

दि. 12/03/2022

व.शि.व. अ.द. विभाग
मंत्रालय, मुंबई-१.

① O.A. चे 2 सेट -

② कार्टे निधीय (सर्व) - 2 सेट }

Scanning

direction for regularisation only because a worker has continued as daily-wage worker/ad hoc/temporary worker for number of years – Further, such a direction cannot be given when the worker concerned does not meet the eligibility requirement of the post in question as per the recruitment rules

– However, wherever Labour Court/Tribunal has statutory power to grant certain reliefs to the workmen, which includes the power to grant the relief of giving the status of permanency to contract employees/daily-wagers, etc., such a power may be exercised when it is established that the employer has indulged in unfair labour practice (as defined in ID Act or State Act concerned) by not filling up permanent posts even when available and continuing to employ workers on temporary/daily-wage basis and taking the same work from them, which is done by the regular workers, but by paying them much lower wages

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– Lastly, wherever it is found that similarly situated workmen are regularised by the employer itself under some scheme or otherwise and the workmen in question who have approached the Industrial/Labour Court are on a par with them, direction of regularisation in such cases may be legally justified, otherwise, non-regularisation of the left-over workers itself would amount to invidious discrimination qua them in such cases and would be violative of Art. 14 of Constitution – In this lattermost situation, the Industrial Adjudicator would be achieving the equality by upholding Art. 14, rather than violating this constitutional provision – Constitution of India – Arts. 16 and 14 – Industrial Disputes Act, 1947 – Ss. 11-A, 25-T, 25-U and Sch. V – Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (1 of 1972), Ss. 30, 32 and Sch. IV

The two appellants were working on a casual basis with FCI. After certain time, their services were dispensed with. Both of them raised industrial dispute alleging wrongful termination which was referred to the Central Government-cum-Industrial Tribunal (CGIT). These proceedings culminated in two awards passed by CGIT. In both these awards, termination of both the appellants was held to be illegal and they were directed to be reinstated with 50% back wages. CGIT also ordered their regularisation in service.

FCI filed writ petitions in both the cases challenging these awards and the operation of the awards was stayed. However, orders were passed under Section 17-B of the Industrial Disputes Act (ID Act) directing payment of full wages as last wages drawn by the appellants from the date of the award in each case. These writ petitions were ultimately dismissed by the Single Judge. This judgment of the Single Judge was challenged by the respondent by filing LPAs which have been allowed by the Division Bench, thereby setting aside the orders of the Single Judge as well as awards passed by CGIT. In its order the Division Bench accepted that there was infraction of Section 25-F of the ID Act in both the cases. However, they were held not entitled to reinstatement because of the reason that they were employed strictly as temporary workers, without any stipulation or promise that they would be made permanent and therefore reinstatement of such workers was not warranted and they were entitled to get monetary compensation only. As far as compensation is concerned, since both the appellants were paid the money equivalent to wages last drawn, for number of years when the writ petitions were pending, under Section 17-B of the ID Act, the High Court felt that the appellants were duly compensated and no further amount was payable.

The appellants had thus filed the present appeals.

Partly allowing the appeals, the Supreme Court

Held :

Relief by way of reinstatement with back wages is not automatic and may be wholly inappropriate in a given fact situation even though the termination of an employee is in contravention of the prescribed procedure. Compensation instead of reinstatement has been held to meet the ends of justice. An order of retrenchment passed in violation of Section 25-F although may be set aside but an award of reinstatement should not, however, automatically passed. The award of reinstatement with full back wages in a case where the workman has completed 240 days of work in a year preceding the date of termination,

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**(2014) 7 Supreme Court Cases 190 : (2014) 2 Supreme Court Cases (L&S) 408 :
2014 SCC OnLine SC 132**

In the Supreme Court of India
(BEFORE K.S.P. RADHAKRISHNAN AND A.K. SIKRI, JJ.)

HARI NANDAN PRASAD AND ANOTHER . . Appellants;

Versus

EMPLOYER I/R TO MANAGEMENT OF FOOD CORPORATION OF INDIA
AND ANOTHER . . Respondents.

Civil Appeals Nos. 2417-18 of 2014[±], decided on February 17, 2014

A. Labour Law — Industrial Disputes Act, 1947 — S. 25-F — Setting aside of illegal termination as violative of S. 25-F — Relief to be granted — Reinstatement with back wages, or, compensation — Matters to be considered — Nature of post, duration of engagement, delay in raising industrial dispute, time period which has elapsed from time of termination, technical violation only of S. 25-F — Held, it would be difficult to give the relief of reinstatement to the persons who were engaged as daily-wagers and whose services were terminated in a distant past, and, further where the termination is held to be illegal only on technical ground of not adhering to the provisions of S. 25-F — Reasons therefor, explained in detail — *BSNL*, (2014) 7 SCC 177, applied

B. Labour Law — Casual labour/Daily-wager/Temporary employee — Daily-wager completing 240 days' continuous service — Services terminated without compliance with S. 25-F of ID Act, 1947 — Entitlement to reliefs of reinstatement and regularisation — Grievance of unfair labour practice — Effect of regularisation of similarly/identically placed workmen under the Scheme in Circular dt. 6-5-1987

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— Reiterated, relief by way of reinstatement with back wages is not automatic and may be wholly inappropriate in a given fact situation — Even though the termination of an employee is in contravention of the prescribed procedure, compensation instead of reinstatement has been held to meet the ends of justice — Reasons therefor, explained in detail — Hence, where the issue is limited only to the validity of termination, appellant workmen would not be entitled to reinstatement — However, regarding grievance of the appellants that other similarly placed workmen who had rendered 240 days' service were regularised as per Scheme/Circular dt. 6-5-1987 issued by respondent FCI, in the case of Appellant 1 who was not in service on the date when the Scheme was promulgated, relief of monetary compensation in lieu of reinstatement appropriate — Non-regularisation of Appellant 2, while giving the benefit of that Circular dt. 6-5-1987 to other similarly situated employees and regularising them would be clearly discriminatory since he was in service on the relevant date, hence, he is entitled to the benefit of the scheme in the Circular and order to reinstate Appellant 2 with 50% back wages and to regularise him in service as per orders of CGIT, restored — Industrial Disputes Act, 1947 — Ss. 25-F and 17-B — Constitution of India, Arts. 16 and 14

C. Labour Law — Unfair Labour Practice — Power of Labour Court/Tribunal to direct regularisation/permanency in cases of — Principles clarified — Fine balancing of rights of employer and employee — Relevance of *Umadevi (3)*, (2006) 4 SCC 1 to industrial adjudication — Principles laid down in *Maharashtra SRTC*, (2009) 8 SCC 556 and *U.P. Power Corpn.*, (2007) 5 SCC 755, harmonised

— Held, it would depend on facts of each case whether order of regularisation is necessitated to advance justice or has to be denied if giving of such a direction infringes upon the employer's rights — Further held, law laid down in *U.P. Power Corpn.* and *Maharashtra SRTC* cases is not contradictory to each other — On a harmonious reading of the two judgments, even when there are posts available, in the absence of any unfair labour practice the Labour Court cannot give

particularly, daily-wagers has not been found to be proper by the Supreme Court and instead compensation has been awarded. The Supreme Court has distinguished between a daily-wager who does not hold a post and a permanent employee. The reasons for denying the relief of reinstatement in such cases are obvious. It is trite law that when the termination is found to be illegal because of non-payment of retrenchment compensation and notice pay as mandatorily required under Section 25-F of the Industrial Disputes Act, even after reinstatement, it is always open to the management to terminate the services of that employee by paying him the retrenchment compensation. Since such a workman was working on daily-wage basis and even after he is reinstated, he has no right to seek regularisation [see *Umadevi (3)*, (2006) 4 SCC 1]. Thus when he cannot claim regularisation and he has no right to continue even as a daily-wage worker, no useful purpose is going to be served in reinstating such a workman and he can be given monetary compensation by the Court itself inasmuch as if he is terminated again after reinstatement, he would receive monetary compensation only in the form of retrenchment compensation and notice pay. In such a situation, giving the relief of reinstatement, that too after a long gap, would not serve any purpose.

(Paras 19 and 21)

The issue of validity of the termination hardly poses any problem. The admitted facts are that both the appellants had worked for more than 240 days continuously preceding their disengagement/termination. At the time of their disengagement, even when they had rendered continuous service for more than 240 days (in fact about 3 years) they were not given any notice or pay in lieu of notice as well as retrenchment compensation. Thus, the mandatory preconditions of retrenchment in paying the aforesaid dues in accordance with Section 25-F of the ID Act were not complied with. That is sufficient to render the termination as illegal. However, as far as relief is concerned, admittedly, both the workmen were engaged on daily-wage basis. Their engagement was also in the exigency of the situation. Insofar as Appellant 1 is concerned, he was disengaged way back in the year 1983. The dispute in his case was referred for adjudication to CGIT in 1992 only. There is a time lag of nine years. Though no reasons are appearing on record for such an abnormal delay, it seems that he had raised the industrial dispute few years after his disengagement which can be inferred from the reading of the award of CGIT as that reveals that after his disengagement he kept on making representations only and he took recourse to judicial proceedings only after Circular dated 6-5-1987 was issued as per which FCI had decided to regularise the services of all casual workmen who had completed more than 90 days before 1987. Be that as it may, at this juncture Appellant 1 had worked on daily-wage basis for barely three years and he is out of service for the last thirty years. Even when the Tribunal rendered its award in 1996, 13 years had elapsed since his termination. On these facts, it would be difficult to give the relief of reinstatement to the persons who were engaged as daily-wagers and whose services were terminated in a distant past, and, further where the termination is held to be illegal only on a technical ground of not adhering to the provisions of Section 25-F of the Act. The law on this aspect, as developed over a period of time by a series of judgments makes the aforesaid legal position very eloquent.

(Paras 17 and 18)

BSNL v. Bhurumal, (2014) 7 SCC 177, applied

BSNL v. Man Singh, (2012) 1 SCC 558 : (2012) 1 SCC (L&S) 207; *Incharge Officer v. Shankar Shetty*, (2010) 9 SCC 126 : (2010) 2 SCC (L&S) 733; *Jagbir Singh v. Haryana*

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State Agriculture Mktg. Board, (2009) 15 SCC 327 : (2010) 1 SCC (L&S) 545; *Telegraph Deptt. v. Santosh Kumar Seal*, (2010) 6 SCC 773 : (2010) 2 SCC (L&S) 309; *U.P. State Brassware Corpn. Ltd. v. Uday Narain Pandey*, (2006) 1 SCC 479 : 2006 SCC (L&S) 250; *Uttaranchal Forest Development Corpn. v. M.C. Joshi*, (2007) 9 SCC 353 : (2007) 2 SCC (L&S) 813; *State of M.P. v. Lalit Kumar Verma*, (2007) 1 SCC 575 : (2007) 1 SCC (L&S) 405; *M.P. Admn. v. Tribhuban*, (2007) 9 SCC 748 : (2008) 1 SCC (L&S) 264; *Sita Ram v. Moti Lal Nehru Farmers Training Institute*, (2008) 5 SCC 75 : (2008) 2 SCC (L&S) 71; *Jaipur Development Authority v. Ramsahai*, (2006) 11 SCC 684 : (2007) 1 SCC (L&S) 518; *GDA v. Ashok Kumar*, (2008) 4 SCC 261 : (2008) 1 SCC (L&S) 1016; *Mahboob Deepak v. Nagar Panchayat, Gajraula*, (2008) 1 SCC 575 : (2008) 1 SCC (L&S) 239; *Telegraph Deptt. v. Santosh Kumar Seal*, (2010) 6 SCC 773 : (2010) 2 SCC (L&S) 309; *State of Karnataka v. Umadevi (3)*, (2006) 4 SCC 1 : 2006 SCC (L&S) 753, followed

Rajasthan Development Corpn. v. Gitam Singh, (2013) 5 SCC 136 : (2013) 2 SCC (L&S) 369, referred to

The Constitution Bench judgment in *Umadevi (3)*, (2006) 4 SCC 1 has applicability in the matters concerning industrial adjudication. In *U.P. Power Corpn.*, (2007) 5 SCC 755 the Supreme Court emphasised the underlying message contained in *Umadevi (3)* case to the effect that regularisation of a daily-wager, who has not been appointed after undergoing the proper selection procedure, etc. is impermissible as it was violative of Article 14 of the Constitution of India and this principle predicated on Article 14 would apply to the Industrial Tribunal as well inasmuch as there cannot be any direction to regularise the services of a workman in violation of Article 14 of the Constitution. This would mean that the Industrial Court would not issue a direction for regularising the services of a daily-wage worker in those cases where such regularisation would tantamount to infringing the provisions of Article 14 of the Constitution. But, this would not deter the Industrial Tribunals/Labour Courts from issuing such direction, which the industrial adjudicators otherwise possess, having regard to the provisions of Industrial Disputes Act specifically conferring such powers. This is recognised by the Court in *U.P. Power Corpn* case. The Court in *Maharashtra SRTC*, (2009) 8 SCC 556 also accepted the legal proposition that courts cannot direct creation of posts.

(Paras 23, 24, 31 and 33)

A close scrutiny of the rulings in *U.P. Power Corpn.*, (2007) 5 SCC 755 and *Maharashtra SRTC*, (2009) 8 SCC 556, thus, would reveal that the law laid down in those cases is not contradictory to each other. In *U.P. Power Corpn.* case the Supreme Court has recognised the powers of the Labour Court and at the same time emphasised that the Labour Court is to keep in mind that there should not be any direction of regularisation if this offends the provisions of Article 14 of the Constitution on which the judgment in *Umadevi (3)*, (2006) 4 SCC 1 is primarily founded. On the other hand, in *Maharashtra SRTC* case, the Court has recognised the principle that having regard to the statutory powers conferred upon the Labour Court/Industrial Court to grant certain reliefs to the workmen, which includes the relief of giving the status of permanency to contract employees when the conditions therefor are satisfied, such statutory power does not get denuded by the judgment in *Umadevi (3)* case. It is clear from the reading of *Maharashtra SRTC* case that such a power is to be exercised when the employer has indulged in unfair labour practice by not filling up permanent posts even when available and continuing to employ workers on temporary/daily-wage basis and taking the same work from them which is performed by the regular

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workers but by paying them much lower wages. It is only when a particular practice is found to be unfair labour practice, as enumerated in Schedule IV of the MRTP and PULP Act, and it necessitates giving direction under Section 30 of the said Act, that the court would give such a direction.

(Para 34)

On a harmonious reading of the two judgments, when there are posts available, in the absence of any unfair labour practice the Labour Court would not give direction for regularisation only because a worker has continued as daily-wage worker/ad hoc/temporary worker for number of years. Further, if there are no posts available, such a direction for regularisation would be impermissible. In the aforesaid circumstances giving of direction to regularise such a person, only on the basis of number of years put in by such a worker as daily-wager, etc. may amount to back door entry into the service which is an anathema to Article 14 of the Constitution. Further, such a direction would not be given when the worker concerned does not meet the eligibility requirement of the post in question as per the recruitment rules.

(Para 39)

However, wherever it is found that similarly situated workmen are regularised by the employer itself under some scheme or otherwise and the workmen in question who have approached the Industrial/Labour Court are on a par with them, direction of regularisation in such cases may be legally justified, otherwise, non-regularisation of the left-over workers itself would amount to invidious discrimination qua them in such cases and would be violative of Article 14 of the Constitution. Thus, the industrial adjudicator would be achieving the equality by upholding Article 14 of the Constitution, rather than violating this constitutional provision.

(Para 39)

The above examples are illustrative only. It would depend on the facts of each case as to whether the order of regularisation is necessitated to advance justice or it has to be denied if giving of such a direction infringes upon the employer's rights.

(Para 40)

Appellant 1 was not in service on the date when the regularisation Scheme was promulgated i.e. as on 6-5-1987 as his services were dispensed with four years before that circular saw the light of the day.

Therefore, the relief of monetary compensation in lieu of reinstatement would be more appropriate in his case and the conclusion in the impugned judgment qua him is unassailable, though for different reasons than those advanced by the High Court. However, insofar as Appellant 2 is concerned, he was engaged on 5-9-1986 and continued till 15-9-1990 when his services were terminated. He even raised the industrial dispute immediately thereafter. Thus, when the Circular dated 6-5-1987 was issued, he was in service and within few months of the issuing of that circular he had completed 240 days of service. The non-regularisation of Appellant 2, while giving the benefit of that Circular dated 6-5-1987 to other similarly situated employees and regularising them would, therefore, be clearly discriminatory. On these facts, CGIT rightly held that he was entitled to the benefit of the Scheme contained in the Circular dated 6-5-1987.

(Paras 41 to 44)

State of Karnataka v. Umadevi (3), (2006) 4 SCC 1 : 2006 SCC (L&S) 753; *Mahatma Phule Agricultural University v. Nasik Zilla Sheth Kamgar Union*, (2001) 7 SCC 346 : 2001 SCC (L&S) 1180; *State of Maharashtra v. R.S. Bhonde*, (2005) 6 SCC 751 : 2005 SCC (L&S) 907, followed
Food Corporation of India v. Union of India, (2005) 106 FLR 1171 : 2005 AIR Jhar R 1962, partly affirmed

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Maharashtra SRTC v. Casteribe Rajya Parivahan Karmchari Sanghatana, (2009) 8 SCC 556 : (2009) 2 SCC (L&S) 513; *U.P. Power Corpn. Ltd. v. Bijli Mazdoor Sangh*, (2007) 5 SCC 755 : (2007) 2 SCC (L&S) 258, clarified and harmonised

Food Corporation of India v. Union of India, (2008) 118 FLR 1063 (Jhar), partly reversed

Delhi Development Horticulture Employee's Union v. Delhi Admn., (1992) 4 SCC 99 : 1992 SCC (L&S) 805 : (1992) 21 ATC 386; *Maharashtra SRTC v. Kishore Kondiram Jagade*, (2006) 2 Bom CR 340 : (2005) 4 Mah LJ 798, referred to

Post Master General v. Tutu Das (Dutta), (2007) 5 SCC 317 : (2007) 2 SCC (L&S) 179; *U.P. SEB v. Pooran Chandra Pandey*, (2007) 11 SCC 92 : (2008) 1 SCC (L&S) 736; *R.S. Garg v. State of U.P.*, (2006) 6 SCC 430 : 2006 SCC (L&S) 1388, cited

D. Labour Law – Labour Court/Industrial Tribunal – Jurisdiction, Powers and Functions of – Generally – Powers of the industrial adjudicator to give relief under the Industrial Disputes Act are wide – Need for fine balancing of rights, on principles of fair play and justice, between employer and employee – Relief that may be granted in cases of unfair labour practices

– Legislature has empowered the adjudication authorities under the Act to give reliefs such as a reinstatement of wrongfully dismissed or discharged workmen, which may not be permissible in common law or justified under the terms of the contract between the employer and such workmen, to frustrate the unfair labour practices and secure the policy of collective bargaining as a road to industrial peace – A fine balancing is required while adjudicating a particular labour dispute, keeping in mind that industrial disputes are settled by industrial adjudication on principles of fair play and justice – Industrial Disputes Act, 1947 – Ss. 11-A, 11, 15, 25-T, 25-U and Sch. V – Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (1 of 1972), Ss. 30, 32 and Sch. IV

(Paras 35 and 38)

LIC v. D.J. Bahadur, (1981) 1 SCC 315 : 1981 SCC (L&S) 111; *New Maneck Chowk Spg. & Wvg. Co. Ltd. v. Textile Labour Assn.*, AIR 1961 SC 867 : (1961) 1 LLJ 521; *Bharat Bank Ltd. v. Employees*, AIR 1950 SC 188 : 1950 LLJ 921, relied on

B-D/52945/CL

Advocates who appeared in this case:

Lakshmi Raman Singh, Advocate, for the Appellants;
Ajit Pudussery and Ms Joanne Pudussery, Advocates, for the Respondents.

Chronological list of cases cited

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5. (2010) 6 SCC 773 : (2010) 2 SCC (L&S) 309, *Telegraph Deptt. v. Santosh Kumar Seal* 204
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19. (2006) 6 SCC 430 : 2006 SCC (L&S) 1388, *R.S. Garg v. State of U.P.* 201a
20. (2006) 4 SCC 1 : 2006 SCC (L&S) 753, *State of Karnataka v. Umadevi (3)* 200a, 201a, 201b-c, 201c, 201d, 201f-g, 202a-b, 202b, 202c, 206a-b, 206e, 207a, 207b, 207b, 207d, 207d-e, 207g, 207g-h, 208a, 208a-b, 208c, 208c, 209d, 210b-c, 210d, 210d-e, 210g, 211a-211b, 212c, 212d
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27. (1981) 1 SCC 315 : 1981 SCC (L&S) 111, *LIC v. D.J. Bahadur* 21

28. AIR 1961 SC 867 : (1961) 1 LLJ 521, *New Maneck Chowk Spg. & Wvg. Co. Ltd. v. Textile Labour Assn.*

21:

29. AIR 1950 SC 188 : 1950 LLJ 921, *Bharat Bank Ltd. v. Employees*

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The Judgment of the Court was delivered by

A.K. SIKRI, J.— Leave granted. The two appellants have filed one combined special leave petition, which arises out of a common judgment dated 27-6-2008¹ passed by the Division Bench of the Jharkhand High Court in two LPAs which had been filed by the respondent herein viz. Food Corporation of India (FCI).

