

InFocus Programme on Promoting the
Declaration on Fundamental Principles
and Rights at Work



International
Labour
Office
Geneva

Unfree labour in Pakistan: Work, debt and bondage in brick kilns

Pakistan Institute of Labour Education & Research

Special Action Programme to
Combat Forced Labour

DECLARATION/WP/24/2004

Working Paper

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Foreword

In June 1998 the International Labour Conference adopted a Declaration on Fundamental Principles and Rights at Work and its Follow-up that obligates member States to respect, promote and realize freedom of association and the right to collective bargaining, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour, and the elimination of discrimination in respect of employment and occupation.¹ The *InFocus Programme on Promoting the Declaration* is responsible for the reporting processes and technical cooperation activities associated with the Declaration; and it carries out awareness raising, advocacy and research – of which this Working Paper is an example. Working Papers are meant to stimulate discussion of the questions covered by the Declaration. They express the views of the author, which are not necessarily those of the ILO.

This Working Paper is one of a series of Rapid Assessments of bonded labour in Pakistan, each of which examines a different economic sector. The aim of these studies is to inform the implementation of the Government of Pakistan's National Policy and Plan of Action for the Abolition of Bonded Labour, adopted in 2001. The research was conducted under the guidance of the Bonded Labour Research Forum (BLRF), a distinguished group of Pakistani research and development specialists, convened by the Ministry of Labour, Manpower and Overseas Pakistanis with the support of the ILO. The Rapid Assessments were undertaken by independent Pakistani researchers, who were selected by the BLRF for their competence and experience in the different sectors. This paper on bonded labour in Pakistan's brick kiln sector was prepared by a team of researchers/activists from the Pakistan Institute of Labour Education and Research (PILER) in Karachi.²

The research programme was overseen by Caroline O'Reilly of the *Special Action Programme to combat Forced Labour (SAP-FL)* of the Declaration Programme in Geneva. Ali Khan worked as Research Coordinator for the duration of the research process, based at the ILO in Islamabad.

SAP-FL is providing on-going technical assistance to support the Ministry of Labour and its partners to implement the National Policy and Plan of Action, so as to bring about the effective eradication of bonded labour in Pakistan.

March 2004

Roger Plant
Head, Special Action Programme
to combat Forced Labour³

¹The text of the Declaration is available on the following web site: <http://www.ilo.org/declaration>

² The authors can be contacted by email to: piler@cyber.net.pk

³ SAP-FL can be contacted by email to: forcedlabour@ilo.org

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Financial support by the ILO is gratefully acknowledged. The study has also benefited from the PILER program on research on labour rights directed by Karamat Ali and undertaken in collaboration with the FNV, Freres des Hommes, Labour & Society International, NOVIB, Stichting De Zaaier and the European Union.

Pakistan Institute of Labour Education & Research

Glossary

<i>Baitul Maal</i>	government foundation for assisting the poor and needy.
<i>Begar</i>	compulsory unpaid or nominally paid work.
<i>Biradri</i>	sub-caste or sub-tribe.
<i>Bharai</i>	task of stacking unbaked bricks in the kiln, usually including loading and cartage from brick field by a group.
<i>Bharai wala</i>	man who does <i>Bharai</i> .
<i>Bhatta</i>	kiln.
<i>Chakkar</i>	a completed baking cycle, usually requiring one month.
<i>Chowkidar</i>	watchman or guard.
<i>Ghairat</i>	self-respect; honour.
<i>Gharain</i>	group of related households.
<i>Izzat</i>	honour.
<i>Jalai</i>	task of firing the kiln and baking the bricks.
<i>Jalai wala</i>	man who does <i>Jalai</i> .
<i>Jamadar</i>	man who oversees labour, often to include hiring, distribution of advances and of compensation, and guarantees repayment.
<i>Katoti</i>	deduction from output of <i>pathera</i> , usually for rain damage.
<i>Keri wala</i>	man who spreads a mixture of clay and cinders on a set of stacked bricks in preparation of firing and baking.
<i>Kharkar</i>	man who carries bricks usually on a donkey from brick field to kiln or from kiln to stacks, usually combined with <i>bharai</i> or <i>nikasi</i> .
<i>Khata</i>	named account of advance and output of a worker/labour unit maintained by <i>munshi</i> .
<i>Mazdoor</i>	labourer; worker.
<i>Mistri</i>	skilled male leader of a labour group; always in <i>jalai</i> and sometimes in <i>bharai</i> .
<i>Munshi</i>	male manager-cum-accountant.
<i>Nikasi</i>	task of unloading baked bricks from the kiln, usually including cartage and stacking nearby by a group.
<i>Nikasi wala</i>	man who does <i>nikasi</i> .
<i>Pawa</i>	large stack of bricks, sometimes used as unit of work in <i>bharai</i> or <i>nikasi</i> .
<i>Pathera</i>	man, woman or child who prepares unbaked bricks, including preparation of clay.
<i>Pera</i>	lump of clay prepared for mould.
<i>Peshgi</i>	advance to labour.
<i>Qalib</i>	wood and metal mould used for making 4-5 bricks.
<i>Quom</i>	tribe or caste.
<i>Sancha</i>	metal mould for making a single brick.
<i>Thapera</i>	alternative term for <i>pathera</i> .
<i>Zaat</i>	caste.
<i>Zina</i>	fornication, or adultery.
<i>Watta-satta</i>	marriage arrangement under which the husband is obliged to give his own sister in marriage to his wife's brother.

Summary

In conjunction with the federal Ministry of Labour, the ILO has commissioned a series of research studies concerning the interface between **labour, debt and bondage**. This study by PILER explores the situation in **brick kilns** with a view to emphasizing the feasibility of socially effective, prompt relief and remedy -- by federal, provincial and local governments willing to acknowledge rights spelled out in the national constitution and international conventions.

The study is based on a rapid assessment through short visits to over 100 brick kilns in and around the urban and peri-urban areas of the districts of Hyderabad, Multan, Lahore, Rawalpindi, Peshawar and Haripur. Fieldwork was done between October and December 2002.

Until the FBS completes its national Economic Census, estimates alone are possible for the number and distribution of brick kilns. Punjab definitely has the largest number of kilns, possibly as many as 5000 according to unofficial sources. The remaining three provinces together may have around 1000 kilns, with over 400 in the NWFP. Features that account for the concentration of brick kilns in Punjab include a large population; widespread prosperity; continuing high public investment in infrastructure; plentiful clay, fine sand and water; and a large pool of landless labour.

The fieldwork suggests that more than half a million men, women and children work in brick kilns. The majority work as makers of unbaked bricks -- *patheras*; followed by those doing the work of kiln stacking and unloading -- *bharai* and *nikasi walas*; and of baking -- *jalai walas*. With the exception of salaried *jalai* workers, payment to other labour is by piece rate on the basis of 1000 bricks.

Excluding NWFP (and, probably, Balochistan), women make a significant contribution as *patheras* through family kiln labour across Pakistan. But women, like children and adolescents, are rarely, if ever, directly acknowledged as labour (i.e., receive advances and compensation) except when they must inherit liability for outstanding debts.

The study also reaffirms that brick kilns across the country depend on the labour of children (10-14 years) as *patheras* and of male adolescents (14 –17 years) in other work groups. Female children not working at the kiln perform domestic chores to free up older family members for kiln work. If a criterion for unacceptable child labour is the denial of primary education, then virtually all children, like their parents before them, are so employed.

Migrants, in general, and traditional “low-caste” family labour in particular, continue to characterize labour in the brick kilns. Even though Muslims make up the majority of the workforce, Christians also supply a significant proportion of *pathera* family labour, especially in Punjab. Afghan refugees have also replaced some of the traditional migrant labour. Interestingly, in receiving smaller initial advances, Afghans encounter lower debts. Females from both local and Afghan households generally do not participate in kiln work.

Rapid Assessment of sample brick kilns, October-December 2002

Characteristics	Range of observations
<i>Locations (in & around city & district)</i>	Punjab: Multan, Lahore, Rawalpindi; NWFP: Peshawar, Haripur; Sindh: Hyderabad
<i>Kiln land</i>	Often leased; seldom owned
<i>Kiln size</i>	400,000 – 1,100,000 baked bricks in <i>chakkar</i> of around a month
<i>Sale price of bricks and tiles</i>	Rs 700 – 2400 per 1000
<i>On-site housing</i>	Mostly migrant <i>patheras</i> ; single males only – mainly families
<i>Jalai</i>	4-5 per kiln; usually migrant adult and juvenile males; never females or children
<i>Nikasi</i>	3-10 per kiln; local adult and juvenile males; rare females; children rare
<i>Bharai</i>	5-25 per kiln; local adult and juvenile males on piece rates; never females; children rare
<i>Pathera</i>	30-150 per kiln; only locals – mainly migrants Only male adults, juveniles and children (10-14 years old) – mainly families
<i>Migrants</i>	From same <i>tehsil</i> – different province
<i>Afghans</i>	None - mainly
<i>Jalai</i>	All salaried; Rs 1500-4000 per month
<i>Nikasi</i>	One or two salaried – all piece rate; Rs 12-30 per 1000 bricks/tiles
<i>Bharai</i>	One or two salaried – all piece rate; Rs 28-80 per 1000 bricks/tiles
<i>Pathera</i>	All at piece rate: Rs 90-160 per 1000 bricks; Rs 140-500 per 1000 special bricks and tiles
<i>Nikasi</i>	15-40,000 bricks through afternoon
<i>Bharai</i>	20-50,000 bricks in day
<i>Pathera</i>	600-4,000 bricks by adult males in day; 1-4,000 bricks by family in day tile preparation is 70-80% of brick output by given labour
<i>Katoti for damaged bricks</i>	0-20 bricks per 1000 bricks, deducted from <i>pathera</i> output
<i>Debt servicing charge on pathera</i>	Rs 20-80 per 1000 bricks; Rs 60-400 per week; 20-50% of gross earnings
<i>Jamadar commission</i>	Rs 0-20 per 1000 bricks
<i>Advances from owner</i>	<i>Bharai</i> : Rs 0-20,000; <i>patheras</i> : Rs. 0-100,000

All categories of kiln labour, both salaried workers, such as *jalai walas*, and piece-rate labour, take substantial advances - both at the time of joining a kiln as well as subsequently. The study confirms the common view that brick kilns remain a major sector where debt bondage occurs: i.e., labour is generally in debt to the employer and must continue to work at the kiln until debts are repaid. Although it is illegal, bondage is effective – for many, earnings are so low that advances cannot be paid back even over a couple of years. Most brick kiln workers are convinced that they and their families will be hurt if they attempt to flee bondage and that runaways will be tracked down.

Unlike sectors such as agriculture and carpet-weaving, children working in kilns do not work directly for an employer. Rather, advances are binding on the entire family and, effectively, pledge the pool of family labour. Provision of shelter cuts both ways – kiln housing provides a feasible alternative to underpaid casual labour, but the absence of alternative shelter deters labour from seeking better opportunities, and makes it easier for kiln-owners (individually and in collusion) to impose restrictions on mobility.

A primary reason for debt bondage is that earnings through piece-rates are so low. Any special expenditure (e.g., for a wedding) means going into debt and being, subsequently, unable to repay the debt as well as meet subsistence needs. Hence, a large part of initial debt remains outstanding and even additional debt arises.

In enforcing the labour-for-debt contract, violence appears rare compared to the 1980s. Widespread awareness of the 1989 Supreme Court judgment, subsequent legislation, and judicial relief to labour in extreme situations, are some of the reasons for the decrease in violence (although the threat of violence continues). Should the economy return to the high growth rates of the 1980s, overt violence as a means to enforce cheap labour within the kiln industry may also return. Meanwhile, an ominous development is violence committed by workers upon themselves – recent and continuing reports in Punjab indicate that young men and women are selling kidneys to repay large family debts.

In general, recruitment is indirect, through a *jamadar* (in violation of the Supreme Court judgement). For a commission, the *jamadar* also channels advances, and is responsible for labour's work and debt-servicing. The *jamadar* is generally a co-worker, and, for *nikasi* and *bharai*, may even be a close relation of fellow workers. These aspects make it difficult for government to take legal action against kiln-owners and increase the likelihood of "pocket" trade unions (initiated and run by employers through favoured workers) in the event that labour attempts collective bargaining.

These findings, and the similar results documented in the FBS survey of 2002, underscore the need for government to undertake the legal and administrative actions proposed in the National Policy & Action Plan.

Urgent action should include the enforcement of minimum wages and piece-rates corresponding to the current national minimum *wage*; health coverage under *social security*; and allocations for schooling and *shelter* from existing labour welfare funds. Action could begin immediately in the 1000 or so brick kilns already registered. Simultaneously, government could step up efforts to complete registration of the remaining thousands of kilns to comply with social security and other labour welfare legislation. Concurrently, government should take steps to end legal discrimination between wage employees and piece-rate workers. Mobilisation for collective bargaining could be aided through legislative initiatives to promote sector-wide labour associations rather than just kiln-based trade unions.

The growth of employment opportunities, obviously, deserves emphasis in official poverty reduction strategies. However, the kiln study illustrates that policies to accelerate market-led employment growth will be insufficient to diminish bondage without serious action towards expanding **decent work**, i.e., core labour rights for all workers.

