

# Neo-Bondage in the Age of Coronavirus Pandemic:

## A Crisis Experienced by Migrant Informal Labourers in India

*Sweta*

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### Abstract

*This article explores the vulnerable conditions of informal labourers during the coronavirus induced lockdown. The lockdown brought the economy at a standstill across India. Millions of labourers lost their jobs which also forced them to return to their villages. Many vowed not to come back but do they have resources for subsistence in their homes? Drawing on secondary sources, this article argues that these labourers are being bound to their worksites. Modern capitalism has reconfigured the practices and forms of this bondage in the changing economic scenario.*

**Keywords:** *Neo-bondage, Informal Labour, Migration*

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### Introduction

The coronavirus pandemic began in China in December 2019 and spread across the globe afterwards. Due to its contagious character, governments in several countries imposed lockdown to stop the spread of the virus. Following this, the Indian government too had

enforced lockdown across the country on 24th March 2020. The prolonged lockdown severely affected the economy. One of the worst affected sections of the society was the informal labourers working in urban regions or other rural areas. They lost their jobs for an uncertain period of time which aggravated their already vulnerable condition. The sense of loss of security left them no choice but to leave their worksites. A massive reverse migration took place, wherein a large number of these labourers left the cities or other worksites and moved towards their native places. These labourers were working in the cities as daily wagers, construction workers, domestic help, drivers, gardeners, street vendors, shop workers and also engaged in various other similar activities. Since the economic activities were put on hold, millions of the migrant labourers were left without jobs in the cities. Most of them had little or no savings leading to a survival crisis. Then the shutting down of transportation made the labourers walk hundreds of miles back to their villages. Some labourers lost their lives during the journey. The whole process revealed the plight of the millions of the labourers who migrate to cities for their livelihood.

The lockdown began in India in the second half of March and despite the government appeal to the employers to pay full wages, labourers did not even get paid for March and the coming several months. Some employers halted the wages for the labourers anticipating that the labourers will come back and rejoin when lockdown ends. However, some of the labourers vowed not to come back to the cities and remain in their villages. But can the labourers sustain themselves back in their villages? Various studies show that migration takes place due to low demand of labour in rural areas. During lockdown, the situation in rural areas has further deteriorated which would make it more difficult to provide jobs to the large number of returning labourers.

It is in this context, one needs to understand the manner in which the exploitation, subordination and control of labour is taking new forms which may be a combination of new and old forms of

bondage. The control of labour draws upon the older forms of subjugation, thus rejecting the claim propagated by capitalism that it is based on free labour: “capitalism is not dissolving this matrix of social institutions but reconfiguring them slowly, unevenly and in a great diversity of ways”.<sup>1</sup> The capitalist economy prefers to work with “unfree labour” since it is more compatible with the system than the free labourers. Unfree labourers are those who cannot enter or withdraw from the labour market at their will due to economic coercion. They cannot sell or own their labour-power personally, whether they are working on contract or otherwise.

During the lockdown, labourers were left to their fate. The question arises whether these labourers are free to be in the labour market on their own terms and conditions? This article explores this question by invoking the concept of “neo – bondage”. Can the exacerbated vulnerabilities of the labourers during the pandemic be termed as the neo-bondage?

The concept neo-bondage suggested by Jan Breman has been used to understand the experiences of the labourers working in the informal sector and the emergence of neo-bondage is strongly connected to the ongoing restructuring of capital that is leading to informalization of employment, casualization and monetization of social relationship.<sup>2</sup> These labourers are tied to a cycle of production that is seasonal and operates at different levels like a combination of “advanced payments and postponed payments”.<sup>3</sup> He further argues that growth in capitalism may not end the labour bondage; instead bondage may take new forms.

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<sup>1</sup>Barbara Harriss-White and Nandini Gooptu, "Mapping India's world of unorganized labour", *Socialist Register* 37 (2001): 90

<sup>2</sup>Jan Breman, "On labour bondage, old and new", *The Indian Journal of Labour Economics* 51, no. 1 (2008): 83-90.

