

MINUTES OF THE MEETING HELD ON 15.07.2003, AT 11.00 A.M., BY SRI K.R.VENUGOPAL, I.A.S. (RETD.), SPECIAL RAPPORTEUR, NATIONAL HUMAN RIGHTS COMMISSION, IN THE CHAMBERS OF THE COMMISSIONER OF SOCIAL WELFARE, SAMKHEMA BHAVAN, MASAB TANK, HYDERABAD.

- Present:
1. Sri K.R. Venugopal, I.A.S., Retd.
Special Rapporteur, National Human Rights Commission.
 2. Sri J. Satyanarayana, I.A.S., Principal Secretary to Government
Social Welfare Department.
 3. Sri Ajoyendra Pyal, I.A.S., Commissioner of Social Welfare
 4. Sri J.C. Sharma, I.A.S., Mananging Director,
A.P. Scheduled Castes Cooperative Finance Corporation.
 5. Sri K. Chandrasekhar Rao, Additional Director,
Social Welfare.

At the outset, Sri K.R. Venugopal, Special Rapporteur, explained background issues concerning the Bonded Labour System, particularly in view of the directions of the Hon'ble Supreme Court of India. The Hon'ble Supreme Court entrusted the task of review and monitoring on Bonded Labour to the National Human Rights Commission. It has become obligatory on the part of the State Government to review the situation closely on issues concerning identification, release and rehabilitation of Bonded Labour, as well as prosecution of the employers, and to take effective measures to make the State free of Bonded Labour System. It is also pointed out that Bonded Labour System prevails very much in the form of Child Bonded Labour, and critical analysis is required in identification of Bonded Child Labour from among the normal Child Labour. The State Government have already launched a drive for total elimination of Child Labour.

1. IDENTIFICATION OF BONDED LABOUR:

Identification of Bonded Labour, as reported, in Andhra Pradesh of 3882, from 1996 onwards, apparently is very low. Sri K.R. Venugopal observed that the figure furnished is not adequate and it does not reflect the true reality on the situation of the Bonded Labour in the State. It is necessary to undertake an intensive identification campaign of Bonded Labour. All the District Collectors are required to be sensitized on the system of Bonded Labour and comprehensive action plan has to be drawn by them for identification of Bonded Labour in the Districts. It is suggested that it better to involve competent NGOs for identification of Bonded Labours.

2. DATA BASE SYSTEM FOR RELEASED BONDED LABOUR:

It is necessary to develop the Data Base System on released Bonded Labour so that Comprehensive Rehabilitation Programme can be taken up. It is also observed that once the Bonded Labour is freed and rehabilitated, it is also necessary on the part of the District administration to continue a follow-up action for some more time, so as to ensure that the rehabilitation measures taken for them are adequate, and that they are fully settled to lead a normal life.

3. NEED FOR CONVERGENCE OF REHABILITATION PACKAGES FOR BONDED LABOUR:

For immediate rehabilitation of freed Bonded Labour, Rs.20,000/- is provided. However, it is necessary at the District Level to work out a package for rehabilitation of 86 Bonded Labour by giving them sustainable economic support schemes, like housing under IAY Programme, free hostel facilities for their children, and any of such measures that they required for their proper rehabilitation. It is observed that appropriate Convergence at the District level has not taken place. The District Collectors should be instructed to work out rehabilitation package, where Convergence of various schemes are tied up for proper rehabilitation of freed Bonded Labour.

4. PROSECUTION OF EMPLOYERS WHO ENGAGE BONDED LABOUR:

The Prosecution of employers, who engaged the Bonded Labour, as per the provisions of the **Bonded labour System (Abolition) Act 1976** has not taken place. In many Districts no prosecution has been lodged against the erring employers at all. As per the information furnished out of **3882** Bonded Labour free since 1996, only 91 employers have prosecuted so far. It is pointed out during the meeting that under the provisions of **Bonded labour System (Abolition) Act 1976**, complete power of enforcement and prosecution has been given to the District Collectors and to the Officers notified by the Collector. It is necessary as a deterrent measure on abolition of Bonded Labour System that vigorous prosecution measures are taken, immediately against erring employers. In this regard, the District Collectors need to review with the Notified Officer regularly. At the same time, the Social Welfare Department also needs to coordinate and monitor the progress of prosecution launched against the erring employers regularly with the District Collectors.

