
UNIT 14 LANDLESS LABOURERS AND BONDED LABOUR

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14.0 OBJECTIVES

After reading this unit, you will be able to:

- trace the origin of landless labourers and bonded labour;
- know about initiatives taken for welfare of landless labourers;
- understand concept, magnitude and causes of bondage;
- explain the nature and extent of women and child bonded labour;
- draw a plan to combat bonded labour;
- highlight the constitutional provisions and legal safeguards; and
- discuss schemes for rehabilitation of bonded labour.

14.1 INTRODUCTION

The previous unit introduced you the development of SCs and STs and told you how they have historically lived as disadvantaged sections in the caste-based Indian society. Their disadvantage was further added with by the consequences of the Zamindari/land rent system that the British East India Company introduced in India by the end of the 18th century. In this new system, poor farmers lost land ownership which impelled them to become landless labourers and, even, victims of bonded labour. Victims of the bonded labour trap were mainly SCs and STs. This unit tell you about

landless labourers and bonded labour, their conditions, Constitutional safeguards for them and measures taken for their welfare. As these two categories have a common historical origin and are interrelated in rural India, let us begin our discussion with their origin.

14.2 ORIGIN OF LANDLESS LABOURERS AND BONDED LABOUR

Emergence of landless labourers and bonded labour can be traced to the introduction of feudal/*Zamindari* system under the colonial rule in India that created a huge population of landless labourers. Having established its rule in India, British East India Company introduced the *Zamindari* or new land rent system to control profit from agriculture and cash crops. The *Zamindars* or landlords who were appointed to collect land revenue for the Company charged high rate of interest from the farmers who could not pay in time the fixed land rent. If the farmers failed to pay the rent the *Zamindars* took away ownership of land from them, which made them landless and dependant on *Zamindars* for livelihood. Besides, this system systematically deprived the farmers from their own lands on the pretext of loans advanced by *Sahukars*/money lenders. The poor farmers were often trapped in a debt bondage wherein they ultimately lost their lands to *Sahukars* and became bonded labour on their own fields. It is important to note that most of these *Sahukars* belonged to high castes whereas the landless farmers/bonded labour mostly belonged to SC and ST communities. This practice went on for about 200 years until land reforms were introduced after Independence. However, its scars are still visible in the form of thousands of landless agricultural labourers. The State has made sustained efforts to deal with their problems but bonded labour is a matter of greater concern. Therefore, let us look into the initiatives taken for landless labourers.

14.3 INITIATIVES TAKEN FOR LANDLESS LABOURERS

Landless labourers in India are working in the unorganised sector. So they are covered under the initiatives taken by the Central Government and a number of State governments for workers in this sector. These governments have, so far, followed a two-pronged strategy, i.e., legislative measures and implementation of welfare schemes/programmes to take care of social security and welfare of unorganised workers. These are as follows:

- A Welfare Fund for different categories of occupational groups set up by the Government of Kerala
- Assam Plantation Employees Welfare Fund Act, 1959 enacted by the Government of Assam
- Social Security Authority set up by the Government of Karnataka for different occupational groups
- State Assisted Scheme of Provident Funds for Unorganised Workers launched by the Government of West Bengal

- Tamil Nadu Social Security and Welfare Scheme 2001, covering manual workers, such as auto-rickshaw and taxi drivers, washer-men, tailoring workers, etc
- Five welfare funds set up by the Central Government to provide financial assistance to *beedi*, non-coal mine and cine workers for their children's education, recreation, medical and health facilities, construction of houses, etc
- Skills Development Centres established by the Central Government to generate demand for skilled labour in the formal and informal sectors
- Mahatma Gandhi National Rural Employment Guarantee Act 2005 as the world's largest employment guarantee programme
- Legislative measures such as Minimum Wages Act 1948, Workmen's Compensation Act 1923, Maternity Benefit Act 1961, Bonded Labour System Abolition Act 1976, Contract Labour (Regulation & Abolition) Act 1970, Inter-State Migrant Workmen (RECS) Act 1979, Building and Other Construction Workers (RECS) Act 1996, etc.

