

Case study: A horrible incident of hand chopping case in Kalahandi district

Dialu Nial (25) live in Pipalguda village under Jayapatna block of Kalahandi district, is one of the victims of hand chopping case, took place in December 2013. He is unmarried and third son of Taru Nial and Akhuram Nial. His two elder brothers are married and living separately. Dialu's family is landless, even does not possess homestead land of their own. They belongs to a Dalit community and only occupation of the family is rope making, sells it in the nearby market and hardly gets Rs. 700 to 1000/ per month which is not enough for their family members to survive. The family is not linked with any Government scheme, nor having job card as well. Hence, in this situation he prefers to migrate to brick kilns in other states to help the family.

The other victim is Nilambar Dhangda Majhi (35), second son of Nila Dhangda Majhi and Madhab Dhangda Majhi, hails from Nuaguda village under Uchhala panchayat of Jayaptna block in Kalahandi district. He lives with his parents, wife and two sons. His father owns 2 acres of land in his name. Nilambar works in his village during monsoon and sometimes also work as daily wage labourers and rest of months migrates to other places outside the state.

Nilambar had migrated with his four year old son and wife. His elder son was left behind in village to take care of his old parents. There were 12 labourers (from five families from same village Nuaguda), were paid an advance of Rs. 10,000 per person (Rs.1.2 lakhs in total) by two labour contractors Bimal Rout and Parshu Nayak of Nuapada district on 20th November 2013. As per the agreement they left the village on 30th November 2013 and were promised to work in a brick kiln in Hyderabad, Andhra Pradesh. The 12 migrant labourers went with these two local *sardars* and handed over to another contractor Parmeswar Dundi in Kutamal village who detained them for a week over there. But instead of taking them to the destination (Hyderabad) as per the agreement, the labourers were taken to Raipur. On 7th Dec 2013, the *sardar* went with the migrants to U.P by the train from Raipur Railway station to work at a brick kiln in U.P. The labourers were realized of not going to Hyderabad. So when reached Nagpur Railway station on 8th Dec 2013, they had an argument with *sardar* about the promised destination and they refused to migrate to UP. Somehow 10 of the 12 labourers managed to escape and returned safely to their village. But Nilambara and Dialu, were caught by Parmeswar at Raipur on 9th December and taken to Kutamal village. They were detained by the *sardar* for about a week to recover their money given in advance. After four days, wife of Nilambar

started receiving the calls from the labour contractors and threatened her "if you will not return our advance money, then we will chop off the hands and legs of your husband". On 13th December 2013, wife of Nilambara lodged an FIR against sardar Parmesawar at Jaypatna police station. Next day on 14th December 2013, Nilambara's father met S.P of Bhawanipatna and reported in writing to rescue his son and Dialu. On 15th December, the two migrant labourers were taken to Belpada forest of Sindhekela block in Bolangir district by the middleman and his accomplice. On their way, sardar and his henchmen consumed liquor and threatened them to kill if they will not return the advance money of Rs.1.2 lakh. The accused then allegedly chopped off the right palms of Nilambar and Dialu with an axe and dumped them on road, nearby Bolangir. On 16th December, the two migrant labourers were spotted by the local people and sent to the Bhawanipatna district hospital. The crime came to light when the incident was highlighted in prints and electronics media.

Later on, the district police arrested the culprits within a week. The labour minister announced a compensation of Rupees two lakhs for each of the victims. The Supreme Court of India suo moto took up the case and has asked the government to submit a report. Many civil society and human rights organizations appealed the Government to inquire into the matter. The Chairman of the National Commission for the Scheduled Castes also had visited the place after the incident. The Government supported the victims in providing them artificial hands, so that they can do their activities of daily living. The district administration also linked them with Indira Awas Yojana- a housing scheme.

(Case Collected by Jan Jagran Dadan Sangha, Kaphrakhol block, Dist Bolangir, Odisha)

MEMORANDUM OF UNDERSTANDING

**For Cooperation of the Project
Reducing Vulnerability to Bondage in India through Promotion of Decent Work**

Between

Ministry of Labour and Employment, Government of India,

and

Department of Labour, Governments of Orissa and Andhra Pradesh

Preamble

The Governments of Andhra Pradesh and Orissa being concerned about the prevalence of exploitative labour practices including bondage situations in brick manufacturing activities that engage poor and vulnerable migrant workers, organized workshops with stakeholders in collaboration with the Ministry of Labour and Employment, Government of India and the ILO. During these workshops, it was decided to prepare and implement a time-bound and result oriented project to benefit workers in the identified sector namely Brick Kilns who are intra state and inter state migrants mainly from Orissa and other states working in Andhra Pradesh. It was emphasized that all stakeholders (Government, employers, trade unions, Civil Society Organizations (CSOs) and Non Governmental Organizations should be involved in implementation of the project in order to be effective

The project approach will include a) Social protection to brick kiln workers by converging government schemes at source and destination states b) Improving workplace facilities c) Promoting collective bargaining by imparting rights based education to workers, d) Social dialogue for improving labour recruitment and working conditions and e) Focussed approach towards elimination of child labour in brick kilns.

This MoU is drafted to facilitate the strengthening of inter state coordination mechanism for smooth implementation of the activities in source and destination areas of migrant workers.

Article 1

Parties to this Memorandum

The parties to this Memorandum of Understanding are

- 1.1 The Ministry of Labour and Employment (MoLE), Government of India;
- 1.2 The Labour Departments of Governments of Orissa and Andhra Pradesh in particular and other states in general

Article 2

The Purpose and Scope of this Memorandum

The purpose of the Memorandum of Understanding is to facilitate effective coordination and mutual understanding between the parties for smooth implementation of agreed activities under this project

Article 3

Intra State / Inter State Coordination Committee

The parties agree to constitute a high level inter state coordination committee comprising Director General Labour Welfare, Government of India and Secretaries and Commissioners of Labour of both the States

The functions of the committee will be.

- 3.1 Advise and supervise the operations of inter state coordination cell that will be set up in the states of Andhra Pradesh (recipient state) and Orissa (Source state) for the welfare of the inter state migrant brick kiln workers.
- 3.2 Develop and approve the method of registration and tracking of migrant workers. Devise a mechanism for regulation of recruitment practices in brick kilns sector with a view to eliminate the exploitative role of middle men / sub contractors.
- 3.3 Plan and review the activities under this project through meetings held at least once in six months, at a mutually convenient place.

Article 4

Intra State / Inter State Coordination Cell for Migrant Workers

The parties agree to set up Inter State Coordination Cell for Migrant Workers at the State Labour Commissionerate of source and recipient states. The cell will function under the direct supervision of the Labour Commissioner and comprise of two officials working full time for this purpose. The functions of the cell will include:

- 4.1 Maintain database of workers, share information with participating states and track them.
- 4.2 Coordinate with destination state for ensuring reciprocal access of schemes by workers and coordinate legal assistance.
- 4.3 Coordinate with district level facilitation cells that are primarily responsible for convergence of schemes and services.

Article 5

The Framework for the Activities

Responsibilities of Source State (Orissa) and other States

The implementation of district level activities will be carried out by the respective district administration in collaboration with the Labour Department. The district administration should ensure involvement of gram panchayats and urban local bodies in registration and tracking of both in and out migrants. The state level activities and inter departmental / inter agency coordination will be the main responsibility of the Labour department.

- 5.1 Undertake a comprehensive household survey of inter state and intra state migrant workers in the districts from where a large number of workers migrate work in brick kilns of Andhra Pradesh. The survey will also capture information required to analyze the pattern and extent of family indebtedness among the migrant workers and to map financial service providers in these areas.
- 5.2 Concurrent registration of the eligible target group under the Orissa BOCWWB's social security scheme and under the RSBY in origin state to enable access to benefits in destination state. Provision for in and out-migration under the Orissa Building and Other Construction Welfare Society and RSBY schemes should be streamlined.
- 5.3 Special focus has to be on ensuring access to the migrant labourer's children schooling (that they are not pushed into Labour) through SSA and Education Department.
- 5.4 Establish with existing manpower, migrant worker facilitation cells in source districts for performing key functions namely a) Registration and Tracking of Workers at district level b) organize camps for enrolment in schemes in collaboration with relevant departments c) organize legal awareness / labour rights awareness camps. The role of panchayats is very crucial in registration of out migrants and labour recruiters. The Cells should coordinate with Ga Kalyan Samiti and Krishak Sabha, AWC for tracking of migrants. To begin with Facilitation Cell should coordinate for mandatory registration of recruiters deposit with the Panchayats, a list of the Labourers recruited by them along with other employment details. IT based database should be maintained by NGOs and Panchayats for potential employers and employees.
- 5.5 Promote financial inclusion of target group by engaging with financial institutions / banks in order to make available, affordable micro credit for the target group. The purpose of such interventions should be not only reduction of family indebtedness but also to ensure availability of credit for taking up alternative livelihood options at the source areas. This way, the dependency on employment credit among the target group will be reduced. Organizing self-help or saving group, which is specifically tailored to the requirements of the migrants, could help increase the access to credit.
- 5.6 Undertake efforts necessary to promote livelihood opportunities for the target group by linking up with existing government schemes. Access to food entitlement and employment under MGNREGS to be priorities to address distress migration and provide employment to people during lean period and prior to and after the migration season. Food and credit based interventions can

improved through PDS through "Food for Work" schemes that has been proposed under "Employment Guarantee Act"

- 5.7 **Coordination with Panchyati Raj department for extending Indira Awas Yojana scheme for better living conditions in source areas**
- 5.8 **Massive Communication activities should be organized for registration of migrants and its benefit in local languages through posters, banner, hoardings, folks show, rally and by involving SHGs, labour unions, etc.**
- 5.9 **Registration of labour agents / recruiters / contractors under the Inter State Migrant Workmen Act and issuance of license by the DoLE. This need to be done concurrently (with household survey) as labour recruitment takes place also in the third quarter of 2011. Enforcement of Unorganized Sector Workers Act to cover this issue pertinent to migrant workers. Strict regulation and monitoring of middlemen engaged in labour trading should be done by the enforcement agency**
- 5.10 **Labour rights education could be organized by the national trade unions in the source areas. Promote organization of workers for collective bargaining to improve their working and living conditions**
- 5.11 **Carry out required activities for promotion of health of workers including health education, health camps and HIV/AIDS prevention activities, in collaboration with appropriate agencies. Convergence with NRHM, Health Department for different health facilities should be promoted. Employers must organize monthly health check-up in coordination with health department.**
- 5.12 **Promote appropriate measures for the welfare of the old age parents, dependants including the persons with disabilities who are left behind in source areas during migration period.**
- 5.13 **Effective disaster management response and mitigation to arrest migration of people. Special plans need to be prepared for mitigating and adapting to the climate change related disasters induced migration**
- 5.14 **The state will explore constitution of a special labour welfare society for the Migrant Workers to promote the welfare and social security of migrant laborers and their families. The State Welfare Society should initiate collection of 1% cess to be kept in the corpus and to be used for the migrant and unorganized workers engaged in the construction work.**

Responsibilities of Recipient State (Aadhra Pradesh)

The implementation of district level activities will be carried out by the respective district administration in collaboration with the Labour Department. The district administration should ensure involvement of gram panchayats and urban local bodies in registration and tracking of both in and out migrants. The state level activities and inter departmental / inter agency coordination will be carried out by the Labour department.

- 5.15 **Establish in destination districts, Migrant Worker Facilitation Cells for performing key functions namely a) Registration and Tracking of Workers at district level b) organize camps for enrollment in schemes in collaboration with relevant departments c) organize legal awareness / labour rights awareness camps. Such Cells will function under the direct supervision of the District Collector.**

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- 5.16 Organize required number of NGLP and SSA centres for the benefit of the 6-14 age group children of migrant workers, with educational materials provided by Orissa Govt in Oriya Language. Oriya Teachers would be employed at such centres whose salary costs would be shared by both the states under these schemes. DoLETF will coordinate with Education Department for carrying out this task. Adolescent Girls and Boys in the age group of 14-18 years will be imparted need based vocational skills training, in collaboration with relevant government agencies
- 5.17 Organize required number of crèches / anganwadis in collaboration with the BOCWWB and ICDS, for the providing day care to children below 5 years, of the target group
- 5.18 Facilitate provision of PDS entitlements (from Civil Supplies) for migrant workers to ensure food and nutritional security of the target group
- 5.19 Organize sensitization programme for employers' organizations on improving work place facilities and OSH standards.
- 5.20 Develop a code of conduct for employers for improving workplace facilities (first aid, separate toilet for men and women, fire safety, better housing, drinking water facilities, protective clothing, etc) and monitor the improvements through regular inspection of workplaces by enforcement officials.
- 5.21 Employers to be instructed to pay the wages through bank accounts of workers or crossed cheques. Enforcement officials to check periodically the payment of wages and mode of deduction of advances and report compliance to the State Migrant Workers Coordination Cell
- 5.22 Promote community based organization of workers and collective bargaining to improve the working and living conditions of workers
- 5.23 Carry out required activities for promotion of health of workers including health education, health camps and HIV/AIDS prevention activities, in collaboration with appropriate agencies.

Role of MoLE, GoI

- 5.24 Facilitate coordination between the two States through the inter-State Coordination Committee
- 5.25 Empanelment of hospitals and designated medical centres in destination areas for RSBY beneficiaries will be facilitated by the MoLE. Besides this, ESI facilities may be extended where it is applicable

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Article 6

Entry into force

The arrangements described in this Memorandum of Understanding will commence on the date on which it is signed by the authorised representatives of the parties and will remain in force till such time it is mutually decided by the parties.

Article 7

Modification and Termination of this Memorandum of Understanding

The present Memorandum of Understanding may be terminated by written consent of the parties or by one party giving other parties one month notice.

In line with the administrative nature of the provisions of this Memorandum of Understanding no provision herein shall be construed so as to in any way interfere with the constituents' independent decision making autonomy with regard to their own respective affairs and operations.

FOR THE SOURCE STATE

FOR THE RECIPIENT STATE

A. KRISHA CALANORA JANUARY

Name, Designation and Date

Secretary, Government of Andhra Pradesh

08/06/2012

(SHASHI BHUSHAN RAO)
Name, Designation and Date of

Commissioner Labour
Andhra Pradesh

FOR THE MINISTRY OF LABOUR AND EMPLOYMENT

J. H. S. S. S.

Name, Designation and Date

WITNESSES

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ତା. 20.03.2015 ରିଖ

ଶ୍ରମିକ ନିର୍ଯ୍ୟାତନା ଓ ଶୋଷଣ ଅଭିଯୋଗ ସମ୍ପର୍କରେ

ସ୍ଵ.ଡି.3529. ଶ୍ରୀ ଦିଲିପ କୁମାର ରାୟ: ଶ୍ରମ ଓ କର୍ମଚାରୀଙ୍କ ରାଜ୍ୟ ବୀମା ମନ୍ତ୍ରୀ ଅନୁଗ୍ରହ କରି କହିବେ କି - ଦର୍ଦ୍ଦରେଷ ସରକାରୀ ହିସାବ ଅନୁଯାୟୀ ଗତ 4 ବର୍ଷ ମଧ୍ୟରେ କେଉଁ ବର୍ଷ କେତେ ସଂଖ୍ୟକ ଶ୍ରମିକ ଓଡ଼ିଶାରୁ କେଉଁ ରାଜ୍ୟ / ଦେଶକୁ ଯାଇଛନ୍ତି ଏଥିରୁ କେଉଁ ବର୍ଷ କେତେଟି ଶ୍ରମିକ ନିର୍ଯ୍ୟାତନା ଓ ଶୋଷଣ ଅଭିଯୋଗ ଶ୍ରମ ବିଭାଗ ନଜରକୁ ଆସିଛି ଏବଂ କେତେ ସଂଖ୍ୟକ ନିର୍ଯ୍ୟାତନା ଓଡ଼ିଆ ଶ୍ରମିକଙ୍କୁ ଏହି ବର୍ଷଗୁଡ଼ିକରେ କେଉଁ ସବୁ ରାଜ୍ୟରୁ ଜଣାଗ କରାଯାଇଛି ଅଭ୍ୟାଚାର / ନିର୍ଯ୍ୟାତନା ଯୋଗୁ ଏହି ବର୍ଷମାନଙ୍କରେ ଓଡ଼ିଶାର କେତେ ସଂଖ୍ୟକ ଶ୍ରମିକ ପ୍ରାଣ ହରାଇଛନ୍ତି / ଆହାତ ହୋଇଛନ୍ତି ଏହି ଘଟଣାରେ କେତେ ଟଙ୍କାକୁ ଗିରଫ କରାଯାଇଛି, କେତେ ଟଙ୍କାର କ୍ଷତିପୂରଣ / ସହାୟତା ଗଣି ପ୍ରଦାନ ହୋଇଛି ଓ କେତୋଟି ମାମଲା ଚଳୁ କରାଯାଇଛି ?

ଉତ୍ତର

ଶ୍ରୀ ପ୍ରଫୁଲ୍ଲ କୁମାର ମଲିକ,
ଶ୍ରମ ଓ କର୍ମଚାରୀ ରାଜ୍ୟ ବୀମା ମନ୍ତ୍ରୀ, ଓଡ଼ିଶା ।

କେତେ ବାହାରରୁ ଯାଇଥିବା ଶ୍ରମିକମାନଙ୍କ ସମ୍ବନ୍ଧୀୟ ତଥ୍ୟ ଗଢ଼ିବା ଶ୍ରମ ବିଭାଗର ପରିସରରୁତ ନୁହେଁ ଏବଂ ଆନ୍ଧ୍ରପ୍ରଦେଶ ପ୍ରଦେଶୀ ଶ୍ରମିକ (ନିୟୁତ୍ତି, ନିୟନ୍ତ୍ରଣ ଓ ସେବା ସର୍ଭି) ଆଇନ୍ ଅନୁଯାୟୀ ପ୍ରଦେଶୀ ଶ୍ରମିକମାନଙ୍କୁ ପଞ୍ଜିକରଣ କରିବାର କୌଣସି ବିଧି ବା ବ୍ୟବସ୍ଥା ନାହିଁ ।

ପ୍ରାୟ ତଥ୍ୟ ଅନୁଯାୟୀ ଗତ 4 ବର୍ଷ (2011-2014) ମଧ୍ୟରେ ଆନ୍ଧ୍ର ରାଜ୍ୟ ପ୍ରଦେଶୀ ଶ୍ରମିକ (ନିୟୁତ୍ତି ନିୟନ୍ତ୍ରଣ ଓ ସେବା ସର୍ଭି) ଆଇନ୍ 1979 ଅନୁସାରେ 3,213 ଜଣ ଠିକାଦାରକୁ 1,35,713 ଜଣ ପ୍ରଦେଶୀ ଶ୍ରମିକଙ୍କୁ ବିଭିନ୍ନ ରାଜ୍ୟରେ ନିୟୋଜନ କରିବା ନିମନ୍ତେ ନାଲସେନ୍ସ ପ୍ରଦାନ କରାଯାଇଅଛି । ଏହାର ବର୍ଷଓଡ଼ିଆ ତାଲିକା ପରିଶିଷ୍ଟ 'କ' ରେ ଦିଆଗଲା । ହସ୍ତଗତ ହୋଇଥିବା ତଥ୍ୟ ଅନୁଯାୟୀ, ଉପରୋକ୍ତ ବର୍ଷରେ ଶ୍ରମ ବିଭାଗର 366 ଗୋଟି ଅଭିଯୋଗ ହସ୍ତଗତ ହୋଇଅଛି ।

ଏହି ବର୍ଷ ଚୁଡ଼ିକରେ ବିଭିନ୍ନ ଗାଳ୍ୟ ଯଥା - ଆନ୍ତ୍ରପ୍ରବେଶ, କର୍ତ୍ତାବଳ, ଚାମିଲନାଡୁ, ଗୁଜରାଟ, ମହାରାଷ୍ଟ୍ର ଓ ପଶ୍ଚିମବଙ୍ଗରୁ 3113 ଜଣ ପ୍ରବାସୀ ଶ୍ରମିକଙ୍କୁ ଉଦ୍ଧାର କରାଯାଇଛି, ଯାହାର ବିବରଣୀ ପରିଶିଷ୍ଟ 'ଖ' ରେ ଦିଆଗଲା । ହସ୍ତଚତ ହୋଇଥିବା ତଥ୍ୟାନୁଯାୟୀ ଏହି ବର୍ଷ ମାନକରେ ଓଡ଼ିଶାରୁ 19 ଜଣ ପ୍ରବାସୀ ଶ୍ରମିକ ବିଭିନ୍ନ ଦୁର୍ଘଟଣାରେ ପ୍ରାଣ ହରାଇଛନ୍ତି ଏବଂ 2 ଜଣ ଶ୍ରମିକ ଆହତ ହୋଇଛନ୍ତି । ବିଭିନ୍ନ ଘଟଣାରେ 8 ଜଣଙ୍କୁ ଗିରଫ କରାଯାଇଥିବାବେଳେ 50,26,116/- ପରିମାଣ କଳାର କ୍ଷତିପୂରଣ/ସହାୟତା ରାଶି ପ୍ରଦାନ କରାଯାଇଛି । ଏତଦ୍‌ବ୍ୟତୀତ ୭ ଗୋଟି ମାମଲା ବିଭିନ୍ନ Workmen's Compensation Commissioner କୋର୍ଟ ରେ ଦାଖଲ କରାଯାଇଥିବାବେଳେ ପ୍ରାୟ ହୋଇଥିବା ବିଭିନ୍ନ ଅଭିଯୋଗ ଭିତ୍ତିରେ 38 ଗୋଟି prosecution ଦାଖଲ କରାଯାଇଅଛି ।

ଅନୁସୂଚୀ ୧

Information on License Issued under I.S.M.W.(RE & CS) Act.1979, and the volume of workers

