

**Report on the Hongarahalli Chained Bonded Labourers Case to the
National Human Rights Commission, New Delhi
dated the 4th July 2000.**

Dear Shri Gopalaswami,

Sub: Honourable Supreme Court's mandate on the abolition of the Bonded Labour System – Karnataka State - the case of chained bonded labourers in Hongarahalli village of Srirangapatna Taluk of Mandya District released by the activists of the Karnataka Rajya Ryota Sangha (KRRS) on 22.6.2000 – Report- submitted.

- Ref: 1. My DO letter dated 5th May 1998 address to Shri R V Pillai, Secretary General, NHRC, New Delhi forwarding therewith my report on the Status of the work relating to the Eradication of the Bonded Labour System in the 3 Southern States of Tamil Nadu, Karnataka and Andhra Pradesh.
2. My DO letter dated 17th April 1999 to Shri B K Bhattacharya, Chief Secretary to the Government of Karnataka indicating my misgivings about the commitment of the Government of Karnataka to carry forward the mandate of the Honourable Supreme Court of India.
 3. D O Letter of Shri B K Bhattacharya, Chief Secretary, Government of Karnataka. No.RDP 10 RBL 98, dated 2nd July, 1999 to me in response to my letter 2nd cited above assuring that the State Government would closely monitor the bonded labour work.
 4. My D O Letter dated 5th July 1999 address to Shri N Gopalaswami, Secretary General, NHRC, New Delhi forwarding therewith my Report of Investigation into Child and Bonded Labour in Silk Industry in the Magadi and Ramanagara areas of Karnataka which details the attitudinal problems faced in Karnataka towards eradication of the bonded labour system.
 5. My DO Letter dated 6th / 7th March, 2000 to Shri M R Srinivasa Murthy, Secretary, RDPR, Government of Karnataka dealing with the use of Anganwadi workers in bonded labourer identification work, among several other important things including the involvement of the NGOs and the urgent need for conducting a Seminar for the reorientation of the officers of the Government of Karnataka.
 6. My DO letter 11th March 2000, to the Chief Secretary, Government of Karnataka urging the same points as in my reference cited 5th above.
 7. My DO Letter dated 26th April, 2000 to Dr Justice K Ramaswamy, Honourable Member, NHRC New Delhi under copy to the Secretary General enclosing all crucial correspondence between me and the Government of Karnataka indicating the attitudinal changes required there and the magnitude of the problems in front of us.
 8. A Note on the Hongarahalli chained bonded labour case furnished to me at Mysore by the Deputy Commissioner, Mandya on 28th June 2000.

9. Copies of the informal notes taken down by me on 28th June 2000 at Mysore and Srirangapatna during my discussions with the bonded labourers released by the KRRS at Srirangapatna and with the Divisional Commissioner Mysore and Deputy Commissioner, Mandya.
10. Letter addressed by the Tahsildar, Srirangapatna to the Deputy Commissioner of Mandya indicting that there are no bonded labourers in Srirangapatna taluk.
11. My DO letter dated 30th June addressed to Shri B K Bhattacharya, Chief Secretary to the Government of Karnataka under copy to the Secretary General, NHRC, New Delhi.

I was in Karnataka between the 25th June and 29th June 2000 in connection with a visit along with Dr Justice K. Ramaswamy, Honourable Member, NHRC to Magadi and Ramanagara on the 26th June 2000 to study the child labour situation in these two areas.

