

F. No.S-11012/01/2015-BL
Government of India
Ministry of Labour & Employment

Jaisalmer House,
26 Man Singh Road,
New Delhi-110011.

May 18, 2016

OFFICE MEMORANDUM

Sub: Central Sector Scheme for Rehabilitation of Bonded Labourer - 2016

The Centrally Sponsored Scheme for Rehabilitation of Bonded Labourers 1978 was last revised in May 2000. In an evaluation of the performance of the scheme and consultation with stakeholders, it was realised that the scheme was not effective in elimination of Bonded Labour System and a revamp was necessary in the larger public interest. A draft scheme was accordingly prepared by the Ministry and circulated to all State Governments, NHRC, various concerned Ministries of Government of India and the same was also published in the official website of the Ministry for eliciting comments and suggestions from the public and other concerned citizens. Based on the suggestions and inputs received from all quarters including the Social Partners, Central Government has approved the revamped Scheme w.e.f. 17.05.2016. Copy of the revamped Scheme is appended hereto.

2. The revamped scheme shall henceforth be known as a Central Sector Scheme which does not entail State share in the cash component of the rehabilitation package. The non-cash component of the erstwhile CSP scheme will continue as it is, with minor modifications to suit the changing needs of the time.

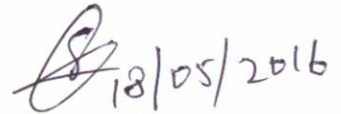
3. I am directed to convey the approval of Central Government of the said scheme for implementation by the State Governments/UT Administrations through their District Magistrates/Collectors/Sub-Divisional Magistrates.

Encl.: As above.

Chief Secretary (all State Governments)
Administrator (all UT Administrations)
District Magistrate/Collector (All)

Copy to:

Principal Secretary to the Prime Minister
Ministries of Home Affairs, Law & Justice, SJ&E, W&CD, Finance, External Affairs,
Comptroller & Auditor General of India
National Human Rights Commission


18/05/2016

(J.S. Sidhu)

Deputy Secretary to the Government of India

जे. एस. सिन्धु/J. S. SIDHU
उप सचिव/Deputy Secretary
श्रम एवं रोजगार मंत्रालय
Ministry of Labour & Employment
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Central Sector Scheme
for
Rehabilitation of Bonded Labourer - 2016

1. INTRODUCTION

1.1 Bonded Labour System in India is characterized by a long-term relationship between employer and employee, which is usually solidified through a loan or social obligation, and is embedded intricately in India's socio-economic culture marked by class/caste relations. Bonded labour contracts are not purely economic; in India, they are reinforced by custom or coercion in many sectors. The Constitution of India which was adopted by the Constituent Assembly on 26th November 1949 as the Magna Carta of Civil liberties, enshrines under dedicated Article 23, a specific provision declaring traffic in human beings, *begar* and similar forms of forced labour to be punishable offence.

1.2 The Government of India has ratified the ILO Convention C029 on 30th November 1954 which *inter alia* defines forced labour as "all work or service which is exacted from any person under the menace of penalty and for which the said person has not offered himself voluntarily"

1.3 The traditional form of bondage or forced labour in India are known as Adiyamar, Baramasia, Basahya, Bethu, Bhagela, Cherumar, Garru-Galu, Hali, Hari, Harwai, Holya, Jana, Jeetha, Kamiya, Khundit-Mundit, Kuthia, Lakhari, Munjhi, Mat, Munish system, Nit-Majoor, Paleru, Padiyal, Pannayilal, Sagri, Sanji, Sanjawat, Sewak, Sewakia, Seri, Vetti. However, with the passage of time, new dimensions of bondage have crept in under different names. The system is much more intricate than mere economic or labour relations; it reflects the stratified social structure where one or more social groups work without consideration of minimum wages or other right-based labour standards just for the sake of honouring social custom or for fear of possible reprisal in case of non-conformity, which more often than not are characterised by physical violence, ostracisation, etc.

1.4 Emerging forms of forced labour and traffic in human beings, especially of children and other disadvantaged sections of society, require a holistic approach for law enforcement as well as comprehensive rehabilitation mechanism for social, psychological, educational and economic rehabilitation.

2. EVOLUTION OF THE SCHEME

2.1 The issue of 'bonded labour' came to the list of national priority when it was included in the old 20-Point Programme in 1975. The Bonded Labour System (Abolition) Ordinance was promulgated on 25th October, 1975. This was later on replaced by the Bonded Labour System (Abolition) Act, 1976 (hereinafter referred to as the Act). This Act provides for the abolition of the system of bonded labour with simultaneous liquidation of their debts. Since the subject is included in the Concurrent List, the Union Government stepped in to assist the State Governments in their task of rehabilitation of released bonded labourers. Accordingly, Ministry of

