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BONDED LABOUR IN GUJARAT

(Does it exist in Gujarat ?)

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BY

Rash Bihari Lal



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FOREWORD

In order to acquaint those who are interested about the research works conducted at Tribal Research and Training Institute, this research report is being released in mimeographed form. If researchers, social workers, administrators, students and other scholars who are involved in tribal development works make certain suggestions after going through this report, this will help the Institute in its future works. I congratulate the researcher who has conducted this research work.

R. D. ADATIA
Mahamatra

DOES BONDED LABOUR EXIST IN GUJARAT ?

THE problem of bonded labour has been plaguing the conscience of the Indian government since long. Long before we got independence our national leaders, particularly Sardar Patel made a sincere effort to free the Halpatis from the bondage of their masters. As long back as in 1924-27, Sardar Patel and other leaders took up this issue with the landlords but could not solve the problem because of the stiff resistance of the landlords and also because the Congress at that time did not want to come in clash with these land owning communities. In spite of these obstacles, Sardar Patel succeeded in persuading the landlords to grant certain concessions to their "Halis" about freeing them from their debts. He even appointed a Board to arbitrate in case of disputes.¹ The social workers working in that area also made efforts towards discontinuation of the bonded labour system. In 1936, the Interim Congress Government also took up the question of Halpatis regarding their servitude to the landlords. The constitution makers of free India were also seized with the problem of slavery and bonded labour. In order to prohibit this, they had put a special provision, -- Article (23(1) of the constitution -- which lays down that "traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with law". After independence, Rani Paraj Seva Sabha, Halpati Seva Sangh, Forest Labourer Cooperative Societies, etc. were created in Gujarat State and the question of demolishing the "Hali Pratha" has been a major theme of the working of these institutions. With all these efforts in freeing the Halpatis from the serfdom, hopes and expectations have been raised in the minds of Halpatis who themselves had become conscious of their sad plight. Despite all these, the system of bonded labour continued in Gujarat State till recently. Reports of the continuation of bonded labour system were made from several parts of the country. Finding no other alternative to wipe out this blot from the Indian society, the Government of India enacted a legislation by Parliament to abolish the bonded labour system.

This Act, known as "The Bonded Labour System (Abolition) Act, 1976" came into force from October, 1976. Prior to this Act, there was an ordinance of this name promulgated by the President of India in 1975. Under the 20-point programme of the Ex-Prime Minister, abolition of bonded labour was given a priority place. After the announcement of this 20-point programme, a sudden live and serious concern was shown by the State Governments to take vigorous measures in abolishing this age-old system, the relic of the feudalistic society.

IN view of the urgency of the State Government in the implementation of the above mentioned enactment in this State, it was decided by us at the Institute to undertake a survey² of the bonded labour system as reported to be prevalent in South Gujarat. A major question before^{us} was that - 'whether the so called "Hali-Pratha" is actually existing in this State or not'. There have been many conflicting and controversial reports on this issue and it was really confusing to come to a definite conclusion regarding the continuation of the institution of 'Hali-Pratha' in Gujarat State. Amidst such confusion, we firstst decided to find an answer to the basic question - 'does the system of bonded labour exist in Gujarat?' If it was found that the answer was in affirmative, perhaps then a systematic study of the bonded labour might be the next consecutive step.

2. IN the last week of December, 1976 certain areas of Halpatis concentration in Surat and Valsad district were visited by the author in order to gather first hand information about the existence of the bonded labourers. About a month's field trip in these areas was done and in the course of that sixteen villages had been covered, four from Bardoli taluka, three from Palsana and four from Valod taluka (all these talukas have been in Surat district) while five from Valsad taluka. All these villages were mixed villages inhabited both by non-tribals as well as tribals. Of the non-tribals, most of them were of the land owning community in whose agricultural fields the tribals who belonged to the Halpati community had been working as farm labourers.

ALTOGETHER 250 households of the Halpatis from these 16 villages had been contacted to know whether they were in servitude to any particular landlord or not. The informations on this subject were gathered on the basis of unstructured interview with the head of the households or in absence of the head any other responsible male member in the household. Besides individual interviews, group interviews were also held in order to know the prevailing situation in the village as a whole. The interviews with these informants were aimed to gain informations regarding the nature of the labour work in which the members of the households were engaged, who had been their employers for the past few years, what wages they had been getting, whether any member of the household was bound to any particular employer and whether the households were indebted to any of their employers, etc. etc. It was also attempted to know whether these households were having the knowledge of the Bonded Labour (Abolition) Act passed by the Parliament to enable them to get themselves free from the clutches of their permanent employer. It must be made clear here that only those households had been contacted for interviewing whose economy mainly depended upon earnings from farm-labour work. Apart from these households, several social workers belonging to these regions were also interviewed. Some of the social workers belonged to the Halpati community itself.

3. BEFORE we come to our own findings, it would be worthwhile to give a brief introduction of the Halpati community, what do we understand by "Hali-Pratha" and a historical background of the "Hali-Pratha"---the system of the bonded labour prevalent in earlier times.

