn pledged to sell their crops later, after it was harvested at a predetermined rate, against the advance given by the Mahajan.

In this respect, it should be noticed that the rate determined in advances was always appreciably lower than the market rate prevailing at the time of harvest. Thus the majority of the Tharu cultivators were indebted in this way to the Mahajans. The discussion conducted with elderly ex-Kamaiyas and Tharus presented that this indebtedness was one of the major factors that played a vital role in helping the landlessness of Tharu peasants and growing of Kamaiya system. The Kamaiya system was further strengthened in the mid sixties, when the land reforms program was implemented. The provision of Tenancy rights to tenant farmer, led to the large and absence landowners resuming land for self-

cultivation, employing evicted tenants as Kamaiya labors. However the tenancy relationship was perpetuated with in the kamaiya system. Such tenancy is largely regarded as a labor contracts and it spread landowners from the perceived risk of having to grant tenancy right.

Thus the land reform program in 1964 failed to impose ceiling on the amount of land which individuals could own and redistribute land to the landless and actual tiller. The farmer *Jamidar* and *Birtawalas* were well equipped to protect their land from imposition of ceilings. They know how to evade confiscation by registering land to the landless and actual tiller. The farmer jamidar and birtawalas were well equipped to protect their land from imposition of ceilings. Similarly they know how to evade confiscation by registering hand in the name of other family member or even servants because they had access to bureaucracy. That is why no positive change was noticed in the condition of poor Tharu cultivators. In addition the Kamaiya system was strengthened because the kamaiya did not get tenancy right. The attempt had made to channalize part of crop sales through the co-operative (Sajha) in order to weaken Mahajan system; however the beneficiaries were only landlords. The poor peasants even fail to chain of Mahajan or local merchants.

Gradually, when malaria was controlled in the early 1960s, there was a rush of migrants from the hills and across the border from India. Majority of the hill migrants were the Brahman and Chhetri, who are considered the high status, influential and clever people of Nepal. Tharus on the other hand, are widely recognized as the innocent, native and honest people. In the interaction and thereby in the competition between the advanced migrants and backwards, the former obviously outstrip the latter in most of the fields. The migrated people, who had access to bureaucracy or were themselves bureaucrat, either grabbed the Tharu cultivated patches of land or bought them at very nominal prices. When

the cadastral survey was undertaken in 1964, most of the cultivated land and cultivable land was registered in the names of migrants who had access to the bureaucracy or were clever and cunning. Gradually, the rights scored by the Tharus lost their traditional rights on the land; the rights were replaced by the state sponsored legal right to the migrants.

The Marxist perspective on landlessness is directly related to capitalist development in agriculture, in which land becomes increasingly treated as a commodity and consolidated into large estates or properties (Shrestha, 2001). The increasing trend of immigration in Dang district on the one hand and high population fertility on the other hand caused high level of growth rate as well. Due to the growing population, the demand for land climbs, the prices go up and competitions stiffen. Hence land becomes increasingly commoditized. It transformed into more than means of production, it becomes land as means of social as well as labor control. As a result the social monopoly over land tends to harden and the poor Tharu are increasingly forced to sell their labor to sustain their social reproduction. Since there was neither industrialized nor commercial labor absorbing sector, the lack of ultimate employment opportunity compelled poor Tharu peasants to be Kamaiya.

In terms of political power, the history of Dang evidenced that the poor Tharu have never access to bureaucracy; nor they occupied at local political posts. For instances, during 1967/68 out of 44 chairperson of Panchyat in Dang 24 were paharis and 20 were Tharus. All the chairpersons were previous Jimdiar (McDougal, 1968). However the population census report of 1961 shows that 93.8 percent people of districts was Tharus. Hence they had very low level of political and legal awareness. Taking the advantages of this the political condition leader and landlords (both pahari and Tharus) captured the land of Tharu peasants with the help of false contract papers, litigation etc. These ruling class people with bureaucrat transformed the land ownership by

fraudulent manner using false papers, falls cases with the help of administration.

The Tharus have been living in rice culture. Not only the meal for morning and evening but also rice is used as breakfast and making rice beer and mad. The need of plenty of rice in the past was fulfilled because they were master of the land in the area. After losing access to the land the tradition continues to survive. This thus, became one of the major reasons for widespread indebtedness in the lack of mechanism of institutional loan provision to poor Tharu peasant. This ultimately transferred them to the state of bondage and Kamaiya.

Another reason for widespread indebtedness of Tharu household is the lavish consumption at festival. Newly developed landlords take advantage of this and advance credit. But repaying of loans was not possible for them because of their declining access to land and other natural resources and very limited sources of income, ultimately, they were forced to work as bonded labors.

Thus, subsistence farming at a low level of production and their tradition and culture compelled the peasant to borrow money from moneylender or the landlords. When crop failed due to the monsoon or other factors or when death or illness in the family hindered normal condition borrowing of the loan was also common. The rate of interest was also so high. Thus it culminated the burden of indebtedness. The debtor then became the bondage or Kamaiya.

Out of 137 households, 70 respondents were selected for the sample study about their landlessness and consequently transfer to Kamaiya. These ex-Kamaiyas family were once the owner of land. Most of them lost their land from their father's generation. The cause of losing is presented in Table-3 as follow-

Table 3: Cause of Transformation to Kamaiya

Cause	Number	Percent
Confiscated land by <i>Jimidar</i>	8	11.4
Chicanery by other	25	35.7
Indebtedness	20	28.6
Fragmentation of land small holding	10	14.3
Natural Calamities	7	10
Total	70	100

Source: Field Survey, 2005

Chicanery was the major cause of landlessness and became Kamaiy shown in Table 3 which covered 35.7% was highest. The false contract paper, false case, threaten by landowners etc, are the main forms of chicanery. 7 families who fall in chain of indebtedness of big landlords for survived became Kamaiya. Other 13 families sold their land and became Kamaiya due to the expenditure in marriage and feasts; illness of family member, expenditure on wine, Janda, etc. There was lack of employment in other sector and the land was gradually unable to sustain the growing population. The fragmentation of land and consequent small holding was also other factor of being Kamaiya. An ex-Kamalari Anitha Chaudhary (Age of 25 years old) expressed her own language as-

"Ek Chothi Jaga Se
Na laga pugath Na Khai Pugath"

(Without working in others home, it is impossible to manage a couple of meal per day and a pair of clothes per annum by the smaller size of land).

