

OFFENCES IN BONDED LABOUR TRAFFICKING CASES

s. no	SECTION	OFFENCE	PUNISHMENT	BAIL ABLE	COGNI ZABLE
BONDED LABOUR SYSTEM ABOLITION ACT, 1976					
1	Section 9 (2)	Whoever accepts any payment from a labourer for a bonded debt	3 years and fine	Yes	Yes
2	Section 16	Whoever compels any person to provide bonded labour	3 years and Rs. 2,000 fine	Yes	Yes
3	Section 17	Whoever advances a bonded debt (A bonded debt is an advance obtained, or presumed to have obtained under or in pursuance of a bonded labour system.)	3 years and Rs. 2,000 fine	Yes	Yes
4	Section 18	Whoever enforces any custom, tradition, contract or agreement requiring any person to work under a bonded labour system	3 years and Rs. 2,000 fine	Yes	Yes
5	Section 19	Whoever fails to restore any property of a bonded labourer	1 year and/or Rs. 1,000 fine	Yes	Yes
INDIAN PENAL CODE					
6	370(2)	Trafficking	7 years to 10 years and fine	No	Yes
7	370 (3)	Trafficking of more than one person	10 years to life and fine	No	Yes
8	370 (4)	Trafficking of a minor	10 years to life and fine	No	Yes
9	370 (5)	Trafficking of more than one minor at the same time	14 years to life and fine	No	Yes
10	370 (6)	Trafficking of minor on more than one occasion	Life and fine	No	Yes
11	370 (7)	When public servant is involved in trafficking	Life and fine	No	Yes

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12	Sec 367	Kidnapping / Abducting	10 years and fine	No	Yes
13	Section 371	Habitual dealing of slaves	10 years and fine	No	Yes
14	Sec 374	Unlawful Compulsory Labour	One year of imprisonment and/or fine	Yes	Yes
15	Sec 506	Criminal Intimidation	7 years imprisonment and/or a fine	Yes	No
16	Sec 323	Voluntarily causing hurt	1 year imprisonment and/or a fine	Yes	No
17	Sec 325	Voluntarily Causing Grievous Hurt	7 years imprisonment and a fine	No	Yes
18	Sec 327	Voluntarily Causing Hurt to Extort Property or to Constrain to an Illegal Act Criminal Intimidation	10 years imprisonment and a fine	No	Yes
19	Sec 352	Assault or Criminal Force	3 months imprisonment and /or a fine upto Rs. 500	Yes	No
20	Sec 357	Assault or Criminal Force in Attempt to Wrongfully Confine a Person	1 year of imprisonment and/or a fine upto Rs 1000	Yes	Yes
21	Sec 341	Wrongful restraint	1 year and/or fine	Yes	Yes
22	Sec 344	Wrongful Confinement for 10 or more days	3 years imprisonment and a fine	Yes	Yes

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OFFENCES UNDER THE SCHEDULED CASTES AND THE SCHEDULED TRIBES (PREVENTION OF ATROCITIES) ACT, 1989					
23	S. 3(1)(vi)	Compelling or 'enticing' an SC/ST member to do 'begar' or any other forms of bonded labour	6 months – 5 years and a fine	No	Yes
24	S. 3(1)(x)	Intentionally insults or intimidates with intent to humiliate a member of the SC/ST in public view	6 months – 5 years and fine.	No	Yes
25	S. 3(1)(xi)	Assaulting or using any force on any SC/ST women with intent to outrage her modesty	6 months – 5 years and a fine	No	Yes
26	S.3(1)(xv)	Forcing or causing an SC/ST member to leave his house or village	6 months – 5 years and fine	No	Yes
27	S.3(2)(v)	Offence committed under IPC which is punishable with a term of imprisonment of 10 years or more against a person or property of a person on grounds that the person belongs to an SC/ST or property belongs to such person	Imprisonment for life and fine.	No	Yes
OFFENCES UNDER INTER-STATE MIGRANT WORKMEN (REGULATION OF EMPLOYMENT AND CONDITIONS OF SERVICE) ACT, 1979					
28	Section 6	Principal employers are prohibited against employing inter-state migrant workmen without registration.	Upto 1-year and/or fine upto Rs.1000/-	Yes	No
29	Section 25	Any contravention of the provisions of the act/rules regarding employment of inter-state migrant workmen	Upto 1 year and/or fine upto Rs.1000	Yes	No
30	Section 26	Any contravention of the provisions under the act/rules for which no penalty is provided	Upto 2 years and/or fine upto Rs.2000	Yes	No

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OFFENCES UNDER JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000					
31	Section 23	<ul style="list-style-type: none"> • Assaults/abandons/exposes/willful neglect of a child or juvenile or • Causes or procures the child/juvenile to be assaulted, abandoned, exposed and neglected in a manner that cause mental and/or physical harm suffering 	6 months and/or fine	Yes	Yes
32	Section 24 (1)	Employment or using a juvenile/child for the purpose or cause any juvenile to beg	Upto 3 years and/or fine	Yes	Yes
33	Section 24 (2)	Abetment for commission of offence under Section 24(1)	Upto 1 year and/or fine	Yes	Yes
34	Section 25	Giving intoxicating liquor or narcotic drug or psychotropic substance to juvenile/child	Upto 3 years and/or fine	Yes	Yes
35	Section 26	Procurement of a child or juvenile for the purpose of any hazardous employment	Upto 3 years and/or fine.	Yes	Yes
OFFENCES UNDER MINIMUM WAGES ACT, 1948					
36	Section 22	Payment of wages less than the minimum rate fixed for the employee's class of work	Upto 6 months term and/or fine upto Rs.500	Yes	No
OFFENCES UNDER THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986					
37	Section 14 (1)	Employment/Permission of employment of children to work in contravention of the provisions of section 3	3 months – 1 year imprisonment and/or with fine of upto Rs.20,000/-	Yes	No
38	Section 14(2)	Repeated Offence of Section 3	3 months – 2 years imprisonment	Yes	No
39	Section 3	"No child shall be employed or permitted to work in any of the occupations set forth in Part A of the Schedule or in any workshop wherein any processes set forth in Part B of the Schedule is carried on "			

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40	Section 14 (3)	Violation of sections- 3, 9, 11, 12 of the act setting out regulations Section 9 : Notice to Inspector Section 11 : Maintenance of register Section 12: Display of notice containing abstract of sections 3 and 14	Upto 1 month and/or fine of upto Rs.10,000	Yes	No