14.4 CONCEPT, MAGNITUDE AND CAUSES OF BONDAGE

Often, poor people hit by adversity and hardships like natural disasters or failed crops migrate elsewhere for survival of themselves and their families, falling prey- out of starving and impoverished condition- to opportunistic and greed-driven feudal landlords and quarry owners who are always on the lookout for a cheap labour. In return, they are promised two meals and shelter and a token sub-human wage for hard labour. The entire family falls into the trap that seemingly meets two immediate requirements of food and shelter. As the worker who now needs clothes, medicines, and other basic necessities of life has no money to pay for such essentials. The landlord/employer readily loans him a pittance to be paid with interest over a certain period of time. Further loan is required to deal with needs of children's health, education and marriage. The loan amounts remains unpaid for the simple reason that the bulk of the victims' wages are paid in the form of meals and makeshift shelters. At times, children are pledged as collateral for loans. Thence, begins the generational journey of human indignity that takes its toll from the children and grandchildren of the unsuspecting, illiterate and gullible people who unknowingly took the first step towards this bondage – only to protect and save their families, not to make them subjects of this oppression. This is how bonded labour is created.

According to Forced Labour Convention, 1930 [No. 29, Article 2(i)], the forced or compulsory labour meant for all work or service, exacted from any person under the menace of any penalty, for which the said person has not offered himself voluntarily.

UN Supplementary Convention on the Abolition of Slavery (1956) defined debt bondage as “the status or condition arising from a pledge by a debtor of his personal service or those of a person under his control as security for a

debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined”.

The term ‘Bonded Labour’ thus refers to a worker who rendered service under condition of bondage, arising from economic consideration, notably due to indebtedness through a loan or an advance. Where debt is the root cause of bondage, the implication is that the worker (or dependents or heirs) is tied to a particular creditor for a specified or unspecified period until the loan is repaid.

As per the Bonded Labour System (Abolition) Act 1976:

“Bonded Labour” means any labour or service rendered under the bonded labour system [Section 2 (e)];

“Bonded Labourer” means a labourer who incurs, or has, or is presumed to have incurred a bonded debt [Section 2 (f)] and

“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 creditor to the effect that he would –

- i) 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 any unspecified period, either without wages or for nominal wages, or
- ii) forfeit the freedom of employment or other means of livelihood for a specified period or for an unspecified period, or
- iii) forfeit the right to move freely throughout the territory of India, or
- iv) 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 [Section 2(g)].

According to the Supreme Court’s very broad, liberal and extensive interpretation given through various judgments, where a person provided labour or service to another for remuneration less than the minimum wage, the labour or service falls clearly within the scope and ambit of the words ‘forced labour’ under the Constitution. This definition covers all of the permutations of the bonded labour system in modern India.

There are differences from one part to another in the country and one industry or landlord to another in terms of wages paid, the amount advanced, whether the advance is considered a type of loan or of wage, the hours worked per day and days worked per year, and whether the worker has some freedom from the bond-master or is kept under constant control.

Besides the skewed distribution of land and other assets, there is excessive seasonality of employment in agriculture and the absence of stable and durable avenues of non-agricultural employment. This all leads to seasonal migration. Further, denial of remunerative wages compels the tillers of soil to take recourse to loan/debt/advance in distress situations, leading to indebtedness and bondage.

The system of debt bondage evolved at different points of history in different parts of India. Different laws were also enacted, at provincial level, more to regulate than to abolish it, culminating in the Bonded Labour System Abolition Act of 1976.

In Andhra Pradesh, the system was the direct outcome of several categories of landlessness, involving various economically exploited sections of the society. It was known as *Vetti* (debt slavery), *Bhagola*, *Chakri/Jeetam*, etc., originated from the uneven/feudal and semi-feudal social structure existing in the Telengana region. The erstwhile Government of Nizam (up to 1949) took steps to eradicate the *Bhagola* in the old Hyderabad State by enacting the Hyderabad Bhagola Agreement Act 1943. However, its implementation suffered from pervasive ignorance, illiteracy and social backwardness of *Bhagolas*. Unfortunately the bondage was not perceived as a loss of personal freedom, rather it was regarded as a necessary and inevitable consequence of one's rank and status in the society.

