

## I. Status note on Rehabilitation of Bonded Labour in Andhra Pradesh: as on

**February 2006.**

### 1. Introduction:

The Bonded Labour System (Abolition) Act No.19/1976 came into force on 25-10-1976. The Act provides that any person who compels any person to render any bonded labour or advance any bonded debt or enforce any custom, tradition, contract agreement or other instrument by virtue of which any person or any member of his family or any dependent is required to render bonded labour shall be punishable with imprisonment for a term which may extend to three years and also with fine which may extend to Rs 2,000/-. Under Sec 8 of the said Act, every bonded debt remaining unsatisfied before such commencement shall be deemed to have been extinguished.

State Government in exercise of the powers conferred by sub-section (1) of Section 21 of the Bonded Labour system (Abolition) Act, 1976, conferred on all Revenue Divisional Officers in State, the powers of a Judicial Magistrate of the first class and on all Tahasildars (presently M.R.O's), the powers of a Judicial Magistrate of Second class for the trial of offences under the Act.

Prior to the orders of Hon'ble Supreme Court of India, 28,907 Bonded Labourers have been Identified, relieved of the Bondage and rehabilitated in the State of A.P. after the enactment of the Bonded Labour System Abolition Act 1976 up to 1995-96.

### 2. Directions of Hon'ble Supreme Court of India:

The Supreme Court has issued the following directions in W.P No. 3922/85 dated 3-5-85 to all the State Governments:

1. To identify and update the list of Bonded Labourers.
2. To initiate Criminal Proceedings against employers of Bonded Labourers.
3. To extinguish the existing debt of bonded labourers and provide alternative livelihood.
4. To collect details of bonded labourers and their employers through N.G.Os.
5. To provide employment to bonded labourers as Agricultural labourers or to provide agricultural lands.
6. To provide shelter, food, education, medical facilities etc., to the families of bonded labourers.

### 3. Identification:

After the issue of directions from the Hon'ble Supreme Court of India 4684 Bonded Labourers have been Identified and of them 4577 Bonded Labourer have been rehabilitated from 1996-97 to 2005-06. Districtwise and year wise Bonded Labourers Identified and Rehabilitated from 1996-97 to 2005-06 are shown in the Annexure-I.

### 4. Fresh survey of Bonded Labour:

In pursuance of the instructions of the Hon'ble Supreme Court and the N.H.R.C., the District Collectors were asked to conduct fresh survey and re-survey of all rehabilitated bonded labour to ascertain, whether they have relapsed into bondage again or not. In a meeting of District Collectors held on 2<sup>nd</sup> December 2004, the Chief Secretary issued instructions to all the District Collectors, to identify Bonded Labour, Child Labour, and Child Bonded Labour, by taking up a fresh survey and take necessary action. Further, in the meeting of District Collectors held on 30<sup>th</sup> and 31<sup>st</sup> January 2006,

the District Collectors have been requested to conduct a fresh survey of Bonded Labourers, identify and rehabilitate them. They have also been further requested to initiate criminal proceedings against the employers who employed Bonded Labourers. Since child bonded labourers is a component of Bonded Labour, District Collectors have been requested to make efforts to identify child bonded labourers and admit them in to the APSW Residential Schools/Hostels. The M.D., A.P.S.C.Co-Op., Finance corporation, has entrusted the survey of fresh bonded labour to local NGOs in the districts with the assistance of M.V. Foundation, which is under process.

#### 5. Prosecutions

The powers of Judicial Magistrate are conferred on all Revenue Divisional Officers and Mandal Revenue Officers in the State. Prosecutions have been launched against employers of Bonded Labourers in 165 cases. District wise employers who employed Bonded Labourers is furnished in Column 25 of

Annexure - 1.

#### 6. Rehabilitation:

The State Government had taken several measures for rehabilitation of the freed bonded labourers by formulating various economic support programmes to enable them to stand on their own. Government lands were assigned, wherever necessary private lands were purchased and assigned to the victims. Special schemes were also taken up to liberate bonded labourers under Poverty Alleviation Programmes. Community irrigation wells were provided where the released bonded labourers have been given land. The Child-bonded labourers have been admitted in the Hostels and Residential Schools. House sites were provided to the freed bonded labourers. The rehabilitation programme includes supply of milch animals and plough bullocks, carts, irrigation wells, electric motors, rickshaws etc., besides providing housing under I.A.Y.

