

IN THE SUPREME COURT OF INDIA

Civil Original Jurisdiction

IA _____ of 2020

in

Suo Motu Writ Petition (Civil) No 6 of 2020

In the matter of:

In Re: Problems and Miseries of Migrant Labourers

And the matter of:

Aajeevika Bureau

Through its

Executive Director/Co-founder

39. Krishna Colony,

Near Khan Complex, Bedla Road, Udaipur,

Rajasthan 313 004

...Applicant/Intervenor

Paper Book

IA No _____ of 2020 : Application for Intervention

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ADVOCATE FOR THE APPLICANT/ INTERVENOR:

SATYA MITRA

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New Delhi

27.05.2020

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Application for Intervention

TO,

THE HON'BLE CHIEF JUSTICE OF INDIA

AND COMPANION JUSTICES OF THE HON'BLE

SUPREME COURT OF INDIA

THE APPLICATION OF THE

APPLICANT/ INTERVENOR ABOVE NAMED

Most Respectfully showeth that:

1. The above mentioned Writ Petition is a Suo Motu Writ petition under Article 32 of the Constitution of India taken up by this Hon'ble Court in view of the problems faced by migrant workers throughout the country due to the lockdown restrictions imposed by the Government of India in lieu of COVID-19. This Hon'ble Court vide its order dated 26.05.2020 in Suo Motu Writ petition (Civil) 6 of 2020 took cognizance of the plight of migrant workers and issued notice to Union of India and all States/ Union Territories.
2. The nationwide lockdown which was announced on 24.03.2020 resulted in thousands of migrant workers being stranded in various states without adequate wages, food, shelter and basic necessities. This resulted in thousands of migrant workers to return to their home states.
3. At present, thousands of migrant workers are still stranded on roads, highways, railway station, bus stands and state borders throughout the country without food, water, sanitation and other essential facilities.
4. Therefore in view of the prevailing circumstances it becomes imperative to provide certain basic facilities to stranded migrant labourers. In this light, the applicant herein seeks this Hon'ble Court to consider additional suggestions being put forth by the Applicant.
5. That the applicant, Ajeevika Bureau is a public service initiative which provides services and solutions on seasonal migrant labour and informal workers who are often outside

the grid of the state's services and institutions. The organization aims to provide lasting solutions to economic and socio-legal problems of migrant workers by creating replicable models offering services and security both at source and destination.

6. The organization combines direct service delivery, advocacy, research and technical support in advancement of its work on issues of migrant workers. Through a network of field based Shramik Sahayata evam Sandarbh Kendra-s (Workers Support and Resource Centres), the applicant provides a range of services to migrants and their households. These services include registration and photo ID, skill training and placement, legal aid, collectivisation, social security, financial services and family support. The applicant, Aajeevika Bureau has also undertaken a wide range of field based research into aspects of seasonal migration, labour and employment.
7. A special unit dedicated to work on issues relating to migrant labour- "Centre for Migration and Labour Solutions" – established by the applicant, provides technical support and capacity building to a different organizations to tackle the problems faced by migrant workers.

Applicant's work during COVID-19 lockdown

8. During the COVID-19 lockdown, the applicant has been providing the following services to the migrant workers stranded in different parts of the country;

- a) Facilitated distribution of food and ration to 86,745 workers across the country in places where they are either stranded, or live.
- b) Facilitated direct cash transfers to 1,929 migrant workers across India with operations amounting to Rs. 13,24,800.
- c) Facilitated 1,154 cases involving 15,000 migrants pertaining to arbitrary wage deduction, non-payment of wages and illegal wage retrenchment.
- d) Distributed about 22,000 kgs ration in the areas of MIDC, Malad, Kherwadi and Sakinaka to about over 2600 workers.
- e) Made direct cash transfers of nearly Rs 3,32,000 to enable 576 stranded workers in Maharashtra to buy food and supplies for their survival.
- f) Distributed ration kits and/or cooked meals to 6,300 migrant workers in Surat
- g) Organized travel tickets for 1400 migrant workers in Surat for their travel home (after 3rd May
- h) Provided ration and cooked food to about 4,596 workers stranded in Ahmedabad
- i) Counselling employers and contractors in Ahmedabad into providing food and ration to 1800 migrant workers

- j) Facilitated the provision of unemployment allowances to 720 migrant workers in Ahmedabad.
 - k) Mobilized ration support to 4,650 migrant families who have recently returned to their villages in Udaipur.
9. The applicant has been working closely and providing services to the migrant workers during the COVID-19 lockdown and hence is astutely aware of the problems faced by the migrant workers. Due to their work on the field, they have certain suggestions which would aid this Court and hence seek this Court's direction to implead them in the Suo Motu Writ Petition 6 of 2020.
10. Further, the hearing of the application is sought on an urgent basis as the Suo motu Writ Petition which the Applicant seeks to be implead is listed on 28.05.2020 as per the order dated 26.05.2020.