Bondage is less severe in brick kilns than in agriculture. For some workers, therefore, brick kilns offer an escape from even harsher conditions. Since agriculture remains a primary source of employment for the landless, enabling agricultural labour to realise its rights would be an important complement to action taken in support of labour in brick kilns.

PILER is hopeful that the study will lead to far more than a demand for additional research and surveys of brick kilns. It is optimistic that the study can help nudge government towards rapid implementation and substantive improvement of the National Action Plan prepared during Omar Asghar Khan's tenure as Minister for Labour.

	Type of work	Labour & earnings	Debt bondage	Minimum wages	Shelter	Physical violence	Unpaid labour
Children	<i>Pathera</i>	Family	Indirect			Rare	Rare
Juveniles	All	Family; self	Indirect; direct	No		Rare	Rare
Women	<i>Pathera</i>	Family	Indirect	No		Rare	Rare
Men	All	Family, self	Indirect; direct	No		Seldom	Rare
Locals	All	Males	Small debts	No	No	Rare	Rare
Migrants	All	Family; males	Large debts	No	At kiln	Seldom	Rare

I. Introduction

In conjunction with the federal Ministry of Labour, the ILO has commissioned a series of research studies on the interface between **labour, debt and bondage** in Pakistan. This study explores the situation in **brick kilns** with a view to emphasising the feasibility of effective **relief and remedy** by federal, provincial and local governments – in particular, through the National Policy and Plan of Action for the Abolition of Bonded Labour and Rehabilitation of Freed Bonded Labourers (approved by the federal cabinet in 2001).

This assessment of brick kilns has benefited from several previous studies – from pioneering work done two decades ago by Yameema Mitha, Professor Karamat Ali, Nighat Said Khan and others, published through Systems, Ltd. (*Patterns of Female Employment in Mining & Construction Industries*, 1981) and ASR (*Women in the Brick Kiln Industry*, 1989); and more recently by Zahoor Awan through APFOL (*Bonded Brick Kiln Workers: 1989 Supreme Court Judgement and After*, 1998), and by Kevin Bales through Anti-Slavery International (*Disposable People: New Slavery in the Global Economy*, 1999). The present study is a modest extension of this prior work: a rapid assessment of kilns in Punjab as well as NWFP and Sindh.

In 2002, the Federal Bureau of Statistics undertook a sample survey of 100 brick kilns across 34 districts of rural Punjab with the support of the ILO Social Finance Programme. Draft findings from the FBS have now been made available and are summarised later in the study.

The present study repeats many observations from previous studies. This repetition is for the benefit of newer officials and activists, as well as to underscore how little some things have changed over the decades (and how similar they remain across South Asia, as illustrated by the work of Jan Breman). Trade unions and labour activists may also find the study useful in revising strategies for promoting labour rights.

As it is based on a rapid assessment, the study has obvious limitations: it pieces together a picture from fragments of the lives of labour across varied sites. Judgements should, therefore, be cautious and generalisations tentative. In addition, research driven by advocacy in favour of labour cannot but be less rigorous than that of academics. Readers should be prepared for some obvious bias. Some limitations of this study can be offset by PILER studies on debt bondage prepared earlier for the ILO (*Bonded Labour in Pakistan*, 2001; *Mitigation and Abolition of Bonded Labour: Policy, Law & Economy in Pakistan*, 2001).

The study begins with a brief description of the sample and methods used for assessment. Chapter Two provides an overview of tasks and labour categories in the production process, including the use of child labour and the involvement of women. The role of migrant labour is also investigated. Chapter Three documents the earnings of different labour groups. Chapter Four explores the general nature of forced labour, debt and bondage in kilns, as well as differential impacts between labour types, and between locals and migrants. The study concludes with a discussion of apparent directions for relief and remedy of bondage in brick kilns.

Sample

Three provinces were visited at one or more locations. In Balochistan, kilns were closed due to winter rains. (Labour in these kilns is mostly migratory, returning to their distant homes during this period.)

Specific cities were chosen on the basis of having a large number of kilns, as well as for convenience of travel and the potential for local collaboration in fieldwork. These cities are Multan, Lahore, Rawalpindi in Punjab; Peshawar, Haripur in NWFP; and Hyderabad in Sindh. In addition to visiting kilns in and around each city, the team visited nearby kilns in and around these districts (see appendix). Over 100 kilns were visited between October and December 2002. The appendices present some data by location; but observed

differences should be interpreted more as representing *national* variations rather than as systematic differences between regions.

In choosing kilns to visit, reliance was placed on local knowledge of kilns rather than on any effort to be systematically random. Statistically random sampling would have been virtually impossible – the list of kilns maintained by provincial labour departments remains incomplete and is itself biased towards official convenience in locating kilns as well as owner bias in disclosing kiln locations. Resources, including study duration, were too restricted to prepare a census and, then, draw a sample. Random sampling was also felt to be unnecessary in view of the emphasis laid by the study terms of reference for a *qualitative assessment* prior to a national census undertaken by government.

Research teams included a woman specifically to converse with women working or living at sites. In all cities, local associates followed up with visits to additional sites and discussions with other informants. Usually, we spoke with labour, but sometimes we also talked separately with *munshis* and kiln-owners,. In most visits, the team would split up and be able to converse with three to four *patheras* as well as other workers in separate tasks at a kiln.

We rarely made advance arrangements to visit a kiln and always kept our questions as informal as possible. We avoided asking direct questions on sensitive issues of bondage and coercion, both because our visits were too short to earn the workers' trust and because we did not want to get them into trouble as the *munshi*-manager or owner was sure to interrogate labour about our discussions. Photographs would have been useful, but we decided they would be too disruptive and threatening on a first visit.

Some meetings were also held with officials, and with local labour and human rights activists. A few of these discussions affirmed observations and provided additional insights. Many illustrated the fact that the problem of bonded labour persists in kilns and more widely because of social indifference, cynicism, or collusion in private exploitation.

The field experience indicates that a rapid assessment is insufficient for obtaining the proposed comprehensive information across a number of dispersed sites, via discussions that are possible in a short, single visit to each kiln. Longer durations or repeated visits would have been costly for labour during their workday, and have attracted the undesirable “guidance” of the *munshi* or owner. Evening visits to homes were generally difficult or considered unsafe for the team because of early sunset in winter and the remoteness of the sites. Friday holidays did not turn out to be of much advantage because labour preferred to be doing something more enjoyable than talking to us, plus their availability would have required advance requests that were usually not feasible at distant sites. A redeeming feature of extensive rather than intensive assessments will be, or so we hope, a richer description of the (unexpectedly) diverse situations for labour, debt and bondage in brick kilns.

II. From clay to baked bricks

Operators of kilns are generally not local landowners themselves (or in partnership with them) but lease land from a local landowner. According to kiln owners or their *munshis*, leases are usually for a number of years but generally for less than 10 years.

The lease usually provides for a specific depth to which mud can be dug out. In areas of urban sprawl or in rich agricultural areas, lease periods may be for only a couple of years if much mud has already been extracted; or if a shortage in irrigation water is expected to be relieved soon; or if the landowner simply wants the flexibility of negotiating a change in the lease in expectation of an improving local economy.

Kiln size is described by the level of output produced in a *chakkar* (i.e., a completed baking cycle, usually requiring one month). Unbaked bricks are stacked at one end of the kiln and baked bricks are

removed from the other end. In between, bricks in various stages of processing are found, which will be removed in the following days and weeks. Most of the kilns we encountered produce 400,000 – 600,000 bricks in a *chakkar*. Large kilns are said to be those with output of 800,000 or more bricks, found by us mainly in and around Lahore. The daily output generally ranges between 20,000 and 30,000 baked bricks. Since some stock is kept and an allowance is made for damage, daily production of unbaked bricks ranges between 25,000 and 50,000 bricks.

Most of these kilns have been functioning for many years, although their owners have changed over time. A few owners have accumulated enough capital to own more than one kiln. We were unable to collect much information on the social capital of owners. However, we did find cases of ownership by or “connections” with active or retired police and army officers in Punjab. In more than one case, the owners of multiple kilns were from a powerful political family and, therefore, had even stronger influence than usual upon the local and provincial administration. Generally, owners run kilns under close personal supervision.

Like their workers, many of the owners we met were migrants, though often from a shorter distance away. Mianwali Pathans were spoken of in South Punjab, but other Pathans were also encountered in Sindh. Entrepreneurs from Central Punjab were present in the (northern) Potohar area of Punjab.

While owners lamented their lot in the face of “high taxes, higher fuel prices, stagnant sales, lazy labour” and the like, only a few rode motorbikes. New-model cars were in general evidence. Seldom does an owner live amidst the smoke and dust of a kiln; even more rarely does an owner’s family live on site.

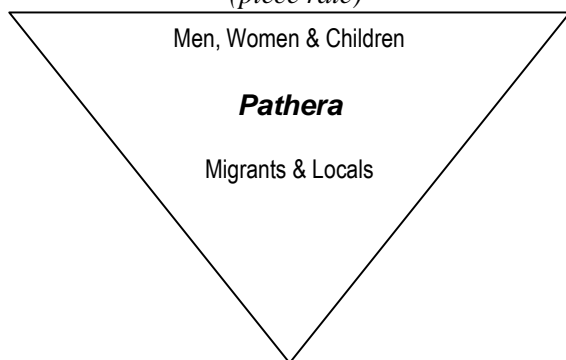
We remain ignorant of the sources of the owners’ working capital. Apparently, substantial funds are required -- owners repeatedly insisted upon access to cheaper credit, particularly in return for stringent application of labour law. Some closed kilns were explained as due to inadequate working capital or failed investments in other risky ventures.

1. Production & labour

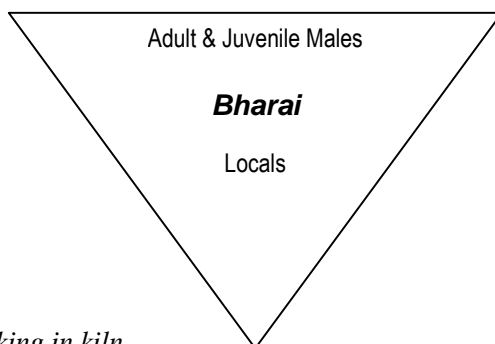
A description of the main components of the production process is a good beginning towards understanding the lives of men, women and children who labour at brick kilns (or, more appropriately termed, “brickfields”).

From early morning to late evening, Saturday through Wednesday, mud bricks are prepared and sun-dried by 100 or more, site-based or local *patheras* or *thaperas* in a large area around the kiln itself. On Thursday, the work stops at mid-day, to begin again later on Friday. One, and sometime two, senior, adult men among the *patheras* will act as their *jamadar* – i.e., arranging for labour and distributing advances; distributing earnings after debt-servicing deductions; guaranteeing repayment of debts; and supervising work.

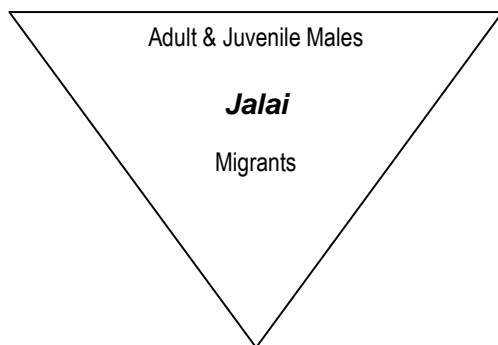
*Preparing clay, making & stacking bricks
(piece rate)*



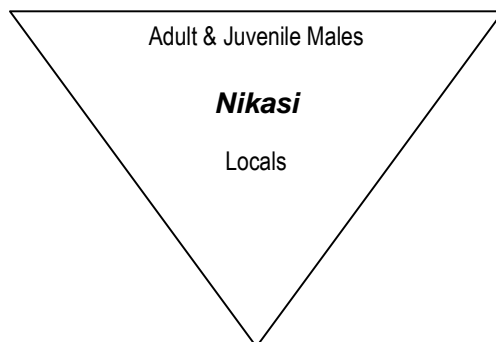
*Loading, cartage & stacking in kiln
(piece rate)*



*Firing & baking in kiln
(salary)*



*Unloading, cartage & stacking
(piece rate)*



Dried bricks are loaded from the adjacent brick field and transported to the kiln --through the afternoon - by half a dozen or more local *kharkars* with donkeys. These bricks are then handed over inside the kiln to a couple of *bharai walas* for stacking up under the supervision of a *mistri*.

Usually, the *kharkars* and *bharai walas* belong to a common piece-work labour team. Sometimes, the *bharai walas* working inside the kiln can be separate employees. When stock is to be built up to ensure uninterrupted kiln operation, additional bricks will also be stacked up on the site. These stocks allow kilns to operate for a fortnight or more without concurrent output from *patheras*, e.g., during the monsoons. The stocks are also handy for especially large sales orders.

Inside the kiln, bricks are covered with a mixture of mud and baked brick dust by one or two site-based employed *keri walas*, and then baked for some days. The kiln is usually fired by coal brought mainly from Balochistan (Quetta) and Sindh (Hyderabad), but also from a few places in Punjab. To reduce the cost of fuel, kilns may use wood and wastes (e.g., from sugar-extraction and cotton-ginning). At times, kilns also mix (environmentally hazardous) rubber and plastic wastes, supposedly to improve appearance and quality.

