



The Sindh Government Gazette

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PART-IV

**PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 28TH JUNE, 2016.**

NO.PAS/Legis-B-33/2015-The Sindh Bonded Labour System (Abolition) Bill, 2015 having been passed by the Provincial Assembly of Sindh on 29th April, 2016 and assented to by the Governor of Sindh on 21st June, 2016 is hereby published as an Act of the Legislature of Sindh.

THE SINDH BONDED LABOUR SYSTEM (ABOLITION) ACT, 2015.

SINDH ACT NO. XX OF 2016.

**AN
ACT**

to provide for the abolition of bonded labour system in the Province of Sindh.

WHEREAS clause (2) of Article 11 of the Constitution of the Islamic Republic of Pakistan prohibits all forms of forced labour.

AND WHEREAS it is necessary to provide for abolition of bonded labour system with a view to prevent the economic and physical exploitation of the labour class in the Province of Sindh and for matters connected therewith or incidental thereto;

Preamble.

1. (1) This Act may be called the Sindh Bonded Labour System (Abolition) Act, 2015.

**Short title,
extent and
commencement.**

(2) It shall extend to the whole of the Province of Sindh.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context -

- (a) "advance (peshgi)" means an advance (peshgi) whether in cash or in kind or partly in cash or partly in kind, made by one person (hereinafter referred to as the creditor) to another person (hereinafter referred to as the debtor);
- (b) "bonded debt" means an advance (peshgi) obtained or presumed to have been obtained by a bonded labourer under or in pursuance of, the bonded labour system;
- (c) "bonded labour" means any labour or service rendered under the bonded labour system;
- (d) "bonded labourer" means a labour who incurs, or has, or is presumed to have, incurred, a bonded debt;
- (e) "bonded labour system" means the system of forced, or partly forced labour under which a debtor enters, or has, or is presumed to have entered into an agreement with the creditor to the effect that -
 - (i) in consideration of an advance (peshgi) obtained by him or by any of the members of his family (whether or not such advance (peshgi) is evidenced by any document) and in consideration of the interest, if any, due on such advance (peshgi); or

- (ii) in pursuance of any customary or social obligation; or
- (iii) for any economic consideration received by him or by any of the members of his family; he would -

(1) render, by himself or through any member of his family, or any person dependent on him, labour or service to the creditor or for the benefit of the creditor, for a specified period or for an unspecified period or without wages or for nominal wages; or

(2) forfeit the freedom of employment or adopting other means of livelihood for a specified period or for an unspecified period; or

(3) forfeit the right to move freely from place to place; or

(4) forfeit the right to appropriate or sell at market value any of his property or product of his labour or the labour of a member of his property or any person dependent on him, and includes the system of forced, or partly forced, labour under which a surety for a debtor enters, or has or is presumed to have, entered, into an agreement with the creditor to the effect that in the event of the failure of the debtor to repay the debt, he would render the bonded labour on behalf of the debtor.

- (f) "family" means –
- (i) in the case of a male bonded labourer, the wife or wives, and in the case of a female bonded labourer, the husband of the bonded labourer, and
 - (ii) the parents, children, minor brother, and unmarried, divorced or widowed sisters of the bonded labourer wholly dependent on him;
- (g) "Government" means the Government of Sindh;
- (h) "nominal wages" in relation to any labour, means a wage which is less than –
- (i) the minimum wages fixed by Government in relation to the same or similar labour, under any law for the time being in force; and
 - (ii) where no such minimum wage has been fixed in relation to any form of labour, the wages that are normally paid for the same or similar labour, to the labourers working in the same locality; and
- (i) "prescribed" means prescribed by rules;
- (j) "rules" means rules made under this Act.

3. The provisions of this Act shall have effect notwithstanding anything contained in any other law, for the time being in force, or in any instrument having effect by virtue of any such law. **Act to override other laws, etc.**
4. (1) On the commencement of this Act, the bonded labour system shall stand abolished and every bonded labourer shall stand freed and discharged from any obligation to render any bonded labour. **Abolition of bonded labour system.**
 (2) No person shall make any advance under, or in pursuance of, the bonded labour system or compel any person to render any bonded labour or other form of forced, labour.
5. Any custom or tradition or practice or any contract, agreement or other instrument, whether entered into or executed before or after the commencement of this Act, by virtue of which any person, or any member of his family, is required to do any work or render any service as a bonded labourer, shall be void and inoperative. **Agreement, custom, etc, to be void.**
6. (1) On the commencement of this Act, every obligation of a bonded labourer to pay or repay bonded debt or such part of any bonded debt as remains unsatisfied immediately before such commencement, shall stand extinguished. **Liability to repay bonded debt to stand extinguished.**

