

A COMPREHENSIVE ANALYSIS REGARDING THE PRACTICE OF BONDED LABOUR IN INDIA

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Abstract

One of India's many social issues is bonded labour. A number of factors, such as the caste system, improper and uneven land reforms, and political and judicial corruption, led to this social evil not being properly reformed in Indian Society even during the 21st Century. In India, bonded labour is still widely prominent in a number of sectors, including agriculture, the unorganised and informal sector, and child labour. The removal of Bonded Labour and the rehabilitative element was crucially dependent on the Supreme Court. Other organisations in India, such as the National Institute of Rural Development, the National Human Rights Commission, and the Centre for Education and Communication, have bonded labour on their agendas. In addition to these efforts, people must change their attitudes toward society's weaker groups. The following paper seeks to understand and account for the reasons why issues such as bonded labour carry so little traction within Indian Society and how this can be explained through socio-economic lines and unrestricted capitalistic practices. The paper also documents how cases of bonded labour change across state lines and sectors, evolving from basic agricultural bonded labour in rural societies and existing in unorganised industrial sectors in urban areas. Furthermore, the Paper also talk about the measures undertaken by international organisations such as ILO (International Labour Organisation) as well as the statues which are currently in place which prohibit these practices.

Research Questions

1. Which strata of the population is the most exploited by the practice of bonded labour?
2. What are the steps taken by the International Labour organisation (ILO) and the NHRC to eradicate the practice of bonded labour?
3. What further measures can be implemented by the relevant authorities in order to curb the modern practice of indentured labour?

Research Objectives

1. To understand types, implication and the causes of the practice of bonded labour
2. To understand the initiatives taken by the international authorities to eliminate the practice of bonded labour.
3. To analyse the breakdown of the cases of bonded labour across state lines within the country
4. To analyse and account for the key demographics of Bonded Labourers across the caste lines.

What is Bonded Labour?

Bonded labour, also known as debt bondage and peonage, occurs when individuals sell their freedom as security for a loan or inherit a debt from a family member. Usually this results in the employers providing the employee with a high interest loan or a series of loans that the employee will not be able to pay off owing to his meagre wages. In India especially during the colonial era, Bonded Labour existed in rural economies where peasants usually from underprivileged socio-economic backgrounds are compelled to work for the landowner. In the Modern Context Bonded labour has been discovered in unorganised industries such as brick kilns, stone quarries, coal mines, agricultural labour, domestic servitude, circuses, and sexual slavery in both rural and urban locations.¹

¹ N. B. Dirks, "Castes of Mind: Colonialism and the Making of Modern India", Princeton, N.J.: Princeton University Press, p. 17, 2001.

When a worker's minimum salary is so low that it cannot even meet daily expenses, this is referred to as "bound labour," and the employer-employee relationship is typically marked by unfair and exploitative payment arrangements that benefit the employer. Although not all types of forced labour are considered bonded labour, the most majority of them are, regardless of whether the work is carried out on adults or juveniles.

A bound labourer's most crucial trait is his lack of negotiating power, or his inability to speak out against a creditor who treats him brutally and unjustly. When the labourer is unable to satisfy the creditor's debt in a similar fashion, he is forced to perform services under unjust, cruel, and violent conditions. The entire system exemplifies unfair commerce, which is a disgrace to labour's dignity and involves major violations of human rights.²

All forms of bound labour systems that were founded on hierarchical, customary, or debt commitments were outlawed by the Bonded Labour System (Abolition) Act of 1976. Briefly stated, the act established responsibilities for district magistrates in carrying out its provisions, identified and defined bonded labour, allowed for the cancellation of past or present debt, identified and defined bonded labour, authorised state governments to create vigilance committees in each district to oversee and ensure the competent implementation of the act by the magistrate, and stated the criminal penalties against those who enslave others. Contract and migrant workers are now included under the Act, per a modification implemented in 1985.

As part of a new, centrally supported plan for bonded labour rehabilitation that was implemented in 1978, surveys, assessment studies, and awareness campaigns were conducted throughout districts in order to give financial aid to the state government for rehabilitating rescued bonded labourers. In 2016, the programme was reorganised by the government. As part of the reorganisation, more money was given to states for completing surveys and to bonded labour for restoration. According to the reorganised plan, each district was required to create a corpus for the Bonded

Labour Rehabilitation Fund and that rescued bonded labour would only get the entire amount of financial support if the accused is found guilty.³

Causes of Bonded Labour

This system predominated in the nation before to colonisation, as evidenced by class structures. Even in this democratic era, severe caste exploitations and class inequalities persist, making some portions of society economically poorer in terms of assets, income, and bargaining power. As a result of globalisation and industrialisation, such labour categories have been even more marginalised from mainstream employment. Migrants from destitute rural areas, in particular, are known to join as bound labourers due to debt. However, the existing socioeconomic disadvantages that these groups endure is what drives their desire for money.

