



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION (ST) NO. 5443 OF 2020**

Sarva Hara Jan Andolan through
Ulka Mahajan & Anr. ... Petitioners
V/s
State of Maharashtra & Ors. ... Respondents

**WITH
ORDINARY ORIGINAL CIVIL JURISDICTION
PUBLIC INTEREST LITIGATION (L) NO. 22 OF 2020**

Ghar Bachao Ghar Bano Andolan & Ors ...Petitioners
Versus
Municipal Corporation Of Grater Mumbai & Ors ...Respondents

Ms Gayatri Singh, Senior Counsel a/w. Kranti L. C. i/b. Ronita
Bhattacharya for the Petitioners
B. V. Samant, AGP a/w. M. M. Pabale, AGP for the Respondent-State
Mr. Hitendra Dufare, Section Officer, District Management,
Mantralaya.

**CORAM : A. A. SAYED, J
DATED : 08th APRIL, 2020**

P.C.:

The PIL(L) No. 5443 of 2020 relates to the issue of redressal of grievances of migrant labourers in the State of Maharashtra pursuant to the 21-day lock-down declared by the Government of India after the COVID-19 pandemic and the subsequent restrictions placed on their movement. On 3rd April 2020, an order was passed by this Court interalia noting that the Supreme Court is seized of the matter relating to migrant labourers all over India. In PIL(L) No. 22 of 2020 grievances are raised in respect of homeless and other



marginalised communities in the city of Mumbai pursuant to the COVID-19 pandemic and in particular relating to making water, food and healthcare facilities available to them.

2. Learned AGP has pointed out that the State Government has set up 4871 relief/shelter camps and about 7.5 lac migrant labourers have been accommodated and are being provided 3 meals a day. He submitted that a common help-line has been provided in each district. He further submitted that 5 kgs food grain per person has been provided free of cost under the Pradhan Mantri Garib Kalyan Yojana. He submitted that various advisories have been issued by the Central Government and the State Government which are being followed by the Authorities.

3. Learned Senior Counsel for the Petitioners submitted that though various advisories have been issued by the Central and State Government and there are several schemes in place, there is no implementation of the same by the State authorities and the benefits are not reaching the migrant labourers and homeless persons. She submitted that there is no proper response to the help-lines and there are several areas where there is no water, food, medicines and healthcare, and toilet facilities made available. Learned AGP however disputes this position.

4. I find that the issues raised in the PILs are essentially about the implementation of the various advisories and schemes of the Central and State Government and as regards the benefits being made available to all the migrants and the marginalised sections of the community. Undoubtedly, the State Government is facing an uphill task in the present scenario of Covid-19 pandemic and the provisions of the Disaster Management Act, 2005 being invoked. There is a scheme in place for victims of disasters through the Legal Services Authorities to ensure immediate help to the victims of disaster by Government and Non-Government Agencies. Under the said scheme, the State Legal Services Authorities are required to co-ordinate the implementation of the plan of action prepared by the Disaster Management Authorities and supervise the transferring victims of disaster to shelters and the distribution of food, drinking water, medicines and healthcare, to such victims. Since it is the grievance of the Petitioners that the benefits of the advisories and schemes of the Central/State Government are not reaching all the victims, in my view, the District Legal Services Authorities can play an effective role by co-ordinating the activities of the State Government authorities.

5. Having heard learned Senior Counsel for the Petitioners and

learned AGP, in my view, the first and foremost endeavour of the State Government must be that no victims go hungry and the food/food-grains reach all victims (even in remote areas), and drinking water, medicines, healthcare and hygienic toilette facilities are provided to them. So far as other grievances highlighted by the Petitioners are concerned, that can be considered at a later stage. Hence, for the present, the following directions are issued:

- a. The Petitioners are permitted to make representation (by email) to the concerned Collector/s pointing out in which areas of the District, the aforesaid benefit/facility is not provided.
- b. A copy of the above representation shall be marked and sent to the concerned District Legal Services Authority (by email).
- c. The concerned District Legal Services Authority shall ascertain the grievances made in the representation by deputing appropriate person/s (who shall take all necessary precautions including wearing of masks, etc) and shall bring them to the notice of the concerned Authorities and file a report before this Court on the next date (by email)



d. The State Government shall file an Affidavit in Reply in both the above Petitions.

e. Considering the gravity of the problems being faced by the migrant labourers and homeless persons the learned Advocate General is requested to appear in the matter and assist the Court.

f. It is noticed that there are several PILs being filed in this Court relating to the issues raised in the above Petitions. The members of the Bar and the parties in person are requested not to file any further PILs relating to the said issues and to raise grievances, if any, through the learned Senior Counsel appearing in the above Petitions.

g. Registry is directed to list all similar PILs before one Bench, as far as possible.

6. Stand over to 15th April, 2020.

(A. A. SAYED, J.)