2. The two appellants were working on casual basis with FCI. After certain time, their services were dispensed with. Both of them raised industrial dispute alleging wrongful termination which was referred to the Central Government-cum-Industrial Tribunal (CGIT). These proceedings culminated in two awards dated 12-12-1996 and 18-12-1996 respectively passed by CGIT. In both these awards, termination of both the appellants was held to be illegal and they were directed to be reinstated with 50% back wages. CGIT also ordered their regularisation in service.

3. FCI filed writ petitions in both the cases challenging these awards which were initially admitted sometime in the year 1988 and the operation of the awards was stayed. However, orders were passed under Section 17-B of the Industrial Disputes Act (ID Act) directing payment of full wages as last wages drawn to the appellants from the date of the award in each case. These writ petitions were ultimately dismissed by the learned Single Judge vide common judgment and order dated 19-5-2005². As pointed out above, this judgment of the learned Single Judge was challenged by FCI by filing LPAs. These LPAs have been allowed by the Division Bench, thereby setting aside the orders of the learned Single Judge as well as awards passed by CGIT. This is how the two appellants are before us in this appeal.

4. Before we proceed further, we deem it appropriate to give the details of the nature of employment of each of the appellants with FCI and tenure, etc. as well as the gist of the Tribunal's awards.

Hari Nandan

5. He was engaged on daily-wage basis as Labourer-cum-Workman, in the exigency of the situation, at Food Storage Depot, Jasidih by the Depot-in-Charge, FCI, Jasidih on 1-6-1980. On the ground that services of Appellant 1 were no more required, he was disengaged w.e.f. 1-3-1983. While doing so, no notice or notice pay or retrenchment compensation was given to him. Appellant 1 raised industrial dispute which was referred to CGIT by the Central Government vide reference order dated 1-10-1992, with the following terms of reference:

"Whether the action of the management of Food Corporation of India, in retrenching Shri Hari Nandan Prasad, ex casual workman, in contravention of Section 25-F of the ID Act, 1947 and denying reinstatement with full back wages and regularisation of his service is

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legal and justified? If not to what relief is the workman concerned entitled?"

6. CGIT gave its award dated 12-12-1996 holding that the termination was in contravention of Section 25-F of the Industrial Disputes Act. CGIT also, while ordering reinstatement of Appellant 1, held that he was also entitled to regularisation of his services from the date of his stoppage from service dated 1-3-1983. Back wages to the extent of 50% were awarded. As far as direction for regularisation is concerned, it was based on a circular issued by FCI whereby any temporary worker employed for more than 90 days was entitled for regularisation of his service. It was noted that as per the said circular the management had regularised the services of 70-75 similarly situated casual workers and therefore denying the same benefit to Appellant 1 amounted to discrimination.

Gobind Kumar Choudhary

7. Appellant 2 was engaged on daily wages as casual typist at the District Office, FCI, Darbhanga against a vacancy of Class III post on 5-9-1986. He worked in the capacity till 15-9-1990 when his name was struck off the rolls. He also raised industrial dispute which was referred to CGIT with following terms of reference:

"Whether the action of the Management of Food Corporation of India, Laaherisarai, Darbhanga is legal and justified in retrenching Shri Govind Kumar Chaudhary, who was working as casual typist, arbitrarily and in violation of Section 25-F of the ID Act, and denying reinstatement with full back wages and regularisation of service is legal and justified? If not to what relief is the workman concerned entitled?"

In his case, the award dated 18-12-1996 was made by CGIT on almost identical premise, as in the case of Appellant 1, supported by similar reasons.

8. The learned Single Judge while dismissing both the writ petitions filed by FCI concurred with the findings and reasons given by CGIT.

9. In the LPAs before the Division Bench, the primary contention of FCI was that there could not have been any direction of regularisation of services even on the admitted case of both the workmen viz. merely on the ground that they had worked for more than 240 days in a calendar year as casual employees. It was also submitted that though the District Manager of FCI was authorised to employ persons as temporary workers, such an authority was given for employing them for seven days only and no more, and in case of violation of this strict stipulation contained in the circular issued by FCI, the officer concerned could be proceeded against departmentally. It was further argued that even if such temporary employment was to continue beyond the stipulated period of seven days, since these two workmen had worked on daily-wage basis, that too for a period of three years or so, there could not have been any regularisation of these workmen in view of the judgments of this Court in *Delhi Development Horticulture Employee's Union v. Delhi Admn.*² and the Constitution Bench judgment in

State of Karnataka v. Umadevi (3)⁴. These contentions have impressed the Division Bench of the High Court, and accepted by it, giving the following reasons: (*Food Corporation of India case*¹, FLR p. 1067, para 14)

"14. The Tribunal has apparently misconceived the principles of law laid down in this context. In *Delhi Development Horticulture Employee's Union v. Delhi Admn.*² the Supreme Court has categorically laid down that temporary employees, even if they have worked for more than 240 days, cannot claim any right or benefit for automatic regularisation of their services. Similar view has been taken in *Post Master General v. Tutu Das (Dutta)*². More so, where no posts are created or no vacancies to sanctioned posts exists, only on the ground of working for more than 240 days, regularisation cannot be directed. Even in cases where there are regular posts and vacancies, the

procedure laid down for appointment has to be followed.”

10. Insofar as contention of the appellant predicated on Circular dated 6-5-1987 is concerned, on the basis of which they claimed that 70-75 persons had been regularised and discriminatory treatment could not be meted to them, this contention has been brushed aside by the High Court in the impugned judgment in the following manner: (*Food Corporation of India case*¹, FLR pp. 1067-68, para 15)

“15. The, contention of Mrs Pal that there has been discrimination as several persons were regularised on the basis of the Circular of the Management dated 6-5-1987, cannot be accepted. Reliance for this purpose on *U.P. SEB v. Pooran Chandra Pandey*² is also of no help to her. Firstly, there were several conditions and criteria in the said Circular for regularisation, but there is no finding that the respondent workmen in these appeals fulfilled such criteria. Secondly, in *U.P. SEB*² the employees of the cooperative society who were taken over by the Electricity Board claimed that the decision of the Electricity Board dated 28-11-1996 permitting regularisation of the employees working from before 4-5-1990, will also apply to them as they were also appointed prior to 4-5-1990 in the society. It was held that since the taken over employees were appointed in the society before 4-5-1990, they could not be denied the benefit of the said decision of the Electricity Board. There is nothing to show that the appointment of the taken over employees was made by the society without following the procedure in that behalf, whereas in the present case, the respondent workmen were not appointed against vacant and sanctioned posts after following the procedure of appointment.”

Furthermore, in para 6 of the judgment of the Constitution Bench in *State of Karnataka v. Umadevi (3)*⁴, it was held that no government order, notification or circular can be substituted for the statutory rules framed under the authority of law. In para 16 of the judgment in *R.S. Garg v. State of U.P.*², it has been held that even the Government cannot make rules or issue any executive instructions by way of regularisation. Similar view has been taken in *Post Master General*³. Therefore, the respondent workmen cannot claim regularisation on the basis of the said Circular of the Management dated 6-5-1987, nor the said judgment of *U.P. SEB*² is of any help to them.”

11. Heavily relying upon the judgment in *Umadevi (3)*⁴, the High Court has held that as both the appellants did not render ten or more years of service, their cases do not come even in the exception carved out by the Constitution Bench in *Umadevi (3) case*⁴.

12. Another contention raised by the appellants before the High Court was that the ratio of *Umadevi (3) case*⁴ had no relevance in the cases of industrial adjudication by the Labour Courts/Industrial Tribunals. However, even this submission was found to be meritless by the High Court taking support of the judgment of this Court in *U.P. Power Corpn. Ltd. v. Bijli Mazdoor Sangh*⁵.

13. We may record here that the Division Bench accepted that there was infraction of Section 25-F of the ID Act in both the cases. However, they were held not entitled to reinstatement because of the reason that they were employed strictly as temporary workers, without any stipulation or promise that they would be made permanent and therefore reinstatement of such workers was not warranted and they were entitled to get monetary compensation only. As far as compensation is concerned, since both the appellants were paid the money equivalent to wages last drawn, for number of years when the writ petitions were pending, under Section 17-B of the ID Act, the High Court felt that the appellants were duly compensated and no further amount was payable.

14. Challenging the validity of the approach of the High Court, the learned counsel for

the appellants submitted that the entire thrust of the judgment of the High Court rests on the decision of this Court in *Umadevi (3) case*⁴ which was impermissible as the said judgment is clarified by this Court subsequently in *Maharashtra SRTC v. Casteribe Rajya Parivahan Karmchari Sanghatana*², wherein it is held, in categorical terms, that insofar as the Industrial and Labour Courts are concerned, they enjoy wide powers under Section 30 (1)(b) of the Maharashtra Recognition of Trade Unions and

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Prevention of Unfair Labour Practices Act, 1971 (1 of 1972) (the MRTU and PULP Act) to take affirmative action in case of unfair labour practice and these powers include power to order regularisation/permanency. The Court has, further, clarified that decision in *Umadevi (3)*⁴ limits the scope of powers of the Supreme Court under Article 32 and High Courts under Article 226 of the Constitution to issue directions for regularisation in the matter of public employment, but power to take affirmative action under Section 30(1)(b) of the ID Act which rests with the Industrial/Labour Courts, remains intact. It was, thus, argued that the entire edifice of the impugned judgment¹ of the High Court erected on the foundation of *Umadevi (3)*⁴ crumbles.

15. The learned counsel for FCI, on the other hand, referred to the judgment in *U.P. Power Corpn.*⁸ wherein this Court has taken an unambiguous view that the law laid down in *Umadevi (3)*⁴ is applicable to the Industrial Tribunals/Labour Courts as well. It was submitted that the judgment in *U.P. Power Corpn.*⁸ was not taken note of in the subsequent judgment in *Maharashtra SRTC*² and this Court should follow the earlier judgment rendered in *U.P. Power Corpn. case*⁸. The learned counsel also relied upon the recent judgment of this Court in *Rajasthan Development Corpn. v. Gitam Singh*¹⁰ to contend that even when there is a wrongful termination of services of a daily-wager because of non-compliance with the provisions of Section 25-F of the ID Act, such an employee is not entitled to reinstatement but only monetary compensation. On the aforesaid basis, the learned counsel pleaded for dismissal of the appeal.

16. We have given *considerable thoughts* to the submissions made by the learned counsel for the parties on either side. It is clear from the aforesaid narratives that this case has two facets, which are reflected even in the terms of references as well on which the disputes were referred to CGIT. The first refers to the validity of the termination and the other one pertains to the regularisation. Twin issues, which have, thus, to be gone into, are:

(1) whether termination of service of the appellants was illegal? The related issue here would be that if it is illegal, then whether in the facts and circumstances of this case, the appellants would be entitled to reinstatement in service or monetary compensation in lieu of reinstatement would be justified?

✓ (2) whether the appellants are entitled to regularisation of their services?

We would also record that both the issues, in the facts of this case, are somewhat overlapping which would become apparent, with the progression of our discussion on these issues.

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Re: Validity of termination

17. This issue hardly poses any problem. The admitted facts are that both the appellants had worked for more than 240 days continuously preceding their

disengagement/termination. At the time of their disengagement, even when they had continuous service for more than 240 days (in fact about 3 years) they were not given any notice or pay in lieu of notice as well as retrenchment compensation. Thus, the mandatory precondition of retrenchment in paying the aforesaid dues in accordance with Section 25-F of the ID Act was not complied with. That is sufficient to render the termination as illegal. Even the High Court in the impugned judgment has accepted this position and there was no quarrel on this aspect before us as well. With this, we advert to the issue of relief which should be granted in such cases, as that was the topic of hot debate before us as well.

18. Admittedly, both the workmen were engaged on daily-wage basis. Their engagement was also in exigency of situation. Insofar as Appellant 1 is concerned, he was disengaged way back in the year 1983. The dispute in his case was referred for adjudication to CGIT in 1992 only. There is a time-lag of nine years. Though no reasons are appearing on record for such an abnormal delay, it seems that he had raised the industrial dispute few years after his disengagement which can be inferred from the reading of the award of CGIT as that reveals that after his disengagement he kept on making representations only and he took recourse to judicial proceedings only after Circular dated 6-5-1987 was issued as per which FCI had decided to regularise the services of all casual workmen who had completed more than 90 days before 1987. Be that as it may, at this juncture what we are highlighting is that Appellant 1 had worked on daily-wage basis for barely three years and he is out of service for the last thirty years. Even when the Tribunal rendered its award in 1996, 13 years had elapsed since his termination. On these facts, it would be difficult to give the relief of reinstatement to the persons who were engaged as daily-wagers and whose services were terminated in a distant past; and, further where termination is held to be illegal only on a technical ground of not adhering to the provisions of Section 25-F of the Act. The law on this aspect, as developed over a period of time by series of judgments makes the aforesaid legal position very eloquent. It is not necessary to traverse through all these judgments. Our purpose would be served by referring to a recent judgment rendered by this very Bench in *BSNL v. Bhurumal*¹¹ which has taken note of the earlier case law relevant to the issue.

19. The following passages from the said judgment would reflect the earlier decisions of this Court on the question of reinstatement: (*BSNL case*¹¹, SCC pp. 187-88, paras 29-30)

"29. The learned counsel for the appellant referred to two judgments wherein this Court granted compensation instead of reinstatement. In

*BSNL v. Man Singh*¹², this Court has held that when the termination is set aside because of violation of Section 25-F of the Industrial Disputes Act, it is not necessary that relief of reinstatement be also given as a matter of right. In *Incharge Officer v. Shankar Shetty*¹³, it was held that those cases where the workman had worked on daily-wage basis, and worked merely for a period of 240 days or 2 to 3 years and where the termination had taken place many years ago, the recent trend was to grant compensation in lieu of reinstatement.

30. In this judgment of *Shankar Shetty*¹³, this trend was reiterated by referring to various judgments, as is clear from the following discussion: (SCC pp. 127-28, paras 2-4)

'2. Should an order of reinstatement automatically follow in a case where the engagement of a daily-wager has been brought to an end in violation of Section 25-F of the Industrial Disputes Act, 1947 (for short "the ID Act")? The course of the decisions of this Court in recent years has been uniform on the above question.

3. In *Jagbir Singh v. Haryana State Agriculture Mktg. Board*¹⁴, delivering the judgment of this Court, one of us (R.M. Lodha, J.) noticed some of the recent decisions of this Court, namely. *U.P. State Brassware Corpn. Ltd. v. Udav Narain*

*Pandey*¹⁵, *Uttaranchal Forest Development Corpn. v. M.C. Joshi*¹⁶, *State of M.P. v. Lalit Kumar Verma*¹⁷, *M.P. Admn. v. Tribhuban*¹⁸, *Sita Ram v. Moti Lal Nehru Farmers Training Institute*¹⁹, *Jaipur Development Authority v. Ramsahai*²⁰, *GDA v. Ashok Kumar*²¹ and *Mahboob Deepak v. Nagar Panchayat, Gajraula*²² and stated as follows: (*Jagbir Singh case*¹⁴, SCC pp. 330 & 335, paras 7 & 14)

"7. It is true that the earlier view of this Court articulated in many decisions reflected the legal position that if the termination of an employee was found to be illegal, the relief of reinstatement with full back wages would ordinarily follow. However, in recent past, there has been a shift in the legal position and in a long line of cases, this Court has consistently taken the view that relief by way of reinstatement with back wages is not automatic and may be wholly inappropriate in a given fact situation even though the termination of an employee is in contravention of the prescribed procedure. Compensation

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instead of reinstatement has been held to meet the ends of justice.

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14. It would be, thus, seen that by a catena of decisions in recent time, this Court has clearly laid down that an order of retrenchment passed in violation of Section 25-F although may be set aside but an award of reinstatement should not, however, be automatically passed. The award of reinstatement with full back wages in a case where the workman has completed 240 days of work in a year preceding the date of termination, particularly, daily-wagers has not been found to be proper by this Court and instead compensation has been awarded. This Court has distinguished between a daily-wager who does not hold a post and a permanent employee."

4. *Jagbir Singh*¹⁴ has been applied very recently in *Telegraph Deptt. v. Santosh Kumar Seal*²³, wherein this Court stated: (SCC p. 777, para 11)

11. In view of the aforesaid legal position and the fact that the workmen were engaged as daily-wagers about 25 years back and they worked hardly for 2 or 3 years, relief of reinstatement and back wages to them cannot be said to be justified and instead monetary compensation would subserve the ends of justice."

20. Taking note of the judgments referred to in the aforesaid paragraphs and also few more cases in other portion of the said judgment, the legal position was summed up in the following manner: (*BSNL case*¹¹, SCC p. 189, paras 33-35)

"33. It is clear from the reading of the aforesaid judgments that the ordinary principle of grant of reinstatement with full back wages, when the termination is found to be illegal is not applied mechanically in all cases. While that may be a position where services of a regular/permanent workman are terminated illegally and/or mala fide and/or by way of victimisation, unfair labour practice, etc. However, when it comes to the case of termination of a daily-wage worker and where the termination is found illegal because of a procedural defect, namely, in violation of Section 25-F of the Industrial Disputes Act, this Court is consistent in taking the view in such cases reinstatement with back wages is not automatic and instead the workman should be given monetary compensation which will meet the ends of justice. Rationale for shifting in this direction is obvious.

34. The reasons for denying the relief of reinstatement in such cases are obvious. It is trite law that when the termination is found to be illegal because of non-payment of retrenchment compensation and notice pay as

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mandatorily required under Section 25-F of the Industrial Disputes Act, even after reinstatement, it is always open to the management to terminate the services of that employee by paying him the retrenchment compensation. Since such a workman was working on daily-wage basis and even after he is reinstated, he has no right to seek regularisation [see *State of Karnataka v. Umadevi (3)*⁴]. Thus when he cannot claim regularisation and he has no right to continue even as a daily-wage worker, no useful purpose is going to be served in reinstating such a workman and he can be given monetary compensation by the Court itself inasmuch as if he is terminated again after reinstatement, he would receive monetary compensation only in the form of retrenchment compensation and notice pay. In such a situation, giving the relief of reinstatement, that too after a long gap, would not serve any purpose.

35. We would, however, like to add a caveat here. There may be cases where termination of a daily-wage worker is found to be illegal on the ground it was resorted to as unfair labour practice or in violation of the principle of last come first go viz. while retrenching such a worker daily wage juniors to him were retained. There may also be a situation that persons junior to him were regularised under some policy but the workman concerned terminated. In such circumstances, the terminated worker should not be denied reinstatement unless there are some other weighty reasons for adopting the course of grant of compensation instead of reinstatement. In such cases, reinstatement should be the rule and only in exceptional cases for the reasons stated to be in writing, such a relief can be denied."

21. We make it clear that reference to *Umadevi (3)*⁴, in the aforesaid discussion is in a situation where the dispute referred pertained to termination alone. Going by the principles carved out above, had it been a case where the issue is limited only to the validity of termination, Appellant 1 would not be entitled to reinstatement. This could be the position in respect of Appellant 2 as well. Though the factual matrix in his case is slightly different, that by itself would not have made much of a difference. However, the matter does not end here. In the present case, the reference of dispute to CGIT was not limited to the validity of termination. The terms of reference also contained the claim made by the appellants for their regularisation of service.

22. We have already pointed out that the two aspects viz. that of reinstatement and regularisation are intermixed and overlapping in the present case. If the appellants were entitled to get their services regularised, in that case it would have been axiomatic to grant the relief of reinstatement as a natural corollary. Therefore, it becomes necessary, at this stage, to examine as to whether the order of CGIT, as affirmed by the learned Single Judge of the High Court directing regularisation of their service, was justified or the approach of the Division Bench of the High Court in denying that relief is correct.



Re: Relief of regularisation

23. Before we advert to this question, it would be necessary to examine as to whether the Constitution Bench judgment in *Umadevi (3) case*⁴ has applicability in the matters concerning industrial adjudication. We have already pointed out above, the contention of the counsel for the appellants in this behalf, relying upon *Maharashtra SRTC case*² that the decision in *Umadevi (3)*⁴ would be binding on the Industrial or Labour Courts. On the other hand, the counsel for FCI has referred to the judgment in *U.P. Power Corpn.*³ for the submission that law laid down in *Umadevi (3)*⁴ equally applies to Industrial Tribunals/Labour Courts. It, thus, becomes imperative to examine the aforesaid two

judgments at this juncture.

24. A perusal of the judgment in *U.P. Power Corpn.*² would demonstrate that quite a few disputes were raised and referred to the Industrial Tribunal qua the alleged termination of Respondents 2 and 3 in that case. Without giving the details of those cases, it would be sufficient to mention that in one of the cases the Tribunal held that after three years of their joining in service both Respondents 2 and 3 were deemed to have been regularised. The appellants filed the writ petition which was also dismissed. Challenging the order of the High Court, the appellants had approached this Court. It was argued that there could not have been any regularisation order passed by the Industrial Court in view of the decision in *Umadevi (3)*⁴. The counsel for the workmen had taken a specific plea that the powers of the industrial adjudicator were not under consideration in *Umadevi (3) case*⁴ and that there was a difference between a claim raised in a civil suit or a writ petition on the one hand and one adjudicated by the industrial adjudicator. It was also argued that the Labour Court can create terms existing in the contract to maintain industrial peace and therefore it had the power to vary the terms of the contract.

