

## SC to hear bonded labourers' plea for grant of land

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The Supreme Court has agreed to hear a plea filed by 38 families living in bonded labour in Madhubani district of Bihar, seeking direction for grant of ownership and possession of agricultural land for their rehabilitation.

The 101 victims of the "Kamiya" bonded labour system -- who have been exploited in multi-generational agricultural labour for several years -- approached the court, seeking direction to the Madhubani District Magistrate to grant ownership and possession of land to them, in compliance with the Patna NHRC order of September 12, 2017.

Advocate Anitha Shenoy, filing the plea on behalf of the labourers last week, also sought issuance of guidelines for the proper implementation of the Central Sector Scheme for Rehabilitation of Bonded Labourer-2016.

She contended the scheme makes a provision for grant of agriculture land and housing for the rehabilitation of released bonded labourers, and the authorities are duty bound to implement the scheme.

A bench of Justice A.M. Khanwilkar and Justice Navin Sinha posted the case in July.

The plea said a complaint was made before the National Human Rights Commission (NHRC) in November 2014 by a social welfare organisation on behalf of the petitioners, alleging that over 38 families (101 persons) were being exploited for agricultural labour under an illegal bonded labour system by their respective employers.

A team set up by the NRHC for spot inquiry, which submitted its report on January 28, 2015, outlined the wretched condition of the families.

The NHRC on January 30 passed an order directing the District Magistrate of Madhubani to issue lease certificate to all the labourers, to ensure they were paid their back wages and given due compensation, and to extend towards them all the benefits of the Social Welfare Schemes to which they were entitled.

The District Magistrate in February 2015 submitted a report before the NHRC, stating that proceedings had been initiated and action taken against the employers.

In March, the official submitted that land had been allotted to all the 38 families for construction of their houses and possession handed over, and necessary entries in the revenue records of their ownership had been made.

However, on July 21, 2017, in a public hearing before NHRC, Patna, the labourers made submissions that they had still not been granted possession of land.

On September 12, last year the NHRC ordered the District Magistrate to grant land to the 101 rescued labourers within eight weeks.

The labourers' plea in the top court said the period of eight weeks has long since expired on November 8, 2017, and the District Magistrate has still failed to allot and grant possession of land, despite the petitioners having made repeated representations.

The petition said the district administration and the state of Bihar have failed in their duty to protect the fundamental rights of the petitioners by allowing them to be exploited as bonded labourers over decades.

Under the "Kamya system", there is an economic compulsion on labourers to continue working in exploitative conditions for their employers due to advances received by them or their forefathers.

These labourers have their freedom of movement restricted, are often paid no wages apart from meagre rations, are made to work for oppressively long hours and are from very backward communities, said the plea.

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