A Message from the Chairperson

Swami Agnivesh

The practice of Bonded and Child labour is the biggest taint on Indian democracy. These practices are in direct contradiction to the constitutional values enshrined in the foundation of our nation. Bonded and child labour continues up to the present time in India despite rigid legislative measures such as Article 23 that expressly prohibits exploitative labour practices including bonded labour and human trafficking.

Our foundation, Bandhua Mukti Morcha (Bonded Labour Liberation Front, BMM), has been at the forefront of the efforts to eradicate this inhumane practice since 1984. The landmark Supreme Court judgement of 1984, *Bandhua Mukti Morcha vs Union of India and others* was a direct consequence of the activism work of BMM and the legal precedence it has set has been the cornerstone in subsequent measures to eradicate Bonded and Child labour in India.

It is indeed a matter of grave concern and considerable shame that this system continues even today. BMM is dedicated to the cause of eradication of bonded and child labour till the last bonded and child labourer is liberated, adequately rehabilitated and the entire system is truly eradicated.

In the year 2018-2019, hundreds of bonded labourers were liberated due to the direct efforts of BMM yet very few of those released were successfully rehabilitated. The efforts of our organization will continue tirelessly in the liberation and rehabilitation of the most oppressed and vulnerable citizens of India.

BMM is also dedicated to organizing the vastly unorganized sector of manual labour that includes labourers from stone quarries, brick kilns and other labour intensive fields. BMM is interacting with government and administrative officials in enforcing the legal provisions that are already in place to safeguard the interest of the most vulnerable in the labour force.

BMM is guided by the Gandhian principle of empowering the most oppressed and firmly believes that the society can progress as a whole only when its weakest member is empowered the most. This principle is, has been and will remain the driving force behind all of Bandhua Mukti Morcha’s efforts in eradicating Bonded and Child Labour practice.
About Bandhua Mukti Morcha

Bandhua Mukti Morcha (Bonded Labour Liberation Front) was founded in 1981 by Swami Agnivesh. He has been the education minister of Haryana and the recipient of several National and International awards including Right Livelihood Award (Alternative Nobel Prize) 2004 for his outstanding work.

Bandhua Mukti Morcha is a body registered under the Societies Act, 1860. It is also registered with Ministry of Home Affairs under the Foreign Contribution Regulation Act. Since its inception, BMM has dedicated its activities to the identification, release and rehabilitation of bonded labourers who lead a hellish life of bondage, slavery and debt. Till date the Organization has secured the release of over 1,78000 bonded labourers in the country of which 26,000 are children. A large number of them have been rehabilitated.

Slavery in various forms existed in India for many centuries. The bonded labour system is a contemporary form of slavery and it includes Bonded Child labour. Both arise out of socio-economic and historical reasons. India is still home to an estimated 300 million bonded labourers and 65 million bonded child labourers notwithstanding the Constitutional guarantees, prohibitive laws like Bonded Labour System (Abolition) Act 1976, Child Labour (Prohibition & Regulation) Act 1986 and other International Conventions on the subject.

BMM has successfully fought legal and human rights battles on behalf of this exploited lot in the Supreme Court of India. Indian Parliament, United Nations Human Rights Commission, ILO and UNICEF have been sensitised on the issue. Yet, the 33 year-old struggle is only a beginning. A lot more remains to be done.

Other areas in focus are casteism, discrimination against women (abominable Sati or bride burning), female foeticide, child marriage, drug abuse, rapes and domestic violence, religious fundamentalism & obscurantism, oppression, corruption, communalism and terrorism.
Objectives

1. Identifying bonded labourers among the diverse workforce of India and working toward securing their release and rehabilitation.

2. Organizing the labourers in the unorganized sector.

3. Communicating the various forms of oppression, exploitation and discrimination to the public utilizing non-violent methods.

4. Spreading awareness in the public sphere about the laws in place to eradicate Bonded Labour.

5. To establish camaraderie and feeling of brotherhood in people and fight to eradicate religious fundamentalism and superstition in society.

6. To protect the civil rights of people and to create and spread awareness campaigns on political exploitation and corruption.

7. To spread the message of gender equality, equal rights of women and fight to restore the dignity of women in the society.

8. To create public consensus to eradicate social evils like child marriage, child labour, dowry, casteism etc.

9. To spearhead efforts to foster Indian culture, arts and languages.

10. To work towards creating national unity.

11. To link the various organizations working towards the cause of social justice and to fight for social and economic justice for the people.
Activities

State/Central Level Meetings/Campaigns for Unorganised Labourers

The meetings that were conducted on unorganized labour issues by BMM during the 2018-19 year in ten different states are listed below.

(04/04/18, Shram Shakti Bhavan, New Delhi.)

Under the leadership of Swami Agnivesh, BMM conducted a meeting with MOS (Ministry of State) Labour and employment. Members of Parliament (LS) Karan Singh Yadav, B.P.Mishra, Secretary of Labour and Employment were present.

Various issues that affect the unorganized sector workers including national minimum wage, health facilities for unorganized labourers, delay in payment for MGNREGA workers were discussed during the meeting.

1. **Swami Agnivesh**: a) There are about 50 Crore labourers in the unorganised sector comprising 93% of the workforce. b) Awareness among un-organized workers should be undertaken through AIR and DD. c) National Minimum Wage should be made a fundamental right and may be fixed at least Rs. 18000/- P.M. on the criteria of pay of MTS after VIIth CPC. The minimum wages need to be made applicable to MGNREGA workers also. d) Provision of free legal service may be made for the poor labourers in the unorganised sector. e) Those workers who are not paid the Minimum Wages may be considered for inclusion in the category of bonded labour. f) Time limit may be prescribed for DM to declare a labourer as bonded or otherwise. g) A case of full compensation of Rs. 3 lakh paid to a bonded labourer reported from Gujarat.