25. While accepting the submission of the appellant therein viz. U.P. Power Corpn., the Court gave the following reasons: (*U.P. Power Corpn. case*², SCC pp. 758-59, paras 6-8)

"6. It is true as contended by the learned counsel for the respondent that the question as regards the effect of the industrial adjudicators' powers was not directly in issue in *Umadevi (3) case*⁴. But the foundational logic in *Umadevi (3) case*⁴ is based on Article 14 of the Constitution of India. Though the industrial adjudicator can vary the terms of the contract of the employment, it cannot do something which is violative of Article 14. If the case is one which is covered by the concept of regularisation, the same cannot be viewed differently.

7. The plea of the learned counsel for the respondent that at the time the High Court decided the matter, decision in *Umadevi (3) case*⁴ was not rendered is really of no consequence. There cannot be a case of



regularisation without there being employee-employer relationship. As noted above the concept of regularisation is clearly linked with Article 14 of the Constitution. However, if in a case the fact situation is covered by what is stated in para 45 of *Umadevi (3) case*⁴ the industrial adjudicator can modify the relief, but that does not dilute the observations made by this Court in *Umadevi (3) case*⁴ about the regularisation.

8. On facts it is submitted by the learned counsel for the appellants that Respondent 2 himself admitted that he never worked as a pump operator, but was engaged as daily labourer on daily-wage basis. He also did not possess the requisite qualification. Looked at from any angle, the direction for regularisation, as given, could not have been given in view of what has been stated in *Umadevi (3) case*⁴."

It is clear from the above that the Court emphasised the underlying message contained in *Umadevi (3) case*⁴ to the effect that regularisation of a daily-wager, who has not been appointed after undergoing the proper selection procedure, etc. is impermissible as it was violative of Article 14 of the Constitution of India and this principle predicated on Article 14 would apply to the Industrial Tribunal as well inasmuch as there cannot be any direction to regularise the services of a workman in violation of Article 14 of the Constitution. As we would explain hereinafter, this would mean that the Industrial Court would not issue a direction for regularising the services of a daily-wage worker in those cases where such regularisation would tantamount to infringing the provisions of Article 14 of the Constitution. But for that, it would not deter the Industrial Tribunals/Labour Courts from issuing such direction, which the industrial adjudicators otherwise possess, having regard to the provisions of the Industrial Disputes Act specifically conferring such powers. This is recognised by the Court even in the aforesaid judgment.

26. For a detailed discussion on this aspect, we proceed to discuss the ratio in *Maharashtra SRTC*². In that case the respondent Karamchari Union had filed two complaints before the Industrial Court, Bombay alleging that the appellant Corporation had indulged in unfair labour practice qua certain employees who were engaged by the appellant as casual labourers for cleaning the buses between the years 1980-1985. It was stated in the complaints that these employees were made to work everyday at least for eight hours at the depot concerned of the Corporation; the work done by them was of permanent nature but they were being paid a paltry amount; and even when the post of sweepers/cleaners was available in the Corporation, these employees had been kept on casual and temporary basis for years together denying them the benefit of permanency:

26.1. After adjudication, the Industrial Court held that the Corporation had committed unfair labour practice under Items 5 and 9 of Schedule IV to the MRTU and PULP Act. As a consequence, it directed the Corporation to pay equal wages to the employees concerned which was being paid to Swachhaks and also pay arrears of wages to them.



26.2. In the second complaint, the Industrial Court returned the finding that the Corporation was indulging in unfair labour practice under Item 6 of Schedule IV, by continuing these employees on temporary/casual/daily-wage basis for years together and thereby depriving them the benefits of permanency. The direction in this complaint was to cease and desist from the unfair labour practice by giving them the status, wages and all other benefits of permanency applicable to the post of cleaners w.e.f. 3-8-1982.

27. The Corporation challenged these two orders of the Industrial Court before the High Court of Judicature of Bombay in five separate writ petitions. These were disposed of by the learned Single Judge vide common judgment dated 2-8-2001 holding that complaints were maintainable and the finding of the Industrial Court that the Corporation had indulged in unfair labour practice was also correct.

28. The Corporation challenged the decision of the learned Single Judge by filing LPAs which were dismissed by the Division Bench on 6-5-2005²⁴. This is how the matter came before the Supreme Court. One of the contentions raised by the appellants before this Court in *Maharashtra SRTC case*² was that there could not have been a direction by the Industrial Court to give these employees status, wages and other benefits of permanency applicable to the post of cleaners as this direction was contrary to the ratio laid down by the Constitution Bench of this Court in *Umadevi (3)*⁴. The Court while considering this argument went into the scheme of the MRTU and PULP Act. It was, inter alia, noticed that complaints relating to unfair labour practice could be filed before the Industrial Court. The Court noted that Section 28 of that Act provides for the procedure for dealing with such complaints and Section 30 enumerates the powers given to the Industrial and Labour Courts to decide the matters before it including those relating to unfair labour practice. On the reading of this section, the Court held that it gives specific power to the Industrial/Labour Courts to declare that an unfair labour practice has been engaged and to direct those persons not only to cease and desist from such unfair labour practice but also to take affirmative action. Section 30(1) conferring such powers is reproduced below:

“30. Powers of Industrial and Labour Courts.—(1) Where a court decides that any person named in the complaint has engaged in, or is engaging in, any unfair labour practice, it may in its order—

(a) declare that an unfair labour practice has been engaged in or is being engaged in by that person, and specify any other person who has engaged in, or is engaging in the unfair labour practice;

(b) direct all such persons to cease and desist from such unfair labour practice,

and take such affirmative action (including payment of reasonable compensation to the employee or employees affected by the unfair labour practice, or reinstatement of the employee or employees with or without back wages, or the payment of reasonable

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compensation), as may in the opinion of the court be necessary to effectuate the policy of the Act;

(c) where a recognised union has engaged in or is engaging in, any unfair labour practice, direct that its recognition shall be cancelled or that all or any of its rights under sub-section (1) of Section 20 or its right under Section 23 shall be suspended."

29. It was further noticed in *Maharashtra SRTC case*² that Section 32 of the Act provides that the court shall have the power to decide all connected matters arising out of any application or a complaint referred to it for decision under any of the provisions of this Act. The Court then extensively quoted from the judgment in *Umadevi (3)*⁴ in order to demonstrate the exact ratio laid down in the said judgment and thereafter proceeded to formulate the following question and answer thereto: (*Maharashtra SRTC case*², SCC p. 573, para 30)

"30. The question that arises for consideration is: have the provisions of the MRTU and PULP Act been denuded of the statutory status by the Constitution Bench decision in *Umadevi (3)*⁴? In our judgment, it is not."

30. Detailed reasons are given in support of the conclusion stating that the MRTU and PULP Act provides for and empowers the Industrial/Labour Courts to decide about the unfair labour practice committed/being committed by any person and to declare a particular practice to be unfair labour practice if it so found and also to direct such person to cease and desist from unfair labour practice. The provisions contained in Section 30 of the MRTU and PULP Act giving such a power to the Industrial and Labour Courts vis-à-vis the ratio of *Umadevi (3)*⁴ are explained by the Court in the following terms: (*Maharashtra SRTC case*², SCC pp. 573-74, paras 32-33 & 36)

"32. The power given to the Industrial and Labour Courts under Section 30 is very wide and the affirmative action mentioned therein is inclusive and not exhaustive. Employing badlis, casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent employees is an unfair labour practice on the part of the employer under Item 6 of Schedule IV. Once such unfair labour practice on the part of the employer is established in the complaint, the Industrial and Labour Courts are empowered to issue preventive as well as positive direction to an erring employer.

33. The provisions of the MRTU and PULP Act and the powers of the Industrial and Labour Courts provided therein were not at all under consideration in *Umadevi (3)*⁴. As a matter of fact, the issue like the present one pertaining to unfair labour practice was not at all referred to, considered or decided in *Umadevi (3)*⁴. *Unfair labour practice* on the part of the employer in engaging employees as badlis, casuals or temporaries and to continue them as such for years with the object of depriving them of the status and privileges of permanent employees as provided in Item 6 of Schedule IV and the power of the Industrial and

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Labour Courts under Section 30 of the Act did not fall for adjudication or consideration

before the Constitution Bench.

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36. *Umadevi (3)*⁴ does not denude the Industrial and Labour Courts of their statutory power under Section 30 read with Section 32 of the MRTU and PULP Act to order permanency of the workers who have been victims of unfair labour practice on the part of the employer under Item 6 of Schedule IV where the posts on which they have been working exist. *Umadevi (3)*⁴ cannot be held to have overridden the powers of the Industrial and Labour Courts in passing appropriate order under Section 30 of the MRTU and the PULP Act, once unfair labour practice on the part of the employer under Item 6 of Schedule IV is established."

(emphasis in original)

31. The Court in *Maharashtra SRTC case*² also accepted the legal proposition that courts cannot direct creation of posts, as held in *Mahatma Phule Agricultural University v. Nasik Zilla Sheth Kamgar Union*²⁵. Referring to this judgment, the Court made it clear that inaction on the part of the State Government to create posts would not mean an unfair labour practice had been committed by the employer (University in that case) and as there were no posts, the direction of the High Court to accord the status of permanency was set aside. The Court also noticed that this legal position had been affirmed in *State of Maharashtra v. R.S. Bhonde*²⁶. The Court also reiterated that creation and abolition of post and regularisation are purely executive functions, as held in a number of judgments and it was not for the court to arrogate the power of the executive or the legislature by directing creation of post and absorbing the workers or continue them in service or pay salary of regular employees. This legal position is summed up in para 41 which reads as under: (*Maharashtra SRTC case*², SCC p. 576)

"41. Thus, there is no doubt that creation of posts is not within the domain of judicial functions which obviously pertains to the executive. It is also true that the status of permanency cannot be granted by the Court where no such posts exist and that executive functions and powers with regard to the creation of posts cannot be arrogated by the courts."

32. However, the Court in *Maharashtra SRTC case*² found that the factual position was different in the case before it. Here the post of cleaners in the establishment were in existence. Further, there was a finding of fact recorded that the Corporation had indulged in unfair labour practice by engaging these workers on temporary/casual/daily-wage basis and paying them paltry amount even when they were discharging duties of eight hours a day and performing the same duties as that of regular employees.



33. In this backdrop, the Court in *Maharashtra SRTC case*² was of the opinion that the direction of the Industrial Court to accord permanency to these employees against the posts which were available, was clearly permissible and within the powers, statutorily conferred upon the Industrial/Labour Courts under Section 30(1)(b) of the MRTU and PULP Act, 1971 which enables the industrial adjudicator to take affirmative action against the erring employer and as those powers are of wide amplitude abrogating (*sic* including) within their fold a direction to accord permanency.

34. A close scrutiny of the two cases, thus, would reveal that the law laid down in those cases is not contradictory to each other. In *U.P. Power Corpn.*⁸, this Court has recognised the powers of the Labour Court and at the same time emphasised that the Labour Court is to keep in mind that there should not be any direction of regularisation if this offends the provisions of Article 14 of the Constitution on which the judgment in *Umadevi (3)*⁴ is

primarily founded. On the other hand, in *Bhonde case*², the Court has recognised the principle that having regard to the statutory powers conferred upon the Labour Court/Industrial Court to grant certain reliefs to the workmen, which includes the relief of giving the status of permanency to the contract employees, such statutory power does not get denuded by the judgment in *Umadevi (3) case*⁴. It is clear from the reading of this judgment that such a power is to be exercised when the employer has indulged in unfair labour practice by not filling up permanent posts even when available and continuing to employ workers on temporary/daily-wage basis and taking the same work from them and making them do some purpose which was being performed by the regular workers but paying them much less wages. It is only when a particular practice is found to be unfair labour practice, as enumerated in Schedule IV of the MRTP and PULP Act, and it necessitates giving direction under Section 30 of the said Act, that the court would give such a direction.

35. We are conscious of the fact that the aforesaid judgment is rendered under the MRTP and PULP Act and the specific provisions of that Act were considered to ascertain the powers conferred upon the Industrial Tribunal/Labour Court by the said Act. At the same time, it also hardly needs to be emphasised that the powers of the industrial adjudicator under the Industrial Disputes Act are equally wide. The Act deals with industrial disputes, provides for conciliation, adjudication and settlements, and regulates the rights of the parties and the enforcement of the awards and settlements. Thus, by empowering the adjudicator authorities under the Act to give reliefs such as reinstatement of wrongfully dismissed or discharged workmen, which may not be permissible in common law or justified under the terms of the contract between the employer and such workmen, the legislature has

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attempted to frustrate the unfair labour practices and secure the policy of collective bargaining as a road to industrial peace.

36. In the language of Krishna Iyer, J.:

"22. The Industrial Disputes Act is a benign measure which seeks to pre-empt industrial tensions, provide the mechanics of dispute resolutions and set up the necessary infrastructure, so that the energies of the partners in production may not be dissipated in counterproductive battles and the assurance of industrial justice may create a climate of goodwill." [*LIC v. D.J. Bahadur*²² (SCC p. 334, para 22), per Krishna Iyer, J.]

In order to achieve the aforesaid objectives, the Labour Courts/Industrial Tribunals are given wide powers not only to enforce the rights but even to create new rights, with the underlying objective to achieve social justice. Way back in the year 1950 i.e. immediately after the enactment of the Industrial Disputes Act, in one of its first and celebrated judgment in *Bharat Bank Ltd. v. Employees*²⁸, LLJ p. 948 this aspect was highlighted by the Court observing as under: (*Bharat Bank case*²⁸, AIR p. 209, para 61)

"61. ... In settling the disputes between the employers and the workmen, the function of the tribunal is not confined to administration of justice in accordance with law. It can confer rights and privileges on either party which it considers reasonable and proper, though they may not be within the terms of any existing agreement. It has not merely to interpret or give effect to the contractual rights and obligations of the parties. It can create new rights and obligations between them which it considers essential for keeping industrial peace."

37. At the same time, the aforesaid sweeping power conferred upon the Tribunal is not unbridled and is circumscribed by this Court in *New Maneck Chowk Spg. & Wvg. Co. Ltd. v. Textile Labour Assn.*²⁹, LLJ p. 526 in the following words: (AIR p. 870, para 6)

"6. ... This, however, does not mean that an Industrial Court can do anything and everything when dealing with an industrial dispute. This power is conditioned by the subject-matter with which it is dealing and also by the existing industrial law and it would not be open to it while dealing with a particular matter before it to overlook the industrial law relating to that matter as laid down by the legislature or by this Court."

38. It is, thus, this fine balancing which is required to be achieved while adjudicating a particular dispute, keeping in mind that the industrial disputes are settled by industrial adjudication on principles of fair play and justice.

39. On a harmonious reading of the two judgments discussed in detail above, we are of the opinion that when there are posts available, in the absence of any unfair labour practice the Labour Court would not give direction for regularisation only because a worker has continued as daily-wage worker/ad hoc/temporary worker for number of years. Further, if

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there are no posts available, such a direction for regularisation would be impermissible. In the aforesaid circumstances giving of direction to regularise such a person, only on the basis of number of years put in by such a worker as daily-wager, etc. may amount to back door entry into the service which is an anathema to Article 14 of the Constitution. Further, such a direction would not be given when the worker concerned does not meet the eligibility requirement of the post in question as per the recruitment rules. However, wherever it is found that similarly situated workmen are regularised by the employer itself under some scheme or otherwise and the workmen in question who have approached the Industrial/Labour Court are on a par with them, direction of regularisation in such cases may be legally justified, otherwise, non-regularisation of the left-over workers itself would amount to invidious discrimination qua them in such cases and would be violative of Article 14 of the Constitution. Thus, the industrial adjudicator would be achieving the equality by upholding Article 14, rather than violating this constitutional provision.

40. The aforesaid examples are only illustrative. It would depend on the facts of each case as to whether the order of regularisation is necessitated to advance justice or it has to be denied if giving of such a direction infringes upon the employer's rights.

41. In the aforesaid backdrop, we revert to the facts of the present case. The grievance of the appellants was that under the Scheme contained in Circular dated 6-5-1987 many similarly placed workmen have been regularised and, therefore, they were also entitled to this benefit. It is argued that those who had rendered 240 days' service were regularised as per the provision in that Scheme/Circular dated 6-5-1987.

42. On a consideration of the cases before us we find that Appellant 1 was not in service on the date when the Scheme was promulgated i.e. as on 6-5-1987 as his services were dispensed with four years before that circular saw the light of the day. Therefore, in our view, the relief of monetary compensation in lieu of reinstatement would be more appropriate in his case and the conclusion in the impugned judgment¹ qua him is unassailable, though for different reasons (as recorded by us above) than those advanced by the High Court.

43. However, insofar as Appellant 2 is concerned, he was engaged on 5-9-1986 and continued till 15-9-1990 when his services were terminated. He even raised the industrial dispute immediately thereafter. Thus, when the Circular dated 6-5-1987 was issued, he was in service and within few months of the issuing of that circular he had completed 240 days of service. The non-regularisation of Appellant 2, while giving the benefit of that Circular dated 6-5-1987 to other similarly situated employees and regularising them would, therefore, be clearly discriminatory. On these facts, CGIT rightly held that he was entitled to the benefit of the scheme contained in the Circular dated 6-5-1987. The Division Bench in the impugned judgment¹ has failed to notice this pertinent and material

fact which turns the scales in favour of Appellant 2. The High Court committed an error in reversing the direction

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given by CGIT, which was rightly affirmed by the learned Single Judge as well, to reinstate Appellant 2 with 50% back wages and to regularise him in service. He was entitled to get his case considered in terms of that circular. Had it been done, probably he would have been regularised. Instead, his services were wrongly and illegally terminated in the year 1990.

44. As an upshot of the aforesaid discussion, we allow these appeals partly. While dismissing the appeal qua Appellant 1, the same is accepted insofar as Appellant 2 is concerned. In his case, the judgment of the Division Bench¹ is set aside and the award of CGIT is restored. There shall, however, be no order as to costs.

¹ Arising out of SLPs (C) Nos. 29634-35 of 2008. From the Judgment and Order dated 27-6-2008 of the High Court of Jharkhand at Ranchi in LPAs Nos. 482-83 of 2005

¹ *Food Corporation of India v. Union of India*, (2008) 118 FLR 1063 (Jhar)

² *Food Corporation of India v. Union of India*, (2005) 106 FLR 1171 : 2005 AIR Jhar R 1962

³ (1992) 4 SCC 99 : 1992 SCC (L&S) 805 : (1992) 21 ATC 386 : AIR 1992 SC 789

⁴ *State of Karnataka v. Umadevi (3)*, (2006) 4 SCC 1 : 2006 SCC (L&S) 753

⁵ *Post Master General v. Tutu Das (Dutta)*, (2007) 5 SCC 317 : (2007) 2 SCC (L&S) 179

⁶ *U.P. SEB v. Pooran Chandra Pandey*, (2007) 11 SCC 92 : (2008) 1 SCC (L&S) 736

⁷ (2006) 6 SCC 430 : 2006 SCC (L&S) 1388

⁸ *U.P. Power Corpn. Ltd. v. Bijli Mazdoor Sangh*, (2007) 5 SCC 755 : (2007) 2 SCC (L&S) 258

⁹ *Maharashtra SRTC v. Casteribe Rajya Parivahan Karmchari Sanghatana*, (2009) 8 SCC 556 : (2009) 2 SCC (L&S) 513

¹⁰ (2013) 5 SCC 136 : (2013) 2 SCC (L&S) 369

¹¹ *BSNL v. Bhurumal*, (2014) 7 SCC 177

¹² (2012) 1 SCC 558 : (2012) 1 SCC (L&S) 207

¹³ (2010) 9 SCC 126 : (2010) 2 SCC (L&S) 733

¹⁴ *Jagbir Singh v. Haryana State Agriculture Mktg. Board*, (2009) 15 SCC 327 : (2010) 1 SCC (L&S) 545

¹⁵ (2006) 1 SCC 479 : 2006 SCC (L&S) 250

¹⁶ (2007) 9 SCC 353 : (2007) 2 SCC (L&S) 813

¹⁷ (2007) 1 SCC 575 : (2007) 1 SCC (L&S) 405

¹⁸ (2007) 9 SCC 748 : (2008) 1 SCC (L&S) 264

¹⁹ (2008) 5 SCC 75 : (2008) 2 SCC (L&S) 71

²⁰ (2006) 11 SCC 684 : (2007) 1 SCC (L&S) 518

²¹ (2008) 4 SCC 261 : (2008) 1 SCC (L&S) 1016

²² (2008) 1 SCC 575 : (2008) 1 SCC (L&S) 239

²³ (2010) 6 SCC 773 : (2010) 2 SCC (L&S) 309

²⁴ *Maharashtra SRTC v. Kishore Kondiram Jagade*, (2006) 2 Bom CR 340 : (2005) 4 Mah LJ 798

²⁵ (2001) 7 SCC 346 : 2001 SCC (L&S) 1180

²⁶ *State of Maharashtra v. R.S. Bhonde*, (2005) 6 SCC 751 : 2005 SCC (L&S) 907

²⁷ (1981) 1 SCC 315 : 1981 SCC (L&S) 111

²⁸ AIR 1950 SC 188 : 1950 LLJ 921

²⁹ AIR 1961 SC 867 : (1961) 1 LLJ 521

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**(2015) 1 Supreme Court Cases 347 : (2015) 1 Supreme Court Cases (L&S) 191 :
2014 SCC OnLine SC 838**

**In the Supreme Court of India
(BEFORE JASTI CHELAMESWAR AND A.K. SIKRI, JJ.)**

STATE OF UTTAR PRADESH AND OTHERS . . Appellants;

Versus

ARVIND KUMAR SRIVASTAVA AND OTHERS . . Respondents.