In Bihar it is known as *Kanua* and *Sevakias* in Palamau, *Kamiauti* in Santhal Parganas, *Harwahi* in Bhagalpur, *Kandh* in Deoghar, *Bhaoti* in Godda and *Krishari* in Dumka. The origin of debt bondage can be located in the caste hierarchy and feudal structure of the village community. In the system the debtor worked for the creditor for long hours and low wages and under oppressive treatment and the obligations of one's father being passed on to the son. The Bihar and Odisha *Kamiauti* Act of 1920 declared all the *Kamiauti* agreements void, with some riders, but it could not do away with these social ills. Even today, the landless agricultural labourers from lower castes in Bihar are exploited by the higher castes by advancing them loans at usurious rates of interest.

In Karnataka, the system is known as *Jeetha*- the corrupt form of *Jeevitha*, meaning **the persons bonded for life time to render service**. The bonded labour system in the form of attached labour is widely prevalent in SC communities on a hereditary and obligatory basis. Its existence is confirmed in the reports of the Commissioner for SCs and STs between the 1960s and 1970s. The State Government promulgated an Ordinance on 20th October 1975, five days before the President of India promulgated a similar Ordinance. By May 1976, Karnataka had freed and rehabilitated 22,821 bonded labourers.

In Chattisgarh, the system is known as *Kamia* or *Saorija*. In Madhya Pradesh it is called *Harwah* in Betul, *Brondia*, *Kamdar* and *Mahidar* in Nimar Tract, *Mahindarihali* in Morena, *Barasia* and *Kabarani* in Balaghat and *Harwahi* in Vindhya region. In case of the *Kamiya* or *Harwah* an agreement is made between the tenure holder and the ploughman. The ploughman obtains an

interest free advance, renders services on nominal wages until the money obtained in advance is fully repaid and he loses the freedom to work for others. The reports of the Commissioner for SCs and STs in the 1960s and 1970s confirmed its prevalence in the districts of Ratlam, Jhabua and Mandsaur. The Government of Madhya Pradesh promulgated an ordinance on 25th September 1975, prohibiting the bonded labour system, which was effected on 2nd October 1975. By May 1976, Madhya Pradesh had freed and rehabilitated 243 bonded labourers.

In Odisha, known as *Gothi* this system is found in the districts of Koraput, Kalahandi and Ganjam. Landless tribal groups seek credit without any collateral to meet expenses on marriage, funeral, procuring cattle and other implements or for paying off bad debts and an oral agreement is made between the creditor and the debtor for an unspecified period, which covers the debt without any mention of the corresponding agreement. The *Bahabandh* (bonded slavery) and *Bethi* and *Begaar* (forced labour) were abolished in 1921 and 1923 respectively, followed by the enactment of the Orissa Debt Bondage Abolition Regulation 1948 that declared all *Gothi* agreements void with some riders. Consequently, several thousands of *Gothi* contracts were terminated. However, existence of the *Gothi* is confirmed by the annual reports of the Commissioner for SCs and STs, submitted to the Government for successive years.

Debt bondage in Rajasthan, known as *Sagri* system, is one of the most hideous manifestations of usury with its attendant elements of oppression and exploitation. It originated in the Bhil tribes' seeking of loan/debt/advance from crafty money-lenders for social ceremonies like marriage, remarriage and festivities associated with birth and death. There are two types of the agreement entered into between the *Sagri* (debtor) and the creditor, both being totally disadvantageous to the *Sagri*. Even after mortgaging the services of all family members, the principal amount could never be repaid. The *Sagri* had to take recourse to distress sale of land, animals, ornaments and agricultural produce while the bondage perpetuated for a period up to 20 years and, in a few cases, for even more than 20 years. It was abolished by the Rajasthan *Sagri* System Abolition Act 1961 which was further amended in 1975. In spite of the law, the system is in practice under the name *Hali* system- a variant of the attached agricultural labour system.