2. **Shri Karan Singh Yadav, Hon'ble MP (LS)**. a) Besides minimum wages, health facilities may also be considered to be provided free to the poor labourers through ESIC etc. b) ESIC may consider the possibility of running a newly constructed hospital at Alwar, the infrastructure of which was completed 2 years ago.

3. **Shri B.P. Mishra, Hon’ble MP (LS)**. a) Delay in payment to MGNREGA workers. b) Minimum wages may be made applicable to MGNREGA workers also. c) Agriculture Sector may be exempted from paying minimum wages as it is not possible for farmers to pay such wages.

4. **Ms. Rutuparna Mohanty, Advocate, Odisha High Court** a) Minimum Wages are not paid
to tea plantation workers in Assam, many of them are of Odiya origin permanently living in Assam. They are paid only Rs. 135 per day. b) There should be helpline for workers. c) Workers have a fundamental right to associate - owners should not object to forming of unions etc. 5.Secretary (Labour & Employment) a) Plantation Act is being amended - only 15% of the wages can be paid in kind. b) Welfare schemes like drinking water inside the plantation to be provided. c) States have different problems, so an assessment survey needs to be undertaken before a model scheme is considered.

The Hon’ble Minister, Shri Santosh Gangwar, thanked all the participants for their concern for the un-organized workers and requested them to submit their specific suggestions on the issue in writing for consideration of the Government.

(23/04/18, Jamnagar, New Delhi)

On 23rd April 2018, BMM officials met with NALSA officials at their office in Jamnagar House, Shahjahan Road, New Delhi. Swami Agnivesh led the meeting from BMM side, joined by Shri Alok Agrawal, Member-secretary NALSA; Shri Surendra S.Rathi, Director NALSA; Shri Sunil Chauhan, Project Officer NALSA; Sri G.B. Ravichandran, Consultant NALSA; Mahumud Pracha, Senior Supreme Court advocate; Agha Jilani, Supreme Court advocate; and Dalsingar, Bhanu Pratap, Charan Singh, from BMM.

The objective of the meeting was to explore opportunities for cooperation between the two organisations for the welfare of unorganised sector workers and create a permanent legal authority both at national and state level to work for promoting labourers cause.

Swami Agnivesh argued in favour of National Minimum Wage to be at least be Rs18,000 in accordance with recommendations of the Seventh Central Pay Commission which have since been accepted and implemented by the Union Government for the whole country in tune with salary of a fourth grade employee in the government service. He further added that State governments should not be allowed to fix wages lower than this. He also exhorted NALSA to explore possibilities of using mass media like Radios and televisions to create awareness among labourers about their rights, schemes run by the Central and State governments for their welfare and legal services which NALSA and SLSA could provide. He also emphasized the need of organising labour fairs at labour chowks and get labourers registered. Swami ji
gave the reference of his earlier meeting with Hon’ble Minister of Labour in the Shram Shakti Bhavan.

**Mr. Alok Agrawal** joining the deliberations said that NALSA’s mandate was only to arouse awareness. For this, they have even received cess from Railways. He said that in its awareness program he would try to get BMM involved. He further said that NALSA organises camps in all States once in a month, there even BMM can contribute its bit, in as much as two para-legals, one labour officer and one NGO official was needed.

**Mr. Surendra S. Rathi** talked about Social Security Act of 2008, and said that it is regretful that this Act is still to be implemented. Moreover, though labour help centre is under section 9 of the Act; none of the state governments’ has even made a board for that purpose. If there are different schemes for a labour in a State, a labourer needs to get himself registered in all the schemes to receive the benefit of these schemes. However, if a digital data of labourers is created linking them with their Aadhar cards, they can get benefit from all the schemes, avoiding the complexity of multiple registrations. Therefore Aadhar card should be made compulsory for registration of all the labourers.

For domestic workers there should be a government run centre, as placement agencies dealing with them charge Rs50-60 lakhs for their welfare from the government but what they give the actual worker is a pittance. Therefore, placement agencies should be abolished. Government should bring Real-Time Citizen Service Centre, in which welfare of all citizens could be ensured.

**Sunil Chauhan** giving the example of NALSA’s work in Jamshedpur said that NALSA with the help of local labour department and State government got 1 lakh 90 thousand labourers registered within a month. As a result, labourers could receive Rs 95 crores in benefits from the government.

**Mahmud Pracha** advocated that a PIL should be filed if the provisions made for the welfare of unorganised labourers are not being implemented. He and Agha Jilani also supported Swami Agnivesh proposal to go to labour chowks to get labourers registered.

**Dalsingar** talked about various schemes run by the UP government for the benefits of the unorganised labour sector. According to him, a worker once registered can get Rs3 000 as medical benefit. Women can get three months full minimum wage during their pregnancy. They can also get Rs1000 a month for two years, for the child’s nutrition, for two children. A girl can get Rs 60,000 during marriage, and in case of inter-caste marriage Rs65, 000. Moreover, there are a number of scholarships for labourers’ children. A building construction worker needs 90- days work certificate for registration. Even if one does not have the certificate, he can get registered, if two already registered labourers certify that he is a labourer.
MEETINGS WITH STATE LEGAL SERVICES AUTHORITIES

BMM officials also organised meetings with State legal services authorities in all the ten project states.

