

**NATIONAL SEMINAR ON BONDED LABOUR**  
**HELD AT INDIA INTERNATIONAL CENTRE, NEW DELHI**  
**ON 30<sup>TH</sup> SEPTEMBER, 2011**

The National Human Rights Commission organised a ***National Seminar on Bonded Labour on 30<sup>th</sup> September, 2011***, at India International Centre, New Delhi. The Seminar was chaired by Justice Shri KG Balakrishnan, Hon'ble Chairperson NHRC. It was attended by Justice Shri GP Mathur, Justice Shri BC Patel, Shri Satyabrata Pal and Shri PC Sharma, Members of NHRC, Chairpersons and Members of State Human Rights Commissions, NCSC, representatives of State and Central Govt and other professionals. The List of participants is enclosed.

**Inaugural Session**

Welcoming the participants, **Secretary General NHRC, Shri Rajiv Sharma**, stated that bonded labour and child labour are two threats which are impeding our progress to attain a status of fully developed economy. Deliberations of the seminar would be path breaking and would assess the State and Central Govt in overcoming the problems being faced in elimination of bonded labour and child labour.

**Hon'ble Chairperson NHRC, Justice Shri KG Balakrishnan**, in his inaugural address informed the gathering that the Commission in the current year has decided to focus on bonded labour and child labour. It is doing its best to eliminate this shameful system of bonded labour as this is the worst form of human rights violation. It is violation of Right to Life, Right to Equality, Right to individual dignity, which are more important. Landless poor, agricultural labourers, some artisan those having no employment are the main victims of this system.

He said, even after many years of independence and various welfare programmes of State and Union Govt, there still exists bonded labour and we are unable to eliminate it. It is very common in brick kilns. It is being done very clandestinely and in some places it is being done openly.

He stated that Commission receives a number of complaints on bonded labour and child labour. But co-operation from States is not encouraging in some cases. With Commission's sincere efforts, the practice of 'Bartan' system, a form of bonded labour, prevailing in Odisha for centuries, has come to an end recently.

He said many provisions of the Bonded Labour System (Abolition) Act are not effectively implemented. Vigilance Committees are either not constituted or re-constituted in the districts and sub-divisions. Existing Committees do not meet regularly nor do they go to field to conduct inquiries as required by law.

He informed that Supreme Court in 1997 while dealing with the WP(C) No. 3922/1985 Public Union for Civil Liberties Vs. State of Tamilnadu had requested NHRC

to monitor the elimination of bonded labour system and also the implementation of the BLS (A) Act. He appreciated the contribution of the NGOs in this area.

While addressing the participants, **Member NHRC Justice Shri BC Patel**, apprised about the theme of elimination of bonded labour system with its three faces :-

Firstly, he stated that victims of this system are from such occupations and processes which fall into the unorganised and informal sector of the Indian economy. Workers employed therein are members of SC, ST and minorities who are mostly non-literate and non-numerate and do not easily understand the arithmetic of loan/debt/advance and the documentary evidence remains with the creditor and its contents are never made known to the debtor.

Secondly, the perpetrators of the crime or the bonded labour keepers think and believe that they are a law unto themselves on account of money power and muscle power. They do not maintain the statutory records and registers. They pay bribe to police, labour inspectors, other law enforcement agencies representing sales tax, income tax and central excise and think and believe that they can buy anyone and everyone, can commit any crime and yet escape with impunity. If there is a complaint about prevalence of bonded labour system, the offending employer makes every possible attempt to issue threats to the complainants, take recourse to physical coercion, abuse, torture, harassment, sexual harassment of women at workplace. He illustrated some cases where despite all the threats and pressure tactics exerted by the offending employer, the victims have managed to reach the NHRC to narrate the agonizing story of their suffering to the Commission.