On seeing newspaper reports about bonded labourers being kept in chains in the village of Hongarahalli of Srirangapatna Taluk of Mandya District for two years by a quarry owner and their release on 22-6-2000 by the Karnataka Rajya Ryota Sangha (KRRS), Mandya I visited on the 28 June, 2000 Hongarahalli village, the quarry in question called Chamundeswari quarry and the building in Srirangapatna where the bonded labourers released by the KRRS had been lodged by the Government. My visit to Srirangapatna was preceded by my discussions earlier in the morning on the 28 June 2000 at Mysore with Shri. Lokare, Divisional Commissioner, Mysore and Shri. Ateeq, Deputy Commissioner, Mandya. At Srirangapatna I spoke to and heard from the bonded labourers released by the KRRS about their plight at length. I enclose the newspaper cuttings taken from the Hindu, the New Indian Express, Kannada Prabha and an editorial in the Deccan Herald on the incident for favour of perusal and record. I also enclose a photograph taken by me of the bonded labourers in question including those who had been chained. The most important point that I wish to emphasise here is that these bonded labourers were not released by or through the efforts of the officers of the Government of Karnataka but by a political outfit, namely, the Karnataka Rajya Ryota Sangh (KRRS).

The facts of the case are that 23 families of whom 16 belong to the Schedule Caste Community of Bovi have been working at a stone quarry named Chamundeswari quarry in the village of Hongarahalli of Srirangapatna Taluk of Pandavapura Revenue Sub Division of Mandya District. Mandya district itself is part of the Mysore Revenue Division. Five male members of the 16 Scheduled Caste families whose names are given below had been kept in chains for varying periods from two months to two years by one Putteswamy Gowda, owner of this quarry and three others:

S/Shri.

1. Gopal S/o Venkatesh, aged 20 years.
2. Venkatesh S/o Hanumanthaiah, aged 58 years.
3. Nagaraju S/o Subbaiah, aged 40 years.
4. Venkatachala S/o Kuncha Bovi Venkataiah, aged 40 years.

5. Krishna S/o Venkataiah, aged 38 years.

Some of the 23 families have been working as bonded labourers under Putteswamy Gowda since 10 years and others joined as bonded labour later at various times. All of them received advances from him and became bonded to him. Putteswamy Gowda obtained the release of other bonded labourers from other masters of bonded labourers by paying money to those masters and thus brought more and more bonded labourers under himself. Thus the advances received by those under bondage with him grew which made it impossible for them to secure their release by paying back the money owed. To ensure that they never were able to pay his advances back in full, Putteswamy Gowda under-measured the output of the bonded labourers and also made false entries of wages paid to the detriment of the bonded labourers in the accounts maintained to record the payment of wages. The confinement of these bonded families was total in the sense that they were never allowed to move out of sight and if some one did manage to go to a cinema near by, he was fined hundred rupees. If the bonded labourers quarreled among themselves they were heavily fined at Rs.500/-. Any absenteeism – in the sense some one would run away for some rest or recreation and return after one or two days – was fined at an even heavier Rs.1000/-. Of the five persons chained, four of them, namely, Venkatesh, Gopal, Krishna and Siddappa had been kept in chains for periods ranging up to two years. Krishna and one Siddappa had earlier worked in chains for 3 months and had managed to run away. The other three had been in chains for periods ranging from 2 months to 2 years - Venkatachala for two years, Krishna for 6 months and Nagaraju for 2 months. These five men were got bitten by red ants by sugar being spread under their feet, as a measure of torture. The reason why these five have been chained was because at one time or another they had attempted to escape and run away from bondage and torture. Putteswamy Gowda chained them so that it served two purposes – (1) the chained bonded labourers would never again escape and (2) the chained bonded labourers were a living example and warning to the other bonded labourers who might entertain visions of freedom. In the words of Ramanaiyah, one of the bonded labourers, the condition of their women folk was such that they were raped at will by Putteswamy Gowda's men. He told me in Telugu "*memu kaadhu maa aadavalluku mogullu: valle maa aadavallaku mogullu*". Translated in to English it means, "we have not been the husbands of our wives; they (meaning Putteswamy Gowda's men) are the husbands of our women". The men in chains were not only kept chained all 24 hours including during the period of work but they were also confined between 7 pm in the evening and 6 am the next morning every night in a shed roughly of the dimension of 10 ft x 12 ft and locked away so that they were prevented from even answering calls of nature during those long hours and thus tortured. The chaining was by way of iron bands being put around the ankles with hooks so as to facilitate the welding of those chains securely and connect the 2 legs so that they could not ever move with ease. This welding was done, in its very nature, in a workshop and needed a gas cutter handled by a mechanic to cut them loose. The measly food stuffs that were provided to them to survive consisted of a little broken rice (never rice), ragi flour, horsegram, a few onions and chilies and these were all bought for the bonded labourers in the village shop by the owner's men themselves. These men of the owner kept the strictest surveillance over the women who were taken to the shop so that they could never communicate to any outsider about the fate of the five chained men.