Involved from the Year 2011 to 2014

Sl No	Name of District	No of License Issued(year wise)				No of Migrant Workers Involved(year wise)				Destination States The name of the States mostly involved in the process are -
		2011	2012	2013	2014	2011	2012	2013	2014	
1	Angul	28	34	35	35	1415	3070	3120	3120	Andhra Pradesh, Tamil Nadu, Karnataka, Maharashtra, Madhya Pradesh, Gujarat, Kerala and West Bengal.
2	Balasore	1	1	4	4	50	50	N.R.	50	
3	Bargarh	36	39	39	39	530	850	850	850	
4	Bhadrak	9	11	13	13	361	401	441	441	
5	Bolangir	240	292	352	439	25334	28748	34407	40751	
6	Boudh	1	1	2	2	20	20	40	40	
7	Cuttack	44	47	56	61	1379	1469	1959	2269	
8	Chatrapur	168	296	456	472	4661	7190	10635	15042	
9	Deogarh	-	-	-	0	-	-	-	0	
10	Dhenkanal	46	51	53	65	1606	2118	2152	2342	
11	Gajapati	7	2	2	2	40	40	40	40	
12	Ganjam	154	189	175	175	4636	4161	4926	4929	
13	Jagatsinghpur	8	5	5	5	150	93	93	95	
14	Jejpur	33	60	60	75	1421	2583	2956	7417	
15	Jharsuguda	90	150	171	190	6969	8752	9687	10577	
16	Kalahandi	55	55	50	54	3346	3466	3636	3681	
17	Kandhamal	19	23	25	26	510	590	640	650	
18	Kendrapara	20	21	22	22	384	403	413	413	
19	Keonjhar	40	40	40	40	1267	1267	1267	1257	
20	Khurda	823	823	827	833	20293	20233	20773	20408	
21	Koraput	9	11	13	13	215	255	295	295	
22	Malkangiri	23	28	37	37	665	765	905	905	
23	Mayurbhanj	35	35	35	35	900	900	960	960	
24	Navagarh	48	58	58	58	943	1153	1153	1153	
25	Nowrangapur	24	29	35	35	588	758	888	888	
26	Nuapada	105	108	123	128	5196	5306	6045	6855	
27	Puri	105	118	123	125	2547	2864	2964	3057	
28	Rayagada	6	15	19	20	149	359	770	745	
29	Sambalpur	92	105	108	113	3338	5012	5247	5727	
30	Subarnapur	-	-	-	0	-	-	-	0	
31	Sundergarh	70	52	33	39	1279	1313	1413	1549	
32	Talcher	30	34	50	53	1050	1711	2009	2299	
	Total	2333	2694	3026	3213	91371	105560	120484	135713	

21/12/14

**Information of Rescued Migrant Workers from January, 2011
till December, 2014**

Sl. No.	Name of the District.	Name of the State.	No. of migrant workmen rescued
2011			
1	Balangir	Andhra Pradesh	15
2	Balangir	Karnataka	1
3	Kalahandi	Karnataka	20
4	Buraghar, Balangir, Nuapada,	Andhra Pradesh	68+44+44=156
5	Dhenkanal	Tamilnadu	13
6	Rayagada	Tamilnadu	23
7	Kalahandi	Tamilnadu	65
8	Balangir, Nuapada, Kalahandi, Rayagada & Nabarangpur	Tamilnadu	280+145+15+23+33=486
9	Nuapada	Andhra Pradesh	9
10	Subarnapur	Karnataka	43
11	Boudh	Karnataka	17
12	Puri	Kerala	7
13	Sundargarh	Maharashtra	6
14	Khordha	Andhra Pradesh	1
15	Mayurbhanj	Tamilnadu	13
16	Jagatsinghpur	Gujarat	1
17	Boudh	Tamilnadu	3
Sl. No.	Name of the District.	Name of the State.	No. of migrant workmen rescued
18	Subarnapur	Andhra Pradesh	8
19	Subarnapur	Andhra Pradesh	11
20	Subarnapur	Maharashtra	20
21	Jajpur	Delhi	1
22	Subarnapur	Andhra Pradesh	25
TOTAL			930
Sl. No.	Name of the District.	Name of the State.	No. of migrant workmen rescued
2012			
1	Sambalpur	Gujarat	15
2	Bargarh	Karnataka	17
3	Bhadrak	Punjab	4
4	Sambalpur	Andhra Pradesh	25
5	Subarnapur	Andhra Pradesh	8

6	Jajpur	Andhra Pradesh	8
7	Gajapati	Jammu and Kashmir	12
8	Kalahandi	Andhra Pradesh	11
9	Balangir	Andhra Pradesh	12
10	Balangir	Andhra Pradesh	9
11	Balangir	Andhra Pradesh	10
12	Subarnapur	Andhra Pradesh	8
13	Boudh	Chhatisgarh	1
14	Mayurbhanj	Tamil Nadu	10
15	Balangir	Andhra Pradesh	13
16	Boudh	Uttarakhand	11
17	Khordha	Tamilnadu	13
18	Jajpur	Andhra Pradesh	1
TOTAL			187

Sl. No.	Name of the District.	Name of the State.	No. of migrant workmen rescued
---------	-----------------------	--------------------	--------------------------------

2013

1	Subarnapur	Andhra Pradesh	33
2	Subarnapur	Andhra Pradesh	14
3	Balangir	Andhra Pradesh	22
4	Bargarh	Andhra Pradesh	5
5	Subarnapur	Andhra Pradesh	22
6	Balangir	Andhra Pradesh	8
7	Angul	Karnataka	13

Sl. No.	Name of the District.	Name of the State.	No. of migrant workmen rescued
8	Bargarh	Andhra Pradesh	24
9	Jagatsinghpur	Puduchery	3
10	Rayagada	Tamilnadu	11
11	Jajpur	Gujarat	10
12	Puri	Puduchery	10
13	Nasoda, Balangir, Nabarangpur & Bargarh	Tamilnadu	273

TOTAL

539

Sl. No.	Name of the District.	Name of the State.	No. of migrant workmen rescued
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2014

1	Subarnapur	Tamilnadu	29
2	Puri	West Bengal	12
3	Sundargarh	Maharashtra	05
4	Bargarh	Andhrapradesh	12

Sl. No.	Name of the District.	Name of the State.	No. of migrant workmen rescued
5	Rayagada	Tamilnadu	04
6	Subarnapur	Karnataka	25
7	Jharsuguda	Karnataka	24
8	Kalahandi	Andrapradesh	35
9	Baragerh	Andrapradesh	3
10	Kalahandi	Karnataka	40
11	Baragerh	Karnataka	05
12	Rayagada	Karnataka	08
13	Kendrapada	Telengana	24
14	Kalahandi	AnchraPradesh	26
15	Sambalapur	Karnataka	19
16	Banjam	Tamilnadu	1
17	Puri	Chhatisgarh	6
18	Rayagada	Karnataka	7
		Total	287
		Grand Total	3113

ସମ୍ପ୍ରାମାଣ୍ୟ ବିଦ୍ଵାନ୍ମହି ସାମା ଭୂତ ପ୍ରାପ୍ତ ହାୟମାତ୍ମ୍ୟ, ବ୍ରହ୍ମନିହି
ମହାଶୟ!

ବ୍ରହ୍ମନିହି ହାୟମାତ୍ମ୍ୟ ଖଣ୍ଡାୟତ ମହାଶୟ ଧରା ନୟନୁତା
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ମହାଶୟ।

୧- ନିଜେ ଶୂନ୍ୟତାରେ ପଶନ୍ତୁ । ଶ୍ରୀ ଶାନ୍ତାୟ ସାହିବ (ସୁବାଦନ)
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ॐ नमो भगवते वासुदेवाय
श्रीगणेशाय नमः

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Spinning mills – still a nightmare for girl workers

Dindigul is known for the presence of large and medium spinning mills which are part of the supply chain of garment export units. There are more than 225 spinning mills in Dindigul and are employing around 1,66,000 people directly. In many cases, it was observed that children below 18 years of age are employed in these mills, as they are legally permitted to employ children in the age group of 15 to 18 years of age. Being a drought prone city and having inadequate employment opportunities in other sector, spinning mills play a vital role in providing employment to adults and children.

Different studies and numerous documented case studies reveal repeated stories of exploitation of the adolescents in various forms in textile sector. Away from home, with no one to support them, these girls languish inside the textile units. The health of the workers is far from satisfactory. Besides being anaemic because of the low intake of nutritive food, the girls have breathing problems and acute asthma. Overwork makes them weak and many suffer from uterus problems, including excessive bleeding and irregular periods. Many companies, in the absence of trained doctors, engage unqualified quacks to attend to the girls leading to various complications. Poor wages, long working hours, physical, verbal abuse, sexual abuse, denial of right to freedom of movement, forced labour in the form of compulsory overtime, mandatory late night shifts, excessive working hours and inadequate pay for overtime are some of the major challenges for a girl mill worker.

In the early morning at 3.00am on 12/06/2016, two girls Ranjitha (18 years from Kumbakonam-Kadambakudi) and Pavithra (17 years from Thiruvallur-Oothukkottai) were found with injuries in Vendasandur main road. They were immediately taken to the government headquarters hospital in Dindigul, by a local villager.

Ranjitha and Pavithra were from poor families and discontinued their studies. Their parents do not have regular income and requested these girls to earn and support the family. A labor broker promised good job with the false promise of education support in textile industry and both the girls got employed in Eveready Spinning Mills in Vendasandur in Dindigul district and had been working for the last few weeks. Company had provided accommodation in the dormitory located within the factory premises. However, within short time, the girls felt that they could not withstand the work pressure and decided to leave the mill. When they expressed their desire to leave the mill and requested to provide their original certificates, they were not allowed by the management and tortured physically and mentally by the mill management. The girls were not allowed to communicate their work place problems to their parents. Finally the girls decided to escape from the mill and in the late night of Sunday (12/06/2016), they jumped over the 14 feet height wall. Unfortunately they fell in bushes and thorns on the other side of the wall and injured severely. They could not walk to the main road

to seek help from people. However they crawled and reached the main road and because of excess bleeding from the injuries, they became unconscious. They were rescued and admitted in the

NGOs interacted with the girls and understood the exploitative working conditions in Eveready Mill. It was also shared by the girls that many such young girls were accommodated in the dormitories against their willingness to work. TTCU, one of the local groups filed a police complaint against the mill management on 12/06/2016 and subsequently filed a petition with District Administration to take necessary action.

It is also demanded to set up Monitoring committees at District level to ensure better working environment in Spinning Mills.

(Case Study collected by Vaan Muhil, Tamilnadu)

ଡା-୦୩.୦୫-୨୦୧୭

ଗୋଟି ଶ୍ରମିକଙ୍କ ଫାଉଣ୍ଡ

ପ୍ରତି-ମାଣ୍ୟମା-ଶ୍ରୀ ମଙ୍ଗଳା ବିଶ୍ୱାଳ : ପଞ୍ଚାୟତରାଜ ମନ୍ତ୍ରୀ ଅନୁଗ୍ରହ କରି କରୁଛନ୍ତି :-
(କ) ଓଡ଼ିଶାରେ କେତେକଫାଉଣ୍ଡ ଗୋଟି ଶ୍ରମିକ ଅନୁଗ୍ରହ ତାର ଫଳ ବିବରଣୀ ବିଚ୍ଛାଡ଼ିବା
ଉପସ୍ଥାପନ କରିଛନ୍ତି କି, ଫଳ (ଖ) ଯେଉଁମାନଙ୍କୁ କେତେ କଣକୁ କଣକୁ କରି ଅନୁଗ୍ରହ
କରାଯାଇଛି ତାର ଫଳ ତାଲିକା ବିଚ୍ଛାଡ଼ିବା ଉପସ୍ଥାପନ କରିଛନ୍ତି କି ?

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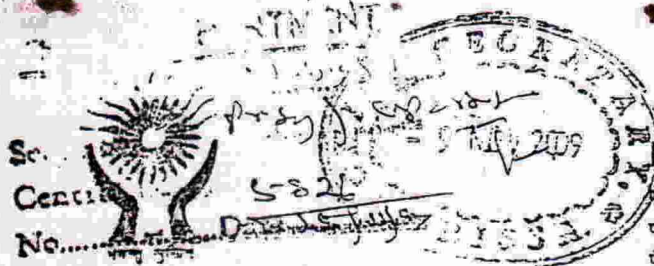
ଡଃ ଅନୁଷ୍ଠାନ କୁମାର ପାଠୁ, ପଞ୍ଚାୟତରାଜ ମନ୍ତ୍ରୀ -

(କ) ଓଡ଼ିଶାରେ ଅନୁଗ୍ରହ ମାତ୍ର କଣ ଗୋଟି ଶ୍ରମିକଙ୍କୁ ବିଦ୍ୟୁତ୍ କରାଯାଇ ଗୁରୁ
କରାଯାଇଅଛି । ତାର ବିଚ୍ଛାଡ଼ିବା ବିବରଣୀ ପରିଶିଷ୍ଟ-କ' ରେ ଉପସ୍ଥାପନ କରାଯାଇ
କରାଯାଇଛି, ଫଳ

(ଖ) ଯେଉଁମାନଙ୍କୁ କେତେ ଫଳ ଫଳ କଣକୁ ଉପସ୍ଥାପନ କରାଯାଇ ଅନୁଗ୍ରହ
କରାଯାଇଛି । ତାର ବିଚ୍ଛାଡ଼ିବା ତାଲିକା ପରିଶିଷ୍ଟ-କ' ରେ କରାଯାଇଅଛି ।

**STATEMENT SHOWING THE NUMBER OF RELEASED AND
REHABILITATED BONDED LABOURERS IN ODISHA**

Sl.No	Name of the district	Number of Bonded Labourers identified/released	Number of bonded labourers already rehabilitated
1	ANGUL	0	0
2	BALANGIR	646	226
3	BALASORE	0	0
4	BARAGARH	378	188
5	BHADRAK	0	0
6	BOUDH	20	0
7	CUTTACK	48	0
8	DEOGARH	0	0
9	DHENKANAL	14	0
10	GAJAPATI	10	10
11	GANJAM	0	0
12	JAGATSINGHPUR	0	0
13	JAIPUR	13	0
14	JHARSUGUDA	0	0
15	KALAHANDI	69	03
16	KANDHAMAL	0	0
17	KENDRAPADA	0	0
18	KEONJHAR	0	0
19	KHURDA	21	0
20	KORAPUT	0	0
21	MAIKANAGIRI	46	0
22	MAYURBHANJ	0	0
23	NAWARANGPUR	46	23
24	NUAPADA	274	97
25	NAYAGARH	189	97
26	PUR I	919	23
27	RAYAGADA	23	16
28	SAMBALPUR	14	12
29	SUBARNAPUR	65	17
30	SUNDARGARH	0	0
	TOTAL	2895	708



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12/11/09
राष्ट्रीय मानव अधिकार आयोग
National Human Rights Commission

P. MICHAEL VETIA SIROMONY, IAS
JOINT SECRETARY (TRAINING)
D.O.No.2/1/2008-PRP&P

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फैक्स/Fax : 91-011-23389124/23384363/23386521
निवास/Resi. : 91-011-26185127, मो./M. : 9818703458
Faridkot House, Copernicus Marg, New Delhi-110 001 INDIA
E-mail : cct-nhrc@nic.in / siromony@hotmail.com
Website : www.nhrc.nic.in

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RCB
11/11/09
Home

4th November 2009

5119
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Immediate
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The Commission had organized a workshop on elimination of bonded labour and Child Labour system on 21-22 August 2009 at Bhubaneswar in coordination with Government of Orissa.

The workshop was helpful in establishing conceptual and definitional clarity of the subjects and crystallizing the strategy and methodology of identification, release and rehabilitation of bonded labour. The discussion on definitional and conceptual issues in relation to legal provision on elimination of child labour and rehabilitation of children through special schools of NCLP was held. It was also helpful in exchange of ideas and experiences amongst the participants.

The proceedings of the workshop have been finalized and a copy of the same is enclosed herewith

I would be grateful if you kindly advise the Commissioner-cum Secretary, Labour and Employment Department to, circulate copies of the proceedings amongst Collector/DMs, DIGs of Police/SPs, SDOs/ Executive Magistrates and Secretaries of Home, Law, Labour, Panchayatiraj, Women and Child Development, Urban Development, Rural Development, Information and Public Relations, Industries, Education (School Education and Literacy), Health and Family Welfare, Harijan and Tribal Welfare for necessary follow up action.

Yours sincerely,


Sd/-
(P M V Siromony)

A
11-11

Shri Tarun Kanti Mishra
Chief Secretary,
Government of Orissa,
Orissa Secretariat,
Bhubaneswar, Orissa.

Copy to:-

1. Shri Jagar Singh, Commisioner-cum-Secretary, Department of Labour and Employment Government of Orissa Secretariat, Bhubaneswar – 751 001.
2. Shri Durga Prasad Das, Secretary, Orissa State Human Rights Commission
Toshali Plaza Complex (2nd Floor), Satya Nagar, P.O. Saheed Nagar, Bhubaneswar-751007, Orissa.
3. Shri. Damodar Sarangi, Plot No.4, Autobindo Vila, Ananta Vihar Pokhariput, Bhubaneswar – 751020.
4. Shri Suraj Bhan, Economic Adviser O/o of DG (Labour Welfare), Ministry of Labour and Employment Jaisalmer House, Man Singh Road, New Delhi.


(P. M. V. Siromony)

A two day workshop on elimination of bonded labour system and child labour for familiarization and sensitization of the senior functionaries of Government of Orissa was held on 21st and 22nd August, 2009 at the State Institute of Rural Development, Bhubaneswar. The workshop was a joint collaborative effort between the National Human Rights Commission and Government of Orissa, Panchayatiraj and Labour Departments.

The workshop was graced by Justice Shri B.C. Patel, Hon'ble Member, NHRC, Special Rapporteur – Dr. L. Mishra and Director – Dr. Sanjay Dubey from NHRC, Economic Adviser, Ministry of Labour – Shri Suraj Bhan from Government of India, Hon'ble Minister – Panchayatiraj – Shri Prafulla Samal and Hon'ble Minister, Labour and Employment – Shri Pushendra Narayan Singhdeo, Shri Jagar Singh, Commissioner-cum-Secretary, Labour and Employment Department and Shri S.N. Tripathi, Commissioner-cum-Secretary, Panchayatiraj Department from Government of Orissa.

The names of the participants of the workshop are given in annexure-I.

Welcoming the delegates to the workshop, Shri Jagar Singh, Commissioner-cum-Secretary to Government, Labour and Employment Department stated that during the emergency era (1975-77) there was a large scale drive for eradication of the social scourge of bonded labour system. Very recently 31 cases of bonded labourers were found in Malkangiri district which goes to show that the menace of bonded labour has raised its head once again.

As far as the problem of child labour is concerned, there were different sets of figures emanating from the decennial census, from the NSSO data and from the survey conducted by the State Government. According to the third and in pursuance of the directions of the Supreme Court in M.C. Mehta Vs. State of Tamil Nadu and Others CWA No. 465 of 1986 2.15 lakh working children have been identified in course of the

survey undertaken by the State Government. A multi-pronged drive and strategy has been launched to identify, enumerate, rescue/release and rehabilitate working children withdrawn from work but it was a long way to go before the goal of complete elimination of child labour could be accomplished. Passage of the Right to Education Bill in both Houses of Parliament and translating the guaranteed fundamental human right to free and compulsory education to reality was the surest means of accomplishing the object of elimination of child labour. He expressed his deep sense of appreciation for the unstinted cooperation and help extended by Dr. Lakshmidhar Mishra, Special Rapporteur of the Commission in formulation of a State Level Action Plan (SAP) for elimination of child labour in a very short time.

The workshop was inaugurated by Justice Shri B.C. Patel, Hon'ble Member, NHRC.

In his inaugural address, Justice Shri B.C. Patel referred to the primacy and centrality of the District Magistrate as an institutional mechanism, as the pivot around which the entire system of enforcement of laws – land tenurial, laws, social and labour welfare related laws and laws relating to human dignity and decency (like prevention of SC and ST (Atrocities) Act) revolved. Sweeping powers have been vested in the DM u/s 10, 11 and 12 of the Bonded Labour System (Abolition) Act. Executive Magistrates like DM and SDM can try offences u/s 21 of Bonded Labour System (Abolition) Act despite separation of executive from the Judiciary under Art. 50 of the Constitution of India. There lies the uniqueness of the Bonded Labour System (Abolition) Act, he stated.

DM is no doubt a watch dog of Government responsible for maintenance of law and order (including public order), peace and tranquility and supplies and services essential to the life of the community. He/she is to ensure that no activities are carried out in the district which are contrary to the requirements of the law and the procedure established by law. If the DM and his subordinates are vigilant and surveillant over the

activities and events which take place in the district, there will be, by and large, no complaints emanating from any quarter in the district.

Justice Shri Patel regretted that despite clear Constitutional and legal provisions, provisions contained in international treaties (ILC Convention No. 29 of 1930 and ILO Conv. No. 105 of 1957 on forced labour and abolition of bonded labour respectively, ILO Convention No. 133 of 1973 and No. 182 of 1999 on elimination of the worst forms of child labour, UN Supplementary Convention on Abolition of Slavery, 1956, Provisions contained in Universal Declaration of Human Rights of 10.12.48) we still have incidence of bonded labour and child labour. Justice Shri Patel referred to Art. 21 of the Constitution of India which says, 'No person shall be deprived of his life or personal liberty except according to the procedure established by law'. This Article basically implies that every human being has the right to live with dignity and decency and no human being can be deprived of these two most fundamental tenets of human life unilaterally and arbitrarily. He also referred to the Provisions of Art. 14 of the Constitution of India which reads, 'The State shall not deny to any person equality before the law or equal protection of laws within the territory of India'. He referred to the provisions of Art. 23 and Art. 24 which deal with prohibition of beggar/forced labour and prohibition of employment of children in certain occupations and processes.

Referring to Art. 39(e) and (f) of Constitution, Justice Shri Patel sought to bring out a correlation between work and the age and strength of a person performing that work. To quote from that Article:-

Art. 39(e):

'The State shall, in particular, direct its policy towards securing that the health and strength of workers, men and women, and the tender age of children are not abused and that citizens are not forced by economic necessity to enter avocations unsuited to their age or strength.'

Art. 39(f):

'The State shall, in particular, direct its policy towards securing that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that childhood and youth are protected against exploitation and against moral and material abandonment'.

Highlighting the importance of adult employment and importance of payment of a living wage to them as in Art. 43 of the Constitution, Justice Shri Patel stated that if able bodied adult members of a family are provided with avenues of stable and durable employment and if minimum wages as notified by the appropriate government under Minimum Wages Act are enforced there would be no occasion for them to push their children involuntarily to work. To quote from Art. 43:-

'The State shall endeavour to secure by suitable legislation or economic organization or any other way, to all workers, agricultural, industrial or otherwise, work, a living wage, conditions of work ensuring a decent standard of life and full enjoyment of leisure and social and cultural opportunities.'

In a nutshell, this Article of the Constitution speaks of all the 3 elements namely work, conditions of work and a living wage which go to make a decent and dignified living.

Sharing his sad experience of dealing with DMs of different districts, Justice Shri Patel referred to Provisions of Section 10, 11 and 12 of the Bonded Labour System (Abolition) Act and observed that complaints about existence of bonded labour system are being received in the Commission every now and then. These complaints are forwarded to the DM of the concerned district for inquiry. The DM of the concerned district invariably authorizes a subordinate official say the SDM or any other Executive Magistrate or even Tahasildar to conduct the inquiry. Sometimes the police officers are also entrusted with the responsibility for

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conducting the inquiry. These officers are not able to understand and internalize in depth the pros and cons of the matter under inquiry. Due to such limited understanding and inadequate appreciation of the several dimensions of the issue, they term it as a civil dispute. The DM without going into the details of the inquiry and without applying his mind, transmits the inquiry report to the Commission in a mechanical and routine manner. It has also been observed with regret that a particular DM while being asked to investigate into the existence of bonded labour system in brick kilns was relying on the statement made by the Bhatta owner's Association and accordingly sent his report to the Commission on the basis of that statement. Such reports lack credibility and cannot, therefore, by any stretch of imagination be accepted by the Commission.

