



# BONDED LABOUR AND IT'S EXISTENCE IN THE DIFFERENT SECTORS IN INDIA.

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**Abstract:** Bonded labour is a Morden- day form slavery where people are forced to work to repay debt and it is a severe violation of human rights. In spite of the establishment of the bounded labour abolishment act 1976, bounded labour is still prevalent in the unorganized sector of India, this paper gives an overview of bonded labour in unorganized sectors and its impact in India. Bounded labour can be disguised in the form of child labour, which is a term to define as the work that deprive of the child's childhood, this research paper analyses the relation of child labour with bonded labour through some of the case studies based on India. The paper looks into the psychological socio-economic impact of bonded on individuals and communities and its coping mechanisms. Bonded labour is prevalent in the Indian fast fashion industry which is predominant in the supply chains of the production units, The complex and often opaque supply chains of fast fashion brands make it challenging to trace the origins of the products, allowing for exploitative labour practices to go unnoticed. The paper also covers the "Sumangali Scheme" in the state of Tamil Nadu Therefore, this paper examines the application of bonded labour in the fashion sector of India and provide possible remedies for the said scheme. Finally, the paper conclusively will also provide for a way forward to this societal curse.

**Index Terms:** Bonded labour , the psychological socio-economic impact of bonded, Fast fashion and Sumangali scheme.

## INTRODUCTION

The scourge of bonded labour persists as a grave violation of human rights in the unorganized sectors of India. Bonded labour may be the least known form of slavery today and yet it is the most widely used method for enslaving people. There is a prevalence of bonded labour in India particularly its insidious connection with the fast fashion industry – a sector which is very complex and opaque in nature. There is a multifaceted dimension of bonded labour, which explores its contemporary manifestation and the intricate web it waves within the socio-economic fabric of individuals and communities. Furthermore, the paper ventures into the psychological and socio-economic repercussions borne by individuals ensnared in the clutches of bonded labour, unravelling the profound impact on both a personal and communal level. It also investigates the coping mechanisms employed by those trapped in this coercive system. One alarming facet of this exploitative practice is its interlinkage with child labour, a phenomenon that robs children of their rightful childhood. Through a meticulous context, this research elucidates the intricate relationship between bonded labour and child labour. Specific attention is directed towards the fast fashion industry, where bonded labour thrives within the intricate tapestry of production units. The paper scrutinizes the challenges posed by the convoluted supply chains of fast fashion brands, which hinder the identification and eradication of exploitative practices.

Finally, the paper finds a solution for the challenges faced, and provides a forward-looking perspective offering insights into a potential way forward to emancipate individuals and communities from the shackles of bonded labour in the unorganized sectors and, more specifically, within the fast fashion industry.

**INDIA'S UNFINISHED STRUGGLE: BONDED LABOUR'S TENACITY POST- ABOLITION**

There is a persistent prevalence of bonded labour in India despite legislative efforts to abolish it. There are many reasons for the same which included – economic vulnerability, the absence of robust social welfare programs exacerbates the vulnerability of marginalized populations. Limited access to education, healthcare, and skill development programs further restricts their ability to break free from the cycle of bonded labour. Inadequate social welfare programs, the vulnerability of marginalised communities is increased in the absence of comprehensive social assistance programmes. Their capacity to escape the cycle of slave labour is further hampered by their limited access to healthcare, education, and skill-development opportunities. Globalization and supply chains, Global supply chains often involve subcontractors and informal labour practices, creating an environment where exploitation, including bonded labour, can thrive. The complex nature of these supply chains makes it challenging to trace and eliminate such practices. Lack of awareness, the issue is exacerbated by a general lack of knowledge about the rights of workers and the illegality of bonded labour. It's possible that many people caught in bonded labour are unaware of their legal rights or available channels for assistance.

There are many challenges that are faced by the Bonded labour Abolition Act of 1976 in its effective implementation due to apathy, corruption and lack of administrative and political will. The act has been criticised for its modest and punitive measures and low prosecution rates. Also because most of the states deny the existence of bonded labour leading to incomplete data collection and hindering further implementation.