Men and women who spoke to me told me how the children who were also made to work in the quarry were severely thrashed, even when they were too sick and ill to be able to come to work. The sick children were beaten and forcibly dragged to work. The same measures were applied to women. In other words, sick and ill women and children were all forced to work by being severely beaten. No medical help was ever rendered to them. Pushpa, a woman bonded labourer told me that her husband who was deaf was often beaten in her presence though he cannot even speak properly. Thus, severe beating and heavy fines were the methods by which the spirit of the men and women and children were broken. Also, these repeated fines, falsification of accounts relating to the output of work and arbitrary reduction in wages paid, together ensured that these bonded labourers would never be able to pay back the advances taken by them and gain freedom. They were so ill fed that one of them told me that for them “a morsel of *dal* (“*bedla pulusu*” in Telugu) was something that they were “dreaming about without ever being able to eat it, what to mention of meat!”

My discussions earlier with the Deputy Commissioner, Mandya had elicited the some what surprising position that the charge sheet being laid against the perpetrators of this heinous crime against the bonded labourers did not include a reference to the provisions of the Bonded Labour System (Abolition) Act, 1976. I also found that a serious matter of this importance was being handled by the Assistant Public Prosecutor, Srirangapatna and not by the Principal Public Prosecutor of the District. I, therefore, got summoned the Principal Public Prosecutor of the District to Mandya on my way from Mysore to Bangalore and told him to ensure that the provisions of the Bonded Labour Act were also included in the charges. I also told him, the Deputy Commissioner and the Superintendent of Police that I expected this case to be conducted by the Principal Public Prosecutor before the Special Court. During these discussions I also raised a question as to why the Deputy Commissioner himself had not automatically started an enquiry into this case in terms of the provisions of the Bonded Labour System (Abolition) Act 1976 in his capacity as the District Magistrate. The Deputy Commissioner replied that he was not sure whether a notification had been issued by the State Government authorizing him to do so, in view of the fact that this is a Central Act. I requested the Public Prosecutor to examine whether such a notification was necessary at all and if so get it done without delay.

After my visit to the field, I drove straight to the Vidhana Soudha, Bangalore and met Smt Theresa Bhattacharya, IAS, Additional Chief Secretary, since the Chief Secretary was away at Delhi to attend a meeting, and briefed her. I also called on, on the 29 June, Shri Ravindra, Additional Chief Secretary and Development Commissioner to brief him. The Honourable Home Minister of Karnataka Shri Mallikarjuna Kharge was so kind enough as to provide me nearly an hour of his time at short notice on the 29 June 2000 and I was able to brief him fully. At my meeting with Honourable Home Minister, the Honourable Minister of Labour was also present. Later I met Shri M. R. Srinivasa Murthy, Secretary, RDPR and the the Nodal Secretary for Bonded Labour and briefed him fully and I later also called on Shri Pande, Revenue Secretary to seek his involvement in the identification and survey work relating to bonded labour work.