(25/04/18, Patiala House Court, Delhi)  (27th April 2018, Red Cross Bhawan, Bhubaneswar)

The salient points which came out in these meetings:

1.) Most of the labourers are not aware of various labour welfare schemes run by the central and respective State governments
2.) Recently, Delhi government passed a bill that an employer not paying minimum wage would be fined Rs 50,000 or, imprisoned for a period of 3 years, or, in extreme cases both. Even if one employer is punished under this Act in each district, it will send a strong message to all the employers, and they will dare not pay less than the minimum wage. Earlier the provision was a paltry fine of Rs 500 or 3 months punishment. The amount was so low that the employers used to pay fine and continued with their exploitation.
3.) If there is a minimum wage for Central and State government employees, why not for workers working under MNREGA, Aangawadi workers, Asha workers, Mid-day meal scheme etc?
4.) In tune with the seventh central pay commissions recommendation for a fourth grade employee, a labour should also be paid minimum Rs600 a day.
5.) Those labourers who are being paid less than the minimum wage should be identified as a bonded labourer and they should be freed and rehabilitated, and the employer needs to be strictly punished.
6.) Why state governments’ are not utilising the ‘cess’ collected in the name of labour welfare? Provisions should be made to collect more cess on that account from other sectors as well.
7.) Labourers are forced to migrate in search of work, which accentuates their exploitation. Therefore, employment opportunities at local levels should be promoted.
8.) Labourers should be made aware about various pension schemes for widows, old ,and handicapped
9.) It was suggested that agricultural labourers and small farmers should also be considered as unorganised labour.
MEETINGS WITH DISTRICT LEGAL SERVICES AUTHORITIES

The meetings with the officials of varios District Legal Service Authority (DLSA) were held /organised by the respective district level centres of BMM ...

MEETINGS WITH NATIONAL PANEL OF SENIOR BUREAUCRATS AND REVIEW

(16-05-2018   Venue: Bandhua Mukti Morcha, 7, Jantar Mantar Road, New Delhi)

Minutes of meeting of Status of Unorganized Labourers in Delhi and the Way Forward

Under the leadership of Swami Agnivesh, a review meeting was organised to take stock of the “Status of Unorganized Labourers in Delhi and to explore the Way Forward”. The meeting was attended by a number of dignitaries including Mr. Lakshmidhar Mishra, Former Union Labour Secretary; Mr. Surinder S. Rathi, Director, National Legal Services Authority
Ms. Padmini Kumar, Assistant Director of Joint Women’s Programme, Noida, a number of media persons and others.

Drawing the contours of the meeting, Chairman Swami Agnivesh, exhorted the participants to work for the welfare of the unorganised labourers, who constitute about 93% of the total labour force of India. Though they constitute the backbone of the Indian labour force their needs remain unattended due to lack of civil society support, illiteracy, poverty and other factors. In this regard he suggested to raise awareness about labourers rights among labourers and other stakeholders like employers, government officials and others. The basic aim of the whole effort is to ensure that labourers get ‘fair and living wage’ in accordance with the Minimum wages for the class-IV employees in the 7th pay Commission.

He told the participants that Supreme Court in a 1993 judgement had laid down norms for minimum standards of living. But till date no step has been taken in that regard. Even in a state where minimum wages have been fixed it is ridiculously low, unscientific and irrational. The Delhi government’s decision to fix the Minimum wages is the best till date, nearer to the norms as laid down by the Supreme Court in 1993. According to the rule, an unskilled labourer should get about Rs 14,000 per month, a semi-skilled labourer Rs 15,000 per month, a skilled labourer Rs 16,000 per month and highly skilled labourer Rs 17,000 per month.

Swamiji time and again emphasized that in accordance with the Delhi government’s rulings, we should try to make Delhi, a model state. For this, dissemination of information about these acts should be our first priority. For this all sorts of mechanism should be utilised like putting up banners and posters, training program for volunteers, advertising on social and mass media and others. Towards this end it was decided that BMM will work with NALSA to explore the training of volunteers and making and airing of labour rights program.

Mr. Rathi, the Director of NALSA assured Swamiji that he will try to help as much as possible in his just and noble cause and explore whether joint making and airing of programs can be taken under NALSA aegis. They also agreed to explore the possibility of celebrity endorsement for their programs, as common people connect and value more a celebrity having mass appeal.

However, both Mr. Rathi and former Labour secretary pointed out the practical difficulties in implementing the Minimum Wages. They argued that at the practical level it becomes very difficult to ensure the Minimum Wages, due to the problem of sub-contracting system. Even though one can force principal employer for paying the minimum wages, the problem was ensuring that contractors and sub-contractors actually enforce what was originally agreed. Sub-contractors, in their greed, give the labourers much-much less than originally agreed with the principal employer, and in that it becomes difficult and complicated to fix the responsibility. Moreover, the varied nature of works also makes it difficult to ensure the enforcement of the contract. For example, in Delhi there are workers from all over India.
How to differentiate between local and migrant labourers? Delhi in general consists of 100% migrant labourers. Because then the employer would need to ensure the labourers travel from their native place to the place of work, find accommodation and other amenities; which no employer likes to adhere to. Many of the labourers might be living in Delhi for a long time, but they are still migrant workers. Therefore, the first problem arises to recognise the nature of workers and the type of employment. The second problem arises in adjudication. In cases of dispute, the law will take its own course, which may be a significant time. Therefore, even in cases of dispute the immediate effort should be to ensure that the labourer gets his due. For a person living at bare subsistence level, it would be denial of justice, even if he wins the case after a long time span. Therefore, the effort should be to create facilitation centres around work sites, at district and state levels that these grievances are redressed at the spot.

The third problem the former labour secretary raised was of Special Economic Zones (SEZs). There the rules of labour do not work. Employers are within their right to hire and fire as they like. How to address those challenges?

Adding to the debate, Ms. Padmini Kumar, head, a Noida based NGO, suggested that we should explore raising awareness of labour rights in schools as they are the front from where various child workers or their parents can get benefitted. Through career counselling, they can be trained about child rights, juvenile crimes, labour issues, etc.