<sup>3</sup>Jan Breman, *At work in the informal economy of India: A perspective from the bottom up* (New Delhi: OUP, 2013), 343-345.

This article is based on secondary sources such as media reports, surveys conducted during lockdown and social media videos wherein interviews were conducted with the labourers. First part of the article discusses the literature on informal labourers. Then it moves on to the discussion of rural to urban migration. The literatures on neo-bondage have been discussed in the following section. This article argues that capitalism does not do away with the old bondage system but reconfigures the practices and forms of the bondage system in changing economic scenarios. The experiences of the labourers during coronavirus induced lockdown have been analyzed further.

### **Informal Labourers**

Although the informal sector in India grew exponentially after liberalization, the term gained currency in the 1970s. Keith Hart coined the term “Informal Sector” during his study of economic activities among rural migrants in Accra, Ghana in 1971 and he defined the informal sector as urban self-employment and also viewed it as a solution to the crisis of unemployment in rural areas generated by industrialization.<sup>4</sup> The formal sector had shown a healthy growth till the 1960s, but by the 1980s the crisis in it was apparent. Hitherto there were two kinds of sectors where labourers were engaged; one, traditional i.e. agriculture sector and second, modern i.e. industrial sector. This dualism was replaced by formal sector and informal sector where former meant secure, well paid, skilled and unionized jobs and latter meant insecure, low-paid and unskilled work.

Breman contends that informal labourers are present in both rural and urban economy. The distinction between formal and informal cannot be restricted to urban labour only since the activities

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<sup>4</sup>Keith Hart, "Informal income opportunities and urban employment in Ghana." *The journal of modern African studies* 11, no. 1 (1973): 61-89.

of rural economy are not only part of agriculture economy and non-agricultural activities are not entirely related to urban locations only.<sup>5</sup> In a study of wage labour in the lower economy of South Gujarat, Breman observed that the labourers in the informal arrangements are “footloose” and they do not cut off their ties with their place of origin. They are in circulatory existence due to insufficient local resources for subsistence. They leave their homes for temporary work as seasonal migrants. Agriculture has not been their major source of income anymore, so they come to urban regions to escape from lack of work and lack of income. They go back to the rural places during harvesting season, festival times and when they do not have work in urban areas. We witnessed during this lockdown that the labourers working in cities started moving towards their villages when they did not have work in the cities.

The Ministry of Labour and Employment (2013-14) noted that more than 90 percent of the workforce and about 50 percent of the national product are accounted for by the informal economy.<sup>6</sup> A high proportion of socially and economically underprivileged sections of society are concentrated in informal economic activities. At the macro-level the presence and increase of the informal sector labourers in cities can be analyzed as an inevitable outcome of the urbanization process, a consequence of industrialization and economic development that induces migration of the rural poor to major cities.

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<sup>5</sup>Jan Breman, *Footloose labour: working in India's informal economy* (New York: Cambridge University Press, 1996), 49-80.

<sup>6</sup>Ministry of Labour and Employment, *Report on 4th Annual Employment-Unemployment Survey Vol. I* (Chandigarh: Labour Bureau 2013-14).

## Migration from rural to urban areas

There are around 100 million labourers in India who work seasonally and move between their workplace and home for a part of the year.<sup>7</sup> Shah and Lerch remark that Dalits and Adivasis constitute 40 percent of these labourers.<sup>8</sup> Due to the seasonal limitation in agriculture and non-availability of irrigation facilities in the villages, the labourers have to migrate to the cities. This phenomenon of migration is not new. Working-class people have left their homes in search of jobs elsewhere for a shorter or longer period of time. In the late-colonial period, it became necessary for the landless or small landholders to migrate to seasonal or semi-permanent worksites. In the post-independent period, however, this type of mobility increased due to huge expansion of the building trade in towns and cities. Breman suggests that a large segment of the mobile labour go to nearby towns or more distant cities in the expectation of better payment, less fluctuation of jobs and easy access to jobs.<sup>9</sup> Due to modernization of transport and communications, labour migration shows a circular character. They leave their home for work and may come back again, which also provides the informal sector an almost inexhaustible reservoir of labourers.