Civil Appeal No. 9849 of 2014¹, decided on October 17, 2014

Service Law — Relief — Parity — Exceptions to — Delay/Laches/Acquiescence — Effect of — Entitlement to benefit of judgment in rem with intention to benefit all similarly situated persons irrespective of whether they had approached court or not — Not affected by delay/laches, etc.

— Held, normal rule is that when a particular set of employees is given relief by court, all other identically situated persons should be treated alike by extending same benefit since not doing so would amount to discrimination and be violative of Art. 14 of the Constitution — However, this normal rule is subject to well-recognised exceptions in form of laches, delays and acquiescence which would be valid grounds to dismiss their claim — But, said exception would not apply to those cases where judgment pronounced by court was judgment in rem with intention to benefit all similarly situated persons irrespective of whether they had approached court or not — In such situation, obligation is cast upon authorities themselves to extend benefit to all similarly situated persons — But where judgment was in personam, those who intend to get benefit of said judgment must satisfy court that their petition does not suffer from either laches, delays or acquiescence

— In instant case, selection process took place in the year 1986, appointment letters issued in the year 1986 were cancelled in 1987, which were challenged by respondents only in the year 1996 i.e. after 9 years, which showed that they had accepted cancellation of their appointments — Considering such unexplained delay and laches in filing claim petition, it would be totally unjust to direct their appointments, that too after a period of 27 yrs when most of the respondents would be almost 50 yrs of age or above — Recruitment Process — Selection process/procedure — Judicial review/validity — Evidence Act, 1872 — Ss. 40 to 43 — Constitution of India — Art. 14 — Practice and Procedure — Delay/Laches/Limitation — Entitlement to benefit extended to others — Effect of delay/laches/acquiescence — Judgment in question if in rem or in personam — Differentiated

Sometime in the year 1986, certain posts of Homoeopathic Compounder and Ward Boys were advertised. The respondents applied for the said posts and participated in the selection process, but were wait-listed. When some of the candidates in the selection list did not join, wait-listed candidates were issued appointment letters which included the respondents also. However, before they could join their duties, new Chief Medical Officer assumed charge and vide order dated 22-6-1987 cancelled the said appointments made by his predecessor.

The respondents filed a suit in the Court of Munsif which was dismissed for non-prosecution because of non-appearance of the respondents' advocate. There was a complete quietus on the part of the respondents thereafter.

A few other candidates who were also affected by same order dated 22-6-1987 approached the Tribunal. The Tribunal vide order dated 16-8-1991 quashed the order dated 22-6-1987. A writ petition filed by the State against the order of the Tribunal was dismissed by the High Court. The special leave petition also met the same fate. Thus, the order of the Tribunal dated 16-8-1991 attained finality and the candidates who had approached the Tribunal were appointed.

The respondents in the instant case filed a representation only in the year 1995 claiming appointments on the basis of the Tribunal's order dated 16-8-1991, claiming parity, which was rejected vide order

dated 6-6-1995 by the Chief Medical Officer. The claim petition filed by the respondents was allowed by the Tribunal, and affirmed by the impugned judgment. Hence, the instant appeal.

Allowing the appeal, the Supreme Court

Held :

The moot question that requires determination is as to whether the approach of the Tribunal and the High Court was correct in extending the benefit of earlier judgment of the Tribunal, which had attained finality as it was affirmed till the Supreme Court. The legal principles that can be culled out from the judgments cited both by the appellants as well as the respondents, can be summed up as under:

(i) The normal rule is that when a particular set of employees is given relief by the court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution. This principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by the Supreme Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the normal rule would be that merely because other similarly situated persons did not approach the court earlier, they are not to be treated differently.

(ii) However, this principle is subject to well-recognised exceptions in the form of laches and delays as well as acquiescence. Those persons who did not challenge the wrongful action in their cases and acquiesced into the same and woke up after long delay only because of the reason that their counterparts who had approached the court earlier in time succeeded in their efforts, then such employees cannot claim that the benefit of the judgment rendered in the case of similarly situated persons be extended to them. They would be treated as fence-sitters and laches and delays, and/or the acquiescence, would be a valid ground to dismiss their claim.

(iii) However, this exception may not apply in those cases where the judgment pronounced by the court was judgment in rem with intention to give benefit to all similarly situated persons, whether they approached the court or not. With such a pronouncement the obligation is cast upon the authorities to itself extend the benefit thereof to all similarly situated persons. Such a situation can occur when the subject-matter of the decision touches upon the policy matters, like scheme of regularisation and the like. On the other hand, if the judgment of the court was in personam holding that

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benefit of the said judgment shall accrue to the parties before the court and such an intention is stated expressly in the judgment or it can be impliedly found out from the tenor and language of the judgment, those who want to get the benefit of the said judgment extended to them shall have to satisfy that their petition does not suffer from either laches and delays or acquiescence.

(Para 22)

U.P. Jal Nigam v. Jaswant Singh, (2006) 11 SCC 464 : (2007) 1 SCC (L&S) 500, followed

Rup Diamonds v. Union of India, (1989) 2 SCC 356; *State of Karnataka v. S.M. Kotrayya*, (1996) 6 SCC 267 : 1996 SCC (L&S) 1488; *Jagdish Lal v. State of Haryana*, (1997) 6 SCC 538 : 1997 SCC (L&S) 1550; *Union of India v. Virpal Singh Chauhan*, (1995) 6 SCC 684 : 1996 SCC (L&S) 1 : (1995) 31 ATC 813; *Union of India v. C.K. Dharagupta*, (1997) 3 SCC 395 : 1997 SCC (L&S) 821; *Govt. of W.B. v. Tarun K. Roy*, (2004) 1 SCC 347 : 2004 SCC (L&S) 225, relied on

C. Lalitha v. State of Karnataka, SLP (C) No. 7506 of 1993, order dated 15-3-1994 (SC); *S.S. Rathore v. State of M.P.*, (1989) 4 SCC 582 : 1990 SCC (L&S) 50 : (1989) 11 ATC 913; *Harwindra Kumar v. Chief Engineer, Karmik*, (2005) 13 SCC 300 : 2006 SCC (L&S) 1063, considered

Inder Pal Yadav v. Union of India, (1985) 2 SCC 648 : 1985 SCC (L&S) 526; *K.C. Sharma v. Union of India*, (1997) 6 SCC 721 : 1998 SCC (L&S) 226; *State of Karnataka v. C. Lalitha*, (2006) 2 SCC 747 : 2006 SCC (L&S) 447; *N.T. Devin Katti v. Karnataka Public Service Commission*, (1990) 3 SCC 157 : 1990 SCC (L&S) 446 : (1990) 14 ATC 688; *Krishan Bhatt v. State of J&K*, (2008) 9 SCC 24 : (2008) 2 SCC (L&S) 783, explained and distinguished on facts

State of W.B. v. Debdas Kumar, 1991 Supp (1) SCC 138 : 1991 SCC (L&S) 841 : (1991) 17 ATC 261; *R.P. Joshi v. Union of India*, OA No. 497 of 1986, decided on 17-3-1987 (Tri), cited

Halsbury's Laws of England (para 911, p. 395), referred to

In the instant case, selection process took place in the year 1986, appointment orders were issued in the year 1987, which were cancelled vide orders dated 22-6-1987. The respondents did not challenge

these cancellation orders till the year 1996 i.e. for a period of 9 years. It means that they had accepted the cancellation of their appointments. They woke up in the year 1996 only after finding that some other persons whose appointment orders were also cancelled got the relief. By that time, nine years had passed. The earlier judgment had granted the relief to the parties before the court. It would also be pertinent to highlight that these respondents have not joined service nor working like the employees who succeeded in earlier case before the Tribunal. As of today, 27 years have passed after the issuance of cancellation orders. Therefore, not only was there unexplained delay and laches in filing the claim petition after a period of 9 years, it would be totally unjust to direct the appellants to give them appointment as of today i.e. after a period of 27 years when most of these respondents would be almost 50 years of age or above.

(Para 23)

State of U.P. v. Arvind Kumar Srivastava, Service Bench No. 1988 of 2011, decided on 1-2-2012 (All), reversed

P-D/54151/CL

Advocates who appeared in this case:

P.N. Misra, Senior Advocate (Abhish Kumar, Sudeep Kumar and Som Raj Choudhury, Advocates) for the Appellants;

S.R. Singh, Senior Advocate (Praveen Swarup, Ms Sushma Verma, R.K. Singh, Sushant K. Yadav, Mohd. Muztaba, Ms Namita Choudhary, Puneet Jain, Ms Christi Jain, Ms Khushbu Jain, Ms Chhaya Kirti and Ms Pratibha Jain, Advocates) for the Respondents.



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17. OA No. 497 of 1986, decided on 17-3-1987 (Tri), *R.P. Joshi v. Union of India* 361d, 361a
18. (1985) 2 SCC 648 : 1985 SCC (L&S) 526, *Inder Pal Yadav v. Union of India* 353c, 354a, 354e

The Judgment of the Court was delivered by

A.K. SIKRI, J.— Leave granted. This appeal, preferred by the State of Uttar Pradesh and its functionaries, assails the order of the High Court whereby the writ petition filed by the appellants has been dismissed¹ and the order of the Uttar Pradesh Public Services Tribunal, Lucknow (for short "the Tribunal") passed in favour of the respondents herein, is affirmed.

2. To mention at the outset, the Tribunal as well as the High Court has given the respondents herein benefit of the order passed by the Court in earlier round of litigation filed by similarly situated persons. The appellants contend that as far as these respondents are concerned, they never approached the court seeking such a relief and were only fence-sitters and, therefore,

relief should not have been granted to them even if they were similarly situated as those persons who have been granted relief in the petitions filed by them. The respondents, on the other hand, contend that once it is found that both sets of persons are identically placed, the impugned orders granting them the same benefit are in tune with the constitutional mandate enshrined in Article 14 of the Constitution of India.

3. Such a situation has not occurred for the first time in the present appeal. There are many decisions of this Court. If the outcome alone of those judgments is seen, one would find that in some cases the courts have extended the benefit to the similarly situated persons, whereas, in some other cases similar benefit is denied to the second set of people who approached the court subsequently. However, on delving deep into the rationale and reasoning of these two sets of cases, one is able to mentally recognise the logic behind different outcomes. Under what circumstances such a benefit can be extended and what are the reasons for denying the same shall be discerned after taking note of those judgments. But, before undertaking that exercise, it would be apt to take note of the facts of this case in order to understand and appreciate as to how the respondents are placed.

4. It was sometime in the year 1986 that the Chief Medical Officer, Varanasi, had advertised certain posts of Homoeopathic Compounder and Ward Boys in various newspapers. The respondents herein applied for the said post and participated in the selection process. After the interviews, they were kept in the waiting list. Those who were in the select list were offered the appointments. Some of those candidates who were higher in merit and were offered the appointments did not join. For this reason, the candidates in the waiting list were issued appointment letters by the then Chief Medical Officer. These included the respondents herein as well. However, before the respondents could join their duties, new Chief Medical Officer assumed the charge and blocked their joining. Thereafter, vide order dated 22-6-1987 he even cancelled the said appointments made by his predecessor for these Class III and Class IV posts i.e. Homoeopathic Compounder and Ward Boys.

5. The respondents filed the suit in the Court of City Munsif, Varanasi challenging the aforesaid orders dated 22-6-1987 cancelling their appointments by the new Chief Medical Officer. This suit was registered as Suit No. 695 of 1987. It appears that this suit could not be taken to its logical conclusion as the same was dismissed for non-prosecution because of non-appearance of the advocate of the respondents. The respondents herein did not take any further steps in the said suit either by filing application for restoration of the suit or challenging the said order in appeal. In fact, there was a complete quietus on the part of these respondents.

6. It so happened that a few other candidates who were also affected by the same orders dated 22-6-1987, whereby their appointments were cancelled, approached the Tribunal challenging the legality, validity and propriety of the said order on several grounds. One of the grounds taken was that before cancellation of their appointments, no show-cause notice was



given to them. The Tribunal decided the case filed by them in their favour vide judgment dated 16-8-1991 holding the impugned order dated 22-6-1987 as illegal and void and quashed the same. Against the order of the Tribunal, the State filed the writ petition in the High Court. This writ petition was dismissed on 27-8-1992 thereby confirming the order passed by the Tribunal. The special leave petition filed by the State met the same fate as that was also dismissed by this Court on 12-8-1994. In this manner, the Tribunal's order dated 16-8-1991 attained finality and the persons who had approached the Tribunal got the appointments.

7. The respondents herein waited all this while, that is till the dismissal of the special

leave petition in the year 1994. It is only thereafter, in the year 1995, the respondents filed the writ petition for giving appointments to them as well on the strength of the judgment of the Tribunal given in the case of other persons, claiming parity. This writ petition was rejected vide order dated 6-6-1995 by the Chief Medical Officer. Against this rejection the respondents approached the Tribunal by filing Claim Petition No. 96 of 1996. As mentioned above, the said petition was allowed by the Tribunal on the ground that they were in the same position in which the other successful candidates were given relief and as such these respondents would also be entitled to the same relief. The High Court has affirmed the order of the Tribunal.

8. The moot question which requires determination is as to whether in the given case, approach of the Tribunal and the High Court was correct in extending the benefit of earlier judgment of the Tribunal, which had attained finality as it was affirmed till the Supreme Court. Whereas the appellants contend that the respondents herein did not approach the court in time and were fence-sitters and, therefore, not entitled to the benefit of the said judgment by approaching the judicial forum belatedly. They also plead some distinguishing features on the basis of which it is contended that the case of the respondents herein is not on a par with the matter which was dealt with by the Tribunal in which order dated 22-6-1987 was passed giving benefit to those candidates who had approached the court at that time. On the other hand, the respondents claim that their case is identical to those who had filed the application before the Tribunal inasmuch as appointments of the respondents were also cancelled by the same order dated 22-6-1987 and, therefore, there is no reason to deny the same treatment which was meted out to the said persons, as denial thereof would amount to invidious discrimination which is anathema to the right of equality enshrined under Article 14 of the Constitution of India.

9. It is of interest to note that both the sides, in support of their respective submissions, have referred to certain judgments and the reading whereof would demonstrate that in certain cases benefit of a particular judicial pronouncement is extended to those who are identically situated on the principle of equality. On the other hand, there is a line of judgments denying



such a benefit to the second group which approaches the court afterwards, even when the said second group is similarly situated as the persons belonging to the first group. However, there is no conflict between the two sets of cases. In order to find out the principles laid down on the basis of which benefit of the earlier judgment is extended to those coming subsequently and the situations where such benefit is denied, we will have to undertake a journey into these details and lay down clear parameters.

10. Let us first take note of those judgments which are referred to by the learned counsel for the respondents wherein this Court has applied the ratio of the earlier judgments to the similarly situated persons giving them the same benefit.

11. The first case, in the line of these cases, referred to by the learned counsel for the respondents is the judgment in *Inder Pal Yadav v. Union of India*². That was a case where the services of casual labour employed on railway projects continuously for more than a year were terminated on the ground that the projects where these casual labour were working had been wound up. Challenging their termination, writ petitions under Article 32 of the Constitution of India were filed in this Court. During the pendency of these petitions, Railway Administration framed scheme for their absorption as temporary workmen on completion of 360 days of continuous employment. This scheme was made applicable to those who were in service as on 1-1-1984. In view of this development, writ petitions were set out for hearing to examine the fairness and justness of the scheme, particularly, on the issue as to whether choice of date of 1-1-1984 was arbitrary or discriminatory.

11.1. The Court was not enthused by fixation of 1-1-1984 as the cut-off date on the ground that it was likely to introduce an invidious distinction between similarly situated persons and expose some workmen to arbitrary discrimination flowing from Court's fortuitous order. It was noticed that in some matters, the Court had granted interim stay before the workmen could be retrenched while in some other cases no such interim orders had been passed. Thus, as a result of grant of interim relief by stay/suspension of the order of retrenchment, persons benefitted by the said interim order and were treated in service as on 1-1-1984. Those who failed to obtain the interim relief, their services were terminated in the meantime and, therefore, they were not in service as on 1-1-1984. The Court pointed out that though both the groups belong to the same category, one category could get the benefit of the scheme with cut-off date of 1-1-1984, whereas the other category would fail to get the benefit/advance of the scheme. The Court also noted that there may be some other persons, similarly situated, who could not afford to rush to the court and they would also be left out. Giving these reasons, the date of 1-1-1984 fixed in the scheme was struck down and the Court while accepting the scheme framed by the Railway Administration, modified the date from

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1-1-1984 to 1-1-1981. While doing so, following reasons were given : (*Inder Pal Yadav case*², SCC p. 651, para 5)

"5. ... There is another area where discrimination is likely to rear its ugly head. These workmen come from the lowest grade of railway service. They can ill afford to rush to court. Their federations have hardly been of any assistance. They had individually to collect money and rush to court which in case of some may be beyond their reach. Therefore, some of the retrenched workmen failed to knock at the doors of the court of justice because these doors do not open unless huge expenses are incurred. Choice in such a situation, even without crystal gazing is between incurring expenses for a litigation with uncertain outcome and hunger from day to day. It is a Hobson's choice. Therefore, those who could not come to the court need not be at a comparative disadvantage to those who rushed in here. If they are otherwise similarly situated, they are entitled to similar treatment, if not by anyone else at the hands of this Court."

11.2. We would like to point out at this stage itself that the writ petitions were filed by the affected persons concerned which were already pending before the Court and it was the step taken by the Railway Administration itself which framed the scheme for their absorption. In such circumstances, the question of fixing the rationality of cut-off date in the said scheme arose for consideration and the Court was of the view that while implementing the scheme, those whose services were terminated before 1-1-1984, would be discriminated against. Thus, while giving the direction to implement the scheme which was framed by the Railway Administration itself, the Court gave the direction to start absorbing those with longest service, which is clear from the reading of para 6 of the said judgment, and we reproduce the same hereunder : (*Inder Pal Yadav case*², SCC p. 652)

"6. To avoid violation of Article 14, the scientific and equitable way of implementing the scheme is for the Railway Administration to prepare a list of project casual labour with reference to each division of each railway and then start absorbing those with the longest service. If in the process any adjustments are necessary, the same must be done. In giving this direction, we are considerably influenced by the statutory recognition of a principle well known in industrial jurisprudence that the men with longest service shall have priority over those who have joined later on. In other words, the principle of last come first go or to reverse it first come last go as enunciated in Section 25-G of the Industrial Disputes Act, 1947 has been accepted. We direct accordingly."

This case, therefore, may not be of direct relevance.

12. The next judgment is of the Constitution Bench judgment of this Court in *K.C. Sharma v. Union of India*³. In this case the Court was directly concerned with the issue of granting benefit of the earlier judgment. The

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Government had passed Notification dated 5-12-1988 which obviously affected the pension of retired employees, retrospectively. These persons had not challenged the said notification within the limitation period. However, in some other case filed by similarly situated persons, a Full Bench of the Central Administrative Tribunal declared the notification invalid vide its judgment dated 16-12-1993. After this notification was declared invalid, the appellants also claimed the benefit of that judgment from the Railways. On Railways' refusal to extend the benefit, they filed application in the Central Administrative Tribunal in April 1994. This application was dismissed by the Tribunal as time-barred and against the judgment of the Tribunal these appellants had approached this Court.

12.1. The Court, in a brief order which runs into six paragraphs, held that delay in filing the application should have been condoned and the appellants should have been given relief by the Tribunal on the same terms as were granted to others by the Full Bench judgment of the Tribunal. After stating the aforesaid facts in the earlier paragraphs of the order, the reasons for extending the benefit are contained in para 6 thereof, which reads as under : (*K.C. Sharma case*³, SCC pp. 722-23)

"6. Having regard to the facts and circumstances of the case, we are of the view that this was a fit case in which the Tribunal should have condoned the delay in the filing of the application and the appellants should have been given relief in the same terms as was granted by the Full Bench of the Tribunal. The appeal is, therefore, allowed, the impugned judgment of the Tribunal is set aside, the delay in filing of OA No. 774 of 1994 is condoned and the said application is allowed. The appellants would be entitled to the same relief in the matter of pension as has been granted by the Full Bench of the Tribunal in its judgment dated 16-12-1993 in OAs Nos. 395-403 of 1993 and connected matters. No order as to costs."

12.2. Immediate comment which is called for by us to the aforesaid judgment is that there is no detailed discussion in the said order. What can be observed from the reading of this order is that the earlier judgment of the Tribunal striking down the Notification dated 5-12-1988 was treated as judgment in rem. Naturally, when the notification itself is struck down and it was a matter of pension, benefit thereof was to be given to the others as well. It appears that for this reason the Constitution Bench observed that delay should have been condoned giving relief to the appellants also in the same terms as was granted by the Full Bench of the Tribunal.

13. In *State of Karnataka v. C. Lalitha*⁴, which is the next case relied upon by the learned counsel for the respondents, our attention was drawn to the following passage from the said judgment : (SCC p. 756, para 29)

"29. Service jurisprudence evolved by this Court from time to time postulates that all persons similarly situated should be treated similarly.