Once any one 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 kamaiya 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 4 shows that altogether 79.6% ex-kamaiyas turned into kamaiya system from their generation in Dang district. Out of 137 respondents, 7(5.1%) households of ex- kamaiyas became kamaiya unknownly whereas 21(15.3%) household became kamaiya from themselves. Anyway they made kamaiyas shown in Table 4.

Table 4: Transforming to Kamaiya by generation

Who first became kamaiya(Generation)	No of household	Percent
Themselves	21	15.3
Father	46	33.6
Grandfather	41	29.9
Move than 3 rd generation	22	16.1
Unknown	7	5.1
Total	137	100

Source: Municipality Profile, 2004

5.6 State of Bonded Labor (Kamaiya)

It is clear from aforementioned section that in search of livelihood within the feudalistic and agrarian society, the poor landless people entered into the Kamaiya system. Families spent life times there after wandering from landlord. Not only the household head but entire family members i.e. children from 6 years and above were engaged to work in landlord 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 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. Failure to pay the 'Saunki' in their lifetime, the parent handed over 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 Kamaiya was not only bandaged economically, they never felt physical liberty even to decide when to get up in the morning and go to bed at night. Abuse beating and other inhuman treatment were also the usual practices with them when their masters were not pleased with their performance.

Once a Kamaiya entered contract, he was bound to serve his master for the whole year and could not violate it. Till the next Maghi he had to work under his masters. 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.

This practice may be regarded as a form of buying and of Kamaiyas. To get rid of inhuman treatment of previous master Kamaiya often used to change their master. If they found not so bad condition in working under the landlord, they would stay longer time working in that house. All the 137 respondents reported that altogether they worked 21 Tharu owners and 336 Pahari owners.

Almost all landless Kamaiya families used to live in the "Bukhara" (hut) provided by their landowners except so chicken and pigs in few cases the Kamaiya families did not own such properties.

5.7 Kamaiya Movements and Decree of Emancipation

With the restoration of democracy in Nepal in 1990, different government, non governmental, bilateral and UN organization began to work in the Kamaiya sector. They implemented program on awareness raising activities education and income generating activities, organizing Kamaiya.

In the early 2000 the Kamaiyas began a campaign demanding their freedom. On the auspicious of International Labour Day (1 May, 2000), 19 bonded labours from the Geta V.D.C of Kailali had been sued against their landlord, former minister Shiva Raj Pant. The movement against the system got its pace with the formation by 17 working NGOs against the

system including BASE, INSEC, GRINSO, (Nepal) RRN, Action Aid Nepal, M.S. Nepal, Save the Children US, CCS etc.

After considerable pressure from the Kamaiyas, media, donars, NGOs and INGOS, human right organization and social activities, His Majesty's Government immediately declared freedom for the Kamaiya on 17th July, 2000. Thus the practice of bonded labor system was declared illegal. All bonded 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 bonded labor.

5.8 Search for Dwelling: Encroach Upon Public Land

In the immediate response to the decree of emancipation of Kamaiya landowner freed their Kamaiyas and asked to leave their premises. They also started to remove forcefully their Kamaiyas from the Bukers provided earlier. 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 found that the landlords of Kailali were more aggressive towards the decision. So they behave cruelly to the Kamaiya found themselves in the open street with nowhere to go and no means of livelihood

Thus as an adjustment strategy, landless, homeless poor Ex-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.

5.9 Status of Ex-Kamaiyas Emancipation Before and After

The kamaiyas were dominated extremely by landlords before the emancipation of ex-kamaiyas. They were treated as an animal as possible. But after the emancipation, they became free physically only. So, Kamasu Chaudhary(Ex-kamaiya) expressed his attitudes of freedom as given in box-4

CHAPTER: VI

DEMOGRAPHIC AND SOCIO-ECONOMIC CONDITION

6.1 Population Composition

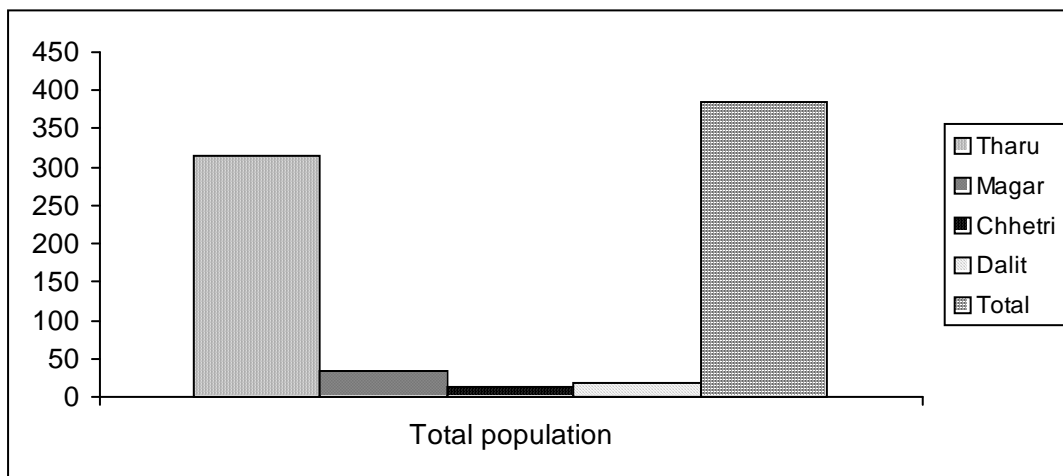
The term 'population composition' is defined as the characteristics of the population for which quantitative data especially census data are available. The population composition is considered to be very important because it shows economical, social, cultural and educational status of the society. Different types of population composition are age, sex, education, religious, marital status, etc. This information is important for suitable planning for the development of the society. Therefore, Table 6 shows the population composition by caste/ethnicity-