4. THE landless agricultural labourers in the plains of South Gujarat have been mainly Halpatis. In earlier times they were known as Dublas. This appeared to be a derogatory nomenclature for members of a community who were experts in farming, although virtually they did not own any land. Mahatma Gandhi for whom swarajya of the country meant nothing unless 'bondage within the the country's own social order was done away with'³ gave a new

and honourable name of 'Halpatis' to these people in place of Dublas. However, the landlords were found to refer them as Dublas even now. Keeping the nature of the labour work (Agriculture, in which ploughing of the field is the primary job) of these people, this new name, 'Halpatis' (literally meaning holders of the plough) was coined for them.⁴

HALPATIS constituted 10.4 percent of the total tribal population in the State. They numbered 3,88,589 according to the 1971 census. Their main concentration was in Surat district but were also extensively found in Valsad as well as in Bharuch district.

HALPATIS have been landless agricultural labourers. However, due to several measures adopted by government as well as some voluntary organisations, some of them have become landed peasantry. But still the main source of livelihood for majority of the Halpatis has been the earning from labour work, particularly from farm labour work. For pretty long time they had been compelled to serve as serfs to the land owning non-tribal peasantry of South Gujarat. As such, it would be no exaggeration to remark that they have been the most exploited tribal community of Gujarat State. The Halpatis have been living a hand to mouth existence and that too upon the mercy of the landlords. The poverty among them has been very acute.

ALTHOUGH economically Halpatis have been worst sufferers, they have received much impact on their social and cultural life on account of living under direct influence of their masters who normally belonged to caste Hindu community. As such, there has been a faster rate of acculturation for this community and as a consequence of this there was a distinct change in their social customs, norms and values. Even their lingua-franca has become gujarati language. But, ofcourse, it did not mean that they have attained a better status in their area where they have been living. They were still looked down with contempt by the non-tribals. However, as education has been spreading among them (their literacy rate was 13.7, according to 1971 census), it was expected that in near future they should be better off, both socially and economically.

5. 'HALI-PRATHA' has been known in Gujarat as the form of forced labour. The english equivalent of 'Hali-Pratha' would be the system of bonded labour. The term of reference given by the landlords, to such farm servant who alongwith his other family members was in permanent employment of a landlord had been 'Hali'. The landlords in South Gujarat belonged to the Anavil, Patidar and Parsi communities. The first two were in greater number while the last one had smaller number. The whole gamut of relationship between the 'Halis' and their masters had been on a definite pattern and which had also taken an institutionalized form. The generic nomenclature to this institutionalized pattern of relationship was 'Hali-Pratha'. In simple words it referred to the agricultural serfdom in which a Halpati was bounded to the chain of servitude for life long and there was no scope for him to break this chain off and become free of his master. When we use the word scope, it does not mean that the system of bonded labour had a legal sanction. On the contrary, it had been illegal. Even the British government had passed legislation against slavery and bonded labour.⁵ But such were the social and economic powers of the landlords that it was virtually impossible for a bonded labourer to take refuge to law for freeing himself. Then, he was completely ignorant of the legal rights which could have protected him from the exploitation of his master. Again, what he could have done with such legal protection when there was no other alternative in the then existing economic system of the region for him to earn livelihood. Thus, in a way this system of 'Hali-Pratha' provided a kind of security to the Halpatis. However, at this juncture we need not go into details of this but keep in mind that that under this system the bonded labourers were forced to get attached for an indeterminate period with a master and the severance of that bondage was beyond their capacity and that exploitation was inherent in such system.

AT this point it will not be out of place to examine how the Bonded Labour System (Abolition) Act of 1975 defines this system. This Act has defined the system explicitly in the following manner.⁶

"Bonded Labour System" means 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 effect that,--

- (i) in consideration of an advance obtained by him or by any of his lineal ascendants or descendants (whether or not such advance is evidenced by a document) and in consideration of the interest, if any, due on such advance, or
- (ii) in pursuance of any customary or social obligation, or
- (iii) in pursuance of an obligation devolving on him by succession or
- (iv) for any economic consideration received by him or by any of his lineal ascendants or descendants, or
- (v) by reason of his birth in any particular caste or community, he would--

- (1) render, by himself or through any member of his family, or any person dependent on him, labour or service to the creditor, or for the benefit of the creditor, for a specified period or for unspecified period, either without wages or for nominal wages, or
- (2) forfeit the freedom of employment or other means of livelihood for a specified period or for an unspecified period
- (3) forfeit the right to appropriate or sell at market value any of his property or product of his labour or the labour of a member of his family or any person dependent on him, and includes the system of forced, or partly forced labour under which a surety for a debtor enters, or has, or is presumed to have entered, into an agreement with the creditor to the effect that in the event of the failure of the debtor to repay the debt, he would render the bonded labour on behalf of the debtor or
- (4) forfeit the right to move freely throughout the territory of India.