The government's plan to help rehabilitate bonded laborers has some problems. They only get financial aid if the person responsible is convicted, but convictions are rare due to poor Bonded labour System (Abolition) Act implications and case review, because the rules are not enforced well. This means rescued workers often don't get the full help they're supposed to, and it takes a long time, or sometimes they get nothing. Also, many rescued workers don't know their rights, and even if they do, they face a lot of problems getting what they're entitled to because of delays and red tape. This shows that we need to do more to fix the bigger issues causing bonded labour and make sure the rules and plans actually work.

The problem is serious because the workers who are rescued often don't know all their rights. Even when they do, many of them don't feel motivated to claim those rights because officials behave poorly, and the processes take a long time.

Recently, the terrible death of an eight-year-old kid in a recent event in central India has brought attention to the problem of bonded labour, which continues even after being formally forbidden for forty years. vulnerability that are present in bonded labour arrangements. The episode exposes the pervasiveness of violence and coercion inside this exploitative system, underscoring the ongoing difficulties in ending bonded labour. It acts as a sobering reminder of how quickly authorities must intervene, look into the circumstances behind the child's murder, and bring individuals accountable for the abuse and exploitation. This sad incident renews calls for a thorough and worldwide response to bonded labour, highlighting the need for legislative changes. The tragedy highlights the wider socioeconomic challenges that India's marginalised populations confront and ignites fresh conversations about protecting the rights and well-being of those who are susceptible to exploitative labour practises.

**HOW EXPLOITATION OF CHILD LABOUR EVOLVES INTO PERNICIOUS FORM OF BONDED LABOUR OVER TIME**

Child labour is the exploitative deprivation of basic education for children and them not attending schools. It affects them physically and mentally. Although there are legislations for preventing child labour, all work done by them are not considered as child labour. Some of the exceptions are assisting in families, and child artiste.

According to reports by the ILO, in the 21st century, around 60% child laborers work in agricultural fields such as farming, fisheries, etc., 25% work in services like restaurants, shoe polishing, and also as domestic workers. The remaining 15% work in manufacturing and mining related activities. Child labour is more predominant in the rural and informal sectors compared to urban areas.

The reasons for the same:

### **Interconnection of Child labour with Bonded labour**

Child labour and bonded labour are interrelated in many cases, they both have a prevalent issue in India despite efforts to abolish it. One of the reasons for this interrelation is because of cycle of poverty which limits the access to education for the families that face financial constraints as they might be able to send their children to school, leading to perpetuating lack of skills and education across generations, this also leads to inadequate healthcare and limited economic opportunities.

In many case, child labour and bonded labour are family affairs as parents might have engaged in bonded labour and their children may be forced to work along with them creating a cycle where exploitation is normalized within the family. There is also limited social mobility as there is a lack of education and skill development, individuals find it challenging to escape the cycle of poverty as they lack of opportunities for personal and economic growth.

This cycle can be broken by making education as a key intervention, crating alternative livelihood opportunities for families and by providing legal protection and enforcement.

### **Due to Caste - Based discrimination**

In some of the cases, bonded labour is interlinked with social issues base on certain religion , particularly in countries like India Caste systems have been a major reason for bonded labour, Poor peasants and destitute individuals were not given land ownership. The landlords give the lower caste individuals loans and generally charge a high interest. The only way of repayment is through forced labour. The debtors were forced to work on the lands of the creditors. The working conditions were also very poor and there were no proper safety measures taken by the owners of the land. Dalits, due to their historical disadvantages are often vulnerable to exploitation that includes child labour and bonded labour this discrimination eventually limits their access to education and better employment.

### **Due to short-comings of the government initiatives**

Despite legal framework to combat bonded labour there is a weak enforcement and implementation contributing to its persistence, many of instances go unreported and these violations may not face adequate consequences. The effective implication of law to eradicate bonded labour faces challenges such as corruption, lack of resources and bureaucratic hurdles. Government initiatives often focus on child labour, overlooking the broader issue of bonded labour affecting adults. As a result, the root causes of bonded labour may not be adequately addressed, and families may continue facing exploitation. Challenges in data collection and underreporting make it difficult for governments to fully understand the extent of bonded labour hidden under child labour leading to limited data can hinder the allocation of resources and the development of targeted interventions.

