A police official recording details of bonded labourers soon after their rescue from a brick kiln.
The Ministry of Home Affairs (MHA) lists bonded labour as one of the various forms of human trafficking in India. Human trafficking is the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them. Most times, people are exploited for sex, labour or organs. Human trafficking is a serious offence and can be tried under Section 370 of the Indian Penal Code (IPC).

In most cases where people have been trafficked for labour, the conditions are very similar to bonded labour. The traffickers directly or through henchmen, approach the labourers and recruit them for a petty amount. The victims are then transported to the worksite either by the trafficker or through a middleman. At the worksite, labourers are denied basic rights and are coerced by threats or physical force to remain in the labour situation. They may also be exploited through high levels of control over their movement, restricted freedom of employment, failure to pay minimum wage, or physical and sexual abuse.

When the RDO/Sub-Collector is conducting a bonded labour enquiry, it is recommended that he/she looks out for elements of labour trafficking. In most cases of bonded labour, these elements are present and the RDO/Sub-Collector can work in tandem with the police or State Anti-Human Trafficking Unit (when available) to investigate the Anti-Human Trafficking Offence [Section 370 IPC].

If, on the other hand, it is the District Police or the AHTU who has identified bonded labour elements while investigating a human trafficking case, they should involve the RDO/Sub-Collector to rescue the labourers under the Bonded Labour Abolition Act, as this would help victims further in their rehabilitation. By working together, the AHTU and District Administration can work most effectively on behalf of the victims.

Thiru. R. Paneerselvam, Revenue Divisional Officer, Chengalpattu Revenue Division, along with International Justice Mission (IJM) rescued 29 bonded labourers from a rice mill at Chengalpattu on June 10 2015. All labourers were provided with Release Certificates, cancelling their outstanding debts, along with Rs. 1,000—the first instalment of the rehabilitation amount of Rs. 20,000 that rescued bonded labourers are entitled to receive. Over and above this, the RDO pro-actively provided labourers with temporary land on the very same day of the rescue.

Talking about this exemplary move from the RDO, Selvam*, one of the rescued labourers states, “Though there are so many challenges at this initial stage, we feel really good about this land given to us.”

The other labourers echo his sentiments—they feel hopeful that circumstances will take a positive turn, and a sense of security and belonging has been kindled in their spirits. They are now looking forward to receiving a permanent house site patta. However, in most cases, even after about two years, rescued labourers do not receive the house site patta.

For instance, the rescued bonded labourers from a brick kiln rescue operation of 2013 have had to shift from one place to another as they await their house site patta. Since they don’t have a permanent house address, they are unable to find steady jobs or receive their entitlements. They have large families and making ends meet becomes a struggle. “It is hard without a house. Since we don’t have an address, we don’t have ration cards either. If we had our own house and ration cards, we could survive”, said Ramesh, one of the labourers.

What are the advantages of house site patta for rescued labourers?

House site patta plays a major role in the lives of the rescued bonded labourers. It gives them a sense of belonging and security at a time when they are uncertain of what their future holds. It provides them with proof of address—an absolute must if they are to receive basic entitlements, which, in turn, would help provide for their daily needs. “When the labourers are not provided with stable house sites, circumstances drive them to remote places where even their basic requirements such as food, water and electricity are either scarce or unavailable,” says Loretta, Director of Aftercare at IJM. “Instead of feeling hopeful after being rescued, labourers begin to feel helpless in these situations and this could also result in re-bondage.”

* Name changed to protect identity

A rescued labourer’s temporary home
How has house site patta benefited freed labourers?

Kanniappan, a rescued labourer from a brick kiln was given house site patta about a year after his rescue. His employment opportunities began to grow from a daily wage labourer to starting his own charcoal business. This development and improvement was possible because at a time when everything was uncertain, Kanniappan had one thing that was stable—land, where he could build his home and charcoal unit. When asked how he is doing today, he says, “I didn’t even have one bit of land, but now I have good space. Since I have house site patta with valid documents, no one can ask me to leave. I’m able to live securely with my family.”
1. **How do police officials view trafficking offences?**

   Human trafficking offences are not just an offense against the law but against humanity as it systematically deprives weaker sections of society of their constitutional rights. Controlling this criminal set-up would require proper planning, coordination and effort among various agencies. Like-minded and dedicated NGOs, for instance, could help with information and practicalities like victim enquiry and rehabilitation. Measures to counter trafficking have increased in recent days and specialised anti-human trafficking units have been set up. In the coming days, we can expect to see greater policing in this area.

2. **What will your message to offenders be?**

   We will initiate strong penal action against perpetrators and take legal actions invoking all available legal provisions. Our investigation will be carried out thoroughly with the intent to successfully prosecute offenders.

3. **How can bonded labour victims easily reach out to police officials?**

   We have made it easy for victims to reach out to the police. Police officials have been sensitised and are equipped to respond efficiently to complaints, either in the written form or through other means.

4. **What can police officials do to be more proactive in finding bonded labour cases?**

   Anti-human trafficking units could proactively carry out raids. Special sources to unearth bonded labour could be set up and these units could work proactively with agencies and dedicated NGOs.

5. **How has the training on bonded labour impacted the Tiruvallur Police?**

   The training session was an eye-opener in several ways as it provided exposure to the legal implications of bonded labour. Officers were able to raise queries on practical issues, seek clarifications and get insight into certain grey areas. It added a professional depth to our field knowledge. I hope that this programme will be useful to other agencies who are taking efforts to eradicate this crime.