

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SUO MOTU WRIT PETITION (CIVIL) No(s). 6/2020

IN RE : PROBLEMS AND MISERIES OF MIGRANT LABOURERS

[IA No. 50476/2020 - APPLICATION FOR EXEMPTION FROM FILING ORIGINAL VAKALATNAMA/OTHER DOCUMENT

- IA No. 49670/2020 - APPLICATION FOR PERMISSION
- IA No. 52179/2020 - APPLICATION FOR PERMISSION
- IA No. 51637/2020 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 49688/2020 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 49686/2020 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 49683/2020 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 51676/2020 - APPROPRIATE ORDERS/DIRECTIONS
- IA No. 51455/2020 - EARLY HEARING APPLICATION
- IA No. 50459/2020 - EARLY HEARING APPLICATION
- IA No. 59616/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 78884/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 50460/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 58764/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 64177/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 49554/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51636/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 61092/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51430/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 61088/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51571/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51747/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 60721/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 50348/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51565/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51559/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51678/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 54889/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 60100/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 50102/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 59628/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 80684/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 49694/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 51643/2020 - EXEMPTION FROM FILING AFFIDAVIT
- IA No. 60111/2020 - EXEMPTION FROM FILING O.T.
- IA No. 51558/2020 - EXEMPTION FROM FILING O.T.
- IA No. 49668/2020 - INTERVENTION APPLICATION
- IA No. 49693/2020 - INTERVENTION APPLICATION
- IA No. 52177/2020 - INTERVENTION APPLICATION
- IA No. 52175/2020 - INTERVENTION APPLICATION
- IA No. 49553/2020 - INTERVENTION APPLICATION
- IA No. 50455/2020 - INTERVENTION APPLICATION

IA No. 51634/2020 - INTERVENTION APPLICATION
IA No. 50577/2020 - INTERVENTION APPLICATION
IA No. 57195/2020 - INTERVENTION APPLICATION
IA No. 50342/2020 - INTERVENTION APPLICATION
IA No. 49682/2020 - INTERVENTION APPLICATION
IA No. 50475/2020 - INTERVENTION APPLICATION
IA No. 50464/2020 - INTERVENTION APPLICATION
IA No. 51453/2020 - INTERVENTION/IMPLEADMENT
IA No. 49687/2020 - INTERVENTION/IMPLEADMENT
IA No. 51821/2020 - INTERVENTION/IMPLEADMENT
IA No. 50446/2020 - INTERVENTION/IMPLEADMENT
IA No. 49685/2020 - INTERVENTION/IMPLEADMENT
IA No. 50488/2020 - INTERVENTION/IMPLEADMENT
IA No. 51726/2020 - INTERVENTION/IMPLEADMENT
IA No. 54888/2020 - INTERVENTION/IMPLEADMENT
IA No. 54894/2020 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 51456/2020 - PERMISSION TO APPEAR AND ARGUE IN PERSON
IA No. 57979/2020 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH

W.P.(C) No. 920/2020 (PIL-W)

W.P.(C) No. 511/2020 (PIL-W)

(IA No. 51094/2020 - EXEMPTION FROM FILING AFFIDAVIT)

Date : 01-09-2020 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAH

For Petitioner(s) By Courts Motion

Mr. Deepak Prakash, AOR
Ms. Divyangna Malik, Adv.
Mr. Nachiketa Vajpayee, Adv.

Mr. Sanjay Parikh, Sr. Adv.
Mr. Abhimanue Shrestha, Adv.

For Respondent(s) Mr. Tushar Mehta, SGI
Mr. K.M. Nataraj, ASG
Ms Ashwariya Bhati, ASG
Mr. Rajat Nair, Adv.
Mr. Kanu Agrawal, Adv
Mr. Saurab Mishra, Adv.
Mr. Raj Bahadur Yadav, Adv.
Mr. B.V. Balram Das, AOR

States

| | |
|-------------------|--|
| Arunachal Pradesh | Mr. Abhimanyu Tiwari, Adv. Ms. Eliza Bar, Advocate |
| AP | Mr. Anil Shrivastav, Adv. |
| Assam | Mr. Shuvodeep Roy, AOR |
| Bihar | Mr. Ranjit Kumar, Sr. Adv. Mr. Manish Kumar, Adv. |
| Chhattisgarh | Mr. Sumeer Sodhi, Adv. MR. Ashish Tiwari, Adv. |
| NCT of Delhi | Mr. Sanjay Jain, Sr. Adv. Mr. Chirag M. Shroff, AOR Ms. Sanjana Nangia, Adv. Ms. Abhilasha Bharti, Adv. |
| Goa | Mr. Arun Pedneker, Adv. Mr. Sachin Patil, AOR |
| Gujarat | Mr. Tushar Mehta, SG Mr. Maninder Singh, Sr. Adv. Mrs. Manisha Lavkumar, Sr. Adv. Mr. Aniruddha P. Mayee, Adv Ms. Deepanwita Priyanka , AOR. |
| Haryana | Mr. Anil Grover ,Sr. AAG HARYANA Ms. Noopur Singhal, Advocate Mr. Rahul Khurana, Advocate Mr. Sanjay Kumar Visen, AOR |
| H.P. | Mr. Abhinav Mukerji, AOR Mrs. Bihu Sharma, Adv. Ms. Pratishtha Vij, Adv. |
| Jharkhand | Mr. Tapesk Kumar Singh, Adv. Mr. Kumar Anurag Singh, Adv. Mr. Aditya Pratap Singh, Adv. Mr. Anando Mukherjee, Adv. |
| J&K | Ms. Shashi Juneja, Adv. Ms. Pinky Behera, Adv. |
| Karnataka | Mr. Shubhranshu Padhi, Adv. |
| Kerala | Mr. Jishnu M.L., Adv. Ms. Priyanka Prakash, Adv. |