In Uttar Pradesh, known by different name, such as *Begar*, *Bandhwa Mazdoor*, *Bandhak*, *Bajgee*, *Sevak*, *Harwah*, etc., this system prevailed in agriculture, stone quarries, brick kilns, matchbox and fireworks factories and *bidi*, brassware, glass bangle and carpet manufacturing industries. It is found in the Pathar region of Banda and Allahabad districts, hill districts (Dehradun, Tehri Garwal and Uttar Kashi) and the carpet belt of Bhadoi, Varanasi, Mirzapur and Sonbhadra. First, there are several landless families from Kol tribes that render bonded labour services. Second, the landless and totally illiterate semi-tribal members borrow money from the Rajput or Brahmin money-lenders and pledge their services until the loan is paid off.

The problem of rural indebtedness and debt bondage is closely linked to the problem of immoral trafficking of women in the area. Poor families of dry

and drought prone Palamau and Gadwa districts of Bihar migrate to the adjoining Bhadoi, Varanasi and Mirzapur districts to work in carpet-weaving industry. Children aged 6-14 years accompany their parents and work with them in the same occupation, often in bonded conditions. They are recruited by agents against the provisions of the Children (Pledging of Labour) Act, 1933. More children also work under similar conditions in glass and bangle-making units of Firozabad, brassware units of Moradabad, lock-making units of Aligarh, pottery units of Khurja and a large number of brick-kiln industries operating in the Indo-Gangetic plains.

In Tamil Nadu, bonded labour has been identified in 10 out of 29 districts. Majority of bonded labourers belong to SCs and STs. They are known as *Izhavas*, *Cherumas*, *Pulayas*, *Panias* and *Holigas*. In the system a written agreement is made; the debtor receives less than minimum wages; the debtor is obliged to work for the master and has no freedom to work for others even at higher wages.

Yet, another vestige of the pernicious system is found among the hill tribes of Kalarayan where the Karalar tribes are bonded to the Jagirdars for life. With their family members, they work in the houses and farms of the Jagirdars without any wages and are compelled to sell the forest produce to traders and contractors nominated by the Jagirdars at low prices.

Besides these States with prevalence of bonded labour system, the other States and Union Territories also cannot be assumed as to be completely free of the social scourge of bonded labour. All it means is that (a) the bonded labour system has not been specifically surveyed; (b) wherever surveyed it has not surfaced and (c) wherever there is evidence of the system it relates to migrant populations who come and go from one part of the country to another.

Issue of women and child bonded labour is very important as they are main victims of this exploitation. There are indications that women in particular may be increasingly affected by bonded labour in agriculture. Before we take up this for discussion, let me check your progress.

14.5 BONDED WOMEN AND CHILD LABOUR

A recent study in Andhra Pradesh informed that male agricultural labourers were main beneficiaries of the policies that encouraged encroachment of government's wasteland, subsidies on credit, productive assets and food, as well as non-agricultural employment generation. Employers, thus, had less control over the consumption and residence of male workers, enabling men to escape from traditional bonded labour relations. Men had also delegated debt repayment to women both directly and also indirectly by shifting more of the responsibility for family provisioning onto the women.

As a consequence, women felt compelled to take up agricultural work, at whatever wages and conditions it was offered. Women had also been forced to take tied loans to pay men's debts when the men absconded, and to satisfy employers' expectations of loyalty to have access to consumption credit in

future. It was argued furthermore that this practice involved them to work on employers' or creditors' farms at significantly lower tied wages, as well as performing unpaid tasks throughout the season. Though drawn in only one study based on a single Indian State these findings are important to understand women as bonded labour.

Trafficking is the worst form of bondage, more specially trafficking in women and children. Trafficking generally refers to recruitment and potentially to transportation of persons within or across borders by use of deception, force or coercion. Trafficking should not be confused with voluntary labour migration as there is evidence to show that some children migrate voluntarily into highly exploitative situations.