As you are aware, the basic attitude of the civil servants in Karnataka has been to flatly deny the existence of bonded labour in the State. I have on several occasions in the past two years brought this attitude of the Government of Karnataka to the notice of Commission starting from my report of the 2nd June 1998. This mind set of denying the existence of bonded labour in Karnataka and through such denial avoid taking any action mandated by the Honourable Supreme Court such as undertaking a survey to identify bonded labour has been brought to the notice of the Commission by me in my elaborate report pertaining to my investigation into the incidence of child labour and bonded child labour in Magadi and Ramanagara areas of Karnataka submitted to the Commission in July, 1999. I had not only kept the Commission informed of my misgivings about the mindset in Karnataka, I had also written about it to the Chief Secretary to the Government of Karnataka himself vide my DO letter to him dated the 17 April, 1999 under intimation to the Commission, copy enclosed. The regrettable stance of the Karnataka Government has, in the past two years, been to claim that Karnataka has been in the forefront in the eradication of bonded labour, that the action taken in the days of Chief Minister Dr Deva Raj Urs in the late 1970s and early 1980s has led to the complete abolition of bonded labour in the State and that, if any thing, Karnataka had been “over enthusiastic in reporting exaggerated figures” of bonded labour. Their stand has been one of elaborate self-righteousness and injured innocence. I am stating this with great sadness because for two years, in spite of my repeated urgings, the officers of the State Government had stone-walled my efforts to get them to do a credible survey of bonded labour in the State. Even cases reported by me to them on the basis of my own personal visits to villages were reported “on verification by Deputy Commissioners” as not being cases of bonded labour. By far the most deplorable manifestation of this lack of desire to do any thing worth while to carry forward the mandate of the Honourable Supreme Court and the instructions of the NHRC has been the cavalier manner in which I was told in a meeting called by the Chief Secretary in April, 1999 by the representative of the nodal Department for bonded labour, namely, the Department of Rural Department and Panchayati Raj that a “ survey would be done if necessary”, after the Chief secretary himself had promised in the same meeting a few minutes earlier that survey would be got done within a time frame! Details of this meeting reported by me to the Commission can be seen in my Report dated the 5th July 1999. After I took exception to their prevarications and threatened to report to the Commission and the Supreme Court, they promised to get the survey done and sent me an assurance vide the Chief Secretary’s D. O. letter to me dated the 2nd July, 1999. However, this assurance was made meaningless by building in the device of getting the survey and identification done through very minor functionaries like the Anganwadi workers. Now, as you are kindly aware, an Anganwadi worker is not even a government official and has neither the stature nor the expertise nor even the standing required to take up work of this kind considering that employers of bonded labourers are rich and powerful landlords and other similar employers like quarry owners, silk reelers and twisters, brick kiln owners, etc. The Anganwadi worker is a woman worker who is paid a small honorarium and in many parts of India hardly ever taken seriously, though she is expected to perform some crucial things in the area of child development. I say this from my own knowledge of this worker in India since I handled the ICDS for the entire country for a substantial period of time. I have pointed out the absurdity of expecting the Anganwadi workers to survey and identify bonded labourers to

the Secretary, Rural Development and Panchayati Raj, who is the nodal secretary for bonded labour work in Karnataka and also the Chief Secretary. The Chief Secretary in fact agreed with me and promised to get the Deputy Commissioners involved in the work with the responsibility mainly taken by the Assistant Commissioners. All these facts are fully documented and my reports over the past two years and the crucial correspondence on this subject are all available with the Commission in Delhi. The short point I am making is that the efforts of the Government of Karnataka to brush under the carpet the existence of the pernicious system of bonded labour has now exploded in their face like a bomb.

In all the briefings I gave to the Additional Chief Secretary, the Home Minister and Labour Minister and Shri M R Srinivasa Murthy, Secretary Department of Rural Development and Panchayati Raj who is the nodal secretary for the work connected the abolition of the bonded labour system in Karnataka, I reminded them of the two years of work done by me on behalf of the NHRC and the Honourable Supreme Court to get them to implement the mandate of the Honourable Supreme Court of India and how the senior most officers of the Government of Karnataka had steadfastly stuck to a self serving position that bonded labour did not exist in Karnataka. I also pointed out them that while indeed certain notable steps had been taken by the Department of Labour, especially the Commissioner of Labour Shri Lukose Vallatharai in the area of child labour, as far as bonded labourer was concerned the record and attitude of the Government of Karnataka was most deplorable. I told Shri Mallikarjuna Kharge, Honourable Home Minister of Karnataka, that unless at his level and at the level of the Chief Minister a desire was shown to tackle this problem, bonded labour would continue to flourish in Karnataka. The Honourable Home Minister sought a note from me on the subject so that he could bring it before the Karnataka Cabinet.