Substantiating his point further, Justice Shri Patel referred to a massive investigation which was recently carried out into affairs of stone quarries in Vijayawada in Krishna district of Andhra Pradesh. A complaint was received in the Commission from a Civil Rights activist of Visakhapatnam as early as November, 2005 alleging that over 20,000 labourers hailing from the State of Orissa, Chattisgarh, Tamil Nadu and Karnataka were working in the said quarries under conditions akin to bondage and they need to be released and rehabilitated. The Commission referred the complaint to DM Krishna for investigation and report. The DM in turn referred to it to the Assistant Labour Commissioner (Central) for investigation and report. The report of the Asstt. Labour Commissioner specifically on the question of payment of notified minimum wage was very vague. It neither established the fact of payment of minimum wage nor did it indicate the steps taken for settlement of wages denied to the workers by filing a claim u/s 20 of Minimum Wages Act. The DM Krishna without analyzing these flaws in the report and without application of his own mind mechanically forwarded the report of the Asstt. Labour Commissioner (C) to the NHRC. While forwarding the report the DM had also relied on the statement made by the President, Quarry Owner's Association, Vijayawada that notified minimum wages were being

paid to the quarry workers which made it abundantly clear that the DM was in collusion with the quarry owners. These inherent flaws in the report necessitated the Commission to constitute 3 teams under the leadership of Dr. L. Mishra, Special Rapporteur to visit Vijayawada, to investigate into the complaint and to submit a detailed report to the Commission. The report submitted by Dr. Mishra on behalf of the 3 investigation teams has established beyond any shade of doubt that all the quarry workers are working under conditions of bondage so much so that quite apart from denial of minimum wages, a person intending to leave the worksite to go to his ancestral home or native place has to mortgage one of the family members to the quarry owner in question. This is pure and simple Commodification of labour, a violation of Philadelphia Declaration, 1944 which says that 'Labour is not a commodity' and one of the worst violations of human rights. Did we get independence for this? - he quipped. Justice Shri Patel regretted that there are multiple laws enacted over a period of 90 years both before and after independence with a laudable intention to protect and safeguard the working and living conditions of workers but the ground level tragic reality was that provisions of not a single law were being complied with in letter and spirit.

Referring to the phenomenal growth of Bhubaneswar, the capital city of Orissa, Justice Shri Patel expressed both satisfaction and regret. He expressed satisfaction on account of the fact that there has been good physical infrastructure development. He expressed regret on account of the fact that such a development ~~should~~ have taken place with exploitation of labourers who are human beings first and foremost and deserve to be treated as such, with dignity, decency, equality and freedom.

He expressed the hope that the 2 day workshop will throw open several such issues which will widen the frontiers of knowledge and information of the participants and will sensitize us to minimize the incidence of injustice and exploitation associated with development.

Shri P. Shpendra Singh Deo, Hon'ble Minister of State for Labour and Employment thanked NFRC for the initiative. He stated that existence of child labour is a matter of grave concern to the society and its elimination in totality was a desirable goal. For achieving this goal, a holistic strategy and approach were needed. The State Government have initiated a number of steps towards elimination of both bonded labour system and child labour, he stated. He attributed three reasons for existence of these 2 social scourges namely (a) poverty (b) lack of awareness and (c) lack of education. In the ultimate analysis, it is the poor economic condition of the parents which was responsible for origin, continuance and perpetuation of the menace of child labour while making quick bucks at the expense of others and by exploiting others was responsible for origin, continuance and perpetuation of the bonded labour system. Education is the most potent weapon to effectively deal with the problem of child labour while land reforms, creation of stable and durable avenues of employment, enforcement of minimum wages and stringent enforcement of all other related labour laws and in particular, the Minimum Wages Act, the Contract Labour (Regulation and Abolition) Act and Interstate Migrant Workmen (Regulation and Conditions of Service) Act were crucial to prevent occurrence and recurrence of bonded labour system. While parents had a crucial role to put an end to child labour, elimination of bonded labour system needed whole hearted involvement of all sections of the society. They cannot just be the concerns of the Department of Labour nor the concerns of the Deptt. of Panchayatiraj alone; they were the problems of all Ministries, Departments and Agencies of Government. They indeed were the concerns of the whole nation. Their eradication will be possible only by pooling collectively the resources of all Ministries and Departments on the one hand and with determination and resole from all sections of the society on the other.

Shri Prafulla Samal, Hon'ble Minister, Panchayatiraj referred to his participation in an unorthodox and unconventional manner as an individual and not as a Minister and candidly shared his experiences with the

participants. He referred to his participation in the recent past as Minister, Labour in the 42nd Labour Minister's Conference organized by the Ministry of Labour in 90s. Both elimination of bonded labour and child labour were discussed in the said conference and many conclusions were drawn but regrettably both continue to be issues of concern even 62 years after independence. This is primarily on account of the fact that we have only paid lip service to elimination of bonded labour system and child labour; we have not been genuinely sincere about their elimination. In child labour we do not have one but a number of legislations one of which i.e. Children (Pledging of Labour) Act was enacted by the Imperial Legislative Council in the pre independence era. This was followed by Employment of Children Act in 1938 which has now been repealed and replaced by Child Labour (Prohibition and Regulation) Act in 1986. The National Policy on Child Labour was formulated in August, 1987. Prior to this there was a National Policy on Children announced to the Nation by Smt. Indira Gandhi, the then PM in August, 1974. Both the national policy as well as the law of 1986 provide a framework for combining prohibition with regulation. Now with the Supreme Court judgement in J.P. Unnikrishnan Vs. State of A.P. (1993) (SC 2178), 86th amendment of the Constitution in 2002 lifting Art. 45 from Part IV (Directive Principles of State Policy) to Part III, renaming it as Art. 21A, providing for a guaranteed fundamental right of access to free and compulsory education for all children in 6-14 age group and passage of the Right to Education Bill by both Houses of Parliament in July - August 2009 both the national policy as well as the law combining prohibition with regulation have been redundant and need to be repealed. There are a number of flaws and lacunae in the present law such as absence of definition of child labour, absence of any provision for universal prohibition of child labour and lack of rigorous punishment for offenders which compounded the problem of weak enforcement.

In regard to abolition of bonded labour system the Minister referred to abolition of slavery in 1843, series of legislations enacted at the State level like Bihar and Orissa Kamiasti Act, 1920, Orissa Debt Bondage

Abolition Regulation, 1948, Rajasthan Sagri System (Abolition) Act, 1961 and eventually enactment of Bonded Labour System (Abolition) Act in February, 1976 but given retrospective effect from 25th October, 1975. He expressed his gratitude to Justice Shri P.N. Bhagwati, former ^{Chief Justice} Judge of the Supreme Court for his very proactive judgement in Bandhua Mukti Morcha case in W.P.No. 2182 of February, 1982 on 16.12.83 where the apex Court has given a very broad, liberal and expansive interpretation of the law without altering the framework of the law.

The Minister regretted that 166 years have passed since slavery was abolished but there are complaints about existence of bonded labour system even today. The problem centered round 3 elements of the issue i.e. identification, release and rehabilitation of bonded labourers. All the three are closely related to each other and there has to be an element of immediacy and simultaneity in dealing with all the 3 elements as one is incomplete without the other. Simultaneously we need a holistic and integrated strategy involving a number of Ministries of Government of India and departments of the State Government for convergence of policy and resources for complete elimination of bonded labour system.

The Minister urged the participants of the workshop that they must decide once for all the strategy and methodology of abolition of bonded labour system and child labour on the following:-

- who will identify bonded labourers and working children?
- who will release them?
- who will rehabilitate them?
- who will prosecute the offenders of the law with the stringency and rigour that such offence warrants?

Having raised a number of queries, the Minister offered a few suggestions to deal with the problem such as:-

- the responsibility for identification, release and rehabilitation should be shared between the Ministry of Labour, Government of India, Panchayatiraj and Labour Departments at the State Level, NGOs and all sections of the Civil Society;
- practical targets for complete eradication of both the evils should be fixed and broken up year-wise and responsibility for eradication allocated among various agencies at the Central and State level;
- reviewing the relevance of national policy on child labour formulated in August, 1987;
- strengthening the enforcement machinery;
- adopting area based, time bound and result oriented strategies for eradication of poverty and unemployment;
- enforcing accountability among all the departments and concerned officials dealing with the issue of bonded labour and child labour.

Before introducing the theme of the workshop, Dr. Lakshmidhar Mishra, IAS (Retd.) and Special Rapporteur, NHRC introduced Hon'ble Member, NHRC - Justice Shri B.C. Patel who was the Chief Guest at the workshop. Justice Shri Patel, a senior and distinguished member of the legal profession was Chief Justice of Jammu and Kashmir and Delhi High Court prior to his joining the NHRC in July, 2008. Known for his independence and forthrightness, Justice Shri Patel ever since his joining the National Human Rights Commission has been adopting a proactive stand on identification, release and rehabilitation of bonded labourers and working children. It is on account of his unremitting efforts that a large number of bonded labourers have been released from bondage and are able to lead an autonomous, decent and dignified existence.

Dr. Mishra divided the subject matter of the workshop into 2 parts namely familiarization and sensitization. He dealt with the concepts of

bonded labour, bonded labourer and bonded labour system as defined in Section 2(g) of Bonded Labour System (Abolition) Act. The Bonded Labour System represents an unequal exchange relationship between a creditor and a debtor. Anyone who on account of social or economic compulsions obtains loan/debt/advance from another person and mortgages his services or services of any or all the family members with the creditor is faced with certain consequences such as:-

- denial of wages or minimum wages as notified by the appropriate Government or market wages prevailing in the locality for same or similar nature of work;

or

- denial of the freedom of movement from one part of the territory of India to another;

or

- denial of the freedom to change the employer or avenues of employment for alternative livelihood;

or

- denial of the price of labour or price of the product of labour.

The element of loan/debt/advance with any one of the consequences as above is bound to bring the victim within the purview of bonded labour system as defined in Section 2(g) of the Bonded Labour System (Abolition) Act. Referring to the judgement of the apex Court in Bandhua Mukti Morcha case in W.P. No. 2182 of 1982 delivered on 16.12.83, Dr. Mishra stated that it was not necessary to prove the element of loan/debt/advance beyond doubt in each and every case, the same should be presumed to be in existence. It was left open to the creditor to rebut the said presumption but until and unless the rebuttal was to the entire satisfaction of the Court, the presumption will hold good and the debtor as a bonded labourer will be entitled to all the benefits admissible to him under the provisions of the law.

Dr. Mishra thereafter proceeded to bring out the various facets of sensitization as under:-

- When a law or ruling was capable of diverse interpretation, it should be interpreted in a manner as would be beneficial to the person or group of persons for whom the law was intended.
- In a pluralistic and stratified society where we live there are people who are rich, well to do, who belong to influential sections, who have access to all facilities and amenities and who have also complete command over all resources. Simultaneously, there are people who are poor, deprived, disadvantaged and who do not have similar access. We should think, reflect, analyse and introspect as to how to remove such inequality or disparity which can pave the way for an egalitarian social order. One of the ways of doing so is to share our knowledge, information, endowment, capabilities and skills in favour of those who do not have them and yet who are in need of the same. In doing so, there should be no expectation of any award, reward or incentive in return. By doing so our resources will not be diluted or diminished but we will be much better and nobler human beings.
- Those who are deprived, aggrieved and disadvantaged and in need of relief should get timely relief without any ifs and buts. In making such relief available there should be no show of any pomp and ceremony but a touch of humility and dedication. One should not take a stand in such matters that no prayer for relief was made and therefore, no relief could be administered. It should be always borne in mind that those dumb, mute and expressionless sections of the society who are the genuine victims or the aggrieved and who have been drowned in grief will not ordinarily be in a position to approach those who are in power, position and authority to provide relief.

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The poor who are landless and assetless and who are at the bottommost layer of deprivation and backwardness are often not in a position to correctly exercise their option and discretion on issues which are of interest and relevance to them. Very often they tend to say, 'O saab, please give us something whatever you may please. We do not know what for is good and bad, what is favourable and what is unfavourable, what is desirable and what is not.' In such a situation we have to exercise the option and discretion on behalf of those who cannot exercise them in a manner which would convince them that the decisions have been taken in their best interest.

Ours is a subcontinent with wide diversities. There are well endowed regions and there are less endowed regions. Such diversity coupled with poverty, hunger, starvation and malnutrition in a few less endowed, dry and drought prone regions is likely to give rise to migration of people to the well endowed region. Such migration is usually by way of recruitment of people by recruiting agents with payment of advance. In such a situation officers of the well endowed region have a special responsibility to understand the special needs of migrants and to provide timely relief to them. Instead, if they take a stand, 'How are we responsible for migration from less endowed to well endowed regions. Such people have come of their own and will go back of their own. We have nothing to do with them.' the same can be viewed as regrettable. This is on account of the fact that the migrant labour by the sweat of their brow have substantially contributed to the prosperity of the enterprises of the destination State. They, therefore, cannot be viewed with pity nor can they be wished away. That will be yet another example of high insensitivity.

• The bonded labourer is also a human being. He is the poorest of the poor and the weakest of the weak. There are two major factors contributing to this social scourge. One is poverty, unemployment, under-employment, landlessness and assetlessness while the other is a set of disadvantages which are birth related, caste related, sex related and related to sick human mentality. Those who belong to well to do, affluent, resourceful and influential sections of the society take advantage of both the contingencies and exploit those who are poor, deprived and disadvantaged and rob them of their dignity and decency. Both the contingencies are reflective of intolerable social and economic inequalities and a perverse human mind which is inclined to grow, thrive and prosper only at the cost of others. Removal of both would call for a very strong measure of political will, commitment and determination, a social awakening, collective critical consciousness, eradication of insufferable social and economic inequalities resting on the caste system and above all, empathy and sensitivity of the bureaucracy to identify itself totally with the weal and woe of the under privileged and disadvantaged. It is true that complete eradication of bonded labour system is not possible in a scenario of grinding poverty, unemployment and large scale deprivation but it would undoubtedly make a difference if -

- such strategies are adopted which are unorthodox and unconventional;
- a group of individuals are mobilized who are truly kind, compassionate, considerate, empathetic and sensitive to human misery and suffering.

Representing the Ministry of Labour, Government of India, Shri Suraj Bhan, Economic Adviser traced the origin of bonded labour system to certain categories of indebtedness involving economically exploited,

he'pless and weaker sections of the society. He also traced the circumstances leading to the enactment of Bonded Labour System (Abolition) Act on 9.2.76 but made effective from 25.10.75, the date when Bonded Labour System (Abolition) Ordinance was promulgated. He also presented the salient features of the law and the institutional mechanisms through which the laudable objectives of the law are sought to be translated to action. According to Shri Bhan, so far, 18 States have reported the incidence of bonded labour system and these are:- Andhra Pradesh, Arunachal Pradesh, Bihar, Chattisgarh, Gujarat, Haryana, Jharkhand, Karnataka, Kerala, Maharashtra, Madhya Pradesh, Orissa, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand and West Bengal. Further according to Shri Bhan, the total number of bonded labourers, identified and freed, as on 31.3.2009 stood at 2,88,098 of which 2,68,136 bonded labourers have been rehabilitated. In other words, 19,962 identified bonded labourers are yet to be rehabilitated. According to Shri Bhan, they are not available for rehabilitation either because they have died or have migrated elsewhere without leaving their address. Shri Bhan thereafter dealt with the salient features of the Centrally Sponsored Scheme which was introduced in May, 78 and which has subsequently been reviewed and revised from time to time, the last revision being w.e.f. 1.5.2000 when the per capita rehabilitation assistance has been raised from Rs. 10,000/- to Rs. 20,000/- with additional provisions for survey, awareness generation and evaluation of the content, process and impact of the rehabilitation programme.

Referring to the performance of the State of Orissa Shri Bhan stated that of 50,029 bonded labourers identified and released as on 31.3.2009, 46,901 have been rehabilitated for which the State has received a sum of Rs. 9.03 Crores as Central assistance.

In pursuance of the directions issued by the PMO, a Special group under chairmanship of Union Labour Secretary has been constituted to monitor the implementation of Bonded Labour System (Abolition) Act, 1976. Eighteen meetings of the Group have been held so far.

Shri Bhan indicated that according to the existing trend the incidence of bonded labour system is coming down. Illustratively while in 1999-2000, 8195 bonded labourers were identified only 543 could be identified in 2008-09 as such.

Shri Bhan made a detailed presentation on various components of the Centrally Sponsored Scheme as reviewed and revised up-to-date.

Proposing a vote of thanks, Shri S.N. Tripathi, IAS, Commissioner-cum-Secretary, Panchayatiraj Department, Government of Orissa thanked the speakers in the inaugural session – Justice Shri B.C. Patel, Member, NHRC, Shri Prafulla Samal, Minister, Panchayatiraj, Shri Pushpendra Singhdeo, Minister, Labour and Employment, Shri Jagar Singh, Commissioner-cum-Secretary, Labour and Employment Deptt., Dr. Lakshmidhar Mishra, IAS (Retd.), Special Rapporteur, NHRC, Shri Suraj Bhan, Economic Adviser, Government of India. He concluded his statement by stating that a change in mindset is required to deal with both the problems of bonded labour and child labour.

Technical Session No. I

Conceptual and definitional clarity on bonded labour system:

The session was chaired by Member, NHRC – Justice Shri B.C. Patel.

The discussion in the session began with the Dy. SP, Sundargarh seeking a clarification as to whether the police should prosecute offenders under the Act. The Chairman responded by stating that offences under the Act are cognizable and it is not necessary to take recourse to the provisions of Indian Evidence Act, 1873. The Dy. SP further raised a query that since the offence is a bailable one the offenders usually get away with impunity. The Chairman responded by stating that arrest by the police itself is considered as a matter of shame/disgrace in the society and that by itself should be considered as a sufficient deterrent. Unfortunately, evidence is not led before the court to connect the accused.

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After discussion, the following conclusions were reached:-

- There is need for intensive orientation for both familiarization and sensitization of DMs, ADs, SPs, SDMs and all executive magistrates on the definitional and conceptual issues so that no further doubts and disputes persisted in the minds of these functionaries.
- Survey is an important tool for identification of bonded labour system. Such surveys should be conducted at periodic intervals. For this purpose, the Ministry of Labour provides a grant of Rs. 2 lakh per district for the district level survey to be conducted at an interval of every 3 years. This should be availed of by the State Government.
- Amongst others, conducting surveys is an important function assigned to Vigilance Committees u/s 14(e) of Bonded Labour System (Abolition) Act. Regretfully Vigilance Committees have not been constituted and reconstituted, whenever due and wherever constituted rather mechanically are not functional (as in Malkangiri).
- The Provision of Law i.e. the old Committee should continue to be functional till the Committee is reconstituted is also not being followed. Clear instructions should be issued to all DMs and SDMs (the Chairpersons of VCs at the district and sub divisional level) to this effect.
- In Malkangiri, an NGO was engaged to conduct the survey. Orientation was provided to the members of the survey team. They identified 728 cases. Regretfully 705 out of 728 cases were dropped. In other words, the survey was an infructuous exercise. Besides, dropping of such large number of cases in one go sends a wrong signal. It shows that functionaries of the legal system are not very sure of their stand in regard to a

particular issue. This should not be repeated. Since there is no provision relating to the period of limitation in BLS(A) Act all such cases could be taken up for review within the meaning of ^{Chapter 36A} Section 403 of Cr.P.C., if considered necessary.

ii Identification of Bonded Labour System:

Shri Bagambar Patnaik from Orissa Gotimukti Andolan made the following points:-

- Ministry of Labour has been emphasizing the need for sensitization of DMs and SPs since long.
- The issue of bonded labour never figures as an item in the agenda for Collector's conference.
- There is no institutional mechanism for ventilation and redressal of grievances; people who ventilate a grievance are being harassed by administration and vested interests.
- There is inordinate delay in attending to a grievance, howsoever genuine.
- The plight and predicament of barbers in Puri district baffle description. They are forced to perform customary duties against their will and without a remuneration which can be called a living wage under Art. 43 of the Constitution and are ostracized if they did not subscribe to the social norms of the upper caste community.
- In all in 5 districts of the State this obnoxious practice of barbers performing customary bondage is in vogue. The districts are: Cuttack, Jagatsinghpur, Ganjam, Puri and Khurda.
- The practice, in addition to being an offence under the Bonded Labour System (Abolition) Act is also an offence under the following legislations:-

- Untouchability Offences Act, 1955;
- Protection of Civil Rights Act, 1955;
- SC/ST (Prevention of Atrocities) Act, 1989.

- Seldom any action is taken under either of these provisions. Even complaints to NhRC and ShRC from time to time have not yielded the desired results, far less any relief to the victims.

Ms. Swati, an advocate from the Orissa Gotimukti Andolan brought to the notice of the Workshop the flaws in the inquiry process for identification of bonded labourers. The inquiry is conducted at a very low level, principles of natural justice are not being observed and many cases of bonded labourers go unidentified.

Summing up the discussion on the point, Dr. Mishra referred to the circular issued by Shri S.R. Sankaran, IAS (Retd.) in 1975-76 when he was Principal Secretary, Social Welfare, Government of Andhra Pradesh on the methodology of identification of bonded labourers. Even though the said circular is more than 30 years old, the basic spirit underlying it continues to be relevant. He (Dr. Mishra) had followed the essential spirit of the said circular as a Socio-legal Investigating Commissioner of the Supreme Court in January - March 1984 in W.P. No. 2182 of 1982. The basic approach in undertaking an inquiry under Bonded Labour System (Abolition) Act has got to be unorthodox and unconventional. One cannot approach a bonded labourer and straightaway put a question: 'Are you a bonded labourer?' Instead, a set of simple and informal questions on the origin, how the person landed up at a particular worksite, nature of work relationship with the employer, terms and conditions of service and employment, payment of minimum wages, freedom of movement could be posed which will lead to the conclusion as to whether the person questioned is a bonded labourer or not. More important than anything else is the warmth, simplicity and informality with which the said questions are addressed which will generate the desired confidence in the mind of the person questioned, will make him think and feel that the questioner is

not an outsider, the questions are directed towards the person's well being and will enable him to open up like a sluice gate and come up with normal, natural and spontaneous responses. Such a simple and informal methodology for all social investigations should be a part of every orientation programme meant for the officials and non-officials responsible for implementation of the provisions of all social welfare legislations including BLS(A) Act.