Table 5: Population Composition by Caste/ Ethnicity

Caste/ Ethnicity	Total population	Percentage
Tharu	316	82.3
Magar	35	9.2
Chhetri	14	3.6
Dalit	19	4.9
Total	384	100

Source: Field Survey, 2005

Figure: 4 Population Compositions by Caste/ Ethnicity



Out of surveyed total population, Tharu comprises about 82% which takes place the first position; 9.2% is of Magar in the second position; Dalit is 4.9% in the third position and 3.6% of Chhetri covers very nominal population of the total population.

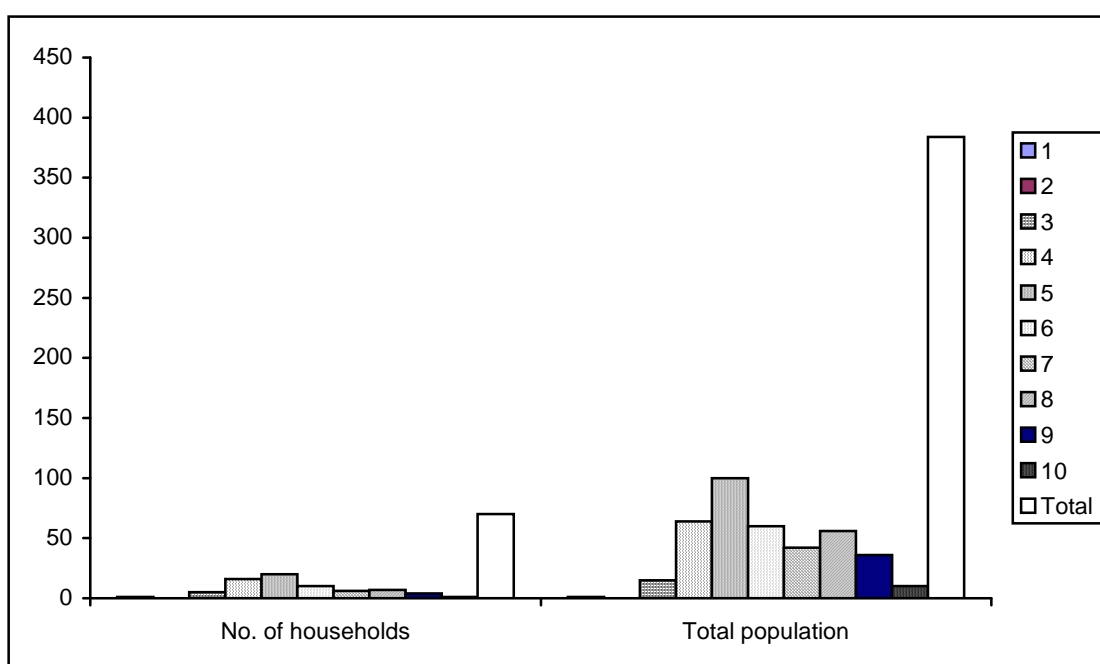
It should be clear the Kamaiya system is not associated with only the Tharus but non-Tharu households had also entered into the system. The landless hill people who migrated to Terai as the adaptation strategy for landlessness where entered the system since they were unable to acquire any piece of land on the one hand and the condition of labor market in the other. There was lack of employment opportunity in other sector except agriculture. The employer/landlord had been using cheap labor in the form of Kamaiya so that it was also difficult to get work in agriculture field as wage labor. 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.

Similarly with the population composition, we can see the status of Family size with household and their population in Table 5

Table 6: Status of family size with number of households

Family size	No. of households	Total population
1	1	1
2	0	0
3	5	15
4	16	64
5	20	100
6	10	60
7	6	42
8	7	56
9	4	36
10	1	10
Total	70	384

Figure: 5 Family sizes with number of households' Status



Source: Field Survey, 2005

From Fig.5, it clearly shows that no person can live i.e. he/she need life partner for generation existence except rarely case if he/she did not marry. As this case seen in family size 1 at first and after marriage they want child, so only two family sizes are nil in the Table 5. The maximum family size is 6 whose household number is 20. It proves itself that they suffer the scarcity of food, shelter and cloths. The least family size is ten because it notifies that either they were born only daughters where patriot dominates society.

6.1.1 Age Composition

Age is an important demographic variable. It provides the information of person in different age groups at a particular period. It also indicates the number of economically active person and the dependent person. Age structure records the demographic composition to extent the socio-economic history of population over a period of century.

a. Median Age

Median age is that age which divides the population into two equal parts, half above the median age and half below the median age.

Table 7: Age Group and Median Age of Ex-Kamaiya

Age Group	No. of Person	Cumulative	Percentage	Median Age
0-9	116	116	30.21	
10-19	93	209	24.22	
20-29	81	290	21.09	17.91
30-39	48	338	12.50	
40-49	21	359	5.47	
50-59	15	374	3.91	
60+	10	384	2.60	
Total	384		100	

Source: Field Survey, 2005

The median age of ex-kamaiya of Ambapur, Tribhuvan Municipality is 17.91 years. This means that more than half of the ex-kamaiya population is in the age group below 29 years. From Table 7 about 75% populations are in the age group below than 29 years. The number of child below 10 years is 30.21% which shows the birth rate of ex-kamaiya is very high.

b. Dependency Ratio

Dependency ratio is defined as the number of consumer in the family. Dependency ratio shows the number of dependents per 100. Economically passive or unproductive population represents both the young dependents less than 15 years of the age group and the old dependents above 60 years of age group. However, the age groups of 15-59 years are known as economically active or productive population. It was found that only few members of the family are economically active in the study area.