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Only because one person has approached the court that would not mean that persons similarly situated should be treated differently. It is furthermore well settled that the question of seniority should be governed by the rules. It may be true that this Court took notice of the subsequent events, namely, that in the meantime she had also been

promoted as Assistant Commissioner which was a Category I post but the direction to create a supernumerary post to adjust her must be held to have been issued only with a view to accommodate her therein as otherwise she might have been reverted and not for the purpose of conferring a benefit to which she was not otherwise entitled to."

13.1. We have to understand the context in which the aforesaid observations came to be made. That was a case where the order passed in the first round of litigation between the same parties came up for construction and its effect. The background in which the issue arose was that an amendment made in the reservation policy of the State was challenged in *N.T. Devin Katti v. Karnataka Public Service Commission*⁵. In that judgment, this Court had declared that the revised reservation policy was not applicable to the selections initiated prior thereto. It resulted in the consequential direction to the State Government to appoint N.T. Devin Katti (appellant in that case) to the post of Tahsildar with retrospective effect. At the same time, it was also made clear that for the purposes of seniority such persons would have to be placed below the last candidates appointed in the year 1976 and they would also be not entitled to any back wages. Insofar as, respondent C. Lalitha is concerned, on the basis of revised reservation policy, she was appointed as Tahsildar.

13.2. After the rendition of the aforesaid judgment in *N.T. Devin Katti case*⁵, respondent C. Lalitha approached the Karnataka Administrative Tribunal by filing an OA claiming appointment as Assistant Commissioner. The Tribunal dismissed the OA. However, her appeal against the order of the Tribunal was allowed by this Court vide orders dated 15-3-1994⁶, taking note of the fact that she was selected and shown in the first list, which was upheld by the Court in *N.T. Devin Katti*⁵. Since she had already been promoted to Class I Post of Assistant Commissioner by then, for her appointment the Court directed that if no vacancies are available, the State Government will create a supernumerary post and for the purpose of seniority, she had to be placed below the last candidate appointed in the year 1976 and was not entitled to any back wages. It is clear from these directions that her appeal was allowed giving same directions as given in *N.T. Devin Katti*⁵. It so happened that though her name was in the first list, which was upheld in *N.T. Devin Katti case*⁵, her rank was little below and there were few persons above her. As per her rank in the general merit Category I posts, after taking the opinion of the Public Service Commission, it was decided by the Government to consider her for the post of Assistant Controller of Accounts,



a Category I Post, as the marks secured by her were below the marks secured by the candidates selected as Assistant Controller of Accounts. She refused to accept the said post and approached the Tribunal again. The Tribunal dismissed the OA filed by her. Against that order of the Tribunal she approached the Karnataka High Court, which allowed the writ petition directing the State to implement order dated 15-3-1994⁶ which was passed by this Court in the earlier round.

13.3. Against this order of the High Court, the State preferred an appeal and it is in this backdrop that the effect of the earlier order dated 15-3-1994⁶ came up for consideration. It was argued by the State that effect of the order dated 15-3-1994⁶ was to relegate the parties to the same position as if the reservation policy was not amended and if so construed, the respondent having been placed in the supplementary list could not have laid any claim for any post in the administrative service. It is this contention which was accepted by this Court noticing another crucial fact that there were many persons who were higher in the merit than the respondent and the effect of the earlier order passed by this Court could not have been to ignore the said merit list and give something to the respondent which was not admissible in law. The Court held that merit should be the sole

criteria for selection of candidates and the earlier judgment was to be construed as if it had been rendered in accordance with law. While holding so, the Court also cited many a case law to demonstrate that the judgments are not to be read as a statute. It is in the aforesaid context that observations are made in para 29 of *C. Lalitha case*⁴ (extracted above in para 13), on which heavy reliance has been placed by the respondent.

13.4. When we understand the impact of the observations contextually, we find that again the issue at hand is totally different.

14. The next case in the line, on which the respondents rely, is *Krishan Bhatt v. State of J&K*². In that case, the appellants and some other constables approached the Chief Minister of the respondent State for relaxation of rules relating to 50% direct recruitment quota for appointment as Sub-Inspectors of Police (PSI). The Chief Minister's office in turn called for the Director General's recommendations, who recommended the name of only one person, namely, Hamidullah Dar. Hamidullah Dar was accordingly appointed as PSI with effect from 1-4-1987. Thereupon, other persons also approached the Court.

14.1. In the case of one Abdul Rashid Rather, the Single Judge of the High Court allowed his writ petition. The respondent State filed LPA which was dismissed, and subsequently, special leave petition was also dismissed by this Court. Consequently, Abdul Rashid Rather was also appointed as PSI. It would be pertinent to mention that the appellants in the said appeal, along with two others, had also filed the writ petition in the year 1987, which was

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disposed of on 13-9-1991 and a direction was issued to the Director General of Police to consider their cases for appointment to the post of PSI by relaxing of rules. Pursuant to the said directions, the Director General of Police considered and rejected the cases of the appellants for appointment without giving any reasons. These appellants initially filed the contempt petition, but thereafter preferred fresh writ petition being Writ Petition No. 3735 of 1997.

14.2. This writ petition of the appellants was pending when the orders of appointment came to be passed in the writ petition filed by Abdul Rashid Rather and on the basis of that judgment, Abdul Rashid Rather had been given the appointment with effect from 1-4-1987. In this scenario, when writ petition of the appellants came up for hearing before the Single Judge of the High Court, it was allowed vide judgment dated 30-4-2001 following the judgment in the case of Abdul Rashid Rather, which had been affirmed by this Court as well. However, the State filed an appeal thereagainst and this appeal was allowed by the Division Bench of the High Court. Even the review petition filed by the appellants was dismissed by the Division Bench. Special leave petition was filed challenging the judgment of the Division Bench, which was the subject-matter in *Krishan Bhatt*². Leave was granted and ultimately appeal was allowed holding that the appellants were also entitled to the same treatment. While doing so, the Court made the following observations : (SCC p. 30, para 23)

"23. In fairness and in view of the fact that the decision in Abdul Rashid Rather had attained finality, the State authorities ought to have gracefully accepted the decision by granting similar benefits to the present writ petitioners. It, however, challenged the order passed by the Single Judge. The Division Bench of the High Court ought to have dismissed the letters patent appeal by affirming the order of the Single Judge. The letters patent appeal, however, was allowed by the Division Bench and the judgment and order of the learned Single Judge was set aside. In our considered view, the order passed by the learned Single Judge was legal, proper and in furtherance of justice, equity and fairness in action. The said order, therefore, deserves to be restored."

14.3. No doubt, the Court extended the benefit of the decision in *Abdul Rashid Rather case* to the appellants. However, what needs to be kept in mind is that these appellants

had not taken out legal proceedings after the judgment in *Abdul Rashid Rather case*. They had approached the Court well in time when Abdul Rashid Rather had also filed the petition.

15. The submission of the learned counsel for the appellants, on the other hand, is that the respondents did not approach the court earlier and acquiesced into the termination orders. Approaching the court at such a belated stage, after the judgment in some other case is rendered, was clearly impermissible and such a petition should have been dismissed on the ground of laches and delays as well as acquiescence. It was submitted that in such



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circumstances this Court has taken consistent view to the effect that benefit of judgment in the other case should not be extended even if the persons in the two sets of cases were similarly situated. Mr P.N. Misra, learned Senior Counsel appearing for the appellants, pointed out in this behalf that though the orders were passed by the appellants on 22-6-1987, the respondents have filed their claim petition before the Tribunal only in the year 1996 i.e. after a period of 9 years from the date of passing of the orders.

16. Mr P.N. Misra drew our attention to the following observations in *Rup Diamonds v. Union of India*² : (SCC p. 360, para 8)

"8. Apart altogether from the merits of the grounds for rejection—on which it cannot be said that the mere rejection of the special leave petitions in the cases of *M/s Ripal Kumar & Co.* and *M/s H. Patel & Co.*, could, by itself, be construed as the imprimatur of this Court on the correctness of the decisions sought to be appealed against—there is one more ground which basically sets the present case apart. The petitioners are re-agitating claims which they had not pursued for several years. The petitioners were not vigilant but were content to be dormant and chose to sit on the fence till somebody else's case came to be decided. Their case cannot be considered on the analogy of one where a law had been declared unconstitutional and void by a court, so as to enable persons to recover monies paid under the compulsion of a law later so declared void. There is also an unexplained, inordinate delay in preferring this writ petition which is brought after almost an year after the first rejection. From the orders in *Ripal Kumar & Co. case* and *H. Patel & Co. case* it is seen that in the former case the application for revalidation and endorsement was made on 12-3-1984 within four months of the date of the redemption certificate dated 16-11-1983 and in the latter case the application for revalidation was filed on 20-6-1984 in about three months from the Redemption Certificate dated 9-3-1984."

That case pertains to import facility for import of OGL items available under Paras 185(3) and (4) of Import-Export Policy, 1982-1983 to export houses after discharging export obligation on advance/imprest licence. The petitioners had applied for, and were granted, this imprest licence for the import of uncut and unset diamonds with the obligation to fulfil certain export commitment for the export, out of India, of cut and polished diamonds of the FOB value stipulated in each of the imprest licences. As per the petitioners, they have discharged their export obligation and, therefore, in terms of Para 185(4) of the Import-Export policy, they were entitled to the facility for the import of OGL items. However, they sought revalidation four years after discharge of export obligation and five years after the expiry of the licence. This claim was rejected by the authorities on the ground of delay. Writ petition was filed in this Court one year after such rejection. In these circumstances, the Court dismissed the writ petition for approaching the Court belatedly and refused to follow the orders passed in another petitions



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by this Court, which was sought to be extended on the ground that the petitions were exactly similar to those petitions which were preferred in another case. No doubt, writ petition was dismissed on the ground of unexplained inordinate delay, but it would be necessary to observe that it was not a service-matter. However, the principle of delay and laches would have some relevance for our purposes as well.

17. *State of Karnataka v. S.M. Kotrayya*² is, on the other hand, a service matter. Here, the respondents, while working as teachers in the Department of Education, availed of leave travel concession (LTC) during the year 1981-1982. But later it was found that they had never utilised the benefit of LTC but had drawn the amount and used it. Consequently, recovery was made in the years 1984-1986. Some persons in similar cases challenged the recovery before the Administrative Tribunal which allowed their applications in August 1989. On coming to know of the said decision, the respondents filed applications in August 1989 before the Tribunal with an application to condone the delay. The Tribunal condoned the delay and allowed the OAs. Appeal against the said order was allowed by this Court holding that there was unexplained delay in approaching the Tribunal. The Court relied upon the Constitution Bench case in *S.S. Rathore v. State of M.P.*¹⁰, which deals with the manner in which limitation is to be counted while approaching the Administrative Tribunal under the Administrative Tribunals Act, 1985. Here again, on the ground of delay, the Court refused to extend the benefit of judgment passed in respect of other similarly situated employees.

18. Both these judgments, along with some other judgments, were taken note of in *U.P. Jal Nigam v. Jaswant Singh*¹¹. That was a case where the issue pertained to entitlement of the employees of U.P. Jal Nigam to continue in service up to the age of 60 years. In *Harwindra Kumar v. Chief Engineer, Karmik*¹² this Court had earlier held that these employees were in fact entitled to continue in service up to the age of 60 years. After the aforesaid decision, a spate of writ petitions came to be filed in the High Court by those who had retired long back. The question that arose for consideration was as to whether the employees who did not wake up to challenge their retirement orders, and accepted the same, and had collected their post-retirement benefits as well, could be given relief in the light of the decision delivered in *Harwindra Kumar*¹². The Court refused to extend the benefit applying the principle of delay and laches. It was held that an important factor in exercise of discretionary relief under Article 226 of the Constitution of India is laches and delay. When a person who is not vigilant of his rights and acquiesces into the situation, his writ petition cannot be heard after a couple of years on the ground that the same relief should be granted to him as was granted to the persons similarly situated who were vigilant about their rights and challenged



their retirement. In para 7, the Court quoted from *Rup Diamonds*⁸. In para 8, *S.M. Kotrayya*² was taken note of.

19. Some other judgments on the same principle of laches and delay are taken note of in paras 9 to 11 which are as follows : (*Jaswant Singh case*¹¹, SCC pp. 469-70)

"9. Similarly in *Jagdish Lal v. State of Haryana*¹³ this Court reaffirmed the rule if a person chose to sit over the matter and then woke up after the decision of the court, then such person cannot stand to benefit. In that case it was observed as follows : (SCC p. 542)

'The delay disentitles a party to discretionary relief under Article 226 or Article 32 of the Constitution. The appellants kept sleeping over their rights for long and woke up when they had the impetus from *Union of India v. Virpal Singh Chauhan*¹⁴. The appellants' desperate attempt to redo the seniority is not amenable to judicial review

at this belated stage.'

10. In *Union of India v. C.K. Dharagupta*¹⁵ it was observed as follows : (SCC p. 398, para 9)

'9. We, however, clarify that in view of our finding that the judgment of the Tribunal in *R.P. Joshi v. Union of India*¹⁶ gives relief only to Joshi, the benefit of the said judgment of the Tribunal cannot be extended to any other person. The respondent C.K. Dharagupta (since retired) is seeking benefit of *Joshi case*¹⁶. In view of our finding that the benefit of the judgment of the Tribunal dated 17-3-1987 could only be given to Joshi and nobody else, even Dharagupta is not entitled to any relief.'

11. In *Govt. of W.B. v. Tarun K. Roy*¹⁷, Their Lordships considered delay as serious factor and have not granted relief. Therein it was observed as follows : (SCC pp. 359-60, para 34)

'34. The respondents furthermore are not even entitled to any relief on the ground of gross delay and laches on their part in filing the writ petition. The first two writ petitions were filed in the year 1976 wherein the respondents herein approached the High Court in 1992. In between 1976 and 1992 not only two writ petitions had been decided, but one way or the other, even the matter had been considered by this Court in *State of W.B. v. Debdas Kumar*¹⁸. The



plea of delay, which Mr Krishnamani states, should be a ground for denying the relief to the other persons similarly situated would operate against the respondents. Furthermore, the other employees not being before this Court although they are ventilating their grievances before appropriate courts of law, no order should be passed which would prejudice their cause. In such a situation, we are not prepared to make any observation only for the purpose of grant of some relief to the respondents to which they are not legally entitled to so as to deprive others therefrom who may be found to be entitled thereto by a court of law.'"

20. The Court also quoted the following passage from *Halsbury's Laws of England* (para 911, p. 395) : (*Jaswant Singh case*¹¹, SCC pp. 470-71, para 12)

"12. ... 'In determining whether there has been such delay as to amount to laches, the chief points to be considered are:

(i) acquiescence on the claimant's part; and

(ii) any change of position that has occurred on the defendant's part.

Acquiescence in this sense does not mean standing by while the violation of a right is in progress, but assent after the violation has been completed and the claimant has become aware of it. It is unjust to give the claimant a remedy where, by his conduct, he has done that which might fairly be regarded as equivalent to a waiver of it; or where by his conduct and neglect, though not waiving the remedy, he has put the other party in a position in which it would not be reasonable to place him if the remedy were afterwards to be asserted. In such cases lapse of time and delay are most material. Upon these considerations rests the doctrine of laches.'"

21. Holding that the respondents had also acquiesced in accepting the retirements, the appeal of U.P. Jal Nigam was allowed with the following reasons : (*Jaswant Singh case*¹¹, SCC p. 471, para 13)

"13. In view of the statement of law as summarised above, the respondents are guilty since the respondents have acquiesced in accepting the retirement and did not challenge the same in time. If they would have been vigilant enough, they could have filed writ petitions as others did in the matter. Therefore, whenever it appears that the claimants lost time or whiled it away and did not rise to the occasion in time for filing the writ petitions, then in such cases, the court should be very slow in granting the

relief to the incumbent. Secondly, it has also to be taken into consideration the question of acquiescence or waiver on the part of the incumbent whether other parties are going to be prejudiced if the relief is granted. In the present case, if the respondents would have

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challenged their retirement being violative of the provisions of the Act, perhaps the Nigam could have taken appropriate steps to raise funds so as to meet the liability but by not asserting their rights the respondents have allowed time to pass and after a lapse of couple of years, they have filed writ petitions claiming the benefit for two years. That will definitely require the Nigam to raise funds which is going to have serious financial repercussions on the financial management of the Nigam. Why should the court come to the rescue of such persons when they themselves are guilty of waiver and acquiescence?"

22. The legal principles which emerge from the reading of the aforesaid judgments, cited both by the appellants as well as the respondents, can be summed up as under.

22.1. The normal rule is that when a particular set of employees is given relief by the court, all other identically situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India. This principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by this Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the normal rule would be that merely because other similarly situated persons did not approach the Court earlier, they are not to be treated differently.

22.2. However, this principle is subject to well-recognised exceptions in the form of laches and delays as well as acquiescence. Those persons who did not challenge the wrongful action in their cases and acquiesced into the same and woke up after long delay only because of the reason that their counterparts who had approached the court earlier in time succeeded in their efforts, then such employees cannot claim that the benefit of the judgment rendered in the case of similarly situated persons be extended to them. They would be treated as fence-sitters and laches and delays, and/or the acquiescence, would be a valid ground to dismiss their claim.

22.3. However, this exception may not apply in those cases where the judgment pronounced by the court was judgment in rem with intention to give benefit to all similarly situated persons, whether they approached the court or not. With such a pronouncement the obligation is cast upon the authorities to itself extend the benefit thereof to all similarly situated persons. Such a situation can occur when the subject-matter of the decision touches upon the policy matters, like scheme of regularisation and the like (see *K.C. Sharma v. Union of India*²). On the other hand, if the judgment of the court was in personam holding that benefit of the said judgment shall accrue to the parties before the court and such an intention is stated expressly in the judgment or it can be impliedly found out from the tenor and language of the judgment, those who want to get the benefit of the said judgment extended to

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them shall have to satisfy that their petition does not suffer from either laches and delays or acquiescence.

23. Viewed from this angle, in the present case, we find that the selection process took place in the year 1986. Appointment orders were issued in the year 1987, but were also cancelled vide orders dated 22-6-1987. The respondents before us did not challenge these

cancellation orders till the year 1996 i.e. for a period of 9 years. It means that they had accepted the cancellation of their appointments. They woke up in the year 1996 only after finding that some other persons whose appointment orders were also cancelled got the relief. By that time, nine years had passed. The earlier judgment had granted the relief to the parties before the Court. It would also be pertinent to highlight that these respondents have not joined service nor working like the employees who succeeded in earlier case before the Tribunal. As of today, 27 years have passed after the issuance of cancellation orders. Therefore, not only was there unexplained delay and laches in filing the claim petition after a period of 9 years, it would be totally unjust to direct the appellants to give them appointment as of today i.e. after a period of 27 years when most of these respondents would be almost 50 years of age or above.

24. For all the foregoing reasons, we allow the appeal and set aside the order of the High Court¹ as well as that of the Tribunal. There shall, however, be no order as to costs.

¹ Arising out of SLP (C) No. 18639 of 2012. From the Judgment and Order dated 1-2-2012 in WP No. 1988 of 2011 passed by the High Court of Judicature of Allahabad, Lucknow Bench

¹ *State of U.P. v. Arvind Kumar Srivastava*, Service Bench No. 1988 of 2011, decided on 1-2-2012 (All)

² *Inder Pal Yadav v. Union of India*, (1985) 2 SCC 648 : 1985 SCC (L&S) 526 : (1985) 3 SCR 837

³ *K.C. Sharma v. Union of India*, (1997) 6 SCC 721 : 1998 SCC (L&S) 226

⁴ *State of Karnataka v. C. Lalitha*, (2006) 2 SCC 747 : 2006 SCC (L&S) 447

⁵ (1990) 3 SCC 157 : 1990 SCC (L&S) 446 : (1990) 14 ATC 688

⁶ *C. Lalitha v. State of Karnataka*, SLP (C) No. 7506 of 1993, order dated 15-3-1994 (SC)

⁷ *Krishan Bhatt v. State of J&K*, (2008) 9 SCC 24 : (2008) 2 SCC (L&S) 783

⁸ *Rup Diamonds v. Union of India*, (1989) 2 SCC 356 : AIR 1989 SC 674

⁹ *State of Karnataka v. S.M. Kotrayya*, (1996) 6 SCC 267 : 1996 SCC (L&S) 1488

¹⁰ (1989) 4 SCC 582 : 1990 SCC (L&S) 50 : (1989) 11 ATC 913

¹¹ *U.P. Jal Nigam v. Jaswant Singh*, (2006) 11 SCC 464 : (2007) 1 SCC (L&S) 500

¹² (2005) 13 SCC 300 : 2006 SCC (L&S) 1063

¹³ (1997) 6 SCC 538 : 1997 SCC (L&S) 1550 : AIR 1997 SC 2366

¹⁴ (1995) 6 SCC 684 : 1996 SCC (L&S) 1 : (1995) 31 ATC 813

¹⁵ (1997) 3 SCC 395 : 1997 SCC (L&S) 821

¹⁶ OA No. 497 of 1986, decided on 17-3-1987 (Tri)

¹⁷ (2004) 1 SCC 347 : 2004 SCC (L&S) 225

¹⁸ 1991 Supp (1) SCC 138 : 1991 SCC (L&S) 841 : (1991) 17 ATC 261

**(2018) 8 Supreme Court Cases 238 : (2018) 2 Supreme Court Cases (L&S) 472 :
2018 SCC OnLine SC 771**

In the Supreme Court of India
(BEFORE MADAN B. LOKUR AND DEEPAK GUPTA, JJ.)