The way forward:

1.) Dissemination of information about labour rights issues utilising all types of media and at all platforms including schools. BMM to explore working with NALSA for the making and airing of labour rights program on Akashwani and Doordarshan.
2.) BMM and NALSA would also cooperate in training of para-legal volunteers at district and state levels. BMM to identify 10 volunteers in each of the 20 districts in 10 states for training, who will subsequently work in that area.
3.) Conduct a survey in all 11 districts of Delhi to explore the effective way of implementation of Minimum Wages- including naming and shaming and punishing the employer.
4.) Ways to find whether from the cess collected by the Delhi government for labourers’ welfare, a small amount can be used for raising awareness about labourers rights?
5.) Bringing all institutions working for the welfare of labourers on one platform to ensure the broader coverage, join force and removal of duplication works.
6.) Scope for tripartite model of agreement to ensure labourers get their due.
7.) Using modern technologies for greater transparency and enforcement.

List of Participants:
Swami Agnivesh, Chairperson of Bandhua Mukti Morcha; Mr. Surinder S. Rathi, Director, National Legal Services Authority (NALSA); Mr. Lakshmidhar Mishra, Former Union Labour Secretary; Ms. Padmini Kumar, Assistant Director of Joint Women’s Programme; Mr. Vikash Ranjan, Bandhua Mukti Morcha, Mr. Dalsingar, Project Coordinator cum State President Bandhua Mukti Morch U.P.; Mr. Bhanu Pratap, District Coordinator South Delhi; Mr. Charan Singh, District Coordinator Central Delhi; Mr. Karan Paul, Hamari Ummeed; Md. Z. Jawed, BMM; Mr. Vinod Tripathi, PTI; Nasir Mohammad, Qaumi Patrika; Sanjay Kumar, The Sikh Times; Ms. Samahita Biswal.
MEETINGS WITH DISTRICT LEVEL PANCHAYATI RAJ INSTITUTIONS REPRESENTATIVES

The meeting with District level Panchayati Raj Institutions Representatives (PRI) was held in the BMM district offices in the month of July. The meeting was attended by village Sarpanchs, village Samiti, block and district level officials.

Major issues concerning unorganised labourers discussed in these meetings:-

1. Conditions of unorganized labourers and the problems they face.
2. Lack of proper implementation of existing social security schemes.
3. Lack of proper utilisation of ‘cess’ collected by the government for the welfare of construction workers.
4. The absence of any such system of generating revenues for other unorganized workers.
5. Lack of awareness about various social security schemes run by the governments’ for the welfare of unorganized sector workers prevents them from availing these benefits.
6. State should take steps to identify labourers who are not getting minimum wage as victims of bonded labour system under section 2(9) of BLS (A) Act.. State should then work to get them released from the bondage and ensure their rehabilitation. Punishment for the bonded labour keeper should be proportional to the gravity of the offence and should be ensured without ifs and buts.
7. The need for compulsory registration of all unorganized workers.
8. The process of registration of unorganized workers, especially construction workers.
9. The information regarding documents required for registration i.e. 2 photographs, a copy of Aadhar card, bank passbook and nominal fees was also shared.
10. To need to extend the benefits of 7th Pay commission to unorganised sector labours like MGNREGA, agricultural labours, ASHA workers, Aanganwadi workers etc.

11. A common voice was also raised that as per 7th pay Commission's declaration the National Minimum Wage should be at least Rs 21,000 per monthi.eRs700 per day.

12. A new law introduced by the Delhi government declared Rs. 50,000/- as penalty and 3 years imprisonment for people not paying minimum wage to the labourers. It was argued that all States should also amend their laws on the lines of Delhi government’s direction.

13. At the PRI meeting in Danapur, Bihar the labour department authorities informed the participants that in case of a worker’s death under natural circumstances he/she becomes eligible for compensation of Rs 30000; whereas in the case of an accidental death the compensation amount is Rs. 1 Lakh.

14. At PRI meeting in East Champaran, a suggestion for opening up of the counselling centres for dealing with the issues of unorganized workers also came up. If such a centre is established, it can also help the labourers in getting all the benefits run by the government under various schemes.

15. Need to make MNREGA more efficient and effective was also discussed.

16. Benefits under various schemes run by the governments’ both at the Central and State levels was also shared at PRI meeting of Faridabad, Haryana. In case of pregnancy Rs.3600, in case of a daughter’s marriageRs.1 lakh, for a labour’s child education, uniform, books there is a provision for Rs.20000 and several other social security schemes.

17. The process of getting employed under MNREGA was discussed at PRI meeting in Jalandhar. It aims to enhance the livelihood security of people living in rural areas, by guaranteeing hundred days of wage-employment in a financial year to a rural household whose adult member is ready to do unskilled manual labour.

**Seminars - Right to Work and Living Wage**

Under the aegis of Bandhu Mukti Morcha (BMM) a one day National Seminar was organised on 24th July 2018, from 10AM to 6PM, on “Right to Work and Living Wage” at Constitution Club, New Delhi, with support from ONGC.