Thirdly, the District Magistrates have been conferred with the sweeping powers under section 10, 11 and 12 of the Bonded Labour System (Abolition) Act and they should exercise these powers with due discretion and diligence, which has not been the case on the ground. Whenever a complaint on prevalence of bonded labour system is received by the DM, he does not treat it with the urgency and seriousness of concern with which it should be handled. He himself has no time to go to the field to conduct the inquiry and delegates his powers to any sub-ordinate officers of labour law enforcement machinery, which is not in order. The lower echelons of bureaucracy without proper orientation and sense of responsibility conduct the inquiry proceedings in stereotyped manner. The inquiry report is then prepared completely relying on the statement of the employer as they approach the employer first and record his statement, which is invariably in the negative.

He said that, the report submitted by inquiry officers to DMs are almost one sided and heavily prejudiced against the aggrieved. The DMs without proper scrutiny and application of mind forward the report to the Commission. Such a flawed report is normally rejected by the Commission ordering re-inquiry which entails considerable loss of time, energy, resources and the whole exercise turns out to be infructuous.

## **Technical Session**

### **Presentation by Ministry of Labour & Employment**

**DG (Labour Welfare) Shri Anil Swarup**, gave his presentation with a different approach to look into this whole issue of bonded labour which was giving a bad name world-over. He said that there is desperate need to emphasize the existing provisions and to get the moving on the ground. The problem is not as tricky as it was forty years ago. Large part of this problem can be taken care of, if its economic aspect is touched upon. Taking a view on rehabilitation package, he said that the root cause of the problem is not addressed. Freed bonded labour may further go to bondage if we do not look at the matter with a comprehensive convergence social approach for empowering the workers.

He informed that Ministry of Labour & Employment has started a pilot projects which has been launched successfully in two districts of Tamilnadu and is in the process of replicating it in Andhra Pradesh, Orissa and other states. There is no extra expenditure involved. Govt has myriads of schemes. Important is to identify and implement those schemes on workers through a projected system which is also closely monitored. The Ministry is trying to converge the schemes which are helpful to locate the migrant workers. The scheme called "*Rashtriya Swasthya Beema Yojna*" where a smart card is issued to the family of the poor to avail of medical facilities, hospitalization facilities anywhere in the country in more than 8000 hospitals.

While concluding, he said that there is a need to sit down with civil society members, NGOs, and enter into a dialogue, workout a project and start working with them, sensitize labourers of their own rights. The key towards success to the scheme is that it does not require much funding except the different approach and a change in the attitude.

### **Presentation by Shri Chaman Lal, former Special Rapporteur NHRC**

He said that the Hon'ble Supreme Court has given some broad, expansive, liberal interpretation in this regard without changing the definition and enlarging the scope of the Act. Wherever minimum wages are not paid, it is the breach of the provisions of the Act and an offence is committed. The remedy to this is that a person can approach the Court and ask for the payment of the wages due to him.

He elaborated upon the role of Social Action Groups and activists who can be involved in identifying the bonded labour. The authorities are duty bound to involve them in the inquiry, take them along when go to the spot and to act on the complaints received from them.

He said that DMs are the only authority to inquire in to the complaints of bonded labour and they should identify pockets in the districts which are prone to bonded labour. The release certificate is mandatory to be issued to all freed labourers and referred to section 6 of the Act where liability of re-payment of advance/loan has been

extinguished. He said that section 11 of the Act says that it is the duty of DM to promote the economic interest of the freed bonded labour to see that there is no occasion and reason to get back to debt bondage again. He referred to the report of expert committee constituted by NHRC under the chairmanship of Late Shri SR Shankaran and shared some of the suggestions and recommendations made by the committee.

He also said that minimum wages needs to be reviewed and revised in every two years as part of our commitment to progress towards the fair wages/living wages as minimum wages are just the barest minimum for their survival only. The practice of deception, fraud, manipulation of the employer/contractor should be stopped. He said that the laws are required to be made more stringent and law enforcement should be strengthened. Accountability needs to be fixed for the public servant like DM and in elimination process, the Panchayati Raj Institutions can play a vital role.

