

# Bonded Labour in Three Districts in Karnataka State, India:

Prevalence and Migrant Labourers' Experiences



IJM

# Bonded Labour in Three Districts in Karnataka State, India:

Prevalence and Migrant Labourers' Experiences





ACKNOWLEDGMENTS

Andee Cooper Parks  
Alesha Guruswamy Rusk  
Peter Williams  
Mary Prathima  
Anusha Reddam  
Esther Daniel

Implementing Research Agency Team (GfK Mode)

Hannah Stephen  
Archana Eshwaral  
Leo James

Research Coordinator: Andee Cooper Parks

Expert Methodological Consultant: Sheldon Zhang

Statistical Data Analyst: Kyle Vincent

Qualitative Data Analyst: Meredith Dank

This research was made possible through the support, courage and diligence of many enumerators from various states in India. We are extremely grateful for their willingness to try something experimental for the sake of shedding light on a dark part of human nature. Their personal risk will be remembered.

Other colleagues who spent hours brainstorming methodology, reviewing data collection instruments, and providing technical and/or on-the-ground counsel include Terence Fitzgerald, Saju Mathew and Sharon Cohn Wu. The entire field office staff in Bangalore was “all hands on deck” for various parts of this study, including field testing, validating formulas, piloting the methods, providing data quality assurance checks and reviewing results.

Not all individuals pictured are actual victims of bonded labour. Photos taken with consent.

Appreciation

“The study done by IJM on prevalence in Bonded Labour in three Districts of Karnataka is indeed a path breaking event. So far, we do not have any published research work of this kind in India, where a rainbow of sociological and statistical tools have been beautifully blended and utilized to survey the prevalence of trafficking.

The study has exposed the myths and flagged concerns which need to be addressed by all concerned. The evidence based findings and suggestions are actionable, doable and are bound to make great impact in preventing bonded and child labour.

Cosmetic treatment of the issue has been going on for a long time and it is time practical and meaningful actions are undertaken. This study provides the right substratum for the same. The adaptive tools and dynamic methodology used, fine-tuned to ground realities has made the study a delight for researchers and teachers in social sciences. The beauty of the survey also lies in the fact that the outcome of the study is certainly commensurate with the humongous efforts put in.

This report, which makes a fascinating reading, well presented with erudition and finesse, will, soon, open up new vistas in research and action. Congratulations to International Justice Mission for marrying research with action, indeed an essential and inevitable requirement, though generally unrecognized among the civil society and even government stakeholders.”

Dr PM Nair IPS (Retd)

MA, LLB, PhD

Chair Professor, Tata Institute of Social Sciences (TISS), Mumbai  
Chairperson, Centre for Police Studies and Public Security, TISS, Mumbai



# Table of Contents

ACKNOWLEDGMENTS	2
INDEX OF TABLES AND FIGURES	5
KEY TERMS	7
FOREWORD	9
EXECUTIVE SUMMARY	13
<hr/>	
1 – BACKGROUND AND INTRODUCTION	15
1.1 Background on Bonded Labour in India	16
1.2 Literature Review on Bonded Labour	17
1.3 Government Response to Bonded Labour in India	21
1.4 Background of IJM in India and Its Response to Bonded Labour	23
1.5 Study Goal and Objectives	25
2 – METHODS	29
2.1 Quantitative Methods	30
2.2 Qualitative Methods	48
3 – SURVEY RESULTS	51
3.1 Characteristics of Labourers Surveyed in Three Districts of Karnataka	52
3.2 Estimates of Total Labourer Population and the Number of Worksites in Three Districts of Karnataka	56
3.3 Bonded Labour Prevalence Estimates	57
3.4 Demographics of Bonded Labourers in Karnataka	61
3.5 Working Conditions	66
3.6 Migration and Bonded Labour	72
3.7 Trafficking Into Bonded Labour	74
4 – RESULTS FROM IN-DEPTH INTERVIEWS WITH MIGRANT LABOURERS	81
4.1 Characteristics of Individuals Who Migrate to Karnataka for Work	82
4.2 Recruitment for Work in Karnataka	83

4.3 Working and Living Conditions at the Worksite	85
4.4 Restrictions on Freedom of Movement and Employment	87
4.5 Abuse at the Worksite	89
4.6 Returning Home	91
4.7 Bonded Labour	92
4.8 Prevention and Intervention	95
5 – CONCLUSIONS AND DISCUSSION	97
5.1 Prevalence of Bonded Labour in Karnataka	98
5.2 Geographic and Industry-Based Concentrations of Bonded Labour	98
5.3 The Nature of Bonded Labour	99
5.4 Demographics of Bonded Labourers	99
5.5 Intersection of Bonded Labour and Trafficking	100
6 – RECOMMENDATIONS	101
6.1. Addressing Bonded Labour More Effectively and Comprehensively	102
6.2 Sustainable Livelihood Options and Services for Vulnerable Populations	102
6.3 Safe Migration Within and Between States	103
6.4 Future Research	104
ANNEX	105
Annex A: Literature Justification for Proposed and Implemented Sampling and Popultion Estimation Methods	106
Annex B: Data-Collection Tool (Survey Instrument)	110
Annex C: Minimum Wage Calculation	123

---

INDEX OF TABLES AND FIGURES	
Table 1: Markets in the Sampling Design	32
Table 2: Formula for Bonded Labour and Justification of Variables	38
Table 3: Names and Definitions of Four Binary (0/1) Variables of Bondage	41
Table 4: Formula for Trafficking and Justification of Variables	42
Table 5: Number of Worksites Captured per Sampling Occasion	44
Table 6: Number of Captures Per Worksite	44
Table 7: Class Level Completion for Labourers Who Attended School	53
Table 8: Number/Percentage of Labourers Surveyed and Worksites Surveyed, by Industry Group	54

Table 9: Native Origin (Country/State/District) of Labourers Surveyed	55
Table 10: Number/Percentage of Bonded Labourers, by Industry Group	58
Table 11: Number/Percentage of Bonded Labourers with Restricted Freedoms, by Industry Group	59
Table 12: Number of Worksites Surveyed and Using Bonded Labour, by Industry	61
Table 13: Number/Percentage of Bonded Labourers, by Sex and Age	62
Table 14: Number of Labourers Surveyed, by Market and by Industry	64
Table 15: Number/Percentage of Bonded Labourers, by Surveyed Market	65
Table 16: Receipt of Government Schemes and Benefits, by Bonded Status	70
Table 17: Receipt of Government Schemes and Benefits, by Industry Group	70
Table 18: Most Common Government Schemes Labourers Reported Receiving	72
Table 19: Migrant Status Effect on Housing Location	72
Table 20: Migrant Status Effect on Bonded Labour	73
Table 21: Cross-Section Analysis of Migrant Status, Length of Time Working at Current Worksite, and Bonded Labour	73
Table 22: Logistic Regression of Bonded Labour Against Migrant Status and Length of Time Working at Worksite	74
Table 23: Number/Percentage of ALL Labourers, by Trafficking Variables	75
Table 24: Number/Percentage of Labourers and Bonded Labourers, by Overall Trafficking Criteria	77
Table 25: Number and Percent of Labourers with Evidence of Trafficking, by Industry Group	77
Table 26: Logistic Regression Analysis of Variables Predicting Trafficking among Bonded Labourers	79
Table 27: Native District Effect on Suspected Trafficking Status	80
Table 28: Minimum Wage Standards, by Industry	124
Figure 1: Taluk Market Coverage Map of District Population	32
Figure 2: Age, Sex, and Language of Labourers Surveyed	52
Figure 3: Estimated Number of Worksites in Study Area	57

ACRONYMS

AHTU	Anti-Human Trafficking Unit
BLA	Bonded Labour System (Abolition) Act of 1976

CEC	Centre for Education and Communication
DQA	Data Quality Audit
GPS	Global Positioning Satellite System
GSI	Global Slavery Index
HRW	Human Rights Watch
ICN	India Committee of the Netherlands
IJM	International Justice Mission
ILO	International Labour Organization
INR	Indian Rupee (also abbreviated Rs.)
IPC	Indian Penal Code
MGNEGRA	Mahatma Gandhi National Rural Employment Guarantee Act
NASC	National Adivasi Solidarity Council
NGO	Non-Governmental Organisation
NHRC	(India's) National Human Rights Commission
OBC	Other Backward Caste
RDPR	Rural Development and Panchayat Raj
SC/ST	Scheduled Caste/Scheduled Tribe
TIP	Trafficking in Persons

KEY TERMS

- Advance:** A commonly used term for a debt owed by the labourer to the employer.
- Bonded labour:** A form of forced labour where a person forfeits his/her rights and freedoms because of a debt or other obligation.
- Employer:** A person who employs another person for labour.
- Forfeited freedom of employment:** When a labourer is not able to choose another employer or non-employment.
- Forfeited freedom of movement:** When a labourer is prevented from going somewhere he/she is legally entitled to go.
- Informal Sector:** Any household enterprise or unincorporated enterprise owned by a household.
- Informal Employment:** Employment that, in law or practice, is not subject to national labour legislation, income taxation or employment benefits.
- Labourer:** A person working for a payment (rather than profit from the business). Typically a labourer will be involved in work that has a higher degree of manual labour and/or lower educational and training requirements.
- Maestri:** A local term for an agent who hires, recruits or supervises labourers.

**Migrant labourer:** Any individual who travels to another area for work. For the purposes of this report, traveling to another area for work includes intra-state, inter-state, and international migration.

**Native village:** An Indian term for “home village,” place of birth or where a person is originally “from.”

**Sardar:** a local term for trafficker or middleman.

**Trafficking in persons:** “The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation” (2000 U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, also known as the Palermo Protocol). For the purposes of this report, trafficking in persons refers to those being trafficked for labour.

**Worksite:** The physical location of a business where work takes place. In the context of this study, a “worksite” specifically refers to a location where manual labour takes place.

FOREWORD

Every social investigation is fraught with severe limitations. The first and foremost is the language barrier. The social investigator and the persons to be interrogated may be speaking different languages/dialects and even if help of an interpreter is available, local idioms are often untranslatable; besides, translation reduces the spontaneity and natural rhythm of an effective communication process which must be two way. Secondly, the gap in socio-cultural background between the social investigator and the person to be interrogated leaves a lot of doubts in the minds of the latter. They may be inclined to think that the investigators are either detectives or espionage agents or representatives of the enforcement machinery and have come to take something away from them and not to give them anything in return. It takes quite some time before the social investigator can establish his/her own credibility as also a rapport/ bonhomie with the persons to be interrogated. Thirdly, the hawk like presence of the employer and round-the-clock surveillance over the movements of the workers (to be interrogated) makes interrogation extremely difficult and even if the former's permission is accorded (which is rather doubtful) interrogation will not be as natural and spontaneous at the workplace in presence of the employer which is also otherwise undesirable and fraught with risks.

These constraints and limitations notwithstanding, the study undertaken by IJM, Bangalore unit in the three districts of Karnataka State on the prevalence of bonded labour system emanating from a narration of inter-state migrant labourers’ experiences’ is a fascinating and laudable exercise. As Dr. P.M. Nair has very aptly put it, “sociological and statistical tools have been beautifully blended in the said study.”

The study brings out several interesting findings which are extremely relevant in the present situational context where poverty, lack of awareness, illiteracy, little or no availability of avenues of stable and durable employment, lack of unionization and individual & collective strength to bargain for the irreducible barest minimum needs, interests, rights and entitlements associated therewith reduce a large number of women and men to migrate from their native habitat to an oppressive and dehumanizing work environment at the destination point akin to existence of bonded labour system.

The findings in a nutshell are:

- 1. If an NGO (Bangalore based) like Jeevika is giving a list of 18,000 bonded labourers based on a survey conducted by it and the State government reduces it by 90 percent, retaining only 10 percent without any rhyme or reason, this becomes a travesty of truth.

2. Employers retain with them the documentary evidence of debt are not prepared to share it with the potential victims of bondage and coerce the labourers to work for an indefinitely long stretch of time without spread over, without weekly off, without substituted day for rest (if workers are made to work on the weekly day of rest) and last but not the least, without payment of notified minimum wage; this becomes the worst example of an unfair labour practice.

3. Most of the inter-state migrant workmen are recruited by the unscrupulous recruiting agents with an element of advance and get reduced to the status of victims of debt bondage at the worksite of the destination point where they are told (a) they cannot leave the worksite and change the employer until & unless they have liquidated the advance fully; (b) they have forfeited their right to freedom of movement, freedom of occupation and freedom of alternative avenues of livelihood precisely on account of the said advance.

4. Trafficking is an ugly and obscene affront to human dignity & decency and an egregious crime against humanity but on account of the peculiarity and complexity of its operation (through an international network at the originating, transit and destination points) it (both commercial sexual exploitation and forced labour) remains mostly undocumented and therefore, invisible.

5. Most of the brick kiln workers in Karnataka were migrant workers belonging to lower castes.

6. Harsh and hazardous working conditions at the worksites of the destination point are tolerated without any resistance, far less protest out of fear, ruthless repression, coercion and regimentation which does not leave any outlet for justice and fairness in treatment, not to speak of an outlet for ventilation and redressal of genuine grievances of the victims.

7. The labourers also suffer from a number of work injuries, illnesses and other health (both communicable and non-communicable) maladies. Accidents are not reported within the prescribed time limit or not at all, employees' compensation as warranted under Employee' Compensation Act, 1923 as amended in 2009 are not paid and there is no worthwhile measure for rehabilitation of those who are injured or incapacitated.

8. Married couples who are reduced to the level of bonded labourers are deprived of any privacy, far less of any conjugal bliss (as it happened in Hangarhalli village in Mandya district of Karnataka State in June 2000.)

9. Wages which are mostly piece rated are far lower than notified minimum wage. Deductions take place from the said wages for payment of commission to middlemen who extract it like a pound of flesh as Shylock in Shakespeare's Merchant of Venice.

10. Long working hours without any spread over; physical and behavioural aberrations amounting to abuse, violation of the integrity, dignity and decency of the workmen which is integral to their personality, deprivation of the statutory minimum wage and other facilities and amenities constitute the quintessence of working conditions.

The overall conclusion that both in terms of absolute number (5,58,334) and percentage (33.4%) there is prevalence of bonded labour systems in brick kilns, fish farms, plantations, rock quarries, rice mills, tobacco and other units of the three surveyed districts should send waves of shock and shame to civilized human conscience within Karnataka State and outside even 42 years after enactment of BLS(A) Act, 1976. Coming as it does from a professional team of enumerators in a highly participative mode of investigation which is also totally open, transparent and unorthodox, the findings of the survey have established a rare credibility of their own. Not only they should break the denial mode of the State government and mindset of the district administration of Bangalore Urban, Bangalore Rural and Ramnagar districts but should inspire and motivate them to self-propelled and self-driven preventive and corrective action. All the

five conclusions and five recommendations (Pg. 94- Pg.100) are sound and sensible, rooted to the soil and deserve the unreserved acceptance of all concerned including the State Government and the district administration of the concerned three districts.

Discovery of truth entails efforts which should be characterized by scientific precision, a methodology which should be unorthodox and rooted to the soil, a penetrating insight to peep into the true conditions obtaining at the ground level, a sense of discretion to single out the chaff from the grain and on the top of it all, an enduring spirit of empathy and sensitivity. The fact that the study in question meets all these requirements places it as a first-rate one of its kind. For this and the excellent end product, all enumerators, supervisors and IJM, 'a global team of lawyers, social workers, data collectors, community educators and other professionals at work throughout India' deserve our deep and sincere acclaim.



**Dr. L. Mishra**  
Former Labour Union Secretary & currently Senior Independent Advisor, IJM, New Delhi





## EXECUTIVE SUMMARY

### BACKGROUND AND INTRODUCTION

Bonded labour is a crime against humanity. It has been constitutionally prohibited in India since 1950; yet it remains the most widely used method to enslave people today. The Indian legal definition of a bonded labour system, established in 1976 by the Bonded Labour System (Abolition) Act (BLA), is summarized as a type of forced labour in which certain rights or freedoms are forfeited because of a debt or obligation. In 2013, India’s Parliament expanded the country’s trafficking laws, in line with 21st-century human rights conventions, to include other types of exploitation such as forced labour (and bonded labour) under the umbrella of trafficking violations. The purpose of the 1976 law against bonded labour was intended to “prevent the economic and physical exploitation of weaker sections of the people.” Despite this, however, bonded labour and trafficking into bonded labour is still present in India, although it is under-reported and largely undocumented. In order to address this gap in literature and actionable data, this research aims to provide reliable and robust data on bonded labour in three districts of Karnataka State in India.

### METHODS

Using conventional sampling, 70 local enumerators surveyed 4,306 labourers between April and June 2015 in 17 different markets across Bangalore Urban, Bangalore Rural and Ramanagara districts in the state of Karnataka, India. These surveys captured data on 15 distinct industries across 3,765 worksites. The survey instrument captured information on the type, physical location (including GPS coordinates) and working population size of the worksite, as well as the interviewed labourers’ demographic information, freedom of movement, freedom of employment, wage amount and any receipt of an advance. Statistical analysts used R procedures for logistic regression mark-recapture analysis and labourer population estimates, based on the sampled labourers’ data and taking into account worksite-size estimates.

The study also included in-depth interviews with 39 labourers currently living outside the targeted study districts (in Odisha, Andhra Pradesh and Karnataka states) who had migrated into Karnataka in the last three years for work. Interviewers obtained contact with these migrant labourers through a snowball sampling method, using former IJM clients who lived in similar areas as the native origin of labourers surveyed in the marketplace to make the connections. The purpose of these interviews was to better understand the nature and manifestations of bonded labour, in particular trafficking into bonded labour.

### RESULTS

The mark-recapture method estimated a labourer population of 1,670,734 in the three targeted districts. Based on the marketplace study results, 33.4% (N = 1,439/4,306) of labourers were bonded, translating to an extrapolated 558,334 bonded labourers in the three districts. All industries in which surveyed labourers reported working used bonded labour, with roughly



40% of those surveyed in brick kilns, fish farms, plantations, rock quarries, rice mills, tobacco and “other” industries found to be in bondage. A total of 41.8% of inter-state migrant labourers were bonded in comparison to 31% of intra-state migrants and 19.8% of non-migrants.

Of all labourers surveyed, a total of 1,314 labourers or 30.5% were suspected to have been trafficked into Karnataka for work at their current worksite; 59.3% of bonded labourers had evidence of trafficking. Several factors increased a labourer’s probability of being trafficked, including being 30 years or younger, male and with larger numbers of working family members. Migrant workers were also more likely to have been trafficked than non-migrants.

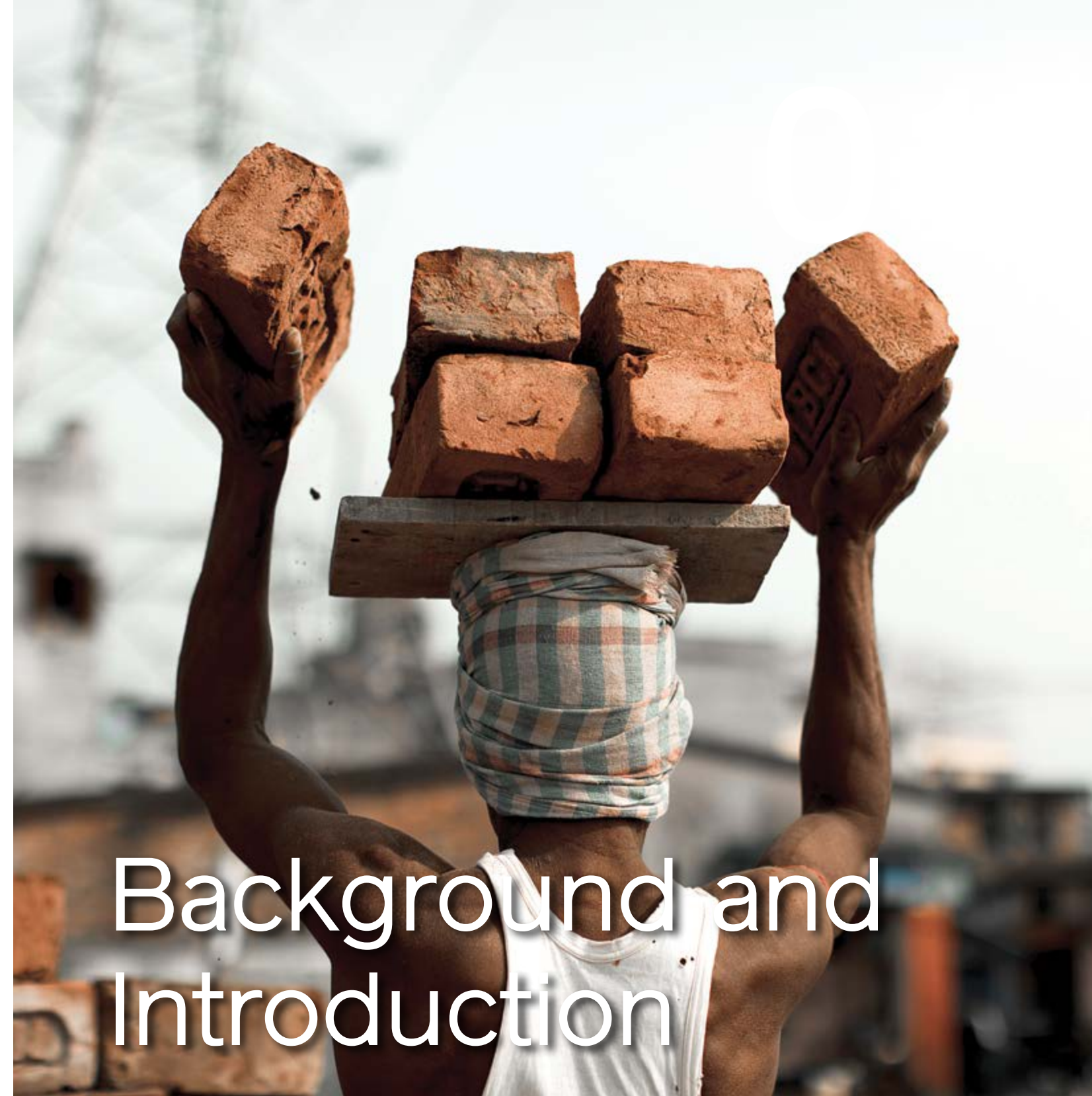
The in-depth interviews with 39 migrant labourers revealed an array of stories of how labourers survive in the face of adversity, often ending up in bonded labour due to an exploitation of their complicated and difficult situations. Thirty-one migrant labourers (79.5%) took an advance from an employer under the condition that they would migrate out of state to work at the employer’s factory until the advance was paid back. Based on the fact that 64.1% (25) of these labourers were illiterate, it is unclear how many truly understood the terms of employment or even the wage calculations conducted by the employers once on site. Although some of the respondents spoke of their time on the worksite in more positive or neutral terms, many of the labourers described abusive situations that involved restrictions on freedom of movement and employment, in addition to experiencing verbal and physical abuse. Some of them were able to return to their native villages after paying back the advance; however, many had to be rescued by the government since if they tried to leave on their own accord, they would be severely beaten or even killed. Thirty-four of the 39 migrant labourers interviewed for this study were bonded at their worksite in Karnataka, and 31 had evidence of trafficking into this labour force. These findings, while not representative, do support the finding in the marketplace study that inter-state migrants are at high risk for bonded labour and trafficking.

#### CONCLUSIONS AND RECOMMENDATIONS

This study—the most comprehensive, on-the-ground research effort to interview current bonded labourers in these districts—indicates that the employment of bonded labour is still very much a common occurrence throughout the three districts in Karnataka during 2015. The BLA and other relevant laws require more effective implementation, and the government must allocate the necessary resources for identification, release and rehabilitation of bonded labourers. Given the prevalence of bonded labour in all industries surveyed and the geographic draw Karnataka has across India for economic opportunities, prosecution of offenders of bonded labour should be given greater priority. State policies and civil society efforts should be focused on the bonded labour-prone industries, with local labour unions and other multi-lateral agencies providing employers of worksites education around the differences in proper and legal labour practices.

The State should take concrete steps to improve livelihood options for vulnerable sections of the population, including better enforcement of employers’ adherence to minimum wage laws. Given the overlap in bonded labourers and trafficking victims, the State should establish a means for a comprehensive, cross-departmental response to the crime in all its forms. In vulnerable communities, the government should invest in improving awareness of bonded labour and providing accessible credit facilities and skills advancement around household and individual financial management, in order to lay the best foundation for future livelihood security.

In addition to the above policy and programmatic recommendations, the current survey brings to light future research opportunities for studying the nature, scale, manifestations and consequences of bonded labour.



# Background and Introduction

Bonded labour is an “infringement of human rights and destruction of the dignity of human labour.”<sup>1</sup> Former Union Labour Minister K.V. Rahunath Reddy, later quoted by Supreme Court Judge, stated “not as humans but as serfs....They are non-beings, exiles of civilization, living a life worse than that of animals....”

1 — BACKGROUND AND INTRODUCTION

1.1 BACKGROUND ON BONDED LABOUR IN INDIA

1.1.1 Definition and history of bonded labour

Bonded labour is an “infringement of human rights and destruction of the dignity of human labour.”<sup>1</sup> Former Union Labour Minister K.V. Rahunath Reddy, later quoted by Supreme Court Judge, stated “not as humans but as serfs....They are non-beings, exiles of civilization, living a life worse than that of animals.... These outcasts of society are held in bondage, robbed of their freedom and are consigned to an existence where they have to live either in hovels or under the open sky and be satisfied with whatever little unwholesome food they can manage to get, inadequate though it be, to fill their hungry stomachs. Not having any choice, they are driven by poverty and hunger into a life of bondage, a dark bottomless pit from which, in a cruel exploitative society, they cannot hope to be rescued.”<sup>2</sup>

This picture of bonded labour is true of extreme cases today. Yet restrictions on freedoms are present in *all* bonded labour cases, which have a wide range of manifestations.

Since 1860, unlawfully compelling people to work against their will has been a criminal offence.<sup>3</sup> Since 1950, the Constitution of India has prohibited forced labour.<sup>4</sup> However “no serious effort” was made to stamp out bonded labour until the 1970s.<sup>5</sup> By an initial Presidential Ordinance made in 1975 and then by an Act of Parliament in 1976 (the BLA), the bonded labour system was legally abolished and all bonded labourers were set free, with any future agreement for bonded labour null and void. Although these acts removed any remaining doubt on whether bonded labour was illegal, the practice continued. Over time, the types of bonded labour most prevalent in the country have morphed. Older forms of bondage, which were due to inherited debt and typically longer in duration, are increasingly being replaced by “individualized and relatively temporary” or “seasonal” versions of bondage.<sup>6</sup>

The Indian legal definition of a bonded labour system, established through the BLA, is summarized as a type of forced labour in which certain rights or freedoms are forfeited because of a debt or obligation.<sup>7</sup> According to this definition, a bonded labour system exists even if only one of four rights or freedoms has been forfeited and only one of five types of obligation was the cause of the forfeiture. The four rights/freedoms are the right to minimum wage, the right to freedom of employment, the right to free movement within India, and the right to buy or sell at market value. The five types of obligation are an advance, an obligation from some other type of economic benefit, a social obligation, an inherited obligation or an obligation connected to a person’s caste. Bonded labour situations are likely to have multiple freedoms that are forfeited

as well as a mixture of obligations or claimed obligations used to exploit the labourer into these forfeitures.<sup>8</sup>

Leading up to the BLA, India signed the International Labour Organisation (ILO)’s Forced Labour Convention in 1954. The ILO’s convention defines forced labour as “all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.”<sup>9</sup> However, this language has not been used in Indian law in regard to forced labour; instead the country considers Article 23 of its Constitution, which defines forced labour as including not only physical force and legal compulsion but also any compulsion of economic circumstances, such as poverty.

1.1.2 Trafficking into bonded labour

Twentieth century international conventions on trafficking in persons focused primarily on sexual exploitation.<sup>10</sup> Twenty-first century conventions like the Palermo Protocol have broadened their scope of trafficking violations and included other types of exploitation such as forced labour.<sup>11</sup> The Indian Parliament followed this movement. The 1956 Immoral Traffic (Prevention) Act focused on prevention of trafficking for sexual exploitation. Then in 2013, Parliament passed the Criminal Law (Amendment) Act, which replaced the former slavery offence with a new and broader trafficking offence (see Indian Penal Code (IPC) Section 370). This new offence includes trafficking of persons for any act of physical exploitation or any form of sexual exploitation, slavery, or practices similar to slavery, servitude or the forced removal of organs.<sup>12</sup>

Under the new trafficking law, operating a bonded labour system is a form of exploitation now also classified as a trafficking offence. Operating a bonded labour system would be considered trafficking of persons if the operator also employed one of the *actions* and used one of the *means* that make up the offence of trafficking in order to facilitate or maintain the bonded labour system. The actions are recruiting, transporting, harbouring, transferring or receiving. The means are threats, force, or any form of coercion, abduction, fraud or deception, abuse of power or inducement.

The true scale of trafficking, both into sexual and labour exploitation, is undocumented in India. In 2014, the nation had 5,466 incidents of trafficking that were reported to the police, but most of these were related to sex trafficking<sup>13</sup>—2,605 of these victims had their case recorded under the new trafficking offence in 2014; 181 were in Karnataka State,<sup>14</sup> and 173 of these victims were from cases in Bangalore.<sup>15</sup> The U.S. Department of State’s 2014 Trafficking in Persons Report noted that 90% of trafficking in India occurs within the country.<sup>16</sup> The UNODC cited that 85.2% of trafficking victims identified in Karnataka from 2005 to 2006 were originally from the state itself.<sup>17</sup>

1.2 Literature Review on Bonded Labour

1.2.1 The Causes, process and conditions of bonded labour

Researchers have identified the causes of bonded labour as multi-factorial, most of which are well-documented in the literature. Macro International found that most bonded labourers chose to take advances in exchange for their labour, as “they do not have options.”<sup>18</sup> Labourers do not have sufficient livelihood alternatives nor access to safe, fair and affordable capital/loans. As a result, labourers often take money from moneylenders, instead of from banks, putting them at risk of bonded labour. After arriving at their place of work, labourers are often forced to borrow more money to meet their survival needs.<sup>19</sup>

In terms of becoming and staying bonded, the reasons again are multi-faceted, often involving some level of coercion, deception, or exploitation of the labourer’s social status, economic

The Indian legal definition of a bonded labour system, established through the BLA, is summarized as a type of forced labour in which certain rights or freedoms are forfeited because of a debt or obligation.



The government's Annual Crime Statistics report records the number of bonded labour victims in cases that were registered by the police during the year.

security, or education. The 1984 investigation by the Karnataka Civil Liberties Committee found that after the bonded labour system was abolished, employers stopped using the traditional agreements, in which both the loan and the requirement to work were mentioned in the same document; instead, they had written evidence of the debt but the requirement to work was communicated orally. The written document was used to deceive the labourer into thinking there was still a legal obligation for him or her to continue work. If the time in bondage went beyond what the labourer believed was the legal requirement, employers would then use violence to maintain the system.<sup>20</sup> The size of loans were between Rs. 80-1,500 (USD 1-22)<sup>21</sup> and the periods of bondage from one year to lifetime.<sup>22</sup>

In a 2001 study, R. Mutharayappa conducted interviews with 387 rehabilitated bonded labourers in Karnataka. He found that impoverished villagers entered into an annual contract agreement to work for landowners in exchange for a cash advance. There were no formal written contracts of bondage, only informal agreements. Each labourer received Rs. 200-500 (USD 3-7)<sup>23</sup> for every year of bonded labour, as well as minimal meals and clothing from the moneylender.<sup>24</sup>

In 2005, Macro International (now ICFI) conducted a number of interviews to obtain information on child bonded labour in states including Karnataka. The process of entering bonded labour was similar to the studies above, with most obtaining advances of a year's wages and renewing their bonded labour contracts annually.<sup>25</sup>

In a 2005 working paper for the ILO, lead researcher Ravi Srivastava cited that agriculture, stone quarries, open mines and brick kilns are likely to have the highest incidences of bonded labour in Karnataka.<sup>26</sup> Srivastava noted that the majority of bonded brick kiln workers in Karnataka were migrant workers of the lowest castes.<sup>27</sup> In addition to this we have noted that bonded labour is found in large measure across a diverse spread across industries.