## **PSYCHOLOGICAL AND SOCIO- ECOMOMIC IMPACT ON BONDED LABOUERES**

The pernicious issue of bonded labour has significant and far-reaching effects on the people who fall prey to it, affecting both the socioeconomic and psychological aspects of their life. This form of exploitation, which involves forcing people into coercive bondages under conditions of extreme labour exploitation, not only subjects its victims to physical suffering but also permanently damages their mental health and future employment opportunities. The repercussions for the same include:

### **PSYCHOLOGICAL REPERCUSSION:**

#### **Trauma and Mental issues faced by the bonded labourers**

Bonded labourers frequently work in cruel and dehumanising conditions, which can cause severe trauma and mental health issues including symptoms of anxiety, depression and post-traumatic stress disorder (PTSD). Regarding mental health factors Insufficient research has been done on the variables that increase an individual's risk of mental health issues following severe kinds of exploitation. The effectiveness of treatment has interventions as the effectiveness of certain therapies alone in assisting survivors of severe exploitation with their

mental health concerns is not well-established, but it has been discovered that child soldiers with post-traumatic stress disorder (PTSD) benefit from Narrative Exposure Therapy (NET). further training is not necessary for this type of therapy.

One of the main reasons for individuals not reporting their psychological hardship might be because of the workers' fear of losing their job or facing another form of retribution. India lacks mental health support especially in unorganized sectors, due to which most of the psychological needs are ignored that ultimately leads to a cycle of trauma.

### **Loss of dignity and identity as an impact for their labour**

People who work in bonded labour suffer a severe loss of identity and personal dignity due to the dehumanising characteristics of the job, where people are treated like commodities. Bonded laborers may internalize feelings of worthlessness, leading to a diminished sense of self and difficulty in reclaiming their identity even after liberation.

The unorganized sector, characterized by informal and often undocumented work arrangements, can subject individuals to bonded labour, leading to a profound loss of dignity and identity, there are many reasons that contribute to the erosion of dignity and identity which include dehumanizing work conditions as it strips workers of their intrinsic worth and dignity, reducing them to mere tools of production, social stigmatization is one of the reasons, The societal perception of their work can lead to a sense of shame and contribute to the loss of social identity and standing. In the case of the Supreme Court *Bandhua Mukti Morcha v Union of India* highlighted the need to protect the fundamental rights of bonded laborers, emphasizing the social and economic rehabilitation of freed bonded laborers. It's possible that bonded workers in the unorganised sector receive no compensation or acknowledgement for their efforts. Their feeling of pride and acceptance in their social responsibilities is undermined when their labour is not valued and acknowledged. In the case of people's the court emphasized the protection of workers' rights and dignity, highlighting the psychological impact of exploitative working conditions.

### **Interpersonal relationships are affected**

The interpersonal relationship may be stained as there is an exploitative environment leading to fractured family conditions, broken families can have a lasting effect on the mental well-being of individuals creating challenges in rebuilding trust and connection. This might lead to social isolation as the employed workers can be isolated from their families and communities. Separation from social support networks can intensify feelings of loneliness and increase the psychological impact of slave labour.

The harsh working conditions with limited prospects of improvements can lead to depression and hopelessness, that might ultimately affect the interpersonal relationship with family and society in general.

### **SOCIO-ECONOMIC REPERCUSSION:**

#### **Economic Dependency and poverty**

Bonded labourers are economically very dependent due to which there is a perpetuating cycle of poverty, even after liberation, individuals find it difficult to break free from economic dependency and continue to find it challenging to access resources and opportunities, this dependency creates a power imbalance which makes it difficult for bonded labourers to assert their rights or negotiate fair working conditions. Bonded labour - related poverty has an impact on people's present well-being as well as the chances for their families and communities in the future. People become even more entrenched in a cycle of deprivation when they lack access to economic opportunities, healthcare, and education.

