



Mains Practice Question

Q. There is a scant focus on India's secret shame of bonded labour which still persists despite it being abolished decades ago under the Bonded Labour System Abolition Act, 1976. Comment.

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Approach:

- Briefly explain bonded or forced labour.
- List the reasons for the persisting practice.
- State the steps that can be taken to tackle the problem of bonded labour.
- Conclude by mentioning its significance in the Sustainable Development Goals.

Introduction

- Also known as debt bondage, bonded labor is a specific form of forced labor in which compulsion into servitude is derived from debt.
- The Global Slavery Index 2016 estimated there to be 1.8 crore Indians in modern slavery, including bondedness, while the International Labour Organisation said there were 1.17 crore bonded labourers in 2014.
- The Supreme Court of India has interpreted bonded labor as the payment of wages that are below the prevailing market wage or the legal minimum wage.
- Article 23, of Indian Constitution, prohibits traffic in human beings, begar and similar forms of forced labour and considers them to be a punishable offence.
- Bonded Labour System (Abolition) Act, 1976, empowers executive magistrates to exercise powers of the judicial magistrate of the first or second class for the trial of offenses.
- Despite having constitutional and legislative measures in place, the practice still continues in India.

Body

Reasons

- **Economic:** advances and small loans accompanied by promises of steady pay in socio-economically backward districts like Bolangir in Odisha, keep the tribals and dalits vulnerable to debt bondage. Development-induced displacement adds to their vulnerability. Brick kilns, quarries, horticulture farms, shoe and plastic factories in metropolises are the spaces that witness frequent practice of bonded labour.
- **Socio-Cultural:** social customs especially those related to caste system, poverty, illiteracy and the lack of livelihood opportunities, persisting inequality in the society remain the root causes of the practice.
- **Legal:** The Bonded Labour System Abolition Act of 1976 stipulates that the monitoring of labor violations and their enforcement are responsibilities of state governments. Also, there remains a lack of accountability and inadequate enforcement personnel.
 - **Vigilance committees have not been set up** at the district and subdivisional levels as stipulated under the Act.
 - **Unawareness:** Most labourers are not aware of the Act and turn to the authorities only when it becomes overtly violent. Also, National Crime Records Bureau data show that not

- all cases are reported by the police.
- There has been **no government-led nationwide survey** since 1978, despite each district having been given ₹4.5 lakh for such surveys.

Way Forward

- The government needs to adopt a multi-pronged strategy which not only focusses on rescue and rehabilitation processes but also addresses the socio-cultural factors like caste-based discrimination.
- Migration remains one of the important reasons for bonded labour in India and the government needs to focus on migration governance.
- Creating and regular monitoring of employment opportunities for vulnerable communities/vulnerable districts could help.
- Regulatory attention should focus on trafficking rings and sectors.
- Migration governance should be focussed upon through strengthened inter-state coordination mechanisms for migrant workers, including workplace improvements and linking them to social security schemes
- Efforts must be made to create a database of bonded labourers.

Conclusion

- The government framed a centrally-sponsored plan- Scheme for Rehabilitation of Bonded Labour in 1978 under which the Centre and states provide financial assistance for the rehabilitation of the victims of forced labour through Bonded Labour Rehabilitation Fund.
- However, it should focus more on preventive measures like conducting the regular survey, reducing the conditions that perpetuate bondage-like conditions by promoting decent work, and by removing possible elements of bondage and coercion in the worker-employer relationship.
- It is important to eradicate the root causes of bonded labour in order to contribute towards the Sustainable Development Goal 8.7, which calls for effective measures to end forced labour, modern slavery, and human trafficking, as well as child labour in all its forms.

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