

IN THE HON'BLE SUPREME COURT OF INDIA

**I.A. NO. OF 2020
IN
WRIT PETITION (CIVIL) NO. 468 OF 2020**

**(UNDER ORDER XXIX, RULE 8, READ WITH ORDER LV, RULE 6
OF THE SUPREME COURT RULES, 2013)**

IN THE MATTER OF:

Alakh Alok Srivastava

....Petitioner/ Applicant

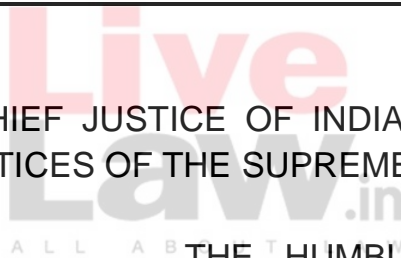
-Versus-

Union of India

....Respondent

**APPLICATION ON BEHALF OF THE PETITIONER SEEKING
PERMISSION TO AMEND THE WRIT PETITION**

TO,
HON'BLE THE CHIEF JUSTICE OF INDIA AND HIS LORDSHIP'S
COMPANION JUSTICES OF THE SUPREME COURT OF INDIA



THE HUMBLE PETITION OF THE
PETITIONER ABOVENAMED

MOST RESPECTFULLY SHOWETH:-

1. That the Petitioner had filed the captioned PIL by way of Writ Petition before this Hon'ble Court under Article 32 of the Constitution of India, inter-alia, seeking urgent kind indulgence of this Hon'ble Court towards the heart wrenching plight of thousands of migrant workers who, alongwith their families, including women, small children, elders and differently abled persons, were walking on foot for hundreds of kilometres, from big cities of India to their respective native villages, without food, water, transport, medicine or shelter, amid Coronavirus crisis.
2. That the factum probandum of the instant case has been put forth in the captioned Writ Petition and the same is not being reiterated herein for the sake of brevity and to avoid prolixity. However, the

humble Petitioner seeks kind leave and liberty of this Hon'ble Court to refer and rely upon the same, as and when required.

3. That at the outset, the humble Petitioner wishes to express his most sincere gratitude to this Hon'ble Court for passing the landmark Order dated 31.03.2020 in the captioned Writ Petition, ensuring welfare and well-being of many poor migrant labourers.
4. The Petitioner further wishes to put on record that **even United Nations High Commissioner for Human Rights, Ms. Michelle Bachelet, has also welcomed the said Order dated 31.03.2020 passed by this Hon'ble Court** and has stated as under -

"The Supreme Court's order and its implementation will go a long way to ensuring the safety and rights of these vulnerable migrants" (emphasis supplied)

(News Link - <https://news.un.org/en/story/2020/04/1060922>)

5. However, it is respectfully submitted that certain relevant developments are likely to take place immediately after the captioned Lockdown period is over and hence the humble **Petitioner has preferred the instant IA seeking amendment in his Writ Petition, for further indulgence of this Ho'nble Court to ensure effective Rehabilitation of the said migrant labourers after the Lockdown period is over.** The humble Petitioner has specified certain measures in this regard, in the Prayer Clause of the instant IA and the same are not repeated herein for the sake of brevity.

6. Apart from this, it is respectfully submitted that during the hearing of the instant Writ Petition held on 30.03.2020, the humble Petitioner had verbally submitted to this Hon'ble Court that one of the major reasons for the present exodus of the migrant labourers was the panic created by some fake news or rumour that the lock down would be extended for three more months. The said verbal submission of the Petitioner was duly recorded by this Hon'ble Court on page no.3 of the Order dated 31.03.2020, as under –

“We are informed that the labourers who are unemployed due to lock down were apprehensive about their survival. Panic was created by some fake news that the lock down would last for more than three months.”

Subsequently, vide its Status Report dated 31.03.2020, the Respondent Union of India also stated that deliberate or inadvertent fake news capable of causing panic in the mind of population is found to be the single most unmanageable hindrance in the management of this challenge.

