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# **BOUNDED LABOUR**

AUTHORED BY - GAURAV CHOPRA

## **INTRODUCTION**

Many generation work underneath bondage for the reimbursement of a paltry that has been taken by some remote root. The interest rates are extortionate and such bondage can't be completed as a result of any legitimate contract or agreement. The system implies the infringement of the fundamental human rights and destruction of the dignity of human labour." The concept of bonded labour in India is not novel, rather it is another form of slavery which is an amalgamation of inhumane exploitation and discrimination. It originates from underlying socio-economic structures which can be mainly characterised as the "caste system" wherein the majority of bonded labours belong to the Dalit or indigenous class of people like the Adivasis.

In the ancient Indian era, there was proximity between the occupational status and the caste of an individual, the same system continues to be prevalent even today. The entire mechanism of bonded labour was much more prevalent in the pre-independence period, following which Article 23 of Indian constitution was drafted which prohibited the practice of any form of forced labour and made all such practices punishable. Even though there was a constitutional provision which prohibited any form of forced labour, the parliament failed to enact a law which explicitly abolished the practice of bonded labour.

Post-independence several states like Orissa (Orissa Debt Bonded Abolition Regulation, 1948), Kerala (Kerala Bonded Labour System Abolition, 1975) and Rajasthan (Rajasthan Sagri Abolition Act, 1961) enacted state legislations which penalised the practice of bonded labour. Despite several states penalising the practice of bonded labour, there was no uniform law until 1976 which prohibited and penalised the practice of bonded labour. The bonded labour system (Abolition) Act, 1976 (herein referred to as the Act) was enacted to abolish the system of bonded labour to not only prevent physical exploitation of the people belonging to weaker sections but also to ensure equality and right to life as enshrined under the Indian Constitution. The Act defines a bonded labourer as "a labourer who incurs, or has, or is presumed to have incurred a bonded debt"

## WHAT IS BONDED LABOUR?

The Bonded Labour abolition act defines it as - "Bonded labour means any labour or service rendered under the bonded labour system"

The Act defines „bonded labour“ as a service rendered under the „bonded labour system,„. This is a system of forced or partly forced, labour under which the debtor enters into an agreement, oral or written, with the creditor. According to this agreement, in consideration of an „advance,, and its interest obtained by the debtor or by any of his lineal ascendants or in pursuance of any customary duty or because of his birth in any particular caste or community, the debtor agrees to render, by himself or through any member of his family, labour for the creditor for a specified or unspecified period either without wages or for trifling wages, or forfeit the freedom of employment, or forfeits his other basic human rights of livelihood.

It is a practice in which employers give high-interest loans to workers who work at low wages to pay off the debt. Bonded labour is found to exist in both rural and urban pockets in unorganized industries such as brick kilns, stone quarries, coal mining, agricultural labour, domestic servitude, circus, and sexual slavery.

The bonded labour system is an outcome of a debt-bondage system under which the debtor agrees along with the creditor that he would render services either himself or through his family members for a time period without any form wages.

The Supreme Court of India has interpreted bonded labour as the payment of wages that are below the prevailing market wages and legal minimum wages.<sup>1</sup>

## REASONS FOR THE PERSISTENCE OF BONDED LABOUR

- a) The lack of awareness among workers and employers
- b) Low conviction rates
- c) Social bias towards bonded labour
- d) Migratory nature of bonded labour
- e) Weaker implementation of Bonded Labour System (Abolition) Act 1976.

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<sup>1</sup> What is Bonded Labour, available at: <https://articles.manupatra.com/article-details/Bonded-Labour-in-India-An-Analysis>, (last visited February 14,2023)

## IMPACT OF COVID-19 ON BONDED LABOUR SYSTEM IN INDIA

The national lockdown came into effect on March 26, backed by health experts as a necessary step for containing the rapid spread of the virus. There are, however, consequences of the contagion that go beyond the health-related challenges, and raise, possibly, more long-term humanitarian concerns.

The COVID-19 pandemic has exacerbated the issue of debt bondage in India. As millions of migrant laborers were forced to move during the pandemic, factory owners scrambled for cheap labor to keep production going. Many companies recruited child laborers with promises of steady employment until the country reopened.