Table 8: Old and Youth Dependents

Age Group	Number	Dependency Ratio in %
0-14(young dependents)	161	41.93
Above 60(Old dependents)	10	2.60
Total	171	44.53

Source: Field Survey, 2005

Economically active population consists 55.47% out of total population whereas the dependents are 44.53%. It means that 41.93% is young dependents and 2.6% is old dependents on the table. It clarified that youth dependency ratio is very high comparatively than old dependency ratio.

6.1.2. Sex Composition

Sex composition plays a vital role in population geography, which determines several demographic and socio-economic condition of an area. The two sexes play contrasting and complementary roles in the economy and society.

Table 9: Sex Composition of Ex-Kamaiya

S.N	Sex	Population	% Age
1	Male	184	47.92
2	Female	200	52.08
Total		384	100

Source: Field Survey, 2005

Table 9 shows that the number of female is more than male. The number of female population is 52.08% whereas 47.92% male out of the total population.

a. **Child Women Ratio:**

Child women ratio is the important method to measure fertility rate of women. The child women ratio of ex-kamaiya is 595, which indicates that 1000 women give birth to 595 children. It is expected that the maternal mortality rate is high in the study area due to the lack of nutrition and health facilities.

Table 10: Child Women Ratio of Ex-Kamaiya

Age Group	Number	In (%)	Child Women in (Ratio)
0-9 (Both sexes of child)	116	37.30	
15-59 (Reproductive age of women)	195	62.70	595
Total	311	100	

Source: Field Survey, 2005.

Table shows that the fertility rate of ex-kamaiya women is very high in the study area because of unawareness on family planning. They still believe in the traditional concept of giving birth of many children so that they do not use of contraceptive or any means of family planning.

6.1.3. Family size

Observing the family size, it can be analyzed the social structure, norms and values of the particular areas. Due to the modernization and urbanization traditional family structure has become as a model family followed the western European countries. It means the effects of nuclear family are increasing instead of joint family. Given table shows the family size pattern of the study households:

Table 11: Family Size of the Sample Households

Family Size	Tharu		Non-Tharu		Total	
	Households	%	Households	%	Households	%
< 3	6	10.2	4	36.4	10	14.3
4 – 6	30	50.9	7	63.4	37	52.9
7 – 8	14	23.7	0	0	14	20.0
9 >	9	15.4	0	0	9	12.8
Total	59	100.0	11	100.0	70	100.0

Source: Field Survey, 2005

In general, there is only few irrigated and cultivated land with both tharus and non-tharus living on public barren land which is not registered to their names. In terms of agricultural land, it has been provided for the purpose of making the huts and vegetable gardens in their families. From the above table, comparatively non-tharu ex-kamaiyas seems more awareness of family planning that is why the members having up to six whereas some tharu households have more than 6 members.

6.1.4 Education Composition

Education has a key role in national development. The extent to which education will be able to support the process of national development depends on the socio-cultural and economic aspects of an area. It will not only help in the individual development but also provides knowledge and skill to develop the community and nation as well.

Table 12: Education composition of Ex-kamaiya

S.N	Level of education	Total population	(%)	Male	%	Female	%
1.	Secondary	1	0.27	-	0	1	0.27
2.	Lower-secondary	21	5.47	12	3.13	9	2.34
3.	Primary	95	24.73	46	11.98	49	12.76
4.	not schooling	47	12.23	25	6.51	22	5.73
Total							
5.	Illiterate	220	57.30	101	45.9	119	54.1
6.	literate	164	42.7	83	50.6	81	49.4
Grand total		384	100	184	47.92	200	52.08