In the case of *Bandhua Mukti Morcha v Union of India (1984)* the economic vulnerabilities of bonded labourers and their economic dependency were emphasized, and it was directed by the court to take measures to eradicate the same. But there are many criticisms for the judgement of this case like the scope of the coverage was critiqued heavily because it didn't cover all forms of exploitation completely, some critics argued that the legal consequences for employers or entities engaging in bonded labour were not stringent enough. The lack of a robust deterrent might not have effectively discouraged the persistence of such exploitative practices.

## Generational impact

Most common form of socio-economic cause in bonded labour is due to generational impact that has a long lasting effect on the families and communities. This is due to many factors such as limited education opportunities, Children of families trapped in bonded labour often face challenges in accessing education. The financial constraints and the need for immediate labour contribute to a lack of emphasis on schooling, perpetuating a cycle of illiteracy. Health deprivation, Families that work as slaves could find it difficult to pay for appropriate medical care. This may result in a vicious cycle of bad health, influencing not just the current generation but also the health and happiness of future generations. Economic dependency, Economic hardship brought on by forced labour has the potential to start a vicious cycle of reliance. Growing up in such circumstances might make it difficult for kids to escape the cycle of poverty and increase their risk of becoming bonded labourers themselves. Limited skill development, The inability of families involved in bonded labour to provide chances for skill development limits the capacity of future generations to acquire the skills required for a variety of sustainable livelihoods. And finally, poverty-Bonded labour contributes to a cycle of poverty where limited resources and opportunities persist across generations. Breaking out of this cycle becomes increasingly difficult as economic and social disadvantages are passed down.

For example: In India, the cycle of bonded labour in agriculture can lead to generational impact with long-lasting consequences. In some regions of India, farmers facing financial difficulties may resort to taking loans from local moneylenders to meet their immediate needs. In situations where the interest rates are exorbitant and the debt is difficult to repay, farmers and their families can become trapped in a cycle of debt bondage. In exchange for the loans, farmers may be forced to provide their labour, and sometimes the labour of their family members, to work on the lender's fields or perform other tasks. The debt bondage system often involves harsh working conditions, meagre wages, and a lack of freedom for the affected individuals and their families. Over time, the debt may accumulate, making it challenging for the farmers to break free from the cycle and seek alternative livelihoods.

## Occupational Stigma

It is the negative perception and discrimination faced by individuals who were formerly bonded laborers or are associated with such occupations. The stigma emanates from societal prejudices and misconceptions about the nature of their work and conditions of exploitation. This leads to many challenges faced by the labourers which extends beyond the immediate period of exploitation, affecting the reintegration and well-being of survivors in various ways.

For example:

*Limited employment opportunities-* Future generations' ability to acquire the skills necessary for a range of sustainable livelihoods is hampered by the incapacity of families participating in bonded servitude to offer opportunities for skill development.

*Social exclusion-* Survivors of bonded labour may experience prejudice and social marginalisation from their communities. They may experience exclusion because to the stigma associated with their former profession, which makes it difficult for them to reintegrate into social networks and obtain help from the community. Dalits face a lot of exclusion from the society till date.

*Housing discrimination-* People who were bound labourers in the past may face prejudice while trying to find homes. Reluctance on the part of landlords to rent to them can exacerbate their marginalisation and make it more difficult for them to find secure housing.

## FAST FASHION AND BONDED LABOUR

The fast-paced, throwaway culture of the fashion business belies a disturbing truth: contemporary slavery. Forced labour, bonded labour, human trafficking, and child labour are all included in the category of modern slavery. These industries are frequently driven by low-cost labour and a lack of transparency. Regrettably, because the

fashion business mostly relies on low-cost production in developing nations with lax labour rules, it has turned into a breeding ground for this kind of abuse.

Fashion supply chains are complex, comprising many suppliers and subcontractors in several nations. Because of this intricacy, dishonest individuals have more opportunity to take advantage of weaker employees. Garment manufacturers have frequently been accused of practising modern slavery, especially in Bangladesh, Cambodia, and India. The majority of workers are women, and they face poor working circumstances such as physical assault, hazardous chemical exposure, and small-space living. They fight to fulfil output targets and receive pay that hardly meet their basic requirements because they are caught in a cycle of exploitation and poverty.