6. Since, what specific period this 'Hali-Pratha' had been prevailing, is difficult to answer accurately. But on the basis of the earlier reports it may be concluded that by the middle of 19th century it was quite widespread in Surat district. Several British administrators had mentioned about the existence of 'Hali-Pratha' in Surat district in the 19th century. 7 O'Malley has also referred about this system: "Debt-slavery is also an age old system in Gujarat where the debt slaves are known as Dublas. They are landless agricultural labourers to whom landholders advance loans, which they repay by life long service, the landholders provide them with food and clothing and they are liable to be transferred from one to another like chattels. There has been a movement for the abolition of the system, and in 1939 on what is known as independence day it was resolved at a meeting of some 10,000 agriculturists which was attended by Mr. Gandhi, to put an end to it and in future to pay labourers of this kind cash wages". 8

A vivid description about this system has been provided in 1921 census report which runs as follows, under the caption : The Hali System in South Gujarat.---

" The farm servant were not isolated from ordinary agrestic labourers in the last census. On this occasion their figures have been separated. Of the 6,664 farm servants (3,601 workers), the majority are in Navsari. These are the so called Halis or indentured agrestic serf, the creation of a condition of things arising from the impact of a superior race like Parsis or Anavils on a rude and primitive people like the Rani Bhils of South Gujarat. The majority of the agricultural labourers and farm workers in Semi-Rasti and Rani areas (e.g. Palsana and Vyara Talukas) belong to this class. The Halis are either bandhela (Literally bound) or chhuta (semi-free). The Bandhela Hali is nothing but a debt-serf. The usual practice with these Parsis and Anavala landlords, timber-contractors or liquor keepers is to lend a sum of money varying from 100 to 300 rupees to these tribes; so long as the money is not repaid, the individual debtor has to sign away his services to his creditor, and promise not to serve any other employer but his present dhaniamo (creditor-master). He receives a subsistence wage of about Rs.2 a month, besides food twice a day (which is conditioned on the completion of his daily task), clothes

and shoes. Not infrequently, the creditor plies his unwary victim with drink the value of which is added to his debt. The poor aboriginal gradually sinks more and more into indebtedness and the system often leads to lifelong service. After his death, the Hali's heir is not responsible for his debts thus proving that the status is not hereditary one. Primarily a farm servant, the Hali not unoften has to do domestic duties as well. The chhuta Hali is rather a superior type of serf, and his terms are easier. He gets higher emoluments, being paid daily in corn - 4 seers juwar for himself and 3 seers for his wife, if she also works. He is free to leave and serve another master, but his loyalty is often bought by promise of payment of expenses on marriage, etc. He is a debtor to his Dhaniamo, but his relations towards him partake more of the usual character of ryot and sowcar. Generally, on enquiry it is reported that the chhuta Hali is fairly contented with his lot. The Bandhela Hali, however, is very often tyrannised over. He not seldom absconds from his master. The more intelligent of the dhaniamos are for this reason beginning to realise that the system is no longer advantageous".⁹

The system had so much entrenched in the social order in the first decade of this century that the Indian Congress Party did start an unsuccessful campaign against it in the period between 1922-27. By this time it had become a matter of common knowledge that for getting married, a Halpati had to enter into debt of a master and in turn had to get attached with that master till the repayment of the debt. The debt, however, on the contrary went on increasing and repayment was out of question during the lifetime of the Hali. In this way he had to remain in servitude of his master till his life. After his death, his son who had grown up on the food supplied by the master, was claimed by the master to serve him. Even during the lifetime of his father, the son could very well be claimed by the master in case he was in need of more servants. If he did not need and he did not want to feed him and his wife and his children, the adult son was left free to go into the service of another master. In his childhood the son had to serve the master as cowherd while his mother and sisters served as maid servants in the master's house. There was no fixed working hours. Although a Hali's job

essentially was in the farm he, more or less, did all kind of job for his master. The old men of Halpati community recalled that normally they used to work right from 4 a.m. in the morning till 10 p.m. in the night when the master went to sleep. Breman has very aptly summarized the situation of the bonded labourers:

"Attachment for an indeterminate period, severance of the relationship only in exceptional cases and often its prolongation into following generations, work obligation for the servant's whole family and finally the non-specific and exchangeable nature of service were the chief elements of servitude in the past".¹⁰

This debt bondage of the 'Hali' with his master was of most sinister form. Incidence of the debt bondage rose sharply with the monetisation of the tribal economy during the late 19th century. The Halpatis had to enter into debt contract for sheer survival which denied their basic human rights of free movement and offering their labour to the highest bidder.

A basic question arises as to why the Halpatis let this situation continue? One significant reason was that that the 'Halis' were perhaps receiving the aid and protection at the hands of their masters, things which were very much needed to survive. In the traditional agricultural economy, there was not much scope for the Halpatis to find regular work as farm labourers. As they had no land, dependency on agriculture was out of question. Greater part of the agricultural land of the region had been alienated by the non-tribals from the tribals and in course of time the former had become the landlords. The Halpatis had no choice other than to seek work from the landlords. At the same time the members of the land owning community, Anavils, Patidars and Parsis, were not disposed to do farm work by themselves. As such they had to depend upon the hired farm labourer for the agricultural operations in their fields. In that situation the system of 'Hali-Pratha' got evolved by the design of the landlords. And since there was no other avenue for majority of the Halpatis to earn livelihood, they readily accepted the 'Hali-Pratha' although it meant to surrender the freedom to work according to one's choice. Those who could find a permanent master considered themselves fortunate enough for having security regarding getting regular supply of food for all the members of the family. To

remain in search of labour work as free labourer was risky enough and did not offer much prospect. To get the patronage of a master even at the cost of putting one's freedom on premium was certainly more attractive than running after farm jobs which were not easily available. In view of this, it was no surprise then that the Halpatis preferred permanent attachment more desirable. So much so that it was considered prestigious to be in permanent servitude of a landlord. Dave has reported that "it is a matter of gaining in the social status if one manages to get attached to a Dhaniamo (master). As the woman without having found a husband is not looked upon favourably and is usually given a low social standing, so a Dubla, who does not find any dhaniamo is given a low social status".¹¹