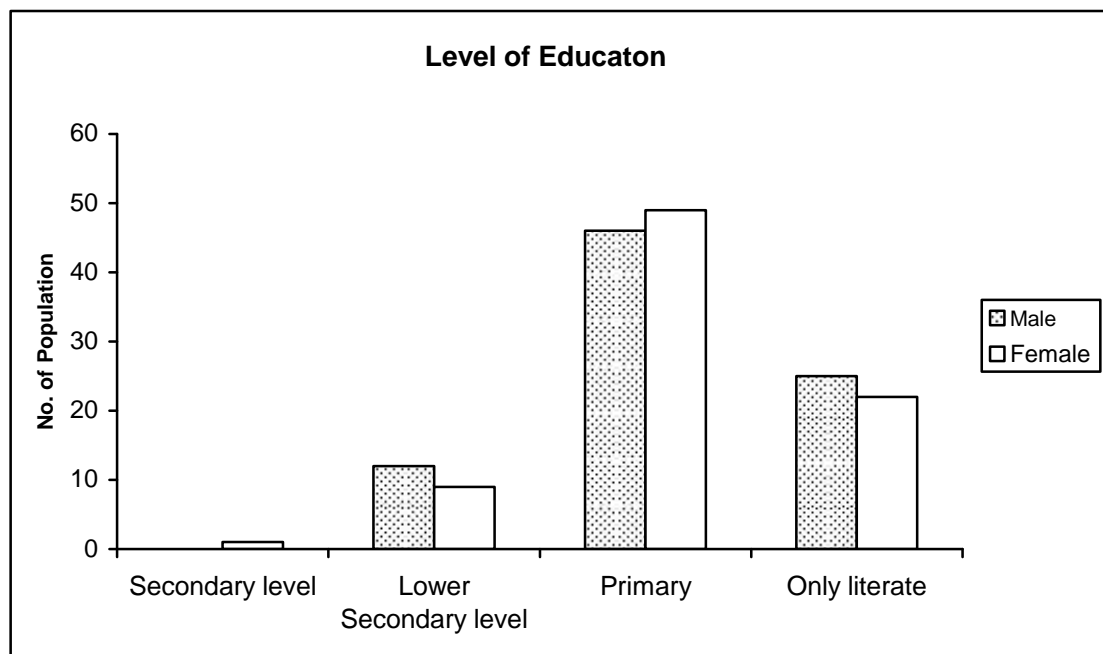
Source: Field Survey, 2005

Table 12 predicts 42.7% kamaiyas literate in the study area in which 50.6% are male and 49.4 are female. On the contrary, the total illiteracy rate of ex-kamaiya is 57.30% among which 45.9% are male and 54.1 are female. The survey shows that the literacy level of female is lower than male in the ex-kamaiya community due to less priority of female, traditional concept and male dominant society.

Out of total literate population of 42.7%; 0.27% represents the secondary level, 2.34% is in lower secondary level, 12.76% is in primary level and 5.73% are literate (Only read and write). It shows that literacy

rate is growing in the ex-kamaiya society because of awareness. From this below figure it is cleared as well.

Figure: 6 Status of Education of ex- kamaiya



As government's policy slogan is free education for all, the highest percent of population has been concentrate in primary level. In reality it was found that they could not continue their studies further to the secondary or high secondary level due to the poor economic status and social barriers. Thus, the percent of higher level is lower than primary level. Nowadays, ex-kamaiya people are aware by the various programs conducted by INGs in local areas so they knew the value of education and send their children to school for getting the education. Most of the illiterate group is aged people, as they did not get chance to go to school because of unawareness and lack of school facilities.

6.2 Diversification of Household Income

Agriculture is a main base of livelihood for 86 percent people in Nepal. Most of the people are engaged in this sector. During the 1990s,

Agriculture wage laborers accounted for 10.6 percent, while 9.4 percent are engaged in non-agricultural wage labor. Agricultural sector itself accounted for 60 percent of total household income where, own farm production contributed 47 percent and agricultural wages (off-farm income) contributed 14 percent and 8 percent household income came from non-farm employment (Poudel, 2002). In recent years, involving trend in non-farm employment is increasing to urban areas and foreign countries. It seems that besides agriculture product, small business, agriculture and non-agriculture wage labor play the important role in the households' income. So, household economy implies the diverse sources of income. The field data also support the above-mentioned statements. Among the sample population, official jobs (within Nepal), small business, wage labor within the village, agricultural product, livestock and remittances from India are the major sources of household income.

Table 13: Diversification of the Sample Household Income (yearly)

Sources	Tharu		Non-Tharu		Total	
	Rupees	Percent	Rupees	Percent	Rupees	Percent
Labor	74000 (11)	33.9	35833 (5)	64.4	109833 (16)	40.2
Remittance	105500 (30)	48.4	14125 (3)	25.4	119625 (33)	43.7
Grass and wood	3930 (8)	1.8	3000 (2)	5.4	6930 (10)	2.5
Selling livestock	13500 (4)	6.2	0 (0)	0.00	13500 (4)	4.9
Others	21000 (6)	9.7	2700 (1)	4.8	23700 (7)	8.7
Total	217930 (59)	100.0	55658 (11)	100.0	273588 (70)	100.0

Sources: Field Survey, 2005

Note: Others = poultry and diary product

() = involved household

Table 13 shows that the household economy in the village comprises the diverse sources of income. The village economy not only relies on labor, but it is highly supported by remittances. The yearly total income of the studied households is 273588 rupees and the average household income is 3908 rupees by yearly. Out of the total yearly income of the study households, 83.9 percent are covered by remittance and labors; where as other sectors have low contribution. Altogether Grass, Wood and livestock selling provide cash income for 7.4 percent. The other income sources cover 8.7 percent.

Comparing the Tharu ex-kamaiya and Non- ex-kamaiya, non- Tharu ex-kamaiyas have the higher income than Tharu ex-kamaiya. The contribution of remittances and labor is more than 80 percent in both groups. These observations suggest that labour migration has become a main means of earning for people's survival (livelihoods) in this area.

6.3 Livestock

Animal husbandry is an essential and integral part of subsistence farming. Farmers keep livestock for different purposes, e.g. Manure, milk, meat, wool and plough. Sometimes they get cash income by selling their livestock and its products in the village. Most of the households were kept at least one livestock in the village and the average livestock sizes are 7.5. The number of livestock of the study households is shown in Table 14.

Table 14: Size of Livestock in Sample Households

Animal Size	Ex kamaiya tharu Households				Non- Ex kamaiya tharu Households			
	Cow	Goat	Chicken	Pig	Cow	Goat	Chicken	Pig
< 2	15	8	1	4	8	15	3	1
3 – 4	3	15	6	5	-	9	4	-
5 – 6	-	4	7	55	-	4	2	-
7 >	-	3	7	5	-	1	5	1
Grand Total	18	30	21	69	8	29	14	2

Source: Field Survey, 2005

Table 14 shows that the comparison the keeping livestock between Ex kamaiya tharu and Non- Ex kamaiya tharu communities. Here all of the households are kept at least one or more than two livestock. Talking about the grand total of the livestock Non- Ex kamaiya tharu has kept higher number of livestock than Non- Ex kamaiya tharu, where 18 cows, 30 goats, 21 chickens and 69 pigs are kept in Ex kamaiya tharu whereas in Non- Ex kamaiya tharu 8 cows, 29 goats, 14 chickens and 2 pigs are kept. These animals are being the alternative earning income sources. People sell their goats, chickens, pigs and cow's milk near the markets.

