

ANNEXURE

GUIDELINES FOR RELEASE OF FUNDS UNDER THE CENTRALLY SPONSORED SCHEME FOR REHABILITATION OF BONDED LABOUR

The responsibility for identification, release and rehabilitation of bonded labour has been assigned to the Vigilance Committees constituted at District and Sub-Divisional level in the States and UTs under section 13 of the Bonded Labour System (Abolition) Act, 1976. Functions of the Vigilance Committees are given under section 14 of the Act. These Committees are required to be constituted in each district and sub-division under the Chairmanship of the District Magistrate and Sub-Divisional Magistrate respectively concerned.

It has been decided to provide financial assistance to the implementing agencies for undertaking their chosen activities in the following way:-

1. Survey of Bonded Labour : An amount of Rs.2.00 lakhs per district would be provided to the State Government concerned for conducting survey for identification of bonded labour in each sensitive districts. The survey for identification would be conducted in a district once in 3 years with the help of Statistical Department of the concerned State Government; help of dedicated NGOs may also be taken wherever necessary. The design and methodology of the survey would be decided by the State Government concerned.

- (a) Objectives of the study - To identify the incidence of bonded labour and to find out the causes of bondage in the area, forms of bondage, names and addresses of the bonded labourers and the names of the employers for whom the bonded labourers work.
- (b) After completion of survey a report may be sent to the Ministry of Labour. No further fund for conducting the survey in the same district would be

provided unless a report on follow up action and utilization certificate is submitted by the State Government to the Ministry of Labour.

2. Awareness generation activities – In order to bring conceptual clarity to the definition of bonded labour, bonded debt and to inculcate a sense of individual and social identity in the minds of people who are economically and socially deprived, the Information and Public Relations Departments of the State Government and Union Territories would necessarily have to play a major role. Assistance of DAVP of Government of India may also be obtained for designing scripts for plays, nukkad natak, street theatres, skits and simulation exercises through catchy slogans by applying local vernacular dialects to drive home the concept and idea that existence of bonded labour system is a negation of basic human rights. The State Government may also encourage local talents and social activist group in addition to selected NGOs who work in this area. The Ministry of Labour would provide a maximum of Rs.10 lakhs per annum to each State Government and Union Territory for the above purpose on the following terms:

- a) A list of activities proposed to be undertaken at different places, publicity material designed to be displayed at various places, list of agencies to be involved and cost involved in each activities have to be furnished by the State Government to the Ministry of Labour before the fund is released.
- b) Funds for the purpose, in the subsequent years would be released to the State Governments only after submission of utilisation certificate of the amount already released to them in the previous years and spent by them. Studies shall be conducted by the State Governments and Union Territories by associating social workers to evaluate the impact of awareness generation activities launched by them in the matter of eradication of the bonded labour system.

- c) If the funds already released to the State Governments and Union Territories are not fully utilised in the previous year, those amounts can be adjusted for the purpose in the next financial year.

3. Evaluatory Studies – With a view to evaluate the impact of various rehabilitation and developmental plans undertaken for eradication of bonded labour system, Evaluatory studies shall be conducted by reputed research organisations/academic institutions and NGOs at district, state or regional levels. The State Governments and Union Territories are required to conduct five such evaluatory studies every year in the five districts/regions of the State/U.T and for which the Ministry of Labour would provide Rs.5 lakhs @ Rs.1 lakh for each evaluatory study per year on the following terms:

- a) Proposals giving details of the names of the organisations who would conduct the studies and monitor the programmes, places of study and programmes for monitoring the schemes, including the cost components etc. of such studies/programmes would be submitted by the State Governments/U.Ts before the funds are released.
- b) As soon as the funds are utilised by the State Governments/UTs, utilisation certificates alongwith report of Evaluatory studies and reports on monitoring programmes would be submitted by the State Governments/UTs to the Ministry of Labour. No additional funds for the next year, would be released unless the above conditions are fulfilled.

4. Rehabilitation Grants – The following process for rehabilitation of bonded labour should be adopted by the State Governments/UTs.

- a) The District Magistrates would ensure the release of the identified bonded labourers on the basis of the reports examined through the Vigilance Committees;
- b) They would also identify suitable schemes for the rehabilitation of bonded labour.

- 4 -

c) In order to assist the State Governments in the task of rehabilitation of bonded labourers, the Ministry of Labour launched a Centrally Sponsored Scheme for the rehabilitation of bonded labourers in 1978. Originally the scheme approved for rehabilitation assistance upto a ceiling limit of Rs.4000/- per bonded labourer/. This amount was raised to Rs.6250/- w.e.f. 1.2.86, which was further enhanced to Rs.10000/- per bonded labourers w.e.f. 1.4.95. Now under the modified scheme, the rehabilitation grants have further been enhanced to Rs.20000/- per bonded labourers w.e.f. 1.4.2000. The expenditure would be shared by the Central and the concerned State Government on 50:50 basis. Out of this, Rs.1000 shall be given as subsistence allowance to meet expenses etc. in case the released bonded labourer is to be repatriated to his/her native place/State or for their subsistence until they are rehabilitated.

d) In case of migrant bonded labourers, the recipient State/UT (where the bonded labour has been identified) Government would make arrangements for his/her repatriation to their native place/State, if they so desire under intimation to the Ministry of Labour and then, it would be the responsibility of their native State Governments/UTs to provide them the rehabilitation package under the scheme. Otherwise they have to be rehabilitated by same State Government in the State where they are identified.

e) Proposals giving details of Districts/areas and number of bonded labourers to be rehabilitated in the next year, and utilisation certificates of funds already released for this purpose in that particular State/UT may be sent to the Ministry of Labour. In the absence of these, requests for release of Central share of rehabilitation grants shall not be entertained.

The pattern of assistance under this scheme would be as under:

Land Based

- v) Identification of land-Government land/ceiling surplusland;
- vi) Allotment preferably in the village where the bonded labour ordinarily resides or is liberated to prevent elevation from the social milieu to prevent antagonism from other villages;
- vii) Identification of the delivery system of inputs-credit facilities, seeds, draught animals, fertilizers;
- viii) Need, if any of reclamation and development of the assigned land.

Non-Land

- v) Milch cattle, cows, buffaloes – suitable for the areas;
- vi) Pigs, goats, sheep dependent upon the social sensibilities of the bonded labourer released and the physical environment;
- vii) Minimum veterinary cover from the existing extension of veterinary services;
- viii) Institutional linkage with marketing.

Skill/Craft Based Occupations

- iv) Identification of skills/craft;
- v) Supply of raw materials, implements, working capital, workshed;
- vi) Linkage with markets through cooperative or other State-aided institutions to eliminate exploitation by private middlemen.

Special Dispensation for North Eastern States

In case of the seven north-eastern State, viz. Assam, Arunachal Pradesh, Meghalaya, Mizoram, Manipur, Sikkim and Tripura, the Ministry of Labour may consider giving 100% subsidy for rehabilitation of bonded labourers if the concerned State Government express their inability to provide 50% share of financial assistance for this purpose, due to financial constraints.

Matching contribution for other States

All other State Governments/Union Territory Administrations would be given assistance on the basis of 50% matching contribution.

Procedure for availing of Central Assistance

All State Governments/Union Territory Administrations would send their proposals for Central assistance enclosing along with the documents indicated above, utilisation certificates wherever applicable and an indication that the matching contribution wherever applicable, has been sanctioned in the State/UT Budget. On receipt of this information, Ministry of Labour would process such cases for financial sanction and thereafter, release the requisite funds in one or more instalments.