No wonder that the landlords fully exploited the unescapable dependence of the Halpatis upon themselves. Patronizing the Halpatis by providing occasional assistance and support, the landlords virtually bought the labour of the Halpatis at throw away prices. Although the Halpatis as bonded labourers were in worst exploitative situation, nobody ventured to protest as they knew by experience that it was sheer suicidal to do so against the powerful landlords. They could not expect any succour from the arrogant and unwitting bureaucrats. Breman has correctly analysed:

"These, in brief, were the main reasons why the regional bureaucracy always accommodated itself in the interest of the dominant caste and also why the local administration made few if any efforts to improve the condition of the agricultural labourers. The use of brute force by landlords is, ofcourse, illegal but it is tacitly sanctioned by the authorities."¹²

7. Nearly all the 250 households have been primarily dependent upon the income from working as agricultural labourers. The women and the young girls from these households, quite a sizeable number, were engaged as domestic servants in the house of Patidars and Anavils who were the landed peasantry in the vilblages. Many girls and youngmen went to work as casual labourers in the building construction works or in road repair works. A few youngmen were also found to work as unskilled and skilled workers in small scale industries in the nearby towns but their number has been extremely low.

The only regular type of job was those of young girls and women working as domestic maidservants. The skilled workers too were having semi-permanent type of employment. For the casual labourers in non-agricultural work, there were not many opportunities and in that way they had to compete with persons from other tribal communities of the region. When the Halpati youngmen and women found work as skilled as well as unskilled workers they considered themselves lucky enough.

The saddest plight was those of the farm labourers upon whose income majority of the households were dependent for their livelihood. There was only a small number out of the total 250 households who reported that they could manage to get regular employment during the entire agriculture season. But for the majority of the farm labourers, times have become extremely hard so far finding work was concerned. Majority of them reported that for more than a fortnight in a month they had to remain idle for want of employment. In the villages of Surat district, the situation appeared to be really quite grave. However, in Valsad district, the Halpatis were able to get jobs more frequently and in comparison of Halpatis of Surat district their problem did not appear to be that acute. But for them too times have changed and there did not remain certainly like old times in getting farm work because of the changed attitude of the landlords. During our field trip in the villages of Surat district, more than 75 per cent of the informants were sitting idle. Many of them lamented that there was some sort of security in the past but now no land owner of the non-tribal community was keen in employing the Halpatis for their farm work. The reasons for this state of affairs would be discussed later.

Nearly 12 per cent of the households had a little bit of land, ranging from 0.5 acre to 2 acres. The produce from the land was so low that it hardly sustained the household who owned the land for more than a month or two in a year. Dependence on land cultivation was unimaginable for majority of the Halpatis. In the present context, farm labour remained the chief source of livelihood.

8. On a rough estimate of the income of the households covered, it was found that about 70 per cent of the households were having an annual income between Rs.600/- and Rs.700/- per household. About 5 per cent of the households were having more than Rs.1000/- of annual income. 2 per cent of the households reported to have an annual income of more than Rs.2500/-. The rest were in the range of Rs.701/- to Rs.1000/-. In a paper it has been estimated that the total annual income per household amongst the landless labourers was Rs.785/-.¹³ On an average the Halpati households would have nearly the same income.

The prevailing rate for the farm labourers was Rs.3.00 per day despite the minimum wage fixed by the government was as Rs.5.50 per day. Some of the Halpatis reported that they were paid Rs.2.00/^{only}per day but were provided with the day meal. In the peak of agricultural season some of the farm labourers could persuade the masters to pay Rs.4.00 per day. But almost none of the Halpati farm labourers reported that he got paid Rs.5.50 per day for his services.

The domestic servants were paid a monthly salary of Rs.20/- to Rs.30/-. In addition to this cash payment they were also provided with meal for one time in the day. Some of them were fortunate enough to get meals two times, for both the morning and the evening.

A skilled worker earned a salary of Rs.100/- to Rs.150/- per month. While an unskilled worker in the construction work earned Rs.4.00 to Rs.5.00 per day. But as such works were not available regularly it was difficult for them to earn a regular and steady income from this source.

Those Halpati households who owned a little bit of land earned, on an average, an annual income of Rs.400/- to Rs.500/- from this source. Although they owned land, it was ironical and mockery to call them peasants because only by selling their labour power they could survive. In the past even these 'poor peasants' had to take consumption loans from the rich landowners against commitment of labour i.e., working as 'Halis' for them. They had

no escape other than that of working on other farms as labourers for several days of the agricultural season. Only during the peak agricultural periods, they did work on their farms. In case they needed extra help because of shortage of family supply of labour in relation to the peak demand, they sometimes hired labourers. But such situation rarely arose. Somehow or other such poor peasant used to manage with the family labour. It was beyond their capacity to hire labourers. And as they did not belong to 'higher castes' whose members would not do manual work in the agricultural fields, each member of the family did the job on the family owned piece of land. As in the case of other tribal communities, for the Halpatis too, agriculture is a family enterprise; those who share the hearth share in the agricultural operations.