CHAPTER: VII

EX- KAMAIYA AND LIVELIHOOD

Ex-Kamaiyas are the marginal groups' people whose livelihoods are pitiable in mid and far western of Nepal. Even though most of the households depend on agricultural an activity, that is not sufficient even for survival whole family. It is totally relied on the landlords but after the declaration of freedom from kamaiya the income is critical in determining the overall livelihood strategies of the households. It is not new trend still now so the ex- kamaiyas started to work in rural landlord or near market as a labor on the contract basis. They earn money from agricultural labor, rearing livestock, working at market as labor, working in India and contribute to the livelihood of family. In this chapter, we see how the five livelihood assets has been changed towards the ex-kamaiyas' livelihoods.

7.1 Change in Financial Capital

The household incomes has automatically improved as their labor have got the value of time now as earning a machine, which have to be generated either directly through labor or indirectly through the agriculture activities such as sale of grass, wood and livestock (see table 13).

Despite all the difficulties, sweat of work usually leads to an increase in financial capital and it is being a one of the main income sources in this area. From child to old people have gone to India or work at elsewhere for seeking way of livelihood and they have brought more or less incomes to home. This may be just enough to ensure the existing standard of living or may raise it than before.

7.2 Change in Physical Capital

After declaration of ex-kamaiya, it has brought some changes on physical capital of the ex-kamaiyas' people. All debts were made free from landlords attempted by government, earned amounts are invested to construct their own new houses, repairing houses and buying basic needs goods. Labor work has increased standard life style as well. Every household has own house for shelter now. The increase in financial and physical capital opens new options for a household by government or non government sector for lifestyles.

7.3 Changes in Natural Capital

Rehabilitation of ex-kamaiyas' settlement has hardly influenced on natural capital of households in Ambapur, Tribhuvan Nagar Municipality, Dang district. Due to the absence of involvement in community forest to the households, they are in dilemma. Anyway they got hardly some materials from the community forest and improved their livelihoods while selling woods and grass illegally. Sloppy areas, unproductive land are the main cause to settle down in this area. Other natural resources have rarely changed.

7.4 Changes in Human Capital

Resettlement of Ex-Kamaiya has many unintended effects on the human capital of the migrant. First, some migrant worker gains job related knowledge and skills some near bazaar. The migrant of this area who have gone to India, they involve in different sectors such as cook, driver, army, industrial labor etc. (see table 13) and they have taken more or less experience in this field. It is an interesting question, whether a migrant worker can use his new knowledge and skills once back in Nepal.

Furthermore delivered the beliefs to the people, the ex-kamaiya can get the work in any time which is why it is easy to improve their livelihoods.

7.5 Change in Social Capital

Resettlement of ex-kamaiya expands social networks because they spend time both at abroad and at home and they interact with different types of people in both places. Through these networks, they have got knowledge about different places, culture, language, own works, situation of wages, employment opportunities and many more in both places as a struggle for existence theory. That makes to people active and aware towards whole world. So that, they can take own decisions about further employment and destination places.

Finally, resettlement/rehabilitations of ex-kamaiya have brought positive changes not only individual but also households and whole community's assets in this area. This makes the secure and sustainable livelihood of the ex-kamaiyas' household. As a result, from resettlement has brought positive livelihood outcomes of the sample households such as - more income, increased well-being, reduced vulnerability, improved food security and more sustainable use of natural resources-base.

CHAPTER: VIII

PROBLEMS OF EX-KAMAIYA

Though some ex-kamaiyas have got the access places for work, the most of the problems of ex-kamaiyas witness in Nepal. Since they got free from the kamaiyas on 2nd Shrawan, 2057, they are working laboriously in different places facing difficulties to survive their families in the community. Therefore such types of problems were found in the study area as follows-

8.1 Having no Access to the Process of Work

The ex-kamaiyas were settled down out of access places for work to earn the money for surviving their families after the declaration of kamaiya as ex-kamaiya on 2nd Shrawan, 2057. Before shifting them, the government would be determined the working places for them even though they got technical skill from government and non government sectors would be better. Now they became as do or die so it has a great problems.

8.2 Land

Though the government has been provided land to the ex-kamaiyas is insufficient. Usually they got 5 kaththa land each household by which is difficult to sustain their large jointly families of ex-kamaiya. If the government would be distributed the lands to the ex-kamaiyas on the basis of family members rather than in households somehow would be solved. Furthermore if they would be shifted at near agricultural farm, they could utilize their labor because they mostly involved in agricultural activities.

8.3 Housing

House is a shelter for existence in life. It needs suitable place lands for constructions of houses. These types of lands are desert, sloppy, cut by river given to the ex-kamaiyas where the house constructions are impossible. Furthermore the raw materials for housing are scarcity in those ex-kamaiya communities because they did not involve in the community forests.

8.4 Social and Culture

The ex-kamaiyas were settled down in Ambapur, Tribhuvan Municipality, where the different castes are living together from various places. Really they have been detached from their own society and culture. Therefore it is difficult to adjust in this locality. If the ex-kamaiyas would be settled down on the basis of similarities of culture and society, it could be solved.

8.5 Schooling

The school is a mean of getting the education to human beings in the society. The ex-kamaiya had settled down at those areas, where the schools have not been established for their children and no access to go to another schools alternative. Therefore, the children of ex-kamaiyas are getting rid of education in this time.

8.6 Health Services

Man is living thing so he/she can be unhealthy in any time. In this situation, he/she needs to recover his/her body in time with the help of health services. The health services such as health post, health centres, clinics, hospitals are not established at the ex-kamaiyas settlements till now. Furthermore they have been cut off the orientations of clean drinking water, sanitation, nutrition, etc from the governments or non-government sectors as well.

CHAPTER: IX

CONCLUSION AND RECOMMENDATION

9.1 Summary

This history of society consists of a chain of negotiation of the old social order by the new. The primitive communal society was replaced by the slave society which was based on slave and owner relation of mode of production, the development of private ownership in the society.