### **Presentation by Justice Shri K Ramaswamy, former Member NHRC**

**Justice Ramaswamy** in his presentation focused on seven specific cases of the Hon'ble Supreme Court dealing with bonded labour. In the case of Bandhua Mukti Morcha of 1983 delivered by Justice Bhagwati Jai Biswas, Supreme Court had expanded, elongated and dynamited the provisions of BLS enlarging the scope of the Act and given 18 directions for implementation of the BLS (A) Act to give benefit to the released bonded labour. In the case of BMM of 1991 the Supreme Court had given directions to constitute vigilance committees at the district level and the sub-division level, involving not only the officials but also the NGOs. It was also laid down that the Housing facilities with hygienic conditions should be provided to the workers at the workplace, supply of free drinking water, free medical facilities, maternity benefits, and they free treatment to the injured workers, patients and their families and the cost of the employer and the stone crushers etc.

The third significant direction of the Supreme Court of 1983 came in the case of Chaklaka Vs State of Bihar when bonded labourer was rolled back by payment of amount. In the case of Prasad Sharma of Bihar of 1993 the SC directed that the unauthorized occupants of the houses should be evicted and these should be re-allotted for the rehabilitation of released 445 bonded labourers..

The fifth case referred was on PUCL Vs State of Tamilnadu of 1994, wherein the directions of SC was to identify the Bonded Labour prone villages for remedial action of prevention of bonded labour system and release and rehabilitation of bonded labourers. Providing shelter, food, clothing and education to the children and medical facilities to the bonded labourers as a part of the rehabilitation package. DMs were directed to send periodic reports to the Supreme Court and also the particulars and data of the prosecution of the employers.

In the case of BMM of 1997, the SC has given significant directions on child labour and also bonded child labour. Several directions were given for protection and rehabilitation of child labour and also to give them education, food and clothing, if employed and subjected to indignity. The seventh case he referred was again related to

PUCL Vs State of Tamilnadu of 2004 where the constitution of the VC at the district and sub-divisional levels was re-iterated.

While concluding his presentation, he referred to the report submitted by the committee headed by Shri SR Shankaran. The report has recommended for amendment of the BLS (A) Act to make it an effective tool for implementation. Concurrence of this seminar will give remedial directions to concerned authorities and also recommend to the Parliament to amend the Act as given in the report by three former member committee constituted in the Commission to make it an effective law.

### **Presentation by Dr. L Mishra, Special Rapporteur NHRC**

Dr. Mishra while speaking on identification of bonded labourers said that few States are taking a stand that there are no bonded labourers without even constituting Vigilance Committees and without getting a survey conducted by them as required u/s 14(e) of Bonded Labour System (Abolition) Act. This was regrettable as compliance of something which was statutorily mandated for the States did not come from them normally, naturally and spontaneously and they had to be reminded by the apex Court about their statutory obligation.

He further stated that Vigilance Committees are mechanically constituted, not always by women and men of character, integrity, dedication and commitment to the primary mandate which Section 14 of the Act placed for these bodies and sometimes with persons of vested interest who are totally opposed to elimination of bonded labour system. The VCs meet and disperse in the Chambers of DMs and SDMs without going to the field, without conducting investigations into complaints, without conducting surveys, without creating and maintaining a data base and using the same as a tool for planning for identification and rehabilitation of bonded labourers.

He said that ground reality is that States do not acknowledge the existence of bonded labour system and DMs, Executive Magistrates are varying of issuing release certificate. The manner in which field level inquiries or investigations are being conducted today despite sweeping powers having been conferred on the DM u/s 10, 11 and 12 of the Bonded Labour System (Abolition) Act is nothing but a mockery of the legal system and a travesty of justice.

### **Presentation by Shri Harsh Mander**

Shri Mander said that bonded labour in the farming sector is mostly due to caste-based prejudices being practiced against the dalit communities and due to the absence of a proper land reforms policy.

He suggested that preventive efforts should recognize the social dimensions of bondage. There is an urgent need to plan strategies to eliminate bonded labour system and to address the root causes such as labour market segmentation, entrenched social discrimination, lack of financial services, lack of outreach of social partners in the informal economy etc.