Referring to the amendment which was carried out in April, 85 by way of addition of an explanation to the Act, Dr. Mishra stated that contract and bonded labourers would also come within the purview of bonded labour system as defined in Section 2(g) of the Act provided they fulfilled the ingredients thereof. Since, however, the officers of the destination State may not evince much interest in identifying the persons working in their state as bonded labourers, the originating State has to depute teams of officials (revenue, labour, police etc.) with proper orientation and briefing to go to the destination work sites, meet the labourers, talk to them in a friendly manner, ascertain the conditions in which they are working, acquaint themselves with their plight and predicament before coming to the conclusion that they are bonded labourers or not. Once they come to such a conclusion, they should place their findings before the competent authority appointed u/s 21 of the Bonded Labour System (Abolition) Act and vested with powers of a judicial magistrate with a plea to release the bonded labourers and issue release certificates in their favour. Steps may thereafter be taken to repatriate these persons to their native State and arrange their rehabilitation.

iii Release of bonded labourers from captivity and issue of release certificates:

A detailed discussion followed on distress migration of large number of people from Orissa to adjoining States (like A.P., Chattisgarh etc.). Social activists like Shri Umesh Purohit shared the magnitude of the problem of such migration. On an average about 30,000 people are migrating every year from the State, majority of them being from KBK

districts. They are being recruited by middlemen and made to work in brick kilns in forced, unhygienic and unsafe conditions which tantamounted to bondage. Such migrants invariably turn out to be victims of psychosis of fear. Even children are made to work in brick kilns under abominable conditions. Shri Puri highlighted to the notice of the workshop that 16 labourers from Balangir were released and sent back to their native place with release certificates but have not yet been rehabilitated.

The discussion on this item brought to light the additional avenues of employment created by introduction of National Rural Employment Guarantee Scheme (NAREGA) and whether it has created any impact in minimizing the incidence of migration. Speaking on the positive fall outs of NAREGA Secretary, Panchayatiraj – Shri S.N. Tripathi made the following points:-

- NAREGA is a timely and appropriate initiative;
- So far 5 million persons in the State of Orissa have been registered under NAREGA, 4.7 million job cards issued, 2.2 million demanded jobs, 1.1 million have been provided with jobs;
- Of the number of persons who have been provided with jobs 3.5% belonged to ST 3.2% to SC and the rest to OBC;
- The daily average earning under NAREGA was around Rs. 100/-; the payment being made at a piece rate on actual measurement of work;
- Time motion studies have been conducted, number of JEs have been doubled Gram Sabhas have been engaged to motivate people, one coordinator/group leader is being placed for every 10 job seekers for execution of job contracts;
- Implementation of NAREGA has led to a process of political and economic empowerment.

Summing up the discussion on this item, Dr. Mishra made the following observations:-

- Right to freedom of movement in any part of the territory of India is a fundamental right guaranteed under Art. 19 of the Constitution of India.
- In view of the said Constitutional Provision, incidence of migration may be minimized but cannot be altogether prevented.
- It should, however, be ensured that migration does not end up with expropriation and exploitation of the people migrating.
- Simultaneously an IEC package should be so designed that the consequences of migration are made known to the people sufficiently in advance before they migrate.
- If despite best efforts people still continue to migrate the State should ensure that family members and children in particular do not accompany the head of the household or adult members.
- The Residential Care Centres (RCCs) which were put in place earlier and discontinued after some time may be revived so that they can look after the health, education and recreation of children and discourage their migration.
- Simultaneously, wherever persons are being recruited through recruiting agents, the labour law enforcement agencies should ensure compliance with the following provisions of the law:-
 - Recruiting agents obtaining licence under Section 8 of Interstate Minimum Wages (ROE and COS) Act, 1979;
 - Principal employers obtaining registration certificate under Section 4 of the said Act;

- Payment of journey allowances, displacement allowance and wages during journey period is enforced;
- Provision of residential accommodation and medical aid (including specialized treatment for occupational diseases) to migrant workers is enforced.

IV Rehabilitation of freed bonded labourers:

Dr. Mishra began the discussion by highlighting the importance of immediacy and simultaneity of rehabilitation along with identification and release. If this does not happen there is every possibility that released bonded labourers will lapse back to bondage. He stressed that all the 3 aspects of rehabilitation i.e. physical, economic and psychological were important and one will be incomplete without the other. It is also desirable that a group approach in preference to an individual beneficiary oriented approach is adopted which will make rehabilitation meaningful, effective and permanent. Such an approach has a number of advantages such as (a) it will help in pooling resources from a variety of sources and integrating them imaginatively and skillfully to assure the desired quality of rehabilitation (b) it will help involvement of a number of departments and agencies in the rehabilitation process (c) it will ensure economies of scale in the entire operation (d) it will make the freed bonded labourers autonomous and empower them to withstand the organized onslaughts of bonded labour keepers.

Shri Bagambar Patnaik raised the special problems arising out of social ostracization of victims of bonded labour system i.e. the barbers in the villages of 5 districts mentioned earlier. He also emphasized that proceedings u/s 108, 109 and 110 have never been initiated against perpetrators of the social boycott. He wondered how psychological rehabilitation of victims of such social boycott will be possible? Petitions are being filed in the Court of SDM but without any results. Inquiry is not being conducted properly into complaints of harassment by the bonded

labour keepers as well as the police. More than 30 cases have been filed and they are yet to be investigated. Justice Shri B.C. Patel – Hon'ble Member, NHRC promised to look into these complaints and grievances at his level on his return to New Delhi.

Day 2: Discussion on elimination of Child Labour

I Definitional and Conceptual issues in relation to legal provisions:

Shri Ranjan Mohanty, Convener, Orissa Alliance on Child Rights opened the discussion on definition of child labour in India on the basis of age, employment in sectors/processes, economically active character of children and the extent and level of school participation rate. He pointed out the ambiguity in laws on the definition of child as different Acts mention different ages of entry to the world of work (in the absence of an omnibus law prescribing a uniform age of entry to the world of work). He stressed the point that child labour is the cause and effect of poverty, ignorance and illiteracy, poor quality of life and cultural prejudices and mindsets. He referred to the plight and predicament of girl children attributed to discrimination at an early age and characterized by vulnerability to abuse and harassment. The sad consequence of the phenomenon was reflected in poor enrolment (barely 22% of girls never went to school) and high drop out (more than 50% dropout before the age of 12).

Shri Umesh Purohit shared with the participants the plight of children working in the mining sector amidst dust and fumes. They inhale coal dust making them vulnerable to respiratory diseases such as asbestosis, pneumoconiosis, silicosis, pleurisy and T.B. Some of them like pneumoconiosis and silicosis are deadly killers; they are untreatable. The incidence of child labour in the mining sector has been reported from Keonjhar, Jaipur and Jharsuguda.

The Commissioner-cum-Secretary, Labour and Employment Deptt. referred to the survey which was conducted by the State Labour Deptt. in

1997 as a measure of compliance with the directions of the Supreme Court through which 2.15 lakh children were found at work. Those children who were employed in hazardous work have been withdrawn from work and enrolled into the formal school system. So far 94000 children have been mainstreamed from the special schools of NCLP to the formal school system. District level task forces have been constituted officers from other departments have been notified as Inspectors u/s 17 of the Act and a monitoring cell has been opened in the department. However, despite issue of show cause notices issued by the Inspectors full amount @ Rs. 20,000/- per child employed in a hazardous occupation/process could not be recovered from the offending employers as directed by the Supreme Court as the matter was challenged by the employers in Orissa High Court and the action taken by the Deptt. was set aside. Justice Shri Patel after going through the judgement of the High Court opined that the show cause notice was not drafted properly which resulted in the particular direction of the Court as has been alluded. Care should be taken in future to issue show cause notices in consultation with the Law Deptt. in a manner which does not make them objectionable.

Justice Shri Patel further emphasized the point that the Inspector appointed u/s 17 of the Act has a very important and responsible role to play and that he/she should play this role with discretion and circumspection so that conviction of all offending employers can be secured on the strength of evidence of the Inspector.

Summing up the discussion on this point, Dr. Mishra made the following observations:-

- The State Government should finalize a State Level Action Plan (SAP) in consultation with all concerned interests and without any further delay.

- Minimum age of entry to the world of work should be 18 and there should be an omnibus law to prescribe a uniform age of entry to the world of work.
- District Child Labour Welfare-cum-Rehabilitation Fund should be set up in all the 30 districts under the chairmanship of DM as directed by the apex Court. Its corpus should be strengthened by recovery of compensation from employers and contribution from the State and the interest on the money invested should be used for bearing the cost of higher education and medical care of children withdrawn from work.
- All Public Prosecutors and Assistant Public Prosecutors must be sensitized through orientation to take up prosecutions filed against offending employers in right earnest and with all seriousness so that they do not end up in acquittal.
- Employment of children upto the age of 14 as domestic help as an occupation stands prohibited by issue of a notification by Ministry of Labour, Government of India w.e.f 10.10.2006. A drive should be launched against such employment both at the originating as well as destination point and an undertaking should be obtained from all residents in builders flats/multi-storeyed apartments/private residences not to engage domestic help below the age of 14.
- Roadside hotels/motels/dhabas/eateries are springing up like mushrooms. They employ children for cleaning utensils, serving tea and snacks to customers including truck drivers/conductors/cleaners who make night halt in many such establishments. Quite apart from the fact that the employment of children in all these processes has been legally prohibited such employment leads to sexual abuse which in turn may cause HIV/AIDS. Employment of children in such establishments will have to be dealt with an iron hand by pooling resources from other departments.

- Many children on passing out from special schools have qualified for entrance to Navodaya Vidyalayas;
- Involvement of JSS in skill training programme has also made a lot of qualitative difference;

Grey areas:

- In Nuapada many teachers have not been paid since months; there is, therefore, no regularity in attendance;
- Honorarium @ Rs. 1500/- per teacher is too low and does not provide any incentive for the teachers to teach with total dedication.

III Special problems of the bonded children at work

The Bonded Labour System (Abolition) Act does not distinguish between children, adolescents and adults. Any person who fulfils the ingredients contained in Section 2(g) of the Act comes within the purview of the bonded labour system. Viewed in this sense children who are accompanying their adult parents and going to work in brick kilns or any other hazardous - occupation/process in A.P. or Chattisgarh or any other neighbouring state could in all possibility get into a situation of debt bondage. It is imperative that a close watch/surveillance is kept by the originating State Government officials over this possibility. All possible efforts should be made by deputing special teams to the destination States to bring back such children and get them rehabilitated through education, nutrition, skill training etc. It was heartening to know from the NGOs present in the workshop that they are working closely with NGOs in A.P. where about 30 NGOs are involved in the process of rescue/release, repatriation and rehabilitation of children working in brick kilns in bonded or slave like conditions. It was stated that on 2.9.2009 there will be a workshop in Hyderabad to discuss the strategy of rescue/release and rehabilitation of working children.

Summing up the 2 day discussion on 'elimination of bonded labour system and child labour' Dr. Mishra made the following observations:-

- Both elimination of bonded labour system and child labour are not the concern of one Department or Agency; they are the concern of the State and Nation as a whole.
- Involvement of Education, Health, Home, Housing Food and Civil Supplies, Labour, Law, Agriculture, Animal Husbandry and Veterinary, Forest and Fisheries, Urban Development, Rural Development, Women and Child Development, S&T was crucial to make the workshop truly participative and consultative; that has not been the case. Due care should be taken so that this is not repeated in future.
- Even the participation of DMs, SPs, SDMs and Members of Vigilance Committees was extremely limited.
- Participation of NGOs in good number was the saving grace of the workshop; their involvement in the programme should be sustained.
- As it appears DMs are over pre-occupied or overburdened. They have no time to go to the field to conduct inquiries into complaints. Consequently, they entrust them to subordinates and forward the inquiry reports rather mechanically to the SHRC or NHRC, as the case may be.
- Such inquiries do not serve any useful purpose except that of window dressing.
- NHRC has to depute teams to repeat the same inquiry which could have been avoided only if DMs paid a little more personal attention to this aspect.

ଜିଲ୍ଲା ଲୋକ ପ୍ରତୀକ କାର୍ଯ୍ୟାଳୟ ପ୍ରକୋପରେ
 ଗା.ନ-୫-୨୦୦୩ରୂପ ଅପରାଧ ୪.୦୦ ଇଞ୍ଚା
 ସମୟରେ ଚୋରାଧିକାରୀ କାର୍ଯ୍ୟ ସମ୍ପାଦନ
 ଓ ଜିଲ୍ଲା ଲୋକ ପ୍ରତୀକ ସଂପ୍ରଦାନ ସମୟରେ
 ଚୋରାଧିକାରୀ କାର୍ଯ୍ୟ ସମାପନ ନିମନ୍ତେ
 ସମୟକୁ ଚେତକର ଆଗେଇବା କରନ୍ତା।

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ଅଧ୍ୟ ଗା.ନ-୫-୨୦୦୩ରୂପ ଅପରାଧ
 ୪.୦୦ ସମୟରେ ଜିଲ୍ଲା ଲୋକ ପ୍ରତୀକ ଅଧିକାରୀ
 ଜିଲ୍ଲା ଲୋକ କାର୍ଯ୍ୟାଳୟ ପ୍ରକୋପ ସମୟରେ
 ଏକ ସମୟକୁ ଚେତକ କରିଥିଲା । ଚେତକ
 ଚେତକରେ ଉପସ୍ଥିତ ସରକାରୀ ଓ ଚେସରକାରୀ
 ସତ୍ୟ ମାନକ ତାଲିକା ନିମ୍ନରେ ପ୍ରଦତ୍ତ କରାଯାଏ

ସରକାରୀ ସତ୍ୟ

- ୧- ଜିଲ୍ଲା ଆରକ୍ଷୀ ଅଧିକାରୀ, ପୁରୀ.
- ୨- ଅତିରିକ୍ତ ଜିଲ୍ଲା ଲୋକ, ପୁରୀ.
- ୩- ଅତିରିକ୍ତ ଆରକ୍ଷୀ ଅଧିକାରୀ, ପୁରୀ.
- ୪- ଉପାଧିକାରୀ ଲୋକ, ପୁରୀ.
- ୫- ମାଗୁଳ ନିର୍ଦ୍ଦେଶକ, ଲୋକାଧିକାରୀ, ପୁରୀ ସଦର.
- ୬- ବ୍ରହ୍ମଗିରି ଥାନା ଉପାଧିକାରୀ ଅଧିକାରୀ
- ୭- କୁଳ ଉପାଧିକାରୀ ଅଧିକାରୀ, ବ୍ରହ୍ମଗିରି.
- ୮- ଉପାଧିକାରୀ ଦାତା, ବ୍ରହ୍ମଗିରି.
- ୯- ଉପାଧିକାରୀ ଅଧିକାରୀ, କଟକ ଉପାଧିକାରୀ, ପୁରୀ.

ଚେସରକାରୀ ସତ୍ୟ

- ୧୦- ଶ୍ରୀ ଜାୟାମୁର ଚାର୍ଜ ନାୟକ, ମାନବାଧିକାରକର୍ମୀ.
- ୧୧- ଶ୍ରୀ ମହାଶାୟକ କାର୍ଯ୍ୟକର୍ତ୍ତା, ଶ୍ରୀ-କର୍ମକାରୀ
 ଥାନା ବ୍ରହ୍ମଗିରି.

- ୧୭- ଶ୍ରୀ ଚିତ୍ରକ ଗେଜା, ସୁଭାପତି, ନୀଳାଚଳ
ସେଣ୍ଟ୍ରାଲ୍ ଲେଡ୍ରୀଲ୍ ସୁଦାସତା, ପୁରୀ
- ୧୮- ଶ୍ରୀ ଅନୁକମଣୀ ସେଟେଇ, ବ୍ରହ୍ମଗିରି ସେଣ୍ଟ୍ରାଲ୍
ଲେଡ୍ରୀଲ୍ ମିନା, ବଡ଼ା, ପ୍ରତିନିଧି
- ୧୯- ଶ୍ରୀ ଅଗୋକ କୁମାର ଦାସ, ଆଇନଜିବୀ,
ମାନଙ୍କ ଅନୁକାନ୍ତ ସୁଲୋ ସମିତି, ପୁରୀ
- ୨୦- ଶ୍ରୀ ବ୍ରହ୍ମପ୍ରସାଦ ତ୍ରିପାଠୀ, ଆଇନଜିବୀ,
ଓଡ଼ିଶା ଉଚ୍ଚନିୟମାଳୟ, କଟକ
- ୨୧- ଶ୍ରୀ ମୋହନ ଗେଜା, ସାଧାରଣ ସଂପାଦକ,
ଆରମ୍ଭକର ଲେଡ୍ରୀ ଆର୍ଡ଼ିଗ୍ୟୁରମସ, ଓଡ଼ିଶା
- ୨୨- ଶ୍ରୀ କିଶୋରୀ ପଟ୍ଟନାୟକ,
ସା/ସୋ: ଅଭିଷେକ (ବେଙ୍ଗଲେ)

ପ୍ରଥମେ ଜିଲ୍ଲାପାଳ ସମସ୍ତଙ୍କୁ ସମ୍ବର୍ଦ୍ଧନା
ଜଣାଇ ସଭାକାର୍ଯ୍ୟ ଆରମ୍ଭକରିଥିଲେ, ବାର୍ଷିକ
ସଂପ୍ରଦାନ ଓ ଲେଡ୍ରୀଲ୍-ସେଣ୍ଟ୍ରାଲ୍ ସଂସଦାନୁ
ମଧ୍ୟରେ ବ୍ରହ୍ମଗିରି ଅଫିସରେ ଉପାଧିକାରୀ
ଦ୍ଵାରା ବିଭାଗରେ ଜାଣିବା ପାଇଁ ଶ୍ରୀ ଦାୟାମୁରୁ
ପଟ୍ଟନାୟକ, ମାନବସୂଚକ କର୍ମୀଙ୍କ ମିଳିତ
ଆଡ଼ିଷ୍ଟମେ ପ୍ରକାଶ କରିବା ପାଇଁ ଅନୁରୋଧ
କରିଥିଲେ। ଶ୍ରୀ ପଟ୍ଟନାୟକ ଜଣାଇଥିଲେ ଯେ
ବ୍ରହ୍ମଗିରି ଅଫିସରେ କର୍ମଚାରୀ, ଡିମାଣ୍ଡା,
ସୁସ୍ଥିଆଳୀ, ଓ ଲୁଆଣା ଗ୍ରାମ ଗଠକରେ
ବାର୍ଷିକ ସଂପ୍ରଦାନ ଦାକ୍ତରୀ ଉପରେ

(କମ୍ପୋଜ)

ସମ୍ପ୍ରଦାୟରେ ଐତିହାସିକ ଓ ମାନସିକ କର୍ମାଧାରୀ
ଅତ୍ୟନ୍ତ-ସେତୁତ୍ୱ ସଂପ୍ରଦାୟ ଲୋକେ ଦେଖୁଛନ୍ତି ।

୧- ହିନ୍ଦୁ ଓ ସମ୍ପ୍ରଦାୟରେ ଗୋପକେତୁକା
ଓ ଅନ୍ତରା ପତ୍ର ଉପାଦାନକୁ କାଦକରାଯାଉଛି ।

୨- ସେବାକାରୀ ଲୋକଙ୍କୁ ମନାକରିବାକୁ ବାଧିକ
ପରିକାର ପ୍ରତି ଗାଆଁରେ ବାସନ୍ଦି ରୂପାୟାଉଛି ।

୩- ଶ୍ରୀ କରୁଣାକର ବାରିକ କାଦକରୁ ଆନ
କାରି ଦେଉଳାଉଛନ୍ତି । ଇନ୍ଦ୍ର ଆସିବାକ ପତ୍ର
ସୈନିକରା ଯାଉଛି ।

୪- ଗୋଲିସ ସମ୍ପ୍ରଦାୟ ଲୋକଙ୍କ ସୁରକ୍ଷିତ
କରିବା ଆଗରେ ଆର୍ଥିକ କୁହୁଣିଆରୀ
ରେ ଆତ୍ମା ଲୋକେ ଆତ୍ମନ ସମ୍ପ୍ରଦାୟ
ଗାଉଁବା ପରିକରେ ଗୋଲିସ କର୍ମାଧାରୀ
ମିଳୁ ଅଛି । ଗାଦା ଗଠନରେ ଦୀର୍ଘକାଳ ଦର୍ଶ
ଓମ୍ବେନା ଗ୍ରାମର ବାରିକ ଲୋକମାନେ
ଠାଁ ଠାଁ ଗୋଲିସ ଉପରେ ଗଠାଉଛନ୍ତି ।

ଶ୍ରୀ ଗର୍ଭନାୟକ ଉପସ୍ଥିତ ସମସ୍ତ ସତ୍ୟମାନଙ୍କୁ
ଏହାର ଗାନ୍ଧିପୂର୍ଣ୍ଣ ସମାଧାନ ମିଳେନ୍ତୁ ଏହାକୁ କରୁଛନ୍ତି ।

ଶ୍ରୀ ଲକ୍ଷ୍ମଣ ଗୋପାଳ ଦେବୀ, ସାଦାତୁଣ୍ଡ ସଂପାଦକ,
ଆଲୋଚକର ଲୋକିଆ ବନ୍ଧୁର ନିଧି, ଓଡ଼ିଶା କମି
ଥିରେ ଗୋ, କୁହୁଣିଆରୀ ଆଗର ଉପାୟ ଏହାକାରୀ
ଗଠନାତ ବନ୍ଧୁର ଦେଖୁ ଶ୍ରୀ କରୁଣାକର ବାରିକ

(କମଳା)

ଶ୍ରୀମ-କନ୍ଦଳପଦା କଂଠ ୨ ୧/୨ ଏକାଦଶମିତୁପ୍ରାୟ ୧୦୭ସୁ।
 ଦାକ ଯାଉକ୍ଷୁ ଦେଖିପାରି ନାହାନ୍ତି, ଜିଣୁ ଆତ୍ମଣୀ
 ଅଧିକାର ଏଥିରେ ଦୁସ୍ତୁଲ୍ୟପକର୍ତ୍ତ, ଅତିରିକ୍ତ ଆତ୍ମଣୀ
 ଅଧିକାର ଏହାର ସହଜମିତ୍ତ ତଦାକ୍ତକର୍ତ୍ତ ବଦତୁଣୀ
 ପ୍ରଦାନ ପାଉଁ" ସତ୍ତାସ୍ତୁଲ୍ୟରେ ମୋକ୍ଷେକ ମିଳେଣୀ
 ଦେଖୁଥିଲେ, ପ୍ରଣାସନକ ଦୁସ୍ତୁଲ୍ୟେକ ବଳରେ ଏହି
 ଗର୍ଭିକ " ମଣ୍ଡିତ କାହିଁକି ସୁସ୍ପଦାୟତ୍ତପରେ
 ଦେଖୁଥିବା ଅଧୋଗ୍ୟରେ ଅବସାନ ଯାକି ସମାଜରେ
 ସମସ୍ତେ ହାତୁତ୍ତ ମରୋଦୃତ୍ତରେ ପରସ୍ତୁତ୍ତ ସୁସ୍ପସ୍ପକ୍ତ
 ହୁଅନ କହିଛେ, ଶ୍ରୀ ଜେନା ଆତ୍ମାପ୍ରକାଶ
 କହିଥିଲେ, ଏହାପରେ ଜନ୍ମାପାଳ, ନୀଳାଚଳ
 ସେଣ୍ଡାୟତ୍ତ ଶ୍ରୀମଣ୍ଡୁ ମଞ୍ଜୁସତ୍ତା ପୁଣ୍ୟରୁ ବହୁପାତି
 ଶ୍ରୀମକ୍ତୁ ତୁଲ୍ୟ ଦେନାକ୍ତୁ ମିଳତ୍ତ ମତାମତ
 ଦେଖାପାଉଁ" ଅନୁ ଶୋଦ କହିଥିଲେ, ଶ୍ରୀଜେନା
 କହିଥିଲେଯୋ କୁହୁଗିଣୀ ଅଧିକରେ ପ୍ରାୟ
 ୧୭୦୦ ଗ୍ରାମ ମଧ୍ୟରୁ କେବଳ ଏହିତୁପାତ୍ତକର୍ତ୍ତୁତ
 ଟଟୋଟି ଗ୍ରାମକ୍ତୁ ନାଦ ଦେଲେ କୋଟାଗିରିପାରେ
 ସାମ୍ରଦାୟିକ ସମସ୍ୟା ତୁପୁଜନାଦି, ପ୍ରତ୍ୟେକ
 ମିଳତ୍ତ ଜମିଜନ ଯାତା ପାଉଁ ପରସ୍ତୁତ୍ତ ପ୍ରତି
 ଜାତିଆଣ କାୟାଧରେ ସାଦାନାଧ କର୍ତ୍ତ
 ଗୋନ୍ତି ଶୁଦ୍ଧ୍ୟକାରେ ଅତୁକ୍ତି, କୋଟାଗିରି
 ଗଣ୍ଡୁଗୋଳ ନାଦି, ସେ ମତଦେଖୁଥିଲେଯୋ