The report published by NCEUS in 2007 points out that large scale migration of unskilled wage labourers is not necessarily due to native place being poor in terms of resources but poverty.<sup>10</sup> There is

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<sup>7</sup>Alpa Shah and Jens Lerche, "Migration and the invisible economies of care: Production, social reproduction and seasonal migrant labour in India", *Transactions of the Institute of British Geographers* (2020): 2.

<sup>8</sup>Dalits and Adivasis constitute 16.6 percent and 8.6 percent of the Indian population and are overly represented at the bottom of socio-economic hierarchies in India.

<sup>9</sup>Breman, *Footloose Labour*, 53.

<sup>10</sup>The National Commission for Enterprises in the Unorganized Sector (NCEUS) published a report on "Conditions of work and promotion of livelihoods in the unorganized sector" in 2007.

also a low demand of labourers. They prefer to go to the areas where unskilled labour is more in demand. Migration becomes imperative to survive for these economically and socially deprived groups of rural areas such as tribals and other marginalized groups. Report further notes that migration rose in the 1990s due to structural changes in availability of employment opportunities which was largely generated in urban areas. The improvement in infrastructure and connectivity also led the mobility of workers from far-flung areas to urban locations. It also had an impact on the nature of migration. The official sources were unable to capture the changing nature of migration which resulted in underestimation of the number of seasonal migrants. The rising unemployment has also contributed to the acceleration of the migration process. The report recognizes the plight of the migrant workers and describes the factors behind their migration. They belong to the poorest section of the society characterized by meager human capabilities and capital assets with lower education level, lower income from agriculture. They primarily belong to socially deprived groups such as scheduled castes and scheduled tribes. The seasonal migrants also tend to be least educated. The report also noted that migrants working in the formal sector are in a much better position than migrants working as casual labourers. And the unemployment rate among migrants is much higher than the non-migrants.

Praveen Jha argues that the study of the impact of liberalization mobility of labour has become very important.<sup>11</sup> He points out that the existing data sources for internal migration in India do not capture the short time migration efficiently. But the fact that internal migration has increased in the last three decades cannot be denied. Nevertheless the occupation structure and wage structure

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<sup>11</sup>Praveen Jha, *Labour in contemporary India* (New Delhi: Oxford University Press, 2016).

have not much changed. With the process of urbanization growing up, the rural-urban migration also increased such as 307 per thousand moved in 1993-94 and 354 per thousand moved in 2007-08. The internal migration for scheduled caste groups and scheduled tribe groups is the highest among all social groups. NSSO 2013 also showed that as more and more women are entering the job market, the internal migration of scheduled castes and scheduled tribes are increasing only.

### **Neo-bondage**

The unfree labour has been present in the society since ages. Neo-bondage has been defined by International Labour Organization (ILO) as, short term bondage, based primarily on economic transactions as opposed to the more complex social and economic dependency manifested in the older forms. Under this arrangement, workers take short-term loans at exaggerated interest rates and their failure to repay them creates a vicious cycle of debt and bondage.<sup>12</sup>

The ILO conventions have prohibited various types of forced labour, slavery and servitude and debt bondage. The first Forced Labour Convention organized by ILO was held in 1930 that defined forced labour as “all work or service which is extracted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. Subsequent to this, the United Nations’ Universal Declaration of Human Rights (UDHR) of 1948 adopted in the article 4 that “no one shall be held in slavery or servitude” and right to “free choice of employment” in Article 23(1). Though ILO did not refer to the debt bondage during the first convention but over the period of time it conceded the debt bondage as a form of forced labour. Debt bondage is a form of labour where

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<sup>12</sup>ILO (International Labour Organization), *Reducing vulnerability to bondage in India through promotion of decent work*. (2013)



compulsion is derived from the debt. Bonded labour refers to a relationship between employer and employee that is characterized by creditor and debtor. This relationship can extend to other family members for an indefinite period of time. The contract can also include adverse conditions which may not be justified by law or market. It is often reinforced by custom or force. The exit usually comes at high cost.