Baking is done by a team of four to five site-based, salaried *jalai walas*, working in six-hour shifts of two persons throughout the week. This team is headed by a skilled *mistri* who usually recruits other team members. Amongst kiln tasks, *jalai* is the most obviously hazardous because of work with open fires. Kiln openings have to be examined frequently as a way of determining whether additional fuel is necessary to keep a proper baking temperature. The intense heat seeps through ordinary shoes. In winter it was difficult for us to endure the heat of an opening for more than a few minutes; one wonders how bad it is in the summer.

Baked bricks are removed -- six days a week -- from the kiln by half a dozen or so *nikasi walas*, sorted for quality and then stacked up nearby. Customers cart away the bricks by bullock cart, tractor trolley or trucks. Usually, transporters have their own labour, but *patheras* and others can join in for extra income. *Nikasias* finish work quite early in the day so as to allow transport of bricks to nearby markets.

At most times, a kiln will have a week's output ready to be unloaded from the kiln. Many kilns bake continuously over the year, providing regular employment. A kiln will close for a short time when unseasonal weather does not permit preparation of unbaked bricks and the stock of unbaked bricks is inadequate. In some areas, kilns close for a fortnight or more after every three to four months -- apparently to ensure a stable price, but closing down can also serve to offset pressures for higher piece-rates by labour as well as for prices of other input supplies. Lack of working capital may also require periodic closure, especially after the recent hike in coal prices and reduction of credit by coal suppliers.

2. *Patheras*

Work by the *patheras* has a specific routine. In the afternoon or early evening, clay is prepared for the next day by mixing it with water, and vigorously turning the mixture a few times. Typically, *patheras* dig clay at the site itself (with their own shovels). Alternatively, a tractor will bring the clay from elsewhere in the site to pile it up next to the *patheras*. When the site has no clay left or it is of inferior quality, clay is purchased from some distance. *Patheras*, often women and children, carry water in their own buckets from a well or an irrigation canal, often purchased from a nearby landowner.

The day's work begins before sunrise in summer through mild winter. At this time, the prior day's clay preparation is turned over at least once to make it smoother and malleable. If the pile is at some distance, portions are dug out and transported by a wooden wheelbarrow (supplied by the owner). Smaller piles will be kneaded at least once again before making *peras*.

Most *patheras* use a single-brick *sancha* (provided by the owner). Squatting to complete a line of bricks, the worker rolls a *pera*, dusts it with fine sand and stuffs it into the *sancha*. The better the quality of the brick the more often the *sancha* will require cleaning, and the *pera* will need more vigorous kneading. Once a row of bricks is completed, more *peras* will be made for another row.

Afghan workers are noticeable by their preference for the four-five-brick *qalib*. Instead of carrying mud to the mould, they reverse the process. Lifting and carrying a filled *qalib* requires the carrier to bend nearly double when dumping the shaped bricks. The substantial weight of the filled *qalib* is certainly one way to dissuade females from undertaking the task (but not for sharing in the task by filling the *qalib*). The quality of these bricks is inferior to that of the traditional single-brick *sancha*.

Bricks dry on the ground, one day in summer, longer in winter. When one side is dried, they are turned over and left on the ground. Once semi-dry, these bricks are stacked up to dry completely. The area will be swept clean for the making of more bricks. The *pathera* work cycle is completed by the preparation of a clay pile for the next day.

3. Labour and gender

Females -- young, old and children -- were found to be working as *pathera* family labour across the country. No female was ever observed in other tasks, except for the rare case of an older woman loading baked bricks onto donkeys (as *nikasi* labour).

Even among *patheras*, extremes were encountered. Among the “low caste” Christian and Mussali *pathera* families “from” the Central and South Punjab, the entire household typically lives and works on-site. Females of all ages, then, participate regularly in most tasks, whether they work in Central Punjab or elsewhere (including other provinces). In Sindh, too, we encountered entire (but smaller) Sindhi on-site families working as *patheras*.

In many kilns across the country, no females were engaged in *pathera* work. This was seen particularly, but not solely, in Southern Punjab. The explanation given by labour (and sometimes family women) is that doing such *public* work amidst male strangers is dishonourable in their *biradri*. Other work, such as specific farm labour or embroidery, could be acceptable. There were also cases where women said (ruefully) that they had begun kiln work only after migrating upon marriage, presumably feeling less conspicuous about endangering their *izzat* -- or perhaps because economic need overcame cultural restraint. In the all-male kilns observed, workers from some areas and *biradri/quom* had migrated, leaving behind families and some adult males on their own homesteads. Even when labour resided in nearby villages (or sometimes when the families were on-site), only male labour was involved in work at the kiln. Females work as wage labour to harvest crops for greater food security. *Munshis* and others suggested that women generally come to the kilns after harvests: bringing meals and sometimes assisting with stacking unbaked bricks in the late afternoon. Kiln employment, then, is an important source of cash income to meet non-food expenditures in an increasingly cash-oriented rural economy. Kiln workers usually participate in harvests during the kiln off-season, which often coincide as demand for bricks rises sharply after harvests. If debts are small, or the workers are “trusted”, short leave can be negotiated during the regular kiln season.

Whether in the NWFP or elsewhere, Pathan women rarely work in kilns, even when they live on-site; but usually Pathan women do not live on-site. Female children are sometimes present as substitutes for males, mostly among Pathan migrants from Afghanistan. Among the more recent Afghan refugees of Tajik and Uzbek origin, adult female labour was common in some Sindh sites near refugee camps.

Women and children fetch water in buckets. However, digging and mixing clay is almost always done by adult and young men, certainly because it is hard work, but also because (some types of) vigorous physical activity by females in public is considered immodest.

Young women and female children shovel mixed clay and carry it by wooden wheelbarrows or buckets for short distances. Kneading clay and rolling into *peras* is done by both men and women, including juveniles, and sometimes by female children too.

Use of the *sancha* is common among women of traditional *patheras*. Older girls in Afghan families occasionally use the *sancha*. Subsequent stacking of dried bricks also involves such women and girls.

4. Child labour

Children are conservatively defined here as aged 10-14. Attention is drawn to the rare cases where even younger children were observed working at some tasks.

Everywhere, children participate in *pathera*, *bharai* and *nikasi* work. Both girls and boys work as *patheras*. Only male children are seen amongst *bharai* and *nikasi walas*, helping load or unload bricks but more often only involved in transporting bricks by donkeys to and from the kiln.

No children were ever found working as *jalai walas* – certainly because this is more skilled labour, is most hazardous, requires constant alertness; and is quite tiring work. Perhaps also because *jalai walas* are kiln employees and the kiln-owner may be aware that direct or overt employment of child labour carries an unnecessary (even if remote) risk of legal penalties. Juvenile males are frequent as *jalai walas*, most likely because neither owners nor officials considered them to be covered by protective legislation.

When entire families work as *patheras*, no distinction is seen between girls and boys in whatever activity children participate. While the working day can exceed 12 hours, children do seem to take more frequent breaks than adults. Younger children will start work later in the day alongside women.

School-going children are rare among *patheras*, and even such children help after school. Where women work directly on-site, girls may help indirectly by taking care of domestic chores for part of the day. When preparing the clay pile, children help carry water by bucket. Children also undertake the task of loading and carrying piles of mixed clay towards the *sancha*. They are also often seen kneading clay into a *pera* for the *sancha*. Except in the NWFP, we seldom found even an older child using the *sancha* itself. Wherever observed, the child appeared to be slower but not sloppier at the task. Children share the task of turning over the semi-dried bricks in the evening and even younger children can be seen at this task. Carrying the dried bricks to one side and stacking them has similar participation. Children may be helped by adults to make a higher stack. Girls were less evident when this task was done in the evening, as that is the time when girls help with domestic chores.

5. Health & safety

There are virtually no safeguards for labour in kilns. *Jalai walas* wear open wooden sandals to reduce heat and use metal rods in handling fire covers; but otherwise remain wholly unprotected. When removing hot bricks, *nikasis* sometimes wear rubber strips on their hands and occasionally cover their mouth with a strip of cloth. Neither *bharai walas* nor *patheras* take any precautionary measures.

Some kilns will add plastic and rubber waste to fuel in order to improve the colour of bricks, and perhaps also to reduce fuel costs. Stench from the burning waste is noxious even for adjacent villages and can release lethal pollutants, of particular risk to *jalai walas*.

Children engaged in various tasks continuously lift and carry heavy burdens and squat for long periods at the *sancha*. In the absence of specific medical studies, one can only speculate about damage to knees, lower legs and the spine. Exposure to emissions from burning fuel (especially in the short metal chimneys in some areas of NWFP) and dust is another health and safety issue, made worse for children living on-site. Our impression is that working at the kilns is a particularly hazardous occupation for children.

Treatment for injuries at work or illness caused by work is entirely the responsibility of labour. Workers asserted that serious injuries are frequent, although we saw only a few men and women with current or recent serious injuries, perhaps because we met mostly with labour at work. Except for the few regular employees (and then only when employers consider injuries due to accidents rather than error), workers are expected to bear the cost of earnings lost due to temporary reduction or permitted release from work. As anywhere, there are always some “God-fearing” owners who take care of labour “like their own family.”

The health of women must surely be affected adversely when they return to brick-making within a fortnight or so after childbirth to augment low family income and redeem debts.

6. “Footloose” labour

A broad definition of migration is used here, to include most people living on the kiln site. This definition covers both seasonal and permanent migrants, as well as migration that could just as well be within and between *tehsils* rather than across districts or provinces. All Afghans are taken to be migrants (reflecting the term *muhajir* used for them), even when they live in nearby refugee settlements or were born in Pakistan.

In a typical kiln, almost all workers are from migrant families. However, even in the Punjab, a kiln will often employ a combination of locals and migrants – both family and male-only migrants. When locals are wholly landless, they will also live on-site.

Virtually everywhere, *bharai* and *nikasi* work is done by locals. At most kilns, migrants dominate *patheras* and *jalai walas*. Though not probed extensively, there appears to be a concentration of *jalai mistris* from specific areas, due to chain migration. Many were from Azad Kashmir, but some Multanis were also to be found. Younger *jalai walas* can be a mixed lot like other labour.

Among migrant *pathera* families, the most common are “classic” brick makers -- both Muslim and Christians -- from Central and Southern Punjab. The entire family can spend many years at one kiln and then move to another kiln, sometimes hundreds of miles away. Among family migrants, most had remained with a specific kiln for at least five years, and there were frequent cases of 10 or more years of work with the same kiln or in the same area. These families have been *patheras* for decades and often across generations. Such families now predominate in Central Punjab but are also found working in Sindh and the NWFP. A few discussions suggested that these traditional families could now constitute as much as 40% of *pathera* labour across the country, with the remainder provided by locals, new migrants, and Afghans.

Some migrant families have retained ancestral homes, probably because members of the extended family continue to do agricultural work. When the kiln-owner and labour migrate from a common area, it appears that there may be a prior, older or extended relationship through land in addition to having worked at the owner’s kiln in the “home area.” Former sharecroppers were encountered but in these cases the current kiln-owner was not their former landlord. But most of the migrants described themselves in a way that suggested complete landlessness.

Migration occurs for a number of reasons, including higher rates of pay, larger advances, longer work seasons, closed kilns, new kilns, disputes with or abuse by owner. Movement over long distances is usually through recruitment by a *jamadar* who arranges transport and advances. Some families may spend many years working and raising families in a small area or even at the same site -- yet both they themselves and others consider them migrants rather than locals.

Family migration is not common among the “new” brick labour, and generally not so in the NWFP. In these cases, only adult and juvenile males migrate and often just for short periods, though not necessarily short distances, between harvests, even when they are not from farming families. These men are among the hardest workers, anxious as they are to rapidly save large amounts at better-paid kilns or swiftly work off a

large advance. *Bahawalpuri* has become a term for new migrants, suggesting that many of the new migrants are from South Punjab.

Afghan Pathan labour remains widespread in the NWFP. It is also found in Punjab though less so in places close to Islamabad. Hardly any is to be found now in Sindh. These are almost always male adults and juveniles, coming to work from a nearby Afghan settlement (official or informal). Less often seen are Afghan families living on-site in their own cluster. Now seen as far south as Lower Sindh, Tajik and Uzbek families may be emerging as a new source of Afghan migrant labour.

A growing brick kiln sector in some areas was formerly fed by large numbers of Afghan Pathan labour as *patheras*. These people are now returning to Afghanistan or being pushed back by government to areas closer to the border. The displacement was pointed out particularly in the Rawalpindi area, but was also indicated as the reason for a labour shortage around Hyderabad. In other areas, traditional kiln labour has preferred to return to (or remain in) Central Punjab, creating local labour shortages elsewhere.

Over time, locals have become a larger source of *pathera* labour for different reasons in various areas. The common reason seems to be that large and increasing unemployment in the country, and consequent stagnant or declining wages, has made even brick kilns tolerable, especially for large families. It is likely that deteriorating conditions in agriculture are also pushing labour to seek additional or alternative work for some family members. Locals are also replacing Afghans.

7. Labour hierarchies

Excluding the *munshi*, the *jalai mistri* would be at the top of the labour hierarchy. Responsible for proper baking of several days-output at any time, his welfare and cooperation is a constant concern of the kiln-owner. The job requires special skills that take many years to develop and an inclination towards and capacity for the most dangerous task in brick-making. The *jalai mistri* has the highest income as a single worker, sometimes even as much as a *munshi*.