9. On account of such ^a low level of income as well as lack of any scope to improve this level in their own area, the Halpatis have ^{been} compelled to go to distant places in search of livelihood. Writing about this phenomena of seasonal migration Breman says:

"In a never ending cycle the surplus is thrown out of the rural system. After the rainy season, about October, men, women and children migrate in large numbers - in the Bulsar villages more than half of the Halpatis may go to the brickyard and salt pans near Bombay and other cities, to return only towards May, before the beginning of the monsoon. Year after year this seasonal migration is repeated. The splitting up of the households - some members stay behind, the others are put under contract by one or different jobbers - fits into the picture of pauperization. The yearly exodus does not really enhance the employment opportunities for those who stay home in the slack season; the agrarian labour market remains saturated, partly on account of the influx of migrants from other regions looking for work. The Halpatis have become redundant in the society. Many of them are drifting and have lost their roots in both village and family life!"¹⁴

In the villages visited by us, it was reported that members from several families had gone away to Udhna, Thana, Borivali and Bombay to find unskilled non-farm work. Ofcourse, we did not go in details about the magnitude of the migrants but nonetheless it was confirmed that this phenomena was very much in existence even now.

10. To the vital question of this enquiry regarding the prevalence of the bonded labour system in present times, all the 250 informants gave the answer that they were free labourers, not attached with any master on permanent basis. However, altogether 32 of them admitted that they had received a kind of advance, in form of grains i.e., 'Khavati' from different 'Dhaniamos' (creditor-master) against the commitment of labour. But then, they said very emphatically that, they were in no way bounded permanently or even semi-permanently to any of these 'Dhaniamos'. The only consideration which would be given to a 'Dhaniamo' who had given the 'Khavati' was that when he would ^{need} the supply of labour, he would be given first preference. But there again, if another landlord promised to pay higher wages, irrespective of the fact that he had not given 'Khavati' and somebody else had already given 'Khavati', the former would be getting their labour. Under no circumstances, they insisted, the 'Dhaniamo' who had given 'Khavati' to a Halpati could compel him to sell his labour to him (Dhaniamo). However, such a situation seldom baffled the Halpatis since rarely any landlord offered higher wages than the prevailing rate. As such, a Halpati who had put himself under moral obligation of a 'Dhaniamo' by accepting 'Khavati', did not find himself in embarrassing situation to sell his labour to other landlord. He could very well work for his 'Dhaniamo' at the first opportunity.

Another fact to remember in this regard was that the 'Khavati' was in no sense a loan - it was just an advance in order to book the labourer for farm work. No kind of interest was to be charged. As these 32 households were running in starvation condition and at the same time were unable to find any other means of earning income, they had approached their prospective employer for 'Khavati', with an assurance to repay by working for him till the money value of the amount of grains was realized. This arrangement worked due to the mutual trust between a particular Halpati and a particular landlord.

On an examination of these 32 cases in view of the provisions of the Bonded Labour System (Abolition) Act of 1976, it would be seen that

- (1) there was no element of force or even part force to compel the debtor to sell his labour to the creditor,

(ii) the debtor had not to forfeit the freedom of employment and (iii) there was no interest charged by the creditor. It was like that the employer accepted the moral obligation to employ the labourer just as he accepted a moral obligation to work for the employer. Nothing in this could be declared illegal in the context of the above mentioned Act. In order to book a labourer in advance, a farsighted Anavil or Patidar landowner would give 'Khavati' to a labourer. This step was taken by the employer to save himself from the trouble of searching a labourer during the peak agricultural period. Hence, in no way ^{these} 32 cases would fall under the system of bonded labour.

How many times the labourers changed their employer during this agricultural season? To this query, 89 informants declared that they had changed employer for four times while 128 had changed three times. The rest 33 had changed for two times. There was none from these informants who had not changed employer during the current agricultural season of this year. Even amongst the 32 households who had obtained 'Khavati' from particular employers as an advance did change employers. Of these 32, 18 had changed for four times while 10 for three times and only 4 for two times. This phenomena of changing employers was clearly indicative of the fact that the farm labourers were not in any manner bounded or committed to any particular employer irrespective of the fact whether they had obtained 'Khavati' or not.

Another significant factor in this connection was that the farm labourers did farm labour work for specified hours which was 8 hours per day. Sometimes there might be adjustments here and there for half an hour or an hour but by and large, all the informants asserted that, they worked for 8 hours with a recess, ranging from half an hour to an hour. There was no kind of force or coercion employed by the employers to take more than 8 hours of work from their farm labourers. This also proved that the days of applying force and coercion to farm labourers to work as slaves have become bygone days. But it must not be understood that their exploitation has ended. In fact, the Patidar and Anavil landowners have been feeling very sore over this new awakening of the farm labourers and they appeared to be awfully perturbed in losing

their firm grip over the Halpatis. There has been enough indication that the relationships between the employers and the Halpati farm labourers was much strained. In the grim battle between the landowners and the Halpatis, the latter have still to suffer untold miseries and hardships. This point would be elaborated later.

