

BONDED LABOUR

INTRODUCTION

9.1 The system of bonded labour is an outcome of certain categories of indebtedness, which have been prevailing for a long time involving certain economically, exploited, helpless and weaker sections of the society. This system emerged from the uneven social structure characterized by feudal and semi-feudal conditions.

9.2 The issue of 'bonded labour' came to the forefront as a national issue, when it was included in the old 20-Point Programme in 1975. To implement this, Bonded Labour System (Abolition) Ordinance was promulgated which was later on replaced by the Bonded Labour System (Abolition) Act, 1976. Salient features of the Act are given below:

- On commencement of this Act the bonded labour system shall stand abolished and every bonded labourer shall stand freed and discharged free from any obligation to render bonded labour.
- Any custom, agreement or other instrument by virtue of which a person is required to render any service as bonded labour shall be void.
- Liability to repay bonded debt shall be deemed to have been extinguished.
- Property of the bonded labourer to be freed from mortgage etc.
- Freed bonded labourers shall not be evicted from homesteads or other residential premises which he was occupying as part of consideration for the bonded labour.
- District Magistrates have been entrusted with certain duties and responsibilities for implementing the provision of this Act.
- Vigilance committees are required to be constituted at district and sub-divisional levels.
- Offences for contravention of provisions of the Act are punishable with imprisonment for a term which may extend to three years and also with fines which may extend to two thousand rupees.
- Powers of Judicial Magistrates are required to be conferred on Executive Magistrates for trial of offences under this Act. Offences under this Act may be tried summarily.
- Every offence under this Act shall be cognizable and bailable.

In addition to the efforts made by the Government, National Human Rights Commission is also monitoring the implementation of the Bonded Labour System(Abolition) Act as per the directions of the Hon'ble Supreme Court.

CENTRALLY SPONSORED PLAN SCHEME FOR REHABILITATION OF BONDED LABOUR

9.3 In order to assist the State Governments in their task of rehabilitation of released bonded labourers, the Ministry of Labour launched a Centrally Sponsored Scheme since May, 1978 for rehabilitation of bonded labourers. Under this Scheme rehabilitation assistance of Rs. 20,000/- per freed bonded labour is provided, which is shared by the Central and State Governments on 50:50 basis; in the case of the Seven North Eastern States, 100% central assistance if they express their inability to provide their share. The Scheme also provide for financing of the following activities.

9.4 Rs. 2.00 lakh per sensitive district can be provided to concerned state government to conduct survey for identification of bonded labour once in three years.

9.6 Central assistance of Rs. 10.00 lakhs every year can be sanctioned to every state government to undertake awareness generation activities relating to bonded labour system.

9.7 Rs. 5.00 lakh per year can be sanctioned to every state government to study the impact of poverty alleviation programmes and financial assistance provided by various Government sources so far.

9.8 Besides above, the State Governments have also been advised to integrate/dovetail the Centrally Sponsored Scheme for rehabilitation of bonded labour with other ongoing poverty alleviation schemes such as Swaran Jayanti Gram Swa Rojgar Yojana (SJGSRY), Special Component Plan for Scheduled Castes, Tribal Sub-Plan etc. Accordingly, the rehabilitation package provided by the concerned Stated Governments for the freed bonded labourers includes the following major components:

- Allotment of house-site and agricultural land;
- Land development;
- Provision of low cost dwelling units;
- Animal husbandry, dairy, poultry, piggery etc.;
- Training for acquiring new skills; developing existing skills;
- Wage employment, enforcement of minimum wages etc.;
- Collection and processing of minor forest products;
- Supply of essential commodities under targeted public distribution system;
- Education for children; and
- Protection of civil rights

9.9 Details of bonded labourers identified/released and rehabilitated up to 31-3-2004 as reported by the respective state governments and the Central assistance released so far under the above mentioned Centrally Sponsored Scheme are given in the following table:

Name of the State	Number of Bonded Labourers		
	Identified and Released	Rehabilitated	Central assistance provided (Rs. in lakhs)
Andhra Pradesh	37,988	31,534	850.00
Bihar	13,370	12,552	361.18
Karnataka	63,373	57,121	1571.78
Madhya Pradesh)	12,822	11,897	146.35
Orissa	50,010	46,882	901.44
Rajasthan	7488	6331	72.42
Maharashtra	1,398	1,319	9.55
Uttar Pradesh	28,195	28,195	573.02
Kerala	823	710	15.56
Haryana	551	49	0.93
Gujarat	64	64	1.01
Arunachal Pradesh	3,526	2,992	568.48
Tamil Nadu	65,573	65,573	1661.94
Punjab	69	69	6.90
Chattisgarh	124	124	12.40
Uttranchal	5	5	0.50
Total	2,85,379	2,65,417	6753.46

9.10 Further, an amount of Rs.356.00 lakh has so far been released to various State Governments viz., Haryana, Punjab, Rajasthan, Tamil Nadu, Karnataka, Uttar Pradesh, Orissa, Bihar, Jharkhand, Madhya Pradesh, Arunachal Pradesh, Chattisgarh, Uttranchal and Maharashtra for conducting survey of Bonded Labour, evaluatory studies and awareness generation.