They are driven into such forced labour alternatives because of their caste, unequal resource distribution, growing reliance on agriculture, low levels of education, and food insecurity. These social and economic forces have led to the incarceration of marginalised groups, particularly women and children, in society's bottom strata.

In India, the bonded labour system has endured and evolved over time under a variety of names and forms. Due to social links that have been employed historically, one of the earliest forms of bonded labour is still commonly practised in the country today. Consider the "jajamani" system, which provides food grains to workers in return for doing professions associated with the higher caste, such as washermen and barbers. In addition, seasonal migrants, agricultural workers, child labour in unregulated businesses including brick kilns, rice mills, quarries, domestic work, etc. are other areas where debt bondage is currently increasingly common.⁴

The usual debt bondage relationship and the aneo-bondage labour system have undergone a significant change among

² Un.org 2022, Making the Law Work for Everyone.

³ Ministry of Labour and Employment 2021, Central Scheme for Rehabilitation of Bonded Labourer's.

⁴ Chaudhary, R. (2015, October 26). Jajmani system in India: Meaning, definition, advantages and disadvantages.

migrant workers. In the case of the former, there was a fair degree of exploitation mixed in with a dash of patronage. Contrarily, the latter weakens patronage ties and is more exploitative. Laborers are no longer guaranteed a basic standard of living as they were under the patronage system, and employers are increasingly unwilling to care for their employees' welfare. The neo-bondage system is manipulated in part due to the presence of middlemen.⁵

The genesis, expansion, and retention of the bonded labour system are primarily driven by economic motives, however social and religious considerations also have an impact. Only a few of the economic causes include extreme poverty, unemployment, insufficient land holdings to support a family, a lack of small-scale alternative loans for the rural and urban poor, natural disasters like drought, floods, and other similar events, the killing of people's animals, a lack of rain, wells drying up, a meagre income from forest produce, inflation, and ongoing price increases.

Due to blatant caste prejudice and terrible poverty, bonded labour is much sought after. Due to their limited access to justice, education, and employment, prejudiced communities struggle to escape poverty.

Impact of Bonded Labour

The strenuous relationship of debtor-creditor existing between parties leave a series of consequences behind affecting many of the poorest and vulnerable workers. Forced labour is a product of desperation and the acute urgency of the labourers to accept the credit regardless of the forceful occupation that comes along with it.

Employers often pay lower wages to the workers which can be rooted to the employers feeding off of the desperate need to acquire credit of the workers. The wages offered to the workers is often paid in-kind, which makes the whole concept of credit giving an unequitable sham solely existing to run a never-ending cycle. The debt of the workers accumulates over the years, which makes it impossible for

⁵ Tappe, O. & Lindner, U. (2016). Introduction: Global Variants of Bonded Labour. In S. Damir-Geilsdorf, U. Lindner, G. Müller, O. Tappe & M. Zeuske (Ed.), *Bonded Labour: Global and Comparative Perspectives (18th-21st Century)* (pp. 9-34).

them to get out of this debt-cycle. There is a definite impossibility for the workers to leave the job to work elsewhere since the manner they are paying off their credit is by working for their creditor/employer. This debt can be seen to extended and projected onto the family members of the workers and there is a high possibility that the workers will get bonded too. The mobility of the worker and his family is restricted, as the job requires his compulsory participation to pay off the debt, he cannot seek to relocate himself or his family.

Types of Bonded Labour

Bonded labour in agriculture: Low castes in the agricultural industry make up the majority of bonded labourers, hailing from the communities of scheduled cast and the lack of freedom over their choice of employment, their right to be able to freely move about, the right to get employed elsewhere. The great bulk of bonded labour in the agriculture sector is cleaning cow sheds. There are workers working at the farms who pay off their credit via working in the employer's house and in order to pay off the credit, the family member of the workers is hired for agricultural labour. Bondage is a recent practice that has come about as a consequence of acute economic vulnerability among households in marginalised and extremely rural areas.⁶

Bonded Labour Systems among the Tribal- In Orissa, Chhattisgarh, Haryana, Madhya Pradesh, Southern Uttar Pradesh, Uttaranchal, and Gujarat, scheduled tribes have long been the focus of abusive loan arrangements that have resulted in land loss and enslavement for non-tribal people. Tribal members who had non-tribal members take over the majority of their property were compelled to take out loans from landlords. They got no food or other needs for their children in exchange for being forced to labour for the landlords. Their meagre earnings were more than outweighed by their mounting indebtedness.