#### 7. A.P.S.W. Residential Schools:

Government of Andhra Pradesh have started (17) Bridge Course schools under 'Mundadugu Programme' with a strength of (300) each for children of Child labour including Child Bonded Labour, another (24) Bridge Course Schools started functioning in (6) DPIP districts viz. Mahabubnagar, Adilabad, Anantapur, Chittoor, Vizianagaram and Srikakulam during the year 2002-03 by the APSWREIS.

There is a District level Committee to identify and admit the children of Bonded Labour and Child Bonded Labour in Residential Schools.

8. 54 Residential schools for girl child labour started functioning from 2003-04.

As per the report of the A.P. S.W.R.E.I.S. Hyderabad has informed that with the active co-operation of District Level Co-ordination Committee for Mainstreaming Child Labour (DCCMCL) so far, 25,085 children have been admitted in 54 Residential Schools in 5<sup>th</sup>, 6<sup>th</sup>, 7<sup>th</sup>, 8<sup>th</sup> and 9<sup>th</sup> classes as shown in the Annexure-II enclosed herewith.

Girl Child Labour coming out of the Bridge Course Camps, NSLO/DPEP/NGOs, are being admitted into 5<sup>th</sup> class through ability / screening test with the approval of the DCCMCL.

The Chief Secretary to Government convened a State Level Screening Committee Meeting and decided to enforce the Minimum Wages Act to conduct regular meetings of Divisional and District Level Vigilance and Monitoring Committees on Bonded Labour to identify the occupations where incidences of Bonded Labour are very high to ensure credit without security at local level and to oversee the functioning of Inter-State Migrant Workmen Act, 1979 and Contract Labour Act, 1970.

Government in G.O. Ms. No. 14, SW (PCR) Dept., dated 10-02-2005, issued orders constituting the following committee with the District Collectors of Hyderabad and Ranga Reddy Districts.

- |    |  |    |                   |
|----|--|----|-------------------|
| 1) | Commissioner of Social Welfare                 | -- | Member - Convener |
| 2) | Commissioner of Labour                         | -- | Member            |
| 3) | Director of School Education                   | -- | Member            |
| 4) | District Collector, Hyderabad                  | -- | Member            |
| 5) | District Collector, Ranga Reddy                | -- | Member            |
| 6) | Non-Governmental Organisation Representatives. | -- | Member            |

A meeting with the above members was convened on 27-05-2005.

#### 9. Active involvement of NGOs:

The NGOs are also actively involved in the identification, release and rehabilitation of bonded labourers. The M.V. Foundation in Ranga Reddy District, the Deccan Development Society in Medak District are the prominent NGOs working for the release and rehabilitation of bonded labourers and their children. The M.V. Foundation, have informed that they have released 5297 child bonded labourers during 2000 to 2004 and admitted them to schools/ Bridge Schools in 8 districts.

The statement showing the District-wise No of Bonded Labour and Bonded Labour Children furnished by the M.V. Foundation is as follows:

S.No.	District	No of Bonded Labour Released	No of child Labour
1	Adilabad	258	21328
2	Chittoor	NA	20120
3	Kurnool	91	26168
4	Mahabubnagar	917	22849
5	Nalgonda	2510	36429
6	Rangareddy	1308	44419
7	Srikakulam	87	11845
8	Vizianagaram	128	14119
	Total	5297	197277

The foundation has not furnished the names and addresses of Bonded Labourers or their children. The respective Collectors have been requested to collect the information by deputing a team of officers to the M.V. Foundation and get them verified through the M.R.Os and report within a month.

The Deccan Development Society has informed that they conducted survey for Bonded Labour in 120 villages of Medak District and found an estimated number of 9000 and forwarded the same to district administration, Sangareddy. They have also not furnished any names. A similar letter as stated above is written to Collector, Medak.

The Deccan Development Society has informed that they have been conducting summer school programmes since 1990 giving training to about 100 children for two months, out of which 10% accounted for Child Bonded Labourers. They are sending the

children to regular schools for continuing their education. They further stated that in their Pacha Saale schools situated in Machnoor village, they are focusing on girl child education.