Besides, while prostitution is the most prominent reason for trafficking, it is not the only one. The international solidarity, commitment and resolution to firmly deal with the issue was evident from a recent statement by Mr. Kofi Annan, Secretary General of the United Nations. While addressing the opening ceremony for signing a new convention against transnational organised crime in December 2000, in Palermo, Italy, he stated that the trafficking of persons for forced labour and sexual exploitation was one of the most egregious violations of human rights that the UN confronted.

Trafficking in persons means

- 1) The recruitment, transportation, purchase, sale, transfer, harbouring or receipt of persons by threat or use of violence, abduction, force, fraud, deception or coercion (including abuse of authority), or debt bondage.
- 2) Placing or holding such person(s), whether for pay or not, in forced labour or slavery-like practices, in a community other than the one in which such person lived at the time of the original act described.

Trafficking in children is caused both by economic factors and by prevalent structural inequalities and other social factors, such as dysfunctional home life, cultural values, etc. A study by the Central Social Welfare Board reported that most of the children brought to cities like Bombay, Calcutta and Delhi hail from States like Karnataka, Maharashtra, West Bengal and Tamil Nadu. The phenomenon is attributed to various factors. Sanctions and practices in certain castes/tribes like the Nats/Rajnats who were traditional performers in UP and Rajasthan, Bedias of UP, Rajasthan and Madhya Pradesh; criminal communities like Bhartu and Habura of UP, Dehrdar or former singers and dancers in UP, Gandharvas or singers in UP, and Kanjars and a wandering community in UP, MP and Rajasthan. Many of these communities have lost traditional means of livelihood due to the spread of modern forms of entertainment forces and so they have to allow exploitation of their girls/women for economic reasons.

The practice of dedicating girls to some God, as seen in the cases like Devadasi, Jogin, Basavi, Venkatsani, etc., even though banned in the States of Karnataka, Maharashtra, Andhra Pradesh, Tamil Nadu and Goa (where they were previously practiced), continues on a lower scale in a clandestine manner in some of these States.

Women in economic distress, due to lack of ostensible means of livelihood, widowhood, separation from husbands, abandonment by family, etc., are forced against their will to become victims of commercial sexual exploitation. Recruitment and working conditions are characterised by coercion, lack of consent and inability of the trafficked person to make choices, once the process of trafficking has begun. Recruiters use many forms of coercion, ranging from false promises to threats of and actual violence. Once moved to the place of work trafficked persons are often required to conspire with the perpetrators to avoid detection. Once they start working, their conditions might include debt bondage, slave-like practices, ensuring no escape and reinforcing the sense of absolute “ownership” over the trafficked person through violence or threats of violence, and no control by the trafficked person over their own body or sexuality.

It can also be argued that forced ‘marriages’ are a form of trafficking whereby women or girls are used as domestic labourers, while being held as virtual prisoners, raped continually by their ‘husbands’ and often forced to become pregnant to provide their ‘husbands’ with children.

Traffickers lure their victims by means of attractive promises, such as high paying jobs, glamorous employment options, prosperity and fraudulent marriages. It is estimated that 35% of the total number of girls and women trafficked in India have been abducted under the pretext of false marriage or good jobs. Parents and family members are also deceived by false promises and deception.

However, several studies confirm cases wherein the victim’s family members and relatives collude with traffickers to receive payment. In some communities, family members, village leaders and neighbours do not perceive removal of a child or young woman with a few prospects from the family of traffickers as a criminal act. In several areas, this is seen as a viable survival strategy for poor families, and, therefore, they neither support prosecution nor acknowledge the level of harm caused to the victims or the community. Poor households in debt or struggling with insecure livelihoods may be compelled to hand over children into debt-bondage or allow them to migrate by themselves.

The clandestine nature of these operations makes it extremely difficult to collect accurate, authentic and up-to-date data about the magnitude of the problem. A survey sponsored by the Central Social Welfare Board (CSWB) in 1991 in six metropolitan cities of India reported the population of women and child victims of commercial sexual exploitation to be between 70,000 and 100,000. Of that, about 30 percent of the women were below 18 years ; nearly 40 percent were inducted when they were less than 18 years of age; 70 percent were illiterate and 43 percent expressed a desire to be rescued.