Looking from all aspects one could safely deduce that the system of bonded labour i.e., 'Hali-Pratha' which was prevalent in South Gujarat in an institutionalized form is now no longer in existence. It was not only because the Halpatis have become conscious of their rights and privileges but also on account of the new Act and the 20 point programmes of the ex-Prime Minister, the landowners themselves did not like to employ farm labourers on permanent basis as 'Halis' lest they should be put into trouble and in a situation by which legal action could be taken against them. Viewing the mood of the government and the emerging leadership among the Halpatis, the employers have realized that it was quite unsafe and dangerous in their interest to let the 'Hali-Pratha' to continue. They were also fully aware that almost all the Halpatis were fully conscious of the enactment of the Bonded Labour System (Abolition) Act of 1976. Apart from this, the minimum wages Act has also created a havoc amongst the employers and majority of them were reluctant to employ a farm labourer on permanent basis at the rate of Rs.5.50 per day which has been fixed as the minimum wages. Due to the growing awareness regarding these government measures, the Halpatis, in some pockets, have started to deal militantly with the landowners for winning the right to work and to get the approved wages. They were no longer that docile and submissive 'Halis' of the former period.

The disintegration of the 'Hali-Pratha' actually started long back before these enactments came into operation.¹⁵ Consideration of profitability induced the employers not to employ labourers as 'Halis' because it required to give patronage to the entire family of the 'Halis' - a fact which played a significant role in the disintegration of the 'Hali-Pratha'. Commercialization of agriculture was an important factor in this process

of disintegration.¹⁶ Breman has come to the conclusion that "the disappearance of the Hali System was primarily due to the depatronization of the relationships between the parties concerned."¹⁷ The new Act, fixation of the minimum wages and the government's enthusiasm to implement the 20 point programmes, all these have added fuel in the strained and tense relationships between the Anavils and Patidars on one hand and Halpati farm labourers on the other hand. The former now do not want to burn their fingers and as such do not dare to employ farm labourers as 'Hali'. There was every reason to believe that the 'Hali-Pratha' has been replaced by the contractual system of purchasing and selling labour. The firm and intimate bonds between the 'Halis' and the 'Dhaniamos' has been replaced by a loose and impersonal relationship inherent in the contractual nature of relationships between the employers and the farm labourers. Hence, it can be proclaimed with certainty that the institution of bonded labour is now no more in existence in Gujarat State and the Halpatis have now become free labourers to work anywhere they could find the highest bidder for their labour. Thus, to the big question - 'does bonded labour exist in Gujarat?' there is the firm answer - 'NO'.

11. Although the system of bonded labour, in the true sense of the term, does not ^{now} exist in Gujarat State we, nonetheless, observed that the relationships between landowners and local agricultural labourers i.e., the Halpatis have extremely deteriorated. It has almost reached to an explosive situation. The landowners have not taken kindly to the emancipation of the Halpatis from the 'Hali-Pratha'. The legal restrictions imposed by the government regarding the minimum wages has infuriated the landowners. The growing awareness and enlightenment of the Halpatis was being detested by the landowners and in a subtle way they were all out to teach the Halpatis a lesson for their becoming conscious of the iniquity of their lot under landowners. The non-tribal landholders have organized themselves and barring a few, they have launched a 'cold war' against the Halpatis. The sure indication of this 'cold war' was their (Landowners) refusal to give them any work unless compelled by adverse circumstances. Another indication was a kind of subtle but malicious and hostile propaganda about the

impertinent behaviour of the Halpatis towards working properly and diligently in the farm. This was particularly the retaliating reaction due to the refusal of the Halpatis to work for more than 8 hours a day.

On one hand, waging a fight for adequate remuneration for the farm labour, the Halpatis have been getting more and more restive day by day. While on the other hand the landowners have taken a stand against the Halpatis, denying them the basic right of human beings of doing work. Majority of the Halpati households reported that ~~there~~ was no work for them for days together. Although, they stressed, the standing crops in the field needed weeding and other attentions, the landowners were paying no heed. Not that they were unaware of this but in order to put the Halpatis to starving condition so that they would come to their senses, the landowners preferred to let the crops as they were. Unless urgently required, the landowners preferred not to employ Halpati labourers. In some areas the landowners have switched over to cultivation of sugarcane in place of cereals. Although this was not exclusively because they wanted to avoid employing Halpatis but this was one of the main reasons since sugarcane cultivation does not require regular services of labourers. As a further measure to put the Halpatis into a hopeless situation of misery, the landowners have started to recruit labourers from the hill areas of Dharampur and Dangs in a big way. These tribals of the hilly regions usually come down to the plains in search of labour work, either in the farm or elsewhere. As in the hills, cultivation was mainly confined to only kharif crops there remained no work for the vast majority of the tribals living there after the harvest of kharif crops. Large number of them were in the habit of migrating to the plains to find work during winter season. Due to this migratory nature of the labourers, there was a large supply of labour in the plains. It was a common sight in Surat and Valsad districts to observe tribals of the hill areas working in the fields of Anavils and Kanbi Patidars. Although the Halpatis were considered much better and trained farm labourers ^{than those} coming from the hills, the landowners employed the latter. There were three reasons for

this. The first being the alleged 'impertinent behaviour' on the part of the Halpatis to insist for better wages and to work for fixed hours. The second reason was that the labourers from the hill areas were available on lower wages. These labourers were still not conscious about the minimum wages fixed by the government and their poverty was so acute that they have no choice other than to accept what was being given. The third reason was that the regional political workers have been encouraging and supporting the Halpatis in their fight for better wages and hence urging them not to accept labour work unless the minimum wage was paid by the landowners. Thus, despite the fact that the tribals from the hill areas were not well versed in modern methods of agriculture and were also difficult to communicate with as their dialects were different, they were preferred over the Halpatis by the landowners. On account of the large supply of cheap labour, the landowners were in commanding position in the grim battle between them vis-a-vis the Halpati agricultural labourers. In the increasing antagonism between the landowners and the Halpatis, the former have got united to provide a solid front. Whereas the Halpatis, although very much conscious of their condition of subjection and of the feeling of being exploited, have not organised themselves to give a solid front collectively. Thus, in spite of their changed psychology and militant approach, they have been the loser and as a consequence of this were pushed to degraded and wretched existence. In this connection a news item published in a leading newspaper truly reflected the grim situation of the Halpatis.