Bonded Labour Systems in the Brick Kilns Sector: Brick kilns run for six to eight months of the year in rural regions

⁶ Premchander, S., Prameela, V., & Chidambaranathan, M. (2014, January 13). Prevention and elimination of Bonded Labour. International Labour Organisation.

of the nation. There are various different ways to determine how many people are employed in a specific industry. The All-India Brick Kiln Manufacturer's Association claims that its membership consists of 22,000 units and more than 3 million workers, which is more than the National Commission on Rural Labour's estimate of about one million people⁷.

Brick kilns are heavily dependent on the hiring of migrant labour through contractors at virtually all of the sites where verification has been recorded. This recruitment relies on a mechanism similar to the financial needs of labourers from underdeveloped countries. Employees frequently take out bank loans to settle debts from their own finances. Once hired, a variety of strategies come into use, including as the use of power, ongoing credit, and one-time payment settlement, to bind individuals to the kilns for the season. Due of the involvement of entire households in tasks like carrying bricks and moulding, wages are usually minimal.

Stone Quarries, Crushers, and Mines: The National Commission on Rural Labour's study group on bound labour discovered that bonded labour is commonly used in sandstone, marble, and slate mines, as well as stone quarries and crushers. These states include Haryana, Uttar Pradesh, Madhya Pradesh, Rajasthan, Karnataka, and Tamil Nadu. According to the Bachpan Bachao Andolan, 101 bonded labourers, including men, women, and children, were allegedly liberated from a quarry in Charki Dadri, Haryana; some of the bonded labourers had been engaged at the quarry for more than three decades. Women's labour in the mining sector is underpaid and concentrated in small mines overseen by contractors, and bondage and abuse are on the rise.⁸

Power looms and cotton handlooms: Many states, most notably Tamil Nadu and Andhra Pradesh, have received complaints of forced labour in both handlooms and power looms. The districts of Periyar, Salem, and Coimbatore in Tamil Nadu are where you may find the majority of power

looms. Due to their commitment, weavers are bonded employees of the loom owners; in some cases, the weaver's children are also bonded labourers. Bondage has happened for a variety of reasons, such as the employees' incapacity to pay back the advances and the bosses' dishonest use of force to maintain control and their connection with the workers. Employers of bound labour take an aggressive stance.⁹

Other Sectors: A few industries that use bonded labour include construction, plantations, gem cutting, rice mills, bidi workers, fish processing, silver works, mat weaving, and salt pan workers. On large public works and building sites, these are only a few of the industries where labour is regularly classified by intermediaries and contractors, creating entrenched systems of promotion and bondage. Approximately 12 hours of each day are spent working for little or no remuneration.

International Labour Organisation's steps to eradicate Bonded labour

Setting establishing Global Labour Standards in the form of Convention and Recommendations is the ILO's main method of activity. International treaties and mechanisms known as conventions impose enforceable duties on the nations that ratify them. Recommendations provide suggestions for national policies and actions but are not legally binding. During the period of 2002-2011, there were about 20.9 million victims of bonded labour globally, which roughly accounts to about every third person of 1000 people was forcibly working in jobs which they couldn't leave.

International labour standards are developed by the ILO in the shape of Conventions and Recommendations, which establish minimum requirements for fundamental labour rights such as freedom of association, the right to organise, collective bargaining, the elimination of forced labour, equality of opportunity and treatment, and other standards governing conditions across the full range of work-related

⁹ [Palani Chamy: Handloom Weaving Industry in Salem district](#). 2019, Shanlax International Journal of Arts, Science and Humanities.

⁷ S. Dorairaj "Kilns of bondage", Frontline, India

⁸ [R. Srivastava](#) :Bonded Labour in India: its Incidence and Pattern. International Labour Organization.

issues. International labour Conventions and Recommendations serve as the ILO's standards. The development of legislative and administrative measures for the preservation and advancement of labour interests has been aided by the ILO instruments, which have offered direction and a useful framework. To that extent, rather than serving as a legally enforceable standard, ILO Conventions have had a substantial impact on Indian labour law and practise. India has been cautious while ratifying Conventions because doing so imposes legally binding responsibilities on the nation in question. In India, it has traditionally been customary to ratify a Convention only after being certain that our laws and practises are in line with the pertinent ILO Convention.