The Centre for Education and Communication (CEC) in 2007 published a study on bonded labour in Karnataka, led by H.Y. Gauramma. This CEC study reported that a local NGO, JEEVIKA, conducted a survey that found 18,000 bonded labour cases in the state, but that the government of Karnataka only legally recognized 1,800 of these cases as bonded.<sup>28</sup> Gauramma said that it was extremely challenging to obtain an accurate figure on the number of bonded labourers in Karnataka. Based on her research, however, she estimated that there were likely to be at least 100,000 individuals trapped in bonded labour throughout the state.<sup>29</sup>

Many bonded labour studies also highlight the often-harsh living and working conditions these men, women and children endure. These conditions are often tolerated out of fear, coercion or deception. The use of violence as a mechanism for continuing the bonded labour system is frequently noted in the literature. CEC's 2007 study, which included 44 interviews of bonded labourers in two districts near Bangalore, found that moneylenders frequently used verbal assaults against bonded labourers,<sup>30</sup> and Macro International's survey found that child bonded labourers were often beaten if they did not work fast enough.<sup>31</sup>

Bonded labourers often work under hazardous conditions, carrying out difficult tasks that are challenging in and of themselves "without the added elements of coercion, violence and exploitation."<sup>32</sup> As a result of these harsh and dangerous work environments, bonded labourers typically suffer from a host of injuries, illnesses and other health maladies.<sup>33</sup> Often made to work long hours, sometimes up to 18 hours daily with few rest days, bonded labourers often also suffer from exhaustion.<sup>34</sup> Even when bonded labourers are not working, guards constantly watch over them, and married couples in bondage are unable to have any privacy of their own.<sup>35</sup>

Through interviewing bonded labourers in Karnataka, Gauramma's research also revealed that most labourers were paid wages far below the legal minimum wage or basic level required for mere survival, further creating a cyclical need to borrow more.<sup>36</sup> In the brickmaking and

quarrying industries of Karnataka specifically, she noted that bonded labourers were heavily exploited through their meager wages and long working hours.<sup>37</sup> Furthermore, Gauramma found that their access to food was contingent upon providing labour; they were "forced to wear old clothes" and felt that "their survival was threatened everyday."<sup>38</sup> Kara found similar results, with moneylenders employing exploitative strategies to keep the debt from being paid off, such as pocketing part of labourers' wages on the pretext of noting unsatisfactory work quality, underreporting the amount of work produced or selling them basic supplies at unjustifiably inflated prices.<sup>39</sup>

In the Mysore and Kolar districts of Karnataka, many impoverished individuals who began working for their moneylenders on an annual, contractual basis eventually became trapped in long-term bonded labour as their debts accumulated.<sup>40</sup> Gauramma noted the prevalent view among bonded labourers that the local banks only served affluent individuals, since poor landless workers have no assets to serve as collateral for loans. This was despite the Reserve Bank of India releasing guidelines in 1976 that instructed banks to help bonded labourers in need of credit.<sup>41</sup> By disconnecting bonded labourers from the rest of society, moneylenders also kept them from learning about their legal rights. Gauramma cited that many bonded labourers still did not know that bonded labour had been illegal in India since 1976.<sup>42</sup>

1.2.2 The prevalence and methods of measuring of bonded labour

While there is a sound body of research on the causes, process and conditions of bonded labour in India and Karnataka State, there have been far fewer studies that have tried to measure the scale of the problem. A variety of sources exist to lend perspective on the scope and scale of bonded labour, from the global level to Karnataka State specifically. Highlighted below are statistics from the Indian government, which provide both national- and state-specific numbers on the prevalence of reported cases of bonded labour. Additionally, a number of studies have been conducted for the purpose of estimating the prevalence of both reported and unreported cases of bonded labour. These estimates suggest the vast majority of bonded labour is not reported to the Government of India.

Government data

The government's Annual Crime Statistics report records the number of bonded labour victims in cases that were registered by the police during the year. The reported crime rate of bonded labour is very low, with the 2014 report stating 279 bonded labour victims, 24 of whom were in Karnataka, 17 in Bangalore specifically.<sup>43,44,45</sup> According to the Karnataka Government, they identified and released 31,734 bonded labourers over a period of 10 years, from 1993 to 2003,<sup>46</sup> and identified 10,997 people as bonded labourers in the nine years from 2003 to 2012.

The Ministry of Labour and Employment (MoLE) in India reports on the number of victims rehabilitated under its scheme<sup>47</sup> specially designed for bonded labourers. The MoLE scheme has been running since 1978, during which time 2,86,000 people have received benefits (an average of almost 8,000 per year).<sup>48</sup> During the two years from 31 March 2012 to 31 March 2014, 5,167 people received rehabilitation. MoLE reports that from 1978 to March 31, 2015, a total of 64,600 bonded labourers were identified and released, and of those, 58,348 received rehabilitation payments. Of the states that reported bonded labour, Karnataka had the second-highest number of labourers rescued and rehabilitated since 1978.<sup>49</sup>

Global estimates

In global estimations, bonded labour is most commonly classified under the umbrella of forced labour, human trafficking or slavery. The following studies and experts reveal a wide spectrum of estimates on the number of forced labourers or slaves in the world and in the South Asia region.



In 1999, trafficking expert Kevin Bales estimated that there were 27 million slaves worldwide, of which 15 to 20 million were bonded labourers in India, Pakistan, Bangladesh and Nepal.<sup>50</sup> His estimate was based on several years of compiling evidence from various sources and analyzing the reliability of those sources.<sup>51</sup> Bales’ estimate equates to a prevalence of 1.1% to 1.5% across the four countries.<sup>52</sup> Agriculture had the largest group of bonded labourers, but the research also found bonded labourers in “brickmaking, mining and quarrying, prostitution, gem working and jewelry making, cloth and carpet making, and domestic service; they clear forests, make charcoal, and work in shops.”<sup>53</sup>

The ILO separates forced labour into three categories: state-imposed forced labour, private imposed forced labour for sexual exploitation and private imposed forced labour for economic exploitation. India’s definition of bonded labour fits predominantly in the third category.<sup>54</sup> In 2005, utilizing a mark-recapture method for estimations of forced labour, the ILO estimated a minimum of 5.96 million people in forced labour for economic exploitation in the Asia-Pacific region, of which India is included.<sup>55</sup> The method for this estimate required one research team searching media reports and NGO and government documents (the capture), and a second research team searching for cases of forced labour that had happened within a specific time frame (the recapture).<sup>56</sup> This gave an estimate of the total reported cases of forced labour based off the formula used for mark-recapture. The ILO made some changes to the methods, and in 2012 the estimations increased to 11.7 million in forced labour conditions in the Asia-Pacific region, yielding a regional prevalence of 0.3%.<sup>57</sup> The 2012 study did not give a separate estimate for economic exploitation within the Asia-Pacific region. Globally, economic exploitation makes up 68% of all forced labour, and if this percentage was applied to the estimates of forced labour for Asia-Pacific, the regional prevalence estimates would be 0.2% for economic exploitation. In the ILO’s 2012 prevalence estimations, the ratio of unreported cases to reported cases was based on four countries where national surveys had been done. Three of these surveys were done by interviewing migrants in their homes after they had returned.<sup>58</sup> From this, the institution estimated that for every one reported case of forced labour, 27 cases go unreported.<sup>59</sup>

Trafficking expert Siddharth Kara argues that bonded labour is a type of slavery and all types should be seen as involuntary.<sup>60</sup> Kara estimated bonded labour globally, stating that at the end of 2011, there were 19.2 million bonded labourers worldwide, of which 11.7 million were in India.<sup>61</sup> This estimate (originally calculated in 2006) utilized a mark-recapture calculation, random sampling observation and aggregated second-hand data. Kara updated the 2011 figures based on refined definitions and a 0.9% annual growth rate of bonded labourers for the years 2007 to 2011.<sup>62</sup> The sampling included 504 bonded labourers, of which 327 were in India.

Another recent global estimate emerging was from the Walk Free Foundation’s first Global Slavery Index (GSI). In 2013, the GSI estimated 29.8 million people to be in slavery, 14 million of whom were in India.<sup>63</sup> This report received criticism for the lack of transparency about the calculations and lack of primary data collection.<sup>64</sup> In 2014, the GSI estimated 35.8 million slaves worldwide and the prevalence in India to be 1.13%, which is about 14.3 million people.<sup>65</sup> The method used in 2014 to generate a national prevalence of slavery for India involved extrapolation from primary and secondary data across 19 countries globally.<sup>66</sup>

*India-specific estimates*

Unfortunately, there are no recent government studies in India that measure the extent of bonded labour across the country. There are, however, a number of studies that have been done by a variety of non-governmental sources and academics.

In 1999, Human Rights Watch (HRW) published a report based on about 300 interviews with Dalits, a category of people groups found at the bottom level of the caste system. The report states

an estimated 40 million of the 160 million Dalits are in bonded labour.<sup>67</sup> HRW also conducted a study on bonded labour among children, interviewing 100 child bonded labourers across five states in India, including Karnataka. The subsequent report published in 1996 provided an estimate of 15 million child bonded labourers, a figure based on comparisons of activist and academic estimates.<sup>68</sup>

The National Human Rights Commission (NHRC) set up an expert group to investigate and research bonded labour in the country. In 2001, this group reported that there was no country-wide survey able to give an “authentic assessment of the magnitude of the problem.”<sup>69</sup> The report said a “high incidence of bonded labour in the agricultural sector is an established fact in the states of Andhra Pradesh, Bihar, Haryana, Karnataka, Maharashtra, Orissa, Punjab, Tamil Nadu and MP.... In the non-agricultural sector, the practice of bonded labour is rampant in brick kilns, stone quarries, beedi manufacturing, carpet weaving and construction projects, and of child bonded labour in the sericulture processing industry.”<sup>70</sup>

In 2012, the Indian Supreme Court created a (nonexhaustive) list of industries with rampant bonded labour, which included brick kilns, stone quarries, tobacco (including beedi manufacture), textiles (including carpet weaving), construction, agriculture, household industry (including handlooms) and fish farming.<sup>71</sup>

Also in 2012, Franciscan International noted that victims of trafficking were typically Scheduled Caste and Scheduled Tribe (SC/ST) women and children from impoverished areas.<sup>72</sup> Most recently, the 2014 Trafficking in Persons (TIP) report stated that forced labour in India is estimated at 20 to 65 million people.<sup>73</sup>

*Karnataka-specific estimates*

After the Central Government announced the Bonded Labour System (Abolition) Ordinance in 1975, which eventually became the Act, reports indicate the Karnataka government identified and released more than 60,000 bonded labourers in a course of two years from 1975-1977.<sup>74</sup> Then, in 1984, the Karnataka Civil Liberties Committee published a report on bonded labour in Nagasandra. This village (very close to but not within the target area of this study) had 77 people identified by the committee as bonded labourers.<sup>75</sup> In 1996, state governments conducted surveys of bonded labour as a result of a Supreme Court direction, identifying 29,016 bonded labourers across India, 19 of whom the Karnataka government identified.<sup>76</sup>

The State Government instituted the most recent effort to survey bonded labour in Karnataka. A committee headed by Sivaji Ganesan led the initiative and relied mainly on the NGO JEEVIKA. Over a two-month period in 2014 and a focus primarily on the agricultural industry, JEEVIKA found and assisted 7,646 people across the state in applying for release certificates (a formal government acknowledgement of bonded labour victimization). While published reports are not available about the geographic scope and total number of people the organisation interacted with for the research, if one organization can locate this many bonded labourers in primarily one industry (working on farms), the figures for the true state prevalence are likely substantial.

**1.3 GOVERNMENT RESPONSE TO BONDED LABOUR IN INDIA**

Responsibility for bonded labour is spread across various levels of government and is allocated to different departments according to whether it is at the district, state or national level. This challenges the ability of state- or central level departments to effectively communicate with or hold the implementers of the BLA accountable. The Act gave the state governments the responsibility to decide the powers and duties necessary to ensure the Act is properly implemented; these powers and duties are to be given to the district magistrate.

Responsibility for bonded labour is spread across various levels of government and is allocated to different departments according to whether it is at the district, state or national level.

The Government of Karnataka issued an order in 1976 conferring the powers and duties on the District Magistrate but did not give any specific implementation protocols. Since then, there have been various circulars and orders issued by the Government of Karnataka to give clarity on what these powers and duties should be.

In 1978, the Ministry of Labour and Employment initiated a rehabilitation scheme that shared the cost of rehabilitation equally between the State and Central Government. Shortly after, Karnataka proved to be the most proactive state in the country on bonded labour efforts, with identification and release of tens of thousands (as mentioned above, approximately 60,000) of bonded labourers in a period of two years.

In the 1980s, the Supreme Court was also very active on the issue of bonded labour. The Supreme Court considered cases directly, without going through the lower courts, on the basis of being “public interest legislation.” These cases criticised state governments for being slow to recognize bonded labour. Given the rigidity of the legal process and the social and economic status of most bonded labourers, the Court encouraged an informal approach to identifying bonded labourers (rather than compliance with rules of evidence required in court) and created a presumption of an advance or obligation in the cases of forced labour, which had to be rebutted against. This paved the way for labourers, who were found working in situations with no pay or nominal wages, to be assumed to be doing so out of an advance or other obligation to the employer.

In 1997, the Supreme Court gave the National Human Rights Commission (NHRC) responsibility to monitor the implementation of the BLA. The NHRC has conducted a number of reports and investigations into bonded labour. The Government of Karnataka, in 1999, ordered a resurvey to be conducted and provided the method for identification that had been developed by S.R. Sankaran for districts in the State of Andhra Pradesh (the districts which now fall under Telangana). The method included very specific guidance for District Magistrates. The survey was to be conducted in the parts of the village in which the Scheduled Caste, Scheduled Tribe or Other Backward Castes live. The survey team was to initially separate daily labourers from other types of labourers.

For these other labourers, investigators asked seven questions: 1) How long have you been working? 2) What amount of loan was taken and for what purpose? 3) What is the rate of interest? 4) What is the monthly wage (including items given such as food, clothing, tobacco)? 5) Has the loan reduced over time? 6) Can you go and work for someone else? 7) When do you think the loan will be repaid?

The guidance for District Magistrates is that if a labourer reports having to work for that employer until the loan is repaid or has little expectation that the loan will be repaid, then the labourer should be considered to be bonded. Although this method and questioning is very helpful guidance, it also portrays a narrower view of bonded labour than is defined in the Act or as explained through some of the Supreme Court judgments of the 1980s.

Since those initial mass identifications and releases in Karnataka 23 years ago, the State Government’s progress on ending bonded labour substantially waned until 1993. In 1993, the Government of Karnataka established a duty on a more local level government body (the Grama Panchayat) to report any instance of bonded labour noticed in its jurisdiction.<sup>77</sup> In June 2000, the NHRC became aware of one of the worst examples of bonded labour in the country, discovered in Karnataka.<sup>78</sup> This led to an increase in action on bonded labour by the Government of Karnataka. In August 2000, the State Government issued a circular saying it was unhappy with the previous survey methodology and that a new survey should be done in all the districts with the assistance of NGOs or other social organizations or universities. Sankaran’s method was still the basis for the questionnaire disseminated, but the government gave the District Magistrate power to make modifications as required.<sup>79</sup>

In 2001, the NHRC expert group (chaired by S.R. Sankaran) published a report on bonded labour. The report found that despite bonded labour being prevalent in almost all states in India, many state governments, including Karnataka, denied its existence. Furthermore, the report cited that release was often delayed, and the conviction rate of offenders was almost nonexistent. The report therefore made a number of recommendations, which included the need for training, placing reporting obligations on local bodies such as the Grama Panchayat and having a state-level committee.<sup>80</sup>

In 2002, another circular of the Government of Karnataka gave a list of duties that were part of the District Magistrates’ magistrates’ duty to eradicate bonded labour. These duties included issuing release certificates, protecting bonded labourers from eviction, providing rehabilitation, filing cases and conducting trials.<sup>81</sup>

Shortly after, in 2004, the State Government set up a vigilance committee in each district to provide appropriate rehabilitation for freed bonded labourers. However, a NHRC report in 2007 found that these committees were not meeting, government officials were confused about whether certain practices constituted bonded labour, the Supreme Court’s judgments were not being applied, Revenue and Police departments were not working together, and there was no oversight of the District Administration at the state level.<sup>82</sup>

In 2008, the Government of Karnataka, with the assistance of the NGO named JEEVIKA, published “An Action Plan for the Rehabilitation of Bonded Labourers in Karnataka,” which provided helpful guidance on the identification of bonded labour and compiled many of the government circulars, orders, letters and other sources into one document.

In 2009, the Ministry of Home Affairs created a scheme to set up Anti-Human Trafficking Units (AHTU) across India.<sup>83</sup> The AHTUs were to conduct rescue operations in cases of human trafficking, listing bonded labour as a type of trafficking.

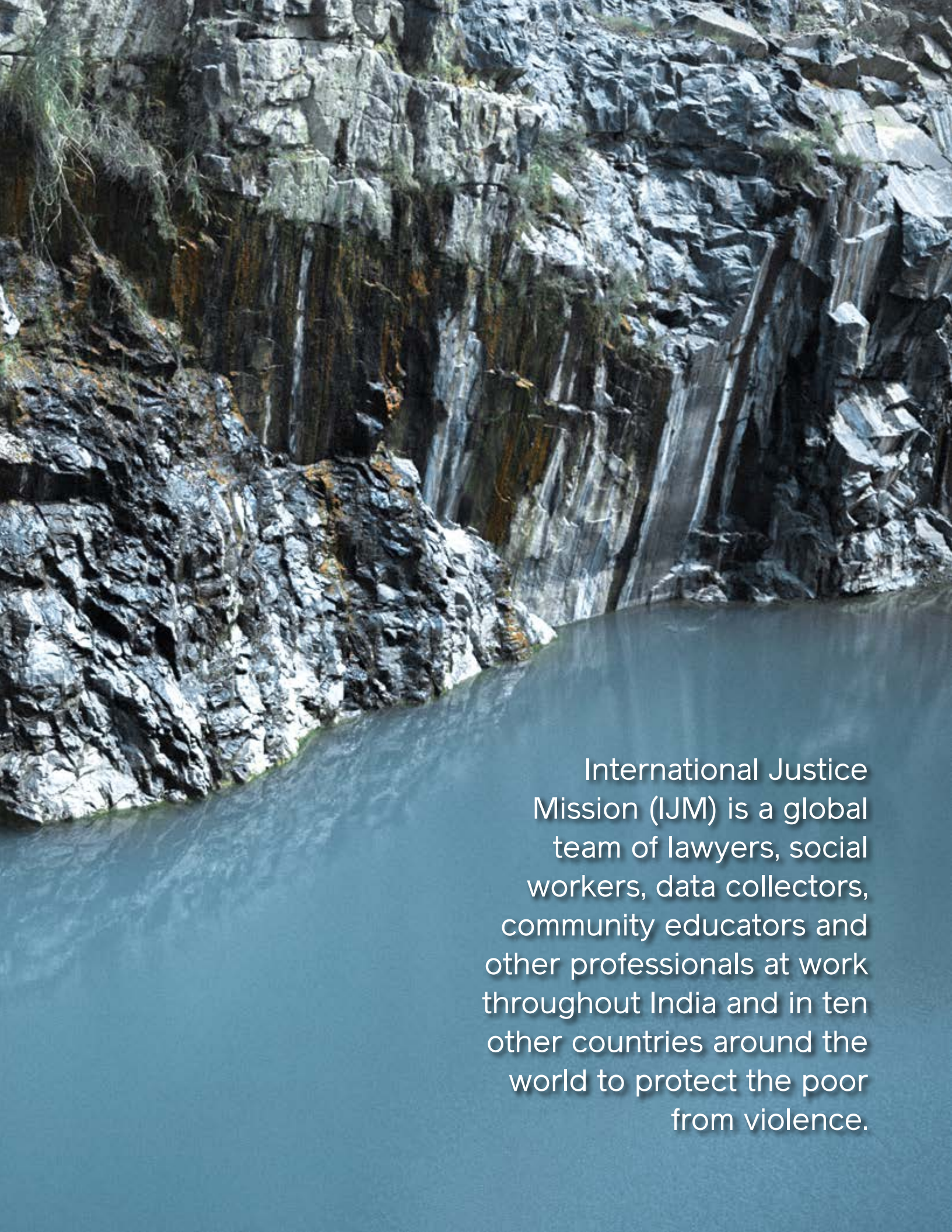
In 2013, the power of AHTUs was enhanced with the introduction of a specific offence of human trafficking into the Indian Penal Code. This made arrest and denial of bail much more likely in bonded labour cases. In 2014, the Karnataka state-level AHTU helped facilitate the rescue of 90 bonded labourers, just within the three districts of Bangalore Urban, Bangalore Rural and Ramanagara. The AHTU made arrests in all five of these cases, and magistrates denied bail to the suspects.<sup>84</sup> As of the time of writing of this report, the suspects had already spent between two to four months in custody.<sup>85</sup>

1.4 BACKGROUND OF IJM IN INDIA AND ITS RESPONSE TO BONDED LABOUR

International Justice Mission (IJM) is a global team of lawyers, social workers, data collectors, community educators and other professionals at work throughout India and in ten other countries around the world to protect the poor from violence. In India specifically, IJM is committed to partnering with local government to end bonded labour. IJM has expertise in the issue, with on-the-ground and in-depth experience working with people groups vulnerable to bonded labour, victims of bonded labour, and relevant local, district, state, and central government officials tasked with addressing bonded labour crimes. These capacities position IJM uniquely for this type of research and the methodology implemented.

IJM has been invested in cases of bonded labour in India since the early 2000s. Since the outset, IJM and its partners have worked with local law enforcement authorities in India to identify and rescue more than 10,000 victims of bonded labour crimes, including bonded labour trafficking. Since its inception in 2006, IJM has worked in Bangalore Urban, Bangalore Rural, Ramanagara, Chikkaballapur, Tumkur and Kolar. In recent years, IJM has predominantly focused on the three districts closest to Bangalore, including Bangalore Urban, Bangalore Rural and Ramanagara.





International Justice Mission (IJM) is a global team of lawyers, social workers, data collectors, community educators and other professionals at work throughout India and in ten other countries around the world to protect the poor from violence.

IJM collaborates with the government in Karnataka by taking individual cases of bonded labour through the justice system and providing hands-on training and capacity building to local authorities in resolving each case. In partnership with local authorities, IJM works to identify and rescue victims of bonded labour and ensure those rescued from bonded labour receive the necessary government schemes (benefits) as well as services to ensure they are appropriately rehabilitated from their exploitation. Additionally, IJM supports the prosecution of the criminal cases arising from the rescues to ensure that India's laws are appropriately applied and consistently implemented to protect other victims.

To complement its support to government and individual victims in bonded labour cases, IJM's office in Karnataka launched an initiative in 2012 to help strengthen the justice system in order to provide sustainable protection to all persons living in the state. Specifically, this project aims to strengthen front line responders, including members of the District Administration and the police, to be able to effectively address bonded labour cases, as well as support the state government in developing appropriate response and monitoring mechanisms.

### 1.5 STUDY GOAL AND OBJECTIVES

While much progress had been made in the initial years of the Bonded Labour System (Abolition) Act's implementation, bonded labour continues as an exploitative practice throughout the state, with the true scale largely undocumented. The purpose of this study is to offer data for this gap, with the ultimate goal of effectively combatting this crime and reducing its scale.

Therefore, the overall goal of the study is to obtain robust and reliable data on bonded labour in three districts of Karnataka State in India, including the scale and manifestations of the phenomenon, in order to effectively combat and reduce the crime.

The specific objectives included:

1. To determine the prevalence of bonded labour in three districts of Karnataka State, including the qualifying characteristics of bonded labourers (forfeited freedom of movement, forfeited freedom of employment, payment of less than minimum wage, and/or an obligation or debt)
2. To understand the nature of bonded labour, particularly the demographics of those affected by bonded labour, consequences of victimization (including violence), and the types of industries employing bonded labour.
3. To determine any migratory patterns of labourers in Karnataka, any manifestations of trafficking into bonded labour, and the percentage of interviewed labourers suspected as trafficked into bonded labour.
4. To establish a cutting-edge, overt, and non-workplace-based method for accurately estimating the number of people currently in bonded labour in the Indian setting.

<sup>1</sup>Bonded Labour System (Abolition) Act, 1976, Statement of Objects and Reasons.

<sup>2</sup>Justice Bhagwati in *Bandhua Mukti Morcha v. Union of India*, (1984) SCC 802.

<sup>3</sup>Indian Penal Code 1860, section 374.

<sup>4</sup>Article 23(1).

<sup>5</sup>Justice Bhagwati in *Bandhua Mukti Morcha v. Union of India*, (1984) SCC 802.

<sup>6</sup>Gauramma, 2007, p. 6.

<sup>7</sup>Criminal Investigations Department of the Karnataka State Police, *Trafficking of Persons: Law & Procedure for Bonded Labour* (2014) p. 21.



<sup>8</sup>For example, almost all IJM cases would have evidence of loss of minimum wage, loss of freedom of employment and loss of freedom of movement.

<sup>9</sup>ILO Forced Labour Convention 1930, Article 2.1.

<sup>10</sup>For example, the 1921 International Convention for the Suppression of the Traffic in Women and Children, 1933 International Convention for the Suppression of the Traffic in Women of Full Age, 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others.

<sup>11</sup>Principally the U.N. Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (2000), also known as the Palermo Protocol.

<sup>12</sup>IPC section 370 Explanation 1.

<sup>13</sup>Ministry of Home Affairs: Government of India (2015). Crime Statistics 2014. New Delhi, Delhi, India. Retrieved October 12, 2015, from <http://ncrb.nic.in/>

<sup>14</sup>Ministry of Home Affairs, Table 6A.2.

<sup>15</sup>Ministry of Home Affairs, Table 2.2 p. 22.

<sup>16</sup>United States Department of State, 2014, p. 203.

<sup>17</sup>United Nations Office on Drugs and Crime, 2009, p. 198.

<sup>18</sup>Macro International Inc. (2008). *In-Country Research and Data Collection on Forced Labor and Child Labor in the Production of Goods: India*. Washington, D.C.: United States Department of Labor, p. 20.

<sup>19</sup>Kara, 2012, p. 4.

<sup>20</sup>Karnataka Civil Liberties Committee (1984). *Bonded Labour in Nagasanda*. Retrieved August 16, 2016, from http://www.unipune.ac.in/snc/cssh/HumanRights/o6%2oSTATE%2oINDUSTRY%2oAND%2oWORKERS/o8.pdf.

<sup>21</sup>Based on INR to USD of 66.79 as of 11 December 2015. https://rbi.org.in/scripts/BS\_PressReleaseDisplay.aspx?prid=35697

In 1984 it would have been a range of USD 7 to 125, using the 1984-1985 average exchange rate as reported by the Reserve Bank of India. https://www.rbi.org.in/scripts/PublicationsView.aspx?id=15268

<sup>22</sup>Karnataka Civil Liberties Committee (1984). *Bonded Labour in Nagasanda*. Retrieved August 16, 2016, from http://www.unipune.ac.in/snc/cssh/HumanRights/o6%2oSTATE%2oINDUSTRY%2oAND%2oWORKERS/o8.pdf, p. 5-6.

<sup>23</sup>Based on INR to USD of 66.79 as of 11 December 2015. https://rbi.org.in/scripts/BS\_PressReleaseDisplay.aspx?prid=35697

In 2001 it would have been a range of USD 4 to 11, using the 2001-2002 average exchange rate as reported by the Reserve Bank of India. https://www.rbi.org.in/scripts/PublicationsView.aspx?id=15268

<sup>24</sup>Mutharayappa, R. (2001). Rehabilitated Bonded Labourers: A Classical Example from Karnataka State, India. *Indian Journal of Social Development*, 1(1), p. 27-38.

<sup>25</sup>Macro International Inc., 2008, p. 20.

<sup>26</sup>Srivastava, 2005, p. 7-8.

<sup>27</sup>Srivastava, 2005, p. 20.

<sup>28</sup>Gauramma, H. (2007, July). Report on Bonded Labour in Karnataka: Analysing the Effectiveness of the Programmes for the Eradication of the Bonded Labour System. New Delhi, Delhi, India: Centre for Education and Communication. Retrieved June 24, 2015, from http://www.cec-india.org/archs/Effectiveness-of-the-Eradication-of-Bonded-Labour-Karnataka--2007.pdf, p. 8.

<sup>29</sup>Gauramma, 2007, p. 33.

<sup>30</sup>Gauramma, 2007, p. 50.

<sup>31</sup>Macro International Inc., 2008, p. 65.

<sup>32</sup>Kara, 2012, p. 52.

<sup>33</sup>Kara, 2012, p. 91, 92, 150, 176.

<sup>34</sup>Kara, 2012, p. 134, 150.

<sup>35</sup>Gauramma, 2007, p. 29.

<sup>36</sup>Gauramma, 2007, p. 11.

<sup>37</sup>Gauramma, 2007, p. 60.

<sup>38</sup>Gauramma, 2007, p. 64.

<sup>39</sup>Kara, 2012, p. 4, 151-152.

<sup>40</sup>Gauramma, 2007, p. 11, 50.

<sup>41</sup>Gauramma, 2007, p. 45, 61.

<sup>42</sup>Gauramma, 2007, p. 12.

<sup>43</sup>IJM's own data shows that the government rescued 100 victims in 2014 in the three districts surrounding Bangalore and filed a First Information Report in each of these cases. A FIR is a written document prepared by the police when they receive information about the commission of a cognizable offence. This important document sets the process of criminal justice in motion. It is only after the FIR is registered in the police station that the police take up investigation of the case.

<sup>44</sup>Ministry of Home Affairs: Government of India (2015). Crime Statistics 2014. New Delhi, Delhi, India. Retrieved October 12, 2015. from <http://ncrb.nic.in/>, Table 1.13, p. 11.

<sup>45</sup>Ministry of Home Affairs, Table 2.4, p. 11.

<sup>46</sup>RDPR, An Action Plan for the Rehabilitation of Bonded Labourers in Karnataka.

<sup>47</sup>A scheme is program created by the Central Government to provide for financial resources for a freed bonded labour and to share that cost between the State and the Central Government.

<sup>48</sup>Ministry of Labour and Employment, Annual Report 2014-2015 p. 70.

<sup>49</sup>Ministry of Labour and Employment: Government of India. Bonded Labour (2015, August 10). Retrieved August 22, 2016, from http://pib.nic.in/newsite/PrintRelease.aspx?relid=124739

<sup>50</sup>Bales, K. (1999) *Disposable People: New Slavery in the Global Economy*. California. University of California Press, p. 9.

<sup>51</sup>Ibid p. 8.

<sup>52</sup>Based off the World Bank Population estimate for 1999. .http://data.worldbank.org/indicator/SP.POP.TOTL?page=3

<sup>53</sup>Bales, K. (1999) *Disposable People: New Slavery in the Global Economy*. California. University of California Press, p. 9.

<sup>54</sup>This ILO classification of economic exploitation does not include all forms of bonded labour in the Indian legal context. The ILO estimates of forced labour do not include cases where there is merely an evasion of minimum wage regulations. Nor does it include cases that can be considered “non-exploitative, short-term, wage advances with clearly specified repayment terms.”

<sup>55</sup>ILO, 2005 *Minimum Estimate of Forced Labour in the World*, Retrieved October 12, 2015, from <http://www.ilo.org/wcmsp5/groups/public/---ed\_norm/-declaration/documents/publication/wcms\_081913.pdf>, p. 2.

<sup>56</sup>Ibid p.29.

<sup>57</sup>ILO, 2012 *Global Estimates of Forced Labour: Results and Methodology*, Retrieved October 12, 2015, from <http://www.ilo.org/wcmsp5/groups/public/---ed\_norm/---declaration/documents/publication/wcms\_182004.pdf>, p. 13.

<sup>58</sup>The ILO’s “Hard to see, harder to count: Survey guidelines to estimate forced labour of adults and children” (2012) included discussion of these surveys and six other country-specific surveys of forced labour conducted between 2008 and 2010. None of these surveys were able to target all workers in forced labour: Three of the surveys targeted migrants who had returned home, two targeted all children working, one targeted child begging, one targeted children in the fish industry, one targeted vulnerable families, and one targeted working children and their parents. The one study targeting children in the fishing industry had establishment-based interviews, one had street-based interviewing (using mark-recapture) and the remaining seven all utilized household interviews. The ILO suggests the strength of the household survey in that respondents “feel freer to talk about their work experiences.”

<sup>59</sup>Ibid p. 38.

<sup>60</sup>Ibid p. 31.

<sup>61</sup>Kara, 2012, p. 236.

<sup>62</sup>Ibid p. 237.

<sup>63</sup>Global Slavery Index 2013.

<sup>64</sup>Guth, Anderson et al, Proper Methodology and Methods of Collecting and Analyzing Slavery Data: An Examination of the Global Slavery Index, *Social Inclusion* 2014, Volume 2, Issue 4, p 14-22.

<sup>65</sup>The Walk Free Foundation, 2014, p. 21, 76.

<sup>66</sup>The 19 countries had prevalence rates ranging from 2.3% in Haiti (a USAID source) to 0.05% in Nigeria (Gallup World Poll source). GSI calculated India’s figure by using an average of the prevalence rates of Pakistan and Nepal with a 70% weighting plus the average of the prevalence rates of Niger and Haiti with a 30% weighting. This yielded a figure of 1.14% for the population.

<sup>67</sup>HRW, 1999, p. 15.

<sup>68</sup>HRW, 1996, p. 2.

<sup>69</sup>National Human Rights Commission (2001). Report of the Expert Group on Bonded Labour. Delhi: NHRC. Retrieved May 12, 2015, from

http://www.sentinel-venugopal.in/pdf/Report%2oof%2othe%2oExpert%2oGroup%2oon%2oBonded%2oLabour.pdf, p. 4

<sup>70</sup>NHRC, 2001, p. 5.

<sup>71</sup>Public Union for Civil Liberties v. State of Tamil Nadu @ Ors.

<sup>72</sup>Franciscans International, 2012, p. 9.

<sup>73</sup>U.S. State Department, 2014 Trafficking in Persons Report (June 2014) p. 202.

<sup>74</sup>Mishra, L. (2007, May). Report of review conducted by Dr. Lakshmidhar Mishra, IAS (Retd.), Special Rapporteur, NHRC on the pace and progress of implementation of Bonded Labour System (Abolition) Act, 1976, and Child Labour (Prohibition and Regulation) Act, 1986, for Karnataka State from 15th to 18th May, 2007. Retrieved August 22, 2016 from http://nhrc.nic.in/Documents/Reports/blcl\_07lmishra\_bl\_karnataka.pdf, p 5.

<sup>75</sup>Karnataka Civil Liberties Committee (KCLC) (1984), p.6.

<sup>76</sup>Srivastava, R. (2005, June). Bonded Labour in India: Its Incidence and Pattern. Geneva: International Labour Office. Retrieved June 24, 2015, from http://www.ilo.org/wcmsp5/groups/public/---ed\_norm/---declaration/documents/publication/wcms\_081967.pdf, p. 6.