Ravi Srivastava has argued that bonded labour relationship is not purely economic contract even though the employee has come voluntarily into the contract due to economic necessity and the relationship prohibits the employees to exercise the freedom to choose their employer, to get into a new contract with same employer or negotiate the terms and conditions of the contract.<sup>13</sup>

Capitalism needs flexible labour in order to reduce the cost. The flexibility is attained by making labourers casual workers and controlling their physical movement. The employers want their labourers to be present at employers' wish. Harriss -White and Gooptu have argued that the traditional inheritable bondage system is illegal in India now and increasingly rare but labourers are being tied to their worksite through other means such as by debt, by contract or by non-contractual obligations.<sup>14</sup> The bondage is now less personalized. Rather than being social, the new bondage is based on economics. The conditions under the economic bondage are mostly legal.

Breman has also discussed the restriction of freedom of movement faced by labourers at rural as well as urban informal sectors.<sup>15</sup> In the

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<sup>13</sup>Ravi Srivastava, "Bonded labor in India: Its incidence and pattern", published January 2005, <https://digitalcommons.ilr.cornell.edu/forcedlabor/18/>.

<sup>14</sup>Harriss-White and Gooptu, *Mapping India's world of unorganized labour*.

<sup>15</sup>Jan Breman, "Neo-bondage: a fieldwork-based account", *International Labor and Working-Class History* (2010): 48-62.

anthropological study of South Gujarat carried out in early 1960s, Breman referred to indebtedness of labourers as neo-bondage since it obliges the labourers to be attached to their worksite. The employers used the mechanism of paying the wages in advance so that the labourers were forced to repay in labour if and when required, often at lower than market rates.

Breman's study of neo-bondage was based on seasonal migrants which has been a worldwide phenomenon for quite some time. The season usually began at the dry season and ended before the first rainfall. Various economic activities took place during this period of time where the migrant workers could be used in the production activities. It was important for the employer to keep the labourers attached to the worksite for the entire season. Labourers' indebtedness helped the employers in doing so.

In his study of brick kiln workers, Breman observed that there were some significant differences between the *halipratha*<sup>16</sup> and current indebtedness despite some similarities between the two. Both the systems lead to loss of freedom of movement. But the previous practices of bondage i.e. *halipratha* often lasted for life time and could also continue from generation to generation. Whereas in the neo bondage system, the labourers involved were usually seasonal migrants who were bound only for the season. In this case only the indebted labourers get involved in the bondage not their family members. But in the *halipratha*, the wife and the children of the labourers would also need to work for the employer. In the case of brick labourers, the employers provided advance payment to wives and children separately depending upon their productive capacities. Often family members of the labourers went to other *mukadams* (jobber or labour recruiter) if they were getting a higher advance

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<sup>16</sup>*Halipratha* was a bondage system practiced in rural Gujarat in pre-colonial time. It gradually disintegrated during the colonial period. *Halis* were the agricultural labourers who worked for the landowners.

amount. The Neo bondage system is purely based on the labour contract unlike earlier systems where the relationship was based on patronage. Kiln employers were capitalist entrepreneurs rather than feudal patrons. The kiln owners hired the labourers for the time bound period with the help of middlemen. The labourers which included migrant men, women and children were sent back once the season got over. Unlike the earlier patronage system where patrons were willing to look after the *halis* (bonded farm labourers) in case of old age or sickness, the kiln owners did not provide any guarantee of survival for their workers.

In a study of Tamil Nadu power-loom industry, De Neve discussed the neo-bondage system.<sup>17</sup> The field work for the study was conducted from 1995 to 1997 in Kumarapalayam town in Namakkal district where well known *jamakkalam* carpets get woven. He found that in the power-loom factories whenever labourers got employed, they received an advance amount locally referred as *baki* from the factory owner. The *baki* was nothing but a debt which had to be repaid if labourers wanted to leave the factory and look for a job elsewhere. In this way, the labourers became bonded under the employers until they paid back the entire debt. This system makes the labourers dependent on their employers and makes them lose their freedom of movement. As a result, labourers are compelled to work for the employers until the advance amount gets repaid.