There is a need to create more rural employment generated programmes like MNERGA, SJSRY etc for the distress migrant labourer, strong implementation of labour laws in all states/UTs and bring long-term development and land reforms measures along with poverty alleviation and social security plans as pathways for freedom from bondage.

## **PRESENTATION FROM STATES & UNION TERRITORIES**

### **Bihar**

Shri Vyaj Ji, Principal Secretary (Labour) suggested enforcing of Minimum Wage Act in its true spirit to make it applicable for MGNREGA also. He added that there should be a provision in the bonded labour System (Abolition) Act for fixing the accountability of the District Magistrates. He informed that for enforcement of labour laws in the State, a special squad has been formed and the State Govt has approved a plan of action for rescue and rehabilitation of bonded and child labour.

He mentioned that a Task Force has been constituted for carrying raids in trains, buses. Raising the issue of migrant worker, he said that all the State Govts should coordinate to ensure the welfare of the migrant workers. He briefed about the scheme of *Aam Aadmi Bima Yojna* for landless rural households and the workers in unorganised sectors and highlighted the features of the scheme which provides insurance to the head or the earning member of the family of a rural landless household.

### **Haryana**

Shri Sarban Singh, Principal Secretary (Labour) stated that as per directions of Hon'ble Supreme Court, High Court, NHRC, the state government is implementing various provisions of BLS (A) Act. Vigilance Committee was first time constituted in 2003 and its re-constitution is yet to be taken up. Under the centrally sponsored scheme of Govt of India, bonded labour survey was conducted in 2004 with the help of some NGOs in 08 districts which revealed that there was no bonded labourer and no reported cases of bonded labour per-se. For rest of 13 districts, funds have been released by Govt to conduct surveys on bonded labour. It was informed that a Bonded Labour Cell is functional at Chandigarh in the office of Labour Commissioner with a helpline.

He stated that with the help and association of Deptt. of Education and Health, PDS, temporary ration cards were issued to the workers at brick kilns and also health officers do visit at the work sites. A concept of *Bhatta Pathshalas* has been introduced on cluster basis at brick kiln sites.

### **Jharkhand**

Shri Vishnu Kumar, Principal Secretary (Labour) informed that in Jharkhand there are 06 Labour Courts and 01 Industrial Tribunal, Assistant Labour Commissioners, Deputy Labour Commissioner, Superintendents, Circle Officers, who

have been empowered to hear the cases under Minimum Wages up to the amount of Rs. 25,000/-.

He stated that the State Govt has revised Minimum Wages in the year 2005 and in 2011. Minimum wages have been fixed for 9 employments including domestic workers. He informed that a State Labour Institute has been created which will start functioning soon.

The subject of bonded labour system has been transferred from Labour Commissioner to Directorate of Social Security which is responsible for Old Age Pension scheme and are not sensitive and familiar with the labour laws. He informed that they have introduced 'Straight Social Security Pension' scheme for released bonded labourers who are paid Rs. 400 per month. Some other benefits under SJSRY, PMRY and IAY have been provided to the bonded labourer.

He requested NHRC to organize a workshop at Ranchi for sensitization of DMs of 24 districts and officials of Social Security Directorate about elimination of bonded labour. There are Vigilance Committees at division and sub-division level in 22 districts and other 2 districts are in process of this.

He informed that under NCLP, about 1000 schools are running in 9 districts. They are being monitored and regular meetings are held with labour commissioner.

## **Karnataka**

Shri GS Narayanaswamy, Secretary (Labour) informed that bonded labour subject is being dealt by Deptt. of Rural Development and Panchayati Raj in their State.

He informed that Karnataka Panchayat Raj Act 2009 has been amended by inserting a new section 58 (a) where it has become mandatory for every Gram Panchayat to report any case of bonded labour in PR area to the Govt failing which it will be construed as default for the purpose of section 268 of the Act. State Govt has also issued a circular to all the heads of the department in the Annual Performance and Reports of the officers regarding their attitude, action taken and achievements made towards eradication of bonded labour system in the State.