As both *bharai walas* and *nikasis* are generally locals and use their own animals, they are probably regarded equally. *Nikasis* may be downgraded when using wheelbarrows provided by the owner, or *bharai walas* may be upgraded when they use the more expensive mules or oxen rather than donkeys. When transport is separated from stacking in *bharai*, it is not obvious that the transporters come second to the special skills of stackers since the *kharkars* have more (animal) wealth, and can do other jobs outside the kiln once their daily kiln work is completed. Whether it is *bharai* or *nikasi* work, hired help by animal owners is “only a *mazdoor*” – casual, daily wage, low-skilled, needier, etc. We could not discern much difference in daily income per worker between *nikasis* and *bharai walas*, at least when the latter included both stacking and carriage. *Patheras* are likely to be always at the bottom with lower incomes, longer workdays and more drudgery. Whenever female workers are involved, but especially when young women work as *patheras*, their households are seen as “socially inferior” even compared to households where women work as farm labour (but near their homes). This introduces differentiation not only between *patheras* and other labour, but also among *patheras*. Since *their* women “don’t need to work,” local or migrant male-only *patheras* are considered (by themselves and others) as “better off” than local or migrant families even when the latter have somewhat higher incomes because of female workers at kilns. The degree of independent access to shelter (physical and social) is surely also an aspect of differentiation. Migrants with a home to return to, and hence denser social capital are the same as locals living nearby, and both are better than migrant families with no home anywhere except that at the work site. Among any labour group, those who “need” no debt because of other sources of income or wealth are surely considered superior to those who cannot escape debt.

Migration increases vulnerability when the owner is local or comes from a different area than labour. Hence, local *patheras* are apt to be more confident than migrants. A major exception is migrant Pathans and

Afghans for whom respect (or fear of retribution, individual and collective) is forthcoming from non-Pathan labour and owners, in spite of distinctions mentioned above.

There was a variety of *biradris* within and across all labour groups. But the “inferior” Muslims and Christians are to be found virtually only among *patheras*. This is another factor in differentiation across labour groups and among *patheras* themselves. There is no doubt that *biradri*, *quom*, and *zaat* play an important role in solidarity (or lack of it) amongst labour and when the need arises to seek intercession from private and public power in labour disputes with kiln-owners.

Just as their *mistri* is the top guy among *jalai walas*, so is the case whenever a *mistri* or leader is found among the *bharai walas* or *nikasis*. Skills are an important factor in this differentiation. But other factors also play a role. The *bharai mistri* can often be an employee rather than just a piece-rate worker with an additional commission. Almost always, and perhaps more significantly, a *mistri* is also a labour “contractor” -- arranges for the labour group by recruitment from kin and extended networks, supervises their work, mediates on disputed accounts, negotiates and distributes advances, and is responsible for recovery of debts. When there is no skilled *mistri*, the same role is performed by the (group) *jamadar* working alongside other workers in the group. Often, the *mistri* or *jamadar* is related to most co-workers.

Except for never being an employee, the *jamadar* is superior to ordinary *patheras* even though the *jamadar* is himself (and his family) also engaged in making bricks. Added clout comes from the fact that the owner will consult the *jamadar* in choosing the few who will make the higher-paid special bricks and tiles. Due to his multiple and privileged roles, co-workers’ feelings towards the *jamadar* are ambivalent – the *jamadar* is there to enforce the work contract and should not be expected to defend workers except in the worst cases of abuse and gross fiddling with the *khata*. *Patheras* only occasionally, but especially when advances are low, voiced a grudge that the *jamadar*’s commission reduced the piece-rate paid to labour. Some kiln associations have striven successfully to nullify the *jamadar*’s commission.

There appears to be more mobility across occupations than within kiln work. Many workers or their parents had come to kiln work from agricultural work as sharecroppers, field labour or artisans. A few had even done factory work earlier. But it was extremely rare to find expectations of, let alone actual, mobility between occupations within brick-making itself – e.g., a *pathera* becoming a *jalai wala*.

III. Jobs & earnings

A kiln generally has a dozen or so workers employed on monthly wages. These consist of the *munshi(s)*, *chowkidar(s)*, four to five *jalai walas*, a couple of *keri walas*, and sometimes a *bharai mistri* or two. A couple of *nikasis* can also be regular employees. A driver for the tractor and trolley will be seen at the larger kilns that have to bring in mud and sand from, or take baked bricks to, some distance.

Much more numerous are piece-rate workers: a dozen or so in *bharai*; a half-dozen for *nikasi*; and scores of *patheras*. In most brick kilns, active *patheras* will be more than 50 men, women and children. These three piece-rate occupations form the vast majority of kiln labour.

Jalai walas work as a *mistri* plus four persons. Two will work in shifts of six hours on - six hours off for every day of the week. Like other labour, they have to arrange for substitutes when going on extended holidays if the kiln is in operation. Starting work early in the morning, *bharai* and *nikasi walas* are usually finished by mid-day. They are free to work elsewhere after completing their daily work at the kiln. The work cycle gives *patheras* no such choice even if the kiln owner permitted it. Friday is a day-off for *bharai* and *nikasi walas*. *Patheras* break work around mid-day on Thursdays and return later on Friday.

Workers are generally hired through a *mistri/jamadar*. This group leader is asked by the owner or *munshi* to get together a labour team necessary for executing a “job” -- e.g., making available so many

thousands of unbaked bricks daily. The recruiter agrees on a piece-rate or salary (sometimes for an entire group such as *jalai* work), along with the lump-sum for initial advances to labour. The latter aspect influences the number of workers and whether these are local or migrant, single males or families. Since the *jamar* is responsible for repayment, low advances mean that “new” labour has more of a chance at being recruited since the *jamar* can bear more risks of productivity and repayment.

Except for the *munshi*, salaried workers live on-site. Also living on-site are migrant *patheras*: 20 or more households consisting of 100 or more men, women and children. In the NWFP, but also elsewhere, migrants largely consist of males. *Jalai walas* also live as entirely male households.

Onsite accommodation at kilns is a nearby cluster of one or two brick-and-mud rooms. These accommodations are constructed and maintained by occupants with materials provided by the owner. Sometimes there is a small walled courtyard for one or more families; in its absence, older girls and young women especially suffer from the lack of privacy. Apparently, a couple of bed frames and a mud-stove are also provided by the owner. When wood is used as kiln fuel, an owner may offer free access to the woodpile. Water is available from a common hand pump or well.

Labour is not charged explicitly for on-site accommodation, including water, but is generally charged for electricity (seldom supplied and, then, only at night). Many complained of electricity charges, noting that they had to pay high charges because the kiln was billed at commercial tariffs. Perhaps the *katoti* of 20/1000 bricks (with a sale value of Rs 15 and more) also represents an implicit charge for shelter and water.

1. Piece-rates

For *Bharai*, the rate varies according to distance of cartage, and less so across locations. The observed range was wide, from Rs 28 to 80 but mostly under Rs 50 for (undamaged) 1000 bricks. Lower rates can be paid when the kiln produces lower value bricks in a remote area. We suspect that lower rates may also reflect a division of labour between unloading, cartage and stacking when these tasks are split between different groups of labour providers. At times, the stackers are salaried or daily wage employees. A *bharai mistri* often receives a commission of Rs 2 per 1000 bricks, which can be a deduction from the gross rate paid to labour. It appeared that this commission was paid only when the *mistri* was not a kiln employee.

As compared to *bharai*, *nikasi* is paid a lower rate since cartage is to a much shorter distance of a few yards. Rates ranged from 12 to 30 per 1000 -- or sometimes given as a rate for a *pawa* of 2000 or more bricks -- with lower rates in more remote sites with lower quality bricks, and also perhaps when carriage is on wheelbarrows supplied by the owner rather than on animals of the *nikasis*.

Baked output includes at least three types of bricks according to the quality of baking, in addition to “special” bricks and tiles at some places. No difference in *nikasi* rates applied to whole bricks of whatever quality, but we remain ignorant of how broken bricks are evaluated. The daily earnings include payment for clearing out rubble from the kiln and for bricking up the space made for taking bricks out. Presumably, the *bharai walas* are similarly responsible for creating a space to take unbaked bricks into the kiln area.

Patheras can be paid a wide range of rates per 1000 bricks since they make both bricks and tiles and each has a range of sizes and quality. Across sites, the extremes for bricks were Rs 90 and 160 and for most tiles the range was from Rs 140 to 300. Afghans generally work a four-to-five-brick mould that produces lowest quality bricks and are, hence, paid at the low end.

At a given site, a *pathera* will be offered a higher rate for the higher-priced bricks of larger size and tiles of better quality. The *pathera* also requires a higher rate since more work and care are needed for an output which will be significantly smaller than that of ordinary bricks (around 70-75%). Our most frequent

impression was that *pathera* earnings are not significantly higher for making tiles; but that very small and very large family labour units do better by making tiles rather than ordinary bricks. Pathan labour would obviously disagree since they see an advantage in a larger volume of the crudest bricks.

Between sites, somewhat higher rates are given when more effort is involved in preparing the clay -- e.g., digging from the ground rather than taking from a pile; working with coarser mud; sifting low-quality sand; or hauling water from a distant source. Clearly, one factor in the variation of rates is the availability of labour, sometimes coinciding with a market for low-quality bricks that depresses rates further. However, although tight labour markets (such as in Lahore or in Rawalpindi) may not result in much higher rates than elsewhere, advances will be substantially larger.

We were told that a highly indebted *pathera* may have to accept a lower piece-rate to persuade a new kiln-owner to "buy out" his debt. But we found no systematic evidence for this claim, either between kilns or among *patheras* at a given site. Actions to reduce or eliminate advances per se, then, will not necessarily increase earnings.

As "good" Muslims, owners do not charge explicit interest rates on advances. Nor is a return on an advance extracted by owners through lower piece-rates. High, and regular, productivity of labour is, then, the main motivation for paying advances. Since indebted labour is not free to leave, the standard practice of not settling accounts of debt and earnings until the "end of season" (which may be a whole year) -- and fiddling accounts (as a few complained) -- offer other ways of earning an additional return on advances. One may then well ask: who is advancing how much to whom?

Regional variations in rates suggest that labour in some areas is more willing to work at relatively lower rates. This is true of locals around Multan. Similarly, we found Afghans willing to work at lower rates; in fact, the lowest level of rates observed in NWFP seems entirely due to Afghan labour. Just as some locals had other sources of income, some Afghans were also better off through family members with other jobs or rations, shelter and health care in official camps.

Commission to the *pathera jamadar* is generally Rs 5 or 10 (exceptionally, as high as Rs 20) for every 1000 unbaked bricks and is paid independently of the size of debt, including zero advances and debts. Generally, there is only one *jamadar* for all *patheras*. Sometimes, there may be none, especially when labour is mostly local or well known to the owner, or advances are very low even to migrants. At other times, there may be more than one *jamadar* each for groups from different locations. When information on piece-rates varied between labour and owner, labour pointed out that the higher rate quoted by the owner included a commission paid to the *jamadar* (and, hence, that the commission was "really" a charge on labour).

Smaller commissions are also paid to *mistris* and *jamadars* for *nikasi* and *bharai*, reflecting the lower piece-rates for this work (and the larger daily volume).

2. Earnings

A team of four to five *jalai walas* is paid a monthly total sum of Rs 15-20,000, with higher wages going to the more skilled *mistri* and more skilled teams. In poorer areas, wages can drop for the group to Rs 10,000. A *keri wala* is paid around Rs 1500 per month, or may sometimes be paid on a piece-rate. These employees are paid in weekly instalments, with final settlements at the end of the season at least for indebted workers.

For *bharai*, *nikasi* and *pathera*, work is paid as a rate per 1000 bricks. The *munshi* records the amount earned at the end of each work-day. Payments are made in instalments every Thursday after adjusting for advances. Accounts are fully settled generally after the "season" or when labour quits. Even though labour acknowledged that illiteracy made it impossible for them to keep accounts of debts and earnings, workers rarely complained of the owner or *munshi* fiddling accounts. When they did so, the workers generally had

sizable debts themselves or spoke of others with large debts; in some cases, workers spoke of “bad owners” whose weak financial position led them to fiddle with accounts, especially if the kiln had to close down.

Usually, once the unbaked bricks have been counted, the owner bears any damage from rain. However, in some areas, the tradition of regularly deducting *katoti* of 20 bricks per 1000 for damage and poor quality continues to be levied upon *patheras*. In other places, actual damage is shared equally between *patheras* and owner when unbaked bricks are stacked; but the *pathera* is liable for all actual damage to bricks still on the ground. Owners denied using *katoti*, mindful of its explicit prohibition by the landmark Supreme Court judgement.

Most workers appreciate being paid weekly; but some workers shared their feelings of insecurity that the owner could terminate a worker and call in debts, at very short notice. For family workers, shelter is a special vulnerability. Some complained that when stocks of unsold bricks become “excessive” or the owner has problems in meeting the requirements of working capital, then a “bad” owner will harass labour – e.g., by delaying payments, or asking for immediate repayment of debt, or even becoming abusive so that labour will want to leave themselves. In the latter case, indebted labour has to seek another kiln to buy him out -- in a sense, to arrange working capital for the former employer .

Earnings are shared by *bharai walas* among themselves in proportion to their ownership of animals (mostly donkeys). Wealthier or older *bharai walas* may sometimes employ juveniles as labour. In a group of 8-12 persons handling 25-35 thousand bricks daily at rates of Rs 30-50, one *bharai wala* could be expected to earn Rs 100-150 per man and animal (generally two). Stacking in the kiln by itself would pay less than carriage from the brickfield.