#### 10. Financial Assistance from the A.P. Scheduled Caste Cooperative Finance Corporation

Rehabilitation of Bonded Labour is a Centrally Sponsored scheme with funding pattern of 50:50 between the State and the Centre. The A.P. Scheduled Caste Cooperative Finance Corporation, is rehabilitating the identified Bonded Labourers out of the Corporation's funds initially with the help of District SC Co-operative Service Societies.

Since bonded labourers are basically agricultural labourers, the only skill they possess is farming. Hence efforts are made to rehabilitate them mostly on land-based schemes. After ascertaining availability of Government land for assignment and assignment done in favour of the released bonded labourers. Thereafter, land based schemes like Minor Irrigation etc., being implemented and some beneficiaries also being covered under Land Purchase Scheme. In case the beneficiaries are not willing to go for land related programs, they are assisted with self-employment scheme (ISB sector). Unit cost is fixed @ Rs. 20,000/- as grant including the initial grant of Rs. 1,000/- as subsistence allowance and the remaining Rs. 19,000/- towards rehabilitation. The funds are to be met out of Corporation subsidy.

#### Funding pattern:

Unit cost	Rs. 20,000/-
subsidy	100%

#### 11. Work shop on Bonded Labour:

A Workshop on Bonded Labour was jointly conducted on 8-10-2005 by three Departments i.e., International Labour Organization, Social Welfare and Labour Department. The Commissioners of Social Welfare and Commissioner of Labour, the National Project Coordinator, I.L.O. and about 120 officials from Revenue, Social Welfare and Labour Departments and the District Collectors, a few P.Os. of ITDAs attended the workshop. The Hon'ble Minister for Social Welfare has released one Poster depicting the Bonded Labour System (Abolition) Act 1976 and issued instructions to ensure that the contents of the Act shall be made known to the grass-root level for creating awareness in the Society. Posters have been supplied to all the Mandal Level Officers to display it in their Offices.

#### 12. Visits and Meetings of the Special Rapporteur:

Special Rapporteur, N.H.R.C., Sri K.R.Venugopal, I.A.S. (Retd) has visited many villages in some of the Bonded Labour prone districts like Medak, Ranga Reddy, Nalgonda, Vizianagaram, Nizamabad and Visakhapatnam to review the rehabilitation of bonded labour. He has personally interacted with released bonded labourers, R.D.Os, District Collectors and other social workers in these districts.

#### 13. Report on Child Bonded Labour Identified and Rehabilitated in Hyderabad District.

It is reported by the District Collector, Hyderabad that on information furnished by Special Rapporteur, NHRC they have identified 33 Child Bonded Labour. 25 Child Bonded Labour belonging to Tamilnadu State were sent to Chennai duly escorted by

senior officers of the District. The other 5 children of A.P. who were working on daily wage basis have been counselled along with their parents and handed over at their native places after obtaining an undertaking stating that the children will be sent to schools for further education.

#### 14. Report from Vizianagaram District on Trafficking of Girl Children

Sri K.R. Venugopal, I.A.S., (Retd.) Special Rapporteur National Human Right Commission, Hyderabad has visited Vizianagaram on 8-6-2005 and convened a review meeting with District Collector and with concerned Officials on Bonded Labour and trafficking of girl children from Bhogapuram and Pooapatirega Mandals of Vizianagaram District to Mantada Village of Vyyuru Mandal of Krishna District. On verification, it was found to be true. The District Level Committee also decided to arrange financial assistance through Indra Kranthi Patham, District B.C. Society, District S.C. Service society, Rajeev Yuva Sakthi schemes in order to avoid trafficking of girl children, particularly from Bhogapuram and Pooapatirega Mandals to other parts of AP and other Metropolitan Cities like Chennai, Delhi etc.,

The District Collector, Vizianagaram has informed that on further verification 34 Bonded Labour cases were identified and out of them 26 were released and rehabilitated by the R.D.O. Vizianagaram and action is taken for payment of exgratia.

#### 15. Report from Ranga Reddy District on Bonded Labour

As per the information received from Ranga Reddy District, 62 Bonded Labourer were identified and Rehabilitated in Pudur Mandal, RangaReddy District in 1<sup>st</sup> Phase and 16 Bonded Labourer were Identified and Rehabilitated in Pudur Mandal, Ranga Reddy District in 2<sup>nd</sup> Phase by the I.L.O., Hyderabad and Assiat, jointly.

Financial assistance for their rehabilitation has been extended by APSCC Finance Corporation, Hyderabad.