On returning to Hyderabad I sent the enclosed DO letter by Fax to Shri B K Bhattacharaya, Chief Secretary to the Government of Karnataka, under copy to you. In this letter I made the following observations demanding immediate action:

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1. From the discussions I had with the Deputy Commissioner, Mandya and the information furnished to me it was clear that the case registered against the perpetrators of this unparalleled crime against the bonded quarry workers, does not mention the violation of the Bonded Labour System (Abolition) Act, 1976 at all by the accused Shri Putteswamy Gowda and others. This is obviously a very serious omission and calls for rectification immediately. I have already brought this to the notice of Shri Srinivasa Murthy, Secretary, RDPR, the Divisional Commissioner, Mysore and the Deputy Commissioner, Mandya.
2. I called the Public Prosecutor, Mandya to discuss the above omission with him and requested him to guide the Officers properly. In this connection I notice that this matter is being handled by the Assistant Public Prosecutor. Considering the exceptionally heinous and serious nature of the crime and the publicity that it has naturally received, it is essential that this case is handled by the Principal Public

Prosecutor of the District himself, with all necessary precautions taken to eliminate every kind of lacuna so that exemplary punishment is got meted out to the accused from the Special Court.

3. During my discussions with the five chained bonded labourers, in the presence of the rest of the 23 families released by the KRRS, it was mentioned to me by one of the five that their womenfolk were being sexually molested constantly. Obviously, this would constitute rape. Sensitive and delicate investigations should be carried out so as to see that the appropriate sections in this regard are also incorporated so that the heinous crime of sexually exploiting the womenfolk of those men who are bonded does not go unpunished. However, it goes without saying that the investigations should be properly carried out in regard to all the charges, and clubbing properly determined, so that failure to substantiate some of the charges do not lead to wholesale discharge of the accused on all counts.
4. A high quality and liberal rehabilitation plan may be drawn up under your guidance for the full and comprehensive resettlement of all the 23 families released by the KRRS consistent with the desire of the victims themselves with their full participation ensured, so that the victims would never relapse into bondage again and that it becomes a model for the entire State in the matter of all future rehabilitation.
5. In the light of the situation that has now emerged against the background of the work that has to be done to complete the implementation the mandate of the Honourable Supreme Court in regard the identification, release, prosecution where necessary and rehabilitation of bonded labour, credible action and arrangements may now be undertaken to identify and list out the bonded labourers in all the districts of Karnataka and computerize the details, as has been advocated by me during the past two years. By credible arrangements, I would like to reiterate the point made by me at my last meeting with you that depending on ineffectual functionaries like Anganwadi workers, Village Administrative Officers and Executive Officers of Gram Panchayats should be eschewed as they neither have the stature required nor the expertise for this work. The substantive work has to be done by the Assistant Commissioners under the personal guidance of the Deputy Commissioners who themselves should check at their own level a certain percentage of cases. NGOs need to be involved in this work with the full backing of the Government. In this connection, it is worth noting that the Tahsildar, Srirangapatna had reported to the Deputy Commissioner that there was no case of bonded labour in his jurisdiction!
6. The Divisional Commissioners and Revenue Department may be got fully associated with the work relating to bonded labour.
7. The nil reports on the existence of bonded labour received by the Department of Rural Development and Panchayati Raj from the Deputy Commissioners on the

basis of the work done by functionaries like Anganwadi workers may be set aside and the entire exercise started de novo on the lines mentioned at points 4, 5 and 6 above, and

8. The long delayed Seminar at the National Law School for reorientation of the officers in regard to the implementation of the Bonded Labour System (Abolition) Act, 1976 and to bring about convergence and understanding at the field level between NGOs and Government functionaries in this work, may kindly be got organized without delay.”

