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

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Date of decision: 19.05.2026+ **W.P.(C) 14656/2024**

TARANNUM BEGUM & ORS.Petitioners

Through: Ms. Aanchal Bumb, Adv.

versus

GNCTD & ORS.

....Respondents

Through: Ms. Avni Singh, Panel Counsel and
Mr. Vaibhav Sharma, Adv., GNCTD.**CORAM:****HON'BLE MR. JUSTICE SACHIN DATTA****SACHIN DATTA, J. (ORAL)**

1. The petitioners herein are the mothers of three minor girls, who were rescued during a child labour raid conducted on 09.05.2023.
2. Following the said raid, on 10.05.2023, the office of the Joint Labour Commissioner (West) / respondent no.2 computed the back wages owed to the rescued children by their employers, amounting as under:

Petitioner	Daughter's details	Amount of backwages due
Petitioner no. 1 (Tarannum Begum)	Aliza Khatoon	Rs. 1,44,090/- (Rupees One lakhs, forty-four thousand and ninety only)
Petitioner no. 2 (Sehnaz)	Khushboo	Rs. 1,47,090/- (Rupees One lakhs, forty-seven thousand and ninety only)
Petitioner no. 3 (Khusnaj)	Shaila Khatoon	Rs. 1,42,090/- (Rupees One lakhs, forty-two thousand and ninety only)



3. Following this, on 11.05.2023, an FIR was registered under sections 75/79 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and 3/14 of the Child and Adolescent Labour Act, 1986. However, the employers failed to deposit the aforesaid wages.
4. Despite passage of considerable period of time and multiple representations made by the petitioners to the SDM and labour authorities, the respondents have failed to recover the money from the employers. Consequently, the present petition has been filed.
5. It is not disputed that in terms of the judgments passed by this Court in *Kaum Faqeer Shah vs. Ministry of Labour and Employment & Ors.*, 2024 SCC OnLine Del 128 and *Walter Kerketta vs. Sub-Divisional Magistrate-Delhi South East Dist. & Ors.*, passed in W.P.(C) 9744/2017 dated 04.07.2018, the necessary amounts are required to be recovered.
6. Specific attention is drawn to the judgment in *Kaum Faqeer Shah* (supra) which *inter-alia* delineates the procedure to be followed in these matters. The relevant portion of the same reads as under:

“B. Recovery of back wages and legal proceedings in this regard

As per the Central Sector Scheme for Rehabilitation of Bonded Labourers - 2016, an expeditious trial under Section 21 of the Bonded Labour System (Abolition) Act, 1976 is to be concluded within three (3) months from the date of identification or rescue, whichever is later.

The benefits to labourers under the Standard Operating Procedure formulated by the GNCTD approved by this Hon'ble Court in its judgment dated 04.07.2018 in W.P. (C) No. 9744/2017 titled “Walter Kerketta v. Sub-Divisional Magistrate, South-East Dist.,” provides that the Labour Department must immediately initiate proceedings for the recovery of back wages from the accused employers/owners, including wages for overtime in accordance with the Minimum Wages Act, 1948. However, there is no time-limit statutorily prescribed under the Minimum Wages Act, 1948 for the initiation and conclusion of the proceedings for the recovery of such back wages. However, it is hereby directed that:



- (i) *Recovery Notices shall be issued by the Department of Labour, Government of NCT of Delhi within a period of two (2) working days of rescue of a child.*
- (ii) *In recovery proceedings, the Inspector under the Minimum Wages Act, 1948 or the Payment of Wages Act, 1936 shall grant the accused employer/owner two (2) weeks' time to deposit back wages. In those cases, wherein these amounts are not deposited within such a time-frame, the Inspector thereafter requests the Child Welfare Committee ('CWC') to recover the same as fine, as the Chairperson are bench of magistrates. It is directed in case backwages are not deposited by the accused employer/owner within the stipulated period of two (2) weeks, recovery certificates shall be issued by the concerned authority and the backwages shall be recovered as arrears of land revenue by the concerned SDM;*
- (iii) *In cases where the back wages for a particular bonded child labour is recovered, the same shall be disbursed to the said child or his/her parents/legal guardians in identical procedures as outlined for the Immediate Financial Assistance. Such disbursement shall be made within one (1) week from such a recovery.*
- (iv) *NGOs and Vigilance committees shall extend all coordination and assistance in providing information with respect to bank account details and other relevant documents and records of rescued children or that of their parents/guardians in accordance with Clause 11 of the "Standard Operating Procedure for Identification of Bonded Labourers and Release of Immediate Financial Assistance" as approved by this Court in its judgment dated 04.07.2019 passed in W.P.(C) No. 9744/2017, titled "Walter Kerketta v. Sub-Divisional Magistrate, South-East Delhi."*
- (v) *The concerned authority shall ensure that the actual recovery from the accused employer/owner is completed within three (3) months from the date of issue of recovery certificate.*
- (vi) *The concerned departments of GNCTD shall ensure strict time bound compliance of the directions.*

11. We place on record our appreciation for the joint exercise undertaken by the Petitioner and the Respondent Nos. 2 to 5 for formulating the Joint Suggestions. We direct Government of NCT of Delhi to place the aforesaid directions on the website along with the SOP approved in W.P.(C) No. 9744/2017, titled "Walter Kerketta v. Sub-Divisional Magistrate, South-East Dist.."



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12. *The Respondent No. 2 is directed to ensure that amounts due and payable in the three (3) bank accounts of the rescued children, furnished by the learned counsel for the Petitioner are remitted within the period of two (2) weeks from today.*

13. *In addition, the prayers in W.P. (C) 10462/2020 are disposed of directing the Respondent Nos. 2 to 5 to recover the pending backwages of the children enlisted in Annexure P-12 (both in category A and category B) in a time bound manner as per the aforesaid directions.*

14. *So also, the prayers in W.P. (C) 159/2021 are disposed of directing the Respondent Nos. 3 and 4 to provide immediate financial assistance to the children enlisted in Annexure P-14 in terms of the aforesaid directions issued by this Court.*

15. *With the aforesaid directions, the writ petitions stand disposed of.”*

7. In the circumstances, the present petition is allowed.

8. Let requisite steps immediately be taken by the concerned authorities to recover the amount, as directed *vide* the aforequoted portion of the judgment in ***Kaum Faqeer Shah*** (supra). The recovery certificate shall be issued by the concerned authorities and back-wages shall be recovered as arrears of land revenue by the concerned SDM.

9. Considering that it transpires that the employers from whom the recovery are to be made are untraceable, the concerned SDM is directed to *liase* with the police authorities to trace the whereabouts of the concerned employers. The Delhi Police is directed to pro-actively investigate and take all necessary measures for the said purpose.

10. It is hoped and expected that the necessary recovery shall be made expeditiously and preferably within a period of three months from today.

11. List on 28.10.2026 for reporting compliance.

12. Let a compliance affidavit be filed before the next date of hearing.

13. Let a copy of this order be communicated by the concerned SDM to



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the concerned police officials.

MAY 19, 2026/cl

SACHIN DATTA, J