Justice T S Thakur, former Chief Justice of India, gave the key note address. In his address he reminded the audience that there was no dearth of laws in this country on any issue, but the
problem was of implementation. Giving the example of “Right to Education”, he said that though the constitution guarantees it to all children between the age group of 6 to 14 years, it still remains to be implemented in spirit at the ground level. He referred to various constitutional and legal provisions regarding Right to work, like Universal Declaration of Human Rights, expanding the scope of Article 21 of the constitution by Supreme Court of India and even Directive Principles of State Policy (DPSPs). As per Article 41 of the constitution, the government is directed to make provisions for right to work and assistance in case of unemployment, but there is a condition that it will do so within the limits of its economic capacity. Today, there are more than 50 crores population working in the unorganised sector in India. He suggested that next step should be to organize and educate unorganized workers in specific sectors like domestic workers, dhaba associations, salesman and salesgirl working in shops and so on and so forth. If all of them get united, they have the power not only to change, but also to shake the very conscience of the nation. Organizations like BMM can become the voice of those who have generationally been exploited and suppressed, affecting their right to a dignified and decent life.

Drawing the contours of the meeting, Swami Agnivesh, Chairman of BMM, argued that even though the state guarantees minimum wage, it is not implemented on ground level even by government agencies. Giving the example of MNREGA, Swami ji drew the audience’s attention to the stark realities at the ground level. He said that a state has the right to give less wage than the minimum wage, diluting the very foundation of MNREGA, ensuring minimum wage. He said that out of 35 states and Union territories more than 25 states are paying less than the minimum wage, nationally Rs. 45 a day on an average. How the government expects a family to live with such meagre earnings? Moreover, MNREGA guarantees a minimum of 100 days of work in a year, but on an average it is not more than 42 days. With this backdrop, he questioned whether we are doing enough for the upliftment of the “poorest of the poor”, as envisioned by the Father of the Nation, Mahatma Gandhi or our great social visionary Pandit Deen Dayal Upadhyay. He suggested that if a fourth grade government employee receives around Rs. 24000/- per month with more than 30 years of job security and other benefits, should it not become the standard for all the unorganised labourers across the country? There is a norm for minimum wage by hour in civilised societies. There is a writ petition in the Honourable Supreme Court even in that regard, so why can the government not throw its weight behind that to make it a law? Even if India is the fastest growing economy in the world, it still needs to do a lot on the Human Development Index front.

Shri Sitaram Yechury, Secretary General of CPI (M) gave the valedictory address at the seminar. In his speech he reminded the audience that Swamiji had taken up a greater cause. He also said that in 2004 CPI (M) was at the forefront in demanding right to work, which paved the way for national rural employment guarantee scheme. But this cause cannot be served by a single NGO or a group of NGOs. This greater cause can only be served by a larger political movement, drawing people from across political lines. He said that only 6 percent of the workers work in the organised sector and about 94 percent of the workers are in the unorganised sector. If these 94 percent working in the unorganised sector can be organised, we can create a great political movement. About 73 percent of GDP
is enjoyed by 1 percent of the population, the remaining 99 percent survive on just 27 percent. Therefore the question is not of resources, but of distribution, of distributive justice. Hence the urgency for making Right to Work and Living Wage a fundamental right for all 50 crore unorganised sector labour.

Shri Surendra S. Rathi, Director NALSA, also emphasized the problem of implementation of laws. He said that the more the laws, the more the lawlessness. It affects the court’s time, money and resources in a negative way. Giving the example of a case, where two labourers had died in gutters in Delhi, he highlighted how different government ministries had tried to shirk responsibilities by engaging in the blame game. He informed the audience about his organisation NALSA, which has been organising legal services camp to address the issues faced by the unorganised sector poor labourers. NALSA and its associated organisations at the State level (SLSA) are making an effort to take justice to the weaker sections of the society. If poor cannot afford justice due to time, resources or knowledge constraints, it is the duty of justice to reach out to them. He further added that till 30th June LSAs had organised 758 camps covering 25 lakhs labourers, out of which 9-10 lakhs labourers were from the unorganised sector.

The gathering was also addressed by former Central Labour Commissioner Shri L.D. Mishra who pointed out the practical difficulties in implementing the Minimum Wages. He argued even though one can force principal employer for paying the minimum wages, how to ensure that contractors and sub-contractors actually enforce what was originally agreed.

Shri Subhash Bhatnagar, co-ordinator- National Campaign Committee for Central Legislation on Construction Labourers (NCCCL), in his address talked about the importance of registration for unorganised sector labourers and the need for them to know the right clauses under which they can benefit from various government’s programs.

Director General Labour Welfare (DGLW) cum Joint Secretary Shri Rajit Puhani, talked about various welfare programs run by the government for the welfare of unorganised labour. Awareness generation at the state level and identification survey programs at the district level are being supported by the government but no proposal have been received.

Social activist Shri Ram Charan Joshi talked about the changing nature of the political economy. He said that the nature of unorganised sector labourers has changed, resulting in an increase in forced labour, child labour and women trafficking like problems. In the present political economy, spending on social sectors has been reduced, which has led to change in the nature of ways of exploitation of labourers. From a Welfare State’ now the government has become the ‘facilitator’, which has resulted in relaxation of labour laws, leading to attrition of labourers at the will of the employer.
The seminar was also addressed by Senior Supreme Court advocate Shri Mahmud Pracha ji, former assistant labour commissioner Shri C.P. Audichya ji, Ms. Bharati from ILO, Shri Prem Bahukhandi from Friends of Himalayas, Ms. Padmini of BMM Mahila Morcha, Col. Jaiveer Singh ji of Swaraj Aandolan, among others. Shri Mahmud Pracha informed about the upcoming legislations in the Supreme Court related to the unorganised workers. Shri C.P. Audichya educated the audience about the various laws related with Right to work and living wage, and distinctions between Right wage, Living wage and Fair Wage.

