Bonded Labour
Bonded labour, which has camouflaged into “different forms of slavery”, can be ended by changing the feudal mind-set and attitude of people and not by legislation alone. Bonded labour is a blot on our society. Feudal thinking is the major reason behind it. Kings and saints have tried to bring reforms over centuries but this practice continues. Exploitation has become a psychological nature and Dalits and other marginalised communities suffer a lot.

**SH. BANDARU DATATREYA**  
UNION MINISTER OF STATE, LABOUR AND EMPLOYMENT

It would be wrong to think that bonded labour is a thing of past, as it can be found even today in not only agriculture but also in any sector of employment including brick-kilns, stone quarries, salt fields, leather manufacturing units and so on. He said that as long as there is poverty, unemployment, underemployment, landlessness, migration, indebtedness, the pernicious bonded labour system will continue.

**JUSTICE H. L. DATTU**  
CHAIRMAN, NATIONAL HUMAN RIGHTS COMMISSION

There is a need to start a serious campaign to sensitise people about human trafficking issues and their ill effects. Human trafficking is a “heinous” crime.

**SH. NITISH KUMAR**  
CHIEF MINISTER, BIHAR

Bonded Labour is a stigma on human society and a shame on the society to see the prevalence of bonded labour even today in some parts of our country. It is high time that we join hands to rescue our brethren who remain excluded from all the socio-economic improvements due to bonded labour. Even if one bonded labourer existed, we are miles away from our task.

**DR. K ROSAIJAH**  
FORMER GOVERNOR OF TAMIL NADU
WHAT IS BONDED LABOUR?

Bonded labour is an oppressive form of forced labour where due to a debt or other obligation (customary, caste based, economic consideration), the labourer forfeits certain freedom and rights that have been guaranteed by the Indian Constitution. Physical violence, verbal insults, brute force and sexual abuse are often common elements in bonded labour, making it a serious human rights crime.

In the most common form of bonded labour, victims accept a petty cash advance from the employer, agreeing to repay the amount through their services. Often, the labourers move into the worksite with their families.

Once at the worksite, labourers are denied:
- the freedom to supplement their wages through alternate employment
- the right to move around freely
- the right to be paid the state – recommended minimum wage
- the right to sell their goods and services at market value

They are told that their freedom will be restored only upon repayment of the advance. However, they soon realise that the entire system has been designed to make repayment impossible.

Abysmally low wages, exorbitant interest rates and falsified account keeping ensure that the illiterate labourer is trapped for years, sometimes generations.
Newer forms of bonded labour have been evolving over the years making it difficult to bring it under the ambit of the law. Nevertheless, the crux of it all remains the same – exploitation of the most vulnerable.
1. BONDED LABOUR IS PREVALENT
Siddharth Kara, visiting scientist on forced labour at the Harvard School of Public Health, estimates that there are about 1.17-1.27 crores of bonded labourers in India. A study conducted in 2015 estimated that 4,63,000 or 29.9% manual labourers working in 11 industries across Tamil Nadu were bonded.

2. BONDED LABOUR IS A CRIME
Bonded labour exploits labourers for profit. The brutal nature of bonded labour which very often entails the use of force and sexual abuse makes it a serious human rights crime.

The Ministry of Home Affairs (MHA) lists bonded labour as one of the various forms of human trafficking in India. Human trafficking is a serious offence and can be tried under Section 370 of the Indian Penal Code (IPC).

3. STRINGENT ENFORCEMENT OF LAWS IS CRUCIAL TO THE ABOLISHMENT OF BONDED LABOUR
Bonded Labour has been outlawed by the Indian government through the Bonded Labour System (Abolition) Act, 1976. Yet, the system operates insidiously across India in agriculture, mining, quarries, construction, brick kilns, silk and cotton production, bidi making, the informal sector, etc. Deterrence is crucial to ending the phenomenon of Bonded Labour. And this can happen only when laws are strictly enforced so as to prevent other potential offenders from engaging in this crime.
# Bonded Labourers Rescued in Tamil Nadu

## Table of Bonded Labour Incidents

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Bonded Labour Incident</th>
<th>No of bonded Labourers Rescued /Involved</th>
<th>Industry</th>
<th>Date of Rescue /Information released</th>
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**2017**

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**TOTAL** 1358

Source: 2016-17 newspaper articles and data from NGOs
Based on media reports, the following are the key bonded labour incidents in Tamil Nadu in the past 18 months.