Moreover, many states in India have loosened labor laws to offset the effects of COVID-19 at the expense of the laborers. Punjab and Gujarat amended their Factories Act, which increased the work hours to 72 hours each week. Rajasthan has increased working hours from eight per day to 12. Uttar Pradesh has exempted companies from almost all labor laws for the next three years, including the ones related to occupational safety, health, working conditions, contract workers and migrant laborers. As a result of its secondary consequences, COVID-19 keeps Indian laborers in debt bondage and further restricts laborers the freedom to escape.

In addition, more children have been working during the pandemic to help financially support their families. CEO of Good-Weave International Nina Smith said, “there were 152 million child laborers around the world making products we purchase every day prior to the pandemic, down nearly 40% since 2000, according to the International Labor Organization.” However, while before the pandemic eight out of 10 children were in school, data suggests they will not all return when schools reopen. This is because their families have become dependent on their income. Bonded labor perpetuates the cycle of impoverishment. When children miss school to work in factories, they are denied the chance to elevate themselves through education. When adults must put their money toward paying off insurmountable debts, their quality of life cannot improve.<sup>2</sup>

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<sup>2</sup> IMPACT OF COVID-19 ON BONDED LABOUR SYSTEM IN INDIA, available at: <https://borgenproject.org/covid-19/>, (last visited February 14,2023)=

## **COMPARISON BETWEEN BONDED LABOUR AND CONTRACT LABOUR**

Contract labours are employed for a fixed-term contract which may be fixed in terms of time. This ensures the employee with employment for a fixed duration. The contract could also be fixed in terms of a project which ensures the employee that his employment is secured till the completion of a project. Lastly, contract labours can also be employed seasonally, for example- for agricultural purposes.

On the other hand, bonded labour occurs when an individual owes to some other individual and there is no scope for repayment. In such instances, the debtor enters into a relationship wherein he works for the creditor as a way to pay off the loan or debt. The nature of work and the time duration for such work may or may not be defined. There are no contractual obligations in the bonded labour system and this could lead to severe and gross violations of human rights.<sup>3</sup>

### **THE BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976- SALIENT FEATURES AND CRITICISMS**

#### **1. Salient Features of the Act**

- The Act provides several safeguards against the system, to protect the bonded labour from exploitation. Some of these safeguards are as follows:
- The bonded labour stand discharged from every obligation to provide any form of bonded labour.
- The Act yielded every agreement/ custom void wherein bonded labour existed.
- The Act freed every property which was mortgaged vis-a-vis recovery for bonded debt from its commencement.
- The Act also freed any person who was detained in civil prison in pursuance of a bonded debt.
- As per the Act, once a bonded labour is freed, he cannot be evicted from the homestead.
- The Act has made the offence of practising Bonded Labour punishable, with imprisonment of up to 3 years and a fine up to two thousand rupees for any person

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<sup>3</sup> COMPARISON BETWEEN BONDED LABOUR AND CONTRACT LABOUR, available at: <https://www.legalserviceindia.com/legal/>, (last visited February 14,2023)

compelling another individual to engage in bonded labour.

- Offences under this Act are cognizable as well as bailable.

## 2. Criticisms of the Act

Even though the Act has successfully provided relief to several Bonded Labourers and has helped address situations wherein gross violations of human rights take place, it also has some loopholes which adversely affect its applicability and efficiency.

Some of the key issues are:

- The Bonded Labour System (Abolition) Act, 1976 is only a welfare legislation and is not a labour law. Other labour laws address situations where there is employer-employee nexus, however, the Bonded Labour System (Abolition) Act, 1976 is the reverse- it scraps off the existing master-servant relationship.
- Post-independence the government took more than 25 years to institutionalize bonded labour. This shows the apathy government had towards the bonded labour. The reason for such lack of concern may be due to the nexus between local goons who force individuals into bonded labour or pay less wages than the statutory mandated and police officials. Also, since most of the bonded labour come from the lower strata of society, they are bound to face caste discrimination when dealing with state officials.
- Section 10 of the act empowers a district magistrate to look into the rights of bonded labourers and implement the provisions of the act. Section 11 mandates district magistrate to secure economic rights of the bonded labour so that the person doesn't live in debt in future. However, in reality, we see that sometimes there is a close nexus between landlords who abuse provisions of the legislation and executive magistrate, this results in a much worse position for the bonded labourer. Also, too much discretionary power is given to the executive magistrate which is not reasonable. Instead, a committee should be formed which should comprise of members of civil society, members from SC/ST and tribal communities, judicial magistrates and the executive magistrate. This committee should look into social welfare and economic interest of bonded labourers.<sup>4</sup>
- Section 21 of the act empowers state governments to make executive magistrate as judicial magistrate of the first class or second and then they can try alleged offences under this legislation. Again, over here executive magistrates have been conferred with

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<sup>4</sup> THE BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976, available at, <https://www.legalserviceindia.com/>, (last visited February 14,2023)

too much power.