An average daily handling of 20-25 thousand bricks at rates of Rs 20-30 by a group of five to eight *nikasis* would give a daily wage of Rs 100 – 150 each. At some sites, *nikasi* work yields only Rs 70 despite higher rates, because a larger labour group is involved. *Nikasis* are locals and can go off to do other jobs after completing their kiln tasks by around mid-day.

A large *pathera* unit of three adult men and women, plus at least as many children, produce a daily output of 3000 bricks. A similar output rate per adult was seen among young migrant males. Local males appear to work some fewer hours, with an output rate closer to 800 bricks – giving the obvious explanation that they have homes and families to return to. But these workers also accept lower advances, hence, have less incentive and pressure to increase production. Young couples with no working children produce around 1200 -1300 bricks per day. We cannot say whether summer outputs vary substantially since longer summer days also require longer afternoon breaks due to the heat. At rates of Rs 130 –150 per 1000 bricks, production of 600 -1000 bricks daily would earn Rs 80 -150 per adult *pathera* worker. When even lower rates prevail, such as in the NWFP and for Afghans as a rule, daily earnings range between Rs 60 – 120.

With limited demand for the more expensive special bricks and tiles, a kiln would have only a few *patheras* making tiles. For every 1000 ordinary bricks that could be made by a labour unit, no more than 750 tiles would be generally possible. Generally the *jamadar* chooses the more skilled workers but may also assist a “deserving” family with a single adult worker. At upper end rates of Rs 200-300 per 1000, a daily output of 450-750 would bring in Rs 100 – 225 per adult worker.

For *patheras*, the usual deduction for debt-servicing is Rs 40 to Rs 50 per 1000 bricks. For workers with particularly large debts, the deduction is closer to Rs 100 but gross family income is also much higher. At the end of each month, labour is verbally informed of the size of outstanding debt. We did not obtain similar information for *bharai* and *nikasi* labour, primarily because of shorter conversations due to their work schedules, but also their hesitation to talk in full view of the *munshi* or owner.

IV. Forced labour

We consider forced labour as a broad category that includes some elements of coercion or compulsion in situations both with and without debt. Among the dimensions that could be used to identify aspects of forced labour, some are obvious.

First, is actual or threatened violence to labour or his/her family used to extract additional work? Obviously, we were not allowed to observe any such case. However, on some occasions we were told of verbal and physical abuse of male workers by the *munshi* or owner for “laziness”. We have the impression that withholding or reducing periodic advances, or demanding more rapid repayment are generally considered an adequate mechanism for “disciplining” labour.

Second, is any labour or family member regularly required to do tasks with no or nominal compensation? We neither observed, nor were told of any such case, even amongst the heavily indebted families (beyond petty chores like bringing drinks for guests and the like). So, clearly such situations do not occur with the same regularity as apparently is the case for agricultural labour. One caveat is that we did not stay on-site late enough to see what happens after kiln work is done.

There are also fewer opportunities for extracting *begar* since the owner or *munshi* do not generally reside on the kiln premises. In addition, the kiln process – leased land, high fuel costs, continuous inputs and outputs – encourages incentives for workers to do better in their contracted tasks rather than diverting them into other tasks. Also, the splitting of various tasks between different labour groups permits more opportunities for tailored exploitation of labour.

Could no or nominal compensation be held to apply to women and children working as family labour on piece-rates? More generally, does labour get compensation that is below prevailing labour rates in the area, taking into account working hours? Or is it below minimum wages? Or are incomes below the poverty line? Or do incomes necessitate child labour for subsistence? To all of these, the answer is yes. Labour *is* forced when apparently “voluntary” contracts are made under conditions of mass poverty *and* a deeply inequitable social, economic, and political environment.

By tradition, adult men deal with all formal matters of earnings and debts. Hence, in one sense, forced labour is imposed upon women and children regularly engaged in making bricks.

Once we consider the fact that earnings are usually shared in the household, however unequally, evaluations become more difficult. When women have – or are given -- few if any opportunities to work outside the kiln, then whatever little women are held to “deserve” as family labour generally exceeds their “opportunity cost.”

Forced Labour Convention, 1930 (No. 29)

Article 2

1. For the purposes of this Convention the term *forced or compulsory labour* shall mean all work or service which is exacted from any person under the **menace of any penalty** and for which the said person has not offered himself voluntarily.

Article 11

1. Only adult able-bodied males who are of an apparent **age of not less than 18 and not more than 45 years** may be called upon for forced or compulsory labour.

Article 14

1. With the exception of the forced or compulsory labour provided for in Article 10 of this Convention, forced or compulsory labour of all kinds shall be **remunerated in cash at rates not less than those prevailing for similar kinds of work either in the district in which the labour is employed or in the district from which the labour is recruited, whichever may be the higher**

Article 15

1. Any laws or regulations relating **to workmen's compensation for accidents or sickness** arising out of the employment of the worker and any laws or regulations providing compensation for the dependants of deceased or incapacitated workers which are or shall be in force in the territory concerned shall be equally applicable to persons from whom forced or compulsory labour is exacted and to voluntary workers. 2. In any case it shall be an obligation on any authority employing any worker on forced or compulsory labour **to ensure the subsistence of any such worker who, by accident or sickness arising out of his employment, is rendered wholly or partially incapable of providing for himself, and to take measures to ensure the maintenance of any persons actually dependent upon such a worker in the event of his incapacity or decease arising out of his employment.**

Article 17

Before permitting recourse to forced or compulsory labour for works of construction or maintenance which entail the workers remaining at the workplaces for considerable periods, the competent authority shall satisfy itself--

(1) that all necessary measures are taken to **safeguard the health of the workers and to guarantee the necessary medical care**, and, in particular, (a) that the workers are medically examined before commencing the work and at fixed intervals during the period of service, (b) that there **is an adequate medical staff, provided with the dispensaries, infirmaries, hospitals and equipment necessary to meet all requirements**, and (c) that the sanitary conditions of the workplaces, the supply of drinking water, food, fuel, and cooking utensils, and, where necessary, of housing and clothing, are satisfactory; (2) that **definite arrangements are made to ensure the subsistence of the families of the workers**, in particular by facilitating the remittance, by a safe method, of part of the wages to the family, at the request or with the consent of the workers; (3) that the journeys of the workers to and from the work-places are made at the expense and under the responsibility of the administration, which shall facilitate such journeys by making the fullest use of all available means of transport; (4) that, **in case of illness or accident causing incapacity to work of a certain duration, the worker is repatriated at the expense of the administration;**

1. Debt

All categories of kiln labour can and do take advances -- at the time of joining a kiln as well as subsequently. Those taking advances include both salaried workers such as *jalai walas* and piece-rate labour. Since repayment is through labour, advances are based largely upon the scale and quality of labour being offered by a household.

After the initial advance, owners prefer to term subsequent advances as “friendly loans,” probably to avoid being held in violation of bonded labour law (with higher penalties than usual civil law), and to retain the right of recovery, in the infrequent case of being taken to court by a worker. It is also likely that owners want to reduce the risk of losing funds in the event that government or courts give a general public proclamation of cancellation of *peshgis*, as happened in the late 80s. But labour, too, differentiates between subsequent, small subsistence advances versus *peshgi* as the large sum that can be demanded at the beginning of every season if past debts have been cleared, or from a new employer.

Typically, advances go from the owner to labour through a *jamadar* or *mistri*. Since the owner holds the *latter* responsible for repayment, and labour repays debt through them, the debt could be said to be layered. But labour always refers to debt as due to the owner rather than the *jamadar* or *mistri*. The kiln *munshi* appears to be an accountant in the process, but may also advise the owner on additional advances demanded by labour.

Usually the owner first hires a *jamadar*, who then recruits labour through the promise of large advances or better rates, and arranges for transportation. Recruitment is typically from persons well-known to the *jamadar* – either through past work in the same kilns or area; or as a *gharain*. At all times, advances go through the *jamadar*, who divides a lump advance between himself and workers, and remains responsible for repayment. It remains unclear if it is common practice for recruited workers to be responsible for the entire advance, including the “share” retained by the *jamadar*. When labour and *jamadar* come from different areas and have not worked together previously, the *jamadar* attempts to obtain additional guarantees for repayment of debt. Guarantors are not other kiln labour but usually residents in the area from which labour is recruited. Families that have been migrants for decades will, of course, find it very difficult to offer any guarantors. If any indebted labour flees the kiln, it is the *jamadar* who must locate labour he recruited. But further action is left to the owner.

As an average for kiln labour across the country, the size of *peshgi* and accumulated advances per family could be less than Rs 5,000. The classic *pathera* family – large family and large labour pool from Central and Southern Punjab – continues to have large and continuing debts of around Rs 10,000 per adult worker, hence, totalling Rs 50,000 and more for the family. When a new kiln starts up, these families and even some of the new migrants will negotiate large advances to move to the new kiln. If labour migrates under pressure, it may have to accept work from a creditor-owner who pays lower rates.

Among the reasons often cited for large debts were “lump sum” expenditures such as a major illness or the wedding of children. Some labour described marrying off daughters as a compelling reason for *ghairat* as a matter of honour to provide protection (or respectability) to females in the kiln environment of numerous young males.

Afghans, in particular, and new labour, in general, are willing to work for smaller advances than the traditional migrant labour: around Rs 3,000 or less, which they expected to repay in a short time. Their greater poverty and fewer alternative opportunities for work, especially for “illegal” Afghans, are reasons for accepting smaller advances. But we also found indications that some needed smaller advances as they have other sources of income, wealth or credit – e.g., rations and shelter in Afghan refugee camps; farm labour and homestead for locals.

Owners also feel at greater risk in lending to such labour – it may spend less time at a given site; and repayment can be more difficult to enforce without the compulsion of shelter; in the absence of “hostage” women and children; and for some, protection being available to runaways at their home locations. “New” labour also offers less productive skills and hence a smaller return on advances. The hike in coal costs has also reduced owners’ financial capacity to make large advances to all labour.

A view from the owners is worth mentioning. An official of the district Bhatta Owners Association said that workers are forced to take loans because of illness, festivals, death, etc. Labour is their only collateral. But large debts accumulate because of extravagant consumption, like watching movies on rented VCRs during every holiday or gambling for high stakes.

2. Debt bondage

Does labour *feel* bonded? And if labour does not feel bonded -- perhaps because of full knowledge and “voluntary” acceptance of the debt-for-labour contract - is there any value in an external assessment of working conditions as bondage? The question is somewhat like asking whether particular work is hazardous to health. It is not necessary that labour itself considers it so and it is important that an independent judgement can be made of the nature and degree of hazard.

Bonded Labour System (Abolition) Act 1992

The specific national legislation is a law “to provide for abolition of bonded labour system,” promulgated with reference to “Article 11 of the Constitution [which] prohibits all forms of forced labour.” The Act explicitly provides for taking effect at once across Pakistan, “*notwithstanding anything contained in any other law.*” The law, however, confines itself to debt bondage rather than the broader category of forced labour.

Section 3 defines bonded labour system in the following manner:

- “the system of forced, or partly forced, labour under which a debtor enters, or has, or is presumed to have, entered into an agreement with the creditor to the effect that
- in consideration of an advance ...or in pursuance of any customary or social obligation, or for any economic consideration received.. [the debtor]
- would render, by himself, or through any member of his family, labour or service to the creditor either without wages or for nominal wages; or
- would forfeit the freedom of employment or adopting other means of livelihood, or
- forfeit the right to move freely from place to place; or
- forfeit the right to appropriate or sell at a market value any of the property or product of his labour or the labour of a member of his family”
- bondage includes those who give a surety to render bonded labour on behalf of a defaulting debtor.

The law defines nominal wages to mean any wage “which is less than the minimum wage fixed by the government,” or in its absence “the wages that are normally paid, for the same or similar labour.”

Labour commonly agrees that debt imposes the burden of continuing to work at the kiln until the debt is paid off, either through work or an alternate creditor. Even when no violence has occurred at their own kilns, workers were aware of incidents at other kilns and, hence, conscious of its threat. Surveillance is felt, especially when labour lives on-site. Only for nominal debts – of Rs 1000 or so – could they imagine rescheduling or write-off by a “kind” owner.

Large debts may be “transferred” to an alternate creditor, usually another kiln-owner willing to buy off their debt in return for labour bondage. Labour pointed out that death or permanent disability transfers obligations of debt and labour to other family members, including young children. Most labour did not think they or their children would, or could, ever be free of debt. Labour and owners both pointed out juveniles working off the debts of an incapacitated or dead father.

Government officials in Islamabad and its territories think differently. For them, kiln work is a mutually advantageous contract providing advances from the rich in return for labour from the poor. When labour complains of debt bondage, some in the higher judiciary admonish them to honour their debts. This is a reflection of the growing reluctance of the judiciary to distinguish between good management (e.g., to share prosperity within the prevailing social order) and ethical governance (e.g., to sharply reduce inequities). Such perspectives echo widespread social values.

The “labour-should-be-grateful” perspective is straightforward even if incomplete and self-serving. It runs as follows. Objectively, however regretfully, poor households need some credit and regular employment. The kiln-owner needs cheap labour and low turnover. Both are, therefore, better off by tying credit to labour, i.e., debt bondage. Given market and government “imperfections”, kiln-owners should be appreciated (rather than denigrated) as lenders of last resort to those whose only collateral are their bodies. Advances serve to ensure security of work, earnings and usually shelter. Agreeing to pledge *family* labour, thus, is merely a premium for such insurance. Since the contract is voluntary, why the fuss?