Statues Regarding Bonded Labour

1. The most significant and fundamental defence against any infringement of human life and liberty is Article 21 of the Indian Constitution. Since it is a component of the Constitution's Basic Structure, it cannot be changed. In India, each individual is guaranteed the right to life as well as the right to a life of dignity. Therefore, any usage of bonded labour would be against this constitutional clause because it deprives a person of several rights¹⁰
2. Article 23 of the Indian Constitution - As was already said, the Indian Constitution specifically calls for the abolishment of forced labour and forbids it on Indian property. This includes bonded labour as well as Begar and other types of human trafficking in India.¹¹
3. Article 39 of the Indian Constitution, which is discussed in Part IV and deals with the Directive Principles of State Policy, is regarded as incontrovertible for administrative purposes even if it is not enforceable. According to this fundamental requirement, the state must uphold the right to a respectable level of life. Additionally,

it instructs the state to establish its laws so that no one is compelled by financial limitations to engage in employment that is not suited for them.¹²

4. As a Directive Principle of State Policy, Article 42 of the Constitution provides that "The State shall implement steps for providing adequate and humane working conditions." This suggests that the government must make sure that everyone has a fair and respectful workplace. However, as it is a part of Part IV, it cannot be put into practise.¹³
5. The Constitution's Article 43 requires the state to offer, among other things, work opportunities that allow for a respectable quality of living.¹⁴
6. According to the Indian Penal Code, engaging in illegal forced labour is a crime punishable by up to a year in jail, a fine, or both.¹⁵
7. Anyone working longer than the "normal working day" must be paid for their time, according to the Minimum Pay Act of 1948, which also establishes the minimum wage for a number of recognised vocations.¹⁶
8. The Bonded Labor System (Abolition) Act of 1976 imposes a maximum fine of Rs. 2000 and a maximum sentence of three years in jail. This punishment applies to anybody who drives someone to undertake bonded labour or raises the bond obligation. According to the Act, all offences are both cognizable and bailable.¹⁷

Name of the State	Number of Bonded Labourers		
	Identified and Released	Rehabilitated	Central assistance provided (Rs. in lakhs)

¹⁰ National Human Rights Commission, India. (2012, November 25). Keynote address on bonded labour -National Human Rights Commission, India.

¹¹ Supra

¹² Supra

¹³ Supra

¹⁴ Supra

¹⁵ Supra

¹⁶ Supra

¹⁷ Supra

Andhra Pradesh	38,141	31,687	865.30
Arunachal Pradesh	3,526	2992	568.48
Bihar	15,395	14,577	548.98
Chhattisgarh	2215	2215	221.5
Gujarat	64	64	1.01
Haryana	594	92	5.23
Jharkhand	196	196	19.60
Karnataka	64,600	58,348	1694.48
Kerala	823	710	15.56
Madhya Pradesh	13,317	12,392	169.90
Maharashtra	1,404	1,325	10.10
Odisha	50,441	47,313	944.53
Punjab	252	252	25.20
Rajasthan	7713	6556	94.92
Tamil Nadu	65,573	65,573	1661.94
Uttar Pradesh	355,72	355,72	1308.13
Uttaranchal	5	5	0.50
West Bengal	344	344	27.26
TOTAL	3,00,175	2,80,213	8182.62

The State/ UT- wise number of bonded labourers identified, released and rehabilitated and Central assistance released to the States under the Centrally Sponsored Plan Scheme up to 31.03.2015.

As it can be seen Uttar Pradesh has the highest number of cases of bonded labour. The root cause of every state's statistic can be recognised individually by evaluating every state's condition be it economic, political or social. The literacy rate of every state is an important factor to be kept in mind while studying such statistics. Furthermore, Tamil Nadu, Karnataka, Odisha and Bihar have a significant high magnitude of bonded labourers as well.

Demographics

In India, social hierarchy and discrimination are believed to support both traditional and contemporary forms of forced

labour and bondage, with women, children, and members of the former untouchable castes and tribal groups bearing the brunt of the atrocities, according to the evidence presented later in this essay. The reason for the issue's poor exposure may be related to the low social ascription and perceived rights of the countless victims of bondage. According to a survey done by the Indian Planning Commission, "almost 83 percent of the rehabilitated bond employees belong to Scheduled Tribe (ST) and Scheduled Caste (SC) communities."

