

WP.No.7702 OF 2020

M.SATHYANARAYANAN, J
and
DR.ANITA SUMANTH, J.

[Order of the Court was made by M.SATHYANARAYANAN, J.,]

(1)The writ petition is styled as a Public Interest Litigation, filed by a resident of Kolathur, Chennai-9 and Mr.A.Yogeshwaran, learned counsel for the petitioner would submit that though some Standard Operating Procedures [SOPs] in the form of various administrative instructions have been put in place to deal with the issue relating to the migrant workers / Labourers, the following are the issues yet to be addressed:

- (a) List of Shelters wherein migrant workers can be accommodated before their transportation to their home States.
- (b) Registration of the migrant workers for transportation through trains to their home States though available in the website, the language used for uploading the information is only in English and not in the languages such as Hindi, Odiya, Bengali, Bojpuri etc., and steps are being taken by the concerned authorities to upload the information in the said languages also.

(c) There must be a better coordination between the State Government and the Ministry of Railways as to the schedule of trains originating from Chennai to various States for transporting the migrant workers.

(2) Learned counsel for the petitioner would also submit that some of the migrant workers do not have authenticated identification cards in the form of Aadhar Cards etc., and the Non-Governmental Organisations, in which the petitioner is also a party, are trying their level best to coordinate with the Governmental Agencies for registration and transportation, but still there are some problems exist and the concerned Departments may also address the same and prays for emergent directions in this regard.

(3) Notice of motion returnable on 26.05.2020.

(4) Mr. V. Jayaprakash Narayan, learned Government Pleader accepts notice on behalf of the State Government and has invited the attention of this Court to G.O.Ms.No.225 of the Revenue and Disaster Management [DM-II] Department, dated 07.05.2020 and would submit that a comprehensive guidelines have been put in place based upon the Ministry of Home

Affairs Order No.40-3/2020-DM-1 [A] dated 29.04.2020 which speaks about the inter-State movement of migrant workers, pilgrims, tourists, students and other persons who are stranded at different places due to lock down and the said order also mandates the State Governments to designate Nodal Officers to have coordination with the respective State / Union Territories Governments to ensure orderly receiving and sending the stranded people between the State of Tamil Nadu and other States / Union Territories as per SOPs. It is further submitted by the learned Government Pleader that the State Government, taking into consideration the said guidelines, had appointed Dr.Atulya Mishra, Additional Chief Secretary to Government, Revenue Disaster Management Department, as the Nodal Officer in the State of Tamil Nadu for the movement of the said persons and a team of officers has also been constituted to work with the said Nodal officer and the Standard Operating Procedure is going on smoothly.

(5) This Court, during the course of arguments, has also put a specific query to the learned Government Pleader as to the identification of the shelter homes / places wherein the migrant workers who are waiting for the

transportation to their home States, can be accommodated and the same may be made available in the public domain and the learned Government Pleader undertakes to do the needful immediately.

(6) This Court can also take judicial notice of the fact that in arterial roads, the migrant workers are exhibiting their anxiety to reach the Railway Station and they are also not maintaining the social / physical distancing and they do not possess sufficient protective masks also and therefore, the immediate concern of the State Government is to accommodate them in shelter homes / identified places and it shall be made available in the public domain by today itself.

(7) Mr. G. Rajagopalan, learned Assistant Solicitor General of India representing the Union of India would submit that the Ministry of Railways is operating number of Shramik Special Trains to transport the migrant workers and though some of the States are refusing to permit the entry for the migrant workers, it is for the concerned State Government to coordinate with the State Governments and as and when the request is made, the Ministry of Railways is ready to provide special trains for transporting the migrant workers from the State of Tamil Nadu to their

home States and the said submissions, on instructions, is also placed on record.

(8)As to the information regarding the registered migrants, the departure time of the trains to various States shall also be made available in the websites of the Ministry of Railways as well as the Revenue and Disaster Management of the Government of Tamil Nadu and the learned Additional Solicitor General of India representing the Union of India as well as the learned Government Pleader undertake to do the needful immediately in this regard.

(9)Since the accommodation and transportation of the migrant workers stranded in the State of Tamil Nadu is looming at large, this Court is of the considered view that a comprehensive Status Report is to be filed by the official respondents as to the effective measures/workable solutions in terms of the Standard Operating Procedure formulated.

(10)Some of the Non Governmental Organizations, for which, the learned counsel for the petitioner also represents, in coordination with the like minded Non Governmental Organizations, shall also coordinate with the migrant workers as to their orderly behaviour and render necessary help

to board the trains bound for their home States, etc.

M.SATHYANARAYANAN, J.,
AND
DR.ANITA SUMANTH, J.,

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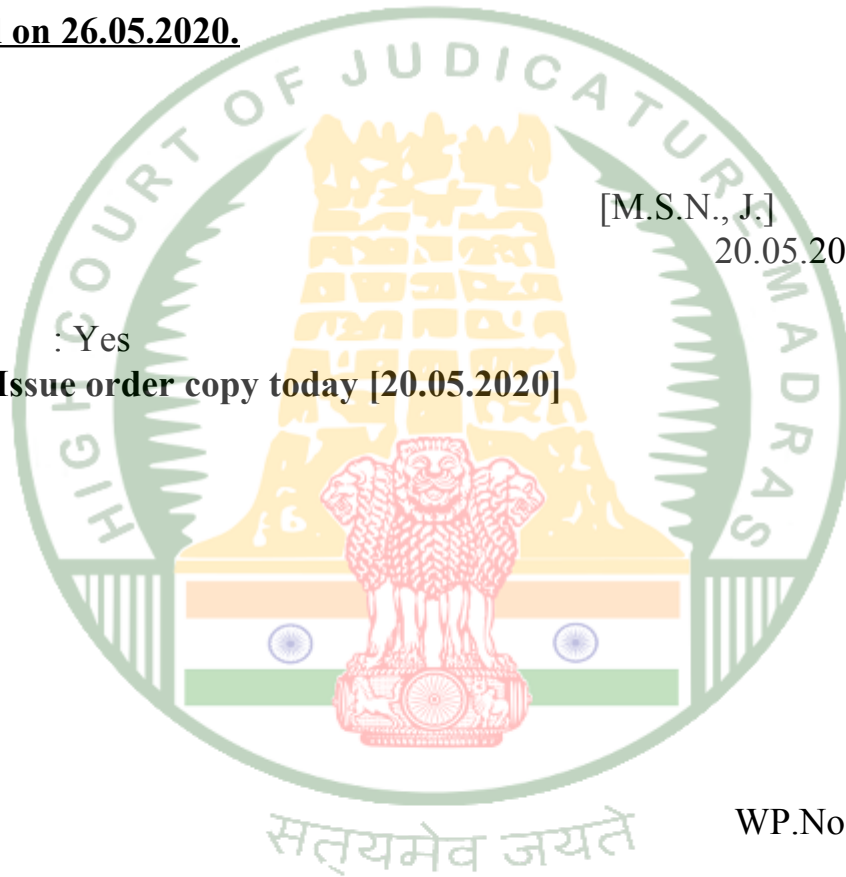
(11) Call on 26.05.2020.

[M.S.N., J.] [A.S.M., J]
20.05.2020

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Internet : Yes

NOTE:-Issue order copy today [20.05.2020]



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