<u>**NON-REPORTABLE**</u>

IN THE SUPREME COURT OF INDIA

CIVIL ORIGINAL JURISDICTION

<u>**M.A. NO. 94 OF 2022**</u>

<u>**IN**</u>

<u>**SMW(C) NO. 6 OF 2020**</u>

In Re Problems and Miseries of Migrant Labourers   **...Petitioner(s)**

Versus

<u>**O R D E R**</u>

<u>M.R. SHAH, J.</u>

1. A further status report has been filed on behalf of the Union of India. In the status report, it is stated that against the total target of 38,37,42,394 migrants 28,86,23,993 migrants have already registered their names on eShram portal. It is stated that e-Shram

portal was launched on 26th August, 2021 by the Ministry of Labour & Employment in technical cooperation with NIC. It is submitted that eShram portal is meant to register and support the unorganised/migrant workers by providing them with a Universal Account Number (UAN). It is submitted that the Ministry has on boarded CSC-SPV to function as eShram registration center to provide assistance in registration to the unorganized workers. That the registration charges of Rs. 20/- per registration is being directly paid to the CSC-SPV by the Central Government and so far, payment of more than Rs. 347.57 crores upto December, 2022 has been made to CSC for registration on eShram. The steps undertaken by the CSC to facilitate

registration of unorganized workers on the eShram portal has been stated in the further status report. It is submitted that the Ministry of Labour and Employment has developed a Standard Operating Procedure (SOP) to share eShram portal data with States and Union Territories (UTs). Accordingly, guidelines for data sharing have been shared with all the States & UTs in accordance with the SOP. It is submitted that Data Sharing Portal (DSP) has been developed and made live by the Ministry of Labour and Employment to facilitate the sharing of eShram data with the State Governments so as to equip them for targeted implementation of the welfare schemes. It is submitted that 24 States/UTs have onboarded Data Sharing Portal through which they can access eShram

data of their State/UT. It is submitted that the concerned State/UT government will have to share the data with other departments of the State Government as per the requirement.

2. It is further submitted in the report that it has been found that out of 28.60 crores registrants on eShram, 20.63 crores are also registered on Ration Card Data. It is pointed that approximately 3.82 crores eShram registrants are also found to be beneficiary under PM-Kisan Samman Nidhi. It is submitted that the benefit of Pradhan Mantri Shram Yogi Mann-Dhan Yojana (PM-SYM) has been given to the eligible migrants.

3. Ms. Aishwarya Bhati, learned ASG appearing on behalf of the Union of India has submitted that each State has their own policies for

issuance of the ration card. It is submitted that the concerned State/UT has to take further steps to issue ration card to remaining registrants on eShram.

4. Shri Prashant Bhushan, learned counsel has pointed out that approximately more than 10 crores persons are deprived of the benefit of National Food Security Act due to non-issuance of the ration cards which as such is due to the fact that at present census of 2011 is being implemented and that after 2011 population has increased.

5. Having heard Ms. Bhati, learned ASG and Shri Prashant Bhushan, learned counsel and on going through the further status report, we appreciate the exercise undertaken by the UOI with the assistance of the respective

States/UTs for registration of the migrants/unorganized workers on eShram portal. 28.60 crores migrants/unorganized workers are registered on eShram portal which is a commendable job. However, out of 28.60 registrants on eShram 20.63 crores are registered on ration card data. Meaning thereby, the rest registrants on eShram are still without ration cards. Without the ration card a migrant/unorganized labourer or his family members may be deprived of the benefit of the schemes and may be the benefit under the National Food Security Act. Therefore, being a welfare State, it is the duty of the concerned State/UT to see that the remaining registrants on eShram, who are still not registered on ration card data and who are not issued the ration cards, they are

issued ration cards and the exercise for issuance of ration cards is required to be expediated. As the Union of India and the concerned State/UT now already have the data of the registrants on eShram portal and will be having the required information, the State/UT shall reach to them so that they can be issued the ration cards and that their names are registered on ration card data.

6. At present, we give further three months' time to the concerned State/UT to undertake the exercise to issue ration cards to the left out registrants on eShram portal by giving wide publicity and the concerned State/UT to approach them through the office of the concerned Collector of the District so that more and more registrants on eShram portal

are issued the ration cards and so that they may get the benefit of the benevolent schemes floated by the UOI and the State Government including the benefit under the National Food Security Act. We order accordingly.

Put up on 03.10.2023, so as to enable the Union of India to file further status report.

………………………………….J.
[M.R. SHAH]

………………………………….J.
[AHSANUDDIN AMANULLAH]

NEW DELHI;
APRIL 20, 2023