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2026 INSC 1185

REPORTABLE

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

WRIT PETITION (CIVIL) NO. 511 OF 2022

SURENDRA MANJHI & ANR. ...PETITIONERS

VERSUS

UNION OF INDIA & ORS. ...RESPONDENTS

WITH

WRIT PETITION (C).....D. NO. 32325 OF 2026

J U D G M E N T

VIKRAM NATH, J.

1. The prohibition of bonded labour is among the most fundamental assurances of human dignity embodied in our Constitution. Freedom from bondage, however, cannot be secured by the act of rescue alone. Unless such freedom is accompanied by timely financial assistance and meaningful rehabilitation, those released from exploitation may find themselves compelled by economic necessity to return to the very conditions from which the law sought to protect them. The obligation of the State, therefore, extends beyond securing their physical liberty to ensuring that such liberty is meaningful, enduring and accompanied by the means to lead a life of dignity.

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2. The present proceedings arise from two writ petitions instituted under Article 32 of the Constitution of India (hereinafter referred to as the "Constitution"), raising concerns regarding the identification, rescue, release and rehabilitation of bonded labourers across the country. The first petition, being Writ Petition (Civil) No. 511 of 2022, was instituted by Surendra Manjhi, himself a survivor of bonded labour, seeking enforcement of the constitutional and statutory obligations of the concerned authorities under the Bonded Labour System (Abolition) Act, 1976 (hereinafter referred to as the "Act") and the applicable rehabilitation scheme. The petition particularly highlights the delays in providing immediate financial assistance to rescued bonded labourers and the deficiencies in the institutional mechanisms responsible for their identification and rehabilitation.

3. The connected Writ Petition (Civil) Diary No. 32325 of 2026 has been instituted by the National Campaign Committee for the Eradication of Bonded Labour and others, raising broader concerns regarding the continued prevalence of bonded labour and the ineffective implementation of the statutory framework intended for its eradication. The petition seeks, inter alia, the establishment of uniform and enforceable procedures for identification, rescue and rehabilitation, effective coordination between the States and Union Territories, and appropriate mechanisms for monitoring compliance with the obligations imposed by law.

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4. Both petitions thus raise issues which, though arising from different circumstances, concern a common constitutional obligation to ensure that persons subjected to bonded labour are not merely released from exploitation but are afforded effective protection and rehabilitation thereafter. At the present stage, we consider it appropriate to address certain immediate and systemic concerns requiring the intervention of this Court, particularly those relating to uniformity in implementation, timely disbursement of financial assistance and coordination among the authorities concerned.

FACTUAL BACKGROUND

5. The first writ petition arises from the circumstances in which the petitioner, Surendra Manjhi, was rescued along with several other bonded labourers from a brick kiln in District Shahjahanpur, Uttar Pradesh, on 28.02.2019. The labourers had been taken from their native districts in Bihar to Uttar Pradesh on the pretext of repayment of a bonded debt and were allegedly subjected to exploitative working conditions. Following their rescue, they were repatriated to Bihar and issued release certificates by the concerned authorities.

6. Despite their release, several labourers did not receive the immediate financial assistance contemplated under the Central Sector Scheme for Rehabilitation of Bonded Labourers (hereinafter referred to as the "Rehabilitation Scheme"). The petitioner himself received such assistance only in 2022, nearly three years after his rescue. In the rejoinder filed before

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this Court, it was specifically asserted that out of 42 labourers who had been issued release certificates, only 25 had received immediate financial assistance of Rs. 20,000/- (Rupees Twenty thousand only) each, while the remaining 17 continued to await payment.

7. The material on record also reveals difficulties arising from the involvement of different State authorities in the process of rescue and rehabilitation. In particular, the State of Bihar has highlighted instances where release certificates issued by authorities in Uttar Pradesh were not in the prescribed format, resulting in difficulties in processing rehabilitation assistance.

8. During the pendency of these proceedings, this Court, by order dated 19.09.2022, observed that compensation which was payable could be released in the meanwhile. Thereafter, by order dated 30.08.2024, this Court took note of the submissions made on behalf of the National Human Rights Commission (hereinafter referred to as the "NHRC") regarding the formulation of a concrete proposal to address the difficulties concerning immediate financial assistance to rescued bonded labourers.

9. By a subsequent order dated 21.11.2024, this Court expressed serious concern regarding the substantial number of rescued bonded labourers who had not received financial assistance. The Court directed the Secretary, Ministry of Labour and Employment, Government of India, to convene a meeting with the concerned authorities of all States and Union Territories to formulate a proposal addressing inter-State trafficking,

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issuance of release certificates and a simplified procedure for disbursement of immediate financial assistance. The Union of India was also directed to involve the NHRC in finalising the proposed procedure.