<sup>77</sup>Karnataka Panchayat Raj Act (Third Amendment, 1993), Section 58A.

<sup>78</sup>Stone quarry workers had been kept in chains, preventing them from even leaving to urinate and defecate. Gauramma gives more details of the story. Gauramma (2007) p 29-32.

<sup>79</sup>Government of Karnataka (2000). Circular: Sub: Resurvey for identification of bonded labourers. Karnataka, India: Government of Karnataka.

<sup>80</sup>National Human Rights Commission (2001). Report of the Expert Group on Bonded Labour Set Up by the National Human Rights Commission, May 2001. New Delhi, India: NHRC. Retrieved from <http://www.sentinelvenugopal.in/pdf/Report%20of%20the%20Expert%20Group%20on%20Bonded%20Labour.pdf>

<sup>81</sup>Government of Karnataka (2002). Circular: Regarding measures to be followed to eradicate bonded labour system. Karnataka, India: Government of Karnataka.

<sup>82</sup>National Human Rights Commission (2007). Report of review conducted by Dr Lakshmidhar Mishra. New Delhi: NHRC. Retrieved October 12, 2015, from [http://nhrc.nic.in/Documents/Reports/blcl\\_07lmishra\\_bl\\_karnataka.pdf](http://nhrc.nic.in/Documents/Reports/blcl_07lmishra_bl_karnataka.pdf), p. 72-74.

<sup>83</sup>Ministry of Home Affairs, *Comprehensive Scheme for the Establishment of Integrated AHTUs and TOTs* (2009) [http://mha.nic.in/sites/upload\\_files/mha/files/Scheme-AHTU-SS-271011.pdf](http://mha.nic.in/sites/upload_files/mha/files/Scheme-AHTU-SS-271011.pdf)

<sup>84</sup>Seven out of 11 suspects were arrested in these cases.

<sup>85</sup>Criminal Investigations Department of the Karnataka State Police, *Trafficking of Persons: Law & Procedure for Bonded Labour* (2014) p. 57.

02

# Methods

Other studies have interviewed labourers about their past experiences or utilized modelling approaches based on government or reported data on bonded labourers. For this study, the team wanted to collect data directly from potential and actual labourers about their current work experience.



2 — METHODS

2.1 QUANTITATIVE METHODS

2.1.1 Methodological placement considerations

Other studies have interviewed labourers about their past experiences or utilized modelling approaches based on government or reported data on bonded labourers. For this study, the team wanted to collect data directly from potential and actual labourers about their current work experience. The team considered three options before selecting the one implemented in this study.

Firstly, the study team discussed methods centred on in-person interviews at each person's place of work. IJM's casework experience, however, suggested that this technique would face at least four significant challenges:

- It would be difficult to find the physical locations of certain industries. A small-scale textiles manufacturer is much less obvious than a rock quarry, for example.
- It would be difficult to secure permission to enter private property. Permission of employers is less likely to be given when they are engaged in illegal activities. Also, the government's interventions in recent years to combat bonded labour has increased the likelihood that permission would be denied.
- It would be difficult to interview labourers in safe and secure settings. Even when access was granted, labourers would often be supervised while answering questions. This would greatly reduce the probability that bonded labourers would answer the questions honestly.
- It would require a logistically unfeasible number of enumerators. Enumeration teams would need to speak a host of languages, as many people come from other states in India to work in and around Bangalore. The range of language capacity necessary would be unknown in advance of entry, and therefore require a large team of enumerators, which would further draw a lot of attention in the village.

A second option for methodology was to conduct interviews in the homes of labourers. This had the advantage of offering an environment that is safer for a labourer to speak honestly. The ILO used this method in prior studies on past and/or current bonded labour experiences. However, this method is really most suitable when there are concentrations of labourers or migrant labourers and known locations of these labourers or at least physically recognizable sleeping or home quarters. With the high number of labourers migrating from all over India to Bangalore

and the surrounding districts for work, many labourers live in temporary accommodation provided by employers, not permanent, recognizable homes. All of this vulnerable group would be excluded from a conventional household survey. If surveying homes of labourers in source communities, the widespread migration factor also presents a substantial hurdle in locating enough labourers throughout India that end up as workers in Karnataka.

The third and final methodological option considered was to find a public place where labourers visit, which would provide a higher likelihood of getting access to them and also an environment enabling more freedom in their responses. A total of 87.9% of bonded labourers will have at least one member of the family visiting the market to buy food and basic supplies at least once a month, often once a week.<sup>86</sup> After multiple methodological considerations, ultimately, accessing the labourers in the marketplace was the most viable location for obtaining truthful information.

2.1.2 Sample design

Karnataka is a state in the southwestern region of India that covers 191,976 square kilometres (74,122 sq mi), or 5.8% of the total geographical area of the country. In the 2011 census, Karnataka had a population of 61,130,704. At that time, the total workforce size was about 28 million for Karnataka and 5.2 million in the study districts.<sup>87</sup> The state is divided into 30 districts, and the study area, which matches IJM's current program area, consists of three of these districts: Bangalore Urban, where the state capital Bangalore is located; Bangalore Rural; and Ramanagara. In these three districts, there are hundreds of markets, ranging in size from a few small stalls, sheds or shops along a roadside to a large series of stalls, spanning a large multi-block or multi-street geographic area, attracting crowds of hundreds or thousands of shoppers. The key was to identify and target markets that would yield a majority geographic coverage of the districts, focusing on the population residing outside Bangalore City.<sup>88</sup>

Initially, the mapping team visited 24 marketplaces, 12 of which were *taluk* markets<sup>89</sup> and the other 12 were either markets located in areas far away from the *taluk* market or where IJM had identified bonded labourers in recent months. This mapping team documented the GPS coordinates of the market, physical map of the market, days of operation (main and non-peak), peak times during the day of operation, average number of marketgoers over the course of the day, primary languages heard spoken at the market, and average distance people had travelled to the market and the district from which they were coming.

The mapping results refined the final sample to 17 markets. People interviewed during the mapping (which also matched with IJM's casework experience) reported travelling up to 15km to one of the main markets on a weekly basis. Using this metric, in order to ensure a majority district coverage, the base of the sample became the 12 *taluk* markets across the three targeted districts. Then, as shown in Figure 1, the team included an additional five markets to address the coverage gaps of the *taluk* markets—areas where people/labourers were most likely to visit for market shopping while still coming from the three target districts (not border districts). These purposively selected 17 markets (see Table 1) provided an 80% geographical coverage over the three districts. None of these markets, however, were located within Bangalore City, and therefore very few people or labourers living in the city would shop at the targeted markets. See Figure 1 for a graphical portrayal of the sampling frame coverage.

The third and final methodological option considered was to find a public place where labourers visit, which would provide a higher likelihood of getting access to them and also an environment enabling more freedom in their responses.

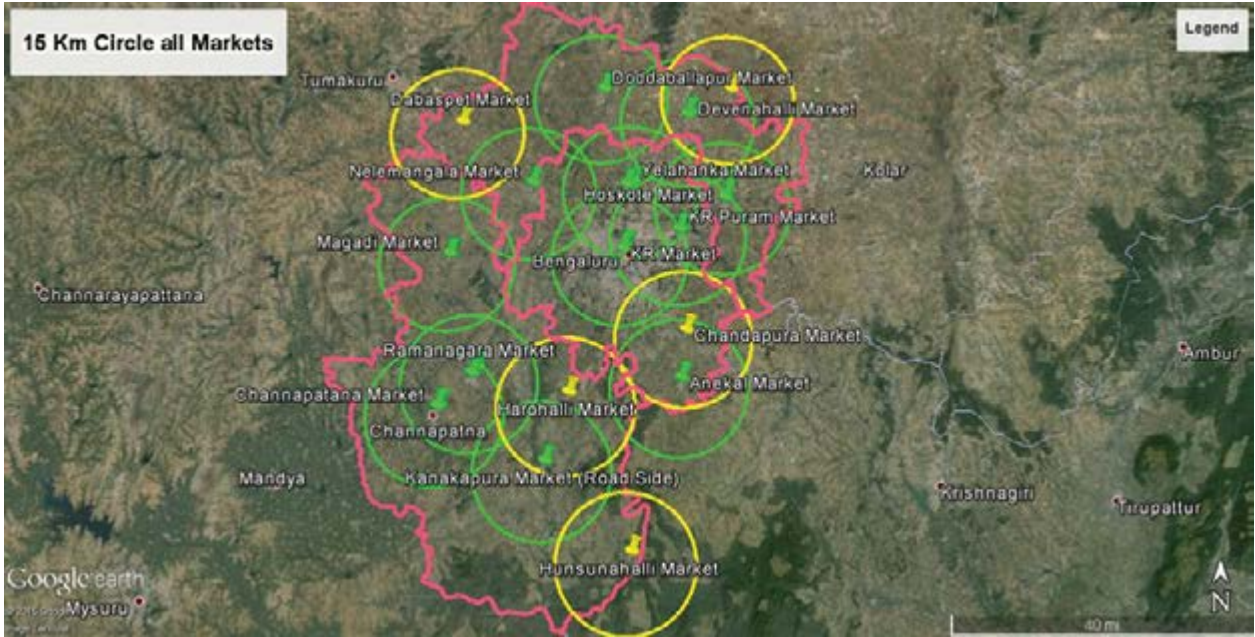


TABLE 1: MARKETS IN THE SAMPLING DESIGN

DISTRICT	TALUK	MARKET NAME
Ramanagara	Kanakapura	Kanakapura*
Ramanagara	Ramanagara	Ramanagara*
Ramanagara	Channapatna	Channapatna*
Ramanagara	Magadi	Magadi*
Ramanagara	Kanakapura	Hunsunahalli
Ramanagara	Kanakapura	Harohalli
Bangalore Rural	Doddaballapur	Doddaballapur*
Bangalore Rural	Hoskote	Hoskote*
Bangalore Rural	Nelamangala	Nelamangala*
Bangalore Rural	Nelamangala	Dabaspur
Bangalore Rural	Devanahalli	Devanahalli*
Bangalore Rural	Devanahalli	Vijayapura
Bangalore Urban	East	Krishnarajapuram*
Bangalore Urban	Anekal	Anekal*
Bangalore Urban	Anekal	Chandapura
Bangalore Urban	North Additional	Yelahanka*
Bangalore Urban	North/South	K.R. Market, (near KR Bus stand)

\* Markets noted with an asterisk are *taluk* markets. Markets without are the additional markets.

FIGURE 1: TALUK MARKET COVERAGE MAP OF DISTRICT POPULATION



\*The green push-pins are *taluk* markets. The yellow push-pins are additional markets. Bangalore Rural District is the pink line outline that makes a half moon shape around the top. Bangalore Urban District is in the middle, and Ramanagara is along the bottom and up toward the left.

The market mapping confirmed IJM’s casework experiences around market going behaviour. The enumeration teams planned to survey in each market twice a week, once on the main market day and then again on another day (non-peak). Most labourers attend the market the same day each week. This would be key for the sampling design to work. In some situations, *maestris* will not allow their labourers, particularly if they are bonded, to attend the main market days, as it provides too much exposure and opportunity to interact with others. Therefore, the *maestris* will allow these labourers to go only to a non-peak market day, and this was one of the reasons the study team needed to survey on a second day.

The target population inclusion criteria included any self-identified labourer working in the three districts. While the industry list on the data-collection form was not exhaustive and allowed an “other” category, the study team highlighted 15 industries to the enumeration team as known industries using manual or unskilled labour: brick kilns, construction, fish farms (including any seafood), flower gardens, jewelry production, manufacturing, match and fireworks, plantations (spice, tea, coffee, cotton, sericulture, fruit/nut grove), regular farming (paddy, vegetable), rice mills, rock quarries (including crushing units), sugarcane farms, textiles (including garment factories, spinning mills, weaving, handlooms, dyeing units), tobacco, and tree cutting (including wood cutting and charcoal making).

Ultimately, the final sample included 4,328 surveys with labourers across 17 marketplaces, representing 3,765 worksites.

SAMPLING METHOD

The desired sampling method within the marketplaces was adaptive sampling, also known as link tracing. It is a relatively new recruitment method for studying networked, hard-to-reach populations. This innovative approach enables estimation of populations through analysis of connections between members of hidden but highly connected populations. The method typically uses incentives (financial or other tangibles) to encourage people to participate in the survey and to refer others. However, in this context, applying the link-tracing component only to bonded labourers would prove difficult for three reasons.

Firstly, bonded labourers are often quite isolated, especially if they are migrant labourers. They are unlikely to be well-connected with other bonded labourers outside their worksite. This would limit the coverage of the “links.” Secondly, bonded labourers often face restricted freedom of movement. This prevents them from effectively being able to make referrals. Thirdly, the labourers may not even realise that the problems they are facing are categorised as bonded labour nor would they know who else should be categorised as a bonded labourer.

This led to the decision to pilot the adaptive sampling with the whole labourer population (both bonded and non-bonded labourers). In doing so, the team’s theory was that the population would find it easier to identify themselves and to find other labourers to refer. Typically, adaptive sampling has the ability to reach deeper into the population to recruit from the more hidden members relative to conventional sampling designs. The resulting sample is one that, through proper inference, has the potential to provide more precise estimates of population quantities.

The pilot confirmed and refuted assumptions and refined the team’s methodology. When opening up the link tracing to all labourers, the population was no longer a hidden population nor a population that would be particularly nervous to come forward for surveying. Expansion of the sampling to include the whole labourer population made the target population a very large percentage of the total population; but it also made it easier for labourers with fewer restrictions to participate. The pilot confirmed this; large crowds gathered to fill out the survey, many of whom did not seem to be labourers at all. The financial incentive offered to participants resembled the method through which some people entered bonded labour. While it turned

out that bonded labourers were willing to participate in the survey, they were scared to accept the incentive, even a non-financial incentive (as they would be questioned on any item that was financially beyond their means or out of the ordinary). The final methodology regarding referrals did not include the offer of any type of incentive and relied solely on the labourers’ own interest in speaking directly with someone of their own background (and native tongue) about their living and working conditions.

The referral mechanism is a necessary component for the link-tracing method, and incentives often facilitate, expedite or even make possible the referrals. Assuming that this study’s referral mechanism would be weak at best with no formal incentive, the study team shifted the principal basis for population estimates to be a mark-recapture (also known as capture-recapture) method of the surveys administered in marketplaces.<sup>90</sup>

Mark-recaptures models are now well-utilised for estimating the size of hard-to-reach populations. The technique relies on measured overlaps among the sampled respondents. Researchers first developed mark-recapture models to estimate wildlife populations, so the method faces different challenges when applied to human populations. As the recruitment patterns of human populations can be radically different from wildlife populations, for example in the form of “self-selection,” complicated mark-recapture models are usually required to obtain meaningful estimates. Since such models also require a complex structure to capture the true heterogeneity in the selection mechanism, large sample sizes are often required to validate the mark-recapture model, making such research very expensive. Furthermore, some populations are highly transient, such as migrant labourers, and therefore are considered open for the duration of a study. The recapturing part of the technique thus becomes challenging. In this study, all of these challenges are applicable but the method still presents the most suitable method for measuring prevalence of bonded labour among a population with restrictions on freedoms.

See Annex A for further literature and evidence on both the link tracing and mark-recapture methods proposed and implemented in this study.

2.1.3 Survey design

*Data-collection tool: survey instrument*

IJM adapted the survey instrument implemented in a prior study: in 2014 on bonded labour in Tamil Nadu.<sup>91</sup> The final instrument, a nine-page survey, had seven sections. The first portion, titled Respondent Details, captured demographics of the labourer. Section 1 captured information about the labourer’s patterns around marketgoing, including the number of times visited, the amount of money spent, distance travelled and any accompaniment of family members. Section 2 asked about the worksite, including the actual physical location and some of the living conditions. Enumerators asked Section 3 to labourers not working in their native district (i.e. intra-state or inter-state migrants), including questions about details of finding the current job and also about their freedom of movement. Section 4 focused on the labourer’s working conditions, wage payment, loans or debts, and savings. Section 5 further gauged forfeited freedoms and receipt of government benefits/schemes. Section 6 included information necessary to implement the adaptive link tracing method.

In total, the survey ranged from 46 to 57 questions, depending on the labourer’s migrant status. On average, the survey took 10-15 minutes to complete. It was developed in English but printed in Kannada, the local and official language of Karnataka State, as well as Telugu, Tamil, Oriya and Hindi. See Annex B to view the entire survey instrument in English.

*Training and field testing*

The on-the-ground study team attended a five-day residential training on the concept and manifestation of bonded labour in India, overall study goal and objectives, study methodologies, the data-collection tool, data management, and security. The IJM headquarters-based study team facilitated this training, which included two days of classroom-style learning and mock interviews, one day of field testing in markets, one day of debriefing the field testing, and one day of review and revision. In total, the study team trained and deployed 70 enumerators for the field test. The majority of the questions had been previously validated with labourers, so the oversight particularly focused on the method itself, as well as the new questions regarding trafficking, the market and information for adaptive link tracing.

*Data-collection method*

The enumerators divided into teams of seven to 10. Each team covered the following languages: Kannada, Hindi, Telugu, Tamil and Oriya. Using the physical maps of each market, which noted the entrances/exits and key pathways/routes, the assigned enumeration team numbered all the various routes leading from one side of the market to the other. The team would arrive at the opening time of the market and collect data until the closing time of the market. The actual method required the team to walk as a team through each pathway in various orders throughout the day. Every third person the team passed, the enumerator in front would ask them if they were a labourer. If the person was a labourer and agreed to take the survey, an enumerator who spoke that labourer’s native tongue would conduct the interview as the rest of the team continued walking down the route to identify more labourers for interviewing. This pattern of walking, counting and interviewing continued until the route was completed. The team would wait at the end for all enumerators to complete their interviews before starting down a new route. For smaller markets, the enumerators abandoned the “every third person” approach, as they could logistically handle all labourers passing.

Before starting an interview, enumerators would explain the informed consent. Given that it would be unsafe for both enumerators and labourers to state the purpose of the study as measuring the prevalence of bonded labour, it was instead accurately generalized to *understanding manual labourers’ living and working conditions*.

Enumerators conducted the interviews in clear sight of everyday marketgoers, as a safety precaution. The teams all wore recognizable study attire and thus a labourer would easily be able to identify them. The enumerators implemented a single interview method, identifying the labourer at the beginning of the interview as either a first-time interviewee or as a “recapture.” If a recapture, the enumerator captured only a small portion of confirmation information. If a first-time interviewee, the enumerator would ask all questions on the survey. At the end of the interview, the enumerator would ask labourers, to “bring others like you for the survey.” This was the attempt for adaptive link tracing: Enumerators would hand three coupons to the labourers, record information about who they planned to give them to, and inform them of the incentive that would be provided to them for referring, as well as to any referral labourer that completes an interview. Recaptured labourers did not receive coupons.

The original data-collection plan involved one week of “soft launch data collection,” where the method implementation and survey administration would be corrected by an accompanying support team. Then, the team would survey in each of the 17 markets for four weeks (“full data collection”), which would allow for a maximum of seven recapture possibilities (one during week 1 and two each during weeks 2-4).

Enumerators conducted the interviews in clear sight of everyday marketgoers, as a safety precaution. The teams all wore recognizable study attire and thus a labourer would easily be able to identify them.



2.1.4 Methodological implications of realized security risk

During the second week of full data collection, a security incident occurred in Bagalur Market. A group of local brick kiln owners threatened the data-collection team and mandated they stop conducting interviews. These owners were most likely using bonded labour in the majority of their workforce (who were from Odisha State) and felt threatened by the survey. For security reasons, data collection in this market halted immediately. Unfortunately, even though the majority of remaining markets were hundreds of kilometres away from each other, a brick kiln owner-network proved well-connected, and data collection in 11 other markets (four in Bangalore Urban, six in Bangalore Rural and one in Ramanagara) halted after the second week of data collection due to perceived and actual threats on the enumerators.

Therefore, due to this security incident, the study’s methodology substantially changed mid-course. Data collection continued in the remaining five markets for an additional two weeks. This explains the larger number of labourers interviewed in Ramanagara District, as the markets terminated early were in the other two targeted districts. The realized security risk also restricted the mark-recapture sampling method to the first two weeks of full data collection instead of the anticipated four weeks, limiting the ability to refine the labourer population estimate further.

2.1.5 Variables and data structure

*Variables for bonded labour*

In order to determine whether a labourer was bonded, the survey included a series of questions to gauge restrictions on freedoms, wage payment and existence of an advance (all elements outlined in the BLA). The study team developed four additional binary variables for analysis yielding a judgment on bondage. See Table 2 for a breakdown of the survey response conditions leading to the new variables. IJM’s experience identifying bonded labourers over many years greatly informed the survey questions and thus the formula for each bonded labour element. Each condition needed to fulfil this presumption: If in the *majority* of cases, the condition was met, the labourer would be bonded in accordance with the law.





TABLE 2: FORMULA FOR BONDED LABOUR AND JUSTIFICATION OF VARIABLES

BONDED LABOUR ELEMENT	VARIABLE NUMBER	VARIABLE NAME	CONDITIONS BASED ON SURVEY RESPONSES	JUSTIFICATION
Forfeited Freedom of Movement (FoM)	1	FoM_308	Element met if labourer:  Does not go to his/her native place, OR	Labourers, irrespective of the location of their workplace, will typically visit their native place for important occasions. This may be to enrol in government schemes, receive government entitlements, attend family functions such as weddings or funerals, attend festivals, or find support/comfort when they are unwell. From IJM's casework experience, it is extremely rare for a labourer to not desire to return home to his/her native place at some point during a year. If any labourer is not allowed to go to his/her native place because of a debt or other obligation, this is proof of bonded labour.
	2	FoM_308a	Goes to his/her native place, but not with whole family, OR	In a bonded labour system, the employer will often hold one or more members of the family as "collateral" to ensure that the departing family actually returns. The forced return of the labourer to see his/her family again is also a form of forfeited freedom of movement.
	3	FoM_503	Never able to take leave when sick	A labourer is likely to get sick at certain points in the year. Not being allowed to recover on these days or seek medical attention if needed is good indication of forfeited freedom.
	4	FoM_3	Employer or maestri escorted labourer to market and watched all movements/ interactions	In a bonded labour system, an employer will often want to limit labourers' movements even when they are away from the worksite. Oversight at the market by the employer or maestri is used to ensure that labourers do not go beyond their allowed time or try to go anywhere else. Therefore oversight is a good indication of forfeited freedom of movement.

BONDED LABOUR ELEMENT	VARIABLE NUMBER	VARIABLE NAME	CONDITIONS BASED ON SURVEY RESPONSES	JUSTIFICATION
Forfeited Freedom of Employment (FoE)	5	FoE_308b	<b>Element met if labourer:</b>  Took an advance (Adv – Variable 9 below) AND had to come back and work at the same worksite	An obligation to return to a worksite after going to the native place could be the result of various reasons, some of which would be legal requirements in a contract. In other cases, this obligation could arise from an outstanding debt to the employer. If the requirement to return exists alongside an advance, it is a good indication that the person is a bonded labourer.
	6	FoE_501.3	Not able to work elsewhere until advance is repaid, OR	Freedom of employment should allow a labourer to change employers or decide not to work for a period of time. This freedom can be legally limited in a contract but it cannot be limited on the basis of debt. To do so makes a person a bonded labourer. Bonded labourers are often prevented from seeking alternative employment, even if they could repay the debt faster by working somewhere else.
	7	FoE_501.6	Could not work elsewhere when there was no work at the current worksite, OR	In some industries, work will not be possible on particular days or for even longer periods of time (due to seasonal or weather dependencies). If the employer will not allow the labourers to obtain other employment particularly during these "off times," this indicates the labourer has forfeited his/her freedom of employment.
	8	FoE_502.1	Always worked on festivals and holidays	A labourer is likely to want to celebrate some festivals at certain points in the year. Working on <i>all</i> festivals is a good indication of forfeited freedom of employment.
Receipt of Advance/ Existence of Debt or Obligation	9	Adv	<b>Element met if labourer:</b>  Reported receiving a loan from an employer, receiving an advance, having deductions from wages to pay advance	Asking directly about an advance might have alerted people to the fact they were being asked about bonded labour. Therefore the survey included a few indirect questions that aimed to reveal the presence of an advance. In asking questions about wages received, the enumerators also asked about any deductions and the reasons for these deductions. The enumerator asked about loans and the source of the loans as well. Lastly, in asking about employment restrictions (Q501) to work other places, the enumerator offered "only if I repay the loan" as an answer choice, which would be indicative of an advance.
	10	Oblg_206	Reported having an "obligation" to the employer in some way	A labourer living at the worksite itself or on premises provided or owned by the employer meets the criteria for the labour being indebted or obliged to the employer.

BONDED LABOUR ELEMENT	VARIABLE NUMBER	VARIABLE NAME	CONDITIONS BASED ON SURVEY RESPONSES	JUSTIFICATION
<i>Paid Nominal Wages</i>	11	<i>MinWage</i>	<i>Element met if labourer:</i>  Reported receiving a wage “in hand” that is lower than the minimum wage for the respective industry	According to the BLA, “nominal wages” is defined as anything less than the minimum wage. The minimum wage is set by the appropriate government for different roles and industries. Calculating a labourer’s daily wage is difficult, as it requires various levels of information. The calculated wage per labourer must consider the amount they received, frequency of payment, number of workers included in that payment, number of hours worked each day (on average), number of days worked each week (on average), and any deductions made. Capturing the “in hand” wage versus asking “how much do you earn” is critical, because the labourer will often report the wage that is promised (instead of what is actually received) by the employer. The wage that is promised will often not be an accurate reflection of the wage paid, as this is part of the deception used with the bonded labourer.

The number and percentage of labourers surveyed who met all of these elements are presented in the results. The study team used forfeited freedoms as the main determination of bonded labour for this study for the following reasons:

- 1) Receipt of advance is difficult to both safely or accurately measure in this survey method. Without an established rapport, a lack of trust will lead a labourer to hide or lie about an advance for his/her own fear of repercussions from the employer or out of shame.
- 2) Wage payment is difficult to capture accurately using this method, as it assumes a consistency in payment as well as a certain level of knowledge around pay breakdown. Both of these are challenges for the labourer, given the employer's degree of deceit around payment, fluctuating pay periods and various deductions. Labourers’ own numeracy level is often low, and the differing payments based on sex, role and number of workers complicate an accurate portrayal of payment/worker.
- 3) In IJM’s casework experience, restrictions on freedoms are the most reliable indicators of bonded labour. Reviewing the initial documentation of cases of legally recognized bonded labour, receipt of advance and minimum wage among the labourers are often reported inaccurately or incompletely. Only after multiple follow-up discussions and an established trust does a complete and accurate portrayal of these elements emerge. In almost all cases where labourers presented with restrictions on freedoms, some form of advance, loan or obligation would ultimately be uncovered.

Table 3 outlines the formulas used for each element, as well as the overall definition of bonded labour, for the purposes of this study:

TABLE 3: NAMES AND DEFINITIONS OF FOUR BINARY (0/1) VARIABLES OF BONDAGE

VARIABLE NAME	TYPE OF BONDAGE	DEFINITION
FoM_Total	Forfeited Freedom of Movement	= 1 if at least one of component variables 1 through 4 = 1.
FoE_Total	Forfeited Freedom of Employment	= 1 if at least one of component variables 5 through 8 = 1.
BL_Both	Both freedoms forfeited	= 1 if both FoM_Total and FoE_Total = 1.
BL_FoM_FoE (Bonded4)	Either Forfeited Freedom of Movement or Employment	= 1 if either FoM_Total or FoE_Total = 1.

Variables for trafficking into bonded labour

To determine an incidence of trafficking into bonded labour, as outlined in the literature review, the Palermo Protocol requires an act of trafficking (what is done), an *exploitative purpose* (why it is done) and means (how it is done).<sup>92</sup> Table 4 outlines the formula used in the survey for determining if a labourer was a suspected trafficking victim. The formula utilized is a conservative one, as the data-collection method did not allow for an exhaustive assessment of act (which includes transfer, harbouring or receipt of persons) or means (which includes threat or use of force, abduction, coercion, fraud, abuse of power or of vulnerability, or the giving/receiving of payments to achieve consent). All of these conditions were not able to be isolated in a short survey in the market.



TABLE 4: FORMULA FOR TRAFFICKING AND JUSTIFICATION OF VARIABLES

TRAFFICKING CRITERIA	VARIABLE NUMBER	VARIABLE	VARIABLE NAME	LABEL AND JUSTIFICATION
Act	1	Recruitment by Agent	Rec_Agt	<i>Recruitment by Agent</i>  The agent is assumed to know the conditions and placement of the labourer and thus is “procuring.”
	2	Recruitment by Employer	Rec_Emp	<i>Recruitment by Employer</i>  The employer knows the conditions and placement of the labourer and thus is “recruiting.”
	3	Transportation by Agent	Trans_Agt	<i>Transported by Agent</i>  When transportation is arranged by the agent, then the agent has engaged in “sending” the labourer or “bringing the labourer from their place of origin to anywhere else.”
	4	Transportation by Employer	Trans_Emp	<i>Transported by Employer</i>  When transportation is arranged by the employer, then the employer “receives” and expects to “harbour” the labourer.
	5	Receiving by Employer	Migrant	<i>Migrant Worker Received by Employer</i>  All migrant workers are “received” by the employer.
Means	6	Advance	Adv_Total Oblg	<i>Working under advance, loan or obligation from employer</i>  An advance or loan from the employer or an obligation (housing) to the employer constitutes “giving money or benefits to achieve the consent of a person having control over another person.”
	7	Not paid agreed-upon amount or not paid	Dec_Paymt	<i>Deceptive payment agreement</i>  Those who were not paid the agreed-upon amount or not paid at all—this variable demonstrates deception.
	8	Cannot work elsewhere	No_Work	<i>Cannot stop work at current location</i>  Those who could not quit work voluntarily—this variable shows coercion or force.

TRAFFICKING CRITERIA	VARIABLE NUMBER	VARIABLE	VARIABLE NAME	LABEL AND JUSTIFICATION
Purpose	9	Restriction on freedom of movement	FoM_Total	<i>Restricted freedom of movement</i>  Those who have restrictions on their movement—this variable demonstrates forced labour exploitation and a form of slavery.
	10	Restriction on freedom of employment	FoE_Total	<i>Restricted freedom of employment</i>  Those who have restrictions on their movement—this variable demonstrates forced labour exploitation and a form of slavery.
	11	Receives excessive deductions	Excess_Deduct	<i>Deductions from pay</i>  Those with more than 25% of their earnings in hand deducted with each payment—this variable demonstrates exploitation.
	12	Works excessive hours	Excess_Hrs	<i>Hours per day or per week of work</i>  Those who reportedly worked 13 hours or more per day or 78 or more total hours per week—this variable demonstrates exploitative and excessive work.
	13	Paid less than minimum wage	Min_Wage	<i>Minimum wage payment</i>  Those whose minimum wage was determinable, any labourer not paid the minimum wage for their industry type—this variable demonstrates exploitation.

Note: All presumptions listed in this table have also been evidenced through IJM’s casework experience.

For the purposes of this study, a labourer was considered trafficked if he or she had evidence of act, means and purpose (any one of variables 1-5 + any one of variables 6-8 + any one of variables 9-13 in Table 4). The crime of human trafficking includes three elements: acts, means and exploitative purpose.<sup>93</sup> Confirming that the crime of human trafficking for labour exploitation occurred typically involves an extensive criminal investigation, including multiple in-depth witness interviews. For purposes of estimating rates of trafficking in this study, we counted a respondent as trafficked if his or her answers to the questionnaire indicated any two of the three elements.

2.1.6 Analysis methods

The analyst utilized a mark-recapture procedure in order to estimate the total labourer population and then the survey sample’s bonded labour proportion as the extrapolation percentage. The procedure takes the worksites as the units of the population and assumes no immigration, emigration, births or deaths of worksites from the study population (i.e. a closed population) over the course of the study. There were three sampling occasions defined each over the weeks of April 11-17 (soft launch of data collection), April 18-24 (first full data collection week) and April 25-May 2, 2015 (second full week of data collection), as this was the only timeframe that enumerators visited all markets. (Performing a mark-recapture analysis on the full data set would skew estimation because only a subset of the marketplaces was available for capture after

May 2.) A unit (worksite) is “captured” during a sampling occasion if at least one of its labourers is interviewed during the sampling occasion. Table 5 gives the number of captures over each sampling occasion. The soft launch week and first two weeks of full data collection yielded 1,945 worksites captured for the first time (non-duplicative ). When factoring in recaptures, these three weeks of data collection captured 1,981 worksites  $[1,913 + (2 \times 28) + (3 \times 4)]$ , irrespective of the number of times or whether it was the first or last time captured.<sup>94</sup>

TABLE 5: NUMBER OF WORKSITES CAPTURED PER SAMPLING OCCASION

SAMPLING OCCASION	NUMBER OF WORKSITES CAPTURED FOR THE FIRST TIME	NUMBER OF WORKSITES CAPTURED FOR THE LAST TIME	TOTAL NUMBER OF WORKSITES CAPTURED (RECAPTURES INCLUDED)
April 11-17	632	614	632
April 18-24	589	582	600
April 25-May 2	724	749	749
TOTAL	1945	1945	1981

Table 6 provides a count of the number of worksites captured once, twice and three times, further illuminating the derivation of the 1,945 non-duplicative worksites and the 1,981 total worksites including recaptures.