- 564 migrant bonded labourers rescued from a brick kiln in Ponneri
- Teenage boy from Madurai escapes bonded labour from Mumbai, legs burnt by owner
- Teenage girl dies in spinning mill, worked in bonded labour circumstances
- 328 migrant bonded labourers rescued from a brick kiln in Tiruvallur
- 19 bonded labourers rescued from 3 facilities in Kancheepuram, women allege sexual harassment
- 14 bonded labourers rescued from brick kiln in Erode
- Girl child withheld in Pudukkottai in lieu of parent’s debt
- 21 year old dies working as a bonded labourer in a sugarcane unit in Pudukkottai
- 50 children forced into bonded labour in a savoury (murukku) manufacturing company in Maharashtra – CBCID to form a special team to rescue the children
1. IMPUNITY AND LOW-CONVICTION RATE:
In a report, Times of India had highlighted that owners booked for offences of bonded labour go scot free. The report also suggested that traffickers and owners charged with bonded labour crimes previously were involved in 2016. This highlights the level of impunity at which labour-trafficking rings and owners functions. Another article in Deccan Chronicle discussed low-conviction rate.

2. ABUSE OF CHILDREN AND WOMEN:
Bonded labour cases reported in 2016 had extreme instances of violence against women and children. Times of India reported that women who were rescued from a brick kiln in Kancheepuram were sexually harassed by the owner. The gruesome incidents involved adolescents from Madurai and Tiruppur.

In separate incidents, one teenage boy was burnt with oil by his employer and another teenage girl found dead in a Spinning mill. No arrests have been reported in these cases. The number of individual child bonded labour cases has also been prominent. Child bonded labourers were rescued from Sugar cane farms and goat-grazing units.

3. MIGRANT BONDED LABOUR:
Large number of migrant bonded labourers have been rescued from the sub-urban districts of Chennai consistently over the past five years. 564 migrant bonded labourers were rescued from one brick kiln in March. 512 migrant bonded labourers were rescued from the same brick kiln in 2012. Another 328 migrant bonded labourers were rescued from a brick kiln in May. A 2014 RTI indicated that 44% of bonded labourers rescued in the previous years were migrant bonded labourers.

4. ADVANCE:
Most media articles highlighted the presence of an advance amount which made the labourer bonded. Some articles mentioned that victims were forced to migrate to conditions of bonded labour due to poverty and lack of access to credit.
BONDED LABOUR STATISTICS

• **ONE FOURTH** of the total number of bonded labourers in India have been rescued in Tamil Nadu, since the enactment of the Bonded Labour (Abolition) Act of 1976.
  - 2,83,000 bonded labourers have been rescued in India since 1976
  - 65,000 bonded labourers have been rescued in Tamil Nadu since 1976

• **3776** bonded labourers were released between the years 2005 and 2014 as per RTI details.

• Media and NGO reports indicate that more than 700 were rescued in 2015; **1253 IN 2016**

• According to a 1995 Supreme Court study, there were:
  - 10 LAKH bonded labourers in TN
  - ONE LAKH child bonded labourers in TN

• According to a Tamil Nadu State Government study in 1996, there were
  - 25,005 bonded labourers in TN

• According to Tamil Nadu State Government Study conducted in 19 districts, there were
  - 12,320 bonded labourers

• SOMO and ICN document that more than 100,000 girls – possibly up to 300,000 – work under employment schemes, referred to as Sumangali, that amount to bonded labour.