- Section 22 makes offences under this act as bailable such offences should be made non-bailable as bonded labour takes away right to life of an individual and directly violates the constitution of India. The non-bailable offence will further ensure deterrence in society.
- Moreover, the real problem lies in the implementation. Failure of implementation of the provisions of the Act can arise due to several factors like:
  - a) Lack of consciousness and knowledge
  - b) Lack of the prosecution of offenders
  - c) Lack of political as well as administrative will
  - d) Monetary, as well as social dependence

## **STATUTORY SAFEGUARDS AGAINST BONDED LABOUR**

The Bonded Labour System (Abolition) Act 1976 provided various protections against bonded labour. A few of them are listed below:

- 1) Under Section 4 of the act, the prime remedy that was granted to the bonded labourers with the commencement of the act was that the bonded labour stand freed from any kind of obligation to provide bonded labour.
- 2) Under Section 5 of the act, any contract/tradition whereby bonded labour existed was declared void and inoperative.
- 3) Under Section 6 of the Act, every burden of a bonded labourer to pay any bonded debt, or any part thereof shall be deemed to have been abolished.
- 4) Prohibition was cast on filing any suit before any civil court for recovery of bonded debt.
- 5) Under Section 7 of the act, any property which is under mortgage in connection with bonded debt shall be stood discharged on commencement of the act.
- 6) Any person arrested in civil prison in pursuance of the bonded debt shall be released as per the provisions of the act.
- 7) Under Section 8 of the act, a bonded labour who has been freed shall not be evicted from the homestead.<sup>5</sup>

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<sup>5</sup> STATUTORY SAFEGUARDS AGAINST BONDED LABOUR, available at: <https://articles.manupatra.com/article-details/>, (last visited February 14,2023)

## CONSTITUTIONAL SAFEGUARDS AGAINST BONDED LABOUR

The Constitution of India demands the treatment of labour as a dignified human being, an ethical personality, a respectable citizen. It, therefore, solemnly embodies a character of rights for the common man particularly the Indian workers struggling long from social- financial injustice. It enjoined upon the country the responsibility to expand a new way for a social-economic relationship with labour. The framers of the constitution have been aware of the reality that no society can endure completely if a few people are in the grip of forced labour. Given this, they have spent vast time and energy to provide labours right against exploitation and the right to all different freedoms for a respectable living.

Under the Indian Constitution, Article 23(1) prohibits human trafficking and other forms of forced labour and also provides that contraventions to this article are punishable in accordance with the law. In India, the scope and content of this article came in for judicial interpretation in the case of People's Union for Democratic Rights Vs. UOI (Asian workers case) in 1982.

### ✚ Relevancy of Part III of the Constitution

Part III of the Constitution of India is the yardstick for labour laws in India. Part III (Article 12 to 35) of the Constitution provides the citizen with the fundamental rights which include Equality before the law, Religion, Sex, caste, the abolition of untouchability, place of birth, freedom of speech and expression, and prohibition of child labour factories. Few important articles relating to forced labour are listed below:

### ✚ Article 14

Equality before the law which is construed in labour laws as "Equal pay for equal work". However, the law is not absolute and is subject to certain restrictions such as physical ability, unskilled and skilled labours shall receive payment according to their merit. Equal pay depends on the nature of work done.<sup>8</sup> In the case of Randhir Singh vs Union of India, the Supreme Court said that "The principle of „equal pay for equal work,, is not explicitly affirmed by our Constitution to be a fundamental right. But it undoubtedly is a Constitutional aim which shall be attained through Article 14,16 and 39 (c) of the Constitution of India."

### ✚ Article 19 (1) (C)

The article grants citizens the right to form associations or unions. The Trade Union Act, 1926 functions through this Article. It allows workers to form trade unions. Trade Unions provide

the power to stand against the barbarity and injustice done against the workers.

The Apex Court in the case of O. K. Ghosh And Another vs E. X. Joseph and Damyanti Naranga vs The Union Of India, held that Article 19(1)(c) is not just restricted to the formation of union or association but the right can be efficacious only if it is held to consist within. It also includes the right to continue the association with its composition as voluntarily decided upon by the persons forming the Union.