17 states regularly keep track of situations involving bound labourers. The area's poverty and the existence of bonded labour are strongly associated. There are numerous known bonded labourers, according to the Ministry of Labour and Employment (2,86,839). Annual Report for 2007–2008. Ninety-three percent of the bonded labourers who were identified have undergone rehabilitation; the remaining ones are still through it. The number of officially recognised bonded workers is decreasing with time, which suggests a drop in new cases and no or very few relapses. Early in the 1980s, the majority of bound labourers received rehabilitation. The states with the greatest percentages of bonded labourers are Tamil Nadu, Karnataka, Orissa, Andhra Pradesh, and Uttar Pradesh, according to state-by-state research.

Social and financial standing of former bond labourers: More over half of these people are older than 45 on average (52 percent). 19% of the bonded labourers who have been rehabilitated are female. The Scheduled Tribe (ST) or Scheduled Caste (SC) groups make up to over 83 percent of the rehabilitated bond labourers. Among the rehabilitated bonded labourers, the proportion of STs (43.6%) is somewhat higher than the number of SCs (39.9%), and they make up 16% of the recorded OBC populations.

76.2 percent of bonded labourers who have been rehabilitated lack literacy, while 16.6 percent have only finished elementary school, 6.6 percent have only finished basic school, and 0.6 percent have gone on to higher education. The state with the highest percentage of illiterates among rehabilitated bonded labourers is

Rajasthan (96.3%), followed by Madhya Pradesh (89.3%). The lowest percentage is found in Tamil Nadu, where 63.3 percent of bonded labourers who have been rehabilitated lack literacy. The survey of rehabilitated bonded labourers found that 86 percent of them are married, 12 percent are single, and 2 percent are either widowed or separated. The socioeconomic profile of the former bonded labourers proves beyond a shadow of a doubt that they are from the periphery of society, where they were impoverished and miserable.

Type of job performed as bonded labour, as well as the length of the bonded labour: When they were in slavery, more over half of the respondents (46.8%) worked on farms, 17.% in stone mines, and 10.1% in brick kilns. The period of time the respondents had been held in slavery ranged from less than a year to more than 15 years. According to Figure 5.5, the maximum percentage of respondents (35.4%) who were held in slavery for a duration of 5 to 10 years. 13.9 percent of those who were kept as slaves for 15 years before being freed and receiving rehabilitation were among the 20.4 percent who had been held as slaves for between 10 and 15 years.

30.3 percent of all responders are rehabilitated bonded labourers with a maximum release date of five years. Only 2.3% of all responders had their service terminated within a year.

Family members in bondage: Nearly 50% of all Bonded Laborers with records (48.8%) reported having family members in bondage. The majority of respondents in Madhya Pradesh—84.4 percent of rehabilitated bonded laborers—said that at least one member of their family was also a slave. In the bulk of the cases, according to 61.5 percent of all respondents, the husband and wife were both held captive, and in 14.8 percent of all the cases examined, the respondents' brother was as well. Family members who weren't the spouse, daughter, son, or brother were imprisoned in 19.1% of the instances.¹⁸

Perspective Plan to Eliminate Bonded labour

A. Rehabilitation of bonded labourers

Meaningful rehabilitation can occur in three phases:

a. Immediate rehabilitation

It includes the payment as per the subsistence par, the minimum requirement of the worker to free himself from being a bonded labour.

b. Provisional employment

The worker shall require a source of income to prevent himself from further entering the same loop of bonded labour. This phase includes securing a need-based minimum wage and also the facilitation of the basic assets enabling the worker to begin a free life.

c. Social and economic programmes

This phase includes the formation of association and such which shall help the workers to put forth their needs and further protect them from any kind of exploitation.

B. Access to Micro credit

The incapacity of the poor to take advantage of the means to improve their capacities has long been attributed in large part to the restricted access that the poor have to formal credit. The limited availability of formal credit, the state's limited ability to implement its policies, the political and economic division of local markets, and the institutional flaws of many microfinance programmes have all been cited as contributing factors to the persistence of informal credit in rural areas.

Microfinance services not only benefit the poor by lowering their financial reliance on unauthorised creditors, but also lower chronic poverty and

¹⁸ Planning Commission - A Report on Bonded Labour Rehabilitation Scheme under Centrally Sponsored Bonded Labour System (Abolition) Act, 1976 in the state of Madhya Pradesh, Orissa,

Rajasthan, Tamil Nadu and Uttar Pradesh. Socio Economic and Educational Development Society (SEEDS).

vulnerability by improving the resources available to them for sustaining their livelihoods.

