

(1991) 4 Supreme Court Cases 174
(Before Ranganath Misra, C.J. and M. M. Punchhi and
S.C. Agarwal, J. J.)

Bandhua Mukti Morcha _____ Petitioner
Versus
Union of India and others _____ Respondents

Writ petition No. 2135 of 1982 decided on 21.02.99

Background of the case:

By the judgement dated 16.12.83 the apex Court had issued certain directions and had appointed Mr. Lakshmidhar Mishra, the then Director General (Labour Welfare) to investigate and submit a report to the Court keeping the 21 directives issued by the latter in view. Subsequently, on a petition for contempt at the instance of the petitioner, Dr. Mahaveer Jain of the Faculty of the National Labour Institute was appointed to inquire into the measures and report on the extent to which the Court directives had been implemented. He was asked to present to the Court after making a proper assessment and reach a conclusion as to whether the directions were being implemented or some other course was necessary to be adopted.

Observations and directions of the apex Court:

- There is discrepancy in assessment of the magnitude of the problem of bonded labour in the Stone quarries of Faridabad in Haryana State. While the petitioner - Swamy Agnivesh put the number at 3993 the Government of Haryana put it at 544 as on 30.11.90.
- With a view to removing the discrepancy, the apex Court directed that a Committee should be set up with Director General, Labour Welfare of the Union Government or a very senior officer from that establishment, the Chief Judicial Magistrate, Faridabad, Mrs. Raju Ramachandran, an advocate of the Supreme Court with social service background, an officer from the Haryana Government not below the rank of Additional District Magistrate and Swami Agnivesh representing the petitioner. Mr. Rohatgi or his

nominee Advocate appearing for the brick kiln owners would be permitted to associate himself in the activities of the Committee.

The Committee shall within 6 weeks from now i.e. 21.02.91 check up the particulars provided in the list by the petitioner, identify the persons claimed to have been bonded labourers and collect all relevant materials in respect of them so as to assist this Court to make further directions in terms of the requirement of the scheme to rehabilitate them.

The report of the Committee should reach the Registry of the apex Court within 8 weeks. The matter shall be placed for further hearing on the basis of the report after it has been circulated to the parties.

The State of Haryana is directed to deposit in the Registry a sum of Rs. 20,000 within 3 weeks from now to meet the expenses of the Committee.

The Haryana officer shall act as the Convener of the Committee and be responsible for arrangements.