• According to a 2014 RTI:
  - 44% of rescued bonded labourers between 2010 – 2014 are inter-state migrant labourers
  - 131 bonded labour cases were registered, no arrests were made
  - Tiruvallur, Kancheepuram, Krishnagiri, Tiruvannamalai, Vellore & Villupuram are the districts with the highest bonded labour incidents
2015 BONDED LABOUR NCRB DATA

- There is a 31.4% increase in bonded labour crime in 2015 compared to 2014.
- A total number of 92 cases were recorded with 426 victims.
- In terms of number of cases:
  - UP had the most number of cases – 31 of which 49 victims were rescued.
  - TN had 15 cases of which 254 victims were rescued (majority belonged to OBC – 242).
- In Tamil Nadu, 15 cases of bonded labour were recorded, that included 254 victims. Of this, 242 belonged to OBC and 12 belonged to ST groups.
- 109 arrests were made in 2015 in relation to bonded labour cases nationally.
  - 73 of those arrested were between the age group 30 - 45 years
  - 22 arrested between the age group 45 – 60 years
  - 14 arrested between age group 18 - 30 years
Women lured by the Sumangali scheme to work in textile mills endure harassment, exploitation and even sexual abuse.

18-year-old Kala* has been working in a textile mill in Dindigul for the past three years. She leaves home at about 6.30 a.m. every day, travels 45 minutes to the mill, starts working at 8 a.m., and is at it for the next eight hours. Many days, she ends up working another shift or at least a few hours of the next shift. Though the mill provides breakfast and lunch, the quality of the food is so bad that she prefers to skip meals.

Despite her industry, Kala takes home a measly monthly wage of Rs. 3,000 /Rs. 3,500, after deductions. She is but one among a battery of women who are overworked, underpaid, and often times abused in the spinning/textile mills of the State. Over 2,000 textile mills in Tamil Nadu provide employment to nearly three lakh workers and almost half of them are women. The employment of women has grown in geometric progression in the last two decades. Ambitious schemes to draw them into the mills were hatched, all of them hinging more on promise than the actual rollout.

The more prominent among the carrots the mill owners dangled was the Sumangali Scheme. The original scheme promised a lump sum payout which would enable the young girl to be married (hence, the term Sumangali). It had the following components: workers were to be with a unit for three years or so and would be paid in bulk (from Rs. 30,000 to Rs. 40,000) when they left. In addition, they would get about Rs. 1,000 for their monthly expenses while employed, and food and
accreditation would be provided within the mill premises. Multiple variations of this scheme exist, but the basic lure is the lump sum payout. Another constant, if you go by the women workers, is exploitation.

Sujata Mody, president, Garment and Fashion Workers Union, says one reason for the emergence and popularity of the Sumangali Scheme was the weakening of the strong unions in the textile industry in the 1990s.

P. Latha*, who also works at a mill in Dindigul district, recollects an incident she witnessed a year and a half ago, when she was working in another mill, a sight she will never forget. She says she saw a girl throw herself off the roof of the mess hall after one of the supervisors allegedly pulled her skirt down in front of the others. “About 30 of us saw this, but we were scared. Since the police did not file a case due to the management’s pressure, we did not think there was anything we could do.”

The recently-released Fabric of Slavery report of the India Committee of Netherlands (ICN) gives expression to the exploitation in the mills through facts and percentages. The report, based on a study in 743 spinning mills in Dindigul, Tirupur, Namakkal, and Erode districts, says: “Young women workers face intimidation, sexually coloured remarks and harassment, which they can hardly escape.” The study was conducted between July and December 2015. Eight researchers and 40 volunteers interviewed 2,286 workers from these mills and held focus group discussions.

In many of these mills, the report points out, there is no compliance with Indian labour laws and international standards on forced labour, working hours, wages and social security. Only 39 of the researched mills paid the legal minimum wages. 91 per cent of the mills covered in the study have some form of forced labour with camp labour or a Sumangali scheme. More than half the mills studied do not allow workers to leave the hostel after working hours.

In 351 mills, the Sumangali scheme is still in vogue, and in 392 mills, freedom of movement is restricted. Further, a standard working week exceeds 48 hours in 706 mills and in 367 of these, a standard working week exceeds 60 hours. In group discussions, the researchers found that verbal harassment and intimidation happens at all the mills.