TABLE 6: NUMBER OF CAPTURES PER WORKSITE

NUMBER OF TIMES A WORKSITE IS CAPTURED	NUMBER OF WORKSITE CAPTURES
1	1913
2	28
3	4
Total	1945

Although the number of recaptures were somewhat sparse, the analyst was still able to apply a mark-recapture analysis to determine a lower bound estimate of the number of worksites based on the Mth Chao Lower Bound estimator,<sup>95</sup> accounting for both time and heterogeneity effects.

Additionally, the analyst extracted the estimates of the sampling parameters corresponding with each sampling occasion, as well as the surveyed labourers’ approximation of the total number of labourers working at their worksite. This enabled the analyst to use a Horvitz-Thompson type of estimator to generate an estimate for the total labourer population.

The overall analysis included 31 labourers who were recaptured in the surveying process. Of these 31 recaptures, 21 were within the first three weeks of data collection, which in-turn facilitated obtaining a stable mark-recapture estimate. For the purposes of estimating the labourer population quantities, the analyst treated the recaptures as repeat selections, so that the sampling design could be one that conceivably makes selections with replacement. This in-turn helped to balance the stratified sampling design.

The analyst used R statistical programming software for the analysis, including the projected estimates on labour population, t-tests, logistic regression, standard error and 95% confidence intervals on specific indicators.

2.1.7 Data quality audit methods

The study incorporated various data quality assurance and audit (DQA) techniques into the data collection, data entry and labourer population estimates.

For data collection, bonded labour experts from IJM accompanied the local enumeration teams on the initial and second survey days at each assigned marketplace. This was to ensure accurate question interpretation, data collection, and implementation of link tracing and recapture methods. Additionally, supervisors of each team conducted a full audit of all forms at the end of each day’s data collection. The enumeration teams then sent these survey forms to the local research team’s headquarters, for the results to be entered by trained data enterers. Both the data auditor from IJM and the local research team’s study manager oversaw data entry, conducted 10% hard-to-soft copy verification and approved any necessary data changes.

In regard to the total labourer population estimates, the study team interviewed local government officials as well as NGOs working in the area to obtain any recorded worker/labourer or worksite figures for each district. These interviews, however, did not yield the necessary DQA information. Either the data provided was a “guesstimate,” meaning no official records, or the little information given was not specific enough or only pertained to the subject matter or geographic concentration of interest to the interviewee. No interviewee had data on the amount of labourers and worksites that were part of the informal working sector. The other attempt made by the study team for DQA of labourer population included having the enumeration teams count all the labourers and general public coming to the market in one day. The goal of this exercise was to help refine the estimations by at least having a solid working number and proportion of labourers to public. If assumed that labourers come to the market as often as the general public, this proportion could be applied to the three districts’ general population figures to estimate the labourer population for each district. This information is included in the Survey Results section 3.4.

Once the data enterers had submitted the soft-copy data to IJM on a weekly basis, other study members conducted data validation techniques on various survey questions, including worksite name and location, labourer’s native origin district and village, industry group, and skip patterns. Additionally, the DQA team at IJM created worksite IDs in order to match labourers working at the same site and thus determine the number of unique worksites covered through the survey.


2.1.8 Data management

The local research team housed the hard copy data. Enumeration teams sent the data by courier to the GfK Mode headquarters, where it was entered into FoxPro, which was then exported into Microsoft Excel for further cleaning and some analysis. Only the team associated with this study had access to the hard and soft copy data. Every few days, the local research team uploaded the data onto Teamwork, a project-management site. This program allows permissions to be set on each file uploaded and for each person given access to the study site. The external data analyst, IJM headquarters and field teams, and local research team all accessed the study files and data via Teamwork.

2.1.9 Limitations

While the study team believes that this research represents a comprehensive attempt in using hard-to-reach statistical methods to survey a labourer population currently in bondage outside the workplace, it suffers from the following weaknesses and limitations:





Migration for work is a vulnerability factor for bonded labour. Therefore, in addition to surveying current labourers in the marketplaces, the study team wanted to gain in-depth [qualitative] knowledge and stories from current migrant labourers coming to Karnataka for work.

#### Sample design

- People travelled up to 15 km to the market; however, many people living in Bangalore city typically do not travel this far to a marketplace. While the research team believes all labourers in these districts (but outside Bangalore city), bonded or not, must visit the markets in our sample, it is difficult to determine whether all of them would have made a trip to these marketplaces to be captured and re-captured. About 12.1% of the labourers in the study sample only came to the market monthly, which suggests these monthly shoppers may not be well-represented. These situations could potentially contribute to an over-estimation of the labourer population.
- The odds of inclusion in the study sample were not evenly distributed across all market sites. Some markets are much smaller and less busy on certain days. A labourer who comes on these days or to these markets has a much higher chance of being surveyed than a labourer who comes to a large market on a busy day. Furthermore, some labourers may have restricted access to a marketplace. Bonded labour, by definition, casts doubts on labourers' freedom to shop at local markets, which would exclude them from our data-collection efforts. In some situations that we found, only one person from each worksite was allowed to go to the market on behalf of all families in that worksite. These other families would therefore be excluded from the data.
- The study team made efforts to have a naturally balanced (stratified) sampling design based on prior observations of the rates of visits to the markets. However, these are not necessarily solid or validated numbers. A general lack of external data sources to provide additional confidence in the estimations may expose the study's findings to alternative interpretations. The lack of official or independent studies of comparable definitions makes it difficult to generalize the findings.

#### Data-collection methods

- Due to security threats, the field teams were unable to survey in two-thirds of the marketplaces for the planned full data-collection period. While the data analyst used statistical procedures to compensate for this limitation, it is possible that labourers surveyed in these 11 markets terminated early were systematically different from those who were not surveyed. Additionally, this analysis method's estimates become more accurate the longer data is collected. Therefore, the security issue limited the ability to continue to refine and gain greater confidence in the accuracy of the labourer population estimate.
- Based on IJM's field experience, when bonded labour occurs in a worksite, the *maestri* typically allows only the male in each family to go to the market each week. This cultural practice inevitably interjected a gender bias into the data.
- In less than 1% of interviews, the enumerators reported that a *maestri* was either present for the interview or attentively watched the situation. While this number is low, the study team expects this percentage to be an underestimation, as these occasions were visibly observable. Often times, the *maestris* are not blatant about their supervision and thus not recognizable to an enumerator. In cases where *maestris* were present or nearby, labourers may be fearful to provide truthful answers to the sensitive questions and, thus, the bonded labour would be underestimated. Receipt of advance, the "red flag" for a bonded labourer, would be one answer the study anticipates to be an underestimation.
- Some of the topics that enumerators inquired about change, even slightly, and with unknown frequency. Additionally, given the literacy and educational level of the labourers, the accuracy of answers requiring computation of some kind is unknown. Therefore, the



estimations around worksite-size, wage payment, frequency of market visit, work schedule (number of hours), etc. should be viewed as approximations and not perpetual truths.

Given the resources available and the circumstances as described above, the research team believes the survey design and its implementation represent the best possible strategy to arrive at an estimate of the bonded labour population in these three districts. Findings presented in this report must therefore be validated by future studies that, preferably, use different methods and field approaches. The fact that both the mark-recapture survey and in-depth interviews suggest similar findings for bonded labour around Bangalore gives the team confidence in the validity of the findings. Future research efforts will help improve the precision of the estimates on the size of the bonded labour population.

2.2 QUALITATIVE METHODS

When considering a qualitative component to this study, the study team factored in prior research conducted on bonded labour in southern India and IJM’s on-the-ground casework experience in Karnataka. Migration for work is a vulnerability factor for bonded labour. Therefore, in addition to surveying current labourers in the marketplaces, the study team wanted to gain in-depth knowledge and stories from current migrant labourers coming to Karnataka for work. The objectives of this side of the study were to triangulate findings from the quantitative, marketplace survey, including the percentage of migrant labourers who have been or are currently under a bonded labour scheme; identify push/pull factors for migrant labourers and, particularly, those who end up in bonded labour situations; determine mechanisms by which people migrate and end up in bonded labour situations; document effects/consequences of bonded labour victimization, including types and levels of violence; assess vulnerable populations’ knowledge and awareness of bonded labour and their perception of government’s role around and response to it.

2.2.1 Sampling design

For security and safety reasons, it was not possible to conduct longer, in-depth interviews with labourers identified at the market or to even set up follow-up times for these discussions. Therefore, the study team decided to employ a snowball sampling technique, utilizing IJM’s own client portfolio as a starting point. First, the study team analysed the native districts and villages from the labourers interviewed in the marketplaces, then searched the IJM client database for someone living in that same area. The interview team would then contact these current or former clients (called “seeds”) and ask them to refer the team to someone outside of their family, but living in their area, who has travelled to Karnataka for work in the last three years. This would be the person interviewed. After the interview, the interviewer asked the labourer to identify another person or provide multiple names of people meeting the original criteria: labourer in the area, outside of his/her family, who has travelled to Karnataka for work in the last three years. If none of the contacts could be contacted, the team approached the village leader and asked for referrals.

In total, the study team aimed for a total of 50 in-depth interviews, spread across southern and eastern India. The “seeds” would come from six different source communities in Odisha State (leading to 20 interviews in total), one source community in West Bengal State (leading to five interviews in total), one source community in Tamil Nadu State (leading to five interviews in total), one source community in Andhra Pradesh (leading to five interviews in total) and one source community in Karnataka (leading to five interviews in total). The purpose of interviewing

labourers residing in Karnataka was to capture intra-state migration as well. In addition to this location-based selection criteria, interviewees must have been at least 18 years old, with an aim of completing half of the interviews with women.

2.2.2 Instrument design

Data-collection tool: in-depth interview guides for labourers

The study team developed a semi-structured interview guide with 33 main questions spanning the following topics: current work experience, migration to Karnataka, working conditions in Karnataka, the process of returning from Karnataka, abuse at the workplace, experience with and confidence in government institutions, and definitions and causes of bonded labour. The questions were predominantly open-ended, but some were intentionally close-ended questions intentionally used for sensitive subjects, adding probing follow-up questions for specific responses.

Training and Field Testing

In total, three different qualitative researchers conducted these interviews with migrant labourers. All interviewers had prior qualitative research experience and also attended a two-day training on this research. The first day involved classroom learning about the study objectives, bonded labour generally, the guide, and a refresher on good-practice qualitative interviewing techniques and note-taking. The second day debriefed on the various interviews conducted as part of field testing. After field testing and debriefing, the study team revised the guides to address questions difficult to interpret or understand or that needed additional probes.

Data-collection method

After receiving contact information from the IJM “seed” client, the interviewer called and set up an interview time, date and location. On the phone, the interviewer briefed the labourer on the purpose of the interview and, once in person, conducted a full informed consent process. The interview took, on average, one and a half to two hours. All labourers agreed to be audio recorded, which was later transcribed in the local language and then translated into English for analysis. Each labourer completing an interview received a small token (lunch boxes and cash) for reimbursement of his or her time and travel.

2.2.3 Data-management techniques

The local research team collected all audio recordings of the interviews and stored them securely on their organization’s hard-drive. Only study team members had access to these files, which also included the typed interview notes from the note-taker. As with the quantitative marketplace survey, the local research team uploaded the qualitative transcripts onto Teamwork after transcription and translation. A secondary review of the English translation occurred in order to identify any phrases or terms that would need further explanation.

2.2.4 Analysis methods

The qualitative analyst accessed all finalized transcripts from Teamwork for analysis. After reading a transcript, the analyst placed each narrative response into Excel, corresponding to the respective question. This allowed for question-by-question coding and thematic analysis, highlighting individual quotes that illuminated the theme. To accommodate the story-form that some transcripts reflected, the analyst also studied the data across the various guide topics, pulling out trends emerging across the migrant labourers. Additionally, bonded labour experts

The qualitative analyst accessed all finalized transcripts from Teamwork for analysis. After reading a transcript, the analyst placed each narrative response into Excel, corresponding to the respective question.



at IJM reviewed the labourer’s narrative responses in Excel and, utilizing a similar formula as in the quantitative marketplace survey (coupled with their own on-the-ground expertise in identifying bonded labourers through conversations similar to these interviews), determined bonded labour and suspected trafficking status. The qualitative analyst overlaid these formula-based victim statuses with responses labourers provided, self-identifying as a current or former bonded labourer, as well as their migration practice and knowledge of bonded labour. The results found in Section 4 of this report reflect the overall emergent themes from the interviews with migrant labourers.

2.2.5 Limitations

The three main limitations of these in-depth interviews are highlighted here:

- The snowball sample is not representative of all labourers migrating for work in Karnataka or of all labourers coming to the targeted marketplaces in the quantitative survey.
- Due to the snowball sampling technique, the labourers interviewed were linked or known to each other, adding a clustering effect and thus limiting the range and diversity of responses and work experiences.
- As with all interviews, the responses reflect, in the best case, a labourer’s actual perceptions, knowledge, experiences and opinions. It is possible that labourers embellished or underemphasized particular pieces of their stories due to social desirability bias or a perception that certain answers would benefit or reflect poorly on them.

<sup>86</sup>This is based on IJM cases from 2013 to 2014.

<sup>87</sup>India Census 2011: <http://www.census2011.co.in/census/state/karnataka.html>

<sup>88</sup>Ultimately, Bangalore city had to be excluded from the study because sampling in this populated urban area would require a different methodology. Instead of having one main market servicing the population, the city has countless smaller- and larger-scale markets. Additionally, the types of industries in the city manifest restrictions on freedoms different from those in the more rural areas (domestic servitude in private residences, employees of businesses and offices, etc.).

<sup>89</sup>*Taluk* markets are the central market for each respective Indian sub-district, designed to service the majority of the residents of that *taluk*.

<sup>90</sup>Mark-recapture studies provide two methodological benefits:

- 1 Density estimates are not required, i.e. only information on bonded labourers is needed.
- 2 A sampling frame is not required; sample selection probabilities are estimated with refined and robust methods based on mathematical models that have the ability to account for heterogeneity, time and behavioural effects, and possibly immigration/emigration over the duration of the study.

<sup>91</sup>IJM, Westat and National Adivasi Solidarity Council (NASC) jointly developed this survey instrument to measure bonded labour prevalence in the entire state of Tamil Nadu. IJM and NASC field-tested the instrument, and Westat conducted validity testing on exercises implemented by NASC with the instrument.

<sup>92</sup>Article 3, paragraph (a) of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons* defines Trafficking in Persons (“Palermo Protocol”) as “the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

<sup>93</sup>A Indian Penal Code §370 (2013); United Nations (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children.

<sup>94</sup>The 3,765 total worksites captured over the course of the study takes into account *all* weeks of data collection, not just the soft launch week and first two weeks of full data collection (capturing 1,981 worksites).

<sup>95</sup>Baillargeon, S. and Rivest, L.-P. (2007). Rcapture: loglinear models for capture-recapture in *r. Journal of Statistical Software* 19, 1–31.



# Survey Results

In total, enumerators surveyed 4,328 labourers over the course of data collection. Twenty-two labourers reported working in worksites outside of the three targeted districts and therefore were excluded from analysis.

3 – SURVEY RESULTS

3.1 CHARACTERISTICS OF LABOURERS SURVEYED IN THREE DISTRICTS OF KARNATAKA

Key Findings

4,306 labourers surveyed:

93.7% male, 6.3% female

82.7% 45 years and younger

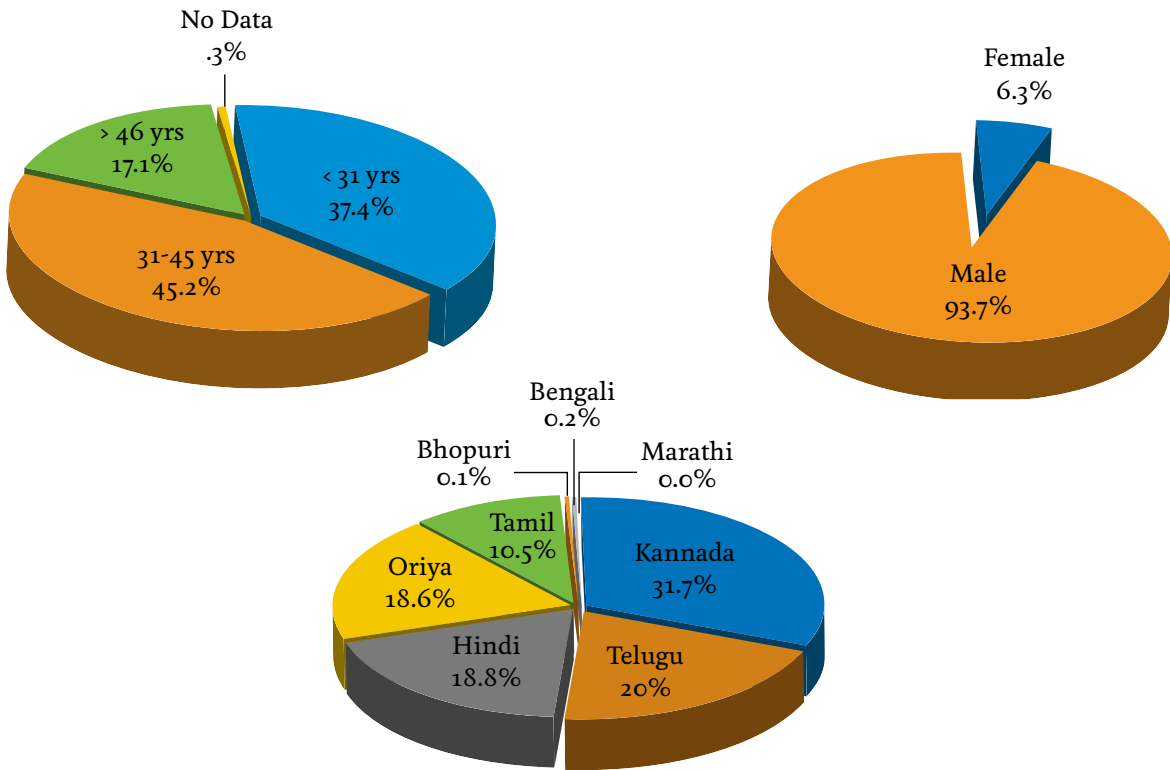
38.6% had no formal education, 65.4% did not proceed past primary

44.1% from Karnataka, with 14 other Indian States and Nepal represented

Working in 15 unique industry groups (and an “other” category)

Out of the 4,306 labourers surveyed in the marketplaces, 1,612 (37.4%) were below age 31, 1,948 (45.2%) were 31-45 years old and 738 (17.1%) were 46 years or older (eight labourers did not confide

FIGURE 2: AGE, SEX AND LANGUAGE OF LABOURERS SURVEYED



their ages). Enumerators interviewed 270 female labourers and 4,036 male labourers. The primary language of the labourers was Kannada (31.7%, n = 1,367). Other languages spoken included Telugu (20%, n = 862), Hindi (18.8%, n = 810), Oriya (18.6%, n = 802), Tamil (10.5%, n = 451) and Bengali (0.2%, n = 10). Three labourers surveyed spoke Bhojpuri and one reported Marathi as his native tongue. See Figure 2 for graphical depiction of these demographic characteristics.

More than one-third of the labourers (38.6%, n = 1,662) had no formal education, and 31 labourers had completed a vocational course in the past. Of the 2,613 labourers who reported completing some school, the majority (65.4%) did not proceed past elementary. See Table 7 for the disaggregation by class.

TABLE 7: CLASS LEVEL COMPLETION FOR LABOURERS WHO ATTENDED SCHOOL

CLASS	NUMBER OF LABOURERS COMPLETED CLASS	PERCENT
1	13	0.5
2	91	3.5
3	173	6.6
4	205	7.8
5	411	15.7
6	160	6.1
7	335	12.8
8	323	12.4
9	257	9.8
10	491	18.8
11	23	0.9
12	131	5.0
TOTAL	2613	100.0

The vast majority of the labourers (78.8%, n = 3,395) reported having family members with them at the market or living in the area (including at the worksite). Most (2,447) reported residing with between two and five other family members, but 1,526 labourers reported residing with no other family members (being either single or in Karnataka without family). On average, labourers reported working at their current worksite for 5.5 years (standard error: 0.12; confidence interval: 5.3 – 5.8).

In total, 97.4% of labourers surveyed identified as working in 15 different industry groups. Tobacco and match and fireworks had the least representation across the surveys, with 0.3% or 15 labourers. Enumerators interviewed nearly three times as many labourers working in construction (35.1%) over other industry groups. Labourers working in brick kilns, flower gardens, manufacturing, regular farming, rock quarries, textiles and “other”<sup>96</sup> industries made up between approximately 4.9-14% of those interviewed.



TABLE 8: NUMBER/PERCENTAGE OF LABOURERS SURVEYED AND WORKSITES SURVEYED, BY INDUSTRY GROUP

INDUSTRY GROUP	NUMBER OF LABOURERS SURVEYED	PERCENTAGE (%) OF LABOURERS SURVEYED	NUMBER OF WORKSITES REPRESENTED
Brick kiln	460	10.7%	343
Construction	1510	35.1%	1347
Fish farm	21	0.5%	21
Flower garden	222	5.2%	210
Jewelry production	36	0.8%	32
Manufacturing	390	9.1%	262
Match and fireworks	15	0.3%	15
Other	110	2.6%	98
Plantation	178	4.1%	177
Regular farming	602	14.0%	587
Rice mill	73	1.7%	66
Rock quarry	209	4.9%	182
Sugarcane farm	24	0.6%	23
Textiles	286	6.6%	241
Tobacco	15	0.3%	12
Tree cutting	155	3.6%	149
TOTAL	4,306	100.0	3,765

Overall, the sample included labourers from 15 states in India, as well as one originally from Nepal. The largest percentage of labourers surveyed was originally from Karnataka State and, as expected, from the three districts where the surveying took place. The second-most common native origin was Odisha State (18.5%), with an additional 200-400 workers each coming from Tamil Nadu (9%), Andhra Pradesh (8.8%), Bihar (6.4%) and Uttar Pradesh (5.4%). See Table 9 for the breakdown of labourers into their native state and districts (for Karnataka only).

TABLE 9: NATIVE ORIGIN (COUNTRY/STATE/DISTRICT) OF LABOURERS SURVEYED

COUNTRY	STATE	DISTRICT	NUMBER OF LABOURERS SURVEYED	PERCENTAGE (%) OF LABOURERS SURVEYED
Nepal			1	00.02%
India	Karnataka		1899	44.1%
		Ramanagara	918	
		Bangalore Urban	615	
		Bangalore Rural	132	
		Kolar	40	
		Chikkaballapur	29	
		Mandya	23	
		Kalaburgi	19	
		Tumkur	18	
		Mysore	12	
		Raichur	12	
		Ballari	11	
		Yadagiri	11	
		Davangere	9	
		Dharwad	7	
		Chitradurga	6	
		Chamarajnagar	5	
		Gadag	4	
		Bagalkot	4	
		Haveri	4	
		Koppal	3	
		Vijaypur	3	
		Hassan	2	
		Belgum	1	
		Mangalore	1	
		Shivamogga	1	
		Udupi	1	

COUNTRY	STATE	DISTRICT	NUMBER OF LABOURERS SURVEYED	PERCENTAGE (%) OF LABOURERS SURVEYED
		No Response	8	
	Odisha		809	18.8%
	Tamil Nadu		388	9.0%
	Andhra Pradesh		383	8.9%
	Bihar		272	6.3%
	Uttar Pradesh		236	5.5%
	Jharkhand		74	1.7%
	West Bengal		73	1.7%
	Madhya Pradesh		54	1.3%
	Assam		40	0.9%
	Rajasthan		37	0.9%
	Telangana		14	0.3%
	Chattisgarh		14	0.3%
	Maharashtra		9	0.2%
	Uttarakhand		2	0.05%
	No Response		1	0.02%
	TOTAL		4,306	100%

3.2 ESTIMATES OF TOTAL LABOURER POPULATION AND THE NUMBER OF WORKSITES IN THREE DISTRICTS OF KARNATAKA

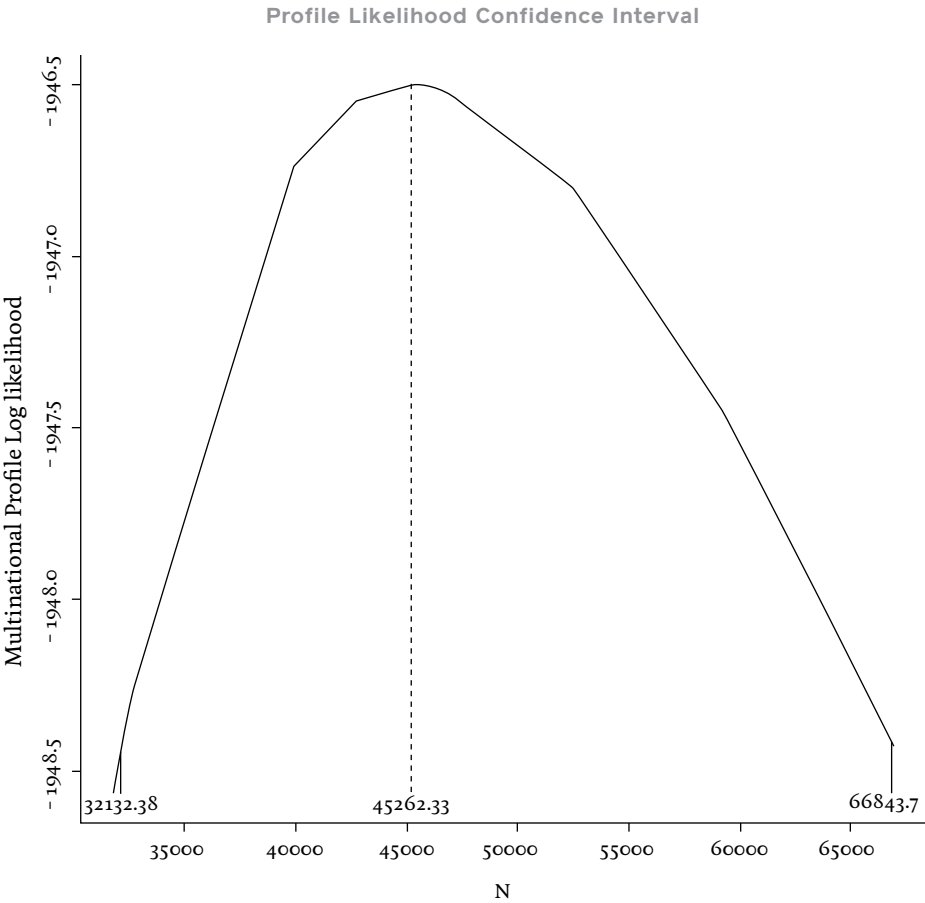
Key Findings

The estimated total number of labourers in the study area was 1,670,734, and the total number of worksites was 45,262.

Using the results and estimates from a mark-recapture analysis, the Horvitz-Thompson estimator for the total number of labourers in the study area (Bangalore Urban, Bangalore Rural and Ramanagara Districts) is 1,670,734. The standard error of the total labourer population estimate, evaluated based on the linearization procedure, is 87,663, with a corresponding nominal 95% confidence interval based on using nominal 95% confidence based on the Central Limit Theorem (CLT) is (1,498,918; 1,842,550).

Based on a mark-recapture procedure applied to the unique worksite IDs, the Mth Chao Lower Bound model fit the data best, yielding the total number of estimated worksites in the study area (three target districts) as 45,262.3 with standard error of 8,432.4. A corresponding 95% profile likelihood confidence interval for this estimate is 32,132.4 to 66,843.7. Figure 3 provides a visual illustration of the profile likelihood for the worksite population size.

FIGURE 3: ESTIMATED NUMBER OF WORKSITES IN STUDY AREA



3.3 BONDED LABOUR PREVALENCE ESTIMATES

Key Findings

The prevalence of bonded labour in the three targeted districts of Karnataka was 33.4% or an estimated 558,334 bonded labourers.

All industry groups surveyed were using at least some bonded labour in their labour force. Brick kilns, fish farms, plantations, rock quarries, rice mills, tobacco and “other” were bonded labour-prevalent industries, with roughly 40% or more of their workers employed as bonded labourers.

A total of 34.3% of all worksites in the surveyed areas were using bonded labour.



Across all labourers surveyed in the targeted marketplaces, 33.4% (N = 1,439/4,306) were bonded at that time.

When applying a mark-recapture analysis to these individuals identified as bonded labourers in the survey, and assuming that non-bonded and bonded labourers were going to the market at the same rate as the study sample, an estimate for the number of bonded labourers is 558,334.

All industry groups captured through the survey were using at least some bonded labour in their labour force, with the prevalence of bonded labour varying between 22.9% and 47.6%. Brick kilns, fish farms, plantations, rock quarries, rice mills, tobacco and “other” all had roughly 40% or more of their workers employed as bonded labourers. These would be considered “bonded labour-prevalent” industries, according to this study. See Table 10 for the complete breakdown of labourers across each industry.

TABLE 10: NUMBER/PERCENTAGE OF BONDED LABOURERS, BY INDUSTRY GROUP

INDUSTRY GROUP	LABOURERS SURVEYED	NUMBER OF BONDED LABOURERS	PERCENTAGE OF BONDED LABOURERS (STANDARD ERROR)
Brick kiln	460	210	45.7% (2.3%)
Construction	1510	473	31.3% (1.2%)
Fish farm	21	10	47.6% (10.9%)
Flower garden	222	73	32.9% (3.2%)
Jewelry production	36	10	27.8% (7.5%)
Manufacturing	390	132	33.8% (2.4%)
Match and fireworks	15	4	26.7% (11.4%)
Other	110	52	47.3% (4.8%)
Plantation	178	71	39.9% (3.7%)
Regular farming	602	138	22.9% (1.7%)
Rice mill	73	30	41.1% (5.8%)
Rock quarry	209	93	44.5% (3.4%)

INDUSTRY GROUP	LABOURERS SURVEYED	NUMBER OF BONDED LABOURERS	PERCENTAGE OF BONDED LABOURERS (STANDARD ERROR)
Sugarcane farm	24	6	25.0% (8.8%)
Textiles	286	86	30.1% (2.7%)
Tobacco	15	7	46.7% (12.9%)
Tree cutting	155	44	28.4% (3.6%)
TOTAL	4,306	1,439	33.4%

Additionally, as Table 11 shows, the restrictions on freedoms differ between industry groups as well. For freedom of movement, the proportions of restrictions across bonded labourers ranged from 16.7% in sugarcane farms to 100% in match and fireworks (however, note the small sample size). Across all industries, 16.7% of all labourers experienced restrictions on their freedom of movement, and 49.9% of bonded labourers were experiencing this restriction.

For freedom of employment, the proportions of restrictions across bonded labourers ranged from 25% in match and fireworks to 100% in sugarcane farms (however, note the small sample size again). Across all industries, 21% of all labourers experienced restrictions on their freedom of employment and a little over half (62.9%) of all bonded labourers were experiencing this restriction.

TABLE 11: NUMBER/PERCENTAGE OF BONDED LABOURERS WITH RESTRICTED FREEDOMS, BY INDUSTRY GROUP

INDUSTRY GROUP	NUMBER OF BONDED LABOURERS SURVEYED	NUMBER OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF MOVEMENT (FOM)	PERCENTAGE OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF MOVEMENT (FOM) (STANDARD ERROR)	NUMBER OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF EMPLOYMENT (FOE)	PERCENTAGE OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF EMPLOYMENT (FOE) (STANDARD ERROR)
Brick kiln	210	121	57.6% (3.4%)	120	57.1% (3.4%)
Construction	473	235	49.7% (2.3%)	285	60.3% (2.3%)
Fish farm	10	6	60.0% (15.5%)	5	50.0% (15.8%)
Flower garden	73	40	54.8% (5.8%)	41	56.2% (5.8%)

INDUSTRY GROUP	NUMBER OF BONDED LABOURERS SURVEYED	NUMBER OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF MOVEMENT (FOM)	PERCENTAGE OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF MOVEMENT (FOM) (STANDARD ERROR)	NUMBER OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF EMPLOYMENT (FOE)	PERCENTAGE OF BONDED LABOURERS WITH RESTRICTED FREEDOM OF EMPLOYMENT (FOE) (STANDARD ERROR)
Jewelry production	10	4	40.0% (15.5%)	8	80.0% (12.7%)
Manufacturing	132	80	60.6% (4.3%)	72	54.5% (4.3%)
Match and fireworks	4	4	100.0% (0.0%)	1	25.0% (21.7%)
Other	52	24	46.2% (7.0%)	36	69.2% (6.4%)
Plantation	71	33	46.5% (5.9%)	55	77.5% (5.0%)
Regular farming	138	46	33.3% (4.0%)	104	75.4% (3.7%)
Rice mill	30	21	70.0% (8.4%)	16	53.3% (9.1%)
Rock quarry	93	37	39.8% (5.1%)	65	69.9% (4.8%)
Sugarcane farm	6	1	16.7% (15.2%)	6	100.0% (0.0%)
Textiles	86	37	43.0% (5.3%)	57	66.3% (5.1%)
Tobacco	7	4	57.1% (18.7%)	5	71.4% (17.1%)
Tree cutting	44	25	56.8% (7.5%)	29	66.0% (7.1%)
TOTAL	1,439	718	49.9%	905	62.9%

Twenty-three bonded labourers had two or more restrictions on their freedom of movement (1.6%), and 140 had two or more

restrictions on their freedom of employment (9.7%). A total of 12.7% (n = 184) of all bonded labourers had restrictions on both freedoms.

The total number of worksites captured through the survey sample was 3,765, and 1,292 or 34.3% were using bonded labour in their work force. See Table 12 for the disaggregation by industry. Enumerators found bonded labourers in more than 40% of brick kilns, fish farms, rice mills, rock quarries, tobacco industries and “other” industries surveyed.

