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ADI DRAVIDAR AND TRIBAL
WELFARE (ADWG) DEPARTMENT,
SECRETARIAT, CHENNAI -9.

Letter No. 12973/ADWG/2016-4, Dated: 10.11.2016

From
Thiru P. Annamalai, I.A.S.
Principal Secretary to Government.

To
All Superintendents of Police,

Sir/Madam,

Sub: Adi Dravidar and Tribal Welfare Department – Bonded Labour- W.P.No. 32091/2016 filed by Ms. Roseann Rajan, Chennai – Filing of necessary documents before the trial court on Bonded Labour cases – Instructions – Issued- Regarding.

- Ref:**
1. G.O. (Ms) No. 1188, Social Welfare Dept, Dated 17.7.1987.
 2. Orders of Hon'ble High Court of Madras in W.P No. 7650 of 2013 and M.P. Nos. 1&2 of 2013 dated: 3.6.2014
 3. G.O. (D) No. 44, AD&TW Dept, Dated 23.2.2015

In the Government Order first read above, the Government issued orders conferring power upon all Revenue Divisional Officers in the State, the power of a Judicial Magistrate of first class and, on all Tahsildars in independent charge of Taluks in the State, the powers of a Judicial Magistrate of the second class, for the trial of offences under Bonded Labour System (Abolition) Act, 1976.

2. In the High Court order second cited, the Hon'ble High Court of Madras has declared Section 21 of the Bonded Labour System (Abolition) Act, 1976 is in violation of Articles 14, 21 and 50 of the Constitution of India and consequently the Government Order first cited is also quashed.

3. In the Government Order third read above, the Government have issued orders to transfer the criminal cases, along with relevant records instituted under the said Act, with the Revenue Divisional Officers to the file of the respective Jurisdictional Magistrates (Judicial Magistrates).

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4. It has been brought to the notice of the Government, that the Police officials fail to attach necessary documents, related to bonded labour cases, upon submitting their final reports to the Court, although the documents are available with the Revenue Divisional Officers/Sub-Collector, which result in the acquittal of the offenders. Therefore, I request you to instruct all the district police officials dealing with bonded labour cases to file the following vital documents before the Sessions Court:

- i. Release certificate issued by the Revenue Divisional Officer.
- ii. Enquiry forms
- iii. Executive release order.
- iv. Acquittance of initial rehabilitation amount
- v. Revenue Divisional Officer's report and
- vi. other relevant documents supporting the bonded labour issue.

5. I am also to request you to issue suitable instructions to all Police officers dealing with the cases related to offenders Bonded Labour System(Abolition) Act, 1976, in your district, to follow the above instructions scrupulously.

6. I further request you to send a periodical report in this regard to the Director of Adi Dravidar Welfare, Chennai-5, who is the Member-Secretary of High Level Monitoring Committee for the Abolition of Bonded Labour System.

7. This may be treated as 'Most Immediate'.

Yours faithfully,

[Handwritten Signature] 10/11/16

for Principal Secretary to Government.

65/20
10.11.16

Copy to:-

The Principal Secretary to Government,
Home Department, Secretariat,
Chennai-9.

The Director General of Police,
Chennai-4

The Additional Director General of Police(Law and Order),
Chennai-4.

The Additional Director General of Police (Social Justice and Human Rights),
Chennai-4.

The Director,
Adi Dravidar Welfare, Chennai-5.