

SUREME COURT OF INDIA

Santhal Pargana Antyodaya Ashram

Vs.

State of Bihar

(P Bhagwati and K Singh JJ.)

19.12.1986

ORDER

1. We have gone through the report made by the Saxena . Committee appointed by us. We deeply appreciate the tremendous effort made by Shri Saxena and his colleagues in investigating into the existence of bonded labourers in Mohanpur and Deoghar Blocks of Deoghar district and Saraiyahat Block of Dumka District and submitting a detailed and comprehensive report to the Court. The report of the Saxena Committee discloses that there are large number of bonded labourers in these areas and the Saxena Committee has been able to identify 2515 out of 3143 such bonded labourers, We accept the report of the Saxena Committee and proceed to give the following directions:

1. All the labourers who have been found to be bonded by Saxena, Committee may be directed to be released within two weeks from the date of this Order and on their being released the concerned Collector will issue forthwith a certificate to each of them certifying that ho or she is a bonded labourer and has been released from bondage. These certificates shall be issued by the concerned Collector and handed-over to the bonded labourers simultaneously with their release. These bonded labourers, on making the necessary ; application to the State Government through the concerned Collector shall be paid a sum of Rs. 3000/- each by way of interim relief, and such payment shall be made by the concerned Collector to them, in the following manner:

Rs. 500/- simultaneously with the release and the balance within two weeks from the date of release. We may point out that the number of bonded labourers, identified by the Saxena Committee and directed to be released by us, under this Order, is 2515, as per the report of the Saxena Committee.

2. So far as these 2515 bonded laborers are concerned, they must, on their release be rehabilitated by the Slate Government on a permanent basis and the rehabilitation programme should be implemented immediately in respect of those persons and its Implementation need not wait on account of the pendency of the present proceeding in this Court. The State Government will submit within two weeks from the date of receipt of this order, a report setting out the permanent rehabilitation programme evolved by the State Government for rehabilitation of the bonded labourers and particularly the bonded labourers freed by us under this Order so that this Court may be able to scrutinise the rehabilitation programme and approve of it with or without modifications with a view to giving appropriate directions for its implementation.

3. The other recommendations contained in the Saxena Committee Report shall be implemented as far as possible within one month from the date of receipt of this order by the State Government.
4. The State Government and/or the concerned Collector will carry out all the obligations under the Bonded Labour, System (Abolition) Act 1976 and submit a report to this Court of having done so within two months from today.
5. The writ petition will stand adjourn to 3rd March 1987 for considering whether the directions given by this Order have been carried out or not and for this purpose the State Government and or the concerned Collector shall submit a report to this Court on or before 20th February 1987.