More than 100 km away, in Namakkal district, Priya* (23) from Paramathi Velur, has been employed with a mid-sized textile mill near Namakkal town for the past two years. Prior to this, she was with a mill in Erode that offered accommodation on in its campus. However, she quit her job soon as she was asked to do overtime regularly, was verbally abused by her seniors at work, and was paid very little. At the current place, she feels she has a better deal.

OFFICIAL WORD

The last official word from the government related to employment of young women in textile mills was in August 2015 when opposition parties raised the issue in the Legislative Assembly and Textiles Minister O.S. Manian denied exploitation of workers in the mills under the Sumangali Scheme.

Official sources acknowledge there are issues at spinning mills that need to be addressed, including employment of adolescent girls (aged between 15 and 18 years), overtime work and non-payment of minimum wages. Under the Factories Act, children above 15 years can be employed with certain conditions. But, according to ILO norms, only those aged above 18 years can be employed and this needs to be addressed. Similarly, working hours stretch up to 10 hours in many units. Casual workers should be paid wages on a par with apprentice workers, say sources.

However, the Sumangali scheme is not among the problems that officials count in the mills. They claim the Sumangali scheme as such does not exist now, though there are schemes with other names, especially at mills in rural areas and small-scale mills. Many units are providing hostels outside the mill premises.

Government sources seeking anonymity express their unhappiness over the fact that mill managers do not allow even Revenue Divisional Officers (RDOs) and Labour Department officials to visit their campuses, saying only officials of the Industries Department have the powers to enter the factory premises. “If the mill management is transparent, why should they resist visits by even District Collectors? Why can’t they install CCTV cameras in the campus so that allegations of sexual assault and other issues can be monitored?” one officer asks.

Mill owners have exploited the legal loopholes in most of the Acts to avoid prosecution. For instance, many cases couldn’t be tried under the Bonded Labour System (Abolition) Act, 1976, as it applies only to cases in which an advance amount is received by workers. The Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service (Tamil Nadu) Rules, 1983, can’t be applied in many cases, as owners claim it can be applied only in cases where a middle-man was employed to recruit workers. Likewise, certain provisions of the Apprentices Act, 1961, and Minimum Wages Act, 1948 are circumvented by not recording workers as apprentices and by not maintaining a workers roster.

Root causes

A glaring lack of political will to tackle the menace is another major reason for the prevalence of the system, alleges S. Selva Gomathi, Deputy Director of SOCO Trust, a Madurai-based NGO. In many cases, the mill owners strike a nexus with senior Ministers and MLAs from the area, she charges. “But the root causes, including poverty and social security, should be addressed. Most of these girls go to the mills despite knowing the truth about them because their fathers are alcoholics, mothers are unwell and they have to shoulder the family burden.”

According to S. James Victor of Serene Secular Social Services, an NGO working for women in textile mills, monsoon failure has crippled agriculture in most areas, and those otherwise employed on the fields have begun to look elsewhere for a job. Families with three or four children send the girls to work after they complete Class VIII or X.

Though most of the women are not part of trade unions, M. Arumugam of AITUC says the union has started issuing notices to mills saying all workers should be made permanent and accommodation should not be provided inside the campus for young women.

Despite these issues, some workers seem to be happy with the systems at some of the mills. Devi from Tirupur completed Class X a year ago and has been working at a mill at Namakkal for the last eight months. "I lost my father. My mother works at a textile unit in Tirupur. My sister and I need to work to support our family. We do not want to work at a textile unit in Tirupur as we need a safe place to stay even when our mother comes late. My uncle lives nearby and suggested this mill and both us joined here," she says.
According to a Compliance and Status report filed by the State government in November last year with the Madras High Court, the government will continue to review the work of field officials to ensure effective enforcement, and strive to ensure better work environs for women in spinning mills/textile industry through the continuance of district-level monitoring committees as per the orders of the court.