(କାମିନୀ)

କୋଣାର୍କରୁ ମନୁଷ୍ୟ ଶୋଭାପୁଷ୍ପା ଓ ଅର୍ଦ୍ଧ ଚାପତ୍ର ହୋଇବା
 ଭୂମି କାମରୁ ମନାକଲେ ତାକୁ ବାଧ୍ୟକରିବା
 ଭୂମି ନୁହେଁ, କିନ୍ତୁ ଯେଉଁ ବ୍ୟକ୍ତି ଚଳାଚଳ
 ସେବା କାର୍ଯ୍ୟ ସୂଚକରେ ତୁଳାହୁଣ୍ଡି, ସେମାନଙ୍କ
 ବାଣିଜ୍ୟ ସଂପ୍ରଦାନରେ କେତେକ ଲୋକ ଦମ୍ଭ କ
 ଦେବା, ଜାତିରୁ ବାଧ୍ୟକରିବା ଏବଂ ଜାତିଆଣୀ
 ସତ୍ତାରେ ଦଣ୍ଡ ଦେଇ କୋଣାର୍କ ଆଦାୟ ଓ
 ଲୁଣ୍ଠା କରି ଗ୍ରାମରେ ତୁଳାହୁଣ୍ଡି ଆଦି କାର୍ଯ୍ୟ
 କରୁଛନ୍ତି। ଏହା ଆଦୌ ସ୍ଵାଗତଯୋଗ୍ୟ ନୁହେଁ
 ଏହି ଚେଷ୍ଟାରେ ସେ ସମସ୍ତଙ୍କର ସୁଦୟୋଗ
 କାମନା କରିବା ସତ୍ତ୍ଵେ ସତ୍ତ୍ଵେ ବିବାଦୀୟ
 ଗ୍ରାମଗୁଡ଼ିକୁ ଏହିଦର୍ଶନ କରି ଲୋକ ମାନଙ୍କ
 ମଧ୍ୟରେ ଖାନ୍ତ ଓ ସୁଦୟୋଗ ଯେତୁଲେ
 ଆଣିବା ଯାଉଁ ମତ୍ତପ୍ରଦାନ କରୁଥିଲେ।

ଏହି ଆଲୋଚନାରେ ଆତ୍ମୀ ଅଧିକ
 ପୁତ୍ରୀ ପ୍ରକାଶ କରୁଥିଲେଯେ ଯେତେବେଳେ
 କୋଣାର୍କ ସାମ୍ରାଜ୍ୟର ଗଣ୍ଡୁ ଗୋଳ ତାଙ୍କ
 ଦୁର୍ଭିକ୍ଷରେ ହୋଇଥିଲା ସେ ଯେଉଁଠାରେ
 ଆଇନଗତ ଏକ ଚେଷ୍ଟା କରୁଥିଲେ
 ଏ ସଂପର୍କରେ ସେ ଅତିରିକ୍ତ ଆତ୍ମୀ
 ଅଧିକାରୀଙ୍କୁ ଦେଖି କରିବା ଯାଉଁ ମନେପା
 (କ୍ରମଣ)

ଦେଉ ଅର୍ପଣ ପୁଣି ସଦୃଶ ଆରାଧନା ନିମନ୍ତେ କଠ

ପ୍ରକାଶ ଦୁର୍ଗାଧାରରେ କେତେକ ଗାଣାରେ
ଉପରାଧିକାରୀ ଗଣ୍ଡୁଗୋଳରେ ସମାଧାନ କରାଯାଇଥିବୁ
ଅର୍ପଣ ବର୍ତ୍ତମାନ କେବଳ ଏହି ୪ ଗୋଟି ଗାଁକୁ
ଦାଦ ଦେଲେ ଅନ୍ୟାନ୍ୟ ଗ୍ରାମରେ ଗୋଟି ଶୁକ୍ଳା
ଭାବରେ ଲୋକମାନେ ବସବାସ କରୁ ଅଛନ୍ତି

ସମସ୍ତ ଆଲୋଚନା ଶେଷି ସାହିତ୍ୟ ଗଣ୍ଡ
ଜିଲ୍ଲା ଗୋଳ ଉତ୍ତମ ସଂପ୍ରଦାୟକୁ ଶାନ୍ତି ଶୁକ୍ଳା
ସ୍ୱକ୍ରମବାସ କରିବାକୁ ପ୍ରକାଶ କରିଥିଲେ
ପରିଷେଷରେ ସର୍ବ ସମ୍ପ୍ରତିକ୍ରମେ ନିମ୍ନ ପ୍ରସ୍ତାବ
ନୀତି ପ୍ରଦତ୍ତ କରାଗଲା

୧) ଗୋଟି ଦାହିକ ମାନେ ଗୋଟି ଘୋଷଣା
ତି ପ୍ରତି ଉପାଦାନ ଯାଉଁ ଉଚ୍ଛ୍ୱା ପ୍ରକାଶ କରୁ ନାହିଁ
ସେମାନଙ୍କୁ ଦାଦ୍ୟ କରାଯିବ ନାହିଁ

୨) ଗୋଟି ଦାହିକ ମାନେ ନିଜ ସ୍ୱଭାବରେ
ସେବାକାରୀ କରି ପଢ଼ିବାରେ ଘୋଷଣା କରୁଥିବୁ
ଏଥିରେ କୌଣସି ବ୍ୟକ୍ତି ସଂଗଠନ
ଅନୁମାନ ଦାଦା ଦେବା ଉଚିତ ନୁହେଁ ଯାହା
ଗୋଳରେ ସମାଜରେ ବିଶୁଦ୍ଧତା ସୃଷ୍ଟି ଦେଖା
ସମ୍ଭବ ନା ଅଛି

୩) ସାଂପ୍ରଦାୟିକ ଗଣ୍ଡୁଗୋଳ ନେଇ କେଉଁ
ମୋକ ଧନୀ ତଥାପି ଏହି ନିମନ୍ତେ

କା ଦ୍ଵାରା ପାଠ୍ୟ କଥା ପାଠ୍ୟ କ୍ଷେତ୍ର ଗୁଡ଼ିକ ଉପରେ
ପରସ୍ପରୀ କାର୍ଯ୍ୟାନୁଷ୍ଠାନ କରାଯିବ ।

୪) ଖଜାନ୍ତ ଓ ଶୁଦ୍ଧ ଉତ୍ପାଦନ
ଶ୍ରେଣୀବାସୀ ବାଦାତ୍ କାର୍ଯ୍ୟ ଆଣି କାର୍ଯ୍ୟ
ଦ୍ଵାରା ପାଠ୍ୟେ । ଏଥିରେ କେନ୍ଦ୍ରୀୟାୟ ସ୍ଵଳ୍ପ
କର୍ତ୍ତା ପାଠ୍ୟେ ନାହିଁ ।

୫) ସମସ୍ତଙ୍କ ସମ୍ମତିରେ ଗୋଟିଏ ଶୁଦ୍ଧ
ରୂପାମୟ କ୍ଷେତ୍ର କର୍ମକ୍ରମ ନେଇ
ଗୋଟିଏ କର୍ମ ପ୍ରତିଷ୍ଠା କରାଗଲା ।

୧- ଶ୍ରୀ ଗୁରୁ ଶୁଦ୍ଧ କେନା,
ସହାୟକ, ସେବାୟତ କର୍ମକ୍ରମ ନିର୍ବାହୀ
କେନ୍ଦ୍ରୀୟ ନାଥ ଚୋଡ଼, ପୁଣ୍ୟ ---- ସତ୍ୟ

୨- ଶ୍ରୀ ଅଧ୍ୟକ୍ଷାଣୀ ସେ ଶୁଦ୍ଧ ସତ୍ୟ
ସେବାୟତ କର୍ମକ୍ରମ ନିର୍ବାହୀ
କେନ୍ଦ୍ରୀୟ ନାଥ ଚୋଡ଼, ପୁଣ୍ୟ --- ସତ୍ୟ

୩- ଶ୍ରୀ କର୍ତ୍ତାଣୀ କାର୍ଯ୍ୟ
ସା: କର୍ତ୍ତାଣୀ, ସା: କର୍ତ୍ତାଣୀ --- ସତ୍ୟ

୪- ଶ୍ରୀ ଦୀନାୟକ କାର୍ଯ୍ୟ
ସା: କର୍ତ୍ତାଣୀ, ସା: କର୍ତ୍ତାଣୀ ---- ସତ୍ୟ

୫- ଶ୍ରୀ ସମାଜିକ କେନା
ସା: କର୍ତ୍ତାଣୀ, ସା: କର୍ତ୍ତାଣୀ --- ସତ୍ୟ

୬- ଶ୍ରୀ ଅଧ୍ୟକ୍ଷାଣୀ ନାଥ, ଅଧ୍ୟକ୍ଷାଣୀ
ନାଥ କର୍ମ ଅଧ୍ୟକ୍ଷାଣୀ ସ୍ଵଳ୍ପ ସମାଜିକ, ପୁଣ୍ୟ

(ସତ୍ୟ)

ଦେବିଲକ୍ଷ୍ମୀଙ୍କୁ ବ୍ରହ୍ମବିହାରୀ ଆବାହନ

ହୃଦୟକୁ ଅଧିକାରୀ,
ବ୍ରହ୍ମବିହାରୀ ସତ୍ୟ

ମଙ୍ଗଳ ନିର୍ଦ୍ଦେଶକ ଚୋରାଣୀ
ପୁଣ୍ୟ ସଦୃଶ ସତ୍ୟ

ଦିଲ୍ଲୀରୁ କମିଟି ଚଳେ ବ୍ରହ୍ମବିହାରୀ
ଦେବିଲକ୍ଷ୍ମୀଙ୍କୁ ଅନୁପାଳ୍ୟ ମାସକ ଅଟେ କୋଇଲି
ଏବଂ ପ୍ରତି ମାସରେ ଅଟେ ଜିଲ୍ଲା ମୋକ ଏବଂ
ଆଗରୁ ଅଧିକାରୀ କଂ ପୁରୀ କମିଟି ମଧୁକ୍ତି
ଗୁଡ଼ିକ ଲାଭ୍ୟା ଲୋଚନା କରାଯିବ । ଏହି
କମିଟିର ପ୍ରଥମ ଚେତକ ଜିଲ୍ଲା ଆଗରୁ
ଅଧିକାରୀ କଂ କାର୍ଯ୍ୟାଳୟରେ ଦୁଇ ମାସ ପ୍ରଥମ
ସପ୍ତାହରେ ଦସିବା ପାଠ୍ୟ ସ୍ଥିର କରା ଶାଳ୍ୟା ।

ଗ୍ରାମ ମାନ୍ୟଙ୍କର ସାଂପ୍ରଦାୟିକ କ୍ଷତ୍ରିୟଙ୍କର
ଉପୁଜିଲେ ଏହି କମିଟି ମାଧ୍ୟମରେ କ୍ଷତ୍ରିୟଙ୍କର ପାଠ୍ୟ
ମଧୁକ୍ତି ଗ୍ରହଣ କରାଯିବ । ଗାନ୍ଧି କମିଟି ଅନୁସାରେ
କରି ଯାହା କ୍ଷତ୍ରିୟରେ କ୍ଷତ୍ରିୟୀ ପ୍ରଦାନ କରିବେ
ସେମାନଙ୍କ କ୍ଷତ୍ରିୟରେ ଆଜ୍ଞାନ ଅନୁସାରେ ପୁଣି
କାର୍ଯ୍ୟାଳୟରୁ ଗ୍ରହଣ କରାଯିବ ।

ରାଜ୍ୟରେ ସତ୍ୟାଗ୍ରହ ଯେମାନଙ୍କ ଅର୍ଥର
ପୂର୍ବକ ସତ୍ୟା ସାଧନ କରା ଶାଳ୍ୟା ।

ଆଗରୁ ମଧ୍ୟ

କମିଟିର ପଦ ସଂଖ୍ୟା ୧୦ (୧୦)
ଏହାର ନିମ୍ନରେ ଉପସ୍ଥିତ ସମସ୍ତ ସଭ୍ୟଙ୍କ ଗୋଟାଏ
ଏବଂ ଆଗରୁ ଅଧିକ କାର୍ଯ୍ୟାଳୟରୁ ଗ୍ରହଣ କରା ଶାଳ୍ୟା
ପାଖରେ

କମିଟିର ପାଳ, ପୁଣ୍ୟ
କମିଟିର ପାଳ, ପୁଣ୍ୟ
କମିଟିର ପାଳ, ପୁଣ୍ୟ



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Government of Orissa
Panchayati Raj Department

No. IV DEV (HL) 39/04

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/PR., Dt. 3/4/04

From

Sri B.D. Dash,
Joint Secy. to Govt.

To

Collector, Puri
P.D. DRDA, Puri.

Sub:

Identification of Bonded Labourer.

Sir,

with reference to your letter No. 3865
dt. 23.9.03 on the above noted subject I am directed to
say that the barbers and washermen working in rural areas
can not be identified as bonded labourer as per guideline
issued by Revenue Deptt. in their letter No. 2525/R dt. 12.1.81
and to follow the provisions of bonded labour Act.

Yours faithfully,

Joint Secy. to Government.

BB/14
Attached

Ambrava
5-10-04

P
Pam. Dist. Office
Indrayan Section

Under Secretary to Govt
Home Department

MEMO
copy forwarded to
Collector, Pam / D/o Pam
and me

at
the S.P. Pam / Sns -
for information

A.D.M. Puri

Speed Post

Assistant Registrar(LAW)
Tel. No. 011-2338 5368
Fax No. 011-2338 6521
Telegraphic Add.: "HUMANRIGHTS"
Home Page : <http://nhrc.nic.in>

Case No. 13/18/2006-2007/FC/FC
NATIONAL HUMAN RIGHTS COMMISSION
(LAW DIVISION)

FARIDKOT HOUSE
COPERNICUS MARG, NEW DELHI - 110 001

Dated 22/08/2008

2618108

To

THE DISTRICT COLLECTOR
PURI, ORISSA

Sub : Complaint / Intimation from

BAGHAMBAR PATTANAIK
ODISHA GOTIMUKTI ANDOLAN BANK COLONY
SRI RAM NAGAR, TALABANIA,
PURI, ORISSA.

Sir/Madam,

With reference to your letter no.

Dated 22/08/2008, I am

directed to say that the matter was considered by the Commission on 15/07/2008 and the Commission has directed as follows.

Shri J.M. Mohanti, learned counsel for the Government of Orissa, files copies of 17 orders passed by District Magistrate and Collector, Puri on 7th January, 2008. The District Magistrate concluded that none of the 17 persons identified as bonded labourers by District Bonded Labour Vigilance Committee, Puri fell in the category of bonded labour as defined in Section 2 of the Bonded Labour System (Abolition) Act, 1976. Preliminary inquiry in the 17 cases was conducted by BDO, Brahmagiri and Project Director, DRDA, Puri and finally an open inquiry was held by the Collector on 24th August, 2007. On appraisal of evidence produced at the inquiry the District Collector held as follows:-

"From the deposition it reveals that he neither has taken any 'bartan' from anybody nor has entered or presumed to have entered into any agreement with the creditor".

According to complainant Baghambar Pattanaik, the aforementioned 17 persons and many others were victims of the pernicious custom of 'bartan' prevailing in District Puri. Under the custom of 'bartan' the upper caste families give an advance of about 15 Kg. of paddy for each married male at a particular time of the year and in consideration of such advance the sewak has to render service to all members of the family, including unmarried males, throughout the year without any remuneration. Not only this, the sewak is also required to wash the feet of the guests visiting the family and he has to perform many other menial jobs on the occasion of death and marriage in the family. In addition, he is also required to perform community services like spreading banana leaves at the time of community feasts and lifting the leaves with left-overs.

Collector, Puri informed the Commission vide communication dated 30th April, 2007 that the District Administration had sought clarification from the State Government and "the government in Panchayati Raj Department vide their letter No. 3364 dated 8.4.2004 clarified that the barbers and washer-men working in rural areas cannot be identified as bonded labour citing the guidelines of Revenue Department's letter No. 2525 dated 12.1.1981".

The term 'bonded labour system' has been defined in Section 2 (g) of Bonded Labour System Abolition Act as follows:-

"Bonded labour system" means the system of forced, or partly forced labour under which a debtor enters, or has, or is presumed to have, entered into an agreement with the creditor to the effect that:-

(i).....

(ii).....

(iii).....

(iv).....

(v) by reason of his birth in any particular caste or community, he would -

(1) render, by himself or through any member of his family, or any person dependent on him, labour or service to the creditor, or for the benefit of the creditor, for a specified period or for an unspecified period, either without wages or for nominal wages, or

(2).....

(3).....

(4)....."

Under the custom of 'bartan' the upper caste families give an advance of six gauris (approx. 15 Kg of paddy) at a particular time of the year to the sewak who is a person born in the family of barbers. In consideration of such advance the sewak (barber) renders service by way of cutting hair throughout the year without any remuneration. Thus, the system of bartan envisages giving and taking of advance and thereby creates the relationship of debtor and creditor. The person taking the advance is called sewak by reason of his birth in a particular caste or community and he is forced to render service for the whole year in consideration of the advance. This being the factual position, there can be no doubt that the practice of bartan is a manifestation of the bonded labour system as defined in Section 2 (g) of the Act. Therefore, the stand taken by the Panchavati Raj Department in its letter No. 3364 dated 8.4.2004 is obviously erroneous.

The system of bonded labour is a relic of the feudal society. The Constitution of India, however, promises to build an egalitarian socio-economic order in which the head is held high and the mind is free from fear. Any custom which forces a person to wash the feet of another or to lift the left-over food after community feast is an affront to human dignity and such practice must be abandoned. The State Government has a constitutional duty to abolish such custom. It must also ensure that barbers and washer-men in the villages receive appropriate remuneration for services rendered by them, by notifying minimum wages for them.

If the pledge of egalitarian society made in the Constitution of India is to be redeemed, the public servants entrusted with the task of implementing social welfare legislation shall have to imbibe the values of justice, liberty, equality and fraternity enshrined in the Preamble of the Constitution. Unfortunately, in the present case the District Magistrate and Collector, Puri appears to have turned a blind eye to the ignominy and ridicule heaped on the sewaks by the upper caste families in the District. Since all the 17 orders passed by the Collector on 7th January, 2008 run on the same logic, we may extract relevant parts from one or two orders by way of sample.

In the case of Panchanan Barik, the Collector analyses the evidence in the following manner:-

"Shri Panchanan Barik had made complaint that last four years back he was serving villagers and was cutting hairs by taking Bartan. Further he said that he was socially boycotted by the villagers on the issue of feet washing and for which one Kalu Parida and Lokanath Pradhan of his village are not giving grocery items from their shop. It is an individual dispute with Kalu Parida and Loknath Pradhan. So, non-giving of grocery cannot be presumed that he is socially boycotted from the village".

In the case of Babula Barik the appraisal of evidence is made thus:-

"Further it is revealed from the evidence of Smt. Pramila Barik that four years back her husband and husband's brother were asked to wash the feet. When denied they were socially boycotted. Further it is revealed from the evidence of Babula Barik that he rendered service like hair cutting in Kalikabadi village on his own will. He is getting paddy or cash as bartan from the people of Kalikabadi".

The two victims told the Collector that they had to face social boycott because they had refused to wash feet. The shop-keepers in the village would not sell grocery to them and yet the Collector concluded that there was no element of coercion and they were not bonded labourers. He reasoned that the non-giving of grocery was an individual dispute. The logic is rather strange. It is totally incompatible with the spirit of Bonded Labour System (Abolition) Act which seeks to emancipate labourers from bondage.

On perusal of the 17 orders which were passed by District Collector, Puri on 7th January, 2008, the Commission is of the considered opinion that the Collector neither appreciated the evidence in proper perspective nor cared to give effect to the provisions of Bonded Labour System Abolition Act. A fresh inquiry in the matter is not only necessary but imperative.

The Commission directs District Collector, Puri to hold a fresh inquiry in all the 17 cases which were brought to his notice by the District Bonded Labour Vigilance Committee. Such other cases which may be brought to his notice shall also be inquired into by him and thereafter he will pass speaking order in all the cases keeping the provisions of Bonded Labour System Abolition Act in mind. Such persons who are identified as bonded labourers after conclusion of inquiry shall be given release certificates and appropriate steps shall be taken for their rehabilitation by giving them financial assistance for opening saloons or laundry etc.

The inquiry shall be expeditiously concluded and action taken report shall be submitted to the Commission within 12 weeks.

2. It is therefore, requested that the ~~additional/comple~~ report as directed by the Commission in the matter be sent latest by 21/11/2008, for further consideration by the Commission.

Copy to:
✓ Shri Baghambhar Pattanaik
Odisha Gotimukti Andolan
Bank Colony
Sri Ram Nagar, Talabania
PURI, ORISSA
Pin - 752002.

Yours faithfully,


ASSISTANT REGISTRAR (LAW)



Government of Orissa

Phone : (91) 674 253 666
Fax : (91) 674 253 666
Email : csoni@nic.in

B. K. Patnaik
Chief Secretary, Orissa

No.17-STGR-22-4004/11-3795/CS(PR)
Bhubaneswar, dated the 17 February, 2011

NOTIFICATION

Sub: Circular on Bonded Labour System (Abolition) Act, 1976.

Since time immemorial communities like barbers and washermen have been rendering certain kinds of services to other people in a customary and traditional manner. It is seen that some of these customs and traditions are exploitative and beneath the dignity of human beings. Some have gone to the extent of forcing the barbers to wash the feet of guests during social ceremonies like marriage etc. The barbers are sometimes forced to lift leaf plates containing leftovers at the end of ceremonial feasts. It is complained that for all such traditional/customary services a barber is paid a pittance like 15 kg paddy for the whole year which is far below the minimum wage for any kind of labour notified by the Government.