However Srivastava notes that the mere presence of a creditor-debtor relationship between labourers and their employers is not sufficient to denote a bonded labour relationship: the latter should result also in other involuntary restraints on the labourer; and in the Indian context, a creditor-debtor relationship is not even a necessary condition of

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<sup>17</sup>Geert De Neve, "Asking for and giving *baki*: Neo-bondage, or the interplay of bondage and resistance in the Tamilnadu power-loom industry", *Contributions to Indian sociology* 33, no. 1-2 (1999): 379-406.

bondage, since the Indian legal definition of bondage incorporates various categories of forced labour, while still treating the creditor debtor relationship as an important part of bondage.<sup>18</sup>

These studies have two elements in common. Firstly, restraints on freedom of movement of labourers and secondly, labourers are paid in advance as loan or their payment is halted.

### **Neo bondage in the time of pandemic:**

#### ***Restrain on freedom of movement by labourers***

Countless migrant workers walked back to their homes after losing their jobs, the ordeal of which made them reluctant to come back to work. A study was published by *Thomson Reuters Foundation* wherein interviews were conducted with the labourers over phone. One of them was Lokanath Swain, a 45 years old labourer who was working as a power-loom operator in Surat. Like millions of labourers who lost their jobs due to coronavirus lockdown and became penniless, Lokanath was also on the brink of starvation. He waited for forty days in the textile town and then boarded a bus for his hometown in Odisha. He called up his employer to ask for the pending wages of ten days but the employer did not pick up the phone. He felt helpless since there were no other ways to get his payment back. He thought he wouldn't survive until the time train services would resume, so he began his journey of 1700 km by bus. He took a silent vow not to come back to his workplace where he worked for nearly two decades. What is the point in returning when the employer for whom he worked for decades abandoned him at the time of distress, he said. It would be better to earn half and be with the family, he shared.

The case of Lokanath is not the only one. He is one of the often invisible army of 100 million migrant labourers in India. Rakesh

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<sup>18</sup>Srivastava, "Bonded labour in India".

Kumar was working in Bengaluru as an electrician. The lockdown and halting of railway services made him penniless because he could not manage his meals on his own during the lockdown. He had to stand in long queues to get food and face “humiliation of lifetime” which he was not used to. He said that he would go home once train services resumed and would never come back. He would look for work in nearby areas of his village and never come back to have this kind of humiliating experience again. Migrant labourers usually went to homes for festivals or during harvest season, but this time they said they would be staying back at their homes.

Many of the labourers went back with their families. Mahesh Rai, a resident of Vaishali district of Bihar was working in Haryana. He along with his wife and two little children covered a distance of around 1100 km partly walking on foot and partly on small vehicles. It took them ten days to reach their home. They survived the journey only on parched rice, biscuits and water. He said that as the lockdown began, people’s mindset changed and the labourers were seen as “corona bombers” who needed to be driven out as soon as possible.

When migrant labourers began walking towards their home feeling dejected by their workplace, a general sense prevailed among them to not come back to the cities. But the question is could these labourers sustain themselves in their villages? One of the labourers said in an interview with a journalist that, what would they do if not come back; there is no work here due to lockdown but there is no work at home as well; once the lockdown lifts we have to come back here otherwise how our families are going to survive.

Lockdown brought more difficulties in the already harsh lives of the labourers. There were no other options left for them other than going back home on foot or otherwise. The thought of not coming back could not be more than an emotional outburst since the economic situation back at their homes would not fulfill their basic minimum needs. Precisely this situation of not being free can be understood as neo-bondage. These labourers are informal labourers who do not have permanent jobs. But when it comes to their free movement, their

shackles become visible. They would be forced to come back to the cities since they would not be getting enough jobs, income back at their homes. Many labourers whose payments were kept on hold by their employers, will have to come back to get their payment. The nightmare for migrant workers will continue because the factors that made them leave villages to find employment outside have only worsened.