On the basis of the submissions made by both the parties, this Hon'ble Court was pleased to issue the following direction in its Order dated 31.03.2020 –

“In particular, we expect the Media (print, electronic or social) to maintain a strong sense of responsibility and ensure that unverified news capable of causing panic is not disseminated. A daily bulletin by the Government of India through all media avenues including social media and forums to clear the doubts of people would be made active within a period of 24 hours as submitted by the Solicitor General of India. We do not intend to interfere with the free discussion about the pandemic, but direct the media refer to and publish the official version about the developments.”

7. It is respectfully submitted that however, inadvertently, the aforesaid verbal submission of the Petitioner regarding fake news/ rumours, was not covered in writing in the captioned Writ Petition, as the Petitioner had drafted the said Writ Petition in a hurried manner, keeping in view the urgent heart wrenching plight of the migrant labourers. Hence in the interest of justice, the humble Petitioner is further praying this Hon'ble Court to permit him to incorporate the following additional Ground and additional Prayer in his captioned Writ Petition in this regard -

“Ground M. That one of the major reasons for the present exodus of the migrant labourers was the panic created by some fake news or rumour that the lock down would be extended for three more months.”

Prayer E – Issue urgent appropriate Writ, Order or Direction to the Respondent Union of India to issue directions that the Media (print, electronic or social) would refer to and publish the official version about the developments pertaining to Covid-19”

8. Hence, the humble Petitioner has preferred the instant IA seeking aforesaid amendment in his Writ Petition, which is bonafide and in the interest of justice.

9. **PRAYER:** In view of the above, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to –

a) Allow the instant Application and thus permit the humble Petitioner-in-person herein to amend the Prayer Clause 15 of the captioned Writ Petition by adding the following additional prayers:

“Additional Prayer D- Issue urgent appropriate Writ, Order or Direction to the Respondent Union of India to–

- (i) After Lockdown is over, provide Free Transportation to each migrant labourer from the respective shelter homes to his/ her destination, through Special Train/Bus;**
- (ii) After Lockdown is over, provide an Ex-Gratia amount equivalent to one month statutory minimum wage to each migrant labourer so that he/ she can find a new job or effectively resume previous self-employment in one month;**
- (iii) After Lockdown is over, provide one month free Ration to each migrant labourer without insisting for Ration Card;**
- (iv) Prepare in advance and effectively implement a composite Plan for the effective Rehabilitation of such migrant labourers after Lockdown is over;**
- (v) In order to avoid such crisis in future, make a Migrant Labourer Crisis Management Board as a Common Gateway to co-ordinate, supervise and monitor various welfare measures meant for the migrant labourers;**

(vi) Also, open a 24-Hour multilingual Call Centre and give it wide publicity so that in case of any epidemic, riot or any other extreme exigency in future, the migrant labourers may get accurate information and effective redressal of their grievances through common centre.

b) Further permit the humble Petitioner-in-person herein to amend the Prayer Clause 15 of the captioned Writ Petition by adding the following additional Ground and additional Prayer –

“Ground M - That one of the major reasons for the present exodus of the migrant labourers was the panic created by some fake news or rumour that the lock down would be extended for three more months.

“Additional Prayer E – Issue urgent appropriate Writ, Order or Direction to the Respondent Union of India to issue directions that the Media (print, electronic or social) would refer to and publish the official version about the developments pertaining to Covid-19;” and/ or

c) Pass any other order or direction as this Hon’ble Court may deem fit and proper in in the interest of justice.

AND FOR THIS ACT OF KINDNESS, THE HUMBLE PETITIONER AS IS DUTY BOUND SHALL EVER PRAY.

Drawn and Filed by:

ALAKH ALOK SRIVASTAVA
PETITIONER-IN-PERSON

NEW DELHI
DRAWN ON: 06.04.2020
FILED ON: 06.04.2020