Hon'ble National Human Rights Commission is of the view that

"The practice of extracting work from the barbers and washermen by the upper caste families by paying a pittance like 15 kg of paddy for the whole year is clearly 'Bonded Labour System' and the State should take effective steps to stop this practice".

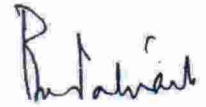
The State Government in Panchayati Raj Department impressed upon the Collectors vide letter No.32127 Dated 06.11.2010 to instruct the field functionaries to ensure that such an evil practice is discouraged at all costs by taking stringent action against the culprits under the Bonded Labour System (Abolition) Act, 1976.

At the camp sittings of NHRC held in Bhubaneswar on 18th January, 2011 the Hon'ble Chairperson, NHRC advised the State Government to issue orders abolishing the 'Bartan' system.

The State Government have been satisfied that such 'Bartan' and such 'labour' are coming within the definitions of 'bonded debt' and 'bonded labour' as defined under Section 2(d) and 2(e) respectively of the Bonded Labour System (Abolition) Act, 1976. Besides, the State Government are convinced that the entire Bartan system, i.e., payment of Bartan (15 kg) for the whole year and receiving traditional/customary services is clearly a bonded labour system as defined under Section 2(g) of the Bonded Labour System (Abolition) Act, 1976.

It is hereby notified that such practice of offering "Bartan" to get the traditional/customary services of barbers and washermen should be abolished. Anybody compelling any barber/washer man to render traditional service shall be punishable under Bonded Labour System (Abolition) Act, 1976.

By order of Governor



CHIEF SECRETARY

CC: for information and necessary action to

- 1) Principal Secretary, Home Department
- 2) Principal Secretary, Labour & Employment Deptt.
- 3) Commissioner-cum-Secretary, Revenue & Disaster Management Deptt.
- 4) All Revenue Divisional Commissioners
- 5) Deputy Registrar (Law), NHRC, Faridkot House, Copernicus Marg,
New Delhi-110001
- 6) All Collectors
- 7) All Project Directors, DRDAs

By FAX / E-Mail /
SPEED POST

Government of Orissa
Panchayati Raj Department

No.IV-DEV-(BL)-19/2007. 16917 /PR.. Dated. 16.5.09

From

Sri Arjun Sahoo
Under Secretary to Government

To

All Collector & District Magistrates (Except Puri District)
All Project Directors, DRDAs (Except Puri District)

Sub: **Clarification on identification of Bonded Labourers.**

Madam / Sir.

In enclosing herewith a copy of this Department letter No.31018/PR., dated 18.09.2007 addressed to the Collector, Puri with copy to the P.D., DRDA, Puri on the above subject. I am directed to say that the observations of the Law Department as communicated therein may please be considered as clarification / guidelines for the purpose of identification of Bonded Labourers under Bonded Labour System (Abolition) Act, 1976.

Yours faithfully,


Under Secretary to Government

GOVERNMENT OF ORISSA
PANCHAYATI RAJ DEPARTMENT

No. IV.DSV.BL.19/07 31018 /PR.BBSR, Dtd. the. 18/9/07-

From: Sri B. Baral
Joint Secretary to Government.

To: The Collector,
Puri.

Sub: Clarification on identification of bonded labour.

Sir,

I am directed to invite a reference to your letter No.711 dt. 22.5.2007 (containing a copy each of letters dt.11.12.03, 8.3.04 and 22.3.04 of some members of District Vigilance Committee on Bonded Labour, Puri and Sri. Baghambar Patnaik, Human Rights Activist) seeking clarification whether barber and washermen communities working in the villages will be considered as bonded labourers and to say that the matter was referred to Law Department to give their opinion. Law Deptt. have given their observation as stated below.

Section 12 of the Bonded Labour System (Abolition) Act, 1976 mandates the District Magistrate and the specified officers to inquire as to whether any bonded labour system is being enforced or any person is found to be enforcing the bonded labour system or any other form of forced labour, then they shall take appropriate action as per the provisions of the Act.

The Hon'ble Supreme Court in a case reported in AIR 1984 SC 1099 at para-4 has observed as follows:-

"Whenever any officer of the Dist. Administration goes to such place for identification and release of bonded labour on the basis of the information given by such representative of the social action group, he shall take such representative with him and a copy of the report made by him shall be handed over immediately to such representative of the social action group."

Further para-5 of the said judgement indicates about the review of the action taken by the State Govt. and its machinery. Hence, the State Govt. are to take immediate steps in the matter ~~on~~ basing on the report of the District Magistrate or the specified officers as the case may be in case the bonded labourers are identified. For transparency the representatives of the Special groups who have given information shall be involved in such identification process. Whether a barber or a washerman is a bonded labourer, it depends on their coming under the definition provided in clause(f) read with (g) of section-2 of the said Act to be identified after the inquiry made as per the provisions of the Act.

Yours faithfully

[Signature]
18/9/07

Joint Secretary to Government.

Memo No.

//PR, Dtd.

Copy forwarded to the Registrar, Orissa Information Commission, Bhubaneswar for kind information of the Hon'ble Commission with reference to 2nd Appeal No. 72/07.

Joint Secretary to Government.

Memo No.

//PR, Dtd.

Copy forwarded to the Project Director, DRDA, Puri/
Sri Baghambar Patnaik, At/PO- Dimirisena, Via- Brahmagiri
Dist- Puri/ Guard File (two copies) for information/reference.

Joint Secretary to Government.

[Signature]
SSI 17/9

Government of Orissa
Panchayati Raj Department

(326)

NO. IV-DEV(BL.)11/09 ^{***} 517 (30) /PR.. Dated 07-09-09

From

S. N. Tripathi, IAS
Commissioner-cum-Secretary

To

All Collectors & District Magistrates

Sub Sensitization Workshop on elimination of Bonded Labour System

Sir,

I am directed to say that in the sensitization workshop on elimination of Bonded Labour and Child Labour held by National Human Rights Commission in collaboration with the State Government of Orissa on 21st and 22nd August, 2009 at Bhubaneswar. Dr. L. Mishra, IAS (Retd.) Special Rapporteur has expressed his concern that the statutory provisions of the Bonded Labour System (Abolition) Act, 1976 are not being properly followed by the concerned district and sub-divisional authorities. Concern was expressed on the fact that prosecution and conviction of keepers of bonded labourers are almost absent giving rise to incidence of Bonded labour system in different parts of the State.

Some of the important guidelines embodied in the Manual on ABOLITION OF BONDED LABOUR SYSTEM, a Manual on Identification, Release and Rehabilitation of Bonded Labour prepared by the Ministry of Labour Government of India in February, 2004 are enclosed as Annexure-I for your information and necessary follow up action in this regard.

Yours faithfully,



Commissioner-cum-Secretary to Government

IMPORTANT GUIDELINES TAKEN FROM THE MANUAL ON
ABOLITION OF BONDED LABOUR SYSTEM

CHAPTER-IV**Para 4.5**

The District and Sub-Divisional Magistrates have been entrusted with certain duties / responsibilities towards implementation of statutory provisions of the Act. Therefore, complaint regarding the incidence of bonded labour system and also violation of the provisions of the Bonded Labour System (Abolition) Act, 1976 can be lodged with the authorities by anybody, i.e., affected party, any third party or any Government organization. It shall be the duty of District Magistrate and every officer specified by him to inquire whether, after commencement of the Act any bonded labour system or any other form of forced labour is being enforced within the local limits of his jurisdiction. As a result of such inquiry, if any person is found to be enforcing the bonded labour system or any other system of forced labour, he shall forthwith take such action as may be necessary to eradicate the enforcement of such forced labour.

Para 4.9

On receipt of any complaint / information regarding the incidence of bonded labour system in any area, the concerned District Magistrate / Sub-Divisional Magistrate, is required to take the following course of action:

- (i) He / She must make an enquiry to confirm the facts mentioned in the petition or known otherwise.
- (ii) He / She must ensure a petition seeking the release from one of the following:
 - a. the bonded labourer;
 - b. the Village Administrative Officer;
 - c. any third person / party who has some knowledge of the matter;
- (iii) The statement of the three persons mentioned above must be recorded.
- (iv) The statement must answer the following questions:
 - a. how much has been paid as an advance / loan ?
 - b. what is the mode of repayment ?
 - c. how long have they been serving there with the particular employer ?

Para 4.10

If it is confirmed through the above mentioned course of enquiry that an individual is a bonded labour, the District / Sub-Divisional Magistrate is required to take the following steps:

- (i) To pass an executive order to release him.
- (ii) To issue the release certificate to the bonded labour.

Para 4.11

The process of identification, release and criminal prosecution of the employer of bonded labour should be simultaneous activities in order to avoid delay in rehabilitation, which causes relapse of the victims into bondage from which they have been liberated.

CHAPTER-V

Para 5.5.4.6

Presence of bonded labour at the time of enquiry:- The presence of bonded labour at the time of enquiry is not required. Bonded labour normally fears his masters / her masters. Such a fear is inevitable when prosecution has been launched. Besides, the burden of proof lies on the creditor to prove that a particular debt is not a bonded debt.

IN THE HIGH COURT OF ORISSA, CUTTACK

WRIT PETITION (CIVIL)

W.P. (C) No. 7173 /2011

Code No - 180600

IN THE MATTER OF: PUBLIC INTEREST LITIGATION

AND

IN THE MATTER OF:

A writ petition under Article 226 & 227 of the Constitution of India for challenging the negligence in duty of the Opposite Parties to inquire the prevalence of bonded labour system within the local limits of their jurisdiction and to eradicate the enforcement of such bonded labour as specified in law under the Bonded Labour System (Abolition) Act, 1976.

AND

IN THE MATTER OF:

A writ petition praying for issuance of a writ of mandamus or any other writ of like nature and direction(s) or order(s) to Opposite Parties for passing executive orders for conducting inquiry as per provisions and release of bonded labourers and prosecution of offences under the Bonded Labour System (Abolition) Act, 1976.

AND

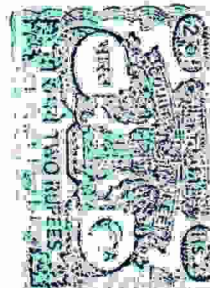
IN THE MATTER OF:

Article 14, 15, 21 & 23 of the Constitution of India

AND

IN THE MATTER OF:

The Bonded Labour System (Abolition) Act, 1976.



[Handwritten signature]

[Handwritten text]

Universal Declaration of Human Rights (UDHR),
Supplementary Convention on the Abolition of Slavery, the Slave Trade,
and Institutions and Practices Similar to Slavery (SCAS), International
Covenant on Civil and Political Rights (ICCPR), International Covenant
on Economic, Social and Cultural Rights (ICESCR), ILO Abolition of
Forced Labour Convention (No105).

AND

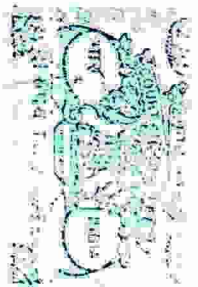
IN THE MATTER OF:

Baghambar Pattnaik,
Aged about 62 years
S/o Late Sanatan Pattanaik
At/P.O.-Dimirisena
P.S.- Brahmagiri
Dist.- Puri
Adviser
Odisha Goti Mukti Andolan
L-232, GGP Colony
Rasulgarh
P.S.- Mancheswar
Bhubaneswar, Dist.-Khurdha

----- Petitioner

Versus

1. Union of India represented through its
Secretary,
Ministry of Labour
Shrama Shakti Bhavan,
New Delhi
2. State of Orissa represented through its
Chief Secretary,
Secretariat Building,
Bhubaneswar,
District- Khurdha



3. The Principal Secretary to Government,
Panchayati Raj Department
Secretariat building,
Bhubaneswar
Dist.-Khurdha

The District Magistrate and Collector, Puri,
At/PO-Puri,
Dist- Puri.

The District Magistrate and Collector, Cuttack,
At/PO-Cuttack,
Dist- Cuttack.

The District Magistrate and Collector, Khurdha,
At/PO- Khurdha,
Dist- Khurdha.

The District Magistrate and Collector
Jagatsinghpur
At/PO-Jagatsinghpur,
Dist- Jagatsinghpur.

The Sub-Divisional Magistrate and Sub-
Collector, Puri
At/P.O.- Puri
Dist.- Puri

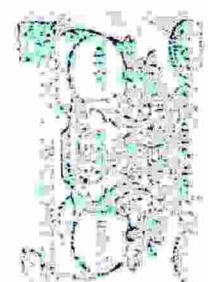
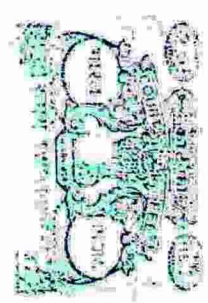
4. The Principal Secretary to Government
Revenue & Disaster Management Department
Government of Orissa
Secretariate Building, Bhubaneswar, Dist.- Khurdha.

AND

Handwritten notes:
To be
checked
on 22.11.2011
with regard
to 3 & 4, 2011.
Chaitanya



Handwritten signature



Serial No. of Order	Date of Order	ORDER WITH SIGNATURE	Office note as to action taken on Order
4	15.1.2012	<p>Baghambar Pattnaik-Adviser, Odisha Goli Mukti Andolan has approached this Court seeking for issuance of a writ of mandamus to the opposite parties to strictly adhere to the letters circulated by the Government of Orissa in Panchayati Raj Manual on Identification, Release and Rehabilitation of Bonded Labour published by the Government of India, Ministry of Labour; Guidelines emerged in the National Workshop on Elimination of Bonded Labour System and Child Labour sent by National Human Rights Commission and order of the Hon'ble Supreme Court of India circulated by Assistant Registrar PTL (Writ) for abolition of bonded labour system, urging various facts and legal contentions.</p> <p>2. The petitioner had originally impleaded the District Magistrates and Collectors of Puri, Cuttack, Khurda, Jagatsinghpur and Subdivisional Magistrate and Sub-Collector, Puri who had been deleted vide order dated 5.4.2011. The release and rehabilitation of bonded labour in the State shall be made by the concerned District Magistrates and Collectors & Subdivisional Magistrate and Sub-Collectors of the district in question. Therefore, the order dated 5.4.2011 is recalled, original opposite parties 4 to 7 are restored to their ranking. The order dated 5.4.2011 is modified to that extent. The concerned District Magistrates and Collectors & Subdivisional Magistrate and Sub-Collectors of various districts (opposite parties 4 to 7) are directed to consider the representations of the petitioner with reference to the circular instructions on Identification, Release and Rehabilitation of Bonded Labour published by the Government of India, Ministry of Labour; Guidelines emerged in the National Workshop on Elimination of Bonded Labour System and Child Labour sent by National</p>	<p>Human Rights Commission and order of the Hon'ble Supreme</p>

Sl. No. of Order	Date of Order	2 ORDER WITH SIGNATURE	Office note as to action (if any) taken on Order
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Court of India circulated by Assistant Registrar PIL (Writ) for abolition of bonded labour system and take necessary steps accordingly within twelve weeks from the date of receipt of a copy of this order.

A copy of the order be handed over to Mr. Mohapatra, learned Government Advocate to communicate the same to the concerned District Magistrates and Collectors & Subdivisional Magistrate and Sub-Collectors of various districts for compliance.

Urgent certified copy of this order be granted on proper application.

Sd- V. Gopala Gowda CJ.

Sd. B. N. Mahapatra J.

Copy to
EMent
30.1.12



Dr. Ranjit Singh
JOINT SECRETARY (P & A)



राष्ट्रीय मानव अधिकार आयोग
मानव अधिकार भवन, सी-ब्लॉक, जीपीओ
कम्प्लेक्स, आईएनए नई दिल्ली-110 023 भारत
NATIONAL HUMAN RIGHTS COMMISSION
Manav Adhikar Bhawan, C-Block, GPO Complex, INA,
New Delhi-110 023 India

D.O. No. 2/21/2011-PRP&P Vol II

10th December, 2014

Dear Shri Rajeev Sadanandan,

As you are aware the Commission has been examining the need for amendments to the Bonded Labour System (Abolition) Rules 1976 in consultation with the members of Core Group on Bonded Labour in order to ensure better implementation of the Bonded Labour System (Abolition) Act 1976.

The Commission in its meeting held on 21st November, 2014 has taken into account all suggestions and feedback and has approved the Recommendations for amendments to the Bonded Labour System (Abolition) Rules 1976. I am enclosing a copy of the recommendations for necessary action by the Ministry of Labour.

With regards,

Yours sincerely,

(Dr. Ranjit Singh)

Shri Rajeev Sadanandan
Joint Secretary & DGLW
Ministry of Labour and Employment
Jaisalmer House, Man Singh Road
New Delhi-110011

ISSUED
11 DEC 2014

EXISTING BONDED LABOUR RULES 1976 (1)	AMENDMENTS RECOMMENDED (2)	Remarks (3)
<p>G.S.R. 9(E), dated New Delhi, the 28th. February, 1976: In exercise of the powers conferred by sub-section (1), read with sub-section (2) of section 26 of the Bonded Labour System (Abolition) Act, 1976 (19 of 1976), the Central Government hereby makes the following rules, namely: --</p>		
<p>1. Short title and commencement. -- (1) These rules may be called the Bonded Labour System (Abolition) Rules, 1976. (2) They shall come into force on the date of their publication in the Official Gazette.</p>	<p>1. Short title and commencement. (1) These rules may be called the Bonded Labour System (Abolition) Amendment Rules, 2014.</p>	
<p>3. Term of office and vacation of seat of members of District Vigilance Committee. -- (1) Every member, of a district Vigilance Committee nominated under clauses (b), (c), (d) of sub-section (2) of Section 13 shall hold office for a period of two year from date on which his nomination is notified in the Official Gazette and shall, on the expiry of the said period, continue to hold office until his successor is nominated and shall also be eligible for re-nomination (2) Every member referred to in sub-rule (1) - (a) may, by giving notice in writing [of not less than 30 days] to the authority which nominated him, resign his office and, on such resignation being accepted 4 [or on the expiry of the notice period of 30 days,</p>		

EXISTING BONDED LABOUR RULES,

1976

(1)

whichever is earlier], shall be deemed to have vacated his office;

b) shall be deemed to have vacated his office -

(i) if he fails to attend three consecutive meetings of the District Vigilance Committee without obtaining leave of the Chairman of such absence: Provided that the authority, which nominated him may, if it is satisfied that such member was prevented by sufficient cause from attending the three consecutive meetings of the Committee, restore him to membership.

(ii) if he becomes subject to any of the following disqualifications, namely-

(1) is adjudged insolvent;

(2) is declared to be of unsound mind by a competent court;

(3) is convicted of an offence which, in the opinion of the authority, which nominated him, involves moral turpitude;

(c) may be removed from office if the authority, which nominated such members, is of the opinion that such member has ceased to represent the interest to represent, which he was nominated;

Provided that a member shall not be removed from office under this clause unless a reasonable opportunity is given to him for Showing cause against such removal.

(3) A member, nominated to fill casual vacancy shall hold office for the unexpired portion of the term of his predecessor.

AMENDMENTS RECOMMENDED

(2)

REMARKS

(3)

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EXISTING BONDED LABOUR RULES, 1976 (1)	AMENDMENTS RECOMMENDED (2)	REMARKS (3)
	<p>3 A. A new Rule may be added between Rule 3 and 4, of the existing Rules as under:</p> <p>3(A)-The District Magistrate/Sub Divisional Magistrate as the case may be shall convene a meeting with the District Vigilance Committee/Sub-Divisional Vigilance Committee once in three months to ensure effective implementation of the Bonded Labour System (Abolition) Act, 1976 in the district.</p>	
<p>4. Term of office, and vacation of seat, of members of Sub-Divisional Vigilance Committees. -</p> <p>(1) Every, member, of a Sub-Divisional Vigilance Committee nominated under clauses (b), (c), (d) and (e) of sub-section (3) of Section 13 shall hold office for a period of two year from the date on which his nomination is notified in the Official Gazette and shall, on the expiry of the said period, continue to hold office until his successor is nominated and shall also be eligible for re-nomination.</p> <p>(2) Every member referred to in sub-rule (1) -</p> <p>(a) may, by giving notice in writing [of not less than 30 days] to the authority which nominated him, resign his office and, on such resignation being accepted [or on the expiry of the notice period of 30 days, whichever is earlier], shall be deemed to have vacated his office; Substituted, vide Govt. of India Notification No. G.S.R. 1455, dated 16.11.1978]</p> <p>(b) shall be deemed to have vacated his office -</p> <p>(i) if he fails to attend three consecutive meetings of the Sub-Divisional Vigilance Committee without obtaining leave of the Chairman of such Committee for such</p>		

**EXISTING BONDED LABOUR RULES,
1976
(1)**

absence provided that the authority, which nominated him may, if it is satisfied that such member was prevented by sufficient cause from attending three consecutive meetings of the Committee, restore him to membership;

(11) if he becomes subject to any of the following disqualifications, namely—

(1) is adjudged insolvent;

(2) is declared to be of unsound mind by a competent court;

(3) is convicted of an offence, which in the opinion of the authority, which nominated him involves moral turpitude;

(c) may be removed from office if the authority which nominated such member, is of the opinion that such member has ceased to represent the interest to represent which he was nominated;

Provided that a member shall not be removed from office under this clause unless a reasonable opportunity is given to him for showing cause against such removal.

(3) A member nominated to fill a casual vacancy shall hold office for the un-expired portion of the term of his predecessor.