NARENDRA KUMAR TIWARI AND OTHERS . . Appellants;
Versus

STATE OF JHARKHAND AND OTHERS . . Respondents.

Civil Appeals Nos. 7423-29 of 2018[†], decided on August 1, 2018

Service Law – Regularisation – Entitlement to regularisation – Daily wagers/Contractual Employees – Benefit of 2015 Regularisation Rules to employees who had not completed 10 yrs of service on cut-off date of 10-4-2006 on ground that the same was not permitted by *Umadevi (3)*, (2006) 4 SCC 1 – Correct Interpretation of *Umadevi (3)* on this issue

– Supreme Court in *Umadevi (3)* case, granting, as one time measure, benefit of regularisation of services to irregularly appointed employees who had put in more than 10 yrs of service on cut-off date of 10-4-2006 – High Court by impugned judgment denying benefit of regularisation to appellants in terms of Regularisation Rules of 2015 holding that *Umadevi (3)* case did not permit regularisation of services of appellants since they had not put in 10 yrs of service on cut-off date of 10-4-2006 when Constitution Bench rendered its decision – Unsustainability – Held, intention of *Umadevi (3)* case was to prevent irregular/illegal appointments and to confer benefit on those who were irregularly appointed in past – Fact that State of Jharkhand continued with irregular appointments for almost a decade after decision in *Umadevi (3)* case was rendered strongly deprecated, which was nothing but exploitation of employees concerned and which *Umadevi (3)* case and *M.L. Kesari*, (2010) 9 SCC 247 precisely sought to avoid – If a strict and literal interpretation, forgetting spirit of decision in *Umadevi (3)* case is taken into consideration, then no irregularly appointed employee can ever be regularised in State of Jharkhand since it came into existence on 15-11-2000, and the cut-off date was 10-4-2006 – High Court as well as the State ought to have considered entire issue in contextual perspective from point of view of interest of State, financial or otherwise, and also the employees – Regularisation Rules of 2015 should be given pragmatic interpretation and in case appellants have completed 10 yrs of service on date of promulgation of Rules, their services should be regularised – State of Jharkhand directed, henceforth, to consider making regular appointments only – Service Law – Jharkhand Sarkar Ke Adhinasth Aniyamit Rup se Niyukt Ewam Karyarat Karmiyo Ki Sewa Niyamitikan Niyamawall, 2015

(Paras 5 to 12)

Anil Kumar Sinha v. State of Jharkhand, 2016 SCC OnLine Jhar 2904, reversed

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State of Karnataka v. Umadevi (3), (2006) 4 SCC 1 : 2006 SCC (L&S) 753; *State of Karnataka v. M.L. Kesari*, (2010) 9 SCC 247 : (2010) 2 SCC (L&S) 826, explained and followed

Appeals allowed

P-D/60770/CL

Advocates who appeared In this case :

Rana Mukherjee, Senior Advocate (Kumar Anurag Singh, Kumar Shivam, Ms Stuti Vatsa, Ms Tulika Mukherjee and Gopal Prasad, Advocates) for the appearing parties.

Chronological list of cases cited

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1. 2016 SCC OnLine Jhar 2904, *Anil Kumar Sinha v. State of*

Jharkhand (reversed)

239c-d, 24:

2. (2010) 9 SCC 247 : (2010) 2 SCC (L&S) 826, *State of Karnataka v. M.L. Kesari* 240b, 240d, 241g
3. (2006) 4 SCC 1 : 2006 SCC (L&S) 753, *State of Karnataka v. Umadevi (3)* 239e-f, 240a-b, 240b, 240b-240e, 240f, 240g-h, 241 241a-b, 241b, 241b-c, 241 241d-e, 241e, 241e-f, 241 241f-g, 241g-h, 24:

The Judgment of the Court was delivered by

MADAN B. LOKUR, J.— Leave granted. These appeals arise out of the common judgment and order dated 17-11-2016¹ passed by a Division Bench of the High Court of Jharkhand in a batch of writ petitions relating to the regularisation of daily-wage or contract workers on different posts. The writ petitioners (now appellants) were denied the benefit of regularisation in view of the provisions of the Jharkhand Sarkar ke Adhinasth Aniyamit Rup se Niyukt Ewam Karyarat Karmiyo ki Sewa Niyamitikan Niyamawali, 2015 (hereinafter referred to as "the Regularisation Rules").

2. The admitted position is that the appellants are irregularly appointed employees of the State Government. They sought regularisation of their status on the ground that they had put in more than 10 years of service and were therefore entitled to be regularised. The High Court took the view that the decision of the Constitution Bench of this Court in *State of Karnataka v. Umadevi (3)*² did not permit their regularisation since they had not worked for 10 years on the cut-off date of 10-4-2006 when the Constitution Bench rendered its decision. According to the High Court, the Regularisation Rules provided a one-time measure of regularisation of the services of irregularly appointed employees based on the cut-off date of 10-4-2006 in terms of the judgment of the Constitution Bench. Therefore, since the appellants had not put in 10 years of service they could not be regularised.

3. The appellants had contended before the High Court that the State of Jharkhand was created only on 15-11-2000 and therefore no one could have completed 10 years of service with the State of Jharkhand on the cut-off date of 10-4-2006. Therefore, no one could get the benefit of the Regularisation Rules which made the entire legislative exercise totally meaningless. The appellants had pointed out in the High Court that the State had issued Resolutions on

18-7-2009 and 19-7-2009 permitting the regularisation of some employees of the State, who had obviously not put in 10 years of service with the State. Consequently, it was submitted that the appellants were discriminated against for no fault of theirs and in an irrational manner.

4. Having heard the learned counsel for the parties and having considered the decision of the Constitution Bench in *Umadevi (3)*² as well as the subsequent decision of this Court explaining *Umadevi (3)*² in *State of Karnataka v. M.L. Kesari*³, we are of the view that the High Court has erred in taking an impractical view of the directions in *Umadevi (3)*² as well as its consideration in *Kesari*³.

5. The decision in *Umadevi (3)*² was intended to put a full stop to the somewhat pernicious practice of irregularly or illegally appointing daily-wage workers and continuing with them indefinitely. In fact, in para 49 of the Report, it was pointed out that the rule of law requires appointments to be made in a constitutional manner and the State cannot be

permitted to perpetuate an irregularity in the matter of public employment which would adversely affect those who could be employed in terms of the constitutional scheme. It is for this reason that the concept of a one-time measure and a cut-off date was introduced in the hope and expectation that the State would cease and desist from making irregular or illegal appointments and instead make appointments on a regular basis.

6. The concept of a one-time measure was further explained in *Kesar²* in paras 9, 10 and 11 of the Report which read as follows: (SCC pp. 250-51, paras 9-11)

"9. The term "one-time measure" has to be understood in its proper perspective. This would normally mean that after the decision in *Umadevi (3)²*, each department or each instrumentality should undertake a one-time exercise and prepare a list of all casual, daily-wage or ad hoc employees who have been working for more than ten years without the intervention of courts and tribunals and subject them to a process verification as to whether they are working against vacant posts and possess the requisite qualification for the post and if so, regularise their services.

10. At the end of six months from the date of decision in *Umadevi (3)²*, cases of several daily-wage/ad hoc/casual employees were still pending before courts. Consequently, several departments and instrumentalities did not commence the one-time regularisation process. On the other hand, some government departments or instrumentalities undertook the one-time exercise excluding several employees from consideration either on the ground that their cases were pending in courts or due to sheer oversight. In such circumstances, the employees who were entitled to be considered in terms of para 53 of the decision in *Umadevi (3)²*, will not lose their right to be considered for regularisation, merely because the one-time exercise was

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completed without considering their cases, or because the six-month period mentioned in para 53 of *Umadevi (3)²* has expired. The one-time exercise should consider all daily-wage/ad hoc/casual employees who had put in 10 years of continuous service as on 10-4-2006 without availing the protection of any interim orders of courts or tribunals. If any employer had held the one-time exercise in terms of para 53 of *Umadevi (3)²*, but did not consider the cases of some employees who were entitled to the benefit of para 53 of *Umadevi (3)²*, the employer concerned should consider their cases also, as a continuation of the one-time exercise. The one-time exercise will be concluded only when all the employees who are entitled to be considered in terms of para 53 of *Umadevi (3)²*, are so considered.

11. The object behind the said direction in para 53 of *Umadevi (3)²* is twofold. First is to ensure that those who have put in more than ten years of continuous service without the protection of any interim orders of courts or tribunals, before the date of decision in *Umadevi (3)²* was rendered, are considered for regularisation in view of their long service. Second is to ensure that the departments/instrumentalities do not perpetuate the practice of employing persons on daily-wage/ad hoc/casual basis for long periods and then periodically regularise them on the ground that they have served for more than ten years, thereby defeating the constitutional or statutory provisions relating to recruitment and appointment. The true effect of the direction is that all persons who have worked for more than ten years as on 10-4-2006 [the date of decision in *Umadevi (3)²*] without the protection of any interim order of any court or tribunal, in vacant posts, possessing the requisite qualification, are entitled to be considered for regularisation. The fact that the employer has not undertaken such exercise of regularisation within six months of the decision in *Umadevi (3)²* or that such exercise was undertaken only in regard to a limited few, will not disentitle such employees, the right to be considered for regularisation in terms of the above directions in *Umadevi (3)²* as a one-time measure."

7. The purpose and intent of the decision in *Umadevi (3)*² was therefore twofold, namely, to prevent irregular or illegal appointments in the future and secondly, to confer a benefit on those who had been irregularly appointed in the past. The fact that the State of Jharkhand continued with the irregular appointments for almost a decade after the decision in *Umadevi (3)*² is a clear indication that it believes that it was all right to continue with irregular appointments, and whenever required, terminate the services of the irregularly appointed employees on the ground that they were irregularly appointed. This is nothing but a form of exploitation of the employees by not giving them the benefits of regularisation and by placing the sword of Damocles over their head. This is precisely what *Umadevi (3)*² and *Kesari*³ sought to avoid.

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8. If a strict and literal interpretation, forgetting the spirit of the decision of the Constitution Bench in *Umadevi (3)*², is to be taken into consideration then no irregularly appointed employee of the State of Jharkhand could ever be regularised since that State came into existence only on 15-11-2000 and the cut-off date was fixed as 10-4-2006. In other words, in this manner the pernicious practice of indefinitely continuing irregularly appointed employees would be perpetuated contrary to the intent of the Constitution Bench.

9. The High Court as well as the State of Jharkhand ought to have considered the entire issue in a contextual perspective and not only from the point of view of the interest of the State, financial or otherwise — the interest of the employees is also required to be kept in mind. What has eventually been achieved by the State of Jharkhand is to short circuit the process of regular appointments and instead make appointments on an irregular basis. This is hardly good governance.

10. Under the circumstances, we are of the view that the Regularisation Rules must be given a pragmatic interpretation and the appellants, if they have completed 10 years of service on the date of promulgation of the Regularisation Rules, ought to be given the benefit of the service rendered by them. If they have completed 10 years of service they should be regularised unless there is some valid objection to their regularisation like misconduct, etc.

11. The impugned judgment and order¹ passed by the High Court is set aside in view of our conclusions. The State should take a decision within four months from today on regularisation of the status of the appellants. The appeals are accordingly disposed of.

12. We may add that that it would be worthwhile for the State of Jharkhand to henceforth consider making regular appointments only and dropping the idea of making irregular appointments so as to short circuit the process of regular appointments.

[†] Arising out of SLPs (C) Nos. 19832-38 of 2017. Arising from the Judgment and Order in *Anil Kumar Sinha v. State of Jharkhand*, 2016 SCC OnLine Jhar 2904 (Jharkhand High Court, Ranchi Bench, WPs Nos. 4019, 4021, 4126, 4127 of 2015, 1512, 1530 and 1932 of 2016, dt. 17-11-2016)

¹ *Anil Kumar Sinha v. State of Jharkhand*, 2016 SCC OnLine Jhar 2904

² *State of Karnataka v. Umadevi (3)*, (2006) 4 SCC 1 : 2006 SCC (L&S) 753

³ *State of Karnataka v. M.L. Kesari*, (2010) 9 SCC 247 : (2010) 2 SCC (L&S) 826



**(2010) 9 Supreme Court Cases 247 : (2010) 2 Supreme Court Cases (L&S)
826 : 2010 SCC OnLine SC 828**

(BEFORE R.V. RAVEENDRAN AND H.L. GOKHALE, JJ.)

STATE OF KARNATAKA AND OTHERS . . Appellants;

Versus

M.L. KESARI AND OTHERS . . Respondents.

Civil Appeal No. 6208 of 2010[±], decided on August 3, 2010

A. Service Law — Regularisation — Casual labour/Daily wager/Ad hoc employee — Exception contained in para 53 of *Umadevi (3) case*, (2006) 4 SCC 1 for regularisation of irregular appointments as a one-time measure — Entitlement to — Two mandatory and cumulative preconditions for, clarified — Irregular appointments in contrast to illegal appointments — Difference reiterated — Held, appointments of qualified persons made against sanctioned posts without following process of open competition, are irregular appointments — As against this, appointments made not against sanctioned posts or appointments of unqualified persons, are illegal appointments — Only *irregular* appointees are entitled to regularisation in terms of para 53 of *Umadevi (3) case* — Words and Phrases — “Irregular” and “illegal” appointments — Meaning of

Held :

The exception contained in para 53 of *Umadevi (3) case*, (2006) 4 SCC 1 is applicable, if the following conditions are fulfilled: (i) The employee concerned should have worked for 10 years or more in duly sanctioned post without the benefit or protection of the interim order of any court or tribunal. The State Government or its instrumentality should have employed the employee and continued him in service voluntarily and continuously for more than ten years. (ii) The appointment of such employee should not be illegal, even if irregular. Where the appointments are not made or continued against sanctioned posts or where the persons appointed do not possess the prescribed minimum qualifications, the appointments will be considered to be illegal. But where the person employed possessed the prescribed qualifications and was working against sanctioned posts, but had been selected without undergoing the process of open competitive selection, such appointments are considered to be irregular.

(Para 7)

State of Karnataka v. Umadevi (3), (2006) 4 SCC 1, explained and applied

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State of Mysore v. S.V. Narayanappa, AIR 1967 SC 1071 : (1967) 1 SCR 128; *R.N. Nanjundappa v. T. Thimmiah*, (1972) 1 SCC 409; *B.N. Nagarajan v. State of Karnataka*, (1979) 4 SCC 507 : 1980 SCC (L&S) 4, reiterated

B. Service Law — Regularisation — Casual labour/Daily wager/Ad hoc employee — Exception contained in para 53 of *Umadevi (3) case* for regularisation of irregular appointments as a “one-time measure” (to be initiated within six months from 10-4-2006) — Eligible persons left out of consideration for any reason — Whether entitled to be considered even if said six month period had expired — “One-time measure” — Meaning and significance — Held, process of regularisation as a one-time measure would not be complete till all eligible persons who have right to be considered in terms of para 53 of *Umadevi (3) case* are considered — Such persons if not considered within six months commencing from 10-4-2006 are entitled to be considered now — On facts held, persons completing ten years’ service but not fulfilling qualifications of higher posts may be considered for

regularisation against suitable lower posts

(Paras 8 to 13)

State of Karnataka v. Umadevi (3), (2006) 4 SCC 1, explained

K-D/46570/CL

Advocates who appeared in this case:

Sanjay R. Hegde, Ramesh Kr. Mishra, Krutin Joshi, Ramesh S. Jadhav and Vikrant Yadav, Advocates, for the Appellants;

Ms K. Sarada Devi, Advocate, for the Respondents.

Chronological list of cases cited

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| 1. (2006) 4 SCC 1, <i>State of Karnataka v. Umadevi (3)</i> | 249b-c, 249c, 249e-f, 250b-c, 250e, 250f, 250f-g, 250h, 251a-b, 251b, 251b-c, 251c, 251c-d, 251d-e, 251e-f, 251f-g, 251g, 251g-h, 251h, 252a, 252b |
| 2. (1979) 4 SCC 507 : 1980 SCC (L&S) 4, <i>B.N. Nagarajan v. State of Karnataka</i> | 249f-g |
| 3. (1972) 1 SCC 409, <i>R.N. Nanjundappa v. T. Thimmiah</i> | 249f-g |
| 4. AIR 1967 SC 1071 : (1967) 1 SCR 128, <i>State of Mysore v. S.V. Narayanappa</i> | 249f-g |

The Judgment of the Court was delivered by

R.V. RAVEENDRAN, J.— Delay condoned. Leave granted.

2. Respondents 1 to 3 were appointed on daily-wage basis by the Zila Panchayat, Gadag, between 1985 and 1987. Their services were utilised as Typist, Literate Assistant and Watchman respectively in the office of the Executive Engineer, Zila Panchayat Engineering Sub-Division, Ron, Gadag District. They were continued as daily wagers for more than 15 years without the intervention of any court and without the protection of any interim orders of any court or tribunal. In the year 2002 they filed writ petitions (Nos. 31687-689 of 2002) seeking regularisation. The said writ petitions were allowed by a learned Single Judge of the Karnataka High Court by order dated 27-9-2002 with a direction to consider their representations in accordance with the judgment dated 24-1-2001 in WAs Nos. 5697 of 2000 and 6677-7351 of 2000.



3. The writ appeals filed by the appellants against the said order were dismissed by a Division Bench by the impugned order dated 28-7-2004 holding that the respondents will be entitled to regularisation, depending upon the terms and conditions of appointment, availability of existing substantive vacancies, eligibility,

qualifications, continuity of service, seniority and the prevailing rules. The Division Bench directed that the case of each of the appellants shall be considered independently on its own facts, within four months. The said judgment is challenged in this appeal by special leave.

4. When the matter came up for hearing on 10-3-2006, the matter was adjourned to await the decision of the Constitution Bench in *State of Karnataka v. Umadevi (3)*¹. However, subsequently notice was directed to be issued both on the application for condonation of delay for 361 days in filing the SLP as also on the special leave petition.

5. The decision in *State of Karnataka v. Umadevi (3)*¹ was rendered on 10-4-2006. In that case, a Constitution Bench of this Court held that appointments made without following the due process or the rules relating to appointment did not confer any right on the appointees and the courts cannot direct their absorption, regularisation or re-engagement nor make their service permanent, and the High Court in exercise of jurisdiction under Article 226 of the Constitution should not ordinarily issue directions for absorption, regularisation, or permanent continuance unless the recruitment had been done in a regular manner, in terms of the constitutional scheme; and that the courts must be careful in ensuring that they do not interfere unduly with the economic arrangement of its affairs by the State or its instrumentalities, nor lend themselves to be instruments to facilitate the bypassing of the constitutional and statutory mandates.

6. This Court in *Umadevi (3)*¹ further held that a temporary, contractual, casual or a daily-wage employee does not have a legal right to be made permanent unless he had been appointed in terms of the relevant rules or in adherence of Articles 14 and 16 of the Constitution. This Court however made one exception to the above position and the same is extracted below: (SCC p. 42, para 53)

"53. One aspect needs to be clarified. There may be cases where irregular appointments (not illegal appointments) as explained in *S.V. Narayanappa*², *R.N. Nanjundappa*³ and *B.N. Nagarajan*⁴ and referred to in para 15 above, of duly qualified persons in duly sanctioned vacant posts might have been made and the employees have continued to work for ten years or more but without the intervention of orders of the courts or of tribunals. The question of regularisation of the services of such employees may have to be considered on merits in the light of the

principles settled by this Court in the cases abovereferred to and in the light of this judgment. In that context, the Union of India, the State Governments and their instrumentalities should take steps to regularise as a one-time measure, the services of such *irregularly* appointed, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of the courts or of tribunals and should further ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that require to be filled up, in cases where temporary employees or daily wagers are being now employed. The process must be set in motion within six months from this date."

(emphasis in original)

7. It is evident from the above that there is an exception to the general principles against "regularisation" enunciated in *Umadevi (3)*¹, if the following conditions are fulfilled:

(i) The employee concerned should have worked for 10 years or more in duly

sanctioned post without the benefit or protection of the interim order of any court or tribunal. In other words, the State Government or its instrumentality should have employed the employee and continued him in service voluntarily and continuously for more than ten years.

(ii) The appointment of such employee should not be illegal, even if irregular. Where the appointments are not made or continued against sanctioned posts or where the persons appointed do not possess the prescribed minimum qualifications, the appointments will be considered to be illegal. But where the person employed possessed the prescribed qualifications and was working against sanctioned posts, but had been selected without undergoing the process of open competitive selection, such appointments are considered to be irregular.

8. *Umadevi (3)*¹ casts a duty upon the Government or instrumentality concerned, to take steps to regularise the services of those irregularly appointed employees who had served for more than ten years without the benefit or protection of any interim orders of courts or tribunals, as a one-time measure. *Umadevi (3)*¹ directed that such one-time measure must be set in motion within six months from the date of its decision (rendered on 10-4-2006).

9. The term "one-time measure" has to be understood in its proper perspective. This would normally mean that after the decision in *Umadevi (3)*¹, each department or each instrumentality should undertake a one-time exercise and prepare a list of all casual, daily-wage or ad hoc employees who have been working for more than ten years without the intervention of courts and tribunals and subject them to a process verification as to whether they are working against vacant posts and possess the requisite qualification for the post and if so, regularise their services.