Shri Prem Bahukhandi emphasized the need to break the ‘Cycles of Poverty’, which shackles people to a life of misery for generations, as in order to meet their basic needs, one generation after the other is forced to take up any menial job to support immediate family. Therefore Right to Work should be guaranteed in tune with the Right to Education and Right to health. Ms. Bharti in her address talked about ILO’s efforts in dealing with the labour issues in the country. Ms. Padmini Kumar, raised the issue of migration and suggested that we should explore raising awareness about labour rights in schools as they are the front from where various child workers or their parents can receive benefits. Col. Jaiveer Singh emphasized that it is the farmers and peasants who are the builders and feeders of the country; therefore it is important that they should not fight each other.

The gathering was also addressed by a number of religious leaders from different faiths like Goswami Sushil ji Maharaj, Founder of Bhartiya Sarva Dharma Sansad, Swami Vivek Muni-Disciple of His Holiness Acharya Sushil Kumar Ji Maharaj, Maulana A.R. Saheen Qasmi, General Secretary-World Peace Organization, Dharam Singh Nihang Singh- Founder of Sach Khoj Academy. All the religious leaders also expressed the need to work for the welfare of the unorganised sector labour. Goswami Sushil ji talked about the need for all religions to
work together for the betterment of mankind and the role of Veda in this regard. Vivek Muni ji emphasized the need ‘to live and let others live’. He appealed to the audience to keep environment clean and not to use plastics. Maulana Qasmi in his speech said that till the labourers do not change themselves, they cannot get their due. Therefore, it is for labourers to first change themselves. Sardar Dharam Singh said that the biggest threat to humans is from humans themselves, as all human rights violations are done by humans only. Therefore the mission of his organisation is ‘Truth Seeking’.

The seminar was coordinated by Shri Vittal Rao ji, General Secretary of BMM. He also emphasised the need to work for the welfare of the unorganised sector labour. He informed the audience that this was Swami Agnivesh’s first public appearance after the dastardly attack on him in Jharkhand on 17th July. He endorsed Swamiji contention that the attack on him in Pakur was related to tribals resources, as the state wanted to hand-over 25,000 acres of land to corporate, for which it has signed more than 200 MOUs with the capitalist class, without any consideration for local inhabitants, who have owned and subsisted on these resources for generations. The seminar was attended by a number of dignitaries from various organisations.

Case briefings

Thousands of Dalit and tribal families from Bundelkhand have migrated to other places for their livelihood due to severe drought and other natural disasters. Ruthless human traffickers prey on these starving families and keep them as bonded labourers in many states in industries such as brick-kilns poultry farms, agricultural work and building construction work. The ever increasing number of bonded labourers earning far below the minimum wage are due mainly to the indifference of both the Central and State Governments to the plight of these hapless people.

Uttar Pradesh government is one such state that has neglected the needs of the poor. The state government does not provide any relief to these working citizens either. Due to this negligence and the lack of employment, the poorest unskilled labourers are being forced to migrate to other states where they are forced into labour at very nominal wages. As a result
thousands of Dalits, Adivasis and other backward castes here are forced to flee with their children to other states.

Bandhua Mukti Morcha is working to free bonded labourers. The activists associated with the Bandhu Mukti Morcha have initiated a Rescue campaign as part of the national liberation campaign for bonded laborers led by noted social activist Swami Agnivesh.

For example: On March 16, 2019, under the guidance of Uttar Pradesh Bandhua Mukti Morcha president, Dalsingar, the families of labourers working in a brick kiln filed a written complaint that, 47 child and bonded laborers from Chitrakoot and Banda in Uttar Pradesh,
were being forced to work in slave like conditions in JBT brick-kiln, Village Nehla, District Fatehabad for the past several months.

When the workers refused to work, the brick kiln owner, Nitesh drove a tractor over a worker, crushing his legs. Afterwards he threatened to implicate the rest of the workers in this matter if anyone reported the incident. Because of this the workers were too afraid to take any action. The complainants urged Bandhu Mukti Morcha to somehow save their children from this horrible existence even if nothing could be done for the adults.


Soon after receiving the complaint, Haryana's Deputy Commissioner of Fatehabad, Dhirendra Kharagta, directed Fatehabad SDM Surjit Singh Nain and other concerned officials, to investigate. Thereafter 47 child and bonded laborers were freed from the JBT brick-kiln in Nehla village. The next day, on 17 March, without being given the certificate of release, all the labourers were forcibly sent to Districts Banda and Chitrakoot in an open truck, (a journey of more than 24 hours).

In this context, the president of Bandhu Mukti Morcha, Uttar Pradesh, Dalsingar, spoke to the officers on the phone about giving liberation letters to the workers. The SDM, Fatehabad, said that when the NHRC order came from above, then the certificate of release would be given. It seems that these officials did not fully understand how to do deal with this issue. Thousands of poor dalit tribals are exploited due to negligence and ignorance of officials. The ruling parties of both the central government and state are responsible for this.

At the same time, 10 child and bonded labourers of Banda district were being forced to work at RGF brick kiln of Chumtahar village of Lalganj tehsil of Rae Bareli in Uttar Pradesh. On January 16, 2019, a complaint came to the Bandhu Mukti Morcha. On investigating this complaint, it came to light that a labourer at the brick kiln got sick and the owner would not give him any money to get the treatment done on time. The labourer died after suffering greatly. These workers also did not get a release certificate or compensation for the family of the deceased when they were released.

Bandhua Mukti Morcha has demanded that the Uttar Pradesh government and the District Magistrate provide these citizens with security and opportunity to live a respectable life.

Similarly, there are many cases, where ignorant, illiterate labourers fall prey to traffickers and are robbed of their rights by ruthless employers. The government officials do not follow the correct procedures for the release and rehabilitation of these poor workers. There are no vigilance committees set up to deal with this problem. According to rules set out by the NHRC a vigilance committee should consist of the following:
In the same way Dausa, Bandikui, Rajasthan, Bhiwani (Harayana) Delhi, and Aligarh, U.P. have the same problems.