Meanwhile, the owners of textile mills point out that employment systems have changed a lot in the last few years. In addition to women workers, many mills now employ day labourers who travel to the mill every day and migrant workers. The number of migrant workers (those from States such as West Bengal and Odisha) is on the rise. In clusters such as Salem, most mills do not have the hostel system.

“The industrial associations also urge the member mills not to employ women in the adolescent age group. With buyers insisting on social norms and to sustain business, the employment system will change further in the coming years,” says the spokesperson of one of the associations.

Further, the Central Government has instructed all units to pay wages, even to migrant workers, through bank accounts, and this has left the mills with no option but to employ only those who are aged above 18 as only then can individual accounts be opened for each worker (and not a joint account with the family member of the worker). Some of the medium-scale mills have even installed complaint boxes at the hostels and seem interested in redressing grievances.

At the hostels, the facilities provided to workers include opportunities to continue higher studies, vocational training, healthcare, etc. Some of the large-scale mills that have integrated facilities and supply to international brands have ensured several amenities for women workers and these are expected to motivate other mills to do the same, the sources say.

If only the other mills are inspired.

( Names of the women workers have been changed to protect identity ).

M. Soundariya Preetha

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With the proliferation of brick kilns and rice mills, Tiruvallur has become a hub of sorts for migrant labourers who are sucked into bonded labour. They live in inhuman conditions, are subjected to abuse and have restrictions on their movement. Rescue efforts are not wholly successful.

ven years after her rescue from a brick kiln at Red Hills in Tiruvallur district, K. Ranjani’s voice trembles when she recalls the violence she and her husband faced in the chamber. Her family’s determination to pay back the advance it had taken from the owner for her father’s treatment looked meaningless, as her family was toiling in the chamber deprived of even a few hours of sleep and rest.

“I am ashamed to tell you the kind of words they used to call me since I left the kiln to go to a hospital in my native as I was unwell. My husband was bleeding when I went back. They had asked him where I was. They didn’t even understand if I had wanted to run away, we as a family would have run away,” says Ranjani (name changed), who still struggles with the memory of that humiliation.

Hers is among the several families who were rescued from bondage from a chamber in Tiruvallur district few months ago. A native of Kavanaiahur in Tiruvannamalai district Ranjani says no one else must suffer her fate. It was in 2012 that she was rescued, nearly four years after she and her family came to the kiln and the nightmare began. Post rescue, she was among some families that benefitted from a rehabilitation programme run by an NGO.
But, just like Ranjani, who came to the kiln in the Tamil month of Karthigai (November-December) in 2008, on receiving the advance, several hundred labourers from neighbouring districts and Odisha would be arriving in Tiruvallur, oblivious to the inhuman living and working conditions they would be put through to in some of these chambers.

Located adjacent to Chennai, Tiruvallur district is well-connected with the State capital, where the real estate industry is growing substantially. The texture of clay conducive to making bricks, found across Tiruvallur district is a major factor which is considered favourable for the industry.

There are two types of kilns: Choolais, the small-time kilns, where the bricks are baked in the open and there are ‘chambers’, which are closed facilities with tall chimneys to bake the bricks.

“The bricks from choolais are often for the local market and for huts and small houses, whereas the bricks baked in chambers are better in quality and shape and are needed in major construction companies,” explains a source. Approximately, there are 350-400 chambers spread across five blocks of the district with each of the blocks having anywhere between 80-90 chambers. Bondage is noticed mostly in chambers, where the work chart is target-oriented and make several lakh bricks every season.

A researcher from an NGO, who is working with bonded labourers in Tiruvallur, says while labourers were also kept in bondage in rice mills and charcoal units in the area, it was these brick kilns which employed them in large numbers.

MODUS OPERANDI

In Ranjani’s case, the owner of the chamber arrived in a car in her village near Vandavasi with “suit-cases full of money” to lure poverty-stricken families into accepting his advance.

In the case of migrant labourers from Odisha from where several hundred labourers arrive every season, brick kiln owners visit Kantabanjhi, a small town in western Odisha and meet middle-men (also called agents or brokers) during October and November, an informed source says.

