

Roles & Responsibility of officials in implementation of Bonded Labour System (Abolition) Act, 1976 as per the Standard Operating Procedure for Identification, Release, Rescue and Rehabilitation of Bonded Labour.

Order released by Labour Welfare & Skill Development Department-

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Department	Roles and Responsibility of Sub Divisional Magistrate
<p>Procedures - Identification, Release and Rehabilitation as per the BLSA</p> <p>Implementation Department: Revenue Department</p> <p>Designation:</p> <ul style="list-style-type: none"> • Collector • Sub Collector • Revenue Divisional Officer 	<ol style="list-style-type: none"> 1. Receive Complaint and issue a receipt of Acknowledgment 2. Should not share the details or leak information of the complaint 3. Officials should act immediately within 24 hours because some delay in rescuing the people may be shifted or danger to their life 4. Rescue team to be formed - <ul style="list-style-type: none"> • Tahsildar • Jurisdictional Police Official (To secure premises, To protect the labourer) • Assistant Commissioner of Labour (Enforcement) is the Nodal officer • Officials of DISH (to enforce minimum wages Act and various labour laws) • Two Women officers if any (Revenue/Labour/DISH) • The Complainant or Social workers/NGOs (counseling) • District/Sub divisional vigilance committee members • One stop Crisis team members (DLSA - Legal assistance to victims) • District Child Protection Officer (Child related abuse) • Two Independent and Local witnesses (From the same or any locality) 5. Brief Inquiry done under BLSA at the worksite to see they are bonded or not 6. Proceed with a detailed bonded labour inquiry. within 24 hours of the rescue. 7. During the detailed enquiry these are some guiding question to be asked based on the BLSA. Questions related to Employer, Advance or other obligations, wages payments, freedom to travel, seek alternative employment, to see or purchase of goods at market value. Question based on the rights and freedom of the laborer. Questions regarding other offences against schedule castes or tribes, offences against children etc, 8. It shall not be necessary to question the offender or any of his associates. Such an inquiry is not an adversarial inquiry and the procedures for criminal trials do not apply to such an inquiry (Annexure III). Audio video recording can be done for fair proceedings.

	<ol style="list-style-type: none"> 9. RDO need to provide them release certificate within 24 hours to all identified bonded labourers and to children if they found to be working along with their families (Format prescribed in the CSS) 10. RDO need to provide Food, Shelter, transport Protection 11. RDO has to ensure medical screening is provided to all the labourers and children. Coordination with Labour and Health department.
Department	Roles and Responsibility of Police Officer
Procedure: Identification, Release, Investigation and as per the BLSA Implementation Department: Police Department Designation: Jurisdictional Police officer	<ol style="list-style-type: none"> 1. Police also can receive Bonded labour complaint 2. official shall issue a receipt to the complainant acknowledging that the complaint has been received and recorded. 3. To be part of the rescue team 4. at the worksite he needs to secure the location that no one escape. Ensure rescue location is secured. 5. Protect the labourer from offender and his associates 6. Separate the owner and owners associates from Labourers 7. seize any evidences such as Phone books, mobile, travel tickets, documents, accommodation receipts, bank statements, wage receipts/slips and registers, muster rolls, ledger books, bond agreement, note book, cash, weapons, locks, ownership documents, lease, license are Videographed and photographed 8. Assist in the safe departure from the facility 9. Arrest the Offender with warrant (Sec 41 & 44 CrPC) 10. Prepare the magajar seizure list and rescue memo 11. Investigation for prosecution of offenders done as per CrPC 12. Police has to file the FIR within 24 hours based on the offence committed 13. Prepare 161 statement he needs to collect all the relevant documents such as 1. Inquiry form 2. attested copy of release certificate 3. Executive releasing order 4. Acquaintance of initial rehab money 5. RDO report to Collector 6. Medical report 7. Community certificate from RDO for effective investigation of the case within 60 days, from the FIR register date.
Department	Roles and Responsibility Medical officer
Procedure: Rehabilitation <ul style="list-style-type: none"> • Medical examination • Medical Assistance • Psychosocial care & Trauma care Implementation Department: Health Department Designation: Government Medical officer	<ol style="list-style-type: none"> 1. Medical officer not below Assistant surgeon for the purpose of determination of age, injury or disease incidental to the exploitation and occupational health hazards. Issue age certificate 1. within 24 hours of the rescue 2. Deputy Director of Health Service provide medical assistance to children (Immunization and Nutrition) 3. Department of Health to provide Psychosocial care and Trauma care to the bonded labourers

