



Bonded Labour in India

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Why in News

Recently, fifteen bonded labourers were rescued by the district administration of Guna in Madhya Pradesh. These labourers were being subjected to inhuman treatment and torture by their employer.

Key Points

- **Bonded Labour:**

- It is a practice in which **employers give high-interest loans to workers who work at low wages** to pay off the debt.
- The **Supreme Court of India** has interpreted bonded labour as the **payment of wages that are below the prevailing market wages** and legal minimum wages.
- Bonded labour was **historically associated with rural economies** where peasants from economically disadvantaged communities were bound to work for the landlords.
- Bonded labour is found to **exist in both rural and urban pockets** in unorganized industries such as brick kilns, stone quarries, coal mining, agricultural labour, domestic servitude, circus, and sexual slavery.

- **International Obligations:**

- India is obliged to end modern slavery by 2030 under the **Sustainable Development Goal** (Target 8.7) of ending forced labour, **human trafficking** and **child labour**.
- India has also ratified the **ILO** Abolition of Forced Labour Convention, 1957 (No. 105).
- India also **aspires to improve its rank** (53rd out of 167 countries in the year 2018) in the **Global Slavery Index**.

- **Constitutional Provisions:**

- **Article 21** deals with the Right to Life and Personal Liberty.
- **Article 23** of the Constitution prohibits forced labour.
- **Article 24** prohibits the employment of children (below the age of fourteen years) in factories, etc.
- **Article 39** directs the State to secure the health and strength of workers, men and women, and to see the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.

- **Related Legislations:**

- **Bonded Labour System (Abolition) Act 1976:**

- The Act extends to the whole of India but implemented by respective state governments.
- It provides for an institutional mechanism at the district level in the form of Vigilance Committees.

Vigilance committees advise District Magistrate (DM) to ensure the provisions of this Act are properly implemented.

- The State Governments/UTs may confer, on an Executive Magistrate, the powers of a Judicial Magistrate of the first class or second class for the trial of offences under this Act.

- **Central Sector Scheme for Rehabilitation of Bonded Labourers (2016):**

Financial assistance to the extent of Rs. 3 lakhs is provided to released bonded labourers along with other non-cash assistance for their livelihood.

- **Reasons for the Persistence of Bonded Labour:**

- The lack of awareness among workers and employers.
- Low conviction rates.
- Social bias towards bonded labour.
- Migratory nature of bonded labour.
- Weaker implementation of Bonded Labour System (Abolition) Act 1976.
- Punishment for forced labour (Section 374 of IPC– unlawful compulsory labour) is not appropriate.
- Lack of proper coordination at the national and regional level, and among governments.

- **Measures Needed to End Bonded Labour:**

- Organising **national campaigns** to provide information to the public on how to report and identify victims of bonded labour.
- Popularising the National Child Hotline which is partly supported by the Ministry of Women & Child Development, and a national helpline for trafficking victims exists, run by Operation Red Alert.
- Efficient rehabilitation of rescued victims to prevent them from being forced into bonded labour again.

Productive and income generating schemes must be formulated in advance otherwise they will again fall back upon the system of bonded labour after their release.

Source:IE