

SC Expresses Concern about Plight of Migrant Workers; Issues Notice on PIL Seeking Payment of Wages by Govt.

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The Supreme Court on Friday issued notice on the **Public Interest Litigation petition** led by activists Harsh Mander and Anjali Bharadwaj seeking directions to the government to pay wages to the migrant workers in the unorganized sector amid the national lockdown. The bench comprising Justices Nageswara Rao and Deepak Gupta heard Advocate Prashant Bhushan for the petitioners and sought the response of the Central Government by April 7.

The bench also observed that it was particularly concerned about the plight of migrant workers in the unorganized sector in "this time of crisis".

Solicitor General Tushar Mehta raised objection to plea by saying:

"These 'PIL shops' must close down. Genuine persons are helping people on the ground. Sitting in AC rooms and ling PILs will not help"

The petitioners submitted that several migrant workers are still facing difficulties, despite the orders passed by the Government.

Despite the governments order that contractors must pay full wages to these workers, contractors are declining any such payments, they said.

In the last two days itself, a very large number of migrant workers have been thrown out of their dwelling by landlords, even after the government orders, Mander stated in an affidavit led in the SC.

The affidavit stated:

"the lockdown and the subsequent orders of the government to prevent their migration back to their homes, have left these migrant workers in a state of unimaginable distress and misery. The government has ordered that the employers should pay wages to all labourers employed with them. But where are these labourers going to get the wages from if they have left the cities they were working in?"

Making Corporate India Comply

In such a situation of immense distress due to the lockdown, The State is certainly obliged to ensure the minimal facilities to these workers for survival in a dignified manner."

Mander stated that the "only practical and effective manner in which the migrant workers can be provided the means of survival in a dignified manner is for the State to

Immediately make direct transfers (in cash at their door steps or through their banks accounts) of at least minimum wages to all these workers during the period of the lockdown".

The SC had passed an order on March 31 regarding general welfare measures for migrant workers. In that case, the union government stated that about 21,064 relief camps have been set up across the country for migrant workers and about 6,66,291 migrant workers have been provided shelter in these camps.

Mander stated that, even assuming these numbers are correct, there are several times that number of migrant workers in Delhi alone (estimated at 1.5 million).

Referring to various press reports, he stated that many of these migrant workers are still in the cities where they work, but in abject conditions, deprived of the means to work, any ages, money and thus access to food.