Prayer

11. In light of the facts and circumstances of this case, the Petitioners pray before this Hon'ble Court as under for a Writ/Order or Direction to the Union of India and all States and Union Territories to with immediate effect;
- a) To permit the applicant herein to intervene in Suo motu Writ Petition (Civil) 6 of 2020;

b) To pass any other order(s) as this Hon'ble Court may be deem fir in the facts and circumstances of the case.

And for this act of kindness petitioner shall ever humbly pray.

Delhi, 27 May, 2020

Filed by:



Satya Mitra

Advocate for the Applicant/ Intervenor
satyamitra2003@gmail.com | 9811768848

Drawn by:

Harini Raghupathy

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Rajasthan 313 004

...Applicant/Intervenor

Affidavit

I, Rajiv Khandelwal, S/o Vishwanath Khandelwal, Executive Director and Co-founder of Aajeevika Bureau with office at 39. Krishna Colony, Near Khan Complex, Bedla Road, Udaipur, Rajasthan 313 004

1. That I am the authorized signatory of the applicant/intervenor in the above captioned petition and I am conversant with the facts and circumstances of this case and hence competent to swear the affidavit.

2. That I have read the contents of the accompanying application along with annexure for intervention on pages ___to___ of paragraph 1 to ___ at pages ___to___ and I say that I have understood the contents thereof. I further state that the contents thereof are true and correct to the best of my knowledge and belief. I further state that no part of it is false and that nothing material has been concealed therefrom.
3. That the applicant has not filed any other or similar petition/application before this Hon'ble Court. That I have been have read over and explained the contents of this affidavit and I state that the averments made in this affidavit are true and correct to my knowledge and belief.



Deponent

Verification

Verified and signed at New Delhi on this the 27th day of May 2020 that the contents of para no ___to___ of the above said affidavit are true to my knowledge and belief and nothing material has been concealed therefrom.



Deponent

IN THE SUPREME COURT OF INDIA

CIVIL/CRIMINAL/ORIGINAL/APPELLATE/JURISDICTION
Suo Motu Writ Petition (Civil) 6 of 2020

In Re: Problems and Miseries of migrant laborers

...Appellant(s)/Petitioner(s)

VERSUS

Respondent(s)

VAKALATNAMA

I/We **Ajeevika Bureau, through its Executive Director/Co-founder Rajiv Khandelwal** Appellants(s)/Petitioner(s)/Respondent(s) /Opposite party in the above Suit/ Appeal: Petition/ Reference do hereby appoint and retain **Satya Mitra** Advocate of the Supreme Court to act and appear for me/us in the above Suit/ Appeal/ Petition/ Reference and or my /our behalf to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of my application connected with the same of any decree order passed therein, including proceedings in taxation and application for Review, to file and obtain return of documents, and to deposit and receive money on my/ or behalf in the said Suit Appeal/ Petition Reference and in application of Review, and to represent me/us and to take all necessary steps on my /our behalf in the above matter, I/We agree to ratify all acts done by the aforesaid Advocate in pursuance of this authority.

Dated this the 27 day of May 2020

Accepted




Rajiv Khandelwal, Executive Director/Co-founder of Ajeevika Bureau

APPELLANT(s)/PETITIONER(s)/
CAVEATOR(s)/RESPONDENT(s)

ADVOCATE SUPREME COURT

MEMO OF APPEARANCE

To,

The Registrar,
Supreme Court of India
New Delhi

Sir,

Please enter my appearance on behalf on the Petitioner(s) /Appellant(s)/ Respondent(s) /Intervenor in the matter above mentioned.

Dated this the 27 day of May 2020

Yours faithfully,



Advocate for Petitioner(s)/Appellant(s)/Respondent(s)