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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 3332/2020 and CM APPL. 11704/2020 (stay)

THE POTATO AND ONION MASAKHOUR MERCHANT  
ASSOCIATION (REGD.) ..... Petitioner

Through: Mr. Sumit Rana, Advocate

versus

UNION OF INDIA AND ANR ..... Respondents

Through: Mr. Anuj Aggarwal, ASC for  
R-2/GNCTD.

Mr. Sumer Sethi, Advocate for DSLSA with

Mr.Kanwal Jeet Arora, Member Secretary, DSLSA.

**CORAM:**

**HON'BLE MS. JUSTICE HIMA KOHLI**

**HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD**

**ORDER**

% **16.06.2020**

**HEARD THROUGH VIDEO CONFERENCING**

1. Pursuant to the order dated 09.06.2020, a reply affidavit has been filed by the respondent No.2/SDM, Model Town, stating *inter alia* that an exercise was undertaken to identify the number of labourers, who are stranded in Azadpur Mandi and need two square meals a day and/or shelter. It has been stated in the affidavit that a team of six officials were deployed to conduct a survey and to establish a helpdesk from 10.06.2020 to 13.06.2020, so as to ascertain the actual number of labourers who are stranded in Azadpur Mandi and are in need of meals and/or shelter. It is

stated that the Survey Team was assisted by Mr. B.L. Narang, representative of the petitioner/Association.

2. As per the Survey Report, a total of 882 labourers had got registered at the helpdesk. Out of these, 849 labourers gave their permanent residential address as outside of Delhi and the remaining 33 did not disclose their place of residence. Most of them are stated to be living in rented accommodations in the nearby areas. About 143 labourers have stated that they are staying within the Azadpur Mandi premises, either in Mandi sheds or in the shops of local traders. Further, 446 labourers have stated that they were taking ready meals from the Hunger Relief Centre at Hira Singh Park, set up by the Govt. of NCT of Delhi, while 436 labourers have stated that they are carrying their food from their homes and did not have to go to Hunger Relief Centres. Further, 686 labourers expressed their desire to return to their native places.

3. Mr. Sumer Sethi, Advocate states on instructions from Mr. Kanwal Jeet Arora, Member Secretary, DSLSA, who is present in the hearing that as per the exercise undertaken by the DSLSA, there were a total of 882 labourers who had registered themselves at the helpdesk. Out of them, about 365 are not traceable, thus leaving 517 labourers. Out of the said 517 labourers, only 44 were getting foods from their homes while the remaining 473 are stated to be approaching the Hunger Relief Centres for collecting meals.

4. Mr. Rana, learned counsel for the petitioner states that as the helpdesk was operating from 10 AM to 6 PM, many of the labourers who return to the Mandi only after 6 PM, for staying overnight in the Mandi sheds or the shops of the traders, were not present when the help desks were functioning and it would be appropriate if a helpdesk is set up in the evening hours after

6 PM, so that the correct count of those labourers who require assistance of a shelter set up by the Govt. of NCT of Delhi, can be identified and directed to avail of the facility. He further states that if 686 labourers, who had registered at the helpdesk, wish to return to their native places, then the respondent No.2/Govt. of NCT of Delhi must make adequate arrangements in terms of the directions already issued by the Supreme Court in a **Suo Moto Petition**, registered as **Suo Moto Writ Petition (Civil) No(s).6/2020** entitled IN RE : Problems and Miseries of Migrant Labourers.

5. Mr. Anuj Aggarwal, learned ASC appearing for the respondent No.2/Govt. of NCT of Delhi states that he shall have to obtain instructions relating to the steps taken by the Delhi Govt. for sending back 686 labourers to their native places.

6. Orders in this regard have already been passed by the Supreme Court and ought to be complied with by the Delhi Govt in letter and spirit. It is not expected that 686 labourers should land up together at the Inter State Bus Terminals or at the Railway Stations and continue waiting there to board Inter-State buses or trains for heading to their native places. Respondent No.2/Govt. of NCT of Delhi will have to chart out a schedule so that the concerned labourers can be informed well in advance about the mode of transport that is arranged for them alongwith the date and time of departure. An exercise shall be undertaken by the Govt. of NCT of Delhi for the said purpose, in collaboration with the DSLSA. Further, a helpdesk shall be set up at Azadpur Mandi in the evening hours at the earliest, as directed above, so that shelter can be offered to those labourers, who are still spending the night in the open at the Mandi or are in need of ready meals. Compliance affidavit be filed within one week from today.

7. List on 24.06.2020.

**HIMA KOHLI, J**

**SUBRAMONIUM PRASAD, J**

**JUNE 16, 2020**

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