#### **Article 21**

The reach of the right to life, given by Article 21 is wide and unrestricted. Life means something more than mere animal existence. It means something much more than just physical survival. In Maneka Gandhi,,s case the Supreme Court held that the right to „live,, is not merely confined to physical existence, but it includes within its scope the right to live with human dignity and gave a new dimension to Article 21. In State of Maharashtra v. Chandrabhan the Court struck down and declared a provision of Bombay Civil Service Rules, 1959, as violative of Article 21 of the Constitution, which provided for payment of only a nominal subsistence allowance of One Rupee per month to a suspended Government Servant upon his conviction during the pendency of his appeal.<sup>6</sup>

#### **Article 23**

Article 23 prohibits „bonded labour,, as it is a form of forced labour within the meaning of this Article. The ambit of Article 23 is wide, and it bars "beggar and other forms of forced labour" and "traffic in human beings" wherever they are found. Not only "beggar" but also every form of forced labour, whether the person who is forced to give his labour or service to another is remunerated or not, is within the inhibition of Article 23 and is prohibited. Thus, in present times, bonded labour is an offense punishable under the Bonded Labour (Abolition) Act, 1976 which forbids all kinds of bonded labour declaring the practice unlawful.

#### **Relevancy of Part IV of the Constitution**

Part IV of the Constitution of India, which is known as the "Directive Principles of State Policy" seeks to work toward the welfare of its citizens. DPSP are unenforceable in the court of law, but these principles place certain ideals before the legislature of India which should be

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<sup>6</sup> CONSTITUTIONAL SAFEGUARDS AGAINST BONDED LABOUR, available at: <https://articles.manupatra.com/article-details/>, (last visited February 14,2023)

considered while framing new legislation for the country,,s administration.

#### ✚ Article 39 (a)

The State shall ensure that its policies be directed to provide sufficient means of livelihood to the citizens, men, and women equally. It means that every citizen of the country has the right to earn a livelihood without getting discriminated based on their sex. In, *Randhir Singh vs Union of India & Ors*, the Apex court held that the principle of „equal pay for equal work,, is not explicitly given by our Constitution to be a fundamental right. But it is undoubtedly a Constitutional goal.

#### ✚ Article 42

Provides for the improvement of the working environments for labourers. It talks about creating a just and humane place of work. Another principle provided in the article is of maternity relief.

#### ✚ Article 43

Talks about the "living wage" for its citizens. Living wage not only includes the "bare necessities of life" but also the social and cultural upliftment of the person.

DPSP are the directives to the union and state government agencies of India to be followed as fundamental in the governance of the country and it shall be the duty of the state to make laws in light of these principles. They provide with the path which leads the people of the nation to achieve the noble ideals which the preamble of the constitution proclaims: Justice- Social, economic, and political, liberty, equality, and the dignity of the individual. The State while discharging its functions under Article. 39, 41, 42, and 43 must extend the umbrella of protection to these **poor** and needy, and vulnerable workmen who are unable to negotiate on terms of equality and who may agree to any conditions to avoid hunger and destitution

#### ✚ Central Sector Scheme for Rehabilitation of Bonded Labourers (2016)

Under this scheme financial assistance to the extent of Rs.3 lakhs is provided to released bonded labourers along with other non-cash assistance for their livelihood.

### **INTERNATIONAL OBLIGATIONS AGAINST BONDED LABOUR**

The International Labour Organization Conventions on Forced Labour and related UN Conventions define and forbid several types of, slavery, forced labour, and debt bondage.

League of Nations accepted the Slavery Convention in 1926 which was followed by the first ILO Forced Labour Convention, 1930 (No. 29). Article 2(1) of the Convention defines forced labour as "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily".

Although Debt bondage is not explicitly given within the ambit of Forced Labour under Convention 29, over time the ILO's Committee of Experts on the implementation of Conventions and Recommendations has stated several times that „debt bondage,, is one form of „forced labour,, and is covered by the Convention's definition.

#### **✚ Ratification of ILO Abolition of Forced Labour Convention, 1957 (No. 105) by India**

The Abolition of Forced Labour, 1957 (No. 105), is one of the eight ILO fundamental conventions of the International Labour Organization, which prohibits several forms of forced labour, such as punishment for strikes and punishment for holding certain political views. India is a founder member of the International Labour Organization and has also ratified the ILO Abolition of Forced Labour Convention, 1957 (No. 105).

