

Report on the work done with Bonded Laborers

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Brief Situation of Bonded Labour in Rice Mills

There are nearly 10,000 bonded labourers (many of them illiterate Irula tribal families) in the paddy processing units of rice mills in Redhills. The living conditions in many mills lack the basic amenities of drinking water, light, toilets, and bathrooms. Children are made to work to repay the debt incurred by parents. Debts start from Rs 100-300, multiplying to Rs. 50,000 over generations. There are no childcare and safety measures, leading to fatal accidents. The work of cleaning the paddy, boiling it in boilers, drying the wet paddy, packing and carrying is done by adult workers. The children do cleaning work and assist the parents in drying paddy. No child is allowed to go to school. They work from 11pm till 6pm on the next day, and hardly get any sleep. Wages are paid every four days, at the rate of Rs.8 per bag, roughly as Rs.240 for four persons for 4 days. This works out to Rs.15 for 19 hours of hard labour, which is in violation of the minimum wages fixed by the State Govt. Labour Dept. for rice mill workers (Rs.84 for 8 hours of work). Marriages and deliveries take place inside the work premise. When a worker dies, the funeral can take place only after the work is over at 6 pm. Incidents of physical beating, locking them up, sexual harassments of women workers occur frequently.

Sarpam Irular Thozhilalar Sangam, an association of tribal workers with its head quarters in Thiruvallur did a survey of the conditions of bonded labourers in Redhills in 2003-2004. Since then, it has been making contacts with the bonded labourers and sensitizing them on ways to improve their condition. Since July, bonded laborers from 25 rice mills have been visiting the Sarpam office with complaints.

Based on these complaints, the Sangam made multiple representations to government officials (District Collector, Revenue Divisional Officer (RDO)– Ponneri, Commissioner for Bonded Labour Release-Chennai, Chief Inspector of Factories-Chennai, Secretary of Labour – TN govt, Secretary for Adi-Dravidar welfare – TN govt). After these representations, the employers started mistreating and beating the laborers, forcing them to sign on blank papers and locking them up. Meanwhile, the RDO gave an assurance that an inquiry would be conducted and that the bonded labourers would be released before September 6, 2004.

However, when the RDO visited the mills for inspection and met the workers in some rice mills, he told them that unless they paid back the loans, they would have to work and be locked up. There was a complete denial of the problem by the RDO and utter lack of any immediate action to release the bonded labourers, in spite of complaints lodged against some of the rice mill owners. The RDO further insisted that the labourers could leave the rice mill only if they repaid their debts; that if the labourers worked with the same employer, the loan could be waived at the rate of Rs.2000 per annum; that only if the labourers went back to the same employers, would they be provided with ration cards, ST certificate or access to the SSA scheme; and that a committee could be formed to oversee that the employers did not beat or abuse them and the labourers were paid wages of Rs. 20 and half a kg of rice per day and Rs. 200 per annum per child for education.

Following this, urgent messages were sent to higher authorities (Secretary of Labor – Govt. of India, PM of India, Secretary for Labour – TN govt., Secretary for Adi-Dravidar welfare – TN govt.) requesting immediate intervention. After this, more than 450 bonded labourers ran away from the rice mills (leaving their belongings in the rice mills) due to

fear of being beaten and attacked by the rowdies of employers. They walked 70kms to the Sarpam Irular Thozhilalar Sangam at Thiruvallur, which organised their stay and food, with the help of well-wishers.

On Sept 20th 2004, hundreds of rice mill workers in Red Hills staged a demonstration, to protest against the “inhuman conditions at their workplace and the apathy on the part of officials of the Tiruvallur district administration”. Men, women and children working in over 500 rice mills in the area attended the demonstration at the Red Hills bus stand. The demonstrators wanted urgent steps to be taken by the district administration to release more than 10,000 persons working as bonded labourers in the mills.

A public hearing at Red Hills was organised by the National Commission for Women (NCW) on October 4th to bring to light the plight of bonded laborers in rice mills. The five-member panel comprised of V. Vasanthi Devi, chairperson of the State Commission for Women, Justice A. Ramamurthy, former judge of the Madras High Court, Sarala Gopalan, a retired IAS official and Swami Agnivesh, the President of the Bonded Labour Liberation Front.

After listening to the accounts of 20 people who managed to escape from bondage, the Panel made the following observations:

- That there was debt bondage, physical bondage, violation of the Minimum Wages Act, sale of labourers, physical and sexual harassment
- That the labourers were overworked, underpaid and forcibly confined to the premises of the mill, in addition to being held to sums of money they could never hope to repay.
- That long working hours and exacting nature of work led to exhaustion and frequent illness among the labourers.
- That women deliver inside the mill itself and have to resume work within five days of delivery
- That large-scale child labour is also prevalent at the mills. Children testified to being beaten up and denied education.
- That some of the bonded workers are also sold to other employers if the unit shut down.
- That such grave violations were going unnoticed, the district administration was denying the existence of bonded labor and there was reluctance to implement the law to benefit the weaker sections
- That these were serious violations of human rights and labour laws.
- That in spite of the fact that the rice mill owners could be prosecuted under various laws (such as the Bonded Labour Act, the Factories Act, the Minimum Wages Act, the Maternity Benefits Act, and, in the case of dalits and tribals, the Prevention of Atrocities on Scheduled Castes and Tribes Act), there are only two FIRs registered by the police -- one under the Bonded Labour Act and the other under the SC/SC Act.
- That the lower level administration officials are unaware of the provisions of the law and its interpretation, and that an orientation programme should be organised for government staff on laws relevant to bonded labour.
- Swami Agnivesh observed that “In my 24 years of activism on the issue of bonded labour, I have not seen a more horrendous story of over 10,000 men, women and children being forced to work in slave-like conditions”.

Recommendations made by the panel

- It called on the Tamil Nadu State Government to identify and release all the families living in bonded labour within next three months.

- Rehabilitate them appropriately.
- Tamil Nadu State should provide compulsory education for about 5,000 children living in the rice mills at Red Hills.
- Implement the Minimum Wages Act and secure proper wages and working conditions in the rice mills.
- Prosecute the employers and their henchmen.
- Secure arrears due to the employees from the employer with ten times penalty, as per the Minimum Wages Act.
- Form a vigilance committee including dist. officials, labour dept officials, representatives of the Sarpam Irular Thozhilalar Sangam, and bonded labourers for monitoring the implementation of these recommendations.

Some Testimonials

D. Sekar (28), working in a rice mill on the bypass of the Grand Northern Trunk Road, said that his wife Valli (23) died, as she was forced to work three days after she gave birth to their third child. "I was not even allowed to complete the final rites until I finished the day's work," Mr. Sekar said and added that subsequently, he was severely assaulted by his employers. He was unable to lodge a complaint with the Red Hills police. "I have not gone to school and I am unable to remember the exact date when my wife died. I hope to give a better life for my children at least," he said.