A three men committee comprising of Zila Panchayat Adhikshak, District Magistrate, Chief Executive Officer of Zila Panchayats have been constituted for ensuring convergence of development programmes for rehabilitation of bonded labourers. A new scheme has been launched in the State from 2006 onwards under which an amount of Rs. 300 per month is provided to every newly identified and released bonded labour for the first two years from the date of release from bondage to meet their immediate needs.

The State Govt is not denying of existence of bonded labourers and efforts are on for identifying and rehabilitating these bonded labourers but the process is on small

scale. This is required to be expedited and upscaled to eradicate the problem in a time-bound manner.

## **Maharashtra**

Ms. Kavita Gupta, Principal Secretary (Labour) informed that the State is having 35 districts Vigilance Committee, 109 Sub-Division Vigilance Committee. Labour department has carried out two surveys on bonded labour and in the second survey existence of bonded labourer was not found.

She also informed that the State Govt has amended 5 of the Acts and mandated to pay the wages to labourers through cheque or Bank Account only. It covers both organized and un-organised sectors to bring transparency in paying the wages. She has designed a Labour Management System and at present piloting it in Thane district and will be replicated in other districts also. This will enable to have a mechanism to tally Bank accounts of the labourers with the returns filed by the employers.

She shared a practical problem being encountered by her department that workers are often threatened by their employers if they insist to get themselves registered or enrolled. Either they are asked not to come for work next day or they are themselves not willing to come and register because of fear. She could not find any practical solution to it because people are migrant and they require day to day earning. In unorganized sector, majority of workers are not shown on their musters. There is no means of verifying whether minimum wages are being paid or not.

As far as bonded labour is concerned, she informed that they are having Convergence Committee at the level of Chief Secretary where various departments are represented. They are working out convergence solutions on the issue of Child labour.

## **Madhya Pradesh**

Shri LP Pathak, Dy Labour Commissioner from the State of MP informed that in the year 2000, 723 bonded labourers were rehabilitated and in all the districts, Vigilance Committees have been constituted.

He said that at the administrative level all government schemes and programmes meant for poor people are merged with Lok Seva Gurantee Scheme. He informed that though Vigilance Committees are not holding regular meetings yet the labour department is taking action to this effect.

## **Meghalaya**

Ms. MN Nampui, Labour Commissioner stated that Vigilance Committees at the districts and at the Sub-Divisional level was constituted in 1997 and steps for its re-constitution is already under process.



As per the Hon'ble Supreme Court directives a survey on bonded labour was conducted in 1997. The report based on that survey indicated non-existent of bonded labourers in the State of Meghalaya. Although the system of BL does not exist in the State, the Govt of Meghalaya is still vigilant to identify and abolish such a system in consonance with the Act.

She further stated that the State is industrially backward and there is no large scale industry. The historical, cultural, social and traditional customs of the tribal population of the State do not permit the evil system of bonded labour as it is inimical and repugnant to freedom and liberty as well as equality.

## **Orissa**

Shri Chintamani Patra, Addl Secretary (L&E) informed that Bonded Labour issues are looked after by the Deptt. of Panchayati Raj. He stated that District Vigilance Committee, Monitoring committee and Sub-Divisional Monitoring Committee have been constituted in the State. He said that the State of Orissa being a poor State, about 80-90 lakhs labourers migrate to different States like Andhra Pradesh, Karnataka, Tamilnadu and other parts of the country.

During the current year, about 370 bonded labourers were released from TN & Karnataka and the State Govt is waiting for central share to rehabilitate them. After receipt of the funds only, the State Govt will be able to take appropriate steps for rehabilitation under different anti-poverty programmes. As per instructions of NHRC, Govt of Orissa has abolished the 'Bartan' system.

## **Punjab**

Shri Harsh Nayyar, Addl Labour Commissioner intimated that the State is in process of constituting VC for 05 more districts and 10 more sub-divisions in the State.