5. FURNISHING OF UTILISATION CERTIFICATES UNDER REHABILITATION OF BONDED LABOUR TO THE GOVERNMENT OF INDIA:

Government of India are providing financial assistance for rehabilitation of Bonded Labour, and it is necessary on the part of the State Government to furnish the Utilisation Certificates in time to Government of India, in the Ministry of Labour, so that funds required for rehabilitation of Bonded Labour are received in time. The latest position on furnishing of UCs to Government of India may be reviewed and pending Utilisation Certificates to Government of India may be furnished immediately.

6. TO FURNISH YEAR-WISE SPLIT-UPS ON BONDED LABOUR REPORTS:

Sri K.R. Venugopal has requested to furnish the information system on Bonded Labour by giving Year-wise split-ups since 1996, so that the year-wise progress on identification and rehabilitation of Bonded Labour, as well as measures taken for prosecution, can be reviewed. So also, the particulars of rehabilitation amount spent Year-wise should be furnished.

7. TO CONSIDER FOR NOMINATION OF A SENIOR OFFICER AS SPECIAL OFFICER FOR MONITORING BONDED LABOUR CASES IN THE STATE:

Sri K. R. Venugopal informed that in the State of Tamil Nadu there is a Special Officer nominated by the State Government, who is exclusively entrusted with the duties of monitoring Bonded Labour System and to coordinate with the District Collectors on various issues for their proper rehabilitation. The State Government may

consider to nominate a Special Officer, who will exclusively review and monitor the Bonded Labour Rehabilitation issues in the State.

8. PREPARATION OF BONDED LABOUR MANUAL:

Sri K.R. Venugopal informed that in Tamil Nadu, the Government have prepared a Bonded Labour Manual which will facilitate the Officers in dealing with Bonded Labour cases, and guide them properly in taking effective action against Bonded Labour cases. In Andhra Pradesh too it is necessary to prepare Bonded Labour Manual which will contain of existing instructions and methodology in dealing with the Bonded Labour cases.

9. BONDED LABOUR REHABILITATION MODEL:

It is also necessary to prepare a Bonded Labour Rehabilitation Model, with a convergence approach at District level, under which freed Bonded Labour can be fully rehabilitated within a time span. In this regard, the Model prepared by the Government of Tamil Nadu may be perused, and a suitable Rehabilitation Model for Andhra Pradesh can be prepared.

10. TO ORGANISE STATE LEVEL WORKSHOP TO SENSITIZE THE DISTRICT COLLECTORS ON VARIOUS ISSUES RELATING TO BONDED LABOUR:

Sri K.R. Venugopal advised that it is better to hold a State Level Workshop with the District Collectors to sensitize them on issues concerning Bonded Labour and their immediate rehabilitation measures. In this connection, the National Human Rights Commission will provide necessary financial assistance for organizing the workshop upto Rs.50,000/-. It was agreed in the meeting to hold a State Level Workshop for the District Collectors on Bonded Labour issues.

11. CONCLUSION:

At the conclusion of the meeting, Sri K.R. Venugopal requested the Principal Secretary to Government, Social Welfare Department, to furnish a Special Report on the latest progress on Bonded Labour in the State and further measures taken by the State Government. He also requested that as the progress in identification of Bonded Labour in the State is not adequate, it is better that all District Collectors are addressed immediately by reiterating earlier instructions on Bonded Labour.

J. SATYANARAYANA
PRINCIPAL SECRETARY TO GOVERNMENT,
SOCIAL WELFARE DEPARTMENT