"Mr. Jaswant Chauhan, a prominent farm labour leader has urged the State Government to ensure the payment of minimum wages to labourers in South Gujarat where the law was more observed in its defiance than in the implementation.

He said that the landlords in the region were employing outside labourers to avoid payment of minimum wages. This had created unemployment to a great extent among the local farm workers and they are selling their household articles to maintain themselves."¹⁸

Even during our field work, a large number of Halpatis were without work. As indicated earlier young women of such households were, however, having some sort of employment, like that of domestic maid-servants or casual labourers in the construction activities.

Although it was difficult to have a clear picture as to how they were pulling on in absence of any gainful employment, the miserable and semi-starvation condition were writ large on their faces. Even on a cursory look into their house, it was very much apparent that the households were passing through an acute phase of poverty. But as tribals have been known for enduring even extremely hard sufferings without much protest, these Halpatis too have long been conditioned to face grim situations, particularly when viewed in the background of their long history of slavery. But due to their increasing politicisation and also due to involvement of several political leaders in the problems of that region, the Halpatis have now started to rebel against the injustices meted out to them. Although still by and large inarticulate, they were no longer diffident and submissive to the atrocities of landowners. In some villages, they have been able to organize themselves on the village level for waging a battle against the exploitation of the landowners.

At Bamni village of Bardoli taluka, the Halpatis staged demonstration in October-November, 1975 against the landowners for importing labourers from Uchhal and Nizar regions. The Halpatis could manage to drive out those labourers from the village and in the scuffle between the Halpatis and the outside labourers some of the labourers were beaten up by the former. A couple of the leaders of the Khet Mazdoor Parishad intervened to settle the issue but the landowners refused to negotiate with them. The landowners, meanwhile, arranged to bring police force in the village and brought back the labourers to do the farm work. However, the leaders managed to remove the police force from the scene. Soon after the police force went back, the Halpatis once again assaulted the outside labourers who left the place finally. Thereafter, the landowners agreed to

negotiate with the leaders and ultimately succumbed to the demand of paying the fixed wages of Rs.5.50 per day.

Similarly, at ~~Sejva~~ village in Bardoli taluka the Kanbi Patidars (the landowners) boycotted the Halpatis farm labourers of the village for giving any work to them because they have been demanding the wages fixed by the government. The Kanbi Patidars employed labourers from a nearby village (they had been Choudharys) for working in their agricultural fields. The Halpatis of the village organised themselves and could manage to drive out the outside labourers after beating some of them. After that the Halpatis went in a group to the locality where the Patidars have been residing to demonstrate against the landowners ruthless attitude. There one landowner opened fire on them to frighten them. Although nobody got injured, the crowd of Halpatis became excited and entered inside the house of the man who had opened fire on them. He was dragged out and fiercely beaten by the Halpatis. The Patidars then lodged a complaint at the Bardoli Police Station and in consequence of that the police arrested more than a dozen Halpatis of the village. Thereafter, a tribal M.L.A. of that area was contacted by the Halpatis who took prompt action and after explaining the whole episode to the District Superintendent of Police, Surat could manage to get a few landowners arrested too. This compelled the Patidars to sit with the leaders of the Khet Mazdoor Parishad for negotiation. The latter became instrumental in persuading the Patidars to agree to employ the local Halpatis on wages fixed by the government. In this way the issue was solved.

There was a similar incident in Gordha village of Valod taluka in the month of June, 1976. However, on the intervention of the local M.L.A. the issue was settled amicably between the Halpatis and the landowners.

Then there was the widely known ghastly incident of Satem village in Navsari taluka where a couple of Halpatis farm labourers were murdered cold bloodedly by the hired men of the landowners.¹⁹ Murder of one or two Halpatis also took place in Pune village of Bardoli taluka.²⁰ All such incidents of strife

between the warring landowners and Halpati farm labourers had produced mental tension and unrest which might be almost paralysing, so far latter were concerned. The bulk of the Halpatis were in abject poverty of mind and body.

12. These incidents were a microscopic proportion of the actual dimension of the ^{problem of} farm labourers which had dawned upon them after the disappearance of the bonded labour system from South Gujarat. The problem of finding work in their own area has assumed a grave proportion for the Halpatis. Although they were considered as expert hands for farming work, the landowners had created a situation in which the efficiency and the expertness of the Halpatis was not fully exploited. A psychological warfare has been ushered by the landowners against the Halpatis. Since these landowners have been united, resourceful and powerful in regional politics, they have managed in keeping the Halpatis oppressed. However, due to the role of some activists in that area, the Halpatis have started resenting against their exploitation. But to get justice at the hands of the landowners was an utopian expectation.