Deputy Director of Health	
Department	Roles and Responsibility of Chief Educational officer
Procedure: Rehabilitation <ul style="list-style-type: none"> Educational Assistance Implementation Department: Education Department Designated Officer: Chief Educational officer	<ol style="list-style-type: none"> Chief Educational officer SSA to provide Admission in school Special training
Department	Roles and Responsibility of Assistant Commissioner of Labour (Enforcement), District Nodal Officer
Procedure: Identification, Release and Rehabilitation as per the BLSA Implementation Department: Labour Department Designated Officer: Assistant Commissioner of Labour (Enforcement) – District Nodal Officer	<ol style="list-style-type: none"> Receive Bonded Labour complain ACL has to be part of the rescue team ACL has to help in Opening bank accounts and provide them 30,000 through ECS, After the FIR is filled within 24 hours ACL shall arrange to produce the child/Adolescent for a medical examination for the determination of age. the ACL enforcement has to take legal action under the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 if applicable ACL has to play a vital role to support the conviction process thus the rescued bonded Laborer will be eligible for the remaining rehabilitation money. ACL shall upload and maintain all relevant data in Bonded Labour Management System (rescue details, noncash benefits, conviction of cases etc) ACL has to coordinate with the district administration for sending proposal from the district collector to government of India, MOLE through the commissioner of Labour and the State Government Labour Welfare and Skill Development Department for claiming the final disbursement of the financial assistance of Rs. 1 Lakh, 2 Lakh & 3 Lakh as per CSS 2016. for the claim and follow up on the case, if the case end in conviction they have to release the final disbursement amount All bonded labourer rescued can be registered in all relevant welfare boards of labour department and any other departments welfare board schemes.
Department	Roles and Responsibility of Assistant Commissioner of Labour (Enforcement), DISH
Procedure: Identification, Release and Rehabilitation as per the BLSA	<ol style="list-style-type: none"> ACL, DISH Conduct inspection and Identify Bonded labour ACL, DISH can Receive Bonded Labour complaint

<p>Implementation Department: Directorate of Industrial Safety and Health</p> <p>Designated Officer: Assistant Commissioner of Labour (Enforcement) – DISH</p>	<ol style="list-style-type: none"> 3. ACL, DISH to be part of the Rescue team 4. ACL shall arrange to produce the child/Adolescent for a medical examination for the determination of age. Age certificate to be issued by the medical officers 5. Official of DISH has to take legal action under the Child and Adolescent Labour (Prohibition and Regulation) Act, 1986 if applicable
<p>Department</p>	<p>Roles and Responsibility of District Collector/RDO</p>
<p>Procedure: Rehabilitation and Convergence</p> <p>Implementation Department :</p> <ul style="list-style-type: none"> -Revenue Department -Labour department -Directorate of Industrial Safety & Health -Adi Dravidar & Tribal Welfare Department -Lead Bank Manager -Employment & Training Department -Rural Development & Panchayat Raj Department -Health & Family welfare Department -School Education Department -BC, MBC & Minorities Welfare Department -Social welfare & Women Empowerment Department -Vigilance Committee members -District Legal Service Authority of One stop Crisis Team (OSCT) -Trade union -Civil Society Organization <p>Designated Officer: RDO</p>	<p>ACLs are the Nodal officer for coordination at the district and RDOs are the implementing officer for rescue, release and rehabilitation with other line departments</p> <ul style="list-style-type: none"> • To provide 30,000 Rs (Initial Rehab Amount) • To provide Aadhar Card • To Provide Family Ration Card - Release Certificate shall be considered as identify proof for the labourer • To Provide Community Certificate • To provide Voter ID • To provide MGNREGA Card • House Site/Land Patta • Health Insurance under Hon’ble CM’s comprehensive Health Insurance Scheme • Registration in the relevant welfare Boards such as - Marriage assistance/Maternity assistance/Educational assistance/Old Age Pension, Family Pension, Disability Pension • Self-Employment Schemes through Bank Loans, Construction of houses under Indira Awas Yojana • Adi Dravidar and Tribal Welfare benefits schemes • Employable Skill Development Trainings, Unemployed Youth Employment Generation Programme (UYEGP), New Entrepreneur cum enterprises Development Scheme (NEEDS), Prime Minister Employment Generation Programme (PMEGP),

Department	Roles and Responsibility of Civil Society Organization
<p>Identification, Release and Rehabilitation as per the BLSA</p> <p>Civil Society Organization or Social worker</p>	<ol style="list-style-type: none"> 1. Can give Bonded Labour Complaints/Information 2. Be part of the rescue team 3. Assist Executive Officials and Police to locate labourers and help to identify the location 4. Assist officials during the initial inquiry 5. To provide counseling support to the bonded labourers 6. Be a support to the labourers 7. To be present at the detailed inquiry process
Department	Roles and Responsibility of DLSA and Para Legal Volunteers
<p>Identification, Release and Rehabilitation as per the BLSA</p> <p>Implementation Department: District Legal Service Authority - One Stop Crisis Team</p> <p>Designated Officer: One Stop Crisis Team Members/ Para Legal Volunteers</p>	<ol style="list-style-type: none"> 1. Can receive/give Bonded Labour Complaints 2. CrPCs. Recording of 161 statements – Before the labourers are repatriated to their native (DLSA may assist the victim) 3. Collect Relevant evidence/Documents/Charge Sheet. All document to be produced to DLSA for assisting the victim on trial. 4. Ensure Final report / Charge sheet to be register before Judicial Magistrate within 60 Days 5. The SLSA/DLSA shall provide necessary legal assistant to the prosecuting officers under the act, wherever applicable till the conviction of the offender 6. The SLSA Shall provide free and competent legal services to the rescued bonded labor when case comes up for trial by the para legal volunteers.
Department	Roles and Responsibility
<p>Identification, Release and Rehabilitation as per the BLSA</p> <p>Vigilance Committee Members</p>	<ol style="list-style-type: none"> 1. Can receive/give Bonded Labour Complaints 2. Be part of the Rescue team 3. To be present at the detailed inquiry process 4. VC members to follow up and ensure that the Bonded Labourers receives the entitlements