It was intimated that, in Punjab all the brick kilns are registered under the Factories Act. In the year 2010, all the brick kilns of the state were inspected and those not implementing the labour laws were penalised. Prosecutions under the provisions of Factories Act were initiated in 676 brick kilns where drinking water facility was not found.

On the directions of NHRC all the DMs were instructed to carry out proper inquiry as per the provisions of Bonded Labour Act and send the reports to the Commission in time. The State Govt is presently having 73 scheduled employments under the Minimum Wage Act and they are in process of adding 07 more to cover majority of the workers in the un-organised sector.

## **Tamilnadu**

Smt K Petetiammal, Jt Dir Tribal Welfare Deptt. from the State of Tamilnadu appreciated the efforts of the NHRC made towards the elimination of bonded labour.

She requested that the amount of rehabilitation package should be raised upto Rs. 50,000/- from the present Rs. 20,000/-. She said that sudden raids should be conducted which can help in eradicating bonded labour system. She suggested amendments in the Bonded labour Act for making it more effective.

## **Uttar Pradesh**

Shri Syed Rizwan Ali, State Co-Ordinator from UP presented a status of the bonded labour situation in the State, problems faced by them and the efforts made by the State Govt. The frequent instances of bonded labour are in the districts of Western UP like Bulandshahar, Muzaffarnagar, Badaun, Aligarh, Muradabad, Baghpat, Gautam Budh Nagar, Ghaziabad. State has been making monthly review of the bonded labour situation at Principal Secretary Level on quarterly basis and Labour Commissioner Level on monthly basis. Quick and prompt action is taken on complaints received from NHRC and other sources.

Stating about the new achievement, he said that they are having regular dialogue with brick kiln owners for implementation of BLS (A) Act effectively. Employer Unions and their representatives have also signed a Code of Conduct to ensure proper documentation of the workers and basic facilities at worksite. As a part of Code of Conduct they will help and facilitate education of children of the workers, opening of Bank Account, availability of clean and safe drinking water.

Speaking about status of Vigilance Committees, he said that out of 75 districts, VCs in 40 districts have been reconstituted. At sub-divisional level VCs in 198 districts have been constituted. He informed that State Govt is planning a pilot project with the help of ILO. To start with, 6 districts have been identified names Muzaffarnagar, Badaun and Baghpat from destination place and Gautam Budh Nagar, Ghaziabad and Aligarh with the objective to access to Govt welfare schemes, to increase the awareness of the target groups, to achieve the significant improvement in workplace, facilities and transparent records in brick kilns.

He informed that for last 5-6 years, the State Govt has not received any amount from Govt of India for conducting surveys on bonded labour. Hopefully, after receiving the amount department would go for some studies and detail surveys.

## **Presentation by NGOs**

**Programme Officer, ILO, Ms. Neetu Lamba**, gave a brief presentation covering ILO Conventions, lessons learnt on work programme of ILO and what ILO can do.

Moving on to the lessons learnt she said that ILO is working together with Ministry of Labour on issue of bonded labour for almost a decade. She emphasized that the first strategy to eliminate bonded labour should focus on root cause and not its symptoms. Convergence is not in the system but it is essentially coordination. When we look at workers and employers sitting together and working out contractual agreement, this is convergence in action which makes it a reality. She also said that there is a need

to have a sound re-habilitation package before looking at any rescue operation. It is through written contract between workers and an employer and the channel payment through Banks which will lend transparency to the system. She said that elimination of the BL is not just the business of NHRC or ILO or the Govt or the worker or the NGO. It is an equal responsibility of all stake holders.

ILO through its neutral facilitation has helped certain states to develop plans of action. ILO is having tripartite bodies that bring its strength to get the workers on the employers on board and dialogue with Govt. Technical advice has been in the form of action developing surveys formats for these states. Surveys are the base line to start and work in a projectile mode. So ILO is looking at manuals and code of conduct in terms of what should be workplace improvement facility. ILO is having literacy manuals for the workers through story book format.