Many Halpatis, out of sheer frustration and helplessness, reported that the bonded labour system was a better alternative if they were asked to choose between it and the present day situation. They felt that in the battles of nerves between them and the landowners they were sure to lose. Instead of having nothing to eat for the family members it was better to enter into servitude, where at least the regular supply of food was assured. Thus, the whole impression one could get was that making them free from bonded labour system was just the initial step to bring them out of the exploitative clutches of the landowners which must be followed by concrete and effective programmes to rehabilitate the Halpatis. If that was ignored and not given serious attention, the fact of freeing them from the 'Hali-Pratha' would have no significance.

Although the government has been striving to better the lot of these farm labourers who have been freed from the bondage of slavery, the government efforts have just the appearance of legal respectability but the government machinery has not been able to interfere seriously to curb the exploitation of the landowners. It was necessary to humanise the entire system of these Halpati farm labourers. Till now the whole economic system has depended on paying no more in rewards to the labourers than those which must be paid to him in order to live satisfactorily. Here was the case of a direct denial of our view of 'wage justice'.

For bringing succour to the Halpatis, the government would have to take effectual concrete measures to expand the opportunities for gainful employment of Halpati's labour. Not only for the sake of their employment but it was equally important as strategy of development of the region. The explosive and tense relationship between the Halpati labourers and non-tribal landowners was not, by any standard, a congenial climate for development.

One of the most urgent task for the government was to take measures by which the Halpatis could be assured of getting regular employment in the farm work. It was necessary to put moral as well as legal pressure upon the landowners to employ the local Halpati farm labourers first and only in case of non-availability of them, farm labourers of other regions should be given preference. It was no secret that the landowners were reluctant to pay the approved wages to the Halpatis. That was one reason why they started to recruit labourers from distant regions in fairly good numbers. In view of this, the government officials should be instructed to enforce the protective legislation strictly regarding the minimum wages. In case the landowners could be compelled to pay the prescribed minimum wages, they would by themselves stop employing outside labourers since they knew pretty well that the Halpatis were far more efficient in farm work than the outside labourers. Further, there already existed a working relationship of long standing between the landowners and Halpatis.

To sum up, it could be safely inferred that the position of the Halpatis vis-a-vis the landowners was very complex and it was not easy to come to a precise solution unless strict posture was not taken by the government to protect the Halpatis from sinking into the sea of misery and suffering. Unless economic independence was not brought to these Halpatis, there was not much sense in taking credit regarding freeing ^{them} from the bonded labour system. As has been indicated in this paper, their miseries have been enhanced due to the abolition of bonded labour system. This was an ironical and shocking situation. But as the economic system of the region was controlled by the land owning class and their firm and strong hold over the economic system was a reality, the Halpatis in such a situation were no match to assume bargaining power and were ultimately bound to suffer. Hence, what was needed was that a series of effective and stringent controls would have to be introduced in the economic system of the region. Apart from this it was equally necessary to draft a new set of personnel, particularly at the decision taking level, in the tribal region. If the bureaucratic machinery in tribal areas could be made efficient, committed, task oriented (not target oriented) and having a sound understanding of the tribal ethnography, much of the sufferings of the Halpatis (for that matter, of most of the problems of the tribals in general) could be minimised to a considerable extent. In order that these down-trodden, poverty-stricken and exploited Halpatis could really have a taste of economic democracy which Mahatma Gandhi so much wanted to usher in the country, it would be necessary to give a serious and grave thinking to the above suggestions. Long back, in 1939 Mahatma Gandhi had made a pledge for the emancipation of the Halpatis from the clutches of the landowners. How much time we would require to fulfill his solemn pledge?

APPENDIX I

List of the villages covered in the survey

Sr. No.	Name of the Village	Taluka	District	No. of Halpati households (Approximate)	No. of Households actually interviewed
1	2	3	4	5	6
1.	Bhuvasan	Bardoli	Surat	52	20
2.	Sarbhan	"	"	78	23
3.	Babla	"	"	26	15
4.	Ghankhdi	"	"	30	10
5.	Niyod	Palsana	"	65	10
6.	Chalthana	"	"	60	9
7.	Malekpore	"	"	150	12
8.	Valod	Valod	"	70	18
9.	Inma	"	"	25	11
10.	Butwada	"	"	22	7
11.	Bajipura	"	"	85	16
12.	Chanvai	Valsad	Valsad	10	6
13.	Segvi	"	"	75	18
14.	Dungri	"	"	65	20
15.	Abrama	"	"	45	15
16.	Rola	"	"	45	20

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- On June 10, 1975, in a clash between landless Halpati agricultural labourers and landlords belonging to the Patidar community, two Halpatis had been killed and several injured.
- On July, 30, 1976, the armed toughs hired by landlords as farm guards murdered two Halpatis at Pune village in Bardoli taluka.

પ્રકાશન

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૩. આદિવાસી વિશેષાંક, "વિદ્યાપીઠ"
૪. ગુજરાતના દ્વિબળાઓ
૫. ગુજરાતના આદિવાસીઓ
૬. સમૂહ શ્રાધ્ધ
૭. ગુજરાતી-ભીલી વાતચીત (ગરાસિયા સ્વરૂપ)
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૯. સાસિ આય - સાચી મા
૧૦. ગુજરાત કે આદિવાસી
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૨૦. આદિવાસી વિસ્તારમાં આરોગ્ય અને સ્વાસ્થ્ય અંગેની યોજનાઓ અને કુટુંબ નિયોજનના કાર્યક્રમનાં કેટલાંક પાસાંની મોજણી
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