**AMENDMENTS RECOMMENDED
(2)**

**REMARKS
(3)**

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EXISTING BONDED LABOUR RULES, 1976 (1)	AMENDMENTS RECOMMENDED (2)	REMARKS (3)
<p>5. Prescribed authority under Sub-section (6) of Section 6 -- An application under subsection (6) of section 6 for restoration of possession of any property referred to in subsection(4) or sub-section (5) of that section shall be made to the Executive Magistrate, on whom the powers of a Judicial Magistrate of the first class or of the second class have been conferred under sub-section (1) of Section 21, and within the local limits of whose jurisdiction the said property is, or the applicant has reason to believe is, situated at the time of making the application;</p> <p>Provided that where there are two Executive Magistrates, on one of whom the powers of a Judicial Magistrate of the first class and on the other the powers of a Judicial Magistrate of the second class have been conferred under sub-section (1), of section 21 having jurisdiction to entertain the applicant for restoration of property referred to in sub-rule (1), the application shall be made to the Executive Magistrate on whom the powers of a Judicial Magistrate of the second class have been conferred.</p>	<p>5. Prescribed Authority under Sub-section (6) of Section 6</p> <p>An application under sub-section (6) of Section 6, sub-section (2) of Section 7 and sub-section (2) of Section 8, for restoration of possession of any property referred to, correspondingly, in sub-section (4) or sub-section (5) of Section 6, sub-section (1) in Section 7 and sub-section (1) in Section 8 shall be made to the Executive magistrate on whom the powers of a Judicial Magistrate of the first class or of the second class have been conferred under sub-section (1) of Section 21, and within the local limits of whose jurisdiction the said property is, or the applicant has reason to believe is, situated at the time of making the application;</p> <p>Provided that where there are two Executive Magistrates, on one of whom the powers of a Judicial Magistrate of the first class and on the other the powers of a Judicial Magistrate of the second class have been conferred under sub-section (1), of section 21 having jurisdiction to entertain the applicant for restoration of property referred to in sub-rule (1), the application shall be made to the Executive Magistrate on whom the powers of a Judicial Magistrate of the second class have been conferred.</p>	
<p>5. Prescribed authority under Sub-section (6) of Section 6 -- An application under subsection (6) of section 6 for restoration of possession of any property referred to in subsection(4) or sub-section (5) of that section shall be made to the Executive Magistrate, on whom the powers of a Judicial Magistrate of the first class or of the second class have been conferred under sub-section (1) of Section 21, and within the local limits of whose jurisdiction the said property is, or the applicant has reason to believe is, situated at the time of making the application;</p> <p>Provided that where there are two Executive Magistrates, on one of whom the powers of a Judicial Magistrate of the first class and on the other the powers of a Judicial Magistrate of the second class have been conferred under sub-section (1), of section 21 having jurisdiction to entertain the applicant for restoration of property referred to in sub-rule (1), the application shall be made to the Executive Magistrate on whom the powers of a Judicial Magistrate of the second class have been conferred.</p>		

(EXISTING BONDED LABOUR RULES, 1976)

(1)

6. Time within which an application under Sub-section (6) of Section 6 is to be made-- An application under sub-section (6) of Section 6 for restoration of possession of any property referred to in sub-section (4) of sub-section (5) of that section shall be made within a period of ninety days from the date on which these rules come into force.

AMENDMENTS RECOMMENDED

(2)

6. Time within which an application under Section 6, 7 and 8 is to be made.

An application made under section 6, 7 and 8 of the Act for restoration of possession of property or release from mortgage shall be made within a period of **120 days** from date of issue of the Release Certificate **or time of release, whichever is applicable.** The District Magistrate shall however be competent to permit a further period of 90 days for submission of the application subject to his being satisfied that there is sufficient and valid reason for delay.

(REMARKS)

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6(b) Time Prescribed for disposal of application

The District Magistrate or the authorities appointed by the DM shall dispose of applications received under section 6, 7 and 8 and issue order for restoration of property within a period of 120 days from the date of receipt of application. The decision so taken shall be communicated to the applicant not later than six months from the date of receipt of application.

(c) Burden of Proof of Bonded Debt

The issue of a Release Certificate shall be deemed to be proof of bonded debt for the purpose of Section 15 and the Release Certificate for all practical purposes shall be conclusive evidence that it will be a bonded debt in a suit filed by the employer for the purpose of Section 25 of the Act.

**(EXISTING BONDED LABOUR
RULES, 1976)
(1)**

- 7. Records to be maintained by District Vigilance Committees to ensure the implementation of Provisions of the Act and Rules.** -- In order to ensure the implementation of the Act and the Rules, every District Vigilance Committee shall maintain the following registers in respect of freed bonded labour within the local limits, of its jurisdiction, namely: --
- (a) a register containing the names and addresses of freed bonded labour;
 - (b) a register containing statistics relating to the vocation, occupation and income of every freed bonded labour;
 - (c) a register containing details of benefits which the freed bonded labour are receiving, including benefits in the form of land, inputs for agriculture, training in handicrafts and allied occupations, loans at differential rates of interest or employment in urban or non-urban areas;
 - (d) a register containing details of cases under sub-section (6) of section 6, subsection (2) of section 8, sub-section (2) of section 9, section 16, section 17, section 18, section 19 and section 20

**AMENDMENTS RECOMMENDED
(2)**

Where an employer denies employing bonded labour, the Burden of proof of bonded debt shall lie on the employer. The employer shall be required to produce the mandated registers and prove that no violation of any of the Acts, as applicable, has taken place. The failure to produce such registers shall raise a presumption of bonded debt.

**REMARKS
(3)**

7 (d) A register containing details of cases under sub-section (6) of Section 6, sub-section (2) of Section 7, sub-section (2) of Section 8, sub-section (2) of Section 9, Section 16, Section 17, Section 18, Section 19 and Section 20.

The following Rules are to be added to the existing Rules after Rule 7.

8. Implementing Authorities

For the purpose of Chapter IV of the Act, in order to ensure that the provisions of the Act are implemented, the powers conferred and duties imposed on a District Magistrate by the State Government in terms of Section 10 of the Act may further be conferred by the District Magistrate on an officer subordinate to him who is not lower in rank than a Sub Divisional Magistrate.

8(a) The Gram Panchayats and Ward Committees, constituted under the Panchayati Raj and the Urban Local Bodies Acts, shall report to the District Magistrate or the officer authorised by him any case of bonded labour system which stood abolished under the Act and every individual case of bonded labour coming under the jurisdiction of the Gram Panchayat or the Ward, as the case may be.

9. Functions, Powers and Duties of Implementing Authorities

The powers conferred and duties of the DMS officer nominated by him under Section 10, 11 and 12 of the Act shall include among other things the following:-

A. (i) To undertake surveys to ascertain the prevalence of bonded labour and their identification at least once in three years along with members of concerned Vigilance Committees or District Vigilance Committees, as the case may be in the area of his jurisdiction.

(ii) To take cognizance suo motu or on information received along with the members of District Vigilance Committee or the Sub Divisional Vigilance Committee as the case may be.

(iii) Determination of bondage

(iv) To complete identification within a period of seven days from the receipt of information regarding existence of bonded labour.

(v) To undertake rescue and release within a period of 72 hours.

**(EXISTING BONDED LABOUR RULES,
1976)
(1)**

**AMENDMENTS RECOMMENDED
(2)**

- (vi) To undertake rehabilitation and restoration of property
- (vii) To ensure relocation of released labour.
- (viii) Preparation of rehabilitation package.
- (ix) Payment of first instalment of rehabilitation amount.
- (x) To ensure maintenance of all registers/records giving details of surveys undertaken, month wise numbers of bonded labour identified, rescued, released, rehabilitated and also records of prosecution.
- (xi) Ensure prosecution.

9 B. For the purpose of proper implementation of this Act, the District Magistrate shall ensure proper implementation of the provisions of the various other related Acts like the Minimum Wages Act, 1948; Juvenile Justice Act, 2000; the Inter-State Migrant Workmen (regulation of employment and conditions of service) act, 1979, the Contract Labour (Regulation and Abolition) Act, 1970, Scheduled Castes and Tribes (Prevention of Atrocities) Act, 1989 and such other Acts necessary for this purpose.

**REMARKS
(3)**

9 B: The concern raised by the Ministry of Labour and Employment is that the DM may not have these Acts for implementation under his jurisdiction.

In this connection, it is the view of the Commission that it is necessary to dovetail these related Acts with the BLSA in order to ensure proper implementation of the Bonded Labour Abolition Act and it is for the DM to coordinate with the concerned authorities implementing the related Acts, where necessary.

<p>(EXISTING BONDED LABOUR RULES, 1976) (1)</p>	<p>AMENDMENTS RECOMMENDED (2)</p>	<p>REMARKS (3)</p>
	<p>9 C. It shall be the duty of the District Magistrate to abide by the orders/guidelines/circulars issued by the Central or State Government or Statutory Commissions, as the case may be from time to time.</p>	
	<p>10. The records maintained by the District Magistrate under Chapter IV and by the District Vigilance Committee under Rule 7 shall be regularly placed before the State Government and the State Government in turn will place these records on the website.</p>	
	<p>11. The District Magistrate shall inform the State Government regarding the number of bonded labour released month wise, on a six monthly basis.</p>	
	<p>12. The District Authority shall not delay the rehabilitation process on the ground of non-availability of funds to be released by the Central Government or the State Government. Necessary funds should be arranged from within the funds available to the DM for emergencies under the Treasury Rules.</p>	
	<p>13. Repeal and Savings (1) The Bonded Labour System (Abolition) Rules, 1976 is hereby repealed. (2) Notwithstanding such repeal anything or any action taken under the said rules shall be deemed to have been done or taken under the corresponding provisions of these rules</p>	

①

**DISTRICT OFFICE, PURI
JUDICIAL SECTION**

Letter No. 1654 /Judl., dated 2-10-2011

To The Sub-Collector and Sub-Divisional Magistrate, Puri.

Sub: Issuance of release certificate in favour of 17 nos. of bonded labourers in N.H.R.C. Case No. 13/18/12 of 2006-07.

Ref:- This Office letter No.1650/Judl. Dt.20.09.2011.

Sir,

Apropos the subject and letter cited above and enclosing letter No.18802 dt. 17.9.2011 of Govt. in Panchayati Raj Department, I am to say that necessary and immediate action may be taken at your end to issue release certificate to 17 bonded labourers as per the list enclosed.

The National Human Rights Commission vide order dated 28.9.2010 passed in NHRC Case No.13/18/12 of 2006-07,directed the Chief Secretary, Orissa, Bhubaneswar to declare these 17 cases of barber community of Brahamgiri Block as Bonded labourers. Relying upon the said direction Govt. in Panchayati Raj Depdtt,Orissa,Bhubaneswar vide the letter cited above,issued direction to release them with immediate effect.

You are therefore requested to collect the age,and photograph of 17 persons through Tahasildar,Brahamgri and after opening a case record on the matter issue release certificate as quick as possible following to the provisions of bonded labour system(Abolition) Act, 1976 and report compliance.

This may please be treated as extremely urgent.

Yours faithfully,


Sub-Collector, Puri

Enclosures:

1. List of 17 persons of barber community to be declared as Bonded labourers
- ✓ 2. Copy of order dated 28.9.2010 of Hon'ble NHRC passed in case No.13/18/12 of 2006-07.
3. Copy of letter No.18802 dt.17.9.2011 of Govt. in Panchayati Raj Deptt.
4. Copy of letter No.29204/R&DM dt. 8.7.2011 issued by Revenue & DM Deptt.
- ✓ 5. Copy of Notification issued by Chief Secretary, Orissa dated 7.2.2011.

Memo No. 1685 /Judl. Date 2.10.2011

Copy forwarded to the Under Secretary to Govt., Panchayati Raj Department, Orissa, Bhubaneswar for information and necessary action with reference to his letter No.18802 dt. 17.9.2011.

Memo No. 1686 /Judl. Date 2.10.2011 ✓

Copy forwarded to Sri Baghambar Pattnaik, Human Rights Activist, GGP Colony, Rasulgarh, Bhubaneswar for information and necessary action.

21/10/11
Collector, Puri.

21/10/11
Collector, Puri.

3

DISTRICT RURAL DEVELOPMENT AGENCY, CUTTACK

Letter No. 4053 /D.R.D.A, Dt. 12/8/12

To

The Block Development Officer,
Kantapada.

Sub: Rehabilitation of 48 nos. released Bonded Labourers

Ref: Sub-Collector, Sadar, Cuttack memo No.9209 dtd.04.10.12.

Sir,

The Sub-Collector, Sadar, Cuttack has been pleased to pass order releasing 48 nos. of bonded labourers who belongs to your Block. You are requested to act upon the memo no.9209 dtd.04.10.12 of Sub-Collector, Sadar, Cuttack and take suitable steps to rehabilitated those freed bonded labourers as per their necessity and suitability in Compliance with the guidelines.

Yours faithfully


Project Director

Copy to:

✓ Sri Baghambar Pattanaik, Human Rights Activist & Advisor,
Odisha, Gotimukti Andolan for information.



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Phone No. 06755-220717
E-Mail ID sdmkhordha@gmail.com
Subcol.khur-od@nic.in

OFFICE OF THE SUB-COLLECTOR & SUB-DIVISIONAL MAGISTRATE, KHORDHA

Letter No. 363041 /G&Misc. Date. 20/6/16

To

The PD DRDA Khordha
Tahasiidar Bolagarh/ Khordha
DWO Khordha
District Project Director OLM Khordha

Sub - Distribution of Release certificate and Subsistence allowance to the Bonded labourers petitions

Sir

In inviting a reference to the subject cited above, I am to say that the Sub-Collector Khordha has been pleased to distribute the release certificate and subsistence allowance to 28 Bonded labour petitioners (list enclosed) on dtd. 24.06.16 at 3 P M at Kalanga GP Office Bolagarh Block.

You are theretore requested to attend the programme on scheduled date, time and venue to make it a grand success.

Yours faithfully

Sub-Collector Khordha

Memo No. 363041 /Dt. 20/6/16

Copy submitted to the Collector Khordha for favor of kind information.

Sub-Collector Khordha

Memo No. 363041 /Dt. 20/6/16

Copy to Akrura Sethi. Member of sub-divisional Vigilance committee for information and he is requested to intimate the 28 nos of Bonded labour petitioners (list enclosed) to attend the said programme.

Sub-Collector Khordha

Memo No. 363041(2) /Dt. 20/6/16

Copy forwarded to the BDO Bolagarh/ Khordha for information and requested to attend the said programme

Sub-Collector Khordha

Memo No. 363041 /Dt. 20/6/16

Copy forwarded to the District President Goti Mukti Andolan Khordha for information and requested to attend the said meeting.

Sub-Collector Khordha

LIST OF BONDED LABOURER TO

SL NO	N.H.R.C.CASE NO	NAME OF THE BONDED LABOURER TO BE ASSISTED	S/O, W/O	VILLAGE
1	2	3	4	5
✓ 1	1384/18/28/2014-BL	SABITA SETHI	W/O-SIBA	PAIKSAHI
2	1356/18/28/2014-BL	BANAMALI BARIK	S/O-CHAITANYA	PAIKSAHI
✓ 3	1359/18/28/2014-BL	SUMITRA DEI	W/O-RATNAKARA	CHANDIPATNA
✓ 4	1360/18/28/2014-BL	SURENDRA SETHY	S/O-RATNAKAR	CHANDIPATNA
5	1361/18/28/2014-BL	SUKANTI SETHY	W/O-SUDHIR	CHANDIPATNA
6	1362/18/23/2014-BL	JALADHARA SETHY	S/O-RATNAKAR	MANIKAGODA
✓ 7	1364/18/28/2014-BL	PANCHEI SETHY	S/O-RAJAN	BADAKAUTARI
8	1374/18/28/2014-BL	KUMUDA DEI	W/O-PANCHU	BADAKAUTARI
9	1372/18/28/2014-BL	RAMA SETHY	W/O-SANATANA	DIGHIRI
10	1382/18/28/2014-BL	MANMOHANA BARIK	S/O-HARIBANDHU	DIBYASINGPUR
11	1380/18/28/2014-BL	SATYAJIT BARIK	S/O-UGRESAN	PAIKSAHI
12	1379/18/28/2014-BL	GIRIDHARI DAKUA	S/O-GOLEKHA	BADAKAUTARI
13	1377/18/28/2014-BL	NIRMALA SETHY	W/O-BABULI	BADAKAUTARI
14	1365/18/28/2014-BL	DURJODHANA SETHY	S/O-BISWANATH	BADAKAUTARI
15	1368/18/28/2014-BL	PRABHATI SETHY	W/O-SURYAKANTA	BADAKAUTARI
16	1370/18/28/2014-BL	SANATANA DAKUA	S/O-BAKSI	BADAKAUTARI
17	1352/18/28/2014-BL	SUKUMARI DEI	W/O-BAISHNABA	BADAKAUTARI
18	1387/18/28/2014-BL	UGRASAN BARIK	S/O-DANDADHARI	PAIKSAHI
19	1388/18/28/2014-BL	RABINDRA BARIK	S/O-CHAITANYA	PAIKSAHI
20	1383/18/28/2014-BL	PRATIMA BARIK	W/O-MANMOHAN	DIBYASINGPUR
21	1354/18/28/2014-BL	SIBA SETHY	S/O-BADHARA	PAIKSAHI
22	3401/14	HULASINI SETHY	W/O-RABINDRA	KOTASINGHA
23	3890/14	RAMESH CHANDRA SETHY	S/O-BALLAVA	BHABANIPUR
24	3924/14	GADADHARA SETHY	S/O-BALLAVA	BHABANIPUR
25	3391/14	PRAMILA DEI	W/O-BALABHADRA	KOTASINGHA
26	3392/14	CHHABIRANI SETHY	S/O-PANCHANAN	KOTASINGHA
27	3393/14	SANTILATA SETHY	W/O-DINABANDHU	KOTASINGHA
28	2722/18/28/2013/BL	Nabina Barik	S/o Baji Barik	Haripur

OFFICE OF THE SUB-COLLECTOR, NAYAGARH

No. 1981 / Dt. 20/08/16

To,

Collector & Dist. Magistrate, Nayagarh.

Sub:- Issue of Release Certificate in Bonded Labour Cases identified as Bonded Labour by the Tahasildar, Ranpur and to provide necessary immediate assistance out of the Dist. Bonded Labour Rehabilitation Fund as per Central Sector Scheme for rehabilitation of Bonded Labourer, 2016.

Ref:- Letter No. 1283/ Dt. 19.07.2016 of Tahasildar, Ranpur

Sir,

In inviting a reference to the subject cited above, I am to say that the Tahasildar, Ranpur has identified the following Bonded Labourers within the jurisdiction of Ranpur Tahasil and submitted the Bonded Labour Misc. Cases. The undersigned has passed orders to release them from Bonded Labour system under the provision of Bonded Labour (Abolition) Act. 1976 and the lists of co-related persons are submitted herewith as detailed below:

Sl. No.	Bonded Labour Misc. Case No.	Name & address of the Bonded Labour identified	Name and address of employer
✓ 1	1 of 2014	Smt. Sanjukta Sethi, aged 43 year, W/o. Late Gopal Sethi of Village- Talakani, P.O.- Taria, P.S.-Ranpur, Dist. Nayagarh, Caste- Dhoba	Jadu Sahoo, S/o. Late Ganga Sahoo of village- Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 2	2 of 2014	Jhili Sethi, aged about 35 years, W/o. Bharat Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh Caste- Dhoba	Dasa Bhanja, S/o. Sathia Bhanja of village- Kotapokhari, P.S. Ranpur, Dist. Nayagarh.
✓ 3	3 of 2014	Suma Sethi, aged about 42 years, W/o. Dhruba Charan Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Dama Barada, S/o. Bhramara Barada of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 4	4 of 2014	Hadi Sethi, aged about 50 years, W/o. Sanatan Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Madhu Barika, S/o. Banchha Barika of village-Talakani, P.S. Ranpur, Dist. Nayagarh.

✓ 5	5 of 2014	Jayanti Sethi, aged about 20 years, W/o. Pravakar Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Kabu Khuntia, S/o. Diga Khuntia of village-Adala, P.S. Ranpur, Dist. Nayagarh.
✓ 6	6 of 2014	Kain Sethi, aged about 74 years, W/o. Maharaga Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Damart Pradhan, S/o. Late Kirtan Pradhan of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 7	7 of 2014	Sachala Sethi, aged about 30 years, W/o. Ramesh Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Jogi Mandal, S/o. Dhruba Mandal of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 8	8 of 2014	Mamata Sethi, aged about 35 years, W/o. Muralidhar Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Melacha Pradhan, S/o. Lokanath Pradhan of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 9	9 of 2014	Nalini Sethi, aged about 36 years, W/o. Kulamani Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Gagan Rana, S/o. Narana Rana of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 10	10 of 2014	Chitara Sethi, aged about 60 years, W/o. Bhima Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Natia Jena, S/o. Pandaba Jena of village-Balia, P.S. Ranpur, Dist. Nayagarh.
✓ 11	11 of 2014	Subasini Sethi, aged about 34 years, W/o. Surendra Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Jaladhar Pradhan, S/o. Baida Pradhan of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 12	12 of 2014	Bisika Sethi, aged about 60 years, W/o. Panu Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Papu Swain S/o. Haramohan Swain of village-Taria, P.S. Ranpur, Dist. Nayagarh.
✓ 13	13 of 2014	Jhumuri Sethi, aged about 23 years, W/o. Ganesh Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Prasana Barada, S/o. Late Lochan Barada of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 14	14 of 2014	Mamata Sethi, aged about 40 years, W/o. Kartika Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Ananda Behera, S/o. Daia Behera of village-Balipatana, P.S. Ranpur, Dist. Nayagarh.
✓ 15	15 of 2014	Rashmirani Sethi, aged about 36 years, W/o. Kasinath Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Prafulla Nayak, S/o. Raja Nayak of village-Adala, P.S. Ranpur, Dist. Nayagarh.
✓ 16	16 of 2014	Bilasa Sethi, aged about 58 years, W/o. Rankanath Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Manu Lenka, S/o. Chota Lenka of village-Balipatana, P.S. Ranpur, Dist. Nayagarh.

✓ 17	17 of 2014	Kuni Sethi, aged about 28 years, W/o. Madhaba Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Gaura Bastia, S/o. Suda Bastia of village-Nachipur, P.S. Ranpur, Dist. Nayagarh.
✓ 18	18 of 2014	Usharani Sethi, aged about 35 years. W/o. Nilakantha Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Jogi Muduli, S/o. Late Gurubari Muduli of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 19	19 of 2014	Bimala Sethi, aged about 59 years, W/o. Gobardhan Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Panu Bastia, S/o. Agadhu Bastia of village-Nachipur, P.S. Ranpur, Dist. Nayagarh.
✓ 20	20 of 2014	Basanati Sethi, aged about 30 years, W/o. Kailash Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Babula Mala, S/o. Apariti Mala of Village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 21	21 of 2014	Chandrakanti Sethi, aged about 30 years, W/o. Baikuntha Nath Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Dandapani Muduli, S/o. Budhi Muduli of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 22	22 of 2014	Chari Sethi, aged about 45 years, W/o. Rahasa Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Dhuli Lenka, S/o. Khali Lenka of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 23	23 of 2014	Mamata Behera, aged about 26 years, W/o. Trinath Sethi, village Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sansari Behera, S/o. Sankara Behera of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 24	24 of 2014	Ashalata Barik, aged about 48 years, W/o. Madhusudan Barik, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Barika.	Kirtan Sahoo, S/o. Narotam Sahoo of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 25	25 of 2014	Sarbeswar Barik, aged about 30 years, S/o. Madhusudan Barik, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sansari Behera, S/o. Sankar Behera of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 26	26 of 2014	Harasa Sethi, aged about 40 years, W/o. Chandrasekhar Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bibhuna Barada, S/o. Hadubandhu Barada of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 27	27 of 2014	Pravati Sethi, aged about 26 years, W/o. Basanta Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Dasa Pradhan, S/o. Lochan Pradhan of village-Talakani, P.S. Ranpur, Dist. Nayagarh.