I request that this Report of mine may kindly be studied by your good self along with all the previous correspondence from me relating to the State of Karnataka and the entire material placed before the Honourable Chairperson and the other Honourable Members of the Commission for further action.

Yours sincerely,

K R Venugopal

Shri N Gopaldaswami, IAS
Secretary General
National Human Rights Commission
Sardar Patel Bhawan
Sansad Marg
New Delhi 110 001

Encl:

1. My DO letter dated 17th April, 1999 to the Chief Secretary, Government of Karnataka.
2. The DO Letter No. RB 10 RBL 98, from Chief Secretary to Government of Karnataka.
3. My DO Letter dated 6th/7th March, 2000 to Shri M R Srinivas Murthy, Secretary, RDPR, Government of Karnataka.
4. My DO letter dated 11th March, 2000 to the Chief Secretary, Government of Karnataka.

5. MY DO letter dated 26th April, 2000 addressed to Dr Justice K Ramaswamy, Member NHRC, New Delhi under copy to the Secretary General NHRC.
6. Note on the Hongarahalli Chained bonded labourer case submitted to by Shri Atheeq, Deputy Commissioner, Mandya, Karnataka.
7. Notes taken by me on 28 June 2000 at Mysore and Srirangapatna on my discussions with the Divisional Commissioner, Mysore, Deputy Commissioner of Mandya, and the released bonded labourers including the chained bonded labourers.
8. Letter of the Tahsildar Srirangapatna to the Deputy Commissioner Mandya, reporting nil bonded labourer in this Taluk, dated 1.9.1999.
9. Copies of Newspaper cuttings on the Hongarahalli chained bonded labourer case.
10. A photograph showing the families of the bonded labourers including the chained ones taken by me on 28.6.2000.

30th June 2000

Dear Shri Bhattacharya,

Sub: The case of chained bonded labourers in Hongarahalli village of Srirangapatna Taluk of Mandya District released by the activists of the KRRS- further action-requested.

Ref:

In continuation of my letter cited, I was in Karnataka between the 25th June and 29th June 2000. Dr Justice K. Ramaswamy, Honourable Member, NHRC and I visited Magadi and Ramanagara on the 26th June 2000 to study further the child labour situation in these two areas. I shall write to you about this separately.

On seeing newspaper reports about bonded labourers being kept in chains in the village of Hongarahalli of Srirangapatna Taluk of Mandya District for more than two years by a quarry owner and their release by the Karnataka Rajya Ryota Sangha (KRRS), Mandya, I visited on the 28 June, 2000 the village, the quarry in question and the building in Srirangapatna where the bonded labourers released by the KRRS have been lodged by the Government. My visit to Srirangapatna was preceded by my discussions at Mysore with the Divisional Commissioner, Mysore and Deputy Commissioner, Mandya. At Srirangapatna I spoke to and heard from the bonded labourers released by the KRRS about their plight at length. I would like to thank Shri M.R. Srinivasa Murthy, Secretary, Rural Development and Panchayati Raj who helped me with logistical support needed for this work and also the Divisional Commissioner, Mysore and the Deputy Commissioner, Mandya for accompanying me on my visit.

After my visit to the field I drove straight to the Vidhana Soudha, Bangalore and met Smt Theresa Bhattacharya, IAS, Additional Chief Secretary to brief her and called on, on the 29 June, Shri Ravindra, Additional Chief Secretary and Development Commissioner. Not being aware of the change in guard of the post of Development Commissioner, I went to brief Smt Theresa Bhattacharya, under the impression that she still was the Development Commissioner and she was kind enough to find time for a detailed briefing

from me. At short notice the next day I sought a meeting with Shri Ravindra and in the midst of his already scheduled engagements he was good enough to see me for a few minutes. I briefed him on some of the more important points within the available time. The Honourable Home Minister of Karnataka Shri Mallikarjuna Kharge was so kind enough as to provide me nearly an hour of his time at short notice and I was able to brief him fully. At my meeting with Honourable Home Minister, the Honourable Minister of Labour was also present. Later I met Shri M.R. Srinivasa Murthy, the Nodal Secretary for Bonded Labour to brief him fully and also Shri Pande, Revenue Secretary.