One may also frame *peshgi* as an incentive for a stable, disciplined, productive labour force to work under probably hazardous, certainly unpleasant, conditions. Advances are also a response to the needs of labour for pressing expenditures – e.g., treatment for unexpected illness, young persons who want to and should get married. Clearly, neither owners nor labour expect such expenditures to be financed by savings, due to admittedly low earnings. Excessive debts -- i.e., those that can never be repaid at usual earnings from prevalent piece-rates -- result from labour’s greed or excessive consumption. Coercion occurs because indebted labour is lazy, i.e., does not produce the number of bricks that were agreed upon when the advance was given. Or labour is ungratefully scheming to run off without honouring its debt. Violence is rare and claims of physical abuse, especially sexual abuse of women, are trumped up (since well-off owners can afford better services).

Since *social constructs* of labour issues are important to public action, obviously more needs to be said. If debt bondage of a family is defined simply as the obligation to continue the adequate and uninterrupted supply of labour until a debt is redeemed, then virtually all kiln labour is debt-bonded at some point or the other in their lives. For most, it is a persistent condition. Obligations rest upon the entire family, including children. If the owner considers labour as belonging to “back home” or provides similar social collateral through the *jamadar*, then restrictions may be relaxed.

To be effective, bondage should be accompanied by the threat of coercion, i.e., seen as enforceable. That is, in fact, the situation in brick kilns. The kiln owner can insist that some members of an indebted family stay behind as “surety” when others take leave. In the extreme, we were told, the *chowkidar* and other hired toughs will keep a watch on suspect labour or even lock them up. Presumably, the enforcer in the first instance, i.e., the *jamadar*, cannot or will not guarantee trustworthy conduct or repayment.

Debt bondage is effective when workers who flee can be tracked down and forced to return. *Jamadars* interviewed were confident, and labour agreed, that tracking down is not difficult. If labour is found working at another kiln, other owners usually cooperate in “returning” them. Police also assist, sometimes by registering theft cases against labour. On some occasions, a distant landowner may give refuge to runaway labour and become a guarantor for loan repayment.

If bondage is substantive then labour must have no real option for debt redemption except to supply labour at the same kiln or to transfer debt to another kiln, but only at the discretion of the owner. For labour with large debts, this is typically the case because their wealth is confined to the large pool of family labour. People with small debts – particularly locals and non-family migrants – may have the option of redeeming debt through other family members working elsewhere. For these, alternative sources of credit (or at least a guarantor) such as a landowner or shopkeeper may also be more easily available; or they can have livestock to sell off for debt repayment.

When bondage is substantive, debt redemption must be excessive in comparison to usual earnings. Lifetime earnings net of even subsistence could never pay back the debt. For smaller debts too, before previous debt can be repaid entirely, additional debt can be required for normal family needs. Some owners conceded that only half of indebted labour was able to redeem the advance; the remaining labour could only get into additional debt.

Bondage applies to the family. Once any family member has worked as kiln labour for a while, the family can work nowhere else at their own discretion. If the person has a separate *khata*, the exit option can be exercised if the debt is accepted by other family members and they appear capable of redeeming the debt through their own labour. In this regard, a mother told a probably atypical case of having to absorb the debt of her young son who ran away (“because of a clever wife”) and whose husband was incapacitated. We do not know if owners continue to pressure indebted labour to replace a married-off daughter with a substitute daughter-in-law, i.e., engage in the practice of *watta-satta*.

Debts are generally not forgiven upon incapacitation or death. A father or brother must accept the debt of a son or brother; a woman must assume the debt of a husband; and a male child must accept the debt of a father. We did not inquire about the obligations of female children towards debts acquired by their fathers or brothers. Locals with low debts may, on the other hand, even get permission to leave for harvest labour in their home areas, which can be quite distant.

Kilns can close for short periods “after a season” or for other reasons. One aspect of bondage is permission or refusal to work elsewhere temporarily. Discretion rests entirely with the kiln-owner, and is available to “safe” labour. Other indebted labour must stay on-site, subsisting on further loans by the owner.

Measured as the intensity and frequency of violence, severity of bondage was clearly observed to be low. One can only speculate why. Perhaps, the risk of court action in a high profile sector is a deterrent. Or more likely, owners consider violence as counter-productive as labour is easily available in a time of widespread unemployment and a stagnant construction sector. Owners may also realise that the costs of slacking by demoralised labour can be very high.

Of grave concern are the recent and continuing cases of kiln workers selling a kidney to redeem large debts. These cases were encountered in Northern Punjab, but news reports indicate that they also occur in other places in Punjab. In one family, it was a middle-aged man (as the single male adult labour); in another, it was a juvenile daughter-in-law (orphaned, but married into a large family) who had used a local hospital. In a third family, a juvenile daughter (from a family that had adult brothers in kiln labour) had gone to Lahore to arrange the sale of her kidney. Clearly, debt bondage can create immense psychological desperation that remains veiled in the easier focus on physical violence.

Reports of sexual abuse were very rare at our sites. But female team members sometimes felt that women were reluctant to speak out on such sensitive subjects. Perhaps their reticence was in fear of retaliation by *munshis* or owners since strangers at a first (and last) meeting cannot, obviously, be trusted to keep names and information in confidence.

Many workers were aware that large advances have been declared illegal in the past. The older ones even expressed knowledge of debts cancelled by the courts and referred fondly to the “days of Benazir.” Most of them admitted that the bondage system had returned, albeit with smaller advances. Some talked of having to pay back debts, as required by the earlier Supreme Court judgement, in order to continue working at kilns.

Among kiln labour, no one appeared to be aware of the general legislation that applies to bondage. In fact, few were aware of formal legislation against bonded labour, with the exception of limited areas where specific labour organizations are especially active. On a single occasion, we were told of a “strike” for higher rates in accordance with the higher sale price of bricks but this, too, was carried out by Afghan migrant labour (in the Haripur area). It was successful in raising rates by Rs 10 per 1000 bricks and did apply to all *patheras* – Afghan and non-Afghan -- in that and neighbouring areas.

To reduce debt, labour frequently expressed the hope that owners could be obligated to bear at least the direct cost of work-related injury even if they did not provide compensation for lost work-days. When kilns were near factories, some would even specifically talk of Social Security coverage for health and education. There was no widespread awareness of the national minimum wage, though *patheras* often knew of the minimum piece-rate in Punjab. Even the aware refer to general unemployment as an obstacle to mobilising for collective action in defence of rights.

Poverty in Pakistan is growing – afflicting less than a fifth of the population in the 80s but well over a third now. As advances provide a sense of security in earnings and shelter, it is no surprise that some workers consider bondage as a route to alleviate, if not escape, deprivation. Moreover, bondage is perceived as an employment opportunity where more work is rewarded proportionately and debts can be repaid with less difficulty than otherwise. The *peshgi* system allows for additional loans over time to “generously” respond to specific and unforeseen needs for large cash outflows. In these explanations – which centre on compelling needs and the lack of alternatives – one must, therefore, also allude to the role of inequitable social and political structures in fostering seemingly private bondage.

Certainly labour expressed its desire for higher wages and piece-rates, compensation for injury and so on. But knowing that the owner can safely refuse these welfare measures and that advances are the only option available, labour makes the most of available *peshgis*. A “good” owner was frequently seen as one who responded to “genuine” need by giving an adequate advance – arguably, indicating the absence of “real” bondage. But it seems to be just as inadequate a justification for social inaction as would be, say, child labour to escape family destitution.

Most labour considers it dishonourable to walk away from a “fair” debt, an amazing but perhaps not atypical illustration of the effectiveness of internalization as social discipline. All do chafe at restrictions upon employment when kilns close down for extended periods, especially when it means adding to debts. However, few currently feel that they can avail of a real opportunity to repay their debts by higher incomes elsewhere.

In order to attract and retain labour, why do owners prefer large and continuing advances rather than giving a higher piece-rate or regular wage, providing treatment and compensation for illness and injury, etc.? One may only speculate until such time as frank discussions are possible with owners. The advantage of an advance is that it is directly recoverable, and an implicit return may be earned through speeding up production via piece-rates. Debt accounts can be fiddled with. Furthermore, advances give more flexibility of “rewarding” particular workers through size and frequency of *peshgi*. For labour, larger production gives higher labour income, and allows swifter repayment of debt that enables future additional debt or an earlier release from bondage.

Labour must complete enough work to attain subsistence earnings. The lower the piece-rate, the more bricks a household must produce. Higher rates can lead to larger incomes, making the option of fewer working hours, and hence lower output, feasible for labour but unattractive to the employer.

Worst Forms of Child Labour Convention, 1999 (No. 182)

Article 3

For the purposes of this Convention, the term the worst forms of child labour comprises: (a) all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; (b) the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; (c) the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; (d) work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.

Article 4

1. The types of work referred to under Article 3(d) shall be determined by national laws or regulations or by the competent authority, after consultation with the organizations of employers and workers concerned, taking into consideration relevant international standards, in particular Paragraphs 3 and 4 of the Worst Forms of Child Labour Recommendation, 1999.

Worst Forms of Child Labour Recommendation, 1999 (No. 190)

II. Hazardous work

3. In determining the types of work referred to under Article 3(d) of the Convention, and in identifying where they exist, consideration should be given, inter alia, to: (a) work which exposes children to physical, psychological or sexual abuse; (b) work underground, under water, at dangerous heights or in confined spaces; (c) work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads; (d) work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health; (e) work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.

4. For the types of work referred to under Article 3(d) of the Convention and Paragraph 3 above, national laws or regulations or the competent authority could, after consultation with the workers' and employers' organizations concerned, authorize employment or work as from the age of 16 on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.

To owners, the disadvantage of higher piece-rates is that, once given, they cannot be taken back, and rate discrimination is infeasible between workers. The rate strategy can lead to a “price war” that goes out of control. Perhaps more risk and expense is seen by owners to follow when higher rates, rather than larger advances, are used to spur higher productivity.

Above all, there may be system inertia in that advances are part of the accepted method for competing for labour. Why fix what ain't broken?

A comparison with conditions in agriculture is unavoidable. This rapid assessment suggests that conditions of forced labour and debt bondage in brick kilns are much less severe compared to the oppression of landless farm labour and small sharecroppers. Factors explaining the differing conditions would include the following. Oppression and resistance both need social support. Compared to kiln owners, who are mostly non-local land-leasers, agricultural landlords are much more of a “community” and, as such, more prone to collude in oppression. Landlords are also able to call upon the “assistance” of local administration more easily. Some labour may be able to call upon a countervailing (and competitive) source of power through a landowner to dilute the power of the kiln-owner. In some kilns – in and around large

cities such as Lahore and Peshawar but also in Haripur -- general trade unions and specific bonded labour associations provide a degree of countervailing power against the worst abuses: mediating with the owner, or assisting in court cases and providing refuge to runaway labour.

Peshgi in law

It is to be made clear that past unreturned *peshgis* given to the labourers by brick kiln industry owners are still outstanding against the labourers. The labourers are legally bound to return all such outstanding *peshgis* ... A maximum of Rs 5000 per household granted to labourers in the past, in the form of formal loans or grants for marriages, festivals, medicine/treatment and death ceremonies by the owners shall not be recoverable and shall be treated as donation. This concession shall only be available to those labourers who return and resume their work voluntarily. *Peshgi* system in future is to be discontinued ... the [owner] shall give to the [labourer] an advance loan which shall not be in any case more than *seven days wages* ... if a loan is not settled no additional loan is to be given...

Supreme Court 1989

Every obligation of a bonded labourer to repay any bonded debt, or such part of any bonded debt as remains unsatisfied ... shall stand extinguished. ... No person shall make any advance under the bonded labour system ...

Bonded Labour System (Abolition) Act 1992

3. Trends

Some judgements may be made with regard to trends, but tentatively because official data does not exist or is unreliable.

The magnitude of **nominal bondage** is likely to have increased over the last two decades. Reflecting construction sector trends, the number of brick kilns appears to have increased across most of the country, and the average size of kiln has also apparently grown. The fieldwork did not suggest that the average number of workers per kiln has declined. We do not think that the large numbers of Afghan workers with low or no debts would have actually offset the number of Pakistani new and old labour in continuing or fresh debt.

What has been happening to **effective bondage**? While a sizable proportion – especially of the traditional *patheras* -- continue with much higher debts, the average would be smaller than reported in past studies even for the Punjab province as a whole. The decline in debt is due to a number of reasons. Most studies point to large advances and debts among the more numerous *patheras* as compared to the other, much smaller labour groups. However, the composition of *pathera* labour has changed towards more locals and Afghans, fewer migrants and more male-only migrants rather than families. The latter situation can reduce the “firm” labour on offer and hence of the production level expected on a regular basis from a labour unit. Since profitability of advances is tied to production, the average level of advances is correspondingly smaller. In addition, male-only migrants rarely migrate along with previous debt, and can, therefore, be engaged with smaller advances. It is also likely that the increasing number of non-local kiln-owners with leased land are less willing to risk advances of large sums that cannot generally be recovered in the five years or so of lease. Incidents of excessive violence by owners are rarer, in part because owners remain aware of possible court action that would extinguish debts altogether. These factors could be said to have caused a diminution in effective bondage.

