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***IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1011/2018 & CRL.M.A. 6284-6285/2018

NIRMAL GORANA

..... Petitioner

Through : Ms. Aditi Gupta, Adv.

versus

GOVT OF NCT OF DELHI & ORS Respondents

Through : Mr. Gautam Narayan, ASC,
GNCTD with Ms.
Mahamaya Chatterjee, Adv.
for R-1 to 5.

Mr. Rahul Mehra, Standing
Counsel (Crl.) for GNCTD
with Mr. Chitanya Gosain,
Adv. for R-7, 9, 10 & 13.

Ms. Monika Arora, Mr.
Harsh Ahuja and Mr. Kushal
Kumar, Advs. for UOI/R-12.

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

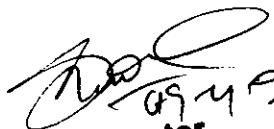
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1. This writ petition makes a grievance that despite rescue of children engaged as child bonded labourers and FIR No.0574 dated 23rd December, 2016 at Police Station Moti Nagar 0257 dated 17th August, 2017 at Police Station Ranjit Nagar having been

W.P.(CRL) 1011/2018

page 1 of 4


09.04.2018
Court Master
High C of Delhi
New Delhi

registered, no action at all has been taken by the respondents. The writ petitioner submits that this is in violation of the statutory mandate as contained in :

- (i) Child Labour (Prohibition and Regulation) Act, 1986 (*Sections 3 & 14*);
- (ii) Juvenile Justice (Care and Protection of Children) Act, 2010 (*Section 23*);
- (iii) Bonded Labour System (Abolition) Act, 1976 (*Section 16*);
- (iv) Articles 23 and 24 of the Constitution of India;
- (v) Indian Penal Code, 1860 (*Section 370*).

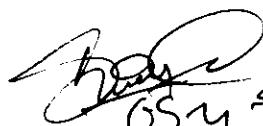
2. In addition, the writ petitioner complains of violation of the stringent responsibility of the respondents to enforce the Bonded Labour Rehabilitation Scheme, 2016.

3. The petitioner makes a serious allegation that despite the identity of persons accused of commission of such serious offences, the respondents have not moved a step towards completion of investigation, filing of chargesheet and arresting the accused persons.

4. The petitioner has additionally made a grievance that the respondents are not working the Bonded Labour Rehabilitation Scheme, 2016 and that no compensation has been released to the rescued victims.

5. We accept the oral request made by Id. counsel for the petitioner and direct impleadment of Union of India through
W.P.(CRL) 1011/2018

page 2 of 4


09/11/2018
Court Master
High Court of Delhi
New Delhi

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Secretary, Ministry of Labour; Commissioner of Police and Delhi State Legal Services Authority (DSLISA) herein as party respondent nos. 12 to 14 respectively.

6. Amended memo of parties shall be filed by the petitioner within one day from today.

7. Issue notice to the respondents.

8. Mr. Gautam Narayan, Additional Standing Counsel accepts notice on behalf of the respondent nos. 1 to 5. Mr. Rahul Mehra, Standing Counsel (Criminal) accepts notice on behalf of the respondent nos. 7, 9, 10 and 13. Ms. Monika Arora, Advocate accepts notice on behalf of the respondent no. 12.

9. Upon taking steps by the petitioner, notice shall be issued for the service of respondent nos. 6, 8, 11 and 14.

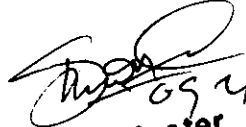
10. Ld. counsel for the petitioner shall ensure that a copy of the writ petition is made available to all ld. counsels in this matter.

11. Ld. counsel for the petitioner has also incorrectly described the respondent no. 11 as Labour Commissioner. Let the correct and complete particulars of respondent no. 11 be filed in the amended memo of parties.

12. Let a status report be filed by the newly added respondent no. 13 before us regarding the aforesaid FIRs. The respondent no. 13 shall also place a list of all cases registered by the police in the last five years with regard to bonded labour, especially of child victims who have been treated as bonded labourers.

W.P.(CRL) 1011/2018

page 3 of 4


05/11/2018
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13. The Government of NCT of Delhi as well as Union of India shall file status reports setting out all available schemes regarding child labourers and their working.

14. We also direct the Member Secretary, DSLSA to look into this matter and proceed in accordance with law.

15. We are informed that a similar writ petition being W.P.(C)No.9744/2017 is listed on 24th April, 2018.

16. List this petition also on 24th April, 2018 along with W.P.(C)No.9744/2017.

Dasti under signatures of the Court Master.

Sd/-

ACTING CHIEF JUSTICE

Sd/-

C.HARI SHANKAR, J

APRIL 09, 2018

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Attested true copy
24.4.2018
Court Master
High Court of Delhi
New Delhi