14.6 PLANNING TO COMBAT THE TRAFFICKING

Considering the damage involved in trafficking is colossal and often irreparable, any plan of action to combat trafficking must address the

problem in its totality with all urgency and seriousness. It can broadly include: prevention; protection and removal of children from trafficking situations, and healing, return and integration of child victims. Prevention activities may take two forms: (i) those which increase community-level awareness of the problem and (ii) those which provide alternative income generating or educational opportunities to children at risk. Both the activities, being equally important, must be taken up simultaneously in an even manner.

The Constitution's Article 23 prohibits trafficking in human beings. Immoral Traffic (Prevention) Act, 1956, supplemented by Indian Penal Code (IPC), prohibits trafficking in human beings, including children, and lays down severe penalties. They prescribe punishment for crimes related to prostitution by both boys and girls who have not reached the age of 16 years. Juvenile Justice Act 1986 provides for care, protection, treatment and rehabilitation of neglected or delinquent juveniles, including girls.

The responsibility for enforcement of both the legislation and the IPC falls directly on the State governments. Impact of both legislative and administrative interventions has been minimal and trafficking within the country as well as across the borders continues unabated.

In general terms, apathetic attitude of all sections in the society towards the issue of commercial sexual exploitation, lack of coordination between key players, risks including threat to life faced by social workers, NGOs and law enforcement officials, weak punishment for trafficking offenders, cumbersome repatriation process and the social stigma attached to the victims are factors responsible for the present unsatisfactory situation.

NGOs need to be assisted by the governments to set up help lines and help booths in identified bus and railway stations and also at sea routes (ports) and international river transport points. Police, railway police, port and transport authorities need to conduct surprise checking and inspection of persons taking young girls and women under suspicious circumstances for the purpose of trafficking.

Brothels and other establishments where children are trafficked and exploited need to be raided and children be rescued. The Government needs to appoint and train a group of police officers to work solely on trafficking related offences. Much of the success behind all governmental initiatives depends on a proper coordination between the government and the NGO sector.

Most of children who work as bonded labourers in India were put into bondage in exchange of comparatively small sums of money which is, however, a life-saver for a vast number of the extremely poor with scant alternative sources of credit available, ie, few rural banks, cooperative credit schemes or government loans. They have to turn to the local moneylender who extracts the only collateral available, the promise of their labour or their children's labour. The creditor-employer offers money to impoverished parent to secure the extremely cheap and captive labour of his or her child, and the parent accepts this money, agreeing to offer the child's labour as surety for the debt. This makes the child a commodity of exchange. The child is powerless to affect the agreement and is willingly or unwillingly bound to

14.7 CONSTITUTIONAL PROVISIONS AND LEGAL SAFEGUARDS

2.7.1 The Constitutional Provisions

The Constitution's Article 21 guarantees the right to life and liberty. The Supreme Court has interpreted the right of liberty to include, among other things, the right of free movement, the right to eat, sleep and work when one pleases, the right to be free from inhuman and degrading treatment, the right to integrity and dignity of the person, the right to the benefits of protective labour legislation and the right to speedy justice. The practice of bonded labour violates all of these Constitutionally-mandated rights.

The Article 23 prohibits the practice of debt bondage and other forms of slavery. Traffic in human beings and *begaar* and other similar forms of forced labour are prohibited and any contravention of this provision shall be an offence punishable in accordance with the law. *Begar*, the ancient caste-based obligation, is a form of forced labour extracted from a person without paying any remuneration. Examples of force include overt physical compulsion and compulsion under threat of legal sanction (as in the case of an allegedly unpaid debt), as well as subtler forms of compulsion, including "compulsion arising out of hunger and poverty, want and destitution".

Article 24 prohibits children's employment in factories, mines and other hazardous occupations. Articles 23 and 24 are together placed under the heading "Right against Exploitation", one of India's Constitutionally-proclaimed fundamental rights.

14.7.2 National Human Rights Commission

The Supreme Court, in its order given in 1997, in PUCL case, has directed the Government to involve National Human Rights Commission (NHRC) in dealing with the issue of bonded labour. Pursuant to this order, a Central Action Group, constituted within the NHRC, is holding regular meetings on the matter with the State Governments.

