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

\+ W.P.(C) 9744/2017

WALTER KERKETTA

..... Petitioner

Through: Mr. Abhishek, Adv. with Mr. Jatin Sharma, Ms. Ruchi & Mr. Anshuman, Advs.

versus

SUB-DIVISIONAL MAGISTRATE-DELHI SOUTH EAST DIST. & ORS

..... Respondent

Through: Ms. Bharathi Raju, CGSC with Ms. Saakshi Agrawal, GP for UOI Mr. Gautam Narayan, ASC for GNCTD with Ms. Mahamaya Chatterjee & Ms. Shivani Vij, Advs.

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE V. KAMESWAR RAO

O R D E R

% 14.08.2018

1. In pursuance of the order passed on July 04, 2018 with regard to implementation of the Standard Operating Procedure, status report has been filed by the counsel representing the Govt. of NCT of Delhi, which indicates that the Operating Procedure has been implemented and various aspects connected thereto are being monitored and implemented by the Competent Authority. However, learned counsel appearing for the petitioner invites our attention to Clauses at A-1 and A-3 of the Standard Operating Procedure, which read as under and points out that the status report does not

deal with following two aspects of the matter.

> *"A. PRE-RESCUE PROTOCOL*
>
> *1. The DM / SDM should ensure that the forms at Annexure-I and Annexure-II are made available to all the officers involved in the inquiry and rescue of the labourers. [Such officers will include officials from the DM/SDM office, Labour Department, Police Department and Child Welfare Committee].*
>
> *XXXX XXXX XXXX*
>
> *3. The information received by the DM/SDM pertaining to a situation of bonded labour, whether from an NGO or other source, must be kept strictly confidential and the rescue should be done within 24 to 48 hours so as to prevent a tip-off to the accused employers."*

2. We direct the Competent Authority to ensure, if not already done, that a procedure for implementing aforesaid two procedures is contemplated in the Operating Procedure, are brought into place and implemented. Needless to emphasise that in case of any default in implementing Clause A-3 as decided hereinabove, the petitioner shall be at liberty to bring this fact to the notice of the Court for taking consequential action.

3. Petition stands disposed of.

THE CHIEF JUSTICE, J

V. KAMESWAR RAO, J

AUGUST 14, 2018*/ak*