Yet, effective bondage can be said to have increased in other ways. Labour is only too acutely aware of growing unemployment and stagnant or falling wages in alternative occupations even for the skilled and

educated. Moving into brick kilns may give higher earnings, and even less bondage as compared to agriculture, but moving out of brick kilns is not a real option. Labour is also aware that when the Supreme Court forgave debts or the new legislation outlawed advances many owners nevertheless recovered at least a part of their loans.

A constant refrain from indebted labour was that leaving a kiln is not a real option since they have nowhere else to go. Other work would give lower family earnings – women and children could not work as easily or the same long hours; employment would be irregular; factory work was unavailable or paid too little and openings were few. And “where would they then go to live?”

At prevailing piece rates and productivity, even small advances typically continue to exceed the legal maximum of a week’s gross earnings. Hence, there has been no reduction in **legal bondage** as defined under the Supreme Court judgement. Despite national legislation forbidding any advance tied to labour, more labour is in debt bondage than ever before.

Though unexplored explicitly, *quom* and *biradri* remain important factors in the severity of bondage. Since state protection and patronage is not a matter of anonymous citizenship or even class, cultural differentiation remains important in relations between labour and owner.

V. Relief & remedy

Two previous studies by PILER have dealt extensively with suggestions for relief and remedy through policy and law. Some proposals deserve reiteration since the highest levels of government remain sluggish in following up pronouncements with serious action.

Increasing income is the obvious route to at least preventing growth of debt or reducing its occurrence and, hence, against increasing severity of bondage. Even enforcement of the existing minimum piece-rates would be a step forward. Curiously, few activists including lawyers even mentioned action on minimum income. This may reflect the perceived distinction between poverty and bondage; also that bondage seems to deserve action only when accompanied by extreme violence.

Revising all provincial piece-rates upward to give the equivalent of a national minimum monthly wage would have a stronger impact when the rate reflects all labour typically involved. It would also signal that women’s labour is equal to that of men. But we note that some women felt that their labour *is* recognised since payment is by number of bricks. Labour officials also stressed that minimum wages cannot be enforced; and that higher piece-rates would make consumers suffer because of resulting higher brick prices.

As an example for *patheras*, at least two adults per unit will be involved in preparing bricks when child labour is done away with. At the current national minimum monthly wage of Rs 2500, this household should have minimum earnings of Rs 5000. An average of 1000 (ordinary) bricks would be produced by the unit in an 8-hour (rather than 12-hour) work-day. Across a work-month of 25 days to include weekly rest and sickness, the minimum piece-rate should then be Rs 200 per 1000 bricks -- exceeding even the highest official piece-rate across provinces (Rs 187 in Punjab) and more than double the official minimum (Rs 98) in NWFP. A rate of Rs 200 is closer to the rate currently paid for preparing tiles but note must be taken of the fact that tile output is far lower than brick output for the same number of working persons. Were one to take account of usual seasonal closures – of a fortnight or more at a time, and three months or more in many places -- the minimum piece-rate for ordinary bricks should be higher even if male workers were free to do irregular, low-paid jobs during kiln closure. As is supposed to hold for the national minimum wage, no deductions should be made for any welfare provisions including accommodation.

There is nothing like a depressed labour market to discipline labour. Hence, even in areas (such as Chakwal) with strong labour groups, the demand is to increase piece-rates but nowhere close to the official minimum rates in the Punjab.

An income of Rs 5000 would appear to just suffice for bare household subsistence, even in peri-urban areas. It would therefore be inadequate after the usual servicing – Rs 40/50 per 1000 bricks or Rs 200/300 per week -- of even moderate debts. Serious injury or prolonged illness of labour would have a doubly negative impact: reducing funds for subsistence and decreasing earnings. There is always a need for socially necessary expenditures at festivals and marriages. Thus, a household would remain, if not increase, in debt bondage when other sources of income and credit are not made available, or if its options remain restricted to the usual safety nets.

If bondage is to be reduced, alternative sources of credit are needed to complement higher piece-rates. Extension of micro-credit schemes to support subsistence and health can be of obvious importance as investments in human capital. If “own” shelter is assured, then micro-credit for direct income generation can be relevant to all labour, rather than just the locals who already live off-site. Income generation requires adult labour, and would therefore be possible only when some adults can be freed from kiln work through higher piece-rates and lower debt.

The threat of women and children being rendered homeless is enormous. Bondage is most severe for families that must live on-site because they have no alternative shelter and can afford none due to low incomes and high debts. We consider that governments’ top priority should be to make arrangements for alternative shelter. As schemes like the “Khuda ki Basti” have shown in Sindh, even subsidised provision of small plots of land would be a useful beginning. If female labour is valued, then shelter should be close to kilns.

Even if labour departments succeeded in registering all kilns as factories, this will not accomplish the objective of improving the welfare of labour as *bharai*, *nikasi* and *patheras* until such time as government itself recognises -- and induces employers to do likewise -- that all workers hold the same rights as any “regular employee” in the kiln. At present, labour department records are simple declarations by owners, i.e., that only a dozen or so persons are workers in the average kiln. This record includes the salaried *munshi*, *jalai* and *keri walas*, the *bharai* and *nikasi mistris*, *chowkidars*, etc., but never *patheras* or other piece-rate labour. The small number of declared workers is used to evade compliance and enforcement of industrial legislation. Social security for health and education, old-age benefits, workers compensation for injury and premature death, and the like will only come about for the majority of kiln labour when social pressure makes government aware that constitutional obligations require it to **universalise social protection**.

Relief, rehabilitation, mitigation & abolition of bonded labour

Measures	Action	Relief of freed labour	Rehabilitation of freed labour	Mitigation & abolition of bonded labour
National identity cards	Mobile teams	P		
Voter registration	Mobile teams	P		
Resident registration in Camps	District certification	P		
Re-settlement in camps	Transport & funds	P		
Secure land for camps	Site allocation	P N		
Water & sanitation for camps	Funds & facilities	P N		
School for camps	Funds & facilities	P N		
Health for camps	Mobile teams	P N		
Consumption grant	Funds	P N		
Micro finance	Funds		P N	P N
Skill development	Technical assistance		P N	P
Tenant/worker registration	Mobile teams			P
Debt registration	Mobile teams			P
Debt redemption	Funds & legal assistance			P
Legal assistance	Funds	P N	P N	P N
Minimum wages	Enforce, extend			P
Social security	Enforce, extend			P N
Bonded Labour Act	Enforce, amend			P N
Tenancy Act	Enforce, amend			P
Collective bargaining	Enforce, extend			P N
Tenancy Tribunals	Amend, enforce			P
District Vigilance Committees	Amend, activate	P	P N	P
Land for housing	Sites & funds		P N	P
Land for cooperatives	Sites & funds		P	P
Surveys of bonded labour	Funds & collaboration		P N	P N

P denotes measure proposed by PILER; **N** denotes measure present in the National Policy and Plan of Action; *N* denotes ambiguity in the Plan.

Sector wide labour associations, rather than kiln unions alone, could promote decent work through collective bargaining. The new Industrial Relations Ordinance (IRO 2002) suggests that government is unlikely to tilt towards active support for such broad-based mobilisation of the poor.

Some bonded labour in extremely abusive conditions runs away or seeks freedom through the courts. Government could assist them by providing subsidised legal support. It could also become an intervener on behalf of labour, and become an active *prosecutor* of employers under bonded labour legislation.

Bonded labour legislation needs to be reviewed for amendments to remove any ambiguities that owners take advantage of. Initial and subsequent advances must be considered on a common basis rather than

letting owners defend the latter as “humanitarian loans.” The legislation must similarly apply to *all* labour without any distinction between salaried employees and piece-rate workers.

Most labour is illiterate and the fiddling of accounts by *munshi* or owners exaggerates debt. Deterrence may be assisted through the registration of outstanding debt with independent witnesses whenever it exceeds a modest amount, say a maximum of four weeks of earnings. However, finding neutral witnesses and registration officials may be difficult in the usual environment of collusion between owners and local administration.

There are some special schemes for schooling of children living in brick kilns -- monetary payments to parents for enrolment in regular government or private schools; or subsidies to special schools. Presently these schemes are run in only a few areas by government through the Baitul Maal schools or by labour associations such as APFOL and others. These schemes need to be expanded through government resources.

Expanded schooling is not going to impact much on debt bondage in the short run. But in a growing economy, schooling may give more job options in the future, specially when initial incentives to primary schooling result in a cumulative effect towards an incentive for additional years of schooling. When monetary payments are made to parents, they can reduce the need for additional loans to offset the loss of income from child labour. Aside from these benefits, expanded schooling means that fewer poor children and families are deprived of the general advantages of literacy.

This rapid assessment of conditions in brick kilns suggests that there is much scope for government action. There is obvious violation of national and international laws. Government can directly address bondage within broader policy initiatives for alleviating poverty. Concrete steps are best left to local, provincial and federal governments since they are best positioned to determine their own capacity and political support.

National policy & action

Our findings are bolstered by a recent sample survey of brick kilns in Punjab by the Federal Bureau of Statistics (supported by the ILO Social Finance Programme). In the sample, a fourth of the workers were apparently salaried employees – suggesting possible under-sampling of *patheras*. Afghans were excluded by design.

Draft findings of the FBS survey have recently been made available. Some of these are:

- The vast majority of workers are Muslims, reflecting the broad geographical range of the sample. More than a quarter of the kiln workers are migrants across districts. Over three-fourths live in shelter provided by the kiln owner. Most labour owns no land whatsoever, but a substantial proportion does own homesteads. Livestock and other assets are of low value.
- A third of the population is reported as not working in kilns, perhaps because the sample has a large proportion of locals. Child labour is common in kilns -- nearly half of children (10-14 years) work in kilns, and, surprisingly, so do a significant proportion of smaller children.
- Arduous work was common at more than 10 hours a day. But two-thirds of labour households had annual incomes smaller than Rs 10,000, and only slightly more than 10% had incomes above Rs 30,000, equal to current minimum wage of one adult worker.
- Indebtedness is common, with nearly 90% taking advances/loans from the kiln-owner because of the absence of alternative credit source. When the employer is creditor, the majority have outstanding debt up to Rs 10,000. However, more than 10 percent have debts above Rs 25,000. Most repay debts through deductions from regular earnings but almost a third also report repayment through additional labour.

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- In reporting the loan repayment period to be indefinite, most workers indicated being tied to kiln labour. Furthermore, the vast majority had inherited their debt. Additional constraints confirmed debt bondage. Almost a third felt that onerous work conditions were present, presumably because of advances. Three-fourths complained of restrictions on seeking other jobs. One-half felt that permission was needed for any movement out of the kiln. Unfortunately, the disseminated data does not provide the proportion subjected to any restriction whatsoever. While not universal, violence and threats of violence were quite frequently reported.
 - Virtually no worker receives benefits from government schemes of social protection.

Implementation of the National Policy & Plan of Action has been slow. Piece-rates have yet to be revised upwards in accordance with the national minimum wage by provinces other than Punjab. More than two decades ago, the Punjab government declared kilns to be factories and all labour considered as workers. Yet, kiln registration remains grossly incomplete even in Punjab. For the small number of kilns already registered, government has yet to ensure coverage under Social Security for even the few workers that owners have declared to be industrial workers. Education is frequently declared a priority in various official pronouncements. But the government has yet to mobilise resources for kiln workers through the Workers Welfare Fund. Nor has it provided relief and rehabilitation to bonded labour through the special fund of Rs. 100 million created by Chief Executive (now President) General Musharraf.

Child health and safety require special attention and action. But it is not obvious that the government and judiciary interpret the Employment of Children Act to include brick kilns within the “building and construction industry” as specified in the federal list of prohibited child labour. The National List of Hazardous Forms of Child Labour (September 2002) does not explicitly include brick kilns. Inclusion of “work with exposure to coal dust” can be interpreted as applicable only to *jalai* work, and perhaps even to *nikasi* and *bharai* work, but not to the majority of children who work as *patheras* in the adjacent brick-field. When children are not held to have rights independent of the family, the exclusion of family enterprises remains another loophole for evading action.

Senior labour officials think that tackling the incidence of bonded labour is not their responsibility, but that of the Home Department, i.e., of police. District officials await written complaints from identified persons about non-compliance with official rates and other violations. Labour officials think that a third of the kilns are “unionised”, hence, that labour can take care of itself. District Vigilance Committees (now under the *nazim*, who can be a kiln-owner or even the local office bearer of an association of kiln-owners) remain non-existent. Such Kafkaesque situations need to be addressed urgently.

Reducing deprivation and exclusion can be seen as synonymous with the goal of development. Expanding opportunities for **decent work** follows as a primary objective of social policy. **But realising core labour rights for all** requires the serious pursuit of national strategies to implement labour standards in the ILO Declaration on Fundamental Principles and Rights at Work. Major donors (such as the ADB and World Bank) can accelerate this process by tying assistance to the private sector to credible compliance with core labour standards, and requiring governance reforms to include universal application of these standards. Whether sectoral or economy-wide, **growth with equity** remains a must for sustainable development.