Increasing consumer demand for quality clothes at cheaper rates has forced the exploitation of the labour force. To increase profits, fast fashion companies are being more reliant on low-cost labour. This is known as offshoring. Offshoring has resulted in many women employees enter the industrial workplace. For women, work is very unproductive and unsafe. Workers' rights have been highly violated in these factories. Poverty has affected women more than men, and women find it difficult to come out of poverty and to do so they take up the work in these factories at a low wage. For example, in case of women working in factories in Bangladesh, they face bladder infections due to lack of bathroom breaks and also are forced to consume contraceptives by their employers. They also face issues like denial of maternity leave, inadequate sanitation and at times even physical abuse by co-workers or employers.

Workers in Bangladesh and Vietnam earn money that is not enough for their living. And they have no scope for saving. Women, usually push their daughters at a very young age to work in these industries as one income is not sufficient to run the family. They are subjected to physical abuse but do not rise this as an issue with the fear of losing their job and income.

Especially in nations like India, the quick speed of production and the quest of cheap manufacturing prices have brought up serious ethical issues. The fast fashion sector in India has led to the concerning reality of labour exploitation, including bonded labour. There are several labour violations occurring throughout the supply chain as a result of the pressure to fulfil the demand for fast-fashion, low-cost apparel. The prevalence of bonded labour is due to the following reasons

### **Subcontracting and supply chains**

Fast fashion companies sometimes use intricate supply chain procedures, assigning many factories and workshops to handle different aspects of manufacturing. Effective labour condition monitoring and regulation is difficult due to its complexity. Therefore, it is possible for labour exploitation which makes the bonded labour to go undetected. Numerous fast-fashion companies outsource the manufacturing of their garments to other factories and workshops, resulting in intricate and opaque supply chains. This intricacy contributes to the continuation of exploitative situations, such as bonded labour, by making it difficult to monitor and control labour practises. The complexity of fashion supply chains is a key factor that contributes to the vulnerability of workers, particularly in garment factories. These supply chains involve a multitude of subcontractors and suppliers operating across different countries, creating a web of relationships that often lacks transparency. Unfortunately, this intricate network provides opportunities for unscrupulous actors to exploit workers who are often situated at the lower rungs of the production hierarchy. Especially in countries like Bangladesh, Cambodia and India play an integral part of the supply chain and have faced persistent accusation of engaging Morden slavery which includes forced labour, bonded labour and human trafficking.

### **Low cost and high Demand**

The fast fashion industry thrives on low production costs and high demand for quickly changing styles. This demand for cheap and rapidly produced clothing puts pressure on suppliers to cut costs, often at the expense of fair labour practices. Low wage practice has been prevalent in the industry due to its high demand leading to a cycle of poverty ultimately leading to bonded labour practices.

### **Informal and Unregulated workforce**

A significant portion of the garment industry in India operates within the informal sector, where workers may lack formal employment contracts, legal protections, and fair wages. In this informal setting, the risk of exploitation, including bonded labour, is heightened due to the absence of regulatory oversight.

### **Lack of transparency**

Consumers, advocacy organisations, and even the companies themselves find it challenging to track down the items' original source and verify that labour standards are being respected due to the opaque nature of the supply chain. Because of this lack of openness, abusive labour practises can continue which also leads to child labour .

### **SUMANGALI SYSYTEM AND ITS RELEVENCE TO BONDED LABOUR IN INDIA**

It is one of the largest driving forces of bonded labour in India. This scheme is widely used in the industry of fast fashion, by engaging women, especially young girls in factories. A majority of these girls are from the Dalit community, especially from the Arunthathiyar tribal group who are much oppressed among the Dalits.