10. When the matter was taken up on 21.04.2026, the learned Attorney General for India placed before this Court a note reflecting the steps undertaken by the concerned Ministry and the status of the Rehabilitation Scheme. This Court directed the Secretary, Ministry of Labour and Employment, to file an affidavit indicating the action taken and such further directions as may be required from this Court. Pursuant thereto, the Union of India filed its compliance affidavit dated 15.05.2026.

11. In the meantime, Writ Petition (Civil) Diary No. 32325 of 2026 came to be instituted, raising broader concerns regarding the implementation of the Act and the rehabilitation framework. By order dated 18.08.2026, the said petition was directed to be tagged with Writ Petition (Civil) No. 511 of 2022. Both matters are accordingly being considered together.

CONSTITUTIONAL AND STATUTORY FRAMEWORK

12. Article 23 of the Constitution expressly prohibits trafficking in human beings, begar and other similar forms of forced labour. This prohibition, read with the guarantee of life and personal liberty under Article 21, imposes a positive obligation upon the State to protect individuals from exploitation and secure their right to live with dignity. Article 24 further prohibits the

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employment of children below the age of fourteen years in factories, mines and other hazardous employment.

13. The Act was enacted to give effect to these constitutional guarantees by abolishing the bonded labour system and preventing the economic and physical exploitation of vulnerable sections of society. Section 4 abolishes the bonded labour system and releases every bonded labourer from the obligation to render such labour. Sections 5 and 6 of the Act further provide for the extinguishment of agreements and liabilities arising from bonded debts. The Act also establishes a statutory framework for its implementation. Sections 10 to 12 of the Act confer responsibilities upon the State Governments and the District Magistrates to ensure enforcement of its provisions, inquire into the existence of bonded labour and take necessary measures for its eradication. Sections 13 and 14 of the Act provide for the constitution and functioning of Vigilance Committees at the district and sub-divisional levels. Their functions include advising the authorities on implementation of the Act, facilitating the economic and social rehabilitation of released bonded labourers and identifying violations requiring appropriate action. These committees, therefore, constitute an important institutional mechanism for ensuring that the protections contemplated under the Act reach their intended beneficiaries.

14. The statutory framework is supplemented by the Rehabilitation Scheme, which provides for immediate financial

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assistance and other rehabilitative measures for released bonded labourers. The purpose of such assistance is to address their immediate needs and facilitate their reintegration into society. Its effectiveness necessarily depends upon timely implementation by the authorities concerned.

15. This Court has consistently recognised that the constitutional obligation towards bonded labourers does not conclude with their release. In ***Bandhua Mukti Morcha v. Union of India***[1] and ***Neeraja Chaudhary v. State of Madhya Pradesh***[2]**,** this Court emphasised that identification, release and rehabilitation are interconnected obligations. Mere liberation from bondage, without adequate arrangements for rehabilitation, would fail to secure the constitutional guarantees under Articles 21 and 23 of the Constitution.

16. The principles emerging from these decisions make it clear that the duty to eradicate bonded labour must be understood as a continuing obligation. The effectiveness of the statutory protections depends not merely upon their existence, but upon their implementation in a manner that secures timely relief, meaningful rehabilitation and protection against a return to conditions of exploitation.

CONSIDERATION AND REASONS

17. We have heard learned counsel appearing for the parties and considered the material placed on record. The principal

[1] *(1984) 3 SCC 161*
[2] **(1984) 3 SCC 243**

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concern arising in these proceedings is not the absence of a statutory framework, but the difficulties encountered in its effective implementation. The constitutional prohibition against bonded labour and the statutory measures enacted to enforce it cannot remain mere assurances on paper. **The release of a bonded labourer cannot be treated as the completion of the State's obligation when the conditions necessary for a life of dignity remain unfulfilled.** Identification, release and rehabilitation must therefore be understood as interconnected stages of a continuing constitutional responsibility.

18. The importance of timely rehabilitation cannot be overstated. A person released from bonded labour is often left without an independent source of livelihood and remains vulnerable to further exploitation. Financial assistance intended to address immediate needs loses much of its purpose when its disbursement is delayed for months or years. The circumstances of the first petitioner illustrate this difficulty. Although rescued in 2019, he received immediate financial assistance only in 2022. It was also submitted on the last hearing of this matter that 17 labourers who were rescued alongside him had still not received their financial assistance. These circumstances demonstrate that **rehabilitation delayed may, in substance, amount to rehabilitation denied.**

19. The difficulties become more pronounced where bonded labourers are rescued in a State other than their State of

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origin. In such cases, delays in issuing release certificates, transmitting records and processing rehabilitation benefits frequently arise from inadequate coordination between the concerned authorities. We are of the view that the entitlement of a rescued labourer cannot be made dependent upon differences in administrative practices or jurisdictional arrangements between States. A uniform procedural framework, prescribing definite timelines and clearly identifying the responsibilities of the concerned authorities, is therefore necessary to ensure consistency and accountability throughout the country.