“There are specific HOTELS in this town, which are occupied all through these two months by owners from Tiruvallur for arriving at a best bargain with agents. Based on the agreements they sign with individual families, who take ‘advance’ amounts usually for the big expense either for a family function like marriages, birth or a death in the family and they arrive in these brick kilns in December,” the source says.

Though the middle-men are constantly in touch with them, the owners of brick chambers in Tiruvallur blame the middle-men, when law enforcing agencies conduct a raid and find cases of bondage due to debt. “Not all owners keep labourers in bondage but some. They say the middle-men took the advance from them and cheated both the labourers and them, which is a white lie.”

When contacted, V. Sampath, office-bearer of Tiruvallur District Brick Manufacturers’ Association says: “We are giving these labourers jobs, which they cannot get in their native places. These NGOs are making false allegations and these labourers are falling for it only because they can escape the debt and get Rs. 20,000 as relief amount.”

“If they are in bondage, why do they keep coming back every year? Just because some owners are making some mistakes, you cannot blame all of us,” he says.
CHANCES OF GETTING OUT

For some of these labourers, who end up in bondage, their chances of coming out of the facility depends mostly on their luck when and if they are able contact the local RDO or any NGO in the district for help.

“No, we regularly do conduct raids based on inputs and we release them. We issue them the release certificate after an enquiry to check it is a case of bonded labour. They are entitled to Rs. 20,000 as per norms and are given Rs. 1,000 the very day of their release,” says Tiruvallur Revenue Divisional Officer (RDO) S. Jayachandran.

But there have been instances in the past when intelligence offered to officials by NGOs have been leaked to the chamber owner. An activist claims few years ago, her input about 200 labourers in bondage was leaked and within half an hour, they couldn't be located when a raid was conducted.

CAUGHT IN BETWEEN

The primary concern which arises when looked into the role of government agencies’ action is the three different departments are dealing with the issue and none of them have full control.

While the responsibility of monitoring the issue of bonded-labourer is presently with the Adi Dravidar and Tribal Welfare Department, officials from the Revenue Department – RDOs, are the field-level officers conducting raids on kilns. There is also a proposal to transfer the responsibility to the Labour Department.

According to P. Annamalai, Secretary of Adi Dravida and Tribal Welfare Department of Tamil Nadu government, the responsibility is to be transferred to the Labour Welfare Department “any minute now”. When asked about his Department’s role in rescuing bonded-labourers, he said RDOs have been “trained well to manage” the issue.

The proposal to shift the responsibility between departments was based on the Union government’s suggestion that the department dealing with child labour issue should handle bonded-labourers issue. “Since most of the victims of bondage in labour were from Irular community, the responsibility was initially allocated to the Adi Dravida and Tribal Welfare department,” an officer explains.

LEGAL POINT

A major hurdle in dealing with cases registered against offenders and the delay in the trial and the eventual conviction is the non-application of Section 21 of the Bonded Labour System (Abolition) Act, 1976 in Tamil Nadu, which was struck down by the Madras High Court in June 2014, while hearing a plea. With this order, the powers vested with the RDOs to try offenders under the Act and award punishment to them have been taken away.

An officer, who had tried offenders under this Section, before it was struck down says, “Earlier, we were able to try the offenders and punish them without any delay. But, because of the High Court decision, now only a Judicial Magistrate can try these cases. It also means the poor victims, who were already at the receiving end, have to fight cases against the kiln owners by hiring an advocate in a court of law.”

TRACKING THE RELEASED

Amidst reports that hundreds of labourers have been released every year, there are also questions as to what happens to them. Government sources allege, in some cases, these labourers, despite having been rescued, make their way back to these kilns with the hope of being rescued again.

“I myself caught a case, where a labourer was rescued three months earlier and he was found again. When confronted, he confessed an NGO had convinced him to come back so that the relief assistance could be shared between them. They didn’t know the district administration used to maintain records,” claimed an officer.
But when drawn its attention to this aspect, members of an NGO pointed to the absence of a comprehensive list of labourers who were rescued. “If the government had a directory of labourers, there is no question of NGOs faking labourers. Officials claim to have lists but when asked, they are not able to produce these lists.”