It is evident from different inscriptions, documents and records of the past history of Nepal that there was system of slavery in the ancient Nepal .Though it was not such widespread as it was in the ancient Egypt, Greece, Rome etc. Even with the advent of feudalistic mode of production the slavery in Nepal seems to develop side by side supporting the feudalism .Many religion and administrative law in medieval society were enforcing to the slavery.

Different rulers in the past sought to dispense with the system. However Rana Prime Minister Chandra Shamser stepped to abolish slaves system in 1924 gave a blow to the practice of human exploitation by human being as a form of slavery. Consequently regarding rehabilitation one bigh in terai and four ropani in hill was fixed to grant to the emancipated slaves. Through the slaves were emancipated the existing land tenure system under feudalistic mode of production had characterized by Birta and Jagirdar holding in which the forced labor (Jhara, Beth Begari) system was common. With the land administration to the state and practice of Jimindari system many indigenous tharu cultivator transformation to landless.

As we see the production relation under feudalistic and agrarian society landless and bonded labor class emerged. The interaction between ruling and privilege class on the one side and indigenous ignorant innocent and docile Tharu on the other side caused the landlessness and transformation to kamaiyas. Furthermore few hill landless migrant and also entered into the kamaiya system.

The kamaiya farm labor arrangement was mainly practiced in the mid and far western region in Nepal. After the restoration of democracy in Nepal, kamaiya and other organizations started movements demanding for their freedom. As a result, the government announced complete liberation to all kamaiyas for their age-old bondage relation without doing any homework to immediate rehabilitation of kamaiya on 17th July 2002.

In immediate response to decree, many landlord removed kamaiyas from their premises. As a result large number of landless and homeless ex-kamaiyas found themselves under the open roof of the rainy cloud sky with nowhere to go and no means to livelihood.

The high child dependency ratio (44.53) of Ex- Kamaiya is indication burden to productive population on the one hand high growth rate of population in near future on the other. This situation interaction with high illiteracy (57.3 %) presents critical social condition of Ex-kamaiyas. The economic condition of them shows that they are not only landlessness or near landlessness but also very poor interims of ownership of other assets as well as livestock. The socio-economic and demographic characteristic of them seems to be not considered in the process of resettlement and rehabilitation.

The government has been providing maximum 5 kathhas of land though the Ex-Kamaiyas in Ambapur have not got the permanent

certificate lands. However many ex-kamaiyas reported they have not got as it is declared. More ever the land size is far from what is needed for basis sufficiency of a family. Most of the Ex- Kamaiyas reported that the food deficiency is more than 6 months per year from the product of their land.

I/NGOs were found mostly activated during the early phase after liberation in distributing relief. They have been working in awareness, literacy, child education and income generation activities. However the training provided by government and NGOs seem in ad hoc basis rather than according to the market assessment and capacity so most trainee are found not benefited from it.

The analysis of occupational structure of freed Kamaiyas shows that the incomes of many freed Kamaiya are shifting toward bonded as previous Kamaiya for domestic labor in new forms, new agreements and new conditions. In the name of salary base wage, many female, children, elderly and single male are found working like previous Kamaiyas. As a result, the livelihoods of Ex-Kamaiya have improved a bit.

9.2 Conclusion

The Kamaiya form of agriculture labor emerged as a product of the interaction between most deprived working class peasants and landlords within the feudalistic mode of production and developed within the agrarian mode of production. Thus, it was an outcome of the prevailing socio-economic structure relating mainly to land distribution, supremacy of the landed class over the landless and marginal landlords' families and the inability of the state machinery to protect the interest of the poor.

A generation old system can not be done away with at one stroke without putting something in its place. Freedom is not a universal and natural opposition to slavery that can be created by a proclamation or speech. Real freedom is related with their effective rehabilitation of those emancipated. 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 or without making the tiller master of land, permanent certificate of lands, and the true rehabilitation of Ex- Kamaiya is impossible. However the government activities after liberation seem to have been carried out obviously without daily any homework. So, the livelihoods of Ex-Kamaiya are miserable.

9.3 Recommendation

Based on the study finding, the following recommendations are provided.

- Even though the government banned the keeping Kamaiyas, there are still Kamaiyas keeping by jamindar somewhere. Many other landlords are keeping the Kamaiyas in new terms and condition (i.e. saying as a salary basis). The share cropping agreement comes with new condition especially asking Kamalhari for household works. It is needed to use the existing laws to punish those who still maintaining this practice.
- Equitable distribution of forest products is required for sustainable forest resources and improved user's livelihood. Equity in benefit sharing encourages and enables users to ex-kamaiya manage available forest resources sustainable. It helps to improve the living condition of them and promotes everybody's involvement in forest management.

- An immediate action should be taken to identify the genuine Kamaiyas and provide card, land and other relieves to the unidentified Kamaiyas.
- It is said that large proportion of Terai land is unregistered (Prati) and cultivated by large landlords. Thousands of Bighas Land in five mid and far-western Terai is unregistered and occupied by big landholders. So, at first such unregistered land should be confiscated and provided to Ex-Kamaiyas. More, it is required to launch revolutionary land reform program and redistribute the land to actual tiller.
- If such revolutionary step could not be taken, the allotted land size to ex- kamaiyas should be increased. So that it would be sufficient to sustain a family. Otherwise, at least 5 katthas land should be granted to landless and homeless ex- kamaiyas. The households who have been got low land size than 5 kattha, as well as whose land is in the sandy area in prone to flood should be kept in mind that if the Kamaiyas are not allotted adequate land today, there is risk that the evil of Kamaiyas system may reoccur in the near future.
- In the case, if the land size could not be increased, the intensive agriculture system mostly commercial vegetable farming or other such intensive practice should be implemented in ex- Kamaiya settlement. At the initial stage, the loan, tools as well as technological support should be provided. The practice of commercial farming may be beneficial for it. As there is lack of irrigation channels in Ex- kamaiya settlements, adequate boring irrigation need to be managed.
- The housing programs should be launched for the Ex-Kamaiyas by government