✓ 28	28 of 2014	Rashmita Sethi, aged about 27 years, W/o. Sadasiba Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sadasiba Pradhan, S/o. Kirtan Pradhan of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 29	29 of 2014	Santi Sethi, aged about 40 years, W/o. Dushasan Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bhasa Swain, S/o. Abhi Swain of village-Gopimohanpur, P.S. Ranpur, Dist. Nayagarh
✓ 30	30 of 2014	Kanchan Dei, aged about 48 years, W/o. Sadhu Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Raula Barada, S/o. Bimba Barada of village-Gobardhanpur, P.S. Ranpur, Dist. Nayagarh.
✓ 31	31 of 2014	Susama Sethi, aged about 45 years, W/o. Laxmidhar Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Ranjan Kumar Barada, S/o. Biswanth Barada of village- Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 32	32 of 2014	Sarojini Sethi, aged about 40 years, W/o. Dwijabar Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Madhu Barada, S/o. Sankar Barada of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 33	33 of 2014	Bidulata Sethi, aged about 40 years, W/o. Kirtan Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Gopal Muduli, S/o. Lochan Muduli of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 34	34 of 2014	Prabhasini Sethi, aged about 30 years, W/o. Baishnab Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Braja Pradhan, S/o. Dhobi Pradhan of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 35	35 of 2014	Sandhyarani Sethi, aged about 42 years, W/o. Rajkishore Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Fakir Muduli, S/o. Sikhar Muduli of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 36	36 of 2014	Laxmipriya Sethi, aged about 32 years, W/o. Suresh Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Gandu Muduli, S/o. Late Rajan Muduli of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 37	37 of 2014	Satyabhama Dei, aged about 50 years, W/o. Harihar Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Raja Barada, S/o. Ananta Barada of village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 38	38 of 2014	Sukanti Sethi, aged about 30 years, W/o. Chakradhar Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Panchanan Pradhan, S/o. Baida Pradhan of village-Talakani, P.S. Ranpur, Dist. Nayagarh

✓ 39	39 of 2014	Sashi Sethi, aged about 58 years, W/o. Arjun Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Biju Khuntia, S/o. Shridhar Khuntia of village-Radhamohan Pur, P.S. Ranpur, Dist. Nayagarh
✓ 40	40 of 2014	Sadhu Barik, aged about 55 years, S/O. Budha Barik, village- Balipatana, P.S. Ranpur, Dist. Nayagarh, Caste- Barik.	Rajkishore Barada, S/o. Ananta Barada of village-Talakani, P.S. Ranpur, Dist. Nayagarh
✓ 41	41 of 2014	Bhaskar Barik, aged about 50 years, S/O. Budhi Barik, village- Balipatana, P.S. Ranpur, Dist. Nayagarh, Caste- Barik.	Sikhar Sahoo, S/o. Mahar Sahoo of village-Adala, P.S. Ranpur, Dist. Nayagarh.
✓ 42	42 of 2014	Laxmidhar Barik, aged about 55 years, S/o. Bancha Barik, village- Balipatana, P.S. Ranpur, Dist. Nayagarh, Caste- Barik.	Ratnakar Swain, S/o. Biswambar Swain of village-Gobardhanpur, P.S. Ranpur, Dist. Nayagarh
✓ 43	43 of 2014	Sanatan Barik, aged about 45 years, W/o. Banchha Barik, village- Patapur, P.S. Ranpur, Dist. Nayagarh, Caste- Barik.	Papuni Mishra, S/o. Bishi Mishra of village-Benudharpur, P.S. Ranpur, Dist. Nayagarh.
✓ 44	45 of 2014	Damburudhar Sethi, aged about 80 years, S/o. Bauri Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Gokul Pradhan, S/o. Bainsi Pradhan of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 45	46 of 2014	Jhuni Sethi, aged about 50 years, W/o. Budhi Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Prafulla Penthoi, S/o. Saranga Penthoi of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh
✓ 46	47 of 2014	Laxmi Sethi, aged about 55 years, W/o. Kantha Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bulu Raut, S/o. Disha Raut of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 47	48 of 2014	Sulochana Sethi, aged about 44 years, W/o. Gadadhar Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Kela Raut, S/o. Chaitanya Raut of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 48	49 of 2014	Renubala Sethi, aged about 35 years, W/o. Narendra Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Kalu Parida, S/o. Kachara Parida of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 49	50 of 2014	Dhani Sethi, aged about 55 years, W/o. Manguli Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bhima Pradhan, S/o. Ananda Pradhan of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh
✓ 50	51 of 2014	Rasmita Sethi, aged about 28 years, W/o. Prasanna Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Ananda Nahak, S/o. Khalia Nahak of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.

✓ 51	52 of 2014	Sukanti Sethi, aged about 29 years, W/o. Ananda Kumar Sethi, village-Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Chhatia Dambal, S/o. Kshetra Dambal of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh
✓ 52	53 of 2014	Sabita Sethi, aged about 25 years, W/o. Trinath Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Ranka Raut, S/o. Krushna Raut of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 53	54 of 2014	Jaladhar Sethi, aged about 60 years, S/o. Banamali Sethi, village- Talakani, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Kunu Dambal, S/o. Sambhu Dambal of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh
✓ 54	55 of 2014	Chandrama Sethi, aged about 28 years, W/O. Kisore Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Satura Jena, S/o. Lochan Jena of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 55	56 of 2014	Laxmipriya Sethi, aged about 25 years, W/o. Jayanta Kumar Sethi, village-Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sadei Jena, S/o. Dukhishyam Jena of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 56	57 of 2014	Kuni Sethi, aged about 30 years, W/o. Laxmidhar Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Budhia Raut , S/o. Ranka Raut of village-Jhadapada P.S. Ranpur, Dist. Nayagarh.
✓ 57	58 of 2014	Bhanu Sethi, aged about 45 years, W/o. Surath Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Trinath Parida, S/o. Sanei Parida of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 58	59 of 2014	Sauri Sethi, aged about 60 years, W/o. Haluri Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bhima Pradhan, S/o. Nacha Pradhan of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh
✓ 59	60 of 2014	Minati Sethi, aged about 30 years, W/o. Kedar Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Doma Nayak, S/o. Sana Nayak of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 60	61 of 2014	Kuntala Sethi, aged about 50 years, W/o. Adhikari Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Satura Jena, S/o. Lochan Jena of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
✓ 61	62 of 2014	Basanta Sethi, aged about 65 years, W/o. Raja Kishore Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Digu Pradhan, S/o. Batu Pradhan of village-Jhadapada, P.S. Ranpur, Dist. Nayagarh.
dash 62	64 of 2014	Geeta Sethi, aged about 45 years, W/o. Sadashiaba Sethi, village- Jhadapada, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Babuli Raut, S/o. Surendra Raut of village-Talakani, P.S. Ranpur, Dist. Nayagarh.

✓ 63	65 of 2014	Subasini Sethi, aged about 35 years, W/o. Pabitra Mohan Sethi, Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sidha Majhi, S/o. Brundaban Majhi of Village-Jankia, P.S. Ranpur, Dist. Nayagarh.
✓ 64	66 of 2014	Bilasini Sethi, aged about 40 years, W/o. Dhruba Charan Sethi, Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Laxmidhar Sahoo, S/o. Muralidhar Sahoo of Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh
✓ 65	67 of 2014	Subasini Sethi, aged about 45 years, W/o. Nabaghana Sethi, Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Nari Mohanty of Village-Nuapada, P.S. Ranpur, Dist. Nayagarh
✓ 66	68 of 2014	Manju Dei, aged about 42 years, W/o. Trinath Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sabitri Swain, W/o. Akhila Swain of Village-Hariharpur, P.S. Ranpur, Dist. Nayagarh.
✓ 67	69 of 2014	Sanju Dei, aged about 45 years, W/o. Rabi Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Hadia Jena, S/o. Paria Jena of Village-Ostapada, P.S. Ranpur, Dist. Nayagarh.
✓ 68	70 of 2014	Dhani Serhi, aged about 45 years, W/o. Sikar Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Babu Nayak, S/o. Jugal Nayak of Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh.
✓ 69	71 of 2014	Mamina Sethi, aged about 30 years, W/o. Sanjaya Sethi, Village- Jankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Kalyani Pradhan, W/o. Merua Pradhan of Village-Nuapada, P.S. Ranpur, Dist. Nayagarh
✓ 70	72 of 2014	Urmila Dei, aged about 45 years, W/o. Nilakantha Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sundari Nahak, W/o. Laxmidhar Nahak of Village-Hariharpur, P.S. Ranpur, Dist. Nayagarh
✓ 71	73 of 2014	Namita Sethi, aged about 30 years, W/o. Narayan Sethi, Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Gadadhar Dalei of Village-Muktapur, P.S. Ranpur, Dist. Nayagarh.
✓ 72	74 of 2014	Sukanti Sethi, aged about 35 years, W/o. Hadubandhu Sethi, Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Hema Behera, W/o. Trinath Behera of Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh.
✓ 73	75 of 2014	Lochan Sethi, aged about 60 years, S/o. Uchhab Sethi, Village- Jankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Tuni Pradhan, W/o. Pravakar Pradhan of Village-Muktapur, P.S. Ranpur, Dist. Nayagarh
✓ 74	76 of 2014	Kuni Dei, aged about 40 years, W/o. Dibyasingh Sethi, Village- Jankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bhikari Maharana of Village-Jankia, P.S. Ranpur, Dist. Nayagarh


✓ 75	77 of 2014	Sabita Sethi, aged about 35 years, W/o. Subash Chandra Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bairagi Swain, S/o. Raghu Swain of Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh.
✓ 76	78 of 2014	Susama Dei, aged about 50 years, W/o. Kumar Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Laxmidhar Sahoo, S/o. Balia Sahoo of Village-Krushnachandrapur, P.S. Ranpur, Dist. Nayagarh
✓ 77	79 of 2014	Ranjita Sethi, aged about 33 years, W/o. Sharat Kumar Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Gobinda Chandra Palei, S/o. Benu Palei of Village-Jankia, P.S. Ranpur, Dist. Nayagarh
✓ 78	80 of 2014	Kabita Sethi, aged about 45 years, W/o. Ranka Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Saribi Pradhan, S/o. Jalandhara Pradhan of Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh
✓ 79	81 of 2014	Narakhari Sethi, aged about 52 years, W/o. Late Manguli Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Brajabandhu Mohanty, S/o. Biswanath Mohanty of Village- Nuapada, P.S. Ranpur, Dist. Nayagarh.
✓ 80	82 of 2014	Manasi Sethi, aged about 35 years, W/o. Rohit Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Dukhishyam Behera, S/o. Ganga Behera of Village-Jankia, P.S. Ranpur, Dist. Nayagarh
✓ 81	83 of 2014	Puspalata Sethi, aged about 35 years, W/o. Pankaj Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Goura Majhi, S/o. Noka Majhi of Village-Jankia, P.S. Ranpur, Dist. Nayagarh.
✓ 82	84 of 2014	Sasmita Sethi, aged about 25 years, W/o. Ashok Kumar Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bhobani Kalas, S/o. Bhika Kalas of Village-Krushnachandrapur, P.S. Ranpur, Dist. Nayagarh
✓ 83	85 of 2014	Saiba Dej, aged about 52 years, W/o. Pabitra Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Prafulla Sahoo, S/o. Hari Sahoo of Village-Jankia, P.S. Ranpur, Dist. Nayagarh.
✓ 84	86 of 2014	Neheli Dei, aged about 55 years, W/o. Fakir Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Manu Majhi, S/o. Late Hurushi Majhi of Village-Jankia, P.S. Ranpur, Dist. Nayagarh
✓ 85	87 of 2014	Pabani Dei, aged about 70 years, W/o. Udhab Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Jema Behera, W/o. Raghua Behera of Village- Jankia, P.S. Ranpur, Dist. Nayagarh.
✓ 86	88 of 2014	Manju Sethi, aged about 48 years, W/o. Suratha Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sarbeswar Kalasa, S/o. Fakir Kalas of Village-Talakani, P.S. Ranpur, Dist. Nayagarh.

87	89 of 2014	Urbasi Dei, aged about 65 years, W/o. Jaya Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Mahar Swain, S/o. Bhikari Swain of Village-Hariharpur, P.S. Ranpur, Dist. Nayagarh.
✓ 88	90 of 2014	Ahalya Sethi, aged about 37 years, W/o. Bhobani Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sishula Palei, W/o. Gadu Palei of Village-Bandhapalla, P.S. Ranpur, Dist. Nayagarh.
✓ 89	91 of 2014	Sakuntala Sethi, aged about 62 years, W/o. Natabar Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Suakanti Swain, W/o. Huria Swain of Village-Hariharpur, P.S. Ranpur, Dist. Nayagarh.
✓ 90	92 of 2014	Jayanti Sethi, aged about 35 years, W/o. Kamadeb Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Ramesh Palei, S/o. Raghua Palei of Village-Bandhapalla, P.S. Ranpur, Dist. Nayagarh.
✓ 91	93 of 2014	Prabhasini Sethi, aged about 30 years, W/o. Dandapani Sethi, Village- Jankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Jema Palei, W/o. Kalia Palei of Village-Bandhapalla, P.S. Ranpur, Dist. Nayagarh.
✓ 92	94 of 2014	Nalini Sethi, aged about 35 years, W/o. Narendra Sethi, Village- Jankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Balunki Behera, S/o. Bana Behera of Village-Bandhapalla, P.S. Ranpur, Dist. Nayagarh.
✓ 93	95 of 2014	Janaki Sethi, aged about 35 years, W/o. Tilochan Sethi, Village- Jankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Chhabi Das, S/o. Chatia Das of Village- Krushanapur, P.S. Ranpur, Dist. Nayagarh.
✓ 94	96 of 2014	Matiani Bewa, aged about 55 years, W/o. Prabodha Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Lagenda Pradhan, S/o. Suresha Pradhan of Village-Nuapada, P.S. Ranpur, Dist. Nayagarh.
✓ 95	97 of 2014	Nakhi Dei, aged about 52 years, W/o. Kailash Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Bhaskar Mujhi, S/o. Kumar Majhi of Village-Talakani, P.S. Ranpur, Dist. Nayagarh.
✓ 96	98 of 2014	Sanju Sethi, aged about 47 years, W/o. Ramesh Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Indu Rana, S/o. Raja Rana of Village-Jankia, P.S. Ranpur, Dist. Nayagarh.
✓ 97	99 of 2014	Charulata Sethi, aged about 27 years, W/o. Krupasindhu, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Kamala Palei of Village-Bandhapalla, P.S. Ranpur, Dist. Nayagarh.
✓ 98	100 of 2014	Banita Sethi, aged about 36 years, W/o. Gobinda Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Satyabhama Pradhan, W/o. Sarangadhar Pradhan of Village-Kerandatangi, P.S. Ranpur, Dist. Nayagarh.

✓ 99	101 of 2014	Sashi Dei, aged about 55 years, W/o. Satha Sethi, Village- Jankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Sudam Biswal, S/o. Banchha Biswal of Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh.
✓ 100	102 of 2014	Jharana Sethi, aged about 20 years, W/o. Bichitra Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Dandapani Kalas, S/o. Ucyanath Kalas of Village- Krushnachandrapur, P.S. Ranpur, Dist. Nayagarh.
✓ 101	103 of 2014	Kumari Sethi, aged about 49 years, W/o. Kanduri Sethi, Village- Rajajankia, P.S. Ranpur, Dist. Nayagarh, Caste- Dhoba.	Kumara Pradhan, S/o. Bachha Pradhan of Village-Rajajankia, P.S. Ranpur, Dist. Nayagarh

I would therefore request you to provide necessary immediate assistance of at least Rs. 5000/- (Rupees five thousand) ^{only} to the rescued person out of the Dist. Bonded Labour Rehabilitation Fund kept at the disposal of the District Magistrate as per Central Sector Scheme for rehabilitation of Bonded Labourer, 2016.

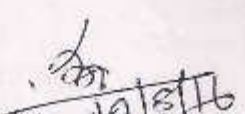
Yours faithfully,


Sub-Divisional Magistrate &
Sub-Collector, Nayagarh

Memo No. 1982 / Dt. 20/03/16

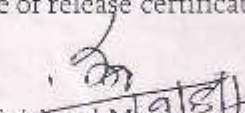
Copy forwarded to Sri Baghambar Pattanaik, Human Rights Activist and Advisor Odisha Gori Mukti Andolan, Plot No. 618/2150, Lane No. 5, Dibyabihar, Samatarapur, Old Town, Bhubaneswar, Pin No. 751002 for information and necessary action.

He is requested to supply the 04 copies of Colour Pass port size Photographs of the Bonded Labourers duly attested by the Gazetted Officer to the undersigned for issuing of Release Certificates.


Sub-Divisional Magistrate &
Sub-Collector, Nayagarh

Memo No. 1983 / Dt. 20/03/16

Copy forwarded to the Tahasildar, Ranpur for information and necessary action. He is requested to intimate the above named Bonded Labourers to submit 04 copies of Colour Pass post size photographs of their own before the under signed for issue of release certificates.


Sub-Divisional Magistrate &
Sub-Collector, Nayagarh

ଜାତିଭିକ୍ଷକ ଅଧିନେତକ ଜନଗଣନା

ଜିଲ୍ଲାରେ ଧରଣରୁ ଅଧିକ ଗୋଟି ଶୁଣିକ

ପୁରୀ ଅଞ୍ଚଳରୁ ପୁରୀ ଜିଲ୍ଲାରେ ଧରଣରୁ ଅଧିକ ଗୋଟି ଶୁଣିକ ଅଛନ୍ତି । କେନ୍ଦ୍ର ସରକାର ପକ୍ଷରୁ କରାଯାଉଥିବା ଜାତିଭିକ୍ଷକ ଅଧିନେତକ ଜନଗଣନାରେ ଏହି ତଥ୍ୟ ପଦାକୁ ଆସିଛି । ପୂର୍ବରୁ ଜିଲ୍ଲା ପ୍ରଶାସନ ଓ ରାଜ୍ୟ ସରକାର ଆମ ରାଜ୍ୟରେ ଗୋଟି ଶୁଣିକ ନାହାନ୍ତି ବୋଲି କହୁଥିବାବେଳେ କେବଳ ପୁରୀ ଜିଲ୍ଲାରେ ଏତେ ସଂଖ୍ୟକ ଗୋଟି ଶୁଣିକ ବାହାରିବା ଉଦ୍ଦେଶ୍ୟର କାରଣ ହୋଇଛି । ମିଳିଥିବା ସୂଚନା ମୁତାବକ ରାଜ୍ୟରେ ଗୋଟି ଶୁଣିକ ନାହାନ୍ତି ବୋଲି ସରକାର କହୁଥିଲେ । ମାତ୍ର ଗତ ୮ବର୍ଷ ଧରି କେତେକ ସ୍ୱେଚ୍ଛାସେବୀ ସଙ୍ଗଠନର ଉଦ୍ୟମ କ୍ରମେ ରାଜ୍ୟରେ ପ୍ରାୟ ୧୮୦୦ ଗୋଟି ଶୁଣିକ ଥିବା ସରକାର ସ୍ୱୀକାର କରିଛନ୍ତି । ସେମାନଙ୍କ ମଧ୍ୟରୁ ଅନେକଙ୍କୁ ପ୍ରମାଣପତ୍ର ମଧ୍ୟ ସରକାର ଦେଇଛନ୍ତି । ହେଲେ ରାଜ୍ୟ ସରକାର କିମ୍ବା ଜିଲ୍ଲା ପ୍ରଶାସନ ପକ୍ଷରୁ କୌଣସି ସ୍ଥାନରେ ଗୋଟି ଶୁଣିକ ନେଇ ତଥ୍ୟ ସଂଗ୍ରହ କରାଯାଇ ନ ଥିଲା । ଉଚ୍ଚମଧ୍ୟରେ କେନ୍ଦ୍ର ସରକାର ଦେଶରେ ଜାତିଭିକ୍ଷକ ଅନୁସୂଚିତ ବ୍ୟକ୍ତି ବା ପରିବାର ସମ୍ପର୍କରେ ଜାଣିବା ପାଇଁ ଜାତିଭିକ୍ଷକ ଅଧିନେତକ ଜନଗଣନା ଆରମ୍ଭ କରିଛନ୍ତି । ପୁରୀ ଜିଲ୍ଲାରେ ଏହି ଜନଗଣନା ୨୦୧୨୦୧ରୁ ଚାଲିଛି ।

ରାଜ୍ୟ ସରକାରଙ୍କ କର୍ମଚାରୀଙ୍କ ଦ୍ୱାରା କରାଯାଉଥିବା ଏହି ସର୍ବେକ୍ଷଣରେ ଜିଲ୍ଲାରେ ୧୧ଟି ବ୍ଲକ ମଧ୍ୟରୁ କଣ ସବୁ ବାଦ ଦେଇ ଅନ୍ୟ ୧୦ଟିରେ ଧରଣରୁ ଅଧିକ ଗୋଟି ଶୁଣିକ ରହିଥିବା ଜଣାପଡ଼ିଛି । ସେଥିମଧ୍ୟରୁ ସର୍ବାଧିକ ବୁଢ଼ଗିରି ବ୍ଲକରେ ୧୨, ୭୧୮ ଜଣ ଗୋଟି ଶୁଣିକ ରହିଥିବା ବେଳେ ତାହା ପଛକୁ ନିମାପଡ଼ା ୬୭୪୪ ଜଣ, ସଦର ବ୍ଲକ ୫୧୭୭ ଜଣ, ସତ୍ୟବାଦୀ ୫୧୪୭ ଜଣ, ଅସ୍ତରଙ୍ଗ ୩୯୭୭, କୃଷ୍ଣପ୍ରସାଦ ୩୬୪୨, ପିପିଲି ୩୧୯୩, କାକଟପୁର ୨୬୩୮, ତେଲାଇ ୧୩୪୫ ଓ ଗୋପରେ ୧୦୮୮ ଜଣ ରହିଛନ୍ତି । କଣାସ ବ୍ଲକର ସର୍ବୋଚ୍ଚ ରହିଛି । ବୁଧବାର ଜିଲ୍ଲାପାଳଙ୍କ ଆବାସିକ କାର୍ଯ୍ୟାଳୟରେ ଏ ନେଇ ଅନୁଷ୍ଠିତ ବୈଠକରୁ ଏହା ଜଣାପଡ଼ିଛି । ଏହିସବୁ ଗୋଟି ଶୁଣିକଙ୍କୁ ଉପଯୁକ୍ତ ବ୍ୟବସ୍ଥା ପ୍ରଦାନ କରାଯିବ ବୋଲି ଜିଲ୍ଲାପାଳ ନବ କୁମାର ନାୟକ କହିଥିଲେ । ବର୍ତ୍ତମାନ ଯେଉଁ ଗୋଟି ଶୁଣିକଙ୍କ ପ୍ରସଙ୍ଗକୁ ନେଇ ଜାତୀୟ ମାନବୀୟତା କର୍ମିଣୀ; ହାଇକୋର୍ଟ ନିର୍ଦ୍ଦେଶ ଦେଇଛନ୍ତି ସେମାନଙ୍କ ସମସ୍ୟାକୁ ଯେତୁଣ୍ଡା ମାସ ଭିତରେ ସମାଧାନ କରାଯିବ । ଏହାବ୍ୟତୀତ ଅନ୍ୟମାନଙ୍କ ସମସ୍ୟାକୁ ଆପୋସ ଆଲୋଚନା ମାଧ୍ୟମରେ ସମାଧାନ କରିବାକୁ ଜିଲ୍ଲାପାଳ ପ୍ରସ୍ତାବ ଦେଇଥିଲେ ।