**PREVENTION**

Tiruvallur RDO Jayachandran says he has been calling for meetings with the owners of brick chambers and members of the bonded labour awareness committees regularly to prevent such cases in the future.

But what is needed in the long term is the determination to address issues like poverty in the source districts so that these labourers won’t fall for the promises of the agents and middle-men, says Siddamma, founder of Sarpam Irular Thozhilalar Sangam.

She also says whenever labourers come for work into these chambers, they should be registered and if they do not have any documents like Aadhar cards, bank accounts, they should be helped to open them.

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**CHENNAI:** Every time someone in Pureet Kata’s village said they were heading to Kantabanji railway station, he felt a sense of dread and hope. Trepidation, because many of the faces that left he never saw again, and anticipation because the promises of a better life may be true.

With its near-deserted platform, there is little to distinguish the west Odisha railway station from other small town stations. But when 28-year-old Pureet and his wife landed there on a November evening in 2014, it was packed with people. All of them were waiting for the train that would change the course of their lives.
"The agent didn’t tell us where we would be heading to. He gave us Rs 17,000 as loan and said we could work for six months to pay it back," recalls Pureet. Everyone in the station that night had a similar narrative - a loan to pay, a stomach to feed and hope of making a fortune in the city.

Two years later, Pureet and his wife were among 548 bonded labourers rescued from a brick kiln in Tiruvallur in Tamil Nadu. His story was among the many recorded for a survey undertaken by human rights organisation International Justice Mission (IJM). Most of these labourers, like Pureet, hail from west Odisha.

The organisation interviewed 901 people, including 322 women and 264 children, rescued from four different brick kilns in Tiruvallur in the past four years. At least 646 of them turned out to be bonded labourers. "The labourers were paid an average of `140 per week and were forced to work an average of 15 hours per day," says Mathew Joji, IJM spokesman.

Poverty, lack of employment opportunities and poor access to credit were among the reasons cited by labourers for being pushed into bondage. "So when a middleman approaches them offering them an advance, however meagre the sum is, they grab it," says Mathew. Many of them end up staying for more than four years to pay off their loan. While TN may be one of India’s most industrialised states, all its job openings are not that promising.

Tamil Nadu accounts for the largest number of bonded labourers identified and released since the Bonded Labour (Abolition) Act was passed in 1976. While the rescue of bonded labourers is a cause to celebrate, it also shows the wide prevalence of people being duped into bondage. Migration experts say while most southern states have stepped up vigilance to check bonded labour,TN has lagged.

Inadequate fund flow to the state anti-human trafficking unit, lack of coordination with other states, and few follow-ups have chequered the state’s record.

"The prevention mechanism is missing," said Gladstone Xavier, head of the department of social work at Loyola college. "We look at the issue through a telescope that provides monocular vision and not through binoculars," says Xavier, who has done extensive research on migrant workers. Xavier recalls the Supreme Court bench order in 2012 directing fresh surveys to be conducted periodically. "But that has not been complied with. Raids are mostly conducted based on tipoffs," he says.

According to IJM, none of the contractors were arrested for mistreating the workers. L Mishra, former special rapporteur for bonded labour isn’t surprised. Forty years after he helped shape the Bonded Labour System Abolition Act, he says little has been done. "We need to track the migration movement. Unit heads need to be strengthened and the act needs to be amended," he says.

Government officials, however, refuted the claim saying they register cases and take action against violators.

Chennai: The National Human Rights Commission (NHRC) has sought a report from the Tamil Nadu government on the rescue of 550 bonded labourers from a brick manufacturing unit in Tiruvallur district recently. The NHRC has asked the government to specify the steps taken to rehabilitate the labourers.
550 BONDED LABOURERS FREED IN TIRUVALLUR

CHENNAI: In a massive drive on Wednesday, about 550 bonded labourers including several women hailing from Odisha and Chhattisgarh were rescued from a bricklin bonded labour-labour intensive Tiruvallur district about 55 km from here.

