

Assignment (4)

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Case Study:- Bonded Labourer rescue
Tamil Nadu. C SHRC Intervention 2020

Detailed analysis of the case study.

① Understanding the context and Background

The 2020 case of bonded Labourer in Tiruvallur district revealed serious human right violation in India's informal sector. Over 40 labourers, including women and children, were trapped in conditions that amounted to modern-day slavery. Despite the existence of Constitutional safeguards and the Bonded Labour System (Abolition Act 1976), marginalized communities remained vulnerable due to poverty, illiteracy, and lack of access to justice.

This case reflects the systemic failure of local enforcement agencies to monitor and prevent exploitation, before NGOs like ISM intervened.

Role and Importance of Complaint Mechanism-

The active role played by International Justice Mission (IJM) was crucial. Without a formal Complaints. The Tamil - Nadu State Human Rights Commission (SHRC) demonstrated responsiveness by immediately acting on the complaint, underlining the significance of accessible complaint mechanism for safeguarding humane rights.

③ Investigating process - systematic and transparent.

The investigation ordered by SHRC was thorough:

- ① It involves a multidisciplinary team: revenue officials, police and welfare officers.
- ② It ensures on site, fact based verification uncovering the absence of wages, poor living conditions and restriction of movement - all strong indicators of bonded labour.

③ Inspection revealed that many labours were held for years under the pretext of repaying an "advance". a common tactic used by exploitation employees.

This transparent process ensured the credibility of the findings and provide strong legal ground for action.

④ Legal Framework and SHRC's and Strategic Intervention.

The SHRC strategically used:-

① Bonded labour system (Abolition) Act 1976. which criminalizes bonded labour practices.

② Indian Penal Code (IPC):-
for charges such as wrongful confinement, forced labour, and human trafficking.

* Steps taken by SHRC were comprehensive

① Immediate Rescue and temporary

rehabilitation.

- ① Criminal prosecution of kiln owners.
- ② Financial assistance to victims.
- ③ Linking victims to government welfare and rehabilitation schemes.

This multi-pronged approach addressed not immediate needs but also long term needs.

⑤ Final Outcomes - Restoration of Rights and Justice.

The successful rescue of all 42 Labourers including 12 children, demonstrated effective inter-agency co-ordination.

- ① victims were reintegrated into society with support from NGOs.
- ② Arrest of the kiln owners sent a strong deterrent message.
- ③ Financial and social rehabilitation minimized the risk of re-trafficking.

⑥ Critical observation and Border implementation.

while SHRC intervention was commendable, the case also exposed.

- ① weakness in preventive mechanism
Regular inspection by labour department could have averted the prolonged exploitation
- ② Lack of awareness among the workers about their rights making them easy target for exploiters.
- ③ The need for greater vigilance by local authorities and protecting monitoring rather than reactive intervention.

Thus while enforcement and rescue are important prevention and empowerment are equally crucial to permanently eliminate bonded labourer.

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