TABLE 12: NUMBER OF WORKSITES SURVEYED AND USING BONDED LABOUR, BY INDUSTRY

INDUSTRY GROUP	NUMBER OF WORKSITES REPRESENTED THROUGH SURVEYS	NUMBER OF WORKSITES SURVEYED WITH BONDED LABOUR	PERCENTAGE (%) OF WORKSITES SURVEYED WITH BONDED LABOUR
Brick kiln	343	174	50.7%
Construction	1347	425	31.6%
Fish farm	21	10	47.6%
Flower garden	210	72	34.3%
Jewelry production	32	10	31.3%
Manufacturing	262	100	38.2%
Match and fireworks	15	4	26.7%
Other	98	43	43.9%
Plantation	177	70	39.5%
Regular farming	587	137	23.3%
Rice mill	66	29	43.9%
Rock quarry	182	82	45.1%
Sugarcane farm	23	6	26.1%
Textiles	241	81	33.6%
Tobacco	12	6	50.0%
Tree cutting	149	43	28.9%
TOTAL	3,765	1,292	34.3%

Based on a similar mark-recapture analysis applied to those individuals identified as bonded labourers, and assuming that non-bonded and bonded labourers were going to the market at the same rate as the study sample, an estimate for the number of worksites with bonded labour is 24,213.<sup>97</sup>

3.4 DEMOGRAPHICS OF BONDED LABOURERS IN KARNATAKA

Key Findings

22% of labourers identifying Bangalore Rural as their native origin district were bonded; 19.4% originally from Bangalore Urban were bonded, as were 20.7% originally from Ramanagara. More than one-third of the labourers surveyed at 10 of the 17 markets were bonded.



As outlined in Table 13, 34.4% of the female labourers surveyed were bonded, and 33.3% of males were bonded. The majority of labourers surveyed were 45 years or younger, with more bonded labourers falling into the age category of 0 to 30 years (37%).

TABLE 13: NUMBER/PERCENTAGE OF BONDED LABOURERS, BY SEX AND AGE

DEMOGRAPHIC CATEGORY	NUMBER OF BONDED LABOURERS	PERCENTAGE OF BONDED LABOURERS (STANDARD ERROR)
Female	93	34.4% (2.9%)
Male	1346	33.3% (0.7%)
0 to 30 years	599	37.0% (1.2%)
31 to 45 years	643	33.0% (1.1%)
46 + years	197	26.7% (1.6%)

On average, bonded labourers reported working at their current sites 1,592.7 days (4.4 years), with a standard error of 63.0 days and confidence intervals between 1469.2 to 1716.2 days. In comparison, labourers who were not bonded reported working at their current sites 2,237.3 days (6.1 years), with a standard error of 55.9 and confidence intervals between 2,127.6 to 2,346.9 days. When disaggregated by industry, roughly half of bonded labourers (and up to 80%) in flower gardens, jewelry production, match and fireworks, plantation, regular farming, rock quarries, sugarcane farms, and “other” industries had been working more than two years at their current worksite at the time of the survey.

Of the labourers surveyed, 22% of those who called their native origin Bangalore Rural were bonded; 19.4% of those originally from Bangalore Urban were bonded; and 20.7% originally from Ramanagara were bonded. In terms of the location where the surveys occurred, Table 14 displays the number of labourers surveyed in each of the 17 marketplaces, disaggregated by industry group. Enumerators interviewed between 100 and 400 labourers in all but five markets. The outliers included: 29 in Hunsunahalli, 43 in Dabaspete, 81 in Hoskote (all of which halted after security risk); and 593 in Harohalli and 1009 in KR Market (both of which continued after security risk).

The prevalence of bonded labour in the three targeted districts of Karnataka was 33.4% or an estimated 558,334 bonded labourers.

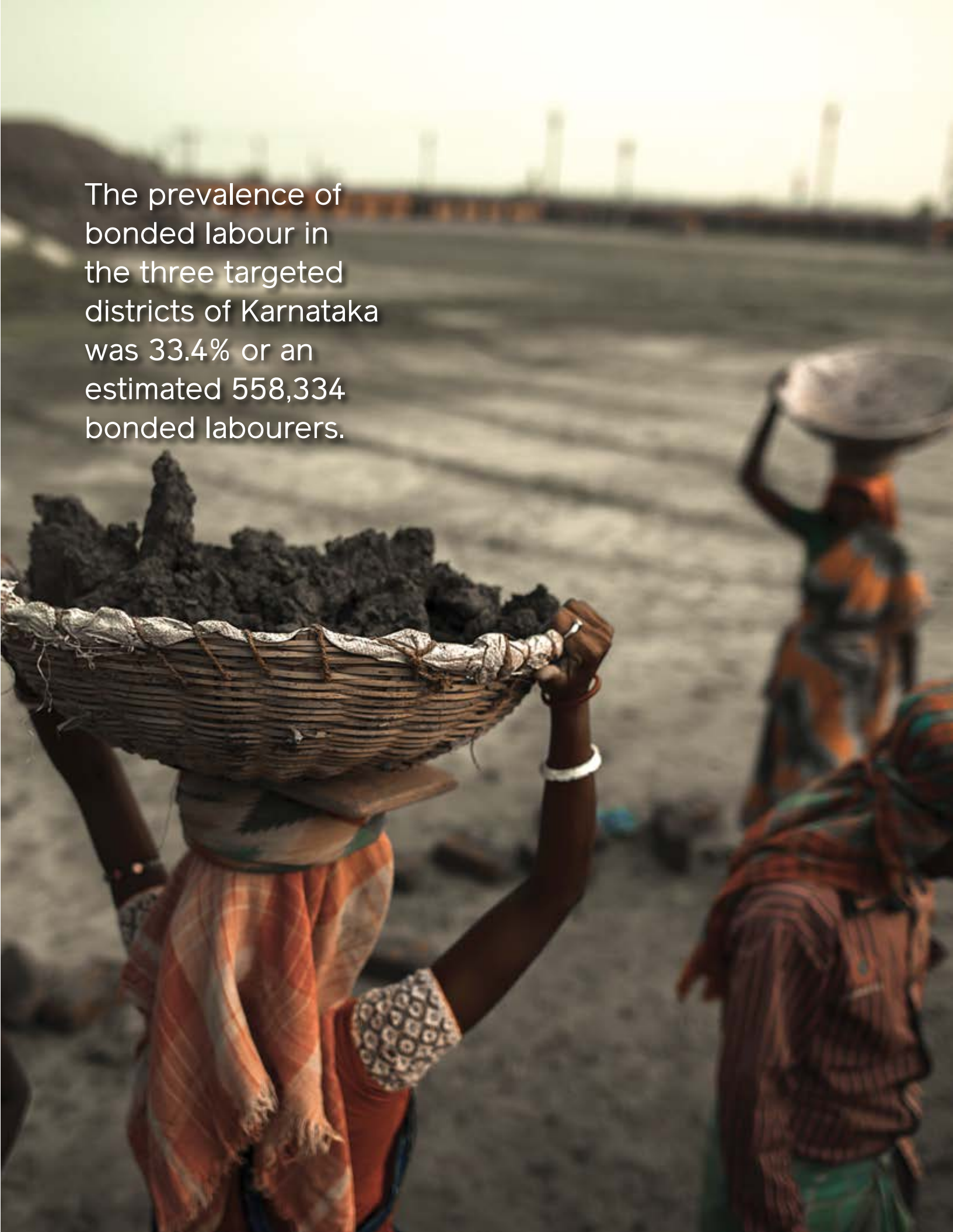


TABLE 14: NUMBER OF LABOURERS SURVEYED, BY MARKET AND BY INDUSTRY

MARKET	BRICK KILNS	CON-STRUC-TION	FISH FARM	FLOWER GARDEN	JEWELRY PRODUCTION	MANU-FACTURING	MATCH AND FIRE-WORKS	OTH-ER	PLAN-TATION	REGULAR FARM-ING	RICE MILL	ROCK QUARRY	SUGAR-CANE FARM	TEX-TILES	TO-BACCO	TREE CUTTING	TOTAL
Anekal	14	18	1	21	1	14	2	1	6	21	0	8	0	24	0	12	143
Chandapura	21	61	1	12	4	38	0	2	2	25	2	3	4	17	0	6	198
Channapatna	119	131	2	13	1	18	2	7	6	45	4	8	1	16	0	17	390
Dabaspete	1	22	0	0	0	4	0	1	0	10	0	3	0	1	0	1	43
Devanahalli	37	72	0	5	0	10	0	6	11	30	1	13	0	10	2	5	202
Doddaballapur	41	55	0	9	2	21	2	11	6	18	2	4	0	22	0	3	196
Harohalli	27	184	5	22	1	122	0	8	26	77	6	64	6	25	1	19	593
Hoskote	20	24	1	2	0	6	0	2	1	10	6	3	0	2	0	4	81
Hunsunahalli	0	7	0	4	0	1	0	0	2	10	0	1	1	1	0	2	29
Kanakapura	22	80	2	19	10	12	0	9	13	57	12	21	2	15	1	13	288
K.R. Market	55	463	4	72	14	97	7	30	27	70	17	22	5	99	6	21	1009
Krishnarajapuram	24	63	0	8	0	12	0	0	3	15	3	8	2	12	1	7	158
Magadi	34	97	2	10	0	5	0	12	6	80	7	24	0	5	0	18	300
Nelamangala	5	41	1	4	2	9	1	1	0	10	3	4	1	7	4	7	100
Ramanagara	32	81	0	10	1	16	1	4	40	64	9	16	2	14	0	15	305
Vijayapura	5	34	2	7	0	2	0	9	27	40	0	4	0	5	0	2	137
Yelahanka	3	77	0	4	0	3	0	7	2	20	1	3	0	11	0	3	134
TOTAL	460	1510	21	222	36	390	15	110	178	602	73	209	24	286	15	155	4306

Table 15 outlines the estimated total number of people attending the markets targeted in this study. The survey team conducted manual (mechanical) counts of people entering and exiting the markets on up to three full days when the markets were open, counting from the opening to the closing of the market. The study team then factored in the market attendance-frequency reported by labourers on the survey, resulting in these low and high market estimates. In total, between 136,000 and 378,455 people attended the 17 markets across the three districts. This represents a total population coverage of 14.2% in Bangalore Urban (excluding the city’s population), 11.4% in Bangalore Rural and 9.6% in Ramanagara.<sup>98</sup> Of all people attending the markets, enumerators visibly identified 15.2% of these people to be labourers.

As shown in Table 15, in 10 out of the 17 markets surveyed (color-coded by district), more than one-third of the labourers surveyed were bonded at that time. Hoskote market had the highest percentage of bonded labourers; however, more than 40% of labourers surveyed at Hunsunahalli and KR Puram markets were also bonded.

Interestingly, when studying the number of total labourers approached for the survey (N = 6,012), on average 28.4% refused to take the survey. While there are numerous reasons why a person would choose not to participate, the enumerators and IJM’s experience would indicate that at least some proportion of these labourers are highly likely to be bonded. The range of reasons for refusal given by these labourers included “we don’t have time,” “we have to return to work” and “you need to ask our employer,” while others did not understand the benefit of taking the survey, wanted to know if the information would be shared with their employer or anyone else who might question them later, and were scared of speaking or giving an interview to the enumerators. It is possible that these responses were the result of promptings and pressures from the employer.

TABLE 15: NUMBER/PERCENTAGE OF BONDED LABOURERS, BY SURVEYED MARKET

MARKET	NUMBER OF PEOPLE AT MARKET* (LOW – HIGH ESTIMATE)	NUMBER OF LABOURERS APPROACHED	NUMBER OF LABOURERS REFUSED SURVEY	NUMBER OF LABOURERS SURVEYED	NUMBER OF BONDED LABOURERS	PERCENTAGE OF BONDED LABOURERS (STANDARD ERROR)
Anekal	5,754 – 18,274	187	44	143	52	36.4% (4.0%)
Chandapura	4,115 – 4,115	277	79	198	71	35.9% (3.4%)
Channapatna	3,597 – 12,582	499	109	390	98	25.1% (2.2%)
Dabaspete	821 – 821	52	9	43	9	20.9% (6.2%)
Devanahalli	5,818 – 21,449	257	55	202	61	30.2% (3.2%)
Doddaballapur	15,725 – 45,169	254	58	196	76	38.8% (3.5%)
Harohalli	5,274 – 14,067	778	185	593	221	37.3% (2.0%)
Hoskote	5,010 – 13,478	124	43	81	42	51.9% (5.6%)
Hunsunahalli	2,842 – 8,251	42	13	29	12	41.4% (9.1%)



Kanakapura	4,892 – 11,344	388	100	288	68	23.6% (2.5%)
K.R. Market	34,761 – 109,752	1485	476	1009	319	31.6% (1.5%)
Krishnarajapuram	7,758 – 13,696	283	125	158	65	41.1% (3.9%)
Magadi	5,831 – 19,068	435	135	300	92	30.7% (2.7%)
Nelamangala	2,245 – 5,741	129	29	100	39	39.0% (4.9%)
Ramanagara	11,639 – 38,695	458	153	305	121	39.7% (2.8%)
Vijayapura	8,876 – 26, 273	195	58	137	43	31.4% (4.0%)
Yelahanka	11,042 – 15,682	169	35	134	50	37.3% (4.2%)
TOTAL Bangalore Urban	63,430 – 161,518	2,401	759	1,642	557	36.5%
TOTAL Bangalore Rural	38,495 – 112,931	1,011	252	759	270	35.4%
TOTAL Ramanagara	34,075 – 104,006	2,600	695	1,905	612	33.0%
TOTAL ALL	136,000 – 378,455	6,012	1,706	4,306	1,439	33.4%

\* This is an estimate derived from a calculation originating from a manual count of labourers on a market and non-market day.

The analyst conducted an additional disaggregation between the markets that had data collection halted after 2 May 2015 due to security concerns from a network of brick kiln owners and those that continued. A total of 45% (77/171) of brick kiln workers surveyed on or before 2 May 2015 in those markets that had data collection halted were found to be in bonded labour (which was consistent with the overall study rate of bondage among brick kiln workers surveyed). The rate of bondage for all workers surveyed in these markets, at that time in data collection, was 36.6% (520/1,421) and for all workers, all markets, 35.5% (760/2,143).

3.5 WORKING CONDITIONS

Key Findings

Labourers working conditions were similar for both bonded and non-bonded labourers. Both groups worked longer hours and more days than legally allowed. Bonded labourers received significantly more deductions on their wages and less government benefits, both impacting their vulnerability to victimization and further deterioration on quality of life.

The survey collected information on the working conditions of labourers who had been working at their current worksites an average of 5.5 years. Bonded labourers worked longer hours and more days than non-bonded labourers. On average, bonded labourers worked 9.25 hours per day compared to 9.07 hours for non-bonded labourers (any hours over 9 requires overtime pay in the amount of twice the ordinary rate). While t-tests showed that this difference was statistically different (p = 0.00), both groups were working extended hours. Labourers working in jewelry production, manufacturing, rice mills, rock quarries, textiles, tobacco and “other” reported to be working approximately 10 hours per day, on average.

The difference between the two groups of labourers’ work days is also statistically significant (p = 0.00), with bonded labourers working 6.26 days compared to 6.19 days for non-bonded labourers. More importantly, though, all labourers were either not receiving or not taking their legally allotted weekly rest day (no adult workers shall be required or allowed to work in a factory for more than 48 hours in any week). On average across all industries, 33.6% of bonded labourers (standard error: 1.2%; 95% confidence intervals: 31.1% - 36%) worked seven days a week in comparison to 25.6% of non-bonded labourers (standard error: 0.8%; 95% confidence intervals: 24% - 27.2%).

The survey team purposively avoided asking about advances directly due to the sensitivity of this questioning, so enumerators asked questions about loans more generally or types of deduction from wages, in the hope that this would draw out information about an advance. The results from these questions are reported here; however, as noted in the methodology section, these estimations surely under-represent the true number and proportion of labourers and bonded labourers with debt-repayment obligations.

On average across all industries surveyed, 8.4% of all labourers and 19.6% of bonded labourers reported receiving an advance. Labourers working in all industries except tobacco reported receiving a loan from their employer. Tamil Nadu had the largest sheer number (n = 98) and percentage (40.2%) of bonded labourers who reported receiving an advance. Bonded labourers’ mean advance amount was Rs. 69,550 (USD 1,056).<sup>99</sup>

Capturing accurate data on wage payment is difficult, as there are multiple parts necessary for this calculation, including the actual amount received, value of other benefits received, number of labourers the payment includes, number of working days and hours, and any additional deductions. The formula used also could not take into account variations in pay across roles within an industry or differences between male and female workers. Absence of answers or misunderstanding of any of the questions would result in inaccuracy, and there were many places for a largely uneducated labourer to report inaccurately. Nevertheless, the results from these questions are presented here.

A total of 79.1% of all labourers were paid “individually,” meaning they had no family or non-family group working with them at the worksite. Another 20.7% of labourers received payment as a family, and seven labourers reported being paid as part of a non-family group. Most of those reported as family or non-family groups (n = 804, 90.2%) had five or less members listed in the group. On average across all industries surveyed, 46.7% of labourers and 45% of bonded labourers were paid less than the minimum wage for their respective industry. In most industries, the majority of labourers earned less than the industry’s standard. More than 60% of labourers working in flower gardens, jewelry production, regular farming, sugarcane farms and tree cutting were making less than the respective minimum wage at the time of the survey. A total of 220 bonded labourers reported a wage less than Rs.100 per day (15.3%). Bonded labourers originally coming from Karnataka State (n = 432), which is also where these worksites would be located, reported the highest rate of under-minimum-wage payment at 50.5%.

Logistic regression analysis revealed that the age category and number of family members who came with the labourer to work are significant predictors of minimum wage payment: younger (under 30 years) and older individuals (46 years and older) will earn less than minimum wage; the more family members that relocate with the bonded labourer, the more likely they are to earn less than minimum wage.

A total of 800 bonded labourers (55.6%) lived at the worksite or on premises provided by the worksite owner, compared to 1,135 non-bonded labourers (39.6%). This difference (which was statistically significant at the 0.0001 level) makes sense given the level of control, restrictions on freedoms and higher concentrations of migrant workers among bonded labourers. This housing provision would be viewed legally as an obligation to the employer.

A logistic regression analysis regressing bonded labour status against the various bonded labour elements revealed that receipt of an advance (which is a sub-component to one of the Restricted Freedom of Employment formula variables) and the obligation variable (not factored into the formulas on either restrictions on freedoms) were excellent predictors of bonded labour status. Given the number of non-bonded labourers with advances and obligations, the estimation of bonded labour reported through this study is most likely an underestimation. This analysis also indicated that there was little to no evidence that the wage payment variable predicted bonded labour.

A total of 87.4% of bonded labourers said they were receiving the wages they were promised by the employer in comparison to 80.5% of non-bonded labourers with this response. However, 58.3% of these bonded labourers compared to 16% of these non-bonded labourers had evidence of trafficking, which implies deception of their circumstances. Also, 43.5% of these bonded labourers and 43.1% of these non-bonded labourers were paid less than minimum wage for their respective industries. This highlights two key points: 1) Even though the labourers were receiving the wages promised, the amount was actually under the legally set standard; 2) labourers are equally suffering from under-wage payment, regardless of bonded labour status.

Additionally, 8.9% of bonded labourers compared with only 2.8% of non-bonded labourers reported the employer to be making deductions from their wages (p-value  $\leq$  0.0001). The most commonly cited reason for these deductions was to pay back advances or loans from the employer (including house rent and grocery advances).

Among all labourers, there was no statistical difference in the amount of money labourers saved each week. Bonded labourers reported saving on average Rs. 741.99 (USD 11.11)<sup>100</sup> per week, while non-bonded labourers saved Rs. 753.94 (USD 11.29)<sup>101</sup> per week. Labourers were significantly different, however, in their spending per week. The most feasible and simple way to capture this was with a proxy expenditure measure of the amount of money spent at the market each week. On average, bonded labourers spent Rs. 528.31 (USD 7.91)<sup>102</sup> at the market, while non-bonded labourers spent only Rs. 469.00 (USD 7.02)<sup>103</sup> each week at the market (p-value < 0.0000). Thus, bonded labourers were saving less on average than non-bonded labourers but were also spending statistically much more on average than their non-bonded counterparts.

The most notable distinction among labourers was receipt of government benefits. In addition to actual household financials, the percentage of labourers who were receiving benefits from government schemes was statistically different between bonded and non-bonded labourers. These government benefits would supplement a labourer's living situation, including access to basic needs and healthcare, and have the ability to improve his or her quality of life. As Table 16 attests, only 15.4% of bonded labourers reported availing of any government schemes in comparison to 27.4% of non-bonded labourers.

A total of 34.3% of all the worksites in the surveyed areas were using bonded labour.

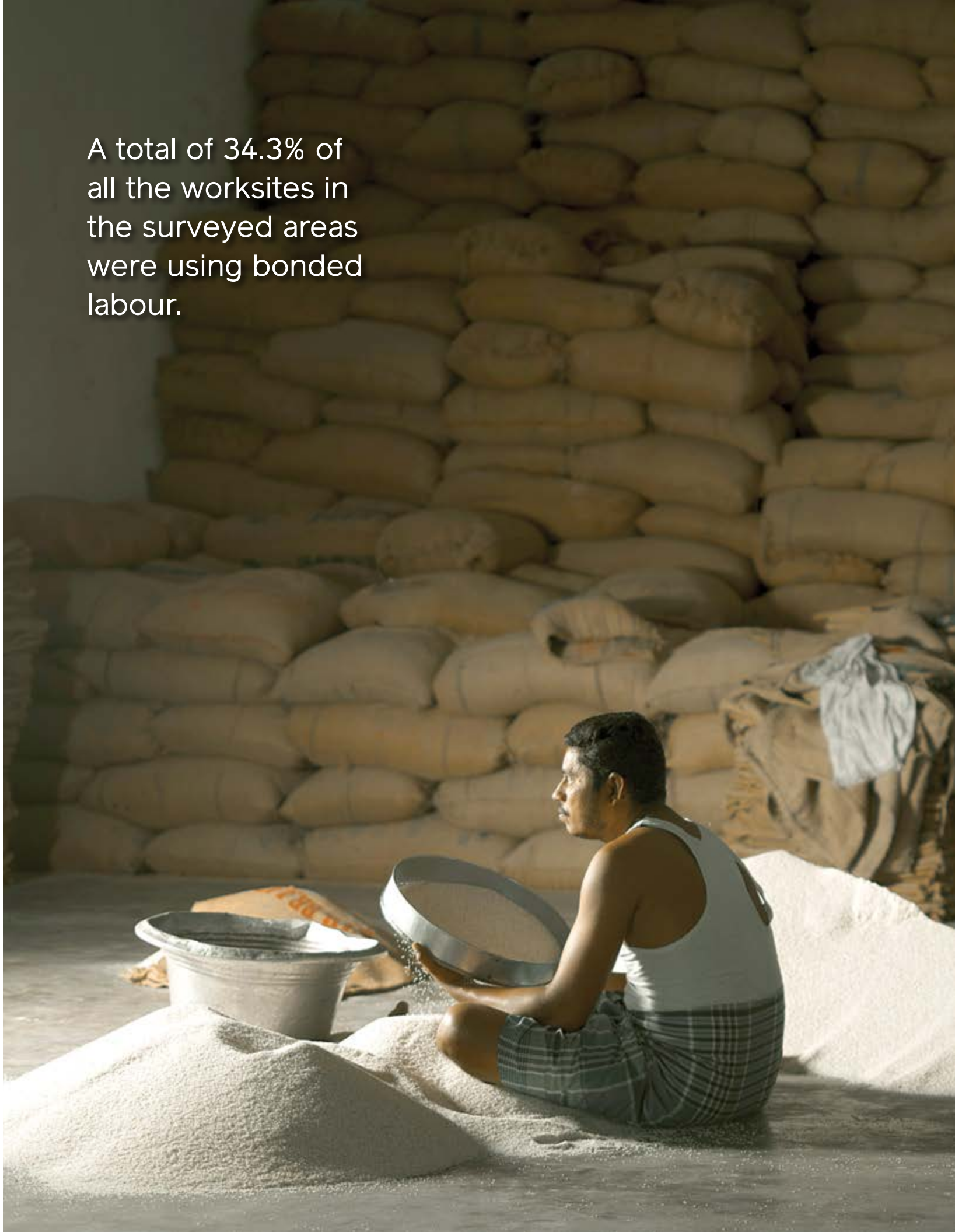




TABLE 16: RECEIPT OF GOVERNMENT SCHEMES AND BENEFITS, BY BONDED STATUS

BONDED STATUS	PERCENTAGE OF LABOURERS BENEFITTING FROM GOV SCHEMES (STANDARD ERROR)	CONFIDENCE INTERVAL (2.5% - 97.5%)
Bonded	15.3% (1.0%)	13.5 - 17.2%
Not bonded	27.4% (0.8%)	25.8 - 29.0%

The difference is even starker in some industries, as Table 17 shows. The percentage of bonded labourers working in fish farms, jewelry production, rice mills, rock quarries, sugarcane farms, textiles and tobacco who reported receiving any benefits from government schemes was much lower than that of non-bonded labourers working in these industries.

TABLE 17: RECEIPT OF GOVERNMENT SCHEMES AND BENEFITS, BY INDUSTRY GROUP

INDUSTRY	BONDED STATUS (NOT BONDED = 0; BONDED = 1)	PERCENTAGE OF LABOURERS BENEFITTING FROM GOV SCHEMES (STANDARD ERROR)	CONFIDENCE INTERVAL (2.5% - 97.5%)
Brick kiln	0	17.8% (2.5%)	13.0 - 22.7%
	1	15.2% (2.5%)	10.4 - 20.1%
Construction	0	23.3% (1.3%)	20.7 - 25.9%
	1	16.1% (1.7%)	12.8 - 19.5%
Fish farm	0	63.6% (14.5%)	35.2 - 92.1%
	1	30.0% (14.5%)	1.6 - 58.4%
Flower garden	0	29.1% (3.7%)	21.7 - 36.4%
	1	16.7% (4.4%)	8.1 - 25.3%
Jewelry production	0	50.0% (9.8%)	30.8 - 69.2%
	1	30.0% (14.5%)	1.6 - 58.4%
Manufacturing	0	33.2% (3.0%)	27.4 - 39.0%
	1	18.2% (3.4%)	11.6 - 24.8%

INDUSTRY	BONDED STATUS (NOT BONDED = 0; BONDED = 1)	PERCENTAGE OF LABOURERS BENEFITTING FROM GOV SCHEMES (STANDARD ERROR)	CONFIDENCE INTERVAL (2.5% - 97.5%)
Match and fireworks	0	18.2% (11.6%)	-4.6 - 41.0%
	1	0.0% (0.0%)	0.0 - 0.0%
Other	0	31.0% (6.1%)	19.1 - 42.9%
	1	25.0% (6.0%)	13.2 - 36.8%
Plantation	0	27.1% (4.3%)	18.7 - 35.5%
	1	11.3% (3.8%)	3.9 - 18.6%
Regular farming	0	33.6% (2.2%)	29.3 - 37.9%
	1	15.2% (3.1%)	9.2 - 21.2%
Rice mill	0	41.9% (7.5%)	27.1 - 56.6%
	1	10.0% (5.5%)	-0.7 - 20.7%
Rock quarry	0	25.0% (4.0%)	17.1 - 32.9%
	1	7.6% (2.8%)	2.2 - 13.0%
Sugarcane farm	0	50.0% (11.8%)	26.9 - 73.1%
	1	33.3% (19.2%)	-4.4 - 71.1%
Textiles	0	29.3% (3.2%)	23.0 - 35.6%
	1	9.3% (3.1%)	3.2 - 15.4%
Tobacco	0	25.0% (15.3%)	-5.0 - 55.0%
	1	0.0% (0.0%)	0.0 - 0.0%
Tree cutting	0	24.8% (4.1%)	16.7 - 32.9%
	1	18.2% (5.8%)	6.8 - 29.6%

Table 18 outlines the predominant benefits that labourers mentioned receiving. The ration card and Aadhar card were the most commonly cited, but much more frequently availed by non-bonded labourers than bonded labourers.<sup>104</sup> In total, the percentage of bonded labourers receiving government benefits was much lower than the percentage for non-bonded labourers.

TABLE 18: MOST COMMON GOVERNMENT SCHEMES LABOURERS REPORTED RECEIVING

GOVERNMENT SCHEME	NUMBER OF NON-BONDED LABOURERS RECEIVING	NUMBER OF BONDED LABOURERS RECEIVING
Ration card	567	157
Aadhar card	266	73
Health card	54	14
EPF <sup>105</sup>	52	12
Voter card	37	8

3.6 MIGRATION AND BONDED LABOUR

Key Finding

Inter-state migrants are more likely to be bonded than intra-state migrants and labourers working in their native districts.

Migration has been considered a vulnerability factor for bonded labour. In this study, more than half the labourers interviewed in the marketplaces in Bangalore Urban, Bangalore Rural and Ramanagara Districts were originally from outside Karnataka State. Out of the 3,765 total worksites, 1,783 worksites had an inter-state migrant worker and five or more labourers working at the site and would likely be covered under the Inter-state Migrant Act. The average worksite-size for these worksites was 74.6 labourers (standard error; 6.0; 95% confidence intervals: 62.8 - 86.3). A total of 1,276 of the worksites represented in the survey sample had 20 or more labourers. The average worksite size for these worksites was 111.8 labourers (standard error: 8.8; 95% confidence intervals: 94.6 - 129.0).

Living at the worksite or on premises owned by the employer could create a type of obligation under the BLA and can be used to prove bonded labour. Table 19 shows that most inter-state migrants were living either at the worksite or on employer-owned or arranged premises.

TABLE 19: MIGRANT STATUS EFFECT ON HOUSING LOCATION

NATIVE DISTRICT	LIVING AT WORKSITE OR ON EMPLOYER'S PREMISES	NOT LIVING AT WORKSITE OR EMPLOYER'S PREMISES
Same as worksite district (non-migrant)	169	1226
Different from worksite district, but in Karnataka (intra-state migrant)	164	326
Different from worksite district, outside Karnataka (inter-state migrant)	1594	772

Therefore, Table 20 displays how a labourer's migrant status affected bonded labour likelihood. A total of 41.8% of inter-state migrant labourers were bonded. Therefore, inter-state migrants working in the three targeted districts were more likely to be bonded than intra-state or non-migrants.

TABLE 20: MIGRANT STATUS EFFECT ON BONDED LABOUR

NATIVE DISTRICT	NON-BONDED LABOURERS	BONDED LABOURERS
Same as worksite district (non-migrant)	80.2% N = 1127	19.8% N = 279
Different from worksite district, but in Karnataka (intra-state migrant)	69.0% N = 340	31.0% N = 153
Different from worksite district, outside Karnataka (inter-state migrant)	58.2% N = 1400	41.8% N = 1007

Table 21 presents a cross-section analysis of migrant status with length of time working the current worksite, comparing non-bonded to bonded labourers. The results show that for non-migrants and intra-state migrants, most of the labourers have been working at their current worksite between one to three years. Of those labourers working less than one year at their current worksite, 40.2% of non-bonded labourers and more than 46.5% of bonded labourers were inter-state migrants.

TABLE 21: CROSS-SECTION ANALYSIS OF MIGRANT STATUS, LENGTH OF TIME WORKING AT CURRENT WORKSITE AND BONDED LABOUR

NATIVE DISTRICT	# OF NON-BONDED LABOURERS			# OF BONDED LABOURERS		
	WORKING < 1 YEAR	WORKING 1-3 YEARS	WORKING 3+ YEARS	WORKING < 1 YEAR	WORKING 1-3 YEARS	WORKING 3+ YEARS
Same as worksite district (non-migrant)	216 (19.2%)	169	742	80 (28.7%)	42	157
Different from worksite district, but in Karnataka (intra-state migrant)	107 (31.5%)	49	184	65 (42.5%)	20	68
Different from worksite district, outside Karnataka (inter-state migrant)	563 (40.2%)	494	343	468 (46.5%)	269	270
TOTAL labourers	886	712	1269	613	331	495

The data analyst conducted a logistic regression with the bonded labourer variable regressed against indicators of non-migrant, intra-migrant, and inter-migrant variables, as well as the length of time at the worksite. Table 22 provides the output from the regression analysis. All of the tested variables were significant predictors of bonded labour status; those who were not migrants (working in the same district as native) were much less likely to be bonded. In determining if intra- and inter-state migrants were equally at risk of bondage, the analyst conducted a formal test based on the Wald-z statistic. The p-value of this test was zero, thus indicating that an inter-state migrant was more likely to be bonded than an intra-state migrant. Additionally, those labourers who had worked one to three years at their current worksite were more likely to be bonded.



TABLE 22: LOGISTIC REGRESSION OF BONDED LABOUR AGAINST MIGRANT STATUS AND LENGTH OF TIME WORKING AT WORKSITE

COEFFICIENTS	ESTIMATE	STANDARD ERROR	Z VALUE	PR(> Z )
Intercept	0.55962	0.62678	0.893	0.37194
Native district is same as worksite district (non-migrant)	-1.95585	0.63037	-3.103	0.00192 ***
Native district is different from worksite district, but in Karnataka (intra-state migrant)	-1.36940	0.63438	-2.159	0.03088 *
Native district is different from worksite district, outside Karnataka (inter-state migrant)	-0.89449	0.62817	-1.424	0.15446
Length of time at worksite: 1-3 years	0.96988	0.51543	1.882	0.05988 *
Length of time at worksite: 3+ years	-0.09802	0.24569	-0.399	0.68992

\* Statistically significant at the 0.05 level

\*\*\*Statistically significant at the 0.001 level

Additionally, a labourer's migrant status affected his/her receipt of government benefits. 34.5% of non-migrant workers and 31.1% of intra-state migrants reported receiving government benefits; however only 15.2% of inter-state migrants reported availing of these schemes.