The labourers belonging to 180 families were rescued from the same brick manufacturing unit, functioning under inhuman working conditions at Pondavakkam in Ponneri taluk, where over 450 people were rescued in a similar drive five years ago, officials said.

“The rescued bonded labourers were forced to work from 3 am with mere weekly wages of Rs 400 for a family. They have also suffered verbal abuses, while a woman was not allowed to visit her native place to take care of ailing husband, who subsequently died,” Ponneri Revenue Divisional Officer M Narayanan, who conducted an enquiry told Express.

“Six persons including the bricklin owner’s brother have been arrested under three sections including the Bonded Labour Act, which are non-bailable,” he said, adding that the owner identified as Vengal Rao belonging to Andhra Pradesh was absconding.

As per statistics, Tiruvallur district topped the list of bonded labour-prevalent districts in the State with neighbouring Kancheepuram ranking second between 2005 and 2014. A total of 1250 bonded labourers were released during the period and nearly 700 in Kancheepuram district during the 10-year period.

International Justice Mission India, an NGO working in the field of rescuing bonded labourers, which tipped off the government authorities about their plight, claims that the rescued people have been paid an advance of Rs 12,000-Rs 15,000 before being moved to Tamil Nadu. “Their freedom of movement was curtailed with only one person in the family allowed to visit outside for buying provisions. The living conditions were deplorable and they survived with just Rs 400 per week,” Mathew, Spokesperson of International Justice Mission India, who visited the spot, said.

Nearly 100 children in the families of bonded labourers were getting education through schools situated in the locality, sources claimed. The families were brought from six districts of Odisha including Nuapada, Balangir and Kalahandi, besides some from Chhattisgarh for the seasonal brick-making works in early January this year.

Meanwhile, Tiruvallur District Collector E Sundaravalli has ordered immediate medical treatment and interim relief of Rs 1000 for the bonded labourers. Officials with the Collectorate said that the rescued people would be returned to their native places in a couple of days with relief certificates.
After taking stern action against illegal slaughterhouses, chief minister Yogi Adityanath has now decided to wage a war against bonded labour prevalent in brick kilns, mines and quarries.

According to a missive from chief secretary Rahul Bhatnagar, district magistrates have been instructed to crack down on all such set-ups engaged in bonded labour.

All DMs will have to send details of bonded labourers identified, freed and rehabilitated in their districts as well as FIRs and prosecution of the accused, to the labour commissioner, UP, on the 5th of every month.

The immediate assistance to rescued bonded labourers was hiked to Rs 20,000 from Rs 5,000 with effect from January 17, 2017.

“Typically poor migrant workers are recruited with job offers by agents, who trap them by extending advance on earnings, which turns out to be a loan at exorbitant interest that no worker can afford to repay. The agent then suggests that the worker bring his wife and children, and soon the entire family is enslaved. Unpaid debts can be bequeathed from one generation to the next,” shared Prof Badri Narayan of Allahabad University’s GB Pant Social Science Institute.

Clearly pointing out that the onus of implementing provision of the Bonded Labour System (Abolition) Act, 1976 was on the DMs as well as the sub divisional magistrates and additional district magistrates under them, the missive dated March 30 ordered the DMs to identify bonded labourers in their districts and take steps to free and rehabilitate them besides ensuring lodging of FIRs against the persons indulging in such criminal activity.

The missive also instructed the DMs to hold monthly prosecution review meetings to ensure timely submissions of charge-sheets in such cases as well as staff meetings to oversee progress of summary trails in courts of ADMs.

FACTS AND FIGURES

UP has over 17,000 brick kilns, including 384 in Gorakhpur, 216 in Varanasi, 407 in Allahabad, 360 in Lucknow, 308 in Barabanki and 234 in Meerut and hundreds of quarries and mines where many bonded labourers work in appalling conditions.

During 2015-16, 2,216 bonded labourers were freed and rehabilitated in UP but no bonded labourers were rescued and rehabilitated during the 2016-17 fiscal.