10. At the end of six months from the date of decision in *Umadevi (3)*¹, cases of several daily-wage/ad hoc/casual employees were still pending before courts. Consequently, several departments and instrumentalities did

not commence the one-time regularisation process. On the other hand, some government departments or instrumentalities undertook the one-time exercise excluding several employees from consideration either on the ground that their cases were pending in courts or due to sheer oversight. In such circumstances, the employees who were entitled to be considered in terms of para 53 of the decision in *Umadevi (3)*¹, will not lose their right to be considered for regularisation, merely because the one-time exercise was completed without considering their cases, or because the six-month period mentioned in para 53 of *Umadevi (3)*¹ has expired. The one-time exercise should consider all daily-wage/ad hoc/casual employees who had put in 10 years of continuous service as on 10-4-2006 without availing the protection of any interim orders of courts or tribunals. If any employer had held the one-time exercise in terms of para 53 of *Umadevi (3)*¹, but did not consider the cases of some employees who were entitled to the benefit of para 53 of *Umadevi (3)*¹, the employer concerned should consider their cases also, as a continuation of the one-time exercise. The one-time exercise will be concluded only when all the employees who are entitled to be considered in terms of para 53 of *Umadevi (3)*¹, are so considered.

11. The object behind the said direction in para 53 of *Umadevi (3)*¹ is twofold. First is to ensure that those who have put in more than ten years of continuous service without the protection of any interim orders of courts or tribunals, before the date of decision in *Umadevi (3)*¹ was rendered, are considered for regularisation in view of

their long service. Second is to ensure that the departments/instrumentalities do not perpetuate the practice of employing persons on daily-wage/ad hoc/casual basis for long periods and then periodically regularise them on the ground that they have served for more than ten years, thereby defeating the constitutional or statutory provisions relating to recruitment and appointment. The true effect of the direction is that all persons who have worked for more than ten years as on 10-4-2006 [the date of decision in *Umadevi (3)*¹] without the protection of any interim order of any court or tribunal, in vacant posts, possessing the requisite qualification, are entitled to be considered for regularisation. The fact that the employer has not undertaken such exercise of regularisation within six months of the decision in *Umadevi (3)*¹ or that such exercise was undertaken only in regard to a limited few, will not disentitle such employees, the right to be considered for regularisation in terms of the above directions in *Umadevi (3)*¹ as a one-time measure.

12. These appeals have been pending for more than four years after the decision in *Umadevi (3)*¹. The appellant (Zila Panchayat, Gadag) has not considered the cases of the respondents for regularisation within six months of the decision in *Umadevi (3)*¹ or thereafter.

13. The Division Bench of the High Court has directed that the cases of the respondents should be considered in accordance with law. The only further direction that needs to be given, in view of *Umadevi (3)*¹, is that the Zila Panchayat, Gadag should now undertake an exercise within six months, as a general one-time regularisation exercise, to find out whether there are

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any daily-wage/casual/ad hoc employees serving the Zila Panchayat and if so whether such employees (including the respondents) fulfil the requirements mentioned in para 53 of *Umadevi (3)*¹. If they fulfil them, their services have to be regularised. If such an exercise has already been undertaken by ignoring or omitting the cases of Respondents 1 to 3 because of the pendency of these cases, then their cases shall have to be considered in continuation of the said one-time exercise within three months. It is needless to say that if the respondents do not fulfil the requirements of para 53 of *Umadevi (3)*¹, their services need not be regularised. If the employees who have completed ten years' service do not possess the educational qualifications prescribed for the post, at the time of their appointment, they may be considered for regularisation in suitable lower posts.

14. This appeal is disposed of accordingly.

[†] Arising out of SLP (C) No. 15774 of 2006. From the Judgment and Order dated 22-7-2004 of the High Court of Karnataka at Bangalore in WAs Nos. 1641-43 of 2003

¹ (2006) 4 SCC 1

² *State of Mysore v. S.V. Narayanappa*, AIR 1967 SC 1071 : (1967) 1 SCR 128

³ *R.N. Nanjundappa v. T. Thimmiah*, (1972) 1 SCC 409

⁴ *B.N. Nagarajan v. State of Karnataka*, (1979) 4 SCC 507 : 1980 SCC (L&S) 4

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 246 OF 2015

The State of Maharashtra & Ors

..Petitioners

Vs.

Bhartiya Kamgar Sena

..Respondent

Mr. P. G. Sawant AGP for the Petitioners

Mr. N. A. Kulkarni for the Respondent

CORAM : R. M. SAVANT, J.

DATE : 19th AUGUST, 2016

P.C.

1 The above Writ Petition filed under Articles 226 and 227 of the Constitution of India takes exception to the order dated 30-10-2010 passed by the Learned Member Industrial Court Pune by which order, the complaint filed by the Respondent No.1 Union being Complaint ULP No.27 of 2002, came to be partly allowed and the declarations and directions as appearing in the operative part of the impugned order came to be issued. The said declarations and directions are reproduced herein under for the sake of ready reference :

1. Complaint filed by the complainant is hereby partly allowed.

2. It is hereby declared that by no making remaining employees in Annexure 'A' to the complaint except 82 employees who have been made permanent, the employees who dies during the pendency of the matter and the employees who left the employment the respondents have continued unfair labour practice under item 6 of Schedule IV of MRTU and PULP Act.

3. The respondents are hereby ceased and desist from proved unfair labour practice and to take affirmative action by issuing letter of permanency in favour of the remaining employees in Annexure 'A' to the complaint from 1 January 2007 within 60 days from the date of receipt of this order.

4. The respondent is further directed to calculate the difference of wages for which the employees are entitled as permanent employees from 1-1-2007 and to pay the remaining employees within 60 days from the date of receipt of this order.

5. Remaining prayer of the complainant are hereby rejected.

6. Parties to bear their own costs.”

2

The Respondent No.1 herein is a Union representing some of the class IV employees working in the Sasoon General Hospital Pune which is a Government run hospital as it is fully funded by the State Government. The Respondent No.1 by filing the complaint in question was espousing the cause of about 150 badli / casual / temporary workers who are working in the said Sasoon Hospital. the said workers are working since the year 1998 and have been given casual breaks. The principal relief sought in the complaint was that the said 150 workers should be made permanent and by not making them permanent the Respondent No.1 sought a declaration that the Petitioners were indulging in unfair labour practice as covered by clause 9 of Schedule IV of MRTU & PULP Act 1971. In the said complaint a Written Statement came to be filed on behalf of the Petitioner wherein various defences were sought to be taken as regards the relief sought by the Respondent No.1 in the said

complaint. The said defences were inter alia to the effect that there are many unions operating in the Respondent No.1 who are representing the class IV employees, that there are no posts available for making the said class IV employees permanent etc. The parties also adduced evidence in respect of their respective assertions. It has come on record in the said proceedings that there were about 70 post which were vacant. During the course of adjudication of the complaint by 82 badli / casual / temporary workers were granted permanency out of 150 workers whose cause the Respondent No.1 was espousing.

3 It is an undisputed position that today only 44 workers are remaining to be granted the benefit of permanency. The judgment of the Industrial Court is of the year 2010. The above Petition has been filed sometime in September 2013 and has been appearing from time to time. In the year 2015, the State Government issued a G. R. in respect of the permanency to be granted to the badli / casual / temporary workers working in the Government Hospitals all over Maharashtra. It is pursuant to the said G. R. that the figure of the workers who have not been granted permanency has come down to 44 as out of 48, 3 have expired and 1 has already been made permanent. As indicated above, whilst the complaint was being adjudicated there were 70 posts which were vacant and therefore the Industrial Court has observed that keeping the said badli / casual / temporary workers as

temporary and not granting them permanency, amounts to an unfair labour practice under item 9 of Schedule IV of the MRTU and PULP Act 1971. The Industrial Court has also recorded a finding that the Petitioner that is the Sasoon Hospital is an "industry" and that the workers in question have been continued on a temporary basis since long past and have completed more than 240 days of service in the calendar year. In so far as the above Petition is concerned, a reference to the same has been made in the said G.R. dated 7-12-2015 and it has been stated in the said G. R. that in so far as the workers covered by the instant Petition are concerned, the State Government would take an appropriate decision on the basis of the outcome of the above Writ Petition.

4 In the background facts as above, where the workers have continued on a temporary basis since the year 1998 or thereabouts and since already a large number of them have been made permanent as also the G. R. has been issued by the State Government regulating as to how the temporaries working in the Government Hospitals are to be made permanent as also considering the fact that in so far as the workers covered by the instant Petition are concerned, the State Government has deferred the application of the G.R. awaiting the outcome of the above Petition. In my view, it is not necessary to interdict with the impugned order passed by the Industrial Court. Hence no case for interference is made out. The Writ Petition is accordingly

dismissed. However this court hopes and trusts that the State Government would apply the said G. R. to the remaining 44 workers in the spirit in which, and the purposes for which it is issued.

[R.M.SAVANT, J]

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Pvr



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wp1060-05.sxw

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1060 OF 2005

1.The State of Maharashtra & Ors. ...Petitioners
vs.
1.Jayraj Hate & Ors. ...Respondents.

Ms.V.S.Mhaispurkar, Addl.P.P. for Petitioners.

Mr.R.S.Upadhyay, for Respondent nos.1 to 4.

CORAM : M.L.TAHALIYANI, J.

DATED : 22nd October, 2013

P.C. :

Heard learned Addl.P.P. Ms.V.S.Mhaispurkar for Petitioners-State and learned Counsel Mr.R.S.Upadhyay for Respondent nos.1 to 4.

2. This writ petition is filed by the State of Maharashtra, Director of Medical Education & Research, the Superintendent of St.George Hospital and the Principal Secretary of Medical Education & Drug Department, Government of Maharashtra.

3. This writ petition impugns the order passed by the learned Judge of Labour Court in Miscellaneous Criminal Complaint (ULP) no.121 of 2004. The learned Judge had directed issuance of process against the petitioners to answer the charge for the offence punishable under Section 48(1) of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act, 1971 (hereinafter referred to as

'PULP Act'). The said complaint case was filed by respondent nos.1, 2 and 3 (original complainants) alleging inter alia that the order passed by the Judge of Labour Court in complaint (ULP) No.1271 of 1993 was not followed by the petitioners and thereby the petitioners have committed offence punishable under Section 48(1) of PULP Act. Before I proceed further, it will apt to reproduce the order passed by the learned Judge in Complaint (ULP) no.1271 of 1993. The order reads as under:-

- "i) Complaint (ULP) No.1271 is hereby allowed.
- ii) It is hereby declared that the Respondents have engaged in and are engaging in the unfair labour practices under item 6 and 9 of Schedule IV of the MRTU & PULP Act,1971 and they are directed to cease and desist from continuing to do so.
- iii) The Respondents are hereby directed to prepare the seniority list of all the badli workers in the order of their initial date of appointment in the Hospital and considering their suitability for the post make them permanent in proportion to the vacant permanent posts considering their seniority list, the other conditions of their service and rules of services.
- iv) No order as to costs."

4. As already stated, since this order was not complied with, respondent nos.1 to 4 filed a complaint in the Court of learned Judge of Labour Court for the offence punishable under Section 48(1) of PULP Act. Section 48(1) of PULP Act runs as under:-

"48. Contempt's of Industrial or Labour Courts. -

(1) Any person who fails to comply with any order of the Court under clause (b) of sub-section (1) or sub-section (2) of section 30 of this Act shall, on conviction, be punished with imprisonment which may extend to three months or with fine which may extend to five thousand rupees."

5. It is not in dispute that the order passed by the Labour Court in Complaint ULP no.1271 of 1993 was passed under Section 30(2) of the PULP Act. It was, therefore, necessary for the petitioners to comply with the said order if they wanted to avoid penalty under Section 48 of the PULP Act. It is also not denied that the order passed by the Labour Court has not been complied with in any manner. Respondent nos.1 to 4, therefore, filed complaint and the process was issued. The order of process runs ad under:-

“Heard. Perused the contents in application and document on record. From the record, it appears that, the accused not followed the order of the Hon'ble I.D., therefore, complainant made out prima facie case at this stage. Hence, issue process against accused under Section 48(1) of MRTU & PULP Act.
Issue summons to accused.”

This order was challenged before the Industrial Court by way of filing a revision application. The revision application was dismissed by the learned Member of Industrial Court. It was contended before the Industrial Court that the complaint was filed not by one person but by four persons and therefore, the complaint was bad-in-law. The learned Industrial Court was of the opinion that though the complaint was filed by four persons, the statement on oath of only one person was recorded and the process was issued on the basis of statement of one of the respondents. In the opinion of the learned Industrial Court, therefore, the complaint was not bad-in-law. The second issue raised before the learned Industrial Court was that the order of learned Labour Judge which was not complied with, was not a blanket order and it was subject to availability of vacant posts. It was further contended that there was a ban on filling up of the posts which was lifted

only in the month of April,2004. It was also contended that the question of registration of employees in the employment exchange would have also arisen.

6. I have gone through the judgment of learned Industrial Court and I find no infirmity in the said order. In my opinion, had the petitioners complied with the order of learned Labour Court, the technical issues would not have come in the way. Those technical issues including registration in employment exchange, ban on filling up of the posts, would be applicable to the regular appointments and not to the appointments made in compliance with the order of Labour Court. The learned Industrial Court has rightly rejected these contentions.

7. It was also contended before the Industrial Court that there was no intentional violation of the order of the Judge of Labour Court. In my view, the mens rea is not the integral part of the offence punishable under Section 48(1) of PULP Act.

8. Issue regarding sanction under Section 197 of Cr.P.C. was also raised before the Industrial Court. The Industrial Court has rejected the contention that the petitioners could not have been prosecuted without sanction from the competent authority under Section 197 of Cr.P.C. In this regard, it may be noted here that the proceedings under Section 48(1) of PULP Act are in the nature of contempt proceedings and therefore, the provisions of Section 197 of Cr.P.C. are not applicable to such proceedings.

9. Learned Additional P.P. Ms.V.S.Mhaispurkar has submitted that the Government had to take policy decision in respect of "badli workers". Now there are more than 2000 "badli workers" working in one and the same department in whole of

Maharashtra. It is submitted that the process of taking policy decision is still in progress. I do not find any substance in this argument. As already indicated by me, the question of taking policy decision or otherwise did not arise before the petitioners inasmuch as what they were supposed to do was to comply the order of the Court. The policy decision and availability of seats and other issues would not come in their way. As such, in my opinion, there is no substance in the writ petition. Writ petition needs to be dismissed. However, I find it necessary to mention here that the petitioners have shown scant regards for the orders of the Court and as such their arguments are baseless.

10. The writ petition is dismissed.
11. Interim order, if any, stands vacated.

(M.L.TAHALIYANI, J.)



2020 SCC OnLine SC 150

In the Supreme Court of India
(BEFORE D.Y. CHANDRACHUD AND AJAY RASTOGI, JJ.)

Civil Appeal No. 1878 of 2016

Oil and Natural Gas Corporation ... Appellant;

Versus

Krishan Gopal and Others ... Respondents.

Civil Appeal Nos 935-937 of 2020, SLP(C) Nos. 10478-10480/2016 with Civil Appeal Nos 938-939 of 2020 SLP(C) Nos. 30854-30855/2017 with Civil Appeal No 934 of 2020 SLP(C) No. 16455/2018 and with Civil Appeal Nos 669-696 of 2020 and SLP(C) Nos. 15971-15998/2018

Decided on February 7, 2020

Labour law — Regularisation of workmen — Industrial disputes act, 1947 — Application of the law propounded in *Umadevi* to industrial tribunals and labour courts — Held, the powers of the labour court and the industrial court cannot extend to a direction to order regularisation, where such a direction would in the context of public employment offend the provisions contained in Art. 14 of the constitution; however, the statutory power to grant relief to workmen including the status of permanency continues to exist in circumstances where the employer has indulged in an unfair labour practice by not filling up permanent posts even though such posts are available and by continuing to employ workmen as temporary or daily wage employees despite their performing the same work as regular workmen on lower wages — The decision in *PCLU* needs to be revisited and directed the registry to place the proceedings before the hon'ble chief justice of India so as to enable his lordship to consider placing this batch of appeals before an appropriate bench

(Paras 34 and 35)

VNH014/17187

Oil and Natural Gas Corporation Limited v. Petroleum Coal Labour Union(2015) 6 SCC 494, *Secretary, State of Karnataka v. Umadevi*(2006) 4 SCC 1 referred to

The Judgment of the Court was delivered by

D.Y. CHANDRACHUD, J.:— This batch of appeals arises from the judgments of the High Courts of Andhra Pradesh, Delhi, Madras and Uttarakhand. A judgment of a two judge Bench of this Court in *Oil and Natural Gas Corporation Limited v. Petroleum Coal Labour Union*¹ ("PCLU") has assumed focus since the decisions of the High Courts in four of the present appeals have relied on the judgment of this Court in coming to the conclusion that the workmen were entitled to regularisation in service. In one of the five appeals, however where the prayer for regularisation was rejected, the decision in *PCLU* has been distinguished. Hence on either end of the spectrum, the judgment in *PCLU* has a significant bearing on the outcome of the appeals.

2. The manner in which the present appeals arise is indicated, for convenience of reference, in the following tabulation:

Sl. Nos.	Particulars	Remarks
1	Civil Appeals @ SLP (C) Nos. 15971-15998/2018 <i>ONGC v. ONGC Field Operators Union</i>	The appeals arise out of a judgment dated 5 January 2018 of the Andhra Pradesh High Court in 24 Writ Appeals and 4 Writ Petitions. The High Court directed regularisation of

		450 workmen who moved the High Court under Article 226 of the Constitution without seeking a reference before the Industrial Tribunal under the Industrial Disputes Act 1947 ² . The judgment of the High Court has relied upon the decision of this Court in <i>PCLU (supra)</i> .
2	Civil Appeal @ SLP (C) No. 4/2016 Renumbered as C.A. 1878/2016 <i>ONGC v. Krishan Gopal</i>	The appeal arises out of a judgment dated 12 December 2015 of the High Court of Delhi. Allowing a Letters Patent Appeal, the High Court directed regularisation of 24 workmen who had instituted proceedings under Article 226 without seeking a reference to the Industrial Tribunal under the Industrial Disputes Act 1947. The High Court relied upon the decision of this Court in <i>PCLU (supra)</i> .
3	Civil Appeal @ SLP (C) No. 10478/2016 <i>M Rajan v. ONGC</i>	The appeal arises from a judgment of the Madras High Court dated 20 November 2015 in Writ Appeals. The High Court rejected the prayer for regularisation made by the workmen who had instituted proceedings under Article 226. The High Court held that the remedy under the Industrial Disputes Act 1947 could not be bypassed. The High Court distinguished the decision of this Court in <i>PCLU (supra)</i> .
4	Civil Appeal @ SLP (C) No. 30854/2017 <i>ONGC v. Tel AVM Prakartik Gas Karmchari Sangh</i>	The appeal arises from a decision of the High Court of Uttarakhand dated 3 August 2017 in writ proceedings under Article 226, as a consequence of which, nine workmen have

		been directed to be regularised. The High Court set aside the award of the Industrial Tribunal which had held in favour of ONGC, the employer. The High Court relied on the decisions of this Court in <i>PCLU</i> and in <i>State of Haryana v. Piara Singh</i> ² ("Piara Singh"). (The decision in <i>Piara Singh</i> has been overruled by the Constitution Bench of this Court in <i>Secretary, State of Karnataka v. Umadevi</i> ³).
5	Civil Appeal @ SLP (C) No. 16455/2018 <i>The Management of ONGC v. Petroleum Employees Union</i>	The appeal arises from the judgment of the Madras High Court dated 29 January 2018 by which the services of fourteen messengers and three sanitary cleaners have been regularised by the High Court. The award of the Industrial Tribunal has been set aside. The High Court has relied on the judgment of this Court in <i>PCLU</i> (supra).

3. In the appeals which are listed out at serial Nos 1, 2, 4 and 5 of the table, ONGC, as the appellant seeks to challenge the judgments of the High Courts directing or, as the case may be, upholding the plea for regularisation on the basis of the decision in *PCLU*. In the appeal at serial No 3, the workmen are before this Court against the judgment of the High Court declining to grant the relief which was granted to the workmen in *PCLU* on the ground that they had initiated proceedings under Article 226 without availing of the remedy under the ID Act.

4. Appearing on behalf of the appellant, ONGC, in four appeals in the above batch of appeals⁴, Mr. P S Narasimha and Mr. J P Cama, learned Senior Counsel have formulated the following points for determination:

- (i) Whether the decision of the two judge Bench of this Court in *PCLU* is *per incuriam* on the ground that it did not consider the binding precedents on the interpretation of Item 10 of Schedule V of the ID Act, particularly those in :
 - *Mahatma Phule Agricultural University v. Nasik Zilla Sheth Kamgar Union*⁵;
 - *Regional Manager, State Bank of India v. Raja Ram*²;
 - *Regional Manager, SBI v. Rakesh Kumar Tewari*⁶; and
 - *Oil & Natural Gas Corpn. Ltd. v. Engg. Mazdoor Sangh*⁷.
- (ii) Whether the interpretation which has been placed in *PCLU* on clause 2(ii) of the Certified Standing Orders for contingent employees of ONGC to the effect that a temporary workman who has put in 240 days of attendance in any period of twelve consecutive months and possesses the minimum qualifications is entitled to regularisation, is correct in view of the fact that the standing order only

provides that the 'workman' "may be considered for conversion as regular employee";

- (iii) Whether the view of the High Court of Andhra Pradesh that the principles enunciated in the judgment of the Constitution Bench in *Secretary, State of Karnataka v. Umadevi*¹² ("Umadevi") are not applicable to labour law, is correct;
- (iv) What are the ingredients of an unfair labour practice under Item 10 of Schedule V of the ID Act; and
- (v) Whether a finding of an unfair labour practice can be rendered in a proceeding under Article 226 of the Constitution without the workmen leading evidence in a reference under the ID Act.