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|--------------------|--|
| | Ms. Beena Prakash, Adv. Mr. G. Prakash, AOR |
| Maharashtra | Mr. Tushar Mehta, SG Mr. Rahul Chitnis ADV. Mr. Sachin Patil, AOR |
| Manipur | Mr. Pukhrambam Ramesh Kumar, Adv. Ms. Anupama Ngangom, Adv Mr. Karun Sharma, Adv |
| Meghalaya | Mr. Amit Kumar, Advocate General Meghalaya Mr. Avijit Mani Tripathi, Advocate On Record Mr. U. Mishra, Adv. Tarini K. Nayak, Advocate |
| M.P. | Mr. Saurabh Mishra, AAG Mr. Arjun Garg, Adv. Mr. Rati Tandon, Adv. |
| Mizoram | Mr. Siddhesh Kotwal, Adv. Ms. Astha Sharma, Adv. Ms. Arshiya Ghose, Adv. |
| Nagaland | Ms. K. Enatoli Sema, AOR |
| Odisha | Mr. Sibho Sankar Mishra, AOR |
| Punjab | Mr. Karan Bharihoke, Adv. |
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| Sikkim | Mr. Raghvendra Kumar, AOR Mr. Anand Kumar Dubey, Adv. |
| Tripura | Mr. Shuvodeep Roy, AOR Mr. Kabir Shankar Bose, Adv. |
| Tamil Nadu | Mr. Jayanth Muthuraj, AAG Mr. M. Yogeshkanna AOR |
| Telangana | Mr. S. Udaya Kumar Sagar, Adv., Ms. Swati Bhardwaj, Adv. |
| U.P. | Ms. Garima Prashad, AOR |
| Uttarakhand | Dr. Abhishek Atrey, Advocate Mr. Shadman Ali, Advocate Ms. Vidyottma Jha Advocate Ms. Ambika Atrey, Advocate |

Mr. Arun Mishra, Adv.

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Ms. Liz Mathew, Adv.
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Mr. Amit Verma, Adv.
Mr. Abhishek Manchanda, Adv.
Mr. Sayandeep Pahari, Adv.
For PLR Chambers & Co.

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Mr. Vinay Mathew, Adv.

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Mr. Rajat Nair, Adv.
Mr. Saurabh Mishra, Adv.
Mr. Raj Bahadur Yadav, AOR

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Ms. Shashi Juneja, Adv.
Ms. Pinky Behera, Adv.

Lakshadweep

Mr. Raj Bahadur Yadav, Adv.

Puducherry

Mr. V. G. Pragasam, AOR
Mr. S. Prabu Ramasubramanian, Adv.

Intervention/Impleadment

49693-94

Mr. Kapil Sibal, Sr. Adv.
Ms. Indira Jaising, Sr. Adv.
Ms. Gayatri Singh, Sr. Adv.
Ms. Nupur Kumar, AOR
Ms. Ronita Bhattacharya, Adv

49553/54

Dr. Abhishek Manu Singhvi, Sr. Adv.
Mr. Sunil Fernandes, AOR.
Mr. Amit Bhandari, Adv
Mr. Muhammad Khan, Adv.
Mr. Avishkar Singhvi, Adv.
Mr. Varun Chopra, Adv.
Mr. Omar Hoda, Adv.

Mr. Prastut Dalvi, Adv.
Ms. Aishwarya Mohapatra, Adv.
Mr. Gurtejpal Singh, Adv.

51453 Mr. Shashwat Anand, Applicant-in-person

51726 Mr. Nitin Mishra, Adv.
Ms. Mitali Gupta, Adv.

51676&78 Mr. Biju P. Raman, Adv.
Shri. Subhash Chandran KR, Adv.

49668/49670 Mr. Alakh Alok Srivastava, AOR

49685-86&49687-88 Mr. Colin Gonsalves, Sr. Adv.
49682-83 Mr. Satya Mitra, AOR
Mr. Gunjan Singh, Adv.
Mr. Siddharth Seem, Adv.

50577 Mr. Prashant Bhushan, Adv.

52177 Mr. Gopal Sankarnarayanan, Sr. Adv.
Ms. Mithu Jain, AOR
Mr. Arnav Vidyarthi, Adv.

51634, 51636 & 51637

NHRC Mr. Mohit Paul, Adv.
Mr. Rushab Aggarwal, Adv.
Ms. Sunaina Phul, Adv.

11394/2020 &
511/2020 Mr. Chirag M. Shroff, AOR

Ms. Rashmi Bansal, in person

51821/20 Mr. Vivek Sharma, Adv.
Ms. Nanita Sharma, Adv.

UPON hearing the counsel the Court made the following
O R D E R

By our order dated 31.07.2020, we had specifically directed the States to file an affidavit specifically with regard to operation of three enactments as noticed therein.

Although various States have filed their reply but the States of Maharashtra and NCT of Delhi have not filed their affidavits in

compliance of our order dated 31.07.2020. The States of Maharashtra and Delhi are the States where the maximum number of migrants have come and are working.

Mr. Tushar Mehta, learned Solicitor General and Mr. Sanjay Jain, learned senior counsel prays for further time to file affidavit.

When the Court passed specific order directing the States to file affidavits, the Court's intention was to see the working of the aforesaid acts. Non-filing of affidavit clearly indicates that the States are not interested in implementing the aforesaid enactments.

We grant further two weeks' time to the States of Maharashtra and NCT of Delhi as well as to the other States, who have not filed their affidavit in compliance of order dated 31.07.2020.

List the matters after two weeks.

(MEENAKSHI KOHLI)
AR-CUM-PS

(RENU KAPOOR)
COURT MASTER