3.7 TRAFFICKING INTO BONDED LABOUR

Key Findings

A total of 30.5% of all labourers and 59.3% of bonded labourers had evidence of trafficking. Roughly 60% or more of those surveyed working in brick kilns, construction, flower gardens, manufacturing, rock quarries, tobacco industries, tree cutting and “other” were suspected trafficking victims.

Younger, male labourers with larger numbers of family working with them had an increased probability of being trafficked.

Intra-state (34.7%) and inter-state (47.3%) migrant labourers were much more likely to be trafficked into bonded labour than non-migrants.

As with other topics on this survey, questions about trafficking, in particular the means of trafficking, were too sensitive to ask labourers in the marketplace. Therefore, the enumerators only asked about deception with regard to wages and their ability to work elsewhere. The following results are therefore likely to be the minimum numbers trafficked, but many others may have been coerced, abducted or threatened, or may have experienced different types of deception. This study found that out of all labourers interviewed, a total of 1,314 labourers or 30.5% were suspected to have been trafficked into Karnataka for work at their current worksite. See Table 23 for the variable breakdown of each of three trafficking criteria.

TABLE 23: NUMBER/PERCENTAGE OF ALL LABOURERS, BY TRAFFICKING VARIABLES

TRAFFICKING CRITERIA	VARIABLE NUMBER	VARIABLE	PERCENTAGE (NUMBER) OF LABOURERS
Act	1	Recruitment by agent	10.2% (440/4306)
	2	Recruitment by employer	0.2% (8/4306)
	3	Transportation by agent	9.9% (427/4306)
	4	Transportation by employer	9.4% (404/4306)
	5	Received by employer	67.3% (2900/4306)
Means	6	Took an advance or has obligation	48.2% (2076/4306)
	7	Not paid agreed-upon amount or not paid	8.8% (378/4306)
	8	Cannot work elsewhere	1.6% (68/4306)
Purpose	9	Restriction on freedom of movement	16.7% (718/4306)
	10	Restriction on freedom of employment	20.7% (892/4306)
	11	Receives excessive deductions	0.7% (28/4306)
	12	Works excessive hours	1.8% (76/4306)
	13	Paid less than minimum wage	47.3% (2012/4251*)

Table 24 shows the overall figures for trafficking, both for all labourers and then specifically bonded labourers. Note that 66% of all labourers met the purpose criteria, which is indicative of some kind of labour exploitation. A total of 59.3% (N = 854/1,439) of bonded labourers were suspected trafficking victims, meaning that their situations met variables within *act*, *means* and *purpose*. The standard error for this statistic is 1.3% with a 95% confidence interval of 56.8 – 61.9%.





Migration has been considered a vulnerability factor for bonded labour. In this study, more than half the labourers interviewed in the marketplaces in Bangalore Urban, Bangalore Rural and Ramanagara Districts were originally from outside Karnataka State.

TABLE 24: NUMBER/PERCENTAGE OF LABOURERS AND BONDED LABOURERS, BY OVERALL TRAFFICKING CRITERIA

TRAFFICKING CRITERIA	NUMBER OF ALL LABOURERS (N = 4,306)	PERCENTAGE OF ALL LABOURERS	NUMBER OF BONDED LABOURERS (N = 1,439)	PERCENTAGE OF BONDED LABOURERS
Evidence of act	2,909	67.6%	1,165	81.0%
Evidence of means	2,315	53.8%	964	67.0%
Evidence of purpose	2,840	66.0%	1,435	99.7%
Evidence of act, means and purpose	1,314	30.5%	854	59.3%

When these suspected trafficking figures are disaggregated by the labourer’s industry group, Table 25 shows that more than one-third of those surveyed working in brick kilns, flower gardens, manufacturing, rock quarries, tobacco industries and “other” were suspected to have been trafficked into their current worksite. If analysing only bonded labourers, roughly 60% or more of those surveyed working in brick kilns, construction, flower gardens, manufacturing, rock quarries, tobacco industries, tree cutting and “other” were suspected trafficking victims.

TABLE 25: NUMBER/PERCENTAGE OF LABOURERS WITH EVIDENCE OF TRAFFICKING, BY INDUSTRY GROUP

INDUSTRY GROUP	NUMBER OF LABOURERS WITH EVIDENCE OF TRAFFICKING	PERCENTAGE OF LABOURERS WITH EVIDENCE OF TRAFFICKING (STANDARD ERROR)	CORRESPONDING 95% CONFIDENCE INTERVALS FOR % SUSPECTED TRAFFICKED LABOURERS	NUMBER OF BONDED LABOURERS WITH EVIDENCE OF TRAFFICKING	PERCENTAGE OF BONDED LABOURERS WITH EVIDENCE OF TRAFFICKING (STANDARD ERROR)	CORRESPONDING 95% CONFIDENCE INTERVALS FOR % SUSPECTED TRAFFICKED BONDED LABOURERS
Brick kiln	243	52.8% (2.3%)	48.3 – 57.4%	176	83.8% (2.5%)	78.8 – 88.8%
Construction	429	28.4% (1.2%)	26.1 – 30.7%	279	59.0% (2.3%)	54.6 – 63.4%
Fish farm	5	23.8% (9.3%)	5.6 – 42.0%	3	30.0% (14.5%)	1.6 – 58.4%
Flower garden	80	36.0% (3.2%)	29.7 – 42.4%	41	56.2% (5.8%)	44.8 – 67.6%
Jewelry production	7	19.4% (6.6%)	6.5– 32.4%	4	40.0% (15.5%)	9.6 – 70.4%
Manufacturing	146	37.4% (2.5%)	32.6 – 42.2%	86	65.2% (4.1%)	57.0 – 73.3%
Match and fireworks	2	13.3% (8.8%)	-3.9 – 30.5%	2	50.0% (2.5%)	1.0 – 99.0%



INDUSTRY GROUP	NUMBER OF LABOURERS WITH EVIDENCE OF TRAFFICKING	PERCENTAGE OF LABOURERS WITH EVIDENCE OF TRAFFICKING (STANDARD ERROR)	CORRESPONDING 95% CONFIDENCE INTERVALS FOR % SUSPECTED TRAFFICKED LABOURERS	NUMBER OF BONDED LABOURERS WITH EVIDENCE OF TRAFFICKING	PERCENTAGE OF BONDED LABOURERS WITH EVIDENCE OF TRAFFICKING (STANDARD ERROR)	CORRESPONDING 95% CONFIDENCE INTERVALS FOR % SUSPECTED TRAFFICKED BONDED LABOURERS
Other	40	36.4% (4.6%)	27.4 – 45.4%	31	59.6% (6.8%)	46.3 – 73.0%
Plantation	43	24.2% (3.2%)	17.9 – 30.4%	33	46.5% (5.9%)	34.9 – 58.1%
Regular farming	72	12.0% (1.3%)	9.4 – 14.6%	36	26.1% (3.7%)	18.8 – 33.4%
Rice mill	20	27.4% (5.2%)	17.2 – 37.6%	15	50.0% (9.1%)	32.1 – 67.9%
Rock quarry	97	46.4% (3.5%)	39.6 – 53.2%	75	80.6% (4.1%)	72.6 – 88.7%
Sugarcane farm	5	20.8% (8.3%)	4.6 – 37.1%	3	50.0% (20.4%)	10.0 – 90.0%
Textiles	78	27.3% (2.6%)	22.1 – 32.4%	38	44.2% (5.4%)	33.7 – 54.7%
Tobacco	8	53.3% (12.9%)	28.1 – 78.6%	5	71.4% (17.1%)	38.0 – 104.9%
Tree cutting	39	25.2% (3.5%)	18.3 – 32.0%	27	61.4% (7.3%)	47.0 – 75.8%
TOTAL	1,314	30.5% (0.7%)	29.1 – 31.9%	854	59.3% (1.3%)	56.8 – 61.9%

The analyst conducted a logistic regression analysis with the following variables to determine any predictors of trafficking among bonded labourers: labourer age, sex, industry group and whether family members came with the labourer to work. Table 26 shows the output from the analysis, yielding a series of significant predictors. Individuals ages 31-45 have reduced probability; being male increased probability; working in construction, flower gardens, manufacturing, regular farming, “other” industries, rice mills and textiles decreased probability; and the more family members who came along with the labourer to work, the more likely to have been trafficked.

TABLE 26: LOGISTIC REGRESSION ANALYSIS OF VARIABLES PREDICTING TRAFFICKING AMONG BONDED LABOURERS

COEFFICIENTS	ESTIMATE	STANDARD ERROR	Z VALUE	PR(> Z )
Intercept	1.53994	0.38699	3.979	6.91e-05 ***
Age: 31-45 years old	-0.32841	0.15205	-2.160	0.030784 *
Age: 46+ years old	-0.36368	0.25516	-1.425	0.154066
Sex	0.79978	0.29379	2.722	0.006484 **
Family members came to work with labourer	0.08264	0.04904	1.685	0.091938
Industry: construction	-1.36052	0.27105	-5.019	5.18e-07 ***
Industry fish farm	-1.80042	0.95115	-1.893	0.058374
Industry: flower garden	-0.95996	0.40493	-2.371	0.017755 *
Industry: jewelry production	-1.47786	0.90578	-1.632	0.102764
Industry: manufacturing	-1.33624	0.32447	-4.118	3.82e-05 ***
Industry: match and fireworks	-1.32726	1.27708	-1.039	0.298669
Industry: other	-1.47086	0.41270	-3.564	0.000365 ***
Industry: plantation	-0.74373	0.48879	-1.522	0.128116
Industry: regular farming	-1.74459	0.37647	-4.634	3.59e-06 ***
Industry: rice mill	-1.62043	0.49147	-3.297	0.000977 ***
Industry: rock quarry	-0.28389	0.39707	-0.715	0.474638
Industry: sugarcane farm	-0.84537	1.19865	-0.705	0.480643
Industry: textiles	-1.87296	0.35863	-5.223	1.76e-07 ***
Industry: tobacco	-1.24900	0.87642	-1.425	0.154126
Industry: tree cutting	-0.78045	0.51823	-1.506	0.132072

When looking at *all* labourers and predictors of trafficking, a logistic regression with the same variables yielded similar results: Being 31-46+ years old reduced probability while being male increased probability; working in construction, manufacturing, “other” industries, regular farming, textiles, or tree cutting decreased probability; and the more family members who came along with the labourer to work, the more likely to have been trafficked.

Additionally, when looking at the native district effect on trafficking status, Table 27 reveals that intra-state and inter-state migrants are more much likely to be trafficked than non-migrants. A total of 77.1% of all inter-state migrant labourers interviewed and 50.3% of inter-state bonded labourers were suspected trafficking victims.

TABLE 27: NATIVE DISTRICT EFFECT ON SUSPECTED TRAFFICKING STATUS

NATIVE DISTRICT	NUMBER (%) OF ALL LABOURERS WITH EVIDENCE OF TRAFFICKING	NUMBER (%) OF BONDED LABOURERS WITH EVIDENCE OF TRAFFICKING
Native district is same as worksite district (non-migrant)	4 (0.3%)	1 (0.4%)
Native district is different than from worksite district, but in Karnataka (intra-state migrant)	171 (34.7%)	77 (50.3%)
Native district is different from worksite district, outside Karnataka (inter-state migrant)	1,139 (47.3%)	776 (77.1%)

<sup>96</sup>The “other” category included work in animal farming and security, painting, electrical work/plumbing, small shops, cooking, driving, and security (guard).

<sup>97</sup>This estimate is based on the Mth Chao Lower Bound estimator (Baillargeon and Rivest, 2007), as this estimator was deemed to be most appropriate for this data set. A multinomial profile likelihood confidence interval (Cormack, 1992) for this estimate is: (10,706; 39,275).

<sup>98</sup>India Census 2011: <http://www.census2011.co.in/census/state/karnataka.html>

<sup>99</sup>Based on INR to USD of 66.79 as of 11 December 2015. [https://rbi.org.in/scripts/BS\\_PressReleaseDisplay.aspx?prid=35697](https://rbi.org.in/scripts/BS_PressReleaseDisplay.aspx?prid=35697)

<sup>100</sup>Based on INR to USD of 66.79 as of 11 December 2015. [https://rbi.org.in/scripts/BS\\_PressReleaseDisplay.aspx?prid=35697](https://rbi.org.in/scripts/BS_PressReleaseDisplay.aspx?prid=35697)

<sup>101</sup>Based on INR to USD of 66.79 as of 11 December 2015. [https://rbi.org.in/scripts/BS\\_PressReleaseDisplay.aspx?prid=35697](https://rbi.org.in/scripts/BS_PressReleaseDisplay.aspx?prid=35697)

<sup>102</sup>Based on INR to USD of 66.79 as of 11 December 2015. [https://rbi.org.in/scripts/BS\\_PressReleaseDisplay.aspx?prid=35697](https://rbi.org.in/scripts/BS_PressReleaseDisplay.aspx?prid=35697)

<sup>103</sup>Based on INR to USD of 66.79 as of 11 December 2015. [https://rbi.org.in/scripts/BS\\_PressReleaseDisplay.aspx?prid=35697](https://rbi.org.in/scripts/BS_PressReleaseDisplay.aspx?prid=35697)

<sup>104</sup>A ration card allows labourers to buy rice and other provisions at cost. An Aadhar card is a unique identification document in India that enables Indian citizens to access a variety of government benefits to which they are entitled.

<sup>105</sup>Employees’ Provident Fund (EPF) is a pension and insurance scheme overseen by the Ministry of Labour and Employment. It would identify a person a formal worker in the organized sector. [http://www.epfindia.com/site\\_en/AboutEPFO.php](http://www.epfindia.com/site_en/AboutEPFO.php)



These labourers are not the same people as those surveyed in the marketplaces nor are they representative of all migrant labourers coming into Karnataka; however, these interviews provide contextual details around migration for work, living and working conditions, abuse experienced, and the labourers’ own views of their employment and bonded labour, all of which was not possible to collect through the marketplace survey.



## 4 – RESULTS FROM IN-DEPTH INTERVIEWS WITH MIGRANT LABOURERS

### 4.1 CHARACTERISTICS OF INDIVIDUALS WHO MIGRATE TO KARNATAKA FOR WORK

### Key Findings

Many labourers had two options for work in their native villages: work their own land or as manual labourers. Many migrated to Bangalore for work due to lack of continuous and sufficient income, spending approximately six to eight months in Karnataka. On average, the respondents made Rs. 2,474 (USD 37.04) per person per month, with women earning much less than men. A majority of the labourers borrowed money from a variety of sources, often times with interest, to make up the difference between wages earned and monthly household expenses. The loan repayment is another reason given around the need to migrate.

Of the 39 labourers interviewed for this study, 15 were female and 24 were male. Their ages ranged from 18 to 60 years old, with the average age of 36. With regard to education level, 25 (64.1%) of the labourers reported that they were illiterate, while 11 (28.2%) had some schooling, ranging from Class 1 to Class 10. Thirty labourers were originally from Odisha, five from Andhra Pradesh and four from Karnataka, along the Tamil Nadu border. The majority of labourers were affiliated with one of three castes: OBC<sup>106</sup> (9), SC (9) or ST (8); six respondents were part of another caste,<sup>107</sup> and three did not know their caste affiliation.

In describing their past work, 28 respondents (71.8%) reported having worked in a brick factory and four (10.3%) in a rock quarry cutting stone. Of the 28 respondents who had worked in a brick factory in the last three years, nine stated that it was their only source of income. Nineteen reported doing other work in addition to working at a brick factory, mainly farming and daily labour. Two respondents stated working in stone cutting in the last three years.

To gain a better understanding as to why individuals are migrating to Karnataka for work, the respondents were asked what work was available in their native villages. All of the labourers stated that there was either agricultural work in their native place (e.g. cultivating paddy, cotton and vegetables) and/or manual labour “coolie” work (e.g. road work, pond digging, bush cutting, wood gathering, breaking stones and agricultural work on others’ land). Other work mentioned as available in their native villages included selling chatty<sup>108</sup> and manufacturing bricks. The labourers who had their own land typically owned one to three acres. Even those who owned land or worked as labourers on other villagers’ land could only work during the monsoon season (July–September) since they did not have their own borewell; thus, they could not water their crops in the winter (December–March) and summer (April–June) seasons. As a result, for approximately six to eight months of the year, many of the respondents headed to the Bangalore area for work, mainly to manufacture bricks and conduct stone-cutting work.

At the time the interviews were conducted, the respondents reported that they and their families were working in manual labour (masonry, construction, painting, roadwork) and/or agricultural work (tapoica, kendu leaf;<sup>109</sup> paddy, lentils and vegetables). Family members would often work a

range of jobs in a given week depending on the work available in the village. Respondents also stated that family members would beg their fellow villagers for rice and other food to get by each month. Only one family stated that they were full-time brick makers. As the following labourers explain, family members of all ages worked to contribute to the household income; however, due to a shortage of full-time work, multiple jobs needed to be undertaken, and even then the income made was often not enough to live on.

The range of household incomes earned per month was Rs. 1,000–16,000 (USD 14.97 – 239.56), with varying numbers of family members contributing. On average, the respondents made Rs. 2,474 (USD 37.04) per person per month. Women earned approximately Rs. 80–100 a day (USD 1.20–1.50), and men earned Rs. 100–200 (USD 1.50– 2.99) per day. Most of the labourers’ income went to food and other groceries, followed by medical-related expenses, including medicine. Their monthly earned income often times did not cover their monthly expenditures.

A majority of the labourers (66.7%) explicitly stated that they borrowed money, often with interest, to make up the difference in wages earned and monthly household expenses. They borrow from a variety of sources, including family members, villagers, grocery store owners and banks. In order to pay back the loan, the respondents reported having to migrate to other states for work.

“Whenever there is a marriage or a function we borrow money to meet the expenditure. We borrow money from the villagers themselves. If we borrow 10,000 rupees (USD 149.72) then we have to repay 15,000 (USD 224.58) in a period of six months. We also use the money we save.” –Male, 30 years old, illiterate, OBC

“We manage the difference by borrowing money from others. We pay 5% interest for the amount we borrow. We make a regular payment to them, and because we pay them regularly they give us money. To pay off the debt we go to places like Bangalore.” –Male, 50 years old, illiterate

A small number of respondents stated that they did whatever was necessary in order to avoid having to borrow money, including, as this 60 year-old illiterate man stated, not eating: “Sometimes there will be no food and we will sleep without food. If we get we will eat. This is how we lead our life.” Another 50 year-old illiterate man also reported reducing his and his family’s daily food intake in order to not have to borrow any money.

### 4.2 RECRUITMENT FOR WORK IN KARNATAKA

### Key Findings

The majority of labourers were offered jobs namely through a sardar, but also from family members, community members, recruiters and the owners of the establishment. They accepted these jobs to repay loans, to help pay for other expenses or because they felt it was their only option for survival. The majority of labourers did not sign a contract, and the majority received an advance from the employer, ranging from 1,000 to 100,000 rupees (USD 14.97 – 1497.23). Labourers took various routes of transportation into Karnataka including vehicle, bus, train, bicycle and by foot. The majority had all travel costs covered. Most labourers travelled with their families, and most were supervised by someone related to their new employment during their travel.

For many of the reasons stated above, all of the labourers described migrating to Bangalore or Karnataka for work, mainly due to a lack of available, consistent work in their native villages. However, others had incurred sudden expenses due to a death in the family, illness and/or family weddings they were expected to pay for.

“Due to financial crisis and also for getting the money required for my grandmother’s funeral rituals, I decided to go to Bangalore for work.” –*Male, 23 years old, Class 8, SC*

“My wife had to undergo an operation at that time and we were short of money and so one of my friends suggested that he would pay me 25,000 rupees as an advance and I had to go and work in their brick factory.” –*Male, 35 years old, illiterate, ST*

Droughts also had a profound effect on the respondents’ ability to earn money since without rain, particularly during the monsoon season, there were no lands to plough or vegetables and paddies to cultivate. Many of the labourers felt that they were forced to migrate as it was their only option.

“We were in need of money for our household expenses and to survive, there were no work opportunities in the village and we wanted to build our own house. We can save more money there.” –*Female, illiterate, OBC*

The majority of respondents (74.4%, n = 29) were offered jobs manufacturing bricks, followed by four respondents (10.3%) who were offered a job breaking/cutting stones; six labourers (15.4%) were offered other work, including coconut harvesting and loading and unloading sand. They learned about the work from a variety of actors, namely through a *sardar*<sup>110</sup> (30.8%, n = 12), followed by family members (12.5%, n = 5), community members (12.5%, n = 5), a recruiter (10.3%, n = 4), the owner of the factory (10.3%, n = 4) and others (7.7%, n = 3).<sup>111</sup> Respondents described the reasons why they accepted the job, which included: to help repay their loan(s); there were no other options for survival; it would help pay for other expenses, such as medical bills, weddings and home construction; they were told that there would be doctors on site; and some stated that they were appreciative of that fact that they could take their entire family to the worksite with them if they wanted.

The majority of respondents did not sign a contract, and one person stated that the owners had asked him to sign one and he refused. Eight people did sign a contract, and of those individuals, two people said they signed without knowing what they were signing due to the fact that they could not read. One 60-year old illiterate man claimed, “They took a lot of papers from me. Identity card, address book and so many papers they took away from me.” Another person was not sure if a contract had been signed.

Although taking an advance is not required in order to work in brick manufacturing or cutting stones, it is common since most individuals migrating for work have debts they need to pay off. The majority of respondents interviewed (79.5%, n = 31) had received an advance, whereas 20.5% (n = 8) did not receive an advance, with one of these people stating they were supposed to receive an advance but never did. Of those who received an advance, the money received ranged from 1,000 to 100,000 rupees (USD 14.97 – 1497.23). The average amount of the advances received was 28,821 rupees (USD 431.52). Those who chose not to receive an advance stated that they did not want to be bonded/indebted to the owner. Plus, they would receive a lump sum once the work was completed, which they could bring back to their native village. Those who chose not to receive an advance also felt that by taking an advance, they would not be able to come and go freely from the worksite.

When migrating into Karnataka, the respondents took a number of different modes of transportation to get to their worksites, including: vehicle, bus, train, bicycle and by foot. For some, the journey was short (just a couple of hours) whereas others travelled days to get there.

The majority of respondents (79.5%, n = 31) had all their travel costs covered, including train tickets and food. Five respondents just had their train tickets paid for but were expected to purchase their own food during their travel, or they were given an insufficient amount of money for food to cover the length of the trip. This often left them no choice but to borrow money from someone, often a family member or fellow villager, to cover the cost of the food for the family for their travel to the worksite. Three people had to cover the entire cost of the trip for themselves and their families and were not reimbursed by the owner.

Only three respondents travelled without family to the worksite. For the rest of the sample, some travelled with their entire nuclear family, some travelled with their nuclear and extended family, and others travelled with just a handful of family members who were of working age—leaving young children behind to study. When it came to arranging the travel, 28.2% (n = 11) stated that the owner arranged the travel for them, 28.2% (n = 11) had their travel arranged by the *sardar*, 25.6% (n = 10) arranged the travel themselves, and the rest had a friend or someone they did not know arrange their travel.

Sixteen of the labourers (41%) were not supervised during their travel, while others were supervised by the *sardar* (12.8%, n = 5), someone who worked for the *sardar* (12.8%, n = 5), the factory owner (10.3%, n = 4) or the person who recruited them (a stranger, a friend or a fellow villager). Respondents reported that the travel to the worksite was uneventful except for three people who were robbed by eunuchs along the travel route.

4.3 WORKING AND LIVING CONDITIONS AT THE WORKSITE

Key Findings

Many labourers detailed very harsh working conditions, some working upwards of 20 hours a day, and others only having one or two short breaks during the day. There was a range in satisfaction with the living conditions, ranging from feeling like the houses had sufficient space to having deductions for their wages for housing to being told to build their own homes, toilets and bathing areas once they arrived on the worksite. Most labourers were paid weekly with an amount insufficient for household expenditures and basic needs. Employers made deductions from wages for an advance, days off, lack of work due to rain or housing rental, and others gave no explanation. One-third of the labourers claimed that they were not paid what they were promised and illegal deductions were taken, or in some cases they weren’t paid at all.

Based on their overall description of the work they conducted in Karnataka, 20 of the labourers described what would be considered a negative experience working at a brick factory or cutting stone; 13 described a positive or neutral experience; and four individuals had experiences that were unclear as to whether they were negative or positive.

When asked what their specific working conditions were like, the labourers described in detail what their daily routine usually consisted of from the time they woke up in the morning until they went to bed at night. Some described a daily routine that consisted of regular meals, breaks and an eight-hour workday. Many more detailed much harsher working conditions, some working upwards of 20 hours a day, and others only having one or two short (5- to 10-minute) breaks during the day.



One 23-year-old illiterate man who did not take an advance described a much different experience than other labourers on the worksite who did take one. “More than 15 families worked there. Work started at 7 a.m. and will have to work till 6 p.m. As I didn’t take advance, I just worked. I was not tortured. I saw the owner torturing others.”

The houses and rooms that were provided to the respondents ranged in size and level of comfort. Some reported being pleased with the accommodations (with electricity and bathing facilities) and felt that the space given to them was sufficient for the whole family. Meanwhile, some labourers had to build their own homes once they arrived on the worksite. Others had to construct makeshift toilets and bathing areas, otherwise they would defecate and bathe in the open. Several stated that they faced water shortages, which prevented them from cooking a sufficient amount of food and from bathing on a daily basis. A small number of respondents reported having to pay to rent the huts on the worksite, which was deducted from their monthly wages.

The majority of labourers were paid on a weekly basis. The amount they received each week ranged from 150 to 2,000 rupees per person (USD 2.26 – 29.94), and the average weekly amount received was 618 rupees (USD 27.43). With the exception of those who did not take an advance, almost everyone else stated that their weekly take-home pay was what was left after the owner took what money was owed toward their advance. For many of them, the remaining pay was often not sufficient for their weekly grocery and other basic needs expenses, especially for an entire family. One family only received 300 rupees (USD 4.49) per week, which was supposed to cover the expenditures of 11 family members. As a result, they had no choice but to eat rice and green chilis every day, since that was all they could afford.

In addition to having a certain amount of money deducted each week by the owner to apply toward the advance, in some cases the owners also deducted money for other reasons, including: days not worked; if it rained and work could not be completed; and room/hut rental. Some respondents claimed that there were unexplained deductions made as well. Those who did not take an advance often had a certain amount deducted from their weekly pay, which was then given to them in one lump sum before they returned home to their native village. Two people had a small commission removed from their wages by the owner, as one 35-year-old illiterate man explained: “They deducted 1 rupee (USD 0.01) as commission per stone cut. We get 1.50 rupees (USD 0.02). That means they deduct 100 rupees (USD 1.50) or so and [we are] given the remaining of 500 (USD 7.49).”

Over half of the respondents stated that they received the wages they were promised and were shown the calculations by the owner; whereas 33.3% (n = 13) of the labourers claimed that they were not paid what they were promised and illegal deductions were taken, or in some cases, weren’t paid at all.

“Instead of paying 500 rupees (USD 7.49) for every 1,000 bricks, the owner paid us only 70 (USD 1.05). So for four weeks, total amount received was 1,400 (USD 20.96) and the amount not paid comes to 8,000 (USD 119.78) per month.” -Male, 31 years old, Class 5, SC

“When we asked them they told us for the work we did only that much would be paid. Our loan amount was increasing day by day and they used to tell us to first clear the loan amount then ask for more wages. When they told us like that, we never used to check the records, as we are illiterates.” -Male, 50 years old, illiterate, Irlass, Malayal Makkal

“They paid us less than they promised but would beat us, if we asked.” - Male, 25 years old, illiterate, Manjula

4.4 RESTRICTIONS ON FREEDOM OF MOVEMENT AND EMPLOYMENT

Key Findings

**Restrictions on movement varied among the labourers. Nearly half were able to leave the worksite to visit their native village, but more labourers were not able to leave. Almost half of the respondents reported that they could not take leave if they fell ill, and many incurred medical costs and received deductions from wages for sick days. While most labourers were allowed to attend and celebrate festivals, one-third were not; some of these requests resulted in verbal or physical assault of the labourer.**

The following findings highlight not only restrictions on freedom of movement or employment but any violence the labourers experienced while on the worksite in regard to these restrictions.

Almost all of the respondents, either themselves or a family member, made weekly trips to the market to purchase the weekly groceries and other necessities, such as soap and clothing. The vast majority were not supervised during these trips and could spend several hours at the market. Those who were supervised had limited time, sometimes only 15-20 minutes, to purchase everything they needed before they were forced to return to the worksite. Almost everyone reported spending all of their weekly wages at the market, with very few of them able to save money for an emergency.

Given the physical demands of brick manufacturing and stone cutting, it was common for labourers to fall ill or need a day or two of rest. Over half of the respondents reported that they were able to take leave if they fell ill. One woman stated, “I was on leave since my pregnancy. We were able to take leave for two to three days when we suffered from body aches or headaches. When my husband was unwell, he could not work for two months. At that time, the owner was helpful, provided money for the hospital and injections and allowed him to rest.”

Almost half (48.7%, n = 19) of the respondents reported that they could not take leave if they fell ill. Some provided harrowing accounts of falling very ill and being forced to work. In some cases, the owner would administer medicine, either in the form of a tablet or injection, in order to avoid having to take them to the hospital. For those who had no choice but to seek medical attention, the owners would often make them go back to work immediately upon their return to the worksite. In many cases, the labourers were made to incur the cost of the medical expenses and often had their wages docked for the missed days.

“The contractor refused leave. In case of emergency, we have to walk to go to the hospital and the contractor will not pay any money. Once I got typhoid and got admitted in a hospital and the entire expense was borne by me. It came to 10,000 rupees (USD 149.72).” -Male, 31 years old, Class 5, SC

“We were always forced to work, even while ill. If we tell him, ‘Sir, today I have stomach problem or any other health problem therefore I cannot work,’ he will get furious and shout at us by telling, ‘I brought you here to work, you need to work.’ He will even ask our children to work. When we said our children are small please don’t engage them in work, they may become ill. We are not ill yet, with God’s blessing. That time he would reply, no God is there in this Yuga<sup>112</sup>. When we said I pray you give us leave, he would scold us saying I am not God. Don’t pray to me and just keep working.” -Female, 20 years old, illiterate, SC

“If we did not work they would hold our neck and hit us badly. They did not hit the women. They were hitting only men. He would take us to the hospital and we had to work after we came back from the hospital.” -Male, 60 years old, illiterate

When asked if they were able to leave the worksite to visit their native village, 43.6% (n = 17) of the respondents said that they were able to return home for a visit. Some of these individuals stated that the owner paid for their travel and food expenses and did not deduct the cost from their wages, whereas others had to bear the travel costs themselves. However, 46.2% (n = 18) of the labourers claimed that they were unable to leave the worksite to visit their native village, even when a family member passed away. The owners would often threaten to not pay them at all, and in one case, did not even allow the family to perform a small burial ritual for an elder.

In another case, the owner arranged transportation for the husband and wife to return to their village for the funeral of the husband’s father, but he had them supervised the entire time and made them return back to the worksite the same day.

“They never used to allow us to go out without their supervision, not even for *poojas*<sup>13</sup> as we never used to get leave. Even when my father expired, they arranged an auto and sent us. They just gave us 1,000 rupees (USD 14.97), which was not sufficient. On the same day they took us back.” -Male, 35 years old, illiterate, ST

For festival celebrations, 56.4% (n = 22) of labourers reported that their employers allowed them to celebrate various festivals. Often they celebrated the festivals while at the worksite, and many of them claimed that their employer would provide them with several hundred rupees, in addition to sweets and other delicacies. Some also claimed that they received two to three days leave. Thirteen respondents (33.3%) stated that they were not allowed to celebrate any festivals while working at the factory. In some cases, even requesting time off to celebrate resulted in the owner or supervisor verbally or physically assaulting the labourer.

When asked if they could work elsewhere if there was no work available at the worksite, 53.8% (n = 21) of the respondents reported that they were explicitly told they were not allowed to work elsewhere, even if there wasn’t work available. Almost everyone else said that there was always work available at the site, so it never came up as an issue. For those who were told they could not work elsewhere, some were threatened with physical abuse if they attempted to work at another site, and others were given other work and chores to do, including working in the owner’s field or cleaning the owner’s house. This “other work” was not usually compensated.

When restricted to a worksite seven days a week, communication via phone to their relatives and friends back in their native village is very important to labourers. Over half of the respondents said that they could communicate freely with friends and/or family, although some were restricted to only speaking to family members. In one case, one family who was being severely abused by their employer was able to communicate with family back home and told them about the torture they had to endure on an almost daily basis. Because of the labourer’s restrictions on freedoms, there was “nothing that could be done as we could not move from that place.”

Over a third of the labourers were not allowed to communicate with family and friends back home, and in some cases, were prevented from speaking to other individuals on the worksite. A few of the respondents stated that their mobile phone or SIM card was confiscated once they arrived on the worksite.

“We could not talk. We took a phone there, but when he came to know, he took our phone and removed the SIM card. From that day we could not talk with anyone.” -Female, 20 years old, illiterate, SC

“No, if we call them, we are finished.” -Male, 60 years old, illiterate

When asked if anyone tried to leave the worksite without permission, 43.6% (n = 17) of respondents stated that it was either impossible since there were guards and they were always being watched, or they would be found, returned to the site and beaten.

“If people left the premises without permission, the owner would send out people to search him/them and if they are caught, then the owner would beat them badly. If the owner is unable to catch them, then it is the good luck of that person and he is free.” -Male, 32 years old, illiterate

“In case if anyone left that place without informing, they would kill us.” -Male, 60 years old, illiterate

Some of the respondents knew of other labourers who tried to leave the worksite without permission and faced severe punishment as a result. This included physical assault that several labourers described as “torture.”