20. Uniformity, however, must extend beyond the prescribed forms and administrative procedures. The process must also be accessible to the persons for whose benefit it has been established. Rescued labourers may be unfamiliar with the language spoken in the State where they are identified or with the procedures undertaken by the authorities. Their statements must therefore be recorded with appropriate safeguards, and information concerning their release, entitlements and rehabilitation must be communicated in a language they understand. Particular sensitivity is required where children are concerned. **A procedure intended to protect vulnerable persons must be capable of being understood and effectively accessed by them.**

21. We must also emphasise the distinction between the rehabilitation of a bonded labourer and the prosecution of those responsible for the exploitation. Criminal proceedings

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are necessary to enforce the penal provisions of the Act and secure accountability. Immediate financial assistance, on the other hand, is intended to address the urgent needs of the person who has been released. Subject to the requisite identification and verification under the applicable framework, such assistance ought not to be withheld merely because investigation or criminal proceedings remain pending. Equally, the statutory responsibilities entrusted to District Magistrates, Vigilance Committees and other authorities must be accompanied by effective monitoring, regular reporting and mechanisms for addressing delays.

22. Before proceeding further, we consider it appropriate to acknowledge the constructive manner in which the present proceedings have progressed. **This is not adversarial litigation in the conventional sense.** The petitioners, the Union of India, the concerned States and other stakeholders share the common constitutional objective of eradicating bonded labour and ensuring the rehabilitation of those released from exploitation. The present proceedings also offer a meaningful illustration of the purpose underlying Article 32 of the Constitution. The jurisdiction of this Court is not confined to redressing individual violations of fundamental rights, but may, in appropriate cases, facilitate the removal of systemic deficiencies which prevent constitutional guarantees from being effectively realised. The constructive engagement between the State and civil society in the present matter demonstrates the value of this constitutional remedy.

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23. At the same time, we are conscious that the primary responsibility for implementing the Act and the Rehabilitation Scheme rests with the authorities entrusted with those obligations. The object of judicial intervention is not to supplant the executive in the discharge of its statutory functions, but to ensure that the existing framework operates effectively and in conformity with constitutional guarantees. It is in this spirit that we consider it necessary to issue appropriate directions aimed at securing uniformity in implementation, timely financial assistance, effective inter-State coordination and accountability at every stage of the rehabilitation process.

OPERATIVE DIRECTIONS

24. We have considered the compliance affidavit dated 15.05.2026 filed by the Union of India, the suggestions subsequently submitted by Petitioner No. 2, Bachpan Bachao Andolan and the submissions advanced by the learned Attorney General for India Mr. R. Venkatramani and the counsel for the Petitioners Mr. Abhishek Jebaraj and Ms. Sanjana Grace Thomas. Having regard to the measures proposed and the considerations discussed above, we deem it appropriate to issue the following directions to ensure uniform and effective implementation of the Act and the Rehabilitation Scheme:

25. **Uniform Implementation:** The Union of India shall ensure uniform implementation throughout the country of the revised Standard Operating Procedure dated 14.05.2026, as referred

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to in its compliance affidavit (hereinafter referred to as the "SOP"). All States and Union Territories shall take necessary steps to implement the SOP and comply with the directions issued hereunder within six months from the date of this order. The Union of India shall issue necessary supplementary guidelines, in consultation with the NHRC, within three months. The period prescribed for implementation shall not affect any existing statutory obligation or entitlement under the Rehabilitation Scheme.

26. **Identification and Release:** The uniform procedure shall provide for prompt verification of complaints concerning bonded labour, ordinarily within 24 hours, followed by expeditious rescue wherever warranted. Upon identification of bonded labour, the competent authority shall undertake the necessary inquiry without delay and ordinarily issue the release certificate within 24 hours of such determination. Statements shall be recorded with appropriate safeguards, and the release certificates and information concerning rehabilitation entitlements shall be made available in a language understood by the rescued persons. The Union of India shall also prescribe a uniform format for release certificates, which shall be recognised by all States and Union Territories, so that differences in administrative requirements do not obstruct the rehabilitation of rescued labourers.

27. **Financial Assistance and Rehabilitation:** Immediate financial assistance admissible under the Rehabilitation Scheme shall ordinarily be disbursed within seven days of

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issuance of the release certificate, subject to necessary verification. The concerned authorities shall prepare an individual rehabilitation plan and initiate the applicable rehabilitation measures within 90 days of rescue. Immediate assistance shall not be withheld merely because investigation or criminal proceedings remain pending, where the requirements of the applicable scheme are otherwise satisfied.