The following table lists all the bonded and child labourers rescued by BMM Uttar Pradesh President Dalsingar during the years 2018-2019.

**Details of the rescued Bonded and Child Labourers for the year 01\textsuperscript{st} April, 2018 to 31\textsuperscript{st} March, 2019**

<table>
<thead>
<tr>
<th>S.N.</th>
<th>States/Districts</th>
<th>No. of Bonded Labourers</th>
<th>No. of Child Labourers</th>
<th>Total</th>
<th>Benefits</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Rajasthan (Dausa)</td>
<td>10</td>
<td>13</td>
<td>23</td>
<td>13 persons received compensation of rupees twenty thousand through the efforts of BMM.</td>
</tr>
<tr>
<td>2</td>
<td>Delhi (Kanjhawal)</td>
<td>01</td>
<td>00</td>
<td>01</td>
<td>case of remaining bonded labourers are under process.</td>
</tr>
<tr>
<td>3</td>
<td>Haryana (Bhiwani+Fatehabad)</td>
<td>40</td>
<td>37</td>
<td>77</td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Uttar Pradesh (Aligarh+Gorakhpur+Raibareli)</td>
<td>20</td>
<td>23</td>
<td>43</td>
<td></td>
</tr>
</tbody>
</table>

| Total: | 71                   | 73                     | 144                  |       |                                                   |

Apart from above Bonded Labourers, benefits were also granted to other unorganised labourers through BMM.

**Evaluation of registration and benefits received by beneficiaries in Project area**

State and District wise report of registration and benefits availed by unorganised workers under the project on “Assessing the core issues of unorganized labour in 20 Districts and 10 States of India and creating platform for rightful intervention in securing their rights” being implemented by Bandhua Mukti Morcha in association with ONGC for the period of one year i.e., July 2017 to August 2018.

<table>
<thead>
<tr>
<th>S.No</th>
<th>State</th>
<th>No. of Registration</th>
<th>Scheme beneficiaries</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bihar</td>
<td>1000</td>
<td>58</td>
</tr>
<tr>
<td>2</td>
<td>Uttar Pradesh</td>
<td>661</td>
<td>124</td>
</tr>
<tr>
<td>3</td>
<td>Madhya Pradesh</td>
<td>1549</td>
<td>14</td>
</tr>
<tr>
<td>5</td>
<td>Gujrat</td>
<td>80</td>
<td>34</td>
</tr>
<tr>
<td>7</td>
<td>Rajasthan</td>
<td>872</td>
<td>942</td>
</tr>
<tr>
<td>9</td>
<td>Haryana</td>
<td>----</td>
<td>160</td>
</tr>
</tbody>
</table>
Bandhua Mukti Morcha helped a 23-year-old married woman from Uttar Pradesh who was allegedly gang raped at multiple locations, including in Delhi. On 13 December 2018 she submitted a complaint with the Delhi Commission for Women (DCW). The woman alleged that police in Delhi forced her to compromise with the accused and did not take necessary action on her complaint. The victim in her complaint to the DCW alleged that she was raped by one of her relatives and his friend in May this year. She claimed that afterwards she was sold to different persons and raped repeatedly. A Delhi Police officer denied the allegations saying there would have been some action if the victim reached the police station concerned. The complaint of the victim given to the DCW reveals that she suffered inhumane treatment during the past several months.

Sh. Arjun Singh, a worker in a cardboard factory, lost all the fingers of his left hand in an accident at work at 5pm on 31 December 2017. He had not received any compensation or benefits from ESI because the owner of the factory denied that Singh had been employed by him and he had therefore not paid the benefits due to him. Singh approached Bandhua Mukti Morcha for help on 13 July 2018. A letter was sent to the Director of ESI on 14 July, demanding immediate attention.

Reena Tirkey from was employed via an agent, Kishore, by owner Dr Sonia Dhaloria at Tavern Amarpali Platinum in Noida, UP, as a cook and cleaner at a wage rate of Rs 10,000 per month. Whenever Tirkey asked for her wages she was told by Dhaloria that the money was being deposited in her bank account After a year, when she asked for her money, she was told that the money was paid to Kishore. This also was a lie. She was eventually paid only a single amount of Rs 5,000. Tirkey complained in writing to Swami Agnivesh, who referred her to Dalsingar, President of Bandhua Mukti Morcha U.P. Dalsingar wrote to the DM, DLC and NHRC on her behalf. After much negotiation by BMM, she eventually received

**Education program**

Dayanand Shilp Vidyalay has been running since 1998. It caters for women from Garhi, providing them with self-employment skills. They may choose from Computer, Sewing/tailoring or Beauty Culture.

<table>
<thead>
<tr>
<th>Sewing/Tailoring</th>
<th>Computer</th>
<th>Beauty Culture</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>68</td>
<td>25</td>
<td>68</td>
<td>161</td>
</tr>
</tbody>
</table>
A clinic is being run in a village that was built to accommodate bonded labourers who had been released and rehabilitated. The clinic is run on a daily basis by a skeleton staff of a doctor and a compounder (helper). It has one bed for emergencies.

Media coverage
संदर्भ उदाहरण: बंधुआ मुक्ति मोर्चा ने अलीगढ़ से मुक्त कराए 32 बाल एवं बंधुआ मजदूर

By admin January 17, 2019

बंधुआ मुक्ति मोर्चा द्वारा अलीगढ़ से मुक्त कराए गए बाल एवं बंधुआ मजदूर
उत्तर प्रदेश की योगी सरकार और प्रशासन की गरीब विरोधी नीतियों का नतीजा है। अगर राज्य सरकार ने इन गरीबों और बच्चों की मूलभूत जरूरतों का खालू रखा होता तो ये बच्चे और गरीब बंधुआ मजदूर बनने को मजबूर नहीं होते...

