

216

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CRWP-11055-2021

Date of decision:10.12.2021

KANNU

...Petitioner

Versus

THE STATE OF PUNJAB AND OTHERS

...Respondents

**CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR**

Present: Mr. Chander Shekhar Singhal, Advocate  
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

\*\*\*\*

**SURESHWAR THAKUR, J. (ORAL)**

1. A perusal of reply filed on affidavit, to the petition, by District Magistrate, Jalandhar, reveals that for non-maintenance of records, with respect to liquidation of wages to the labourers employed, at the brick kiln concerned, by the owner thereof, a presumption became drawn that they were forced into labour. Consequently, it is also detailed in the reply, that a summary trial, under the Code of Criminal Procedure, 1973, was drawn against Rajesh Kumar and Som Nath, and, on conclusion thereof, they were found guilty, under Section 16 of The Bonded Labour Act, 1976. Thereafter, the reply on affidavit, discloses that the Court of the SDM Nakodar, pronounced sentence of imprisonment, as well as fine, in a sum of Rs.2,000/- on each of the accused. A copy of the apposite order is annexed in the reply as Annexure R-2/2.

2. A reading of reply also discloses, that for violation of the provisions carried in the Minimum Wages Act, 1948, and, of the Payment of Wages Act, 1936, besides of the Interstate Workmen Act, 1979, and, of

National Festival of Holidays Act, 1965 the owner of the brick kiln concerned, has been proceeded against, in accordance with law.

3. Moreover, the release certificate has also been drawn, by the SDM, Nakodar in favour of Satish son of Kantu, Upasna wife of Vishal, Vishal son of Ved Pal, Komal daughter of Satish, Aadesh son of Satish, Arjun son of Satish. Moreover since, all above expressed their desire, to leave for their native place, thereupon, the SDM concerned, has made arrangements for their apposite repatriation of the afore, in accordance with the procedure as established by law. Renditions of outstanding payment towards the wages of the labourers concerned, as carried in a sum of Rs.20,000/- per labour, has been asked to be paid by the SDM Nakodar, from the office of the Assistant Labour Commissioner, District Jalandhar. The aforemade labour beneficial steps as undertaken by all concerned, are appreciated.

4. The learned counsel for the petitioner, hence seeks permission that the petition be accordingly disposed of.

5. Permission granted.

**(SURESHWAR THAKUR)**  
**JUDGE**

10.12.2021

Ithlesh

Whether speaking/reasoned:-  
Whether reportable:-

Yes/No  
Yes/No