Legislation for mitigation & abolition of bonded labour

	Child labour	Agriculture	Industry
Rights against forced labour			
Federal constitution		•	•
Bonded Labour System (Abolition) Act		•	•
Supreme Court	•	•	•
Pakistan Penal Code	•	•	•
Code of Criminal Procedure		•	•
Offence of Zina Ordinance	•	•	•
Children Pledging of Labour Act	•	•	•
Apprenticeship Ordinance	•		•
Provincial Tenancy Acts		•	
Land Reforms Regulation		•	
Shariat Court		•	•
Shariat Appellate Bench		•	•
Universal Declaration of Human Rights, UN		•	•
Supplementary Convention on the Abolition of Slavery, UN		•	•
*Covenant on Civil and Political Rights, UN		•	•
*Covenant on Economic, Social & Cultural Rights, UN	•	•	•
Convention on the Rights of the Child, UN	•	•	•
Forced Labour Convention, ILO		•	•
Declaration on Fundamental Principles and Rights at Work, ILO	•	•	•
Worst Forms of Child Labour Convention, ILO	•	•	•
Victims of Trafficking and Violence Protection Act, USA	•	•	•
Tenancy rights			
Provincial tenancy acts		•	
Land reforms regulation		•	
Land Reforms Act		•	
Shariat Appellate Bench		•	
Rights to decent work			
Constitution			
Provincial tenancy acts		•	•
Employment of Children Act	•		•
Factories Act	•		•
Payment of Wages Act			•
Minimum Wages Ordinance	•		•
Wages Ordinance	•		•
The Law of Social Security			•
Employees Old Age Benefits Act			•
Workers Compensation Act			•
Industrial Relations Ordinance			•
Shariat Court			•
Covenant on Economic, Social & Cultural Rights, UN	•	•	•
Convention on the Rights of the Child, UN	•	•	•
Forced Labour Convention, ILO		•	•
Declaration on Fundamental Principles and Rights at Work, ILO		•	•
Worst Forms of Child Labour Convention, ILO	•	•	•

Applicability to child labour is indicated only when provisions make explicit mention of children.

* Not ratified by Pakistan

Appendices

Sample sites for rapid assessments of brick kilns, 2002

South Punjab	Central Punjab	North Punjab	NWFP	NWFP	Sindh
Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
City, Kabirwala, Muzaffargarh, Bahawalpur, Shujabad, Jalalpur, Vehari	Multan Road, Jallo Mor, Bedian Road, Wagah Road, Kala Khata, Cantt, Kasur, Sheikhupura	City, Khanna, Taxila, Tarnol, Rawat, Gujar Khan, Tarlai, Fatehjang, Chakwal	City; Charsadda, Kohat Road, Canal Road, Nowshera-Mardan Road, Bara Road, Canal Road, Jalozai Road, Inqilab Road, Takht Bhai, Jalala	Khanpur Road, Hattar Road, Kangra Colony, GT Road	City, Hala, Shadadpur, Bhit Shah, Shaikh Birkhio, Tando Allah Yar Khan
October, November	October, November	November	November	November	December

Size of kilns

	Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
Kiln land leased/owned	Leased & owned	Leased & owned	Leased	Short lease & owned	Owned	Leased & owned
Monthly output (1000 bricks in Chakkar)	400-600	650-1100	600-800	400-700	400-600	500-600
Sale price of bricks (at kiln, Rs per 1000)	750-1100	1300-1800	1200-1800	700- 1400	1000-1500	800-1000

Note: brick sale prices exclude higher priced tiles

Major types of labour

	Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
Number of workers in kiln						
Jalai (usually migrant male; always employees)	4-5	5	5	5	4-5	4-5
Nikasi (usually local men)	4-10	3-10	4-5	5-6	4-6	4-9
Bharai (usually local men)	5-25	8-17	10-20	8-10	10-15	8-12
Pathera (local & migrant; men, women & children)	30-100	35-75	50-100	30-60	30-60	100-150
All	70-200	50-250	250	100-150	100	
Families Living On-Site (usually Patheras)	0-25	20-60	15-50	0-50	None or few	Some

Note: *Jalai* is always done by employees; *patheras* always, and *nikasi*, *bharai* mostly, work on piece-rates. Small numbers in *bharai* labour can reflect only stacking labour in the kiln, with a different group responsible for carriage from the brickfield.

Women & children as Pathera labour

	Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
Women & juveniles (15+)	Seldom	Regular	Regular	Seldom	Seldom	Often
Children 10-14	Regular often only male	Regular	Regular	Often usually male regularly with Afghans	Usually male	Regular
Younger children	Rare	Rare	Rare	Rare	Seldom	Rare

Locals & migrants in Pathera labour

	Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
Source of Pathera labour						
Local males	Often	Seldom	Often	Often	Often	Often
Local families	Often	Often	Often	Seldom	Seldom	Often
Migrant males from	“Nearby”	Bahawalpur, Chistian	Bahawalpur, Nowshera, Mardan, Afghans	Afghans, Afridis, Mardan, Nowshera, Swat	Mostly Afghan; Peshawar; Malakand, NWFP, Sahiwal	Larkana, Khairpur, Badin, Sukkur, Thar, Afghans from Quetta Punjab replacing Afghans
Migrant families from	“Nearby” Sindh, Chistian, Bahawalnagar, Minawali, Nawabpur	South/Central Punjab Depalpur, Multan, Sahiwal, Kasur Mian Chunnu, Vehari, Bahawalpur “adjoining districts”	Mandi Bahuddin, Jhelum; Gujrat; Charsadda, Bajaur, Hyderabad, Bahawalpur, Afghans, Gujrat, Sargodha, Peshawar, NWFP	Afghans, Charsadda, FATA, Bajaur, Mohmand Agency, Sargodah, Gujrat, Bahawalpur	Afghans, NWFP, Pindi	Sukkur, Tando Mohammad Khan, Jacobabd, Toba Tek Singh, Rahim Yar Khan, Multan, Faisalabad, Okara Odes Afghan Tajiks & Uzbeks

Piece-rates for labour

	Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
Piece-rates (Rs per 1000 bricks)						
Nikasi	12- 30	16-30	24	19-25	23	20-30
Bharai	28-80	40-50	40-50	32-65	40-50	35-70
Pathera	110-160	100-150	110-160	90-140	120-150	120-150
	Special /tiles 140-500	Special/tiles 250-300	Special/tiles 200, 220	Special/tiles 150- 200		Special/tiles 200-350
Damage deduction from Pathera (bricks per 1000 bricks)	0-20	0-20	0-20		0-20	0-20
Deduction for debt-servicing from pathera (Rs per 000 bricks)	20-40 (50-200 per week)	30-80 (20-50% of earning)	(300-500 per week)	(60-500 per week)		20 (30-50% of earning)
Daily wages in area (Rs)	100		80-150	50-100	100-120 factory: 1500-1800- 2000 monthly	100-150

Note: Higher piece-rates can include commission to *jamaradar*; lower rates can reflect higher commission deducted for larger debts. Low *bharai* rates can reflect payments to one group when work is split between stacking and carriage.

Levels of labour debt in sample kilns

	Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
Debt taken from owner /outstanding (Rs 000)						
Bharai			20	Max 20		7 - 15
Pathera	8 - 35 even lower to locals	0 - 50 large to migrant families	15 - 100	0 - 80 large includes Afghans	0 - 20	0 - 40
Debts from other sources (Rs 000)			12 single case	2-8		
<i>Pathera jamadar</i> commission (Rs per 000 bricks)	5 - 10	0 - 15	0 - 20	0 - 10	5 - 10	5 - 20

Labour productivity

	Multan	Lahore	Rawalpindi	Peshawar	Haripur	Hyderabad
Daily Output (000 bricks) /Labour (adults, children)						
Nikasi	15 - 30 / 4 - 10 men	25 - 40 / 3 - 10 men	20 - 30 / 4 - 5 men	15 - 30 / 5 - 6 men	20 - 25 / 4 - 6 men	15 - 30 / 4 - 9 men
Bharai	20 - 35 - 40 / 5 - 25 men	30 - 35 - 50/ 8 - 17 men	25 - 35 / 10 - 20 men	20 - 40 / 8 - 10 men	25 - 35 / 8 - 10 - 15 men	20 - 40/ 8 - 12 men
Pathera	1 / 1 man 1 - 1.5 - 2 / 2 men 2 / man+woman 2-2.5 / 3 men+1 child 2 - 3 / 4men+children Special/tiles 0.2- 0.4 - 0.6 / 2 men 0.8 - 1 / 3 men 1 / man+woman 1 / 2 men	1-1.2 / man+woman 1.5 - 2 / man+woman + children 3 / 3-4 men+ women+ children	0.8 - 1 / man 1 - 1.3 - 1.5 / man + child 1.2 / man+woman 1.5 / man+2 women +1child 2 / 3 men+2women 2.5 / 2 men+2 women 4-5 / 3 young men 4 / 4 men+ woman 5/ 3men+3child special/tiles 0.8 / man+ woman +child 2.5 / 4 men	0.6 - 1 / man 1- 1.2 - 1.4 / man+ children 1.2 - 1.8 / 2 men 1.5 - 2 - 3 / 2 men+ children 2 / 3 men 2.5 / some men + children 3 / man+woman +3child 3.5 - 4 / 4men special/tiles 0.7- 0.8 / family 3 / 2 men+6 children	1 - 1.2 - 1.5 / man 1.2 - 1.5 / per adult in family 2.5 / 2 men+ woman 1.2 - 1.5 / man + woman + child 2 - 2.5 / 3 men 2 - 3 / men + children 3 / 2 men + woman + 2 children 3 / man+ woman + 3 children	0.5 - 0.9 / man + child 1.4 - 2 / man + woman + children 1.4 / 2 adults + 2 children 2 - 2.5 / 3 men special/tiles 0.8 / man + child 1 / 2 male 2 / 6 males

Note: children appeared to have an age around 10-14 years; men and women include juveniles.

List of Working Papers of the InFocus Programme on Promoting the Declaration

- No. 1 Bonded Labour in Pakistan, by Aly Ercelawn and Muhammad Nauman, June 2001.
- No. 2 A Perspective Plan to Eliminate Forced Labour in India, by L. Mishra, July 2001.
- No. 3 Défis et opportunités pour la Déclaration au Bénin, by Bertin C. Amoussou, August 2001.
- No. 4 Défis et opportunités pour la Déclaration au Niger : Identification des obstacles à la mise en œuvre des principes et droits fondamentaux au travail et propositions et solutions au Niger, by Moussa Oumanou, August 2001.
- No. 5 Égalité de rémunération au Mali, by Dominique Meurs, August 2001.
- No. 6 Défis et opportunités pour la Déclaration au Burkina Faso, by Seydou Konate, September 2001.
- No. 7 Child Labour in the Russian Federation, by Svetlana Stephenson, June 2002.
- No. 8 Intersecting risks: HIV/AIDS and Child Labour, by Bill Rau, June 2002.
- No. 9 Los principios y derechos fundamentales en el trabajo: su valor, su viabilidad, su incidencia y su importancia como elementos de progreso económico y de justicia social, de María Luz Vega Ruiz y Daniel Martínez, Julio 2002.
- No. 10 The Links between Collective Bargaining and Equality, by Adelle Blackett and Colleen Sheppard, September 2002.
- No. 11 Annotated bibliography on forced/bonded labour in India, by Mr. L. Mishra, December 2002.
- No. 12 Minimum wages and pay equity in Latin America, by Damian Grimshaw and Marcela Miozzo, March 2003
- No. 13 Gaps in basic workers' rights: Measuring international adherence to and implementation of the Organization's values with public ILO data, by W. R. Böhning, May 2003.
- No. 14 Equal Opportunities Practices and Enterprises Performance: An investigation on Australian and British Data, by Prof. V. Pérotin, Dr. A. Robinson and Dr. J. Loundes, July 2003
- No. 15 Freedom of Association and Collective Bargaining, a study of Indonesian experience 1998-2003, by Patrick Quinn, September 2003
- No. 16 Gender-based occupational segregation in the 1990s, by Richard Anker, Helinä Melkas and Ailsa Korten, September 2003.
- No. 17 Normalised and Disaggregated Gaps in Basic Workers' Rights, by W.R. Böhning, November 2003
- No. 18 Forced Labour: Definition, Indicators and Measurement, by Kanchana Ruwanpura & Pallavi Rai, March 2004.

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- No. 19 Pay equity, minimum wage and equality at work: theoretical framework and empirical evidence, by Jill Rubery, November 2003
- No. 20 A rapid assessment of bonded labour in Pakistan's mining sector, by Ahmad Salim, March 2004.
- No. 21 A rapid assessment of bonded labour in hazardous industries in Pakistan: glass bangles, tanneries and construction, by the Collective for Social Science Research in Karachi, March 2004.
- No. 22 A rapid assessment of bonded labour in domestic work and begging in Pakistan, by the Collective for Social Science Research in Karachi, March 2004.
- No. 23 A rapid assessment of bonded labour in the carpet industry of Pakistan, by Zafar Mueen Nasir, March 2004.
- No. 24 Unfree labour in Pakistan – work, debt and bondage in brick kilns in Pakistan, by the Pakistan Institute of Labour Education & Research, March 2004.
- No. 25 Bonded labour in agriculture: a rapid assessment in Punjab and North West Frontier Province, Pakistan, by G.M. Arif, March 2004.
- No. 26 Bonded labour in agriculture: a rapid assessment in Sindh and Balochistan, Pakistan, by Maliha H. Hussein, Abdul Razzaq Saleemi, Saira Malik and Shazreh Hussain, March 2004.