You would have heard from the various Secretaries about my discussions with them and also from the Divisional Commissioner and the Deputy Commissioner.

While I would be writing to you in greater detail in the next few days, I wish to make the following points which require urgent attention at your level:

From the discussions I had with the Deputy Commissioner, Mandya and the information furnished to me it was clear that the case registered against the perpetrators of this unparalleled crime against the bonded quarry workers, does not mention the violation of the Bonded Labour System (Abolition) Act, 1976 at all by the accused Shri Puttaswamy Gowda and others. This is obviously a very serious omission and calls for rectification immediately. I have already brought this to the notice of Shri Srinivasa Murthy, Secretary, RDPR, the Divisional Commissioner, Mysore and the Deputy Commissioner, Mandya.

I called the Public Prosecutor, Mandya to discuss the above omission with him and requested him to guide the Officers properly. In this connection I notice that this matter is being handled by the Assistant Public Prosecutor. Considering the exceptionally heinous and serious nature of the crime and the publicity that it has naturally received, it is essential that this case is handled by the Principal Public Prosecutor of the District himself, with all necessary precautions taken to eliminate every kind of lacuna so that exemplary punishment is got meted out to the accused from the Special Court.

During my discussions with the five chained bonded labourers, in the presence of the rest of the 23 families released by the KRRS, it was mentioned to me by one of the five

that their womenfolk were being sexually molested constantly. Obviously, this would constitute rape. Sensitive and delicate investigations should be carried out so as to see that the appropriate sections in this regard are also incorporated so that the heinous crime of sexually exploiting the womenfolk of those men who are bonded does not go unpunished. However, it goes without saying that the investigations should be properly carried out in regard to all the charges, and clubbing properly determined, so that failure to substantiate some of the charges do not lead to wholesale discharge of the accused on all counts.

A high quality and liberal rehabilitation plan may be drawn up under your guidance for the full and comprehensive resettlement of all the 23 families released by the KRRS consistent with the desire of the victims themselves with their full participation ensured, so that the victims would never relapse into bondage again and that it becomes a model for the entire State in the matter of all future rehabilitation.

In the light of the situation that has now emerged against the background of the work that has to be done to complete the implementation the mandate of the Honourable Supreme Court in regard the identification, release, prosecution where necessary and rehabilitation of bonded labour, credible action and arrangements may now be undertaken to identify and list out the bonded labourers in all the districts of Karnataka and computerize the details, as has been advocated by me during the past two years. By credible arrangements, I would like to reiterate the point made by me at my last meeting with you that depending on ineffectual functionaries like Anganwadi workers, Village Administrative Officers and Executive Officers of Gram Panchayats should be eschewed as they neither have the stature required nor the expertise for this work. The substantive work has to be done by the Assistant Commissioners under the personal guidance of the Deputy Commissioners who themselves should check at their own level a certain percentage of cases. NGOs need to be involved in this work with the full backing of the Government.

The Divisional Commissioners and Revenue Department may be got fully associated with the work relating to bonded labour.

The nil reports on the existence of bonded labour received by the Department of Rural Development and Panchayati Raj from the Deputy Commissioners on the basis of the work done by functionaries like Anganwadi workers may be set aside and the entire exercise started de novo on the lines mentioned at points 4, 5 and 6 above, and

The long delayed Seminar at the National Law School for reorientation of the officers in regard to the implementation of the Bonded Labour System (Abolition) Act, 1976 and to bring about convergence and understanding at the field level between NGOs and Government functionaries in this work, may kindly be got organized without delay.