जनन्याय। बंधुआ मुक्ति मोर्चा उत्तर प्रदेश द्वारा किये गये एक और बचाव अभियान में 32 बच्चों को आजाद करवाया गया है। उप्र के अलीगढ़ जिले के खेर तहसील से इन 32 बच्चों को बंधुआ मुक्ति संगठन के प्रयासों से मुक्त करवाया गया। बचाव दल का नेतृत्व पुलिस प्रशासन के सहयोग से बंधुआ मुक्ति मोर्चा के प्रदेश अध्यक्ष दलसिंगार द्वारा किया गया।

32 बच्चे मजदूरों को मुक्त करवाने की जानकारी प्रेस कॉन्फ्रेंस में पत्रकारों से साझा करते हुए बंधुआ मुक्ति मोर्चा से जुड़े कार्यकर्ताओं ने बताया कि हमारा यह रेसीप्यू भी खालू सामाजिक कार्यकर्ता व्यापी अभियान के नेतृत्व में बंधुआ मजदूरों के लिए राष्ट्रीय स्तर पर चल रहे मुक्ति अभियान का हिस्सा है।

संगठन के प्रदेश अध्यक्ष दलसिंगार ने बताया कि गरीब तबके के लाखा बच्चे बेबसी में बाल मजदूरी करने की अवस्था है। अन्य घर, राज्य और जिला छोड़ने को मजबूर हो रहे हैं। गौरवतम है कि विषय एंड दिन पहले ही बंधुआ मुक्ति मोर्चा के तमाम प्रयासों से 30 बाल एवं बंधुआ मजदूरों को मिलवाने से मुक्त कराया गया था। संगठन के कार्यकर्ताओं ने कहा कि यह सब उत्तर प्रदेश की योगी सरकार और प्रशासन की गरीब विरोधी नीतियों का नतीजा है। अगर राज्य सरकार ने इन गरीबों और बच्चों की मूलभूत जरूरतों का खालू रखा होता तो ये बच्चे और गरीब बंधुआ मजदूर बनने को मजबूर नहीं होते।

बंधुआ मुक्ति मोर्चा के मुताबिक 14 जनवरी को उत्तर प्रदेश बंधुआ मुक्ति मोर्चा के प्रदेश अध्यक्ष दलसिंगार को फोन करके इंट-भूटा में कार्यरत मजदूर के परिवार ने बंधुआ मजदूरों के होने की जानकारी दी। जानकारी मिलने के बाद दलसिंगार ने जिलाधिकारी, अलीगढ़ को 15 जनवरी को बंधुआ मजदूरी उम्मीद (प्रथा) अधिनियम 1976 का हवाला देते हुए भेजा फोन। फोन पर बात कीं, जिसके बाद जिलाधिकारी ने तकलीफ अपनी टीम उनके साथ रवाना की।

इस टीम में तहसीलदार, लेबर अधिकारी और संबंधित धारा पुलिस शामिल थे, जिनको प्राम रेसीरी, प्राम-खेंर, तहसील-खेंर, सूपरबारी इंट-भूटा पर भेजा गया और वहाँ काम कर रहे बाल एवं बंधुआ मजदूरों को भी मुक्ति प्राप्त कराने के लिए भेजा गया। सभी मजदूरों को एक टूक में कैद दिए गए। बंधुआ मुक्ति मोर्चा के जिलाधिकारी ने अलीगढ़ प्रशासन से मांग की है कि जब तक सबसे अलीगढ़ मजदूरों की मुक्ति प्राप्त हो जाए और नियोजन के बिना एक आईयाद दर्ज करके बीमारी के लिए आरोपी कार्रवाई करने की मांग की है जिससे सभी का पुनर्जीवन हो सके।

टीम द्वारा मुक्त कराये गए लोगों में अवगत, सुरेन्द्रा देवी, शिवा, पापाल, मनु, नेहा, मुक्ति मुक्ति कुमारी, शिवंजी, विकास, मांशु, रितांशु, राजनीती, पृष्ठ, शिवा, बुधवार, गुड़िया देवी, पत्र, संजय, धर्मशाला, हर्षवर्धन, राजेश, आसीति, साहित्य, देवीदयाल, ऊर्जा देवी, नेहा, शिबंक, महम, अखिलेश और विद्यारथी के विरुद्ध एक आईयाद दर्ज करके शेषी कार्रवाई करने की मांग की है।

आधा दौकड़ा मजदूरों को कराया मुक्त

विवेक | निज लंबाइदाता

हरियाणा प्रशासन के फोटोशॉट ने बंधुआ मजदूरों को स्वतंत्रता की हाथों में दिलाया। प्रशासन की सभी दृष्टियों तक बंधुआ मजदूरों की स्वतंत्रता समेत दिखाया गया है। इस तरह के स्थानों में कोई भी नहीं रहे हैं। यह एक बड़ा बदलाव है।

बंधुआ मजदूरों को मुक्त करने के काम में फोटोशॉट ने विरोध किया था। बंधुआ मजदूरों की स्वतंत्रता के लिए प्रशासन की मार्गदर्शन में विरोध हो गया था। फोटोशॉट का काम बहुत महत्वपूर्ण था।

अमरउजाला
Banda Main 19 March 2019

हरियाणा से छुट्टकर लाए बंधुआ मजदूर

विवेक | निज लंबाइदाता

हरियाणा से छुट्टकर लाए बंधुआ मजदूर खुशी के साथ काम करने लगे। इस बार बंधुआ मजदूरों को काम पर लाए। इससे पहले बंधुआ मजदूरों का काम था।