“Some people of the group tried to leave the premises. The person who watches over us would tell the owner. The owner sent his people to search for them. They caught these people, brought them back and tortured them.” -Male, 32 years old, illiterate

“Once it happened when we were there. We saw owners beating the labourer. They beat with logs too. They even keep their children locked in rooms so that labourers can only escape without their children. We can’t complain to police as we can’t go to such places without their notice. They ask us to clear the debts with interest. We can’t do so as we don’t have money.” -Female, 60 years old, illiterate, Daring-Boyiler

4.5 ABUSE AT THE WORKSITE

Key Findings

Nearly two-thirds of migrant labourers interviewed stated that people at their worksite experienced some form of abuse. Employers targeted children in some worksites, and in others, the abuse was used as a tool to keep adults in fear and following the rules. The majority of labourers stated they would seek help from a government official, but not the police.

Almost two-thirds (64.1%, n = 25) of respondents stated that people at their worksite experienced some form of abuse, although only 43.6% (17) reported having experienced any abuse themselves. The abuse experienced ranged from verbal to psychological to physical, and two labourers claimed that they heard that some of the women on their worksite were being sexually harassed/abused. Several claimed that only the men would be abused, and the supervisors and owners would leave the women alone; whereas others reported that men were physically abused and women were verbally harassed.

“Mostly it was verbal abuse. Sometimes it was physical abuse. The men were physically abused. The women were verbally abused.” -Female, 50 years old, illiterate, OBC

“Sometimes I used to stay at home, as I have undergone three major operation. I used to feel very tired to work continuously. Even then they used to beat me. Men were beaten. Women, as I have heard, were even sexually abused.” -Male, 35 years old, illiterate, ST



“They threaten men that they will be beaten with sticks. They use all filthy language to scold us. Women were subjected to sexual harassment especially by owners.” -Male, 31 years old, Class 5, SC

One respondent even described how the children of the labourers were targeted and physically abused as a way to ensure that the adults complied with the rules. He also claimed that one of the men he worked with suffered from long-term psychological trauma based on the abuse he suffered.

“They were hitting us brutally. They did not hit me but were hitting the children. They used to hold them by the neck. You see the marks. It also left a psychological scar due to the fear that the children would not survive. This person studied up to 10th standard and is a father of three children. He became a mental patient and he has flashbacks of the abuse he suffered and keeps saying, ‘owner is coming’ even now. He is mentally disturbed.” -Male, 60 years old, illiterate

The reasons given for the abuse mainly had to do with the supervisors thinking that the work was not being done properly or that the labourers weren’t working hard enough. The respondents also reported that the employers abused them when they asked for their wages and to prevent them from leaving the worksite. One 20-year-old woman stated, “He [the owner] always said I have bought you and paid you the advance, took you all here. Now you will have to work as I say.”

Respondents named a number of different people they would go to if they were in trouble and needed help. The most common answer was that they *would* seek help from a government official (28.2%, n = 11), particularly a labour officer. Other labourers named the *sardar* (15.4%, n = 6), police (10.3%, n = 4), village leader (5.1%, n = 2), no one (5.1%, n = 2), *seth*<sup>114</sup> (2.6%, n = 1) or friends (2.6%, n = 1). Four people said they don’t know whom they would turn to for assistance.

Only one person recounted seeking help from the police in a previous situation, while many others stated a number of reasons why they didn’t seek help from the police. Lack of trust was the most common reason cited, in addition to a belief that police would just take a bribe from the owner and there would be no real repercussions.

“We don’t trust the police. We have seen how the police work. They are not honest.” -Male, 35 years old, illiterate, OBC

“Since we have not contacted the police, we are not sure if we are afraid of them. If we are justified in our actions, we can approach the police bravely. However, we prefer contacting the labour officer as he would take better corrective measures than the police.” -Female, illiterate, OBC

“Because police will not listen to us as we are from another state. The police will only favour their own people. Police will take a bribe and compromise us, after that, the owner will scold us because we approached the police.” -Male, 40 years old, Class 1, SC

“I felt I should approach police, but was scared as the police would be close to my employers who have told us that it would be no use if we went to police as they know all the policemen and were keeping them bribed.” -Male, 25 years old, illiterate, Manjula

The labourers’ opinion of the government was a lot more positive than their views of the police. That said, many of those who received government assistance in leaving their exploitative situation did so through the help of others who contacted the officials directly. As one 40-year-old man declared, “They are good. They rescued us and protected us. They brought us train tickets and they came to our village and left us safely. They ensured we were safe.”

4.6 RETURNING HOME

Key Findings

**While some labourers returned home due to monsoon season, illness or family events, others were not able to return home at all until someone assisted them. The government was involved in getting more than one-third of labourers (36%) out of the worksite and back to their native villages, which boosted their confidence and trust in these officials. In most situations, labourers reported being well-received and cared for by their native village community members.**

Labourers stated a number of reasons why they returned to their village. Some returned when monsoon season was about to start so they could tend to their land. Several other respondents stated that due to the hazardous nature of the work, it was almost impossible to work for longer than six months at the factory. Others returned because of an illness, either pre-existing or contracted at the worksite, or other obligations in their village, such as weddings and funerals. Some respondents stated that they were only able to return home because they were rescued from the abusive worksite by government officials. As one 35-year-old man stated, “We were not living a life there. It was hell. We were tortured a lot.”

The government was involved in getting 14 of the labourers (35.9%) out of the worksite and back to their native villages.<sup>115</sup> These respondents praised the government for their actions. They felt listened to and heard when they discussed the poor treatment that they had received while at the worksite, particularly when the owner was trying to tell the government something different. Overall, this helped to boost their trust in the government.

“When I expressed the desire to return, the manager and owner did not allow me. I then contacted one of my sons, who went to the authorities. The government officials came to the worksite to rescue us. We were taken to a safe place where we lived for seven days. The officials provided us with food. After seven days they booked our train tickets and gave us each 500 rupees (USD 7.49) for travel expenses.” -Female, 50 years old, illiterate, OBC

Upon returning to their village, most of the labourers stated that their fellow villagers treated them with kindness and were happy that they were back. For those who experienced abuse or did not receive the money they were promised, community members helped them out by providing them with food and job opportunities when possible. Many of the respondents were happy to be back home; however, some were grappling with a number of illnesses due to the hazardous work they were doing in the factories. As one woman stated, “After returning, my husband fell sick with a fever very often. I also suffered as a brick fell on my leg and there was a cut on my leg. We both had to go to the hospital for a check-up.”

Others were concerned with how they would make enough money to survive, as their financial situation quickly returned to what it was like before becoming bonded. As one 25-year-old woman recalled, “It was a very difficult time. My husband was ill. My mother and father-in-law had to pay for the treatment. We were in a miserable situation. Life was very difficult before we left for Bangalore. Now after returning, it is the same. It is more difficult as we do not have money now. There is no work available here either, which makes it even more difficult.”

That said, some found a new appreciation for their situations back home, despite continuing to face extreme poverty. Many felt that freedom was more important than anything else.

“We are feeling very independent. Even if we have just one meal, it is also enough as we have independence, without anybody interfering in our life and asking us to work 24/7. We are leading a peaceful life.” *-Male, 35 years old, illiterate, ST*

“Now it’s a new life for us, and I am not very particular in choosing my job. Anything, anywhere I will try and do that work. That is what I learned there. And whenever I am not feeling well, I can take a rest for two days. No one is there to question me.” *-Male, 50 years old, illiterate, Irlass, Malayal Makkal*

At the time of the interview, 69.2% (n = 27) of the labourers were in debt, many of whom were left with little choice but to take out a loan for a variety of expenses—groceries, medicine, funeral costs, children’s education —after returning from Bangalore. Their debt ranged from as little as 1,000 rupees (USD 14.97) all the way up to 70,000 rupees (USD 1,048.06)

4.7 BONDED LABOUR

# Key Findings

**A total of 34 of the 39 migrant labourers interviewed were bonded according to the marketplace survey definition: 28 self-reported to be bonded. Also, 31 of the 39 labourers had evidence of trafficking, describing situations of force, fraud and coercion, suggesting a high co-victimization with bonded labour.**

As described earlier in the report and for the purposes of this study, a person was considered to be in bonded labour if he or she had restrictions on freedom of movement or employment. All but five of the 39 migrant labourers who were interviewed for this part of the study described such restrictions. Given the level of detail that the respondents provided regarding their recruitment, migration and work experiences, 31 of the 34 bonded labourers were trafficked in Bangalore. This was calculated based on information shared by the respondents that described situations involving force, fraud and coercion. This suggests that there is a high correlation between bonded labour and trafficking.

In order to determine whether the respondents understood what it meant to be in bonded labour, the interviewers asked them to define it in their own words. Overall, the respondents believed that a person is in bonded labour if they are forced to work for just one employer, make little wages, and do not have the freedom to come and go as they please. One woman defined bonded labour as “it means servant.”

“The labourers have to work all day and cannot rest. The labourers also are not free to work anywhere else.” *-Female, 50 years old, illiterate, OBC*

“A bonded labourer is someone who does the labour work for a whole year, and paid only at the end of the year. Throughout the year they receive money only for their food expenses. They suffer a lot, as [opposed to] the normal labourers who get paid for their work daily. They have a choice to change employer or not work if they wish against it. The bonded labour does not enjoy such freedoms.” *-Female, 32 years old, illiterate, ST*

“*Halia* is someone who works under a *Mahajan* (rich man). [In] *halia* work, we give assurance to the owner that we will work under him only for a certain period. There

Nearly two-thirds of migrant labourers interviewed stated that people at their worksite experienced some form of abuse. Employers targeted children in some worksites, and in others, the abuse was used as a tool to keep adults in fear and following the rules.





is no independence when one works in *halia*. Further as a *halia*, one has to work as per the owners' wish. He may ask us to do very mean work such as cleaning their toilets, bathrooms and clothes, and we can't say no to that.” -Male, 30 years old, illiterate, OBC

“As I understand, the owners will give a part of the money as an advance and take people for work and put them in a worksite which is like jail. They will promise you that they will give you advance money but they will not give.” -Male, 50 years old, illiterate, Irlass, Malayal Makkal

The majority of respondents (71.8%, n = 28)) considered their work in Bangalore to be bonded labour. That said, only two people claimed to know about laws regarding bonded labour in India. The majority of respondents believed that bonded labour is common in Bangalore and that it usually involves people from rural villages.

The labourers felt that people went into bonded labour primarily due to the lack of continuous, long-term employment options in their native villages, and it was often their only option for survival. They also felt that people from more urban areas would not be willing to take on such work due to the known hazardous conditions and low pay.

“People become bonded labourers to earn some money and meet our needs. We borrow and so, to repay, we have to go for work as bonded labour. Here we don't have continuous work to do. During this month, work will be available for a few days and after that we will just sit at home.” -Male, 28 years old, Class 10, OBC

“Local people in the village will not want to work for such wages in such conditions, so they bring people from outside and make them bonded labour.” -Male, 40 years old, Class 1, SC

“The people become bonded for the survival of the family, to earn money and eat.” -Male, 20 years old, Class 2, ST

“People come for bonded labour if they don't have money or facing some problem. If anyone works here for four days, he will get paid after seven days. So income from this labour is not sufficient to manage the family every day. He needs money every day. When they migrate they are able to clear any loan borrowed within the village. They are able to eat there properly and come back with some money in hand.” -Male, 45 years old, Class 4, SC

The respondents believed that employers used bonded labourers mainly because they can pay them low wages and make a larger profit when they sell their product. Since few locals in Bangalore are willing to take on such work, they rely on rural villagers who have few options for employment to make up their workforce.

“They get very cheap labour. They are not paying even the promised wages and they extract more work. Local people refuse to do all this work because they question them and demand more wages. Hence, they bring people from far off villages without telling them the type of work and the related working conditions.” -Male, 31 years old, Class 5, SC

All but two labourers felt that the employers who used bonded labour should be punished. The majority of respondents felt that they should be imprisoned and/or required to pay a fine. They also felt that there should be more government oversight, and the worksite should be closed down if bonded labour was known to occur there. Some also felt that they should be awarded back wages. On the more extreme end of the spectrum, some felt that the employers should receive the same abuse that was inflicted upon them. Three people felt that the employers should be hanged.

“Government should cease their work that is taking place in their site once the complaint is registered against the owner.” -Male, 32 years old, illiterate

“They should pay back our money, which they promised to give us and they should be liable to pay a fine to the government.” -Male, 50 years old, illiterate, ST

“They have to be punished. They made us suffer so much, so they have to be punished for this. They should be jailed. Just as we were jailed when we were in [name of town where worksite was], similarly also they should suffer in jail.” -Male, 35 years old, illiterate, ST

4.8 PREVENTION AND INTERVENTION

Key Finding

The main recommendation cited by the labourers for preventing bonded labour was for the government to invest in local villages.

The last set of questions posed to the respondents focused on with how to prevent individuals from entering into bonded labour and what interventions should occur to assist those who are in and/or have left a bonded labour situation. In order to prevent bonded labour from happening, the respondents felt that there needed to be more money invested into their local villages by the government. Specifically, they called on the government to build borewells, hospitals and clinics, and the overall infrastructure in the village, which would provide more employment opportunities. Some respondents also felt that having their own borewell was becoming more vital to their livelihood, given the increase in droughts in the region.

“There should be enough means of livelihood for the labourers, so that they do not have to depend on bonded labour. If we have sufficient job opportunities, there is no need for us to go and work in such conditions.” -Female, 50 years old, illiterate, OBC

“If the government would help us by giving loans, subsidy and enough jobs, then there will be no bonded labour. The government should also give loans and to those who have land they should give borewells. When people begin to earn a good income and get sufficient work in their own village, then even if there is a drought or flood and even if crops fail, that will compel him not to go out [migrate] as a labourer.” -Male, 38 years old, illiterate

They also felt that the government should create micro-financing opportunities in the villages to prevent individuals from having to migrate for work, and also create incentives for companies to build factories in more rural villages.

Labourers also called on the government to increase the daily wages, for both women and men, since it was not sufficient income to live on. Many of the labourers felt that the government should intervene when they hear about a worksite using bonded labour. Additionally, they felt that the government should establish better labour guidelines for both employers and employees, help labourers who have been bonded to obtain back wages from the employer, and take appropriate action against the employer to prevent others from ending up in a similar situation.

“The punishment which was given to us at the work place should be given to the owners who make us as bonded labourers. After we come back to our village, the owners

should not threaten us or send their people to beat us up. All these matters should be taken care of and protection should be given to us by the government. When we give a complaint against someone, they should take action against that person immediately.”  
*Male, 50 years old, illiterate, ST*

“Government should punish harshly the employers who make this kind of bonded labour work. Then people get scared and don’t attempt such kind of things.” -*Female, 60 years old, illiterate, Daring-Boyler*

There were a few respondents who felt that the government should not intervene if they are unable to provide job opportunities to villagers, since more often than not, the villager will be left with no choice but to migrate out of state again in search of employment.

Everyone interviewed, except one person, felt that the government should help labourers recover from a bonded labour situation. Similar to the recommendations provided for preventing someone from being bonded, there is an acute need for employment, land or housing, healthcare, and education once someone returns back home from bonded labour. One 23-year-old male labourer pleaded, “If people will teach us new work other than this, we are willing to learn.”

<sup>106</sup>Stands for “Other Backward Caste”—a collective term used by the government of India to classify castes that are socially and educationally disadvantaged.

<sup>107</sup>Majulollu, Dhairingulam, Daring-Boyler.

<sup>108</sup>Selling chatty is a local Oriya phrase used to reference selling mushrooms.

<sup>109</sup>Kendu leaves are from a flowering tree that is most commonly used as the outer layer of beedi cigarettes in India.

<sup>110</sup>Sardars are agents who bring people for work (traffickers) or middlemen.

<sup>111</sup>Other included through a munsii and through their own search.

<sup>112</sup>Yuga in Hinduism is an era within a four-age cycle. The present time is a Kali Yuga, which is a time of darkness.

<sup>113</sup>A *pooja* is a religious ritual performed by Hindus as an offering to various deities, distinguished persons or special guests.

<sup>114</sup>A *pooja* is a religious ritual performed by Hindus as an offering to various deities, distinguished persons or special guests.

<sup>115</sup>No migrant labourer specifically mentioned the receipt of a release certificate; however, in IJM’s experience, these labourers would not have identified the document. In most cases, if a labourer was assisted or rescued by the government, it is likely that the officials issued release certificates.

# Conclusions and Discussion

The conclusions and discussion are divided into five main sections, in line with the research questions outlined in Section 1.5.



5 – CONCLUSIONS AND DISCUSSION

5.1 PREVALENCE OF BONDED LABOUR IN KARNATAKA

With increased research on various modern forms of slavery, countries in South Asia have been put in the spotlight for being among the regions with the highest prevalence rates globally. However, the lack of on-the-ground, real-time research has hindered all stakeholders in understanding the real scale of the issue and thus, addressing it adequately in a multifaceted and coordinated manner. Estimates using mark-recapture of labourers surveyed in the targeted marketplaces determined that, in the early part of 2015, an estimated 1.67 million labourers were working in Bangalore Urban, Bangalore Rural and Ramanagara at worksites similar to those surveyed. Of those labourers surveyed in the marketplace, 33.4% were under the conditions of bonded labour.

When extrapolating to the estimated labourer population in these three districts, this indicates 558,334 bonded labourers were working in these districts of Karnataka at the time of the survey. This prevalence calculation is a conservative one as well, as the study did not include bonded child labourers or most likely the majority of labourers working inside Bangalore City proper, and the definition of bonded labour only utilized two of the five elements identified in the BLA (not factoring in obligations to employers, minimum wage payment or ability to sell products at market value). Additionally, those that refuse to be surveyed are often different from those willing; the estimate does not factor in the 28.4% labourer refusal rate, of which some are likely to be the more hidden or hard-to-reach bonded labourers.

This quantitative data indicates that the employment of bonded labourers was still very much a common occurrence throughout Karnataka during 2015, despite it being constitutionally prohibited in India. The study —the most comprehensive, on-the-ground research effort to interview current bonded labourers in these districts—highlights the extensiveness of bonded labour across at least these three districts in Karnataka. Additionally, the prevalence figures found in this study further support recent estimates made on projections by anti-slavery experts (including an IJM-led sister-study in Tamil Nadu State).

5.2 GEOGRAPHIC AND INDUSTRY-BASED CONCENTRATIONS OF BONDED LABOUR

The study revealed clearly that bonded labour is pervasive across the three districts in Karnataka, both in terms of the geographic (market) coverage of the state and through all surveyed industries. Based on the mark-recapture analysis, the estimate for the number of manual labour worksites in the three districts is 45,262 and of those, 24,213 have bonded labourers.

The 15 industry groupings in this survey all had bonded labour conditions at some worksites, with the prevalence of bonded labour varying between 21.7% and 55.7% across industry groups. Brick kilns, fish farms, rock quarries, rice mills and tobacco had more than 40% of their labour force employed with bonded labour. These would be considered “bonded labour-prevalent” industries, according to this study.

In 10 out of the 17 markets surveyed, more than one-third of the labourers surveyed were bonded. Hoskote market had the highest percentage of bonded labourers. However, approximately 40% of labourers surveyed at Anekal, Chandapura, Doddaballapur, Harohalli, Hunsunahalli, KR Puram, Nelemangala, Ramanagara and Yelahanka markets were bonded.

5.3 THE NATURE OF BONDED LABOUR

In the marketplace survey, bonded labourers suffered statistically harsher conditions than non-bonded labourers, including longer work hours, more work days, more wage deductions, and less access to and uptake of government benefits. This further supports the exploitative nature of bondage, as some of these bonded labourers were in the same worksite with non-bonded labourers.

When looking at the migration patterns surrounding and fuelling bonded labour, the experiences captured in the in-depth interviews were telling. As expected from the purposive sampling approach, which involved snowballing from released bonded labourers or their villages, 34 out of the 39 migrant labourers interviewed for this study experienced at least one restriction while on the worksite and thus were likely to be bonded; 71.7% self-identified to be in bonded labour. Though not a representative sample, these 39 labourers who migrated to Bangalore or Karnataka State for work, illustrate the array of stories about why and how many labourers become bonded, which often involve complicated and difficult situations. The information shared in these interviews paints a vivid picture of how labourers survive in the face of adversity, often dealing with issues rooted in poverty, lack of education and medical care, a limited social safety net, and change in climate patterns.

Thirty-one migrant labourers (79.5%) took an advance from an employer under the condition that they would migrate out of state to work at their factory until the advance was paid back. Based on the fact that 25 labourers were illiterate, it is unclear how many truly understood the terms of employment or even the wage calculations conducted by the employers once on site. Once the labourers arrived at the worksite, they were at the mercy of their employer. Although some of the respondents spoke of their time on the worksite in more positive or neutral terms, many of the labourers described abusive situations that involved the restriction of freedom of movement and employment, in addition to experiencing verbal and physical abuse. Some were able to return to their native village after paying back the advance; however, many of them had to be rescued by the government, since if they tried to leave on their own accord, they would be severely beaten or even killed.

5.4 DEMOGRAPHICS OF BONDED LABOURERS

Bonded labour is a complex phenomenon. From the data presented within this study, both the numbers and proportions of bonded labour vary by industry group, worksite location and labourer demographics. While more male labourers were interviewed, females were bonded slightly more often. Younger labourers (under 30 years) were found working under bonded labour conditions more often than older labourers, suggesting that bonded labour vulnerability is high when a person begins their working life. Labourers who had been working at their current worksite one to three years were more likely to be bonded than those who had worked less than one year or more than three years.

The study revealed clearly that bonded labour is pervasive across the three districts in Karnataka, both in terms of the geographic (market) coverage of the state and through all surveyed industries.

The labourers' native origin also had an effect on bonded labour. A total of 22% of labourers who called their native origin Bangalore Rural were bonded; 19.4% of those originally from Bangalore Urban were bonded; and 20.7% originally from Ramanagara were bonded. The high percentage of inter-state migrant labourers who were bonded (41.8%), in comparison to those who migrated from within Karnataka (31%) or who were working in their native district (19.8%), points to a particular vulnerability among migrant labourers to this type of exploitation. From the qualitative research, many of the migrant labourers interviewed were illiterate and had very few employment opportunities in their native villages, especially continuous, long-term employment. Many of the labourers did not make enough money each month to cover their expenditures and were left with little choice but to borrow money from their family, fellow villagers and banks. Often times the loan came with interest or debt of their labour, and thus many were forced to migrate out of state for at least six months out of the year.

However, the percentage of non-migrants and intra-state migrants who were bonded cannot be overlooked. Bonded labour is not just a vulnerability caused by migration. It is occurring among labourers who have migrated for work but also who remain in their home district.

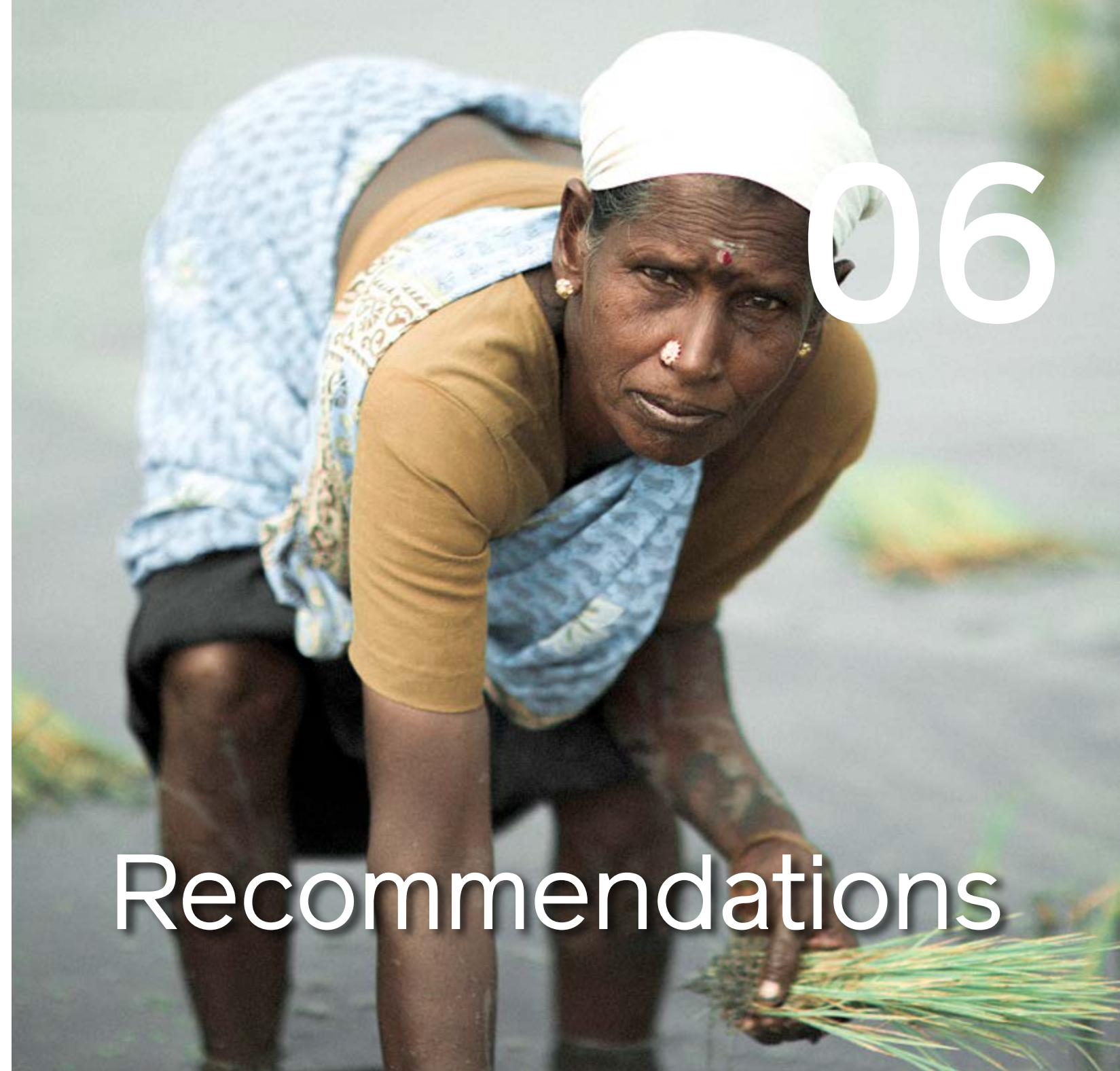
For the purposes of this research, while the main variable for bonded labour was established by having restrictions on freedoms, the study also captured data on existence of a debt/obligation or receipt of an advance, wage payment, deductions, and other working conditions. In every industry group, some bonded labourers were paid under the minimum wage, with 45% of all bonded labourers paid less than their industry standards. Even among those bonded labourers who were from Karnataka originally (non-migrants or intra-state migrants), roughly half were not paid these industry standards. Bonded labourers did work significantly more hours and days than non-bonded labourers, but both groups worked more than the legally allowed limit. The conclusion from these findings is that many labourers, regardless of bondage, are forced to accept legally substandard working conditions and are vulnerable to exploitative employment arrangements. The difference is mainly that non-bonded labourers can leave their worksite.

### 5.5 INTERSECTION OF BONDED LABOUR AND TRAFFICKING

The intersection between bonded labour and trafficking in India has not been well documented or researched. This study found that a total of 1,314 labourers or 30.5% were suspected to have been trafficked into Karnataka for work at their current worksite. When considering only those found to be in bondage, 59.3% (N = 854/1,439) had evidence of trafficking, meaning the exploiters of these 854 labourers could be prosecuted for trafficking in persons as well as an operator of a bonded labour system.

Additionally, when studying these figures by industry, more than one-third of those surveyed working in brick kilns, flower gardens, manufacturing, rock quarries, tobacco industries and "other" were suspected to have been trafficked into their current worksite. If analysing only bonded labourers, roughly 60% or more of those surveyed working in brick kilns, construction, flower gardens, manufacturing, rock quarries, tobacco industries, tree cutting and "other" were suspected trafficking victims.

Several factors predicted trafficking among bonded labourers: age, sex, industry group and number of working family members. Individuals ages 31-45 have reduced probability; being male increased probability; working in construction, flower gardens, manufacturing, regular farming, "other" industries, rice mills and textiles decreased probability; and the more family members who came along with the labourer to work, the more likely to have been trafficked. Not surprisingly, more than three-quarters (77.1%) of inter-state migrant bonded labourers were suspected trafficking victims.



# Recommendations

The following recommendations are suggested for Indian stakeholders and the larger international community implementing programs, conducting research, or formulating policy or funding protocols regarding, related to, or affecting populations vulnerable to bonded labour or trafficking into bonded labour.



To ensure that government services and assistance is understood and used by victims, the government should invest in improving awareness of the BLA in vulnerable communities.

## 6 – RECOMMENDATIONS

### 6.1. ADDRESSING BONDED LABOUR MORE EFFECTIVELY AND COMPREHENSIVELY

**Recommendation 1:** The State government should resource and ensure better implementation of criminal and labour laws for bonded labour and human trafficking and provide a comprehensive, cross-departmental and convergent response to the crime in all its forms

**Recommendation 2:** All relevant government officials responsible for bonded labour crimes should be trained on the co-victimization of bonded labour and trafficking.

Most cases of bonded labour could be addressed with better implementation of criminal and labour laws [e.g. BLA as well as other statutes such as IPC (e.g. Section 370 Trafficking of Persons and Section 374 Unlawful Compulsory Labour), SC/ST POA 1989, Minimum Wage and Child Labour, etc.], in particular the extent to which employers exploit advances to labourers and traffic them into this type of exploitation. Bonded labour and trafficking into bonded labour are serious crimes; exploiters, from the employers to the traffickers, need to know this is unacceptable and a gross violation of fundamental rights and freedoms. Law enforcement officials, Anti-Human Trafficking Units, and local, district and state government officials should take these offenses seriously by allocating the necessary human, structural and financial resources for effective implementation of these laws and a more comprehensive, cross-departmental response to the crime in all its forms.

To monitor the implementation of the BLA, IPC s.370 and other trafficking laws, the State could institute a state-level database containing the status of identification, release, rehabilitation and prosecution detail for all districts; and a multilingual regional call centre/helpline to provide assistance to labourers with grievances related to bonded labour, economic exploitation or other severe forms of violations at worksites.

Officials should also be sensitized to the variety of forms bonded labour takes across the different industries in Karnataka, as this research demonstrates that bonded labour is present across a variety of industries in the state. The migrant labourers stated they would go to a government official for help if they found themselves in a bonded labour situation. Accordingly, the State should invest heavily in building the capacity of its front-line responders, including district government officials, law-enforcement officials, Anti-Human Trafficking Units, prosecutors and judicial officers (judicial magistrates and district judges), specifically in the co-victimization of the bonded labour and trafficking into bonded labour. Police and district government officials must proactively conduct inquiries and checks on the industries that have a higher prevalence of bonded labourers, particularly those trafficked, within their jurisdiction.

### 6.2 SUSTAINABLE LIVELIHOOD OPTIONS AND SERVICES FOR VULNERABLE POPULATIONS

**Recommendation 3:** The State should take concrete steps to improve livelihood options for vulnerable sections of the population, including adherence to minimum-wage requirements for those that are employed.

In the population studied, given that a large portion of both bonded and non-bonded labourers alike were paid under minimum wage, the State needs to ensure that officers of the Labour

Department are fully equipped to enforce the Minimum Wages Act through the proactive inspection of facilities and books of accounts, as well as through safe interviews with labourers (i.e. confidential and apart from owners/supervisors). Relevant governmental bodies, the ILO and local labour unions should assist employers of worksites around Karnataka, more generally, in education around the differences in proper and legal labour practices and those practices and conditions that are illegal and deemed exploitative by law.

Additionally, a statistically lower number of bonded labourers reported availing of any government schemes in comparison to non-bonded labourers. It is plausible that a lack of access to government schemes contributed to these bonded labourers' vulnerability to the enticements of loans or advances or their desperation for employment, ultimately contributing to their victimization in bonded labour.

The corresponding high vulnerability of migrant labourers (see below) also indicates that migration plays a role in hampering access to government services. State officials should work in collaboration with major source states, such as Odisha (the home state of 18.5% of respondents), to ensure schemes such as ration cards, MGNREGA and land patta are being effectively delivered to migration-prone populations.

To ensure that government services and assistance is understood and used by victims, the government should invest in improving awareness of the BLA in vulnerable communities. These efforts must be coupled with approaches that improve the understanding of and trust in public justice and law-enforcement officials within such vulnerable communities. Potential victims must learn how to recognize bonded labour, how to avoid it and whom they should approach with grievances. Community leaders should be trained/sensitized on how to accompany victims through the process of referring a case. These awareness events must be community-based and run every year to educate vulnerable communities on their rights, to enable them to report any future violations.

Labourers of all ages should not be deceived into a harmful or exploitative work environment due to a lack of education or rights knowledge. Additionally, in all development activities working with vulnerable communities, governmental and non-governmental service providers should include skills advancement around household and individual financial management to provide the best foundation for future livelihood security.

Given the regularity of vulnerabilities around access to capital appearing in the literature as well as in the in-depth interviews, the government needs to ensure that there is safe, fair, affordable and accessible credit facilities made available to members of vulnerable communities. This is necessary in order to create entrepreneurial activities to generate sustainable income and to reduce periods of economic vulnerabilities during off-seasons.

