



Note for use: This format can be used to request immediate financial assistance for bonded labour survivors. It is only a suggested format and should be tailored to the facts and circumstances of each case.

DATE: _____

To,
The District Magistrate/ Sub-Divisional Magistrate,

(Address)

SUBJECT- REQUEST FOR DISBURSEMENT OF IMMEDIATE FINANCIAL ASSISTANCE TO THE _____ [insert # of survivors] BONDED LABOUR SURVIVORS RESCUED AND RELEASED FROM _____ ON _____ AS PER THE CENTRAL SECTOR SCHEME OF MoLE, 2016 AND ITS ADDENDUMS.

IT IS MOST RESPECTFULLY SUBMITTED

1. That on _____, a spot inquiry for the identification of bonded labourers was conducted under the leadership of _____ along with a team _____. Consequently, _____ [insert # of survivors] were identified, rescued and released from the bonded labour system.
[Include facts of the rescue including, but not restricted to, the faculty details and nature of work]
2. That FIR bearing no. _____ U/S: _____ PS: _____ dated _____ has been registered.
3. That DM/SDM, _____ after recording the statements of the rescued children, has issued Release Certificates (RCs) bearing nos. _____ on _____ [insert date] to _____ [insert number of RCs issued] bonded labour victims.
4. That rescued child labourers are poor and their rehabilitation as per CSS-2016 of the MoLE, GoI is necessary. It is humbly requested by the undersigned that necessary

steps be taken by your good office for the rehabilitation of the above-mentioned released bonded labour victims.

5. That Supreme Court of India in its landmark judgement, “**Neeraja Chaudhry v. State of M.P (Writ Petition (CRI) No. 1263 of 1982**”, in paragraph no. 11 stated:

“If any bonded labourer is only freed from his bondage and is set at liberty, he will in all probability have to slide back into bondage again to keep his body and soul together. Freedom from bondage without effective rehabilitation after such freedom will indeed be of no consequence and in the absence of proper arrangement for such rehabilitation being made, the entire purpose of the Act will be frustrated and the vice of the bonded labour system which the legislature thought it fit to abolish in the larger interest not only of our country, but also of humanity as a whole will continue to perpetuate its evil existence.”

6. That in compliance with the above-stated directions of the Supreme Court, the Ministry of Labour & Employment (MoLE), Government of India (GoI) has issued a notification no. F. No. S- 11012/02/2015-BL (**ANNEXURE __**) for the rehabilitation of bonded labourer. The contents of clause 5 of the revised “**Central Sector Scheme for the Rehabilitation of Bonded Labourer-2016**” which came in effect from 17th May 2016, are mentioned hereto below:-

(xiv) “immediate assistance of at least Rs 5,000/- shall be provided by the District Administration to the rescued person out of the District Bonded Labour Rehabilitation Fund at the disposal of the District Magistrate. Where the DM is satisfied that a particular rescued person requires more than Rs.5,000, he or she may disburse such higher amount as deemed fit, but limited to the maximum entitlement prescribed under this scheme. Any such advance amount shall be deducted from the Central cash assistance amount”.

The above-mentioned clause was further modified by the MoLE by notification dated 23.06.2017(**ANNEXURE __**) and the immediate financial assistance has been increased from Rs.5,000/- to Rs.20,000/-. The contents of the revised clause of the CSS-2016 are reproduced hereto below:-

“Immediate assistance upto Rs. 20,000/- may be provided to the rescued bonded labour by the District Administration irrespective of the status of conviction proceedings”.

7. That the released victims of bonded labour are poor and have suffered in the menace of the bonded labour system. They are entitled to get immediate financial assistance

of Rs.20,000/- each as mentioned in section 5(xiv) of the CSS-2016 (details are mentioned above) and the undersigned would request you disburse the same.

8. That the bank account details of the child victims of bonded labour are attached herewith. (ANNEXURE ____)

[It is good practice to provide bank account details for easier facilitation of disbursement. However, if bank account details are not available, the same can be omitted]

9. That in support of the request for immediate financial assistance, the undersigned would like to bring to your kind attention the Standard Operating Procedure (SOP) issued by the Office of the Divisional Commissioner (Revenue), Government of NCT of Delhi which was issued as per the Delhi High Court orders in case titled “**Walter Kerketta v. Govt. of NCT of Delhi & Ors. (WP(C) 9744 OF 2017)** (ANNEXURE ____). The Standard Operating Procedure for release of immediate financial assistance to the rescued bonded labourers in the NCT of Delhi in Para. 8.4 mentions as under:-

“The concerned DM/SDM must grant the rescued Bonded Labourer the Immediate Financial Assistance of Rs.20,000/- (by way of IMPS-Immediate Payment Service) or by way of Cheques/Demand Draft as per clause 5(xiv) of office Memorandum dated 18th May, 2016 (CSS Scheme) read with addendum dated 17.01.2017 to the CSS Scheme within a week from the date of rescue. Alternatively, if there are any difficulties in verifying the account or making payment, a cheque/demand draft of the value of the immediate financial assistance of Rs.20,000/- must be handed over to the adult rescued bonded labourer and in case of minor, the same shall be handed over to the CWC for disbursement instead of making electronic payment within a week from the date of rescue.”

[Applicable only when rescue conducted within the jurisdiction of Govt. of Delhi]

PRAYER

1. Therefore, it is humbly submitted that the victims have suffered immensely for an inordinately long time and must be properly rehabilitated to bring an end to their suffering and the gruesome violation of their human rights. In light of the facts raised, judgments cited above and in the interest of justice, equity and good conscience, it is humbly requested as under:-

- a) Please release **IMMEDIATE FINANCIAL ASSISTANCE** (as per the format prescribed under the CSS-2016 and its addendum which is Annexure ____) of Rs.20,000/- to each victim.

Thank you in anticipation.

PLACE: _____

Date: _____

Claimant/ Advocate on behalf of the claimant/
Complainant/ Advocate on behalf of the complainant

_____(Address)