- Program of I/NGOs in the settlements are mostly concentrated very unevenly. A few settlements closer to the market and head quarters receive much non-formal education; income generation support and other program. Ironically, it is often the families in settlement far from the market that need rehabilitation program the most as they have limited source of income.
- There is increasing a trend of system of unpaid labor for share cropping, such exploitation of labor should be checked.
- The minimum wage rate Rs. 60 per day seems minimal than market condition of Dang district , on the one hand it should be increased and the effective mechanism should be implemented since there are many ex-kamaiyas working in lower rate than minimum wage rate. The condition of salary basis should be checked.
- Integrated mechanism or co-ordination should be maintained among I/NGOs working in the kamaiya field. So that program can be launched effectively. Duplication of program in the sample settlement should be avoided.
- The program should be free of any biasness regarding Kamaiya type.
- The skill development and income generation training should be provided on the basis of demand of market and capacity of Ex-Kamaiya.
- Since many Kamaiyas have been employed as agriculture and construction labor, remittance going to India, they should be encouraged to be unionized in the trade union. So that individual labor would be safe from exploitation of employers.

- 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.
- An immediate effective rescue and rehabilitation program is needed to withdraw ex-kamaiyas child labor. Some ex-kamaiyas children are found working as child labor. For this, awareness advocacy, educational program and legislative measures should be taken.
- Supply of drinking water pump, toilet etc according to the population pressure in ex-Kamaiyas settlement is needed.
- As they have not any property to mortgage they should be provided loan in minimal interest to start any business or profession.
- Many widowed, Ex-Kamaiyas or former kamlahari have not got ID card and land due to the gender biasness. So it should be immediately checked. The land certificates only show husbands picture. Both the husband and wife are meant to be shown on the picture, to ensure their joint ownership.
- In the rural areas many ex-Kamaiyas labor as well other labor are also not getting the minimum wage i.e. 60 rupees per day for 8 hrs work. No mechanism is found implementing this provision. So, it should be implemented in practice.
- Many ex-Kamaiyas are also again going to the trap of indebtness for fulfilling food deficiency and basic needs. The condition of resettle in terms of health and sanitation is also found not satisfactory. Therefore, the health services should be launched by government or non-government sectors at those areas.

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QUESTIONNAIRE

The Livelihood strategy of Ex-Kamaiya: A Case of study of Syani-
Ambapur, Dang district.

1. Name of respondent/ household head:-

a. Gender:- i) Male - ii) Female-

b. District:, VDC/Municipality:,

Village: Ward No. :

2. How many members are there in your family?

Male:, Female:, Total:,

Religion: ..., Caste... Language:,

3. General description about family members:-

S.N	Name	Sex	Age	Marital status	Education	Occupation	Relation to household head
1.							
2.							
3.							
4.							
5.							

4. From where and how many family members are you getting the following services in your family?

Service	Place	Full Time	Part Time	Total
Market Service				
School				
Health Post				

Cooperatives				
Bank				
Postal Office				
Labor				
Market(agriculture)				
Labor Market(others)				

8. Did you migrate from others?

Yes:, No:

If yes, from where: - District:, VDC:,

Village: Ward No.:

9. What are the reasons of leaving the original place?

.....

10. What is your geography in housing?

Cemented:, Bushes: Hut:,

Temporary camp:,

11. When did you become Kamaiya?

In B.S:,

12. How long had you worked as Kamaiya?

13. Monthly Average Income -Expenditure details of households.

Sources of income (NRS)		Monty Expenditure NRs.		Remarks
Service		Education		
Business		Clothing		
Labor		Medicine		
Rent		Social activities		
Industry (Type)		Rent		

Allowances		Other		
Other				

14. Would you tell me 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			

Note: If the later generation did not get land as proportion to land holding size of his father i.e. divided by his brother number, specify cause in remarks if possible.)

15. How much land was inherited to you?

16. How much inherited land do you own now?

17. If the land size is declining, specify the reason?

18. How much land do you get from the government in the process of resettlement of ex-kamaiya?

19. Are you holding any other parti? Yes:, No:

a) If yes, (i) How much

(ii) When did you encroach?

20. What and how many livestock do you owned?

Buffalo	Cow	Ox/Male Buffalo	Goat	Sheep	Pig	Chicken

21. Did you sell any livestock products in a year?

Description	Quantity	Amount in Rs.

22. Did you work in others field for wage? Yes:, No:

a) If yes, how many member of family work for, how many day/month and what rate of wage?

Age Group	Gender		Day	Daily wage	Types of work	Remarks
	Male	Female				
Below 9 year						
9-15 year						
16- 59 year						
Above 60 year						

23. Did you get money from any other sources? Yes: No:

If yes mention

Income Source	Amount

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

25. Did you get any training for livelihood from the government or non-government sector? Yes:, No:

If yes, a) Type:

b) Are you taking any advantage from that training?

26. Did you detain to build house from the government? Money:, Material:

27. Have you borrowed money in a year? Yes:, No:.....

If yes, mention

Source	Amount	Interest	Purpose
Bank			
Cooperative			

Money lender			
Others			

Focus Group Discussion

1. What do you think about the ex-kamaiya?
2. How the ex-kamaiya is marginalized or landlessness?
3. What factors are responsible to be poor in your economic condition?
4. What types of resources are you using?
5. Do you realize the getting some opportunities after resettlement in the area?
6. How the ex-kamaiya community is affected by the present political conflict?
7. Do you know in which field the organizations are launching the program?

