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*One of 328 bonded labourers rescued from a brick kiln
in Thiruvallur.*



Bonded labour survivors raise their hands when asked if they wish to return to their homes.

MIGRANT BONDED LABOURERS RELEASED FROM A BRICK KILN IN THIRUVALLUR

Government officials released 328 migrant bonded labourers from a brick kiln in Thiruvallur on May 28th 2016. Promised good jobs and better lives, 101 families from Odisha had taken advances ranging from Rs. 12,000-15,000 and moved to Tamil Nadu.

Thiru. S. Jayachandran, Revenue Divisional Officer (RDO) of Thiruvallur, along with a team of government officials worked late into the night to document all victims of bonded labour, and to provide Release Certificates and initial rehabilitation funds. Authorities also provided the victims with food and temporary shelter. Under the direction of the Superintendent of Police, Thiru. E.T. Samson, about 20 police officials safeguarded the victims until they boarded the train to Odisha.

At the initial inquiry, victims narrated stories of verbal and physical abuse. One of the victims, who was about seven months pregnant, said she had been forced to carry heavy loads despite her growing weakness. Victims alleged that a 'doctor' had been employed by the owner to keep

them working even when they were sick. In one instance, the 'doctor' accused a young mother of overfeeding her baby and tried to drag her back, causing her baby to severely burn his hand in a pot of boiling water.

Earlier, in 2015, government officials had released 333 migrant labourers from the very same brick kiln. The owner, who is a repeat offender, has been absconding.

Saju Mathew of IJM says, "Interventions like these, which are conducted for a second time at the same work site, demonstrate the importance of ending impunity. While these families are now free, we must hold perpetrators accountable if we are to eradicate the crime in a sustainable manner."



Government official conducts enquiry of a young girl kidnapped from a worksite.

BONDED LABOURERS RELEASED THROUGH COLLABORATIVE EFFORTS OF GOVERNMENT AND COMMUNITY

District governments across Tamil Nadu collaborated with various NGOs and community members to release 32 bonded labourers in 10 cases throughout early 2016. Conducted on the basis of information received from multiple districts and industries, these interventions indicate the importance of collaboration in eradicating the crime of bonded labour.

A case followed up by NGO Shed India in April 2016 is a great example of this – working with the District Police, the District Administration, the Child Welfare Committee and Anti-Human Trafficking Unit, the NGO played a key role in aiding a family of bonded labourers after one of them was abducted by a trafficker.

Sub-Collector of Pudukottai, Thiru. S P Amrith was highly sensitive to the case, immediately providing Release Certificates for the survivors and later distributing the initial rehabilitation amount. Other interventions have resulted in the release of bonded labourers from brick kilns, wood-cutting units, rice mills, and

sheep-grazing units. A number of perpetrators have also been arrested as a result of the interventions.

Clement David, Community Relations Manager with IJM, believes that the key to addressing the problem of bonded labour is increased collaboration between the government and community. “Sensitised community members can play a vital role in sustainably combating bonded labour in Tamil Nadu. By referring cases from different districts to the relevant government officials, community members can highlight the prevalence of the crime.”

As the 10 cases from the last six months indicate, eradicating bonded labour requires more than a top-down approach. The increased collaboration between government and community members demonstrate the emergence of a long-term, sustainable model for ending the crime.



After the Tamil Nadu floods in December 2015, a team went to affected villages to determine the conditions of released bonded labourers there, concluding that the survivors' most pressing need was adequate housing.



Launched in 2016, Saath Chalo, a coalition of diverse stakeholders from various walks of life, came together to commit themselves to construct 50 houses for flood-affected survivors of bonded labour.



Built from hollow blocks and thatched roofs, the newly constructed houses provide safety from the elements and other threats. The joy on the survivors' faces was evident as they expressed their gratitude for their new homes.

GOVERNMENT SPOTLIGHT

The District Police played a proactive role in the recent case where 328 migrant bonded labourers were released from a brick kiln in Thiruvallur. They filed an FIR against the suspect under Sections 9, 16, 17, 18, 20 of The Bonded Labour System (Abolition) Act, 1976 and Sections 370 (3) (5), 343, 374 of The Indian Penal Code (laws regarding human trafficking). They interviewed the victims and recorded their statements on the same day of release.



On the day of the rescue, 20 officials travelled with the victims to a temporary shelter. They continued to protect the labourers against any form of threat, until they boarded the train back to Odisha. Thiru. S. Manickam, the Deputy Superintendent of Police, Uthukottai Sub-Division, Thiruvallur District speaks to Nyaya Pathrika on the importance of convictions in bonded labour cases.

1. In your opinion, what is the importance of arrest and conviction to the recent case where 328 people were released?

The owner from this case is a second time offender. In 2015, he had faced similar charges and 333 labourers had been freed from his brick kiln. However, he managed to obtain bail and the very next year, he has repeated the offense! Only when perpetrators of bonded labour receive a fitting sentence can we hope to eradicate it. Arrest is an important first step and conviction underscores the seriousness with which the state regards this crime.

2. What steps can officials take to ensure that the offence is not repeated again?

As a police official, I would increase vigilance around work sites and frequent chambers and factories to ensure that bonded labour is not being implemented. Such vigilance on the part of authorities will inculcate a fear of consequence among those who flout the law. I would also urge officials to convene a meeting of chamber owners and strictly warn them about the consequences they will face if bonded labourers are found within their premises.

3. Section 370 of IPC (anti human trafficking) was included in the FIR filed for this case. Could you explain why this Section is important to this case?

In several bonded labour cases, trafficking element is also present as the labourers are forced to relocate with their families after receiving an advance from their owners and are exploited for labour. In order to achieve strong convictions against perpetrators, it is very essential to add Section 370 in all bonded labour cases.



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