C. Education

The numerous programmes and incentives run by the government require the awareness among individuals to be able to utilise and effectuate its purpose. This can be done even be conducted via a grass-root level, where the students are taught about it so they eventually become informed citizens of the country. Training is a crucial component of developing human resources. It transmits information, knowledge, and abilities. It eliminates scepticism and cynicism. It serves as a tool for both carrying conviction and learning through sharing. Training should emphasise that the government's inability to acknowledge the bonded labour system, not its presence, is what makes it a travesty; regulations of the legal system and Supreme Court decisions need to be interpreted into the provincial language(s) and distributed for use in schooling; and case studies on the definition and status of bonded labour should be extensively and repeatedly used.

D. Identification of bonded labourers

It is essential to figure out how to identify and count bonded labourers by surveys and other methods, such as gathering, compiling, and analysing the results of the survey and creating a computerised database for additional follow-up action. The information relating to the recognition, discharge, and rehabilitation of bonded labourers should be stored electronically so that it may be retrieved as needed.

E. Functional helpline

With a functional help line in force, the workers will a means to contact a third party for his aid. Numerous NGOs diligently work in order to eradicate this evil. The Supreme Court has designated socio-legal investigative commissioners who have shed sufficient light on various areas of debt bondage and how successfully the issue is

being addressed on the ground. While most of them have not yet been recorded, some of them may have been. If all of these reports could be gathered, reviewed, and then published as official records, it would be helpful.

F. Land reforms

Any land reform initiative should be seen as a tool to eliminate inequality in access to production tools, access to land, and the ability to harvest involving at least from property at a fair and lucrative price. Below are some guidelines for land reform policies that should be kept in mind:

- Ceiling laws should be appropriately applied and followed through to their logical end;
- Ceiling law relaxations should only be carefully evaluated;
- A district study should be conducted to determine the amount of deprivation, the amount of land seized from SC/ST members through fraud or manipulation, and the price of any potential private land purchases.
- Each state government should then start a methodical campaign to return land to the SC/ST.

G. Strengthening Public Distribution System

Because of the drastic variations in the labour market, wage levels should be reviewed every two years. A large portion of the wage should be paid in cash rather than in kind because it is challenging to calculate the cash value of wages paid in kind. The process for setting, evaluating, and modifying minimum wages needs to be simplified and take less time to implement.

Conclusion

It seems quite clear from the aforementioned evidence presented in the paper that forced labour of all kinds ,

especially with regards to bondage have the ability to supplant themselves in modern society through the means of an already existent social hierarchy in the form of the caste system where the lower strata of tribals and untouchables form the bedrock of this modernized form of debt laden slavery, this is probably also the reason why the issue of bonded labour goes unnoticed in Indian Society as that strata is seen to be inferior and less deserving of basic human rights compared to the other castes.

The Existence of this cruel and inhumane practice well into the 21st century is a sheer affront to the Values enshrined in the Indian Constitution which guarantee basic human rights to every citizen of this state regardless of their caste, religion, gender or economic status, although the practice itself has been slowly seen to be barbaric owing mainly to economic growth, social movements and moderate state intervention which has resulted in change in certain sectors (Mainly Traditional Agriculture), bonded labour still thrives as a legitimate system in unorganised and informal industries.

A legal basis for the elimination of bonded labour was established by the Bonded Labour System (Elimination) Act of 1976. However, the States have mostly continued to apply it ineffectively, as both the Supreme Court and the NHRC have demonstrated.

Last but not least, the continued use of bondage is a result of lax enforcement of local and labour laws. There are several labour laws in India that govern the working conditions of contract and migrant workers, forbid child labour in dangerous occupations, and mandate minimum salaries. The bulk of these are still unmet, nevertheless.

More importantly, there is a history of abuse of workers' fundamental human rights, which are guaranteed by the constitution. In this regard, the government must work in tandem with businesses, workers, and civil society organisations to guarantee that the act is upheld.

Last but not least, the failure to police municipal and labour regulations has led to the continuous usage of bondage. The working conditions of contract and migrant employees are

regulated by a number of labour regulations in India, which include prohibit child labour in hazardous jobs and set minimum wages. The majority of these remain unfulfilled, nevertheless.

More importantly, there is a history of violations of the constitutionally protected fundamental human rights of workers. In order to ensure that the act is enforced, the government must collaborate with corporations, labour unions, and civil society organisations.

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