

## GOVERNMENT SPOTLIGHT

Sub Collector V. P. Thandapani, IAS acted upon a complaint he received about a bonded labour case in his revenue division. On 10th February 2017, he released 21 labourers including eight children from a brick kiln in Ponneri, Thiruvallur.



### 1. What were the circumstances of the labourers when they were in bondage?

Bonded labourers from this brick kiln in Ponneri were trafficked for labour from Tirunelveli District after they had taken advances ranging from Rs. 10,000 to Rs. 40,000. A total of 21 labourers were forced to work for nearly 16 hours a day only to be paid less than the State-prescribed minimum wages. Their lives were controlled by the owner.

### 2. How swiftly was the District Administration able to respond to this case?

In less than 24 hours from the time the complaint reached my office, I visited the brick kiln along with a team of officials to inspect the case. Once the facts were ascertained, the labourers were brought to the office for detailed enquiry. Following this, Release Certificates along with initial rehabilitation funds of Rs. 1,000 were given to the victims.

Furthermore, the middleman who had been supplying labourers was arrested a couple of days later. An FIR was filed under relevant sections of the Bonded Labour System (Abolition) Act, the Indian Penal Code, and The Scheduled Castes and the Scheduled Tribes Act.

### 3. How do middlemen contribute to the system of bonded labour?

Middlemen have long term connections with owners of labour intensive industries. They are required to supply work force to the owners whenever required.

### 4. How can the District Administration tackle the bonded labour system?

When labourers migrate for labour, they should be enumerated at the Taluk level. Periodic surveys are needed in labour intensive industries such as brick kilns, rice mills, rock quarries etc. This is essential in order to check and prevent bonded labour.



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Prof. P. J. Kurien inaugurates the 'Champions against Human Trafficking' ceremony.



## Bonded labour offender convicted after almost nine years

Nearly nine years after six bonded labourers were rescued from a rice mill in Vellore District, the bonded labour offender was convicted on 28th February 2017 under Sections 16, 17, 18 of Bonded Labour System (Abolition) Act, 1976 and Sections 341 and 374 of the Indian Penal Code.

"The last nine years has been full of challenges," says Kandaswamy Prabhu, Advocate in the case. "The survivors endured repeated visits to the court, sudden tragic deaths in their families and various other disappointments. The fact that justice has been served, proves that vulnerable communities can be protected against violence, exploitation and injustice."



In 2009, the investigating officer filed a Referred Charge Sheet, deeming the case a false one, and charges were dropped despite strong evidence. "When the RDO inspected the rice mill in 2008, he was shocked to see an eight-month pregnant woman forced to work without any consideration," says Prabhu. "In all, six labourers had been denied freedom of employment as they worked to repay the loans they had taken."

In March 2010, one of the survivors brought the case back to court with help from IJM. The court then summoned the accused and began trials. The accused was sentenced to six months of rigorous imprisonment and a fine of Rs. 14,500. Since then, the accused has appealed for suspension of sentence, which has been granted for 30 days.

The only remaining survivors—Selvam and Ganesan—are now working as daily wage labourers. While Ganesan has a house and waits for electricity, Selvam waits for his land patta.

## Officials receive 'Champions against Human Trafficking' awards

On 21st January 2017, IJM observed the human trafficking awareness month by conducting an award ceremony to honour officials who have set new precedents in the fight against human trafficking during the year 2015-2016.

Deputy Chairman of the Rajya Sabha, Prof. P. J. Kurien addressed the gathering and awarded the winners. Government officials, NGOs, journalists and survivors of bonded labour and commercial sexual exploitation from across the country were present.

"In India, bonded labour is everywhere but we cannot see it," said Prof. P. J. Kurien in his speech. "Bonded labour is nothing but sheer exploitation of the poor and violation against human rights. Bonded labour is nothing but a crime."

One of the awardees, Mr. Rahul Nadh, IAS, Deputy Secretary, Department of Education, Government of Tamil Nadu and former Sub Collector of Thiruvallur said, "Offenders function with impunity when it comes to the Bonded Labour System (Abolition) Act. Bonded labour can be curtailed only if we instill fear among offenders— fear that they will be punished and prosecuted."

The winners were selected by an eminent jury panel including Mr. P. W. C. Davidar, Chairman and Managing Director, Tamil Nadu Urban Finance and Infrastructure Development Corporation Limited (TUFIDCO); Dr. M. Priyamvada, Assistant Professor, University of Madras & General Secretary, Indian Society of Victimology; and Mr. R. Vidyasagar, Former Child Protection Specialist, UNICEF. The panel was convened by Dr. P. M. Nair, IPS (Retd.), Chair Professor, Tata Institute of Social Sciences.



The officials who won the 'Champions against Human Trafficking' awards from Tamil Nadu are: (from top left to bottom right) Mr. A. R. Rahul Nadh, IAS, Deputy Secretary, Department of Education; Mr. Narayanan, Regional Manager, Tamil Nadu Civil Supplies; Mr. Murugesan, Revenue Division Officer, Ranipet; and Mr. C. Baskaran, Assistant Public Prosecutor, Sriperumbudur.

## PHOTO SERIES

Life imprisonment for labour traffickers.

### December 2013

Dialu and Nilambar are two individuals among twelve other men who were trafficked for labour from Odisha. When the other twelve escaped, the traffickers were furious and punished Dialu and Nilambar by chopping off their right hands at the wrist.



### 23<sup>rd</sup> August 2016

Soon after the incident, Dialu and Nilambar joined IJM's two-year rehabilitation programme. Despite the highly challenging journey to restoration, towards the end of the second year, Dialu and Nilambar attended the National Seminar on Human Trafficking held in Tamil Nadu. They boldly narrated their story to an audience comprising of police officials, government officials, NGOs, students and community members.



### 24<sup>th</sup> December 2016

Terming the incident a "heinous crime committed against society," Judge Ananth Chandra Behra sentenced the eight labour contractors to life imprisonment in Dharmagarh, Odisha.



"This verdict will send a strong warning message to middlemen, contractors and labour agents who remain unregulated and operate with absolute impunity," said Roseann Rajan, Advocate



Sadly, while still waiting for justice, Nilambar suddenly passed away from a medical condition on 21st September 2016.