



## 'I will fight for compensation'

An Indian woman tailor in UAE who was injured in a road accident and repatriated in a wheelchair has moved papers to fight a compensation case.

Rejimon Kuttappan

On September 19, 2019, Anitha Kumary, a 51-year-old Indian woman tailor, was hit by a car in Abu Dhabi. She suffered a severe head injury and lost consciousness. She was rushed to the Acute Emergency section of Sheikh Khalifa Medical City.

She was put in the Intensive Care Unit for five days and when medics found some progress, she was moved to the monitored bed.

Finally, she was discharged on October 6. Even at the time of discharge, she wasn't able to stand independently or sit without

support.

And on a wheelchair, she was repatriated to India on October 15.

"Even now, I have to take medicines for some 14 USD. Every month, I have to visit a medic. If I stop medicines, I will lose my eyesight and memory, says the medic," Anitha said.

"Without a job, salary, and no other source of income, it is quite hard to survive. I was sent empty-handed. I didn't get a single penny as an accident claim. And as my employer had cunningly made me sign my visa cancellation at the hospital, I am not able to go back to UAE too," Anitha added.

Anitha had migrated to UAE in 2019 January as a tailor. As she is a Class 10 pass, she didn't fall under the Emigration Clearance Required (ECR) category. She falls under the non-ECR passport holding category.

And so, she ‘failed’ to subscribe to the Pravasi Bharatiya Bhima Yojana (PBBY) insurance scheme provided by the Indian government, which isn’t mandatory for non-ECR category migrants.

If she had, then she could have been eligible for compensation.

“I wasn’t told about such an insurance scheme. If somebody had told me, then I would have subscribed to it. It would have helped me as my employer also didn’t pay me any money,” Anitha added.

Anitha looked for legal options to fight a case in UAE. But a few social workers advised her that she has to be present in the UAE to fight the case, which didn’t happen following the COVID-19 outbreak, and the employer had canceled her visa ‘cunningly.’

“When I was in the hospital, he came to pay me my pending salary. He got some papers signed. He was telling me that it was required to process the accident claims. But now I realize that it was my visa cancellation papers,” Anitha, who had a valid visa till 2021 January, said.

Anitha’s monthly salary was around 2200 AED (600 USD). Her employer pays 1,000 AED (272 USD) through the bank to follow the wage protection system before month-end and the rest as cash in hand by the second week of every month.

Now, through the Centre for Indian Migrant Studies (CIMS), a migrant rights CSO based in Kerala, South India, Anitha has moved to file a case in UAE using the power of attorney options to get accident compensation.

“I have a loan of around 7,000 USD. My husband had passed away long back. I have only one daughter. I had taken the loan to marry off her. I have to buy medicines and buy food too. I am not in a position to go to work. I deserve compensation. The accident didn’t happen due to my fault...,” she said adding that none from the Indian embassy reached out to her when she was in the hospital and repatriated on a wheelchair.

“I will fight for compensation, which I am eligible for” she concluded.

(The writer is an independent migrant’s rights researcher and journalist who contributes to MFA)