Globalization means the world becoming more connected, and changes in how countries run their economies. In India, these changes led to the growth of industries like clothing manufacturing. Rise of the Garment Industry: The garment industry in India got bigger due to the increased demand for clothes resulting from these economic changes. Concerns for Vulnerable Groups, Especially Women: When the world gets more connected, we worry about how it affects vulnerable groups, like women. In this situation, the growth in businesses, along with traditional beliefs, gave rise to something called the Sumangali scheme. Traditional Beliefs and Dowry: In a specific tradition (Brahmanical), it's believed that after a woman gets married, only the gifts she receives (*Stridhan*) truly belong to her. One of these gifts is called dowry (*Dahej*), meant to be given by the bride's parents. Although it became illegal in 1961, some people still follow this tradition. Dowry Across Cultures: Dowry has different names in different languages, such as *Dahej* in Hindi or *Varadhachanai* in Tamil. It's like an unwanted gift given to the bride, and it has always been part of marriage customs in many places. Symbol of Social Status and Prestige: Some believe that giving dowry is a way to display social status and importance. Madan C Paul suggests it's a method to enhance one's status. The Sumangali scheme is influenced by the tradition of dowry, where the bride's family gives gifts during marriage. When more Dalit women are part of this scheme, it highlights issues in the caste system, especially in a society where dowry signifies social status. In patriarchal families, where men have authority, there's pressure on marginalized families to follow dowry expectations, creating economic challenges. Adolescent girls may feel obligated to contribute to the family income through schemes like Sumangali, using their earnings for future dowries. Dowry is seen as a symbol of social status, and families, particularly in pursuit of status, may expect contributions from their members, especially young girls. This cycle can continue for Dalit women who are expected to generate dowries for potential Dalit grooms, reinforcing the practice within the community. The Brahmanical Patriarchy, where upper-caste males dominate, enforces caste-based marriages, connecting caste, patriarchal norms, marriage practices, and social hierarchies.

The girls are sent to work based on an offer. If they work for 3 years for rupees 45 per day and stay at a hostel where they are given 3 meals a day, then at the end of 3 years, they are given their Sumangali bonus. She is paid around rupees 30000-40000, which is supposed to go towards dowry for her marriage. Dalit parents see this as a big offer as their daughters are fed 3 times a day and are also being provided with bonus for their marriage. Therefore, they force their daughters to work under such offers. This has an exploitative side to it. The girls hired for work are well below 18 years and are also not taken as workers, but as apprentices so that they can be paid below the minimum wages. The girls are forced to share rooms with 6-8 people with no safety and privacy. They are allowed to go home only once a week accompanied by company guardians. Their working conditions are very poor and unsafe. They are exposed to chemicals whose continued inhalation leads to cancer and other health problems. Bathroom breaks are very less and also there are very few bathrooms available for thousands of workers. They are forced to work for 12-15 hours a day and hardly have an hour break for lunch. Apart from this, they also face verbal and physical abuse at the workplace. At the end even if these girls complete the work and get the bonus, the money is spent to take care of their health issues and nothing or very less is leftover for their marriage.

## REMEDIES THAT CAN BE SUGGESTED

The following efforts can be taken:

1. Legal awareness: Awareness of legal standards is crucial for factory management to understand the illegality of practices like the Sumangali scheme, in accordance with both national and international labor standards; any solutions or improvements for workers involved in such schemes should strictly adhere to legal avenues.
2. Setting -up of a new committee: There can be a committee set up by the government to make sure that the scheme is eradicated.
3. Inclusivity : Inclusive solutions, achieved through social dialogue, involving both management and workers, may encompass internal grievance mechanisms, the establishment of democratically elected committees, collaboration with local unions, consultations with non-governmental organizations (NGOs), and cooperation with the government.
4. Equality: To ensure equality, any breaches of the FWF Code of Labour Practices identified in dormitories or hostels must be rectified to the same standards as those applicable to direct suppliers, with the responsibility for remediation shared jointly by the member brand and the supplier.

## CONCLUSION

In conclusion, this paper highlights the persistent issue of bonded labour in India's unorganized sectors, including its disguised form as child labour. The focus on the fast fashion industry reveals the challenges of exploitative practices within complex supply chains. The Sumangali Scheme in Tamil Nadu is also discussed. The paper not only analyses these issues but proposes potential remedies, aiming to contribute to addressing the societal curse of bonded labour in India. This research identifies the issue faced by the employees in the fashion industries have tried giving some remedies that can be taken into consideration.

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