The labourers who left, began returning to the cities as the process of unlock started. A study carried out by several organizations such as Aga Khan Rural Support Programme, Action for Social Advancement, Grameen Sahara, i-Saksham, PRADAN, Saathi-Up, Sesta, Seva Mandir and Transform Rural India Foundation collaboratively reported that nearly two-thirds of the migrant labourers have either come back to the cities or wished to do so. The study was based on the survey of 4835 households across eleven states in the period between June 24 and July 8, 2020. The labourers are returning back due to the absence of the skilled work in rural areas, suggests the study. They ultimately need to come back to their worksites.

### ***Halting of payment***

A Mumbai based organization India Migration Now conducted a survey with 103 construction labourers and 25 petty contractors in Thane Maharashtra during March-April 2020. The survey reported that the construction workers did not get paid. Due to no income and social security, they preferred to go back to their villages. Labourers are paid by petty contractors and contractors are paid when the work is completed. So the petty contractors could not pay the labourers due to lack of finances. They only paid those labourers who chose to stay at construction sites.

In another survey conducted in Gurugram (Delhi- Haryana Border) in May 2020 with 100 labourers who chose to stay back during the lockdown reported that the labourers were not paid full wages for March and April. These labourers worked in garment factories,

rubber units, auto making factories etc. They were concerned with the fact that their employers had not approached them to resume the work or otherwise. Their decision to stay back became a costly affair. With payment on hold and no communication from their employers, they found themselves in a bonded situation. They stayed back because in the hope of getting a call from employers. Also they wanted to work at the same place where they worked in pre-covid time, probably because they do not see any other opportunities available for them. Thus the non-payment of wages created situations where labourers were either stuck at their place of work or forced to come back to the same worksite.

### **State's approach towards the labourers**

Role of the state during the lockdown needs to be assessed critically. One has to look at the measures taken in order to provide some relief to the labourers.

1. Non-payment of wages - In order to provide some aid to the migrant labourers, the Central government gave explicit instructions to reopen the rural jobs schemes from mid-April. "The government is concerned about migrant workers," India's Finance Minister Nirmala Sitharaman said. The studies mentioned earlier shows that the labourers were paid either reduced wages or no wages. There were no coercive measures taken if employers failed to pay their labourers.

2. Shutdown of transportation – When millions of migrant labourers lost their livelihood when industries were closed due to lockdown, they had no choice than to head towards their homes. Since the government shut down all the public transportation, many of them began walking hundreds of kilometers to reach their villages. They walked for days on railway tracks, highways, and roads with their families and friends. Instead of providing them transport services, they were chased away and sometimes beaten up. It took several weeks for state authorities to resume the railway services. By that time several labourers had died on their way back home.

3. Food security - If labourers were provided with the grocery items through Public Distribution System (PDS) during the lockdown, they probably had stayed back in the cities or at workplaces. At some places, cooked food was being distributed but that was not sufficient. One labourer said that, “we are also human beings; we cannot eat the same rice and lentil soup every day that too only once a day”. Only a robust PDS could save these labourers from food insecurity.

4. Availability of work in rural area - India’s government said it would spend 35 billion rupees on food for migrant workers and offer them jobs in their villages under a rural employment scheme. But the government data suggests that only 30 lakh people were provided with the jobs under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA) which is only 17 percent of the usual. The government failed to provide work to the migrants back home which will ultimately force them to come back to their workplace.

Role of the State during the pandemic has not been appreciated by the labourers. The apathy towards the informal labourers aggravated their vulnerabilities. One of the labourers said that the government is not for the poor labourers.

## **Conclusion**

In this paper I have analyzed that the neo bondage conditions are not necessarily linked to loans procured by labourers. It is a condition where labourers’ freedom of movement is curtailed. This also leads to the conclusion that capitalism thriving on free labour is not true. The condition of the informal labourers is visibly not of free labourers. Here in this case we saw that the labourers want to work back at their native places but they do not have means of subsistence in their locality. So they are forced to move to urban centers for livelihood. During the coronavirus pandemic the labourers were forced to migrate back to their homes. And since the capitalist economy would not survive without these labourers so they need to come back once the lockdown lifts up. They are in a situation where the labourers are being bonded in the larger capitalist system.



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***Sweta is a Research Scholar at The Centre for the Study of Social Systems, School of Social Sciences, Jawaharlal Nehru University.***