28. **Revision of the Rehabilitation Scheme:** The Union of India shall take an appropriate decision within three months on the proposed revisions to the Rehabilitation Scheme, including enhancement of immediate financial assistance, simplification of rehabilitation procedures, clarification of responsibilities in inter-State cases and the proposal for interim subsistence assistance where rehabilitation benefits are delayed. Until such revisions are brought into effect, disbursement shall continue to be governed by the applicable scheme.

29. **Inter-State Coordination:** In cases involving rescue and repatriation across State boundaries, the rescuing State shall ensure timely issuance and transmission of release certificates and other relevant records, while the receiving State shall facilitate verification and rehabilitation. Every State and Union Territory shall designate a nodal officer and establish an effective mechanism for inter-State coordination within six months. No eligible bonded labourer shall be deprived of assistance on account of administrative differences between the concerned States. The responsibility for disbursement of immediate financial assistance shall be clearly assigned under

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the uniform procedure, and no dispute between the concerned States regarding such responsibility shall delay payment to an eligible beneficiary.

30. **Outstanding Assistance to the 17 Labourers:** The States of Uttar Pradesh and Bihar shall jointly verify the status of financial assistance payable to the 17 bonded labourers rescued alongside the first petitioner, Surendra Manjhi, who were stated to have remained unpaid as submitted by the learned Counsel for Petitioner no. 2 before this Court. The verification shall be completed within one month, and any outstanding assistance found payable shall be disbursed as expeditiously as possible, preferably within three months and in any event within six months from the date of this order. The authorities shall also examine and address any outstanding rehabilitation benefits in accordance with the applicable scheme.

31. **Vigilance Committees and Rehabilitation Funds:** All States and Union Territories shall ensure that Vigilance Committees are duly constituted and functioning at the district and sub-divisional levels in accordance with the Act. The Committees shall undertake periodic reviews of identification, release and rehabilitation of bonded labourers. The States and Union Territories shall also ensure the availability and effective utilisation of district-level rehabilitation funds for timely assistance to eligible beneficiaries.

32. **Digital Monitoring and Accountability:** The Union of India shall ensure effective operation of the NAVJIVAN Portal for

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recording and monitoring the identification, rescue, release and rehabilitation of bonded labourers. All States and Union Territories shall regularly update the relevant information and establish State-level Monitoring Committees under the concerned Principal Secretary or Secretary to review implementation every month. Particular attention shall be given to cases pending for more than one year and instances of delayed financial assistance. Appropriate safeguards shall be maintained to protect the confidentiality of rescued persons. Every district shall designate an officer responsible for receiving and addressing grievances concerning non-issuance of release certificates, delayed financial assistance and rehabilitation benefits. Such grievances shall ordinarily be resolved within 30 days.

33. **Protection and Rehabilitation of Children:** In cases involving children, the concerned authorities shall ensure compliance with the applicable child protection laws and facilitate access to education, medical care, counselling and other rehabilitative measures. The procedure adopted shall be sensitive to their age and circumstances, and necessary assistance shall be provided without avoidable delay.

34. **Training and Enforcement:** The States and Union Territories shall undertake regular training and sensitisation programmes for officers responsible for implementing the Act and the Rehabilitation Scheme, including police officers and members of Vigilance Committees. They shall also ensure prompt action for recovery of unpaid wages and other amounts

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recoverable under law. Any unjustified failure to discharge statutory obligations or comply with the prescribed timelines shall be examined by the appropriate supervisory authority for necessary action in accordance with law.

35. **Continuing Rehabilitation:** The concerned District Magistrates shall facilitate access to livelihood opportunities and benefits available under existing Central and State welfare schemes for released bonded labourers. The District Vigilance Committees shall periodically review their rehabilitation for at least one year following release, with particular emphasis on preventing re-exploitation and ensuring their effective reintegration into society.

COMPLIANCE AND FURTHER DIRECTIONS

36. The Union of India shall file a compliance affidavit within four months from the date of this order, indicating the steps taken pursuant to the directions issued above, including the decisions taken regarding the proposed revisions to the Rehabilitation Scheme and the measures adopted for ensuring uniform implementation of the SOP.
37. All States and Union Territories shall ensure compliance with the directions issued herein within six months from the date of this order. Within two weeks thereafter, they shall file their respective compliance affidavits, indicating the measures undertaken, the status of implementation and the reasons for any outstanding deficiencies. The Union of India shall also

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place on record a consolidated status report regarding compliance by the States and Union Territories.

38. Having regard to the gravity of the issues involved and the need for continued monitoring by this Court to ensure effective implementation of the directions issued herein, we do not consider it appropriate to dispose of the present writ petitions at this stage. Accordingly, both writ petitions shall remain pending before this Court for monitoring compliance and issuing such further directions as may be necessary.

39. List these matters after seven months for consideration of the compliance reports and further directions.

.....J.
[VIKRAM NATH]

.....J.
[APARESH KUMAR SINGH]

NEW DELHI;
NOVEMBER 02, 2026