### **International Justice Mission, Chennai**

The representative, **Ms. Pranitha Timothy** stated that IJM has been able to assist the government in rescuing over 3700 labourers and rehabilitating them, prosecuting over 120 cases which are in different stages and trial. Only 4% of labourers that IJM has rescued have returned to bondage.

She stated that the Bonded Labour System (Abolition) Act needs to be amended encompassing the essence of all Supreme Court directions regarding identification, release, rehabilitation and enforcement. For example the Act says that an enquiry must be conducted 'immediately'. For some government officials, 'immediately' means one week and for others it is much longer because of the work load and priorities. She recommended that there should be a specified time limit for taking action when a complaint is received.

She suggested that the punishment under the BLA should have a significant and specified minimum term and also the fine needs to be increased.

She also recommended that the laws such as the Minimum Wage Act, the Workmen's Compensation Act, the Inter-State Migrant Workmen Act, Child Labour (Prohibition & Regulation) Act and the Bonded Labour System (Abolition) Act should be converged and enforced to protect victims.

She stressed upon the urgent need of disbursing rehabilitation funds in a timely manner with a concerted effort and participation from all stakeholders like, the workers, employers, governments, monitoring bodies such as NHRC, ILO, and civil societies.

### **Conclusion**

On the basis of the detailed deliberation, the following recommendations were made :-

1. Implement the existing laws on bonded labour and other related laws in letter and spirit. Rehabilitation funds to be disbursed in a timely manner with participation from worker, employer, State/UT governments, monitoring bodies such as NHRC, ILO and civil societies.
2. Provide training to the police and the judiciary at the State and district level to sensitize them on the issue of bonded labour.
3. Minimum Wage Act, the Workmen's Compensation Act, the Inter-State Migrant Workmen Act, Child Labour (Prohibition & Regulation) Act and the Bonded Labour System (Abolition) Act should be converged and enforced to protect victims.
4. State/UT Govt should/may adopt the Standing Operating Procedures (SOP) for developing mechanism through the labour department for registration of Brick Kilns and procedures for proper application by the enforcing agencies.
5. Enforcement of the law on minimum wages and strengthening of Public Distribution System should be undertaken immediate to minimize the circumstances, which force the workers to get into that bondage. Minimum wages should be applied in all sectors including informal sector.
6. DMs should have positive and proactive attitude and approach towards abolition of bonded labour system and should exercise their powers judiciously, diligently and with empathy and sensitivity as empowered under Section 10, 11 and 12 of the Bonded Labour System (Abolition) Act, 1976. Convergence should be affected between Govt. Departments and also with NGOs. The Deputy Commissioners would be the Centre of Convergence efforts in regard to all actions relating to bonded labour.
7. Vigilance Committees at the District and Sub-Division level should be constituted wherever not in place. These Vigilance Committees should be reorganized and activated and their meetings should be more frequent. The minimum number of meetings and the format for the VCs to submit minutes and information on a periodic basis have to be specified by separate notifications and these must be strictly enforced.
8. With the assistance of NGOs and Social Action groups, surveys in bonded labour prone areas to be undertaken by the Vigilance Committees. These Vigilance Committees must conduct field survey by adopting a non-formal, unorthodox and non-threatening approach.
9. All the pending cases filed under the Bonded Labour System (Abolition) Act, 1976, be disposed off immediately by taking recourse to summary trial and to issue release certificate in favour of those who are found to be having bondage. A release certificate to each of the bonded labourers so released must be issued forthwith by the concerned Collector/DM or the SDM or the Executive

Magistrate vested with such powers. The certificate would be handed over to the persons so released simultaneously in a language known to him or her.

10. Panchayati Raj Institutions should play a vital role in the process of eliminating bonded labour system. Proper training for sensitization of Tehsildar, Gram Panchayat Secretaries, police officials and revenue officials may be given.

11. An adequate and timely release of the funds to State/UT Govts should be ensured by the Union Govt. The Union Govt may devise a new mechanism to ensure timely release of funds without any delay.

\* \* \* \* \*