#### **✚ SGD Target 8.7**

India is obliged to end slavery by 2030 under the Sustainable Development Goal (Target 8.7) of ending forced labour, human trafficking, and child labour. SGD Target 8.7 calls on all the members of the alliance including India, to take immediate and effective actions to eliminate forced labour, end modern slavery and trafficking in human being, and secure the prohibition and elimination of all forms of child labour as an essential step to achieving decent work for all, full and productive employment and inclusive and sustained economic growth. India is bound to take immediate action to eliminate forced labour, end modern slavery and human trafficking, and ensure the prohibition and abolition of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 put an end to child labour in all its forms.

#### **✚ Global Slavery Index**

The Global Slavery Index is an international report of modern slavery published by the Minderoo Foundation that assesses the extent of modern slavery country by country, and the measures the respective governments are taking to respond to this issue to objectively measure progress toward ending modern slavery. India has been placed at a low rank of 53 out of 167

nations and it aims to improve its rank in the Global Slavery Index.<sup>7</sup>

## CASE LAWS<sup>8</sup>

### 1. PEOPLES' UNION FOR DEMOCRATIC RIGHTS V. UNION OF INDIA

The petitioner commissioned three social scientists to enquire into the conditions underneath that the employee worked in Asian projects based on the investigations conducted by the social scientists, petitioner sent a letter self-addressed to Justice P.N Bhagwati. In pursuance to a similar, the Hon<sup>ble</sup> Supreme Court took notice of the letter on the judicial aspect and issued notice to Union of India and State of urban centre.

The Court stated that, "The Union of India, Delhi Administration and therefore the Delhi Development Authority cannot escape their obligation to the workmen to make sure observance of the provisions of assorted labour law by its contractors and for non-compliance with the laws by the contractors, the workmen would clearly have a reason for actions against them as principal employers."

The Hon<sup>ble</sup> Supreme Court of India handled the expression "other similar style of forced bonded labour" envisaged in Article 23 of The Constitution of India, 1950. The court gave the expression a good interpretation to fulfil the objectives of Article 23. The court control that someone who has been forced to figure as a bonded labour and one who is functioning as a labour at a rate lesser than the minimum wage shall be dealt equally.

While disposing of the writ pertaining to the Supreme Court made the following observations:

- 1) All forms of forced labour were prohibited under Article 23 of the Indian Constitution.
- 2) Remuneration is not a criterion under bonded labour i.e. it is not important whether the debtor is remunerated for his labour.
- 3) Wages below limits as per the minimum wages act would lead to forced labour.
- 4) If labour arises out of any form of compulsion or force it would come within the ambit of forced labour and would therefore be covered by article 23 of the Indian Constitution.

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<sup>7</sup> INTERNATIONAL OBLIGATIONS AGAINST BONDED LABOUR, available at: <https://articles.manupatra.com/article-details/Bonded-Labour-in-India-An-Analysis>, (last visited February 14,2023)

<sup>8</sup> Case Laws, available at: <https://www.mondaq.com/india/>, (last visited February 14,2023)

## **2. BADHUA MUKTI MORCHA V. UNION OF INDIA**

The Public Interest Litigation was filed before the Supreme Court under Article 32 of The Constitution of India to issue appropriate directions for prohibition of Bonded Labour. The petitioner conducted a survey in stone quarries situated in Faridabad district. It was found by the petitioner that they were living in substandard conditions. There were a lot of middlemen who extracted the money from the workmen as commission.

The court directed the Central Government and the State of Haryana to install washrooms, suitable drinking facilities, provide medical kits so as to raise the living standards of the workmen. The court directed the Central Government to conduct inspection every fortnight and in case, any workman is found in distressed condition, he should be provided medical and legal assistance.

The court went on to observe that, This right to live with human dignity enshrined in Article 21 derives its life breath from the Directive Principles of State Policy and particularly Clauses (e) and (f) of Article 39 and Articles 41 and 42 and at the least, therefore, it must include protection of the health and strength of workers men and women, and of the tender age of children against abuse, opportunities and facilities for children to develop in a healthy manner and in conditions of freedom and dignity, educational facilities, just and humane conditions of work and maternity relief. These are the minimum requirements which must exist in order to enable a person to live with human dignity and no State neither the Central Government nor any State Government has the right to take any action which will deprive a person of the enjoyment of these basic essentials.

