

# Bonded Labour

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# Concept of Bonded Labour

- The magnitude of bonded labour is just baffling as lakhs of adult males and females as well as children are condemned to suffering under its yoke.
- We have to understand the terms 'bonded labour system' and 'bonded labour'. The 'bonded labour system' refers to "the relationship between a creditor and a debtor who obtains loan owing to economic compulsions confronting his day-to-day life, and agrees to abide by the terms dictated by the creditor".

# Constitutional Provisions

Article 21: “No person shall be deprived of his life or personal liberty except according to procedure established by law”

Article 23 (1): “traffic in human beings and beggar and other similar forms of forced labour are prohibited and any contraventions of this provision shall be an offence punishable in accordance with law”

# Causes of Bonded Labour

- Broadly speaking, it may be maintained that bondage originates mainly from economic and social pressures.
- Poverty
- Not having economy
- Urgency of entering into Bond

# Bonded Labour System (Abolition) Act.

- Provisions
- Authorities
- Steps taken by Government

# The law dealing with bonded and forced labour was legislated by the Indian Parliament in 1976

- (a) The overlap between forced labour and bonded labour in customary relationships, and also
- (b) The manifestation of these relationships in contract labour and inter-state migration, and
- (c) considers the nature of restraints suffered by the labourer as a result of the bonded/forced labour relationship, and makes all of these illegal.

The Bonded Labour System (Abolition) Act created a legislative framework for the elimination of bonded labour in 1976.

## Provisions

- (i) Identification of bonded labourers
- (ii) Release of bonded labourers
- (iii) Action against offenders, i.e., creditors who had forced agreement upon the debtors
- (iv) Holding of regular meetings of vigilance committees at the district and tehsil level
- (v) Maintenance of the prescribed registers; and
- (vi) Conferring of judicial powers to executive magistrates

# Authorities

The State Government may confer such powers and impose such duties on a District Magistrate as may be necessary to ensure that the provisions of this Act are properly carried out and the District Magistrate

## Steps taken by Government

The Bonded Labour System (Abolition) Act. All the state laws became inoperative after the enactment of the Act by the union government in 1976.

The economic rehabilitation of the released labourers.

The economic rehabilitation includes: finding jobs for them, getting them minimum wages, giving them training in arts and crafts, allotment of agricultural land, helping them in developing the allotted land, helping them in the processing of forest produce, educating them and their children, arranging for their medical care, etc.

# **JUDICIAL DIRECTIONS**

**The Asiad case**

**Bandhua Mukti Morcha V. Union of India**

**Neeraja Chaudhary V. State of M.P**

## **National Human Rights Commission**

The National Human Rights Commission (NHRC) is on the vanguard to find a solution to the problem of bonded labour in the country.

THANK YOU