You may kindly, in consultation with the Development Commissioner, take other additional measures also which might improve the quality of the implementation of the Honourable Supreme Court's mandate, in addition to the points I have made above.

Yours sincerely,

K R Venugopal

Shri B K Bhattacharya, IAS
Chief Secretary
Government of Karnataka
Vidhana Soudha
Bangalore 560 001

21st June 2005.

Dear Shri Baligar,

Sub: Mandate of the Honourable Supreme Court of India in regard to the abolition of the Bonded Labour Practices in Karnataka – Steps taken by the Government of Karnataka to delegate powers to the various authorities under the Bonded Labour System (Abolition) Act 1976 in regard to Prosecution of masters of Bonded Labourers – copies of sample orders made by the Executive Magistracy in cases of conviction, and in appeal by higher courts - Comprehensive information - Requested.

Ref: 1. My letter on the above subject of the 26th May 2005.

2. Your letter RDP: 6:RBL: 2003 dated nil.

As mentioned in the letter 1st cited the National Human Rights Commission, New Delhi has called for a meeting (since postponed to obtain all required information) to discuss the arrangements that are in place in regard to prosecutions that are to be launched under the Bonded Labour System (Abolition) Act 1976 and other details in the State of Karnataka.

2. I am grateful for the information furnished in the reference 2nd cited.
3. However, the Commission needs information on:
 - a. Whether the Assistant Commissioners and Tahsildars have also been empowered under Supreme Court 21 of the Act, subsequent to the Notification of the 30th March 1976 kindly sent to me in the reference 2nd cited.
 - b. A few actual judgments (copies) delivered in a few sample cases. In the unlikely event of no judgments at all being available, as mentioned by Shri. Hiremaniyavar yesterday on phone, the State Government may kindly certify that this is the position for the information of the Commission. I am also desired to say that immediate instructions need to be issued to the District Magistrates in that event to set right this anomaly in regard to prosecution as the Act clearly casts certain duties in this regard on the Magistracy and the Honourable Supreme Court is examining the implementation by the Government of Karnataka of its mandate closely.

4. It would seem that the District Magistrate, Mandya is taking unduly long to complete the case in the Hongarahalli matter. This may please be looked in to so that this long-delayed action does not end in denial of justice.

5. The Commission has expressly desired information on the stage of the case relating to the action to be taken by the Government of Karnataka against the former Public Prosecutor of Mandya and the reasons for delay.

All the above information may kindly be furnished urgently before the postponed Meeting materializes in the next few days.

Yours sincerely,

K R VENUGOPAL.

Shri V P Baligar IAS
Principal Secretary
Rural Development and Panchayati Raj
Government of Karnataka
MS Building, Dr Ambedkar Veedhi
Bangalore 560 001
Fax No: 080 2 235 3927.

23rd June 2005.

Dear Shri Baligar,

**Sub: Mandate of the Honourable Supreme Court of India in regard to the
Abolition of the Bonded Labour Practices in Karnataka**

The National Human Rights Commission, New Delhi has constituted a Team / Committee headed by Shri P C Sharma, Honourable Member, NHRC to examine the incidence of witnesses turning hostile in cases against the erring Employers under the Bonded Labour System (Abolition) Act. The First meeting of this Committee will be held on Thursday, the 7th July 2005.

2. I have been invited to attend this meeting to present all facts relating to the Hongarahalli case.

3. I propose to meet your good self in this connection for a review of the entire case including the status of the Departmental action against the former Public Prosecutor, Mandya. To understand the reasons for witnesses turning hostile in the Hongarahalli case I also propose to visit Mandya for a discussion with the District Magistrate and Superintendent of Police, Mandya. It would perhaps be useful for me to visit Mandya first and then meet your good self for our review. I propose to visit Mandya on the 28th June 2005 and meet you on the 29th June 2005.

4. I shall be obliged if you could kindly confirm that I could follow the above programme, at your earliest convenience.

Yours sincerely,
K R VENUGOPAL.

Shri V P Baligar IAS
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