## **3. NEERJA CHAUDHARY V. STATE OF MADHYA PRADESH**

It was alleged by the petitioner that in spite of the fact that a long time has elapsed, quite a number of labourers rescued from Faridabad quarries have not been rehabilitated. It was contended by the petitioner that the State Government was obligated to overlook the rehabilitation of rescued labourers and rehabilitation of labourers is necessary so as to ensure Right to Life guaranteed to them under The Constitution of India, 1950.

The Hon'ble court held that as per the requirements of Article 21 and 23, the bonded labourers need to be identified, rescued and also rehabilitated. The court highlighted the importance of rehabilitation observing that in absence of any concrete measures for rehabilitation of rescued

labourers, they would be driven into the state of poverty and substandard conditions again and it might lead them to the bonded labour system again.

## **RECOMMENDATIONS AND SUGGESTIONS**

Every individual is endowed with a right to live with dignity. The bonded labours have not seen the light of the day and their right to live with dignity is mostly denied blatantly. Even though the Indian Constitution and the Act provide legislations which provides for various protection and prohibit the practice of bonded labour, however, the system is very much prevalent even in the current times due to various implementation failures and other factors. There is an urgent need for political as well as unconventional recommendations to eradicate this problem from the roots of India.

The government of India should demonstrate its commitment to the eradication of bonded child labor by implementing the following recommendations at the earliest possible date

Pressure states and districts to constitute and oversee bonded labor vigilance committees, as required by the Bonded Labour (System) Abolition Act, 1976.

Ensure that a sufficient number of investigators can be included in the committee to guarantee implementation of the act. Given the massive numbers of children involved, nongovernmental organization (NGO) representatives, lawyers, social workers, teachers, civil servants, and others with ties to bonded laborers and their families should be enlisted as investigators.

Establish an independent monitoring agency to oversee the enforcement of the Child Labour (Prohibition and Regulation) Act, 1986.

The police system must be revamped along with sensitising them. This would make them more approachable for bonded labour. Currently, It is frequently noted that the police gets corrupted by the offenders who are usually rich and powerful, which worsens the conditions of the bonded labour.

Currently, the monetary fine as a punishment for the offender is merely 2000 INR. This amount is unreasonably low as the offenders are mostly rich and powerful. The fine should be increased to reform the offenders which could subsequently decrease the practice of bonded labour.

People belonging to SC/ Dalits/ST and others who belong to the lower section in the hierarchy of caste must be made an integral part of the civil society. The law alone cannot change the society, like-minded and progressive people can. By giving the weaker sections position of power they can get a social as well as a political recognition.

Amend the Beedi and Cigar Workers Act so that exemptions for household-based production are eliminated.

## CONCLUSION

In India, there has been a never-ending fight to abolish the bonded labour system. Because of the lax enforcement of labour rules, there is bondage throughout the country. India has a vast array of labour laws governing the working conditions of contract and migrant workers, outlawing child labour in dangerous sectors, and requiring minimum salaries. There are many issues that need to be addressed and resolved, yet they are still mostly unattended to.

The dominating caste system in India and the country's great poverty are the two major causes of the bonded labour system as it exists today. Indian anti-slavery laws are not well enforced, as evidenced by the country's low ranking of 53 out of 167 countries on the Global Slavery Index.

Even though the Act and Article 23 of the Indian Constitution declare the system to be unlawful, there are still a number of problems with its execution that keep it in use today. Although the NHRC continuously urges the state governments to carry out surveys and offer rehabilitation to the bonded labourers, the outcomes are still appallingly bad for the reasons outlined above. Despite having statutory recognition, a law will be considered inadequate if it does not enforce its presence even at the lowest levels of society.

Therefore, strong measures must be taken to guarantee that the district committees established in accordance with Section 13 of the Act do not become dormant, and special care must be made to ensure that the members of those committees are wary of the rising threat of forced labour. In this regard, the state must take a cooperative action to guarantee that the legislation is implemented, working closely with employers', employees', and civil society groups. The same is true in that the state possesses the power, resources, and knowledge necessary to carry out the law. Where the NGOs are most likely to be able to inform the government of any legal

violations. Additionally, a time-bound action plan for enforcing the Bonded Labor System (Abolition) Act of 1976 and other constitutional prohibitions needs to be developed and put into effect immediately.