### 6.3 SAFE MIGRATION WITHIN AND BETWEEN STATES

**Recommendation 4:** States should ensure high levels of inter-state collaboration to prevent and prosecute the exploitation of migrant labourers.

The high percentage of inter-state migrant labourers who were bonded in comparison to those who migrated from within Karnataka or who were working in their native district points to a particular vulnerability among migrant labourers to this type of exploitation, including trafficking into bonded labour. However, migration for work should not be discouraged, and in fact migration often allows a family to find work and an income that would simply not be accessible within their home district. It is the exploitation of the migrant workforce by employers that must not be tolerated. Nodal Anti-Human Trafficking Units within the Central Government should be empowered to deliver and facilitate inter-state collaboration to prevent and prosecute this type of exploitation.

Regarding the migrants themselves, government officials and community-based organizations should work to ensure safe migration. Employees of the main transport routes, including trains and buses, should be educated on bonded labour, how to identify groups of migrant labourers at risk on their transport vessels, and reporting protocol. Community-based organizations working with the SC/ST communities as well as in areas with low economic opportunities, should educate families on bonded labour, how to identify a deceptive vs. promising work opportunity, and proper reporting protocol.

Bonded labour is not just an issue among migrants, however. It is occurring in rural and urban areas with people from the very same community. State officials need to ensure their own residents are able to safely migrate, requiring strong inter-state governmental collaboration. The Central Government should produce positive incentives as well as resources in order to facilitate this collaboration.

#### 6.4 FUTURE RESEARCH

**Recommendation 5:** In addition to the above policy and programmatic recommendations, the current survey brings to light future research opportunities for studying bonded labour. Academic and research institutions, the international community, government stakeholders, and donors should continue to encourage, promote, require, and fund efforts to innovate around studying the nature, scale, manifestations, and consequences of bonded labour.

Utilizing a mark-recapture method, this study was the only known empirical study to produce population estimates of labourers in the targeted districts. These estimates could receive greater confidence as well as refinement if additional secondary data sources had been available, such as economic, industry-wide and occupational data. For instance, the raw data from the 2011 census should be accessible to the public so the research team could run parallel analysis for comparison purposes. Government officials at the district and local levels should have industry-specific information for their catchment area. Without these official data, it will be difficult for independent researchers to solidify and cross-validate their findings. This is particularly a problem when no other independent studies or data sources are available on this topic.

More innovative sampling strategies are needed to improve subject recruitment for these hard-to-reach/find populations. Given the interdependence of migration, bonded labour and trafficking into bonded labour found in this study, more research is needed to uncover the victimization rates of trafficking of vulnerable populations into forced labour in Karnataka. As this study discovered during the piloting phase, finding labourers around their place of work with adaptive link tracing proved logistically difficult if the labourer was already bonded. However, the effectiveness of the less-rigorous version of the method (snowball sampling) for obtaining the in-depth interviews with migrant labourers may be indicative that adaptive link tracing could be an effective method in the source communities. A full version of such an adaptive link tracing method perhaps should be tried empirically in a village.

Another suggestion is to focus on a narrow range of specific industries for greater precision of estimations in future prevalence studies. In this study, people self-reported to be labourers, and the majority of those classified themselves into 15 unique industry groups. However, the results revealed the “other” category (made up of animal farming, painting, electrical work/plumbing, small shops, cooking, driving and security) to have among the highest rates of bonded labour and suspected trafficking into bonded labour. Perhaps a geography-centric sampling approach should be combined with some industry-specific designs to improve estimation. Perhaps a small number of industries may account for a greater share of the bonded labour problem. If this is indeed the case and can be empirically verified, greater efficacy and efficiency within policy and programmatic responses can result, including more tailored deployment of law enforcement and social services.



Unlike street crimes, bonded labour concentrates in irregular or informal economic sectors whose access to the labour sites or the employment boundaries are often difficult to define. Establishing a reasonable sampling frame for probability-based sampling, which is fundamental to conventional survey research, becomes either impossible or prohibitively expensive. While sampling methodologies in social science have become increasingly sophisticated, existing techniques still have significant limitations.



ANNEX

ANNEX A: LITERATURE JUSTIFICATION FOR PROPOSED AND IMPLEMENTED SAMPLING AND POPULATION ESTIMATION METHODS

Unlike street crimes, bonded labour concentrates in irregular or informal economic sectors whose access to the labour sites or the employment boundaries are often difficult to define. Establishing a reasonable sampling frame for probability-based sampling, which is fundamental to conventional survey research, becomes either impossible or prohibitively expensive. While sampling methodologies in social science have become increasingly sophisticated, existing techniques still have significant limitations.

Respondent-driven sampling and its limitations

Until very recently, social scientists relied on the snowball (or chain referral) techniques to study hidden populations. One clear problem with this approach is the inability to reduce the bias inherent in the referral process as well as the inability to generate parametric estimations about the target population. Heckathorn (1997, 2007) developed the *Respondent-Driven Sampling* (RDS) method to overcome common shortcomings associated with the traditional snowball sampling techniques. RDS relies on the Markov property of its referral process to achieve diversity and equilibrium (the point at which initial samples no longer mirror later samples) through successive waves of recruitments.<sup>116</sup> Researchers, particularly those in public health, have used this method to study hard-to-find populations (Heckathorn, 2002, 1997; Ramirez-Valles et al., 2005; Abdul-Quader et al., 2006). However, its adoption in criminal justice research is a recent development (see Curtis et al., 2008 and Zhang et al., 2014).

Although proponents consider RDS capable of producing unbiased estimation of a target population (Volz & Heckathorn, 2008), critics argue that existing studies understate the degree of dependence on underlying assumptions, which are often unrealistic and tenuous (Gile & Handcock, 2010; Heimer, 2005). The most serious shortcoming of RDS is that its tree-like structure does not observe overlaps between networks, thus preventing the method from generating estimates about the population's size (Frank & Snijders, 1994; Vincent & Thompson, 2014). Other identified problems with RDS include substantial bias introduced by the convenience sample of seeds and preferential referral behaviour by respondents (Gile & Handcock 2010); inflated variance in estimation due to multiple referrals at each stage (Goel & Salganik, 2009); strong in-group recruitment tendencies among certain ethnic groups (Daniulaityte et al., 2012); and estimation sensitive to RDS assumptions (Frost et al., 2006). The San Diego Labor Trafficking Study also found the method to have significant geographical constraints, thus making it difficult to scale up to a larger region (Zhang, 2012a). Alternative methodologies must therefore be developed to estimate the size of bonded labour population in the Indian setting.

Mark-recapture and its limitations

Most statistical methods for estimating the size of hard-to-reach populations rely on mark-recapture techniques, which depend on measured overlaps among the samples (see Chao et

al., 2001 for a description of commonly used mark-recapture models). For example, Frischer et al. (1993) used lists of individuals from drug-treatment agencies and police records to base a mark-recapture type estimate on the number of injection drug-users in Glasgow, Scotland. Mastro et al. (1994) estimated the number of HIV-infected injection drug-users in Bangkok similarly. However, mark-recapture methods, typically used for estimating wildlife populations, face different challenges when applied to human populations. As the recruitment patterns of human populations can be radically different from wildlife populations, for example in the form of “self-selection,” complicated mark-recapture models are usually required to obtain meaningful estimates. Since such models also require a complex structure to capture the true heterogeneity in the selection mechanism, large sample sizes are often required to validate the mark-recapture model, making such research very expensive. Furthermore, some populations are highly transient, such as migrant labourers and traveling sales crews in the United States, and therefore are considered *open* for the duration of a study. The recapturing part of the technique thus becomes challenging. Coupled with adaptive sampling through link tracing (see below), referrals and further recruitment would be considered instantaneous, and hence closed mark-recapture models could be used in the inference procedure.

Adaptive sampling through link tracing

Vincent (2012) developed an approach (i.e., adaptive sampling) that combines mark-recapture and flexible link-tracing sampling techniques to efficiently estimate both the unknown size and quantities of networked hard-to-reach populations. In contrast to respondent-driven sampling, the method does not require a limit to be imposed on the number of referrals made from sampled units. Hence, this method can be an ideal candidate to produce estimates on bonded labourers cost-effectively on a broad scale.

Adaptive sampling (Thompson & Seber, 1996) was first conceived for the purpose of studying unevenly distributed populations like endangered species in particular spatial settings or highly clustered, hidden, drug-using populations. The method exploits the ability of observing adjacent (neighbouring) units of sampled individuals once a unit of high-interest has been found. The procedure possesses the ability to retain the attractive features of conventional sampling strategies like the ability to obtain unbiased estimators and control for final sample sizes. Upon selection of initial samples one can develop referrals (also called nominations) such that among sampled subjects, one can observe overlaps and map relations, thus adaptively building up the final sample. An inference strategy has been outlined by Vincent and Thompson (2014) to incorporate the adaptively selected members into the inference procedure. This procedure has the ability to retain the (simple) features of the mark-recapture model that is applied to the initial samples to obtain preliminary estimators, thus enabling estimation of the population size as well as other population quantities such as a population mean.

The topic of estimating the size of a hard-to-reach population with an adaptive sampling design is still considered an avant-garde statistical approach and thus has received little attention in the empirical setting. However, there have been a few attempts at using similar designs. Frank and Snijders developed the earliest known work in 1994, based on a one-wave snowball sampling design. More recently, Felix-Medina and Thompson (2004) and Felix-Medina and Monjardin (2009) developed a likelihood-based method that is based on the assumption that recruitment can be accomplished through the availability of a partial sampling frame for the hidden population and that referrals are made in a predictable fashion. Thompson and Frank (2000) and Thompson and Chow (2003) took an elaborate approach to estimating the parameters that explain the network topology when a snowball sampling design is used and the population size is known. Kwanisai (2004) extended these methods by developing an inference procedure with more refined adaptive sampling designs.

Most statistical methods for estimating the size of hard-to-reach populations rely on mark-recapture techniques, which depend on measured overlaps among the samples.

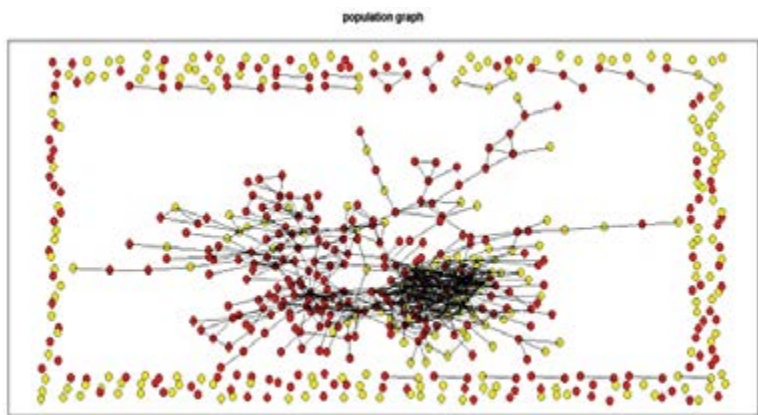


Figure A

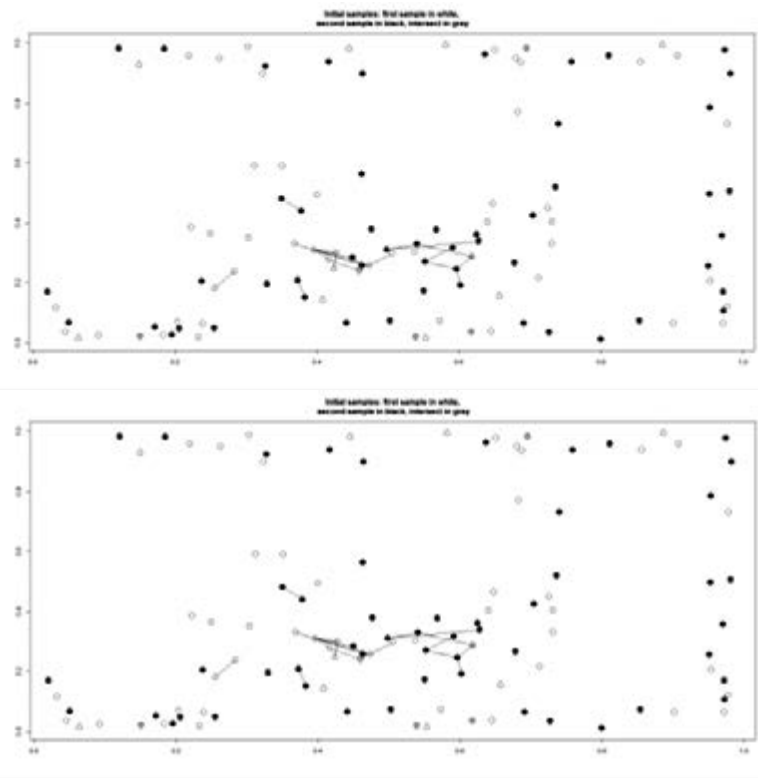


Figure B

Simulations of adaptive sampling to prove the theory

Adaptive sampling has received validation through an empirical simulation by Vincent and Thompson (2014). Figure A presents a summary of the actual data observed from a population at high-risk for HIV/AIDS in the Colorado Springs study (Klov Dahl et al., 1994; Rothenberg et al., 1995; Darrow et al., 1999). The population consists of 595 individuals —with the dark-colored nodes representing injection-drug users and links between nodes representing a drug-sharing relationship.

Figure B, containing two graphs (top and bottom), gives a visual

description of the composition of typical samples arising from such an adaptive sampling design. Two initial samples each of size 60 were selected at random from the population (top graph), and then two final adaptive samples (of up to 10 members) were added adaptively by tracing a random subset of the social links out of the current sample (bottom graph). Notice that this procedure requires all referrals made between members in the final sample to be observed. However, referrals made to individuals outside of the sample are not required to be observed.

A one-, two- and three-sample study were used to gauge the increase in precision with this new inferential strategy. The following mark-recapture estimators were used: in the one-sample study, a design-based estimator that was presented by Frank and Snijders (1994) was used; in the two-sample study, the bias-adjusted Lincoln-Petersen population size estimator was used (Chapman, 1951); in the three-sample study, the following population size estimators were used:

- $M_0$  likelihood: the maximum likelihood estimator based on the  $M_0$  assumption (Rivest & Baillargeon, 2007),
- Chao LB: Chao's  $M_h$  lower bound estimator (Chao, 1987),
- Poisson 2: the Poisson2 (using a Poisson model) estimator based on an  $M_h$  assumption (Rivest & Baillargeon, 2007),
- Darroch: Darroch's  $M_h$  estimator (Darroch et al., 1993),
- Gamma 3.5 (using a Gamma model) estimator based on an  $M_h$  assumption (Rivest & Baillargeon, 2007).

In this validation study, Vincent and Thompson (2014) estimated the population size, proportion of injection drug-users and average node-degree (i.e., the average number of referrals made from each individual). Preliminary estimates were based on information within the initial

sample(s). Improved estimation results from incorporating information from the adaptively selected members via an elaborate inferential procedure. The improved estimates are appealing in that they share the same expectation as their preliminary counterparts while reducing the variance. Vincent and Thompson find that even with a small amount of adaptive effort, the new strategy makes a significant gain in improved precision over its conventional counterpart, as shown in Table A. This is the most appealing feature of adaptive sampling, i.e., its ability to improve estimation rapidly with the addition of new observations recruited from the existing study subjects.

TABLE A: APPROXIMATE EXPECTATION AND VARIANCE OF PRELIMINARY AND IMPROVED ESTIMATORS

ESTIMATOR	EXPECTATION	VARIANCE, PRELIMINARY ESTIMATOR	VARIANCE, IMPROVED ESTIMATOR
One-sample study			
Frank and Snijders' estimator	705	172925	102190
Proportion of IDUs	0.575	0.00368	0.00334
Average node-degree	2.45	0.23802	0.18102
Two-sample study			
Lincoln-Petersen	592	60162	49061
Proportion of IDUs	0.575	0.00176	0.00158
Average node-degree	2.45	0.11314	0.08018
Three-sample study			
Maximum likelihood $M_0$	593	15843	13021
Chao LB	592	18372	14668
Poisson2	622	169719	113609
Darroch	603	1277823	649095
Gamma3.5	702	9534438	3314293
Proportion of IDUs	0.575	0.00109	0.00098
Average node-degree	2.45	0.07218	0.04985

Note: The size of each initial sample is 60 and the desired final sample sizes are 70. Entry “Proportion of IDUs” refers to the unbiased estimate for the proportion of individuals in the population who are injection drug-users. Entry “Average node-degree” refers to the unbiased estimate for the average out-degree. All other entries refer to estimators for the population size of 595.

<sup>116</sup>The Markov property, named after Russian mathematician Andre Markov, refers to a memory-less process in which transitions from one stage to the next depend only on the present stage and not on the sequence of referrals that preceded it. In other words, participants recruited in two to three stages away from the original seed will become independent of the starting point of the referral chain, thus free of bias.



ANNEX B: DATA-COLLECTION TOOL (SURVEY INSTRUMENT)

Socio-Economic Development Survey

Survey Number:  
— — — —  
Assigned at data entry

REFUSAL	
If the person refuses or does not want to take the survey...	
1. Write down the reason for refusal on your team's 'refusal list" for each market.	
2. Ask about the number of family members working with you at the worksite.	
COUPON REFERRAL	
If the person presents a coupon...	
1. Write down the coupon number OR (as a last resort) the name of the person who gave him/her the coupon.	
2. Get informed consent and then continue with full survey.	
3. If Market Day 2, give them up to 3 coupons. If Market Days 3 and 4, do not give any further coupons to survey participants.	
Coupon Number:	OR                      Name of Person who gave them the coupon:
_____	_____
RECAPTURE	
If the person has been interviewed by someone wearing the orange hat...	
1. If interviewed earlier that same market day, then do not recapture.	
2. If interviewed on an earlier (different) market day, only record A-F on the first page.	
3. Do not give "recaptures" coupons.	
Have you been surveyed by someone wearing an orange cap in the last few weeks?	
Yes.....1    No.....2	
INFORMED CONSENT	
Hello my name is_____, and I have been hired by GfK Mode to conduct a survey on socio-economic development in this area. I would like to ask you a few questions about living and working here. It will take about 10 minutes of your time. There is no right or wrong answers to any question. Your opinions and experiences are important to us. There is no harm in taking the survey. We will use the results to work with the government to meet the needs of people working in this area.	
Would you be willing to participate in this research and answer some questions?	
Yes.....1    No.....2	
Start time of survey: _____ AM / PM	

RESPONDENT DETAILS		
Q. #.	Question	Responses
A.	Name of Labourer Interviewed	.....
B.	Age of Labourer Interviewed	<input type="text"/> <input type="text"/> Years
C.	Sex of Labourer Interviewed	Male.....1 Female .....2
D.	Primary Language spoken at home	.....
E.	Where is your native place?	a) State:..... b) District:..... c) Village: .....
F.	Level of Education Completed [circle all that apply]	Class (specify).....1 Vocational Course.....2 Never attended school.....3

SECTION 1								
Q. #.	Question	Responses	Instruction to Interviewer					
101.	How often do you come to this market place?	Daily .....1 Weekly .....2 Monthly .....3 Others (specify).....97						
102.	How far do you travel to come to this market?	_____m / kms						
103.	How long does it take to come to this market?	_____ minutes / hours						
104.	How do you travel?	Bus.....1 Auto .....2 Cycle.....3 Bike .....4 Car .....5 Foot.....6 Others (specify).....97						
105.	Are your family members with you at the market today?	Yes .....1 No.....2 Not applicable (single labourer/family not living here)...3 No Response .....98						
106.	How much does you/your family spend at the market per visit?	_____(rupees)						
107.	Do you go to any other markets to shop?	Yes .....1 No.....2 → No Response .....98 →	} SKIP to Q201a					
107a. 107b.	<table><tr><td>107a. Market Name</td><td>107b. Frequency of Visiting</td></tr><tr><td>.....</td><td>Weekly .....1 Monthly .....2 Others (specify).....97</td></tr><tr><td>.....</td><td>Weekly .....1 Monthly .....2 Others (specify).....97</td></tr></table>			107a. Market Name	107b. Frequency of Visiting	.....	Weekly .....1 Monthly .....2 Others (specify).....97	.....
107a. Market Name	107b. Frequency of Visiting							
.....	Weekly .....1 Monthly .....2 Others (specify).....97							
.....	Weekly .....1 Monthly .....2 Others (specify).....97							

SECTION 2																																			
Q. #.	Question	Responses	Instruction to Interviewer																																
201a.	What type of industry do you work in?  [write the specific industry here]	.....																																	
201b.	Circle the 'industry group' number in the box: <table><tr><td>Regular farming (paddy, vegetable)</td><td>1</td><td>Brick kiln</td><td>9</td></tr><tr><td>Plantation (spice, tea, coffee, cotton, sericulture, fruit/nut grove)</td><td>2</td><td>Fish farm (fish, shrimp, other seafood)</td><td>10</td></tr><tr><td>Sugar cane farm</td><td>3</td><td>Jewelry production (gold, silver, gem cutting, anklet making)</td><td>11</td></tr><tr><td>Flower garden</td><td>4</td><td>Rice mill</td><td>12</td></tr><tr><td>Textiles (garment factory, spinning mill, weaving, hand loom, dyeing unit)</td><td>5</td><td>Match and fireworks</td><td>13</td></tr><tr><td>Rock quarry (quarry, crushing unit)</td><td>6</td><td>Tree cutting (wood cutting, charcoal making)</td><td>14</td></tr><tr><td>Manufacturing</td><td>7</td><td>Tobacco</td><td>15</td></tr><tr><td>Construction</td><td>8</td><td>Other (specify) _____</td><td>16</td></tr></table>			Regular farming (paddy, vegetable)	1	Brick kiln	9	Plantation (spice, tea, coffee, cotton, sericulture, fruit/nut grove)	2	Fish farm (fish, shrimp, other seafood)	10	Sugar cane farm	3	Jewelry production (gold, silver, gem cutting, anklet making)	11	Flower garden	4	Rice mill	12	Textiles (garment factory, spinning mill, weaving, hand loom, dyeing unit)	5	Match and fireworks	13	Rock quarry (quarry, crushing unit)	6	Tree cutting (wood cutting, charcoal making)	14	Manufacturing	7	Tobacco	15	Construction	8	Other (specify) _____	16
Regular farming (paddy, vegetable)	1	Brick kiln	9																																
Plantation (spice, tea, coffee, cotton, sericulture, fruit/nut grove)	2	Fish farm (fish, shrimp, other seafood)	10																																
Sugar cane farm	3	Jewelry production (gold, silver, gem cutting, anklet making)	11																																
Flower garden	4	Rice mill	12																																
Textiles (garment factory, spinning mill, weaving, hand loom, dyeing unit)	5	Match and fireworks	13																																
Rock quarry (quarry, crushing unit)	6	Tree cutting (wood cutting, charcoal making)	14																																
Manufacturing	7	Tobacco	15																																
Construction	8	Other (specify) _____	16																																
202.	Name of worksite	.....																																	
203.	Estimated number of labourers at work site (including yourself)	.....																																	
204	Worksite's District	.....																																	
204a	Worksite's Nearest Village/Town	.....																																	
205.	How long have you been working at this worksite?	[fill in and circle one]  .....Days .....1 .....Weeks .....2 .....Months .....3 .....Years .....4																																	



206.	Do you live at this work site or on premises provided by the owner?	Yes .....1 No.....2 Don't know.....96 No Response .....98	
207.	Is there enough space for all the members of the family to sleep comfortably at night?	Yes .....1 No.....2 Not applicable (single labourer).....3 Don't know.....96 No Response .....98	
208.	Are there toilets in your house?	Yes .....1 No.....2 Don't know.....96 No Response .....98	
209.	Total number of family members residing with you (including yourself)	..... members [mark 0 for alone]	

SECTION 3 [SKIP THIS SECTION (301-308B) IF NATIVE DISTRICT IS SAME AS MARKET DISTRICT]			
Q. #.	Question	Responses	Instruction to Interviewer
301.	Who told you about this job?	Advertisement ..... 1 Other employee..... 2 Recruitment Agency/ Agent..... 3 Others (specify).....97 No Response .....98	
302.	Who made arrangements for your relocation?	Personally..... 1 Employer ..... 2 Agent..... 3 No relocation required for present job ..... 4 No Response .....98	
303.	How many family members came with you to work?	..... members [mark 0 for alone] No Response .....98	

304.	Are there good jobs available in your native?	Yes ..... 1 No.....2 Don't know.....96 No Response .....98	
305.	How many people do you know well in your native?	_____ people	
306.	Why did you move? [circle all that apply]	Better pay ..... 1 Better living conditions ..... 2 Better education..... 3 To be with family ..... 4 Others (specify).....97 No Response .....98	
307.	How long do you usually work away from your native each year?	_____ (months)	
308.	Do you go to your native place? <i>(such as between seasons or after contract is over, or for festivals, funerals, weddings, visiting family)</i>	Yes ..... 1 No.....2 → Don't know.....96 → No Response .....98 →	} SKIP to Q401.
308a.	[If Yes to 401] Does your whole family go together?	Yes ..... 1 No.....2 Not applicable (came here alone)..... 3 Don't know.....96 No Response .....98	
308b.	[If Yes to 401] Are you required to return to this worksite?	Yes ..... 1 No.....2 Don't know.....96 No Response .....98	

SECTION 4			
Q. #.	Question	Responses	Instruction to Interviewer
401.	What are your working hours?	_____ hours  <b>OR</b> <b>list timeframes:</b> _____AM/PM to _____AM/PM _____AM/PM to _____AM/PM	
402.	How many days in a week do you work at this work site?	One..... 1 Two ..... 2 Three ..... 3 Four..... 4 Five..... 5 Six ..... 6 Seven ..... 7 Don't know.....96 No Response .....98	
403.	How often are you paid?  <b>[circle one only]</b>	Daily ..... 1 Once in ..... days (specify) ..... 2 Weekly ..... 3 Monthly ..... 4 Annually ..... 5 At the end of contract/season ..... 6 Don't know.....96 No Response .....98	
404.	How much are you getting paid in-hand for working at this work site?	_____rupees	

405.	Is this payment for you individually, as a family, or a group?	Individually..... 1 Family ..... 2 Group ..... 3 → Don't know.....96 → No Response .....98 →	} SKIP to Q406
405a.	<b>[If you are paid as a family or in a group]</b> How many people does that include?	..... people (including yourself)	
406.	Is the amount you receive what was promised when you started work?	Yes .....1 No, I receive less .....2 No, I receive more .....3 Other answers (specify) .....4 Don't know.....96 No Response .....98	
407.	Are there ever any deductions made from your wages?	Yes ..... 1 No. .... 2 → Receive no wages ..... 3 → Don't know.....96 → No Response .....98	} SKIP to Q408
407a.	<b>[If Yes to 407]</b> How much is deducted?	..... rupees Don't know.....96	
407b.	<b>[If Yes to 407]</b> For what kind of deductions are made?	..... .....	
408.	How much do you save per week?	..... rupees Don't know.....96	
409.	Do you use a bank account?	Yes ..... 1 No..... 2 Don't know.....96 No Response .....98	



410.	Do you currently have any loans?	Yes ..... 1 No..... 2 → Don't know.....96 → No Response .....98 →	} SKIP to Q501	
[If Yes to 410]:				
410a.		Amount (rupees)	Purpose	Source
	a) Loan 1			[bank, employer, self-help group/ cooperatives, development agency, family member, other (specify)]
	b) Loan 2			
	c) Loan 3			

SECTION 5			
Q. #.	Question	Responses	Instruction to Interviewer
501.	Can you work elsewhere?	Free to work anywhere..... 1	
		Only on my day off .....2	
		Only if I repay the loan.....3	
		Only if there is no work here.....4	
		There is always work here.....5	
		Cannot work elsewhere, even when there is no work at this site .....6	
		Don't know .....96	
		No Response .....98	
502.	Do you work on festivals/ holidays?	Always ..... 1	
		Most.....2	
		Sometimes.....3	
		Never .....4	
		Don't know .....96	
		No Response .....98	

503.	Are you able to take leave when you are sick?	Always.....1	
		Most.....2	
		Sometimes.....3	
		Never .....4	
		Not applicable/never been sick.....5	
		Don't know .....96	
		No Response .....98	
504.	Do you go to the hospital when you or your family is sick?	Always.....1	
		Sometimes.....2	
		Never .....3	
		Not applicable (never been sick) .....4	
		No Response .....98	
505.	Do you avail any of the government schemes?	Yes ..... 1	} SKIP to Q506
		No..... 2 →	
		Don't know.....96 →	
		No Response .....98 →	
505a.	[If Yes to 505] Which schemes?	..... .....	
506.	What things could the government do that would improve your working or living conditions?	..... ..... ..... ..... ..... .....	

READ: This is the end of the survey. Thank you very much for taking the time to participate in this study.

Now can you help us find more people to participate in this study. Here is how this works. We will give you some coupons, you can pass them to others you know in your work site, in different work sites in the same village or other villages. Be sure not to give more than one coupon to each family. You can bring these people to us on the next market day. But this will only work, if your or nomination shows up with one of the coupons we give you and completes the survey.

SECTION 6					
Q. #.	Question	Responses	Instruction to Interviewer		
601.	How many people in the communities around this area do you know well?	_____ people			
602.	Please given names of at least 3 people to whom you will be giving a coupon:				
	Coupon	Name	Sex		Same work site? (tick if Yes; leave blank if No)

Here are ..... (number of males and females listed above) coupons. Thank you very much for taking the time to participate in this study and helping us find others willing to participate.

END OF INTERVIEW

TO BE COMPLETED AFTER INTERVIEW

**Note to Data Collectors:** Do NOT ask the labourers these questions. Fill out this section based on Observations or Experiences only.

Q. #.	Question	Responses	Instruction to Interviewer
a.	Name of Interviewer	.....	
b.	Date of Survey	...../...../ 2015 (DD/MM/YYYY)	
c.	Finish Time of Survey	..... AM / PM	
1.	Were you able to complete the interview for this household/family? (tick answer choice)		
	Yes, interview was completed		
	Yes, interview was completed but in the presence of others		
	No, interview was not completed because the labourer refused to answer all the questions		
	No, interview was not completed because interrupted		
	No, Other (specify) ..... .....		
2.	Did the labourer or any one in his/ her family mention anything during the interview about experiencing acts of abuse (physical, sexual, verbal, psychological)?	Yes .....1 No. ....2 →	<b>SKIP to Q3</b>
2a.	[If Yes to 2], describe the abuse mentioned.	..... ..... .....	
3.	Did the labourer appear to be supervised by a maestri /owner?	Yes .....1 No. ....2	



4.	<div>If you feel compelled to write anything else about this interview, please list here. Include what you observed or heard from the labourer or family member. (For example, voiced poor living or working conditions; note any physical characteristics – clothing, malnourishment, etc. – or the mental/physical state of the labourer - any fear, nervousness, etc.; document whether the maestri/owner/owner’s men were present or watching interview, etc.)</div> <div><div></div><div></div><div></div><div></div><div></div></div>	
----	---	--

ANNEX C: MINIMUM WAGE CALCULATION

The steps for calculating minimum wage were as follows:

- (1) = Calculate the payment per person:
  - If Q405 answer = 1, then Q404
  - If Q405 answer choice is 2 or 3, then Q404/Q405a
- (2) = Calculate the number of days worked in a week: Q402
  - If Q402 = 1, then 1
  - If Q402 = 2, then 2
  - If Q402 = 3, then 3
  - If Q402 = 4, then 4
  - If Q402 = 5, then 5
  - If Q402 = 6, then 6
  - If Q402 = 7, then 7
- (3) = Calculate the daily wage per person:
  - If Q403 answer = 1, then (1)
  - If Q403 answer = 2, then (1) / answer choice in “301—once in \_\_ days”
  - If Q403 answer = 3, then (1) / (2)
  - If Q403 answer = 4, then (1) / [(2) \* 4 weeks]
  - If Q403 answer = 5, then (1) / [(2) \* 52 weeks]
  - If Q403 answer = 6, then for:
    - Spinning mills: (1) / [(2) \* 156 weeks]
    - Rock quarries = (1) / [(2) \* 44 weeks]
    - Brick kilns = (1) / [(2) \* 28 weeks]
- (4) = Calculate the hourly wage per person: (3) / Q401
- (5) = Calculate the 8 hour wage per person: (4) \* 8

Compare (5) to the legally mandated 8-hour daily minimum wage listed by industry in Table 28.

TABLE 28: MINIMUM WAGE STANDARDS, BY INDUSTRY

INDUSTRY GROUP	INDUSTRY	MIN. WAGE
1	Regular farming	269.04
2	Plantation	228.35
3	Sugarcane farm	269.04
4	Flower garden	269.04
5	Textiles/ spinning mills	245.80
6	Rock quarry	217.51
7	Manufacturing	252.75
8	Construction	224.93
9	Bricks	237.20
10	Fish farm	244.04
11	Jewelry production	244.04
12	Rice and flour mills	254.04
13	Match and fireworks	239.93
14	Forestry	274.04
15	Tobacco processing	252.67
16	Other: paper	254.04
16	Other: other	244.04



---

**INTERNATIONAL JUSTICE MISSION**  
PO Box: 4370, Kalyan Nagar,  
Bangalore - 560043,  
Karnataka, India



---

International Justice Mission (IJM) is the largest anti-human trafficking organisation in the world. IJM partners with local authorities to rescue victims of violence, bring criminals to justice, restore survivors and strengthen justice systems.

Since 2000, IJM India has been assisting Public Justice Systems (PJS) in Mumbai, Kolkata, Chennai, Bangalore and Delhi, to combat human trafficking. IJM India has supported the police in 600+ rescue operations, rescuing 15,000+ victims and public prosecutors in achieving 197 convictions in trafficking crimes.

All text and images © 2018 International Justice Mission