Government of India has consistently been proactive on the issue of forced or bonded labour in the country. It recognises this system as a gross infringement of the fundamental human rights of the affected citizens and is implacably committed to its total eradication in the shortest possible time.

14.7.3 Commissioner for Scheduled Castes and Scheduled Tribes

An important awareness-building role in the 1980s was played by Commissioner for Scheduled Castes and Scheduled Tribes. Its reports have tended to contain a special section on bonded labour, which particularly affects the situation of Scheduled Castes and Tribes. It formulated recommendations for both the Government and the society at large.

14.7.4 National Commission on Rural Labour

Between 1987 and 1991, National Commission on Rural Labour also constituted study groups on bonded labour and rural labour indebtedness. These studies did much to establish the extent and nature of rural debt, its purpose and sources, as well as its particular incidence among Scheduled Castes and Scheduled Tribes. The elimination of bonded labour has very much been an issue for development.

14.7 SCHEMES FOR REHABILITATION OF BONDED LABOUR

The State Governments have been advised to integrate/dovetail the Centrally-sponsored scheme for rehabilitation of bonded labour with other on-going poverty alleviation schemes, such as Swarna Jayanti Gram Swa-Rojgar Yojana (SJGSRY), Special Component Plan of Supreme Court, Tribal Sub-Plan, etc. Accordingly, rehabilitation package to be provided by the concerned State governments for freed bonded labourers includes the following major components:

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

A scheme launched by the Ministry of Labour in 1978 has specified a rehabilitation allowance to assist the State governments for rehabilitation. Under this, the Central Government contributes half of the rehabilitation assistance allowance to every freed bonded labourer, and the State of the bonded labourers' residence pays the other half. Envisaging the reasons that lead to bondage and possibility of relapse if the released are not rehabilitated, the Government expanded this programme in 1982 by adding the following rehabilitation guidelines of the Ministry:

- i) Psychological rehabilitation must go side by side with physical and economic rehabilitation;
- ii) Physical and economic rehabilitation comprises 15 major components: allotment of house-sites and agricultural land, land development, provision of low cost dwelling units, agriculture, provision of credit,

horticulture, animal husbandry, training for acquiring new skills and developing existing skills, promoting traditional arts and crafts, provision of wage employment and enforcement of minimum wages, collection and processing of minor forest products, health, medical care and sanitation, supply of essential commodities, education of children of bonded labourers and protection of civil rights;

- iii) For rehabilitation of quality, integration among the various Central and Centrally-Sponsored Schemes and the on-going schemes of the State Government should be considered. Also, to ensure that the funds drawn from different sectors/schemes for different components of the rehabilitation scheme are integrated skilfully in case they are drawn not for the same purpose and
- iv) In any rehabilitation scheme/programme drawn up for freed bonded labourers, they must get a choice out of various rehabilitation alternatives before such programme is finally selected for execution so as to meet the total requirement of their families and enable them to cross the poverty line, on the one hand, and to prevent them from sliding back into debt bondage, on the other.

14.9 LET US SUM UP

India has clear constitutional and statutory provisions relating to elimination of forced/bonded labour. Taking cognizance of forced/bonded labour on many occasions, the Supreme Court has given a broad, liberal and expansive interpretation of bonded labour, issued a number of directions to the Central and State governments on the subject and entrusted the responsibility for overseeing the extent of compliance of its directions to the National Human Rights Commission for monitoring implementation of its directives. The State governments are directly responsible for implementation of the legal provisions and rehabilitation schemes for freed bonded labourers. The problem's magnitude is, however, very large. So, a lot more planned, coordinated, concerted and convergent efforts are required.

14.10 KEY WORDS

Landless Labourers: The poor farmers who, trapped in the debt bondage, have lost their lands to *Zamindars* or *Sahukars* and work as bonded labour on their own fields.

Bonded Labour: Any forced labour or service rendered by the debtor or his/her family member under an agreement made with the creditor.

14.11 SUGGESTED READINGS

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