5. Section 25(T) of the ID Act contains a prohibition against employers, workmen and trade unions resorting to unfair labour practices. It provides:

"25(T). Prohibition of unfair labour practice - No employer or workman or a trade union, whether registered under the Trade Unions Act, 1926 (16 of 1926) or not, shall commit any unfair labour practice."

6. The expression "unfair labour practice has been defined in Section 2(ra):

"2(ra) "unfair labour practice" means any of the practices specified in the Fifth Schedule."

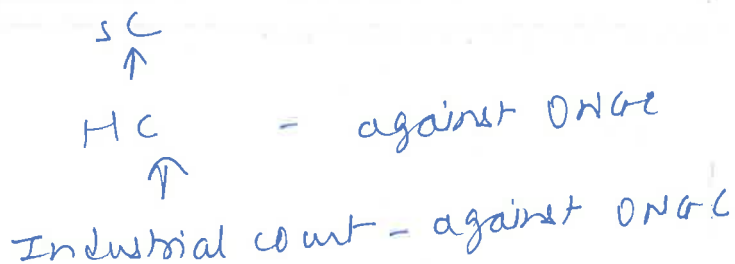
7. Among the unfair labour practices set out in the Vth Schedule, Item 10 provides as follows:

"10. To employ workmen as "badlis", casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent workmen."

The decision in PCLU

8. ONGC was in appeal against an award of the Industrial Tribunal directing it to regularise the services of security guards and supervisors with effect from the date on which they had completed 480 days. ONGC had a project in Cauvery Basin, Karaikal in the Union Territory of Puducherry. It employed contract workmen as security guards and supervisors. On 8 December 1976, contract labour was abolished for watch and ward, dusting and cleaning jobs by the Government of India under Section 10(1) of the Contract Labour (Regulation and Abolition) Act 1970. Under an agreement with the trade unions, the management of ONGC utilized the services of the erstwhile contract workmen through a labour cooperative society which was formed for the welfare of the contract workmen. Subsequently, security work was entrusted to the Central Industrial Security Force to protect the installations. The workmen were later on appointed as part of watch and ward security on a term basis subject to the condition that the Certified Standing Orders would not apply to them. On a demand by the workmen, a reference was made to the Industrial Tribunal to adjudicate on whether the management was justified in not regularising the workmen and in failing to pay equal wages to the workmen, at par with the regular workmen. The dispute about the payment of equal wages was resolved by a settlement. The Industrial Tribunal made an award directing ONGC to regularise the services of the workmen. This was challenged by ONGC before the High Court in writ proceedings on the ground that the workmen had been originally selected without following any selection procedure, in violation of the decision in Umadevi (supra). The workmen claimed that ONGC was guilty of an unfair labour practice in continuing them on a temporary basis since 1988. The Writ Petition was dismissed by a learned Single Judge. The Division Bench of the High Court having dismissed a Writ Appeal, ONGC moved this Court in order to challenge the judgment of the High Court.

9. In appeal, one of the issues was:



"Whether jurisdiction of the Tribunal to direct the Corporation to regularise the services of the workmen concerned in the posts is valid and legal?"

10. Answering the above issue, this Court held that

- (i) All the workmen (except for one) possessed the qualifications required for regularisation; and
- (ii) The workmen had been employed prior to 1985 in posts through irregular means.

11. The Court held that the Industrial Tribunal had the jurisdiction to adjudicate upon the dispute and had rightly passed an award directing regularisation of the services of the workmen.

12. The second issue which was dealt with in the judgment in *PCLU* was:

"Whether the appointment of the workmen concerned in the services of the Corporation is irregular or illegal?"

13. On behalf of the Management, it was urged that the initial selection of the workmen was not in accordance with the recruitment rules and was illegal in view of the judgment of the Constitution Bench in *Umadevi*. This plea was rejected, following the decision in *Ajaypal Singh v. Haryana Warehousing Corporation*¹¹ and it was held that the management could not deny the rights of the workmen by contending that their initial employment was contrary to Articles 14 and 16 of the Constitution. The provisions contained in clause 2(ii) of the Certified Standing Orders for contingent employees of ONGC were in issue, the management contending that there was no right of regularisation merely on the completion of 240 days in twelve consecutive months.

14. Clause 2 of the Certified Standing Orders provides thus :

"2.(i) Classification of workmen

The contingent employees of the Commission shall hereafter be classified as:

- (a) Temporary, and
- (b) Casual

(ii) A workman who has been on the rolls of the Commission and has put in not less than 180 days of attendance in any period of 12 consecutive months shall be a temporary workman, provided that a temporary workman who has put in not less than 240 days of attendance in any period of 12 consecutive months and who possesses the minimum qualifications prescribed by Commission may be considered for conversion as regular employee.

(iii) A workman who is neither temporary nor regular shall be considered as casual workman."

15. Justice V Gopala Gowda, speaking for the two judge Bench of this Court rejected the submission that clause 2(ii) of the Certified Standing Orders does not confer a right to regularisation since it employs the words "may be considered for conversion as regular employee". This submission which was based on the language of clause 2(ii) was rejected with the following observations:

"In any case, it is clear that the workmen concerned have clearly completed more than 240 days of services subsequent to the memorandum of appointment issued by the Corporation in the year 1988 in a period of twelve calendar months, therefore, they are entitled for regularisation of their services into permanent posts of the Corporation as per the Act as well as the Certified Standing Orders of the Corporation."

(Emphasis supplied)

16. The Court further held:

"45. The legal contention urged on behalf of the Corporation that the statutory right claimed by the workmen concerned under Clause 2(ii) of the Certified

qualifications ↑ then only can be made permanent.
↑ 240 days
Temporary
↑ 180 days
casual worker

2(ii)
standing
order

Standing Orders of the Corporation for regularising them in their posts as regular employees after rendering 240 days of service in a calendar is not an absolute right conferred upon them and their right is only to consider their claim. This plea of the learned Senior Counsel cannot again be accepted by us for the reason that the Corporation is bound by law to take its decision to regularise the services of the workmen concerned as regular employees as provided under Clause 2(ii) of the Certified Standing Orders after their completion of 240 days of service in a calendar year as they have acquired valid statutory right. This should have been positively considered by the Corporation and granted the status of regular employees of the Corporation for the reason that it cannot act arbitrarily and unreasonably deny the same especially it being a corporate body owned by the Central Government and an instrumentality of the State in terms of Article 12 of the Constitution and therefore, it is governed by Part III of the Constitution."

17. ONGC was accordingly directed to regularise the services of the workmen on their completing 240 days of service in a calendar year under clause 2(ii) of the Certified Standing Orders, to grant regular pay scale and absorption against regular posts. PCLU arose from an adjudication in an industrial reference whereas the present proceedings arise from a writ petition under Article 226.

18. From the above extract of the decision of this Court in *PCLU*, it is evident that clause 2(ii) of the Certified Standing Orders has been construed to confer a right to regularisation on the completion of 240 days of service in a calendar year. While construing the provisions of clause 2(ii), an earlier decision of a two judge Bench of this Court in *Oil and Natural Gas Corporation Limited v. Engineering Mazdoor Sangh*¹² ("Engineering Mazdoor Sangh") was evidently not brought to the notice of the Court. The decision in *Engineering Mazdoor Sangh* construed clause 2 of the Certified Standing Orders specifically in the context of ONGC itself. The decision related to the engagement of seasonal workmen who were employed between November and May of the following year for carrying out surveys for the exploration of petroleum. The demand of the workmen for regularisation on the completion of 240 days was referred to Central Government Industrial Tribunal. While the reference was pending, the Union filed a complaint under Section 33-A alleging that ONGC was allotting work to contractors in preference to the casual/contingent/temporary workmen resulting in the alteration of the terms of service. The complaint was adjudicated upon by the Tribunal upon which ONGC filed an application seeking permission to terminate the service of the workmen. The Tribunal allowed ONGC to terminate some of the workmen. The order of the Tribunal directed ONGC to regularise the workmen as and when any vacancy arose in a regular post, subject to their completing 240 days' work and possessing the minimum qualifications. The High Court modified the award of the Industrial Tribunal by directing that all employees who completed 240 days and possessed the minimum qualifications would be considered at par with regular employees. They would be given the status of regular appointees without requiring them to compete with other employees drawn from the employment exchange. In appeal, this Court observed that regularising the services of all the seasonal workmen would create various difficulties and hence the Tribunal had found a via media in directing that 153 workmen who had admittedly completed 240 days and had acquired a temporary status be regularised against vacancies as and when such vacancies became available. Thus, this Court found that the directions of the Tribunal were reasonable and should prevail instead of the directions issued by the High Court. The judgment of the High Court was set aside and that of the Tribunal was restored.

19. Apart from the above decision which arose specifically in the context of ONGC, it has been submitted that the decision in *PCLU* would require reconsideration in view of earlier decisions of this Court which have not been noticed.

20. In *Mahatma Phule Agricultural University v. Nasik Zilla Sheth Kamgar Union*¹³ ("Mahatma Phule Agricultural University"), a Bench of two learned judges of this Court construed the provisions of Item 6 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention of Unfair Labour Practices Act 1971¹⁴, which is in the following terms :

"14...

6. To employ employees as 'badlis', casuals or temporaries and to continue them as such for years, with the object of depriving them of the status and privileges of permanent employees."

21. Construing the above provisions, this Court held :

"14...The complaint was against the Universities. The High Court notes that as there were no posts the employees could not be made permanent. Once it comes to the conclusion that for lack of posts the employees could not be made permanent, how could it then go on to hold that they were continued as "badlis", casuals or temporaries with the object of depriving them of the status and privileges of permanent employees? To be noted that the complaint was not against the State Government. The complaint was against the Universities. The inaction on the part of the State Government to create posts would not mean that an unfair labour practice had been committed by the Universities. The reasoning given by the High Court to conclude that the case was squarely covered by Item 6 of Schedule IV of the MRTU & PULP Act cannot be sustained at all and the impugned judgment has to be and is set aside. It is however clarified that the High Court was right in concluding that, as per the law laid down by this Court, status of permanency could not be granted. Thus all orders wherein permanency has been granted (except award dated 1-4-1985 in IT No. 27 of 1984) also stand set aside."

22. There could, in other words, be no regularisation in the absence of posts. Hence, there was no unfair labour practice.

23. In *Regional Manager, State Bank of India v. Raja Ram*¹⁵ ("Raja Ram"), another two judge Bench of this Court construed the provisions of Item 10 of Schedule V to the ID Act and observed:

"9...In other words, before an action can be termed as an unfair labour practice it would be necessary for the Labour Court to come to a conclusion that the *badlis*, casuals and temporary workmen had been continued for years as *badlis*, casuals or temporary workmen, with the object of depriving them of the status and privileges of permanent workmen. To this has been added the judicial gloss that artificial breaks in the service of such workmen would not allow the employer to avoid a charge of unfair labour practice. However, it is the continuity of service of workmen over a period of years which is frowned upon. Besides, it needs to be emphasised that for the practice to amount to unfair labour practice it must be found that the workman had been retained on a casual or temporary basis with the object of depriving the workman of the status and privileges of a permanent workman. There is no such finding in this case. Therefore, Item 10 in List I of the Fifth Schedule to the Act cannot be said to apply at all to the respondent's case and the Labour Court erred in coming to the conclusion that the respondent was, in the circumstances, likely to acquire the status of a permanent employee."

(Emphasis supplied)

24. The above decision was followed in *Regional Manager, SBI v. Rakesh Kumar Tewari*¹⁶.

25. The decision of the two judge Bench in *PCLU* has placed a construction on the provisions of clause 2(ii) of the Certified Standing Orders which *prima facie* does not appear to be correct. Besides, the fact that the decision in *PCLU* has not noticed the

earlier judgment in *Engineering Mazdoor Sangh* (supra) which pertained to ONGC's Certified Standing Orders, we are of the considered view that the principles of law which have been expounded in *PCLU* would require to be revisited. The decision in *PCLU* holds that the workmen upon completion of 240 days' service in a period of 12 calendar months "are entitled for regularisation of their services into permanent posts of the corporation". The Court further held that under clause 2(ii), upon the completion of 240 days of service in a calendar year, the workmen have "acquired valid statutory right" and ought to have been "granted the status of regular employees" of the corporation on the ground that the corporation which is an instrumentality of the State under Article 12 cannot act arbitrarily or unreasonably. Whether the provisions of clause 2(ii) confer an absolute right to regularisation merely on the completion of 240 days of service in a calendar year is a point which needs to be reconsidered both having regard to the express language of the provision as well as the earlier decisions of this Court including that in the case of *Engineering Mazdoor Sangh*.

26. The second aspect on which we are of the view that the present appeals would require to be placed before a larger Bench for consideration is in regard to the applicability of the principles set out and formulated by the Constitution Bench in *Umadevi* in the context of industrial adjudication. In *Umadevi*, the Constitution Bench made a distinction between appointments or selections which are merely irregular and those which are illegal. The Court observed:

"16...We have, therefore, to keep this distinction in mind and proceed on the basis that only something that is irregular for want of compliance with one of the elements in the process of selection which does not go to the root of the process, can be regularised and that it alone can be regularised and granting permanence of employment is a totally different concept and cannot be equated with regularisation."

27. In this context, the Court held :

"43...It has also to be clarified that merely because a temporary employee or a casual wage worker is continued for a time beyond the term of his appointment, he would not be entitled to be absorbed in regular service or made permanent, merely on the strength of such continuance, if the original appointment was not made by following a due process of selection as envisaged by the relevant rules. It is not open to the court to prevent regular recruitment at the instance of temporary employees whose period of employment has come to an end or of ad hoc employees who by the very nature of their appointment, do not acquire any right. The High Courts acting under Article 226 of the Constitution, should not ordinarily issue directions for absorption, regularisation, or permanent continuance unless the recruitment itself was made regularly and in terms of the constitutional scheme."

28. In paragraph 53 of the judgment, the Court made a one-time exception, for the regularisation of the irregularly appointed persons, who had worked for ten years or more in duly sanctioned posts:

"53. One aspect needs to be clarified. There may be cases where irregular appointments (not illegal appointments) as explained in *S.V. Narayanappa* [(1967) 1 SCR 128 : AIR 1967 SC 1071], *R.N. Nanjundappa* [(1972) 1 SCC 409 : (1972) 2 SCR 799] and *B.N. Nagarajan* [(1979) 4 SCC 507 : 1980 SCC (L&S) 4 : (1979) 3 SCR 937] and referred to in para 15 above, of duly qualified persons in duly sanctioned vacant posts might have been made and the employees have continued to work for ten years or more but without the intervention of orders of the courts or of tribunals. The question of regularisation of the services of such employees may have to be considered on merits in the light of the principles settled by this Court in the cases abovereferred to and in the light of this judgment. In that context, the

Union of India, the State Governments and their instrumentalities should take steps to regularise as a one-time measure, the services of such *irregularly* appointed, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of the courts or of tribunals and should further ensure that regular recruitments are undertaken to fill those vacant sanctioned posts that require to be filled up, in cases where temporary employees or daily wagers are being now employed."

29. The applicability of the decision in *Umadevi* in the context of labour adjudication was considered in *UP Power Corporation Ltd. v. Bijli Mazdoor Sangh*¹² ("*Bijli Mazdoor Sangh*"). This Court held that the law propounded in *Umadevi* was applicable also to Industrial Tribunals and Labour Courts. The Court held:

"6. It is true as contended by learned counsel for the respondent that the question as regards the effect of the industrial adjudicators' powers was not directly in issue in *Umadevi* (3) case [(2006) 4 SCC 1 : 2006 SCC (L&S) 753]. But the foundational logic in *Umadevi* (3) case [(2006) 4 SCC 1 : 2006 SCC (L&S) 753] is based on Article 14 of the Constitution of India. Though the industrial adjudicator can vary the terms of the contract of the employment, it cannot do something which is violative of Article 14. If the case is one which is covered by the concept of regularisation, the same cannot be viewed differently.

7. The plea of learned counsel for the respondent that at the time the High Court decided the matter, decision in *Umadevi* (3) case [(2006) 4 SCC 1 : 2006 SCC (L&S) 753] was not rendered is really of no consequence. There cannot be a case for regularisation without there being employee-employer relationship. As noted above the concept of regularisation is clearly linked with Article 14 of the Constitution. However, if in a case the fact situation is covered by what is stated in para 45 of *Umadevi* (3) case [(2006) 4 SCC 1 : 2006 SCC (L&S) 753] the industrial adjudicator can modify the relief, but that does not dilute the observations made by this Court in *Umadevi* (3) case [(2006) 4 SCC 1 : 2006 SCC (L&S) 753] about the regularisation."

30. Subsequently, in *Maharashtra State Road Transport Corporation v. Casteribe Rajya Parivahan Karmchhari Sanghatana*¹³ ("*Maharashtra SRTC*"), it was held that the Industrial and Labour Courts under Section 30(1)(b) of the MRTU and PULP Act have wide powers to direct the employer to take affirmative action in a case of unfair labour practice including the power to order regularisation or permanency. The decision in *Umadevi* was held to limit the scope of the powers under Articles 32 and 226 to issue directions for regularisation in a matter of public employment. However, the power to take affirmative action under Section 30(1)(b) was held to be intact even after the judgment of the Constitution Bench. This Court held :

"35. *Umadevi* (3) [(2006) 4 SCC 1 : 2006 SCC (L&S) 753] is an authoritative pronouncement for the proposition that the Supreme Court (Article 32) and the High Courts (Article 226) should not issue directions of absorption, regularisation or permanent continuance of temporary, contractual, casual, daily wage or ad hoc employees unless the recruitment itself was made regularly in terms of the constitutional scheme.

36. *Umadevi* (3) [(2006) 4 SCC 1 : 2006 SCC (L&S) 753] does not denude the Industrial and Labour Courts of their statutory power under Section 30 read with Section 32 of the MRTU and PULP Act to order permanency of the workers who have been victims of unfair labour practice on the part of the employer under Item 6 of Schedule IV where the posts on which they have been working exist. *Umadevi* (3) [(2006) 4 SCC 1 : 2006 SCC (L&S) 753] cannot be held to have overridden the powers of the Industrial and Labour Courts in passing appropriate order under Section 30 of the MRTU and PULP Act, once unfair labour practice on the part of the

employer under Item 6 of Schedule IV is established."

31. The Court however clarified that there is no doubt that the creation of posts does not lie within the domain of judicial functions "which obviously pertains to the executive" and the status of permanency cannot be granted by the Court where no posts exist. In *Maharashtra SRTC*, the two judge Bench was construing the provisions of the MRTU and PULP Act 1971. In holding that the creation of posts could not be directed by courts, the judgment in *Maharashtra SRTC* relied upon the decisions in *Mahatma Phule Agricultural University* (supra) and *State of Maharashtra v. R S Bhonde*¹⁹.

32. The divergence between the decisions in *Bijli Mazdoor Sangh* and *Maharashtra SRTC* was sought to be reconciled in a two judge Bench decision of this Court in *Hari Nandan Prasad v. Employer I/R to Management of Food Corporation of India*²⁰ ("FCI"). Justice A K Sikri, speaking for the two judge Bench held:

"39. On a harmonious reading of the two judgments discussed in detail above, we are of the opinion that when there are posts available, in the absence of any unfair labour practice the Labour Court would not give direction for regularisation only because a worker has continued as daily-wage worker/ad hoc/temporary worker for number of years. Further, if there are no posts available, such a direction for regularisation would be impermissible. In the aforesaid circumstances giving of direction to regularise such a person, only on the basis of number of years put in by such a worker as daily-wager, etc. may amount to back door entry into the service which is an anathema to Article 14 of the Constitution. Further, such a direction would not be given when the worker concerned does not meet the eligibility requirement of the post in question as per the recruitment rules. However, wherever it is found that similarly situated workmen are regularised by the employer itself under some scheme or otherwise and the workmen in question who have approached the Industrial/Labour Court are on a par with them, direction of regularisation in such cases may be legally justified, otherwise, non-regularisation of the left-over workers itself would amount to invidious discrimination qua them in such cases and would be violative of Article 14 of the Constitution. Thus, the industrial adjudicator would be achieving the equality by upholding Article 14, rather than violating this constitutional provision."

33. In *FCI*, the grievance of the appellants was that in terms of a scheme contained in a circular, similarly placed workmen had been regularised on the completion of 240 days' service. While dealing with the case of two workmen, it was found that one of them had been dispensed with four years prior to the date of the circular as a result of which the workman would only be entitled to monetary compensation. On the other hand, the second workman was in service on the date of the circular and completed 240 days of service within a few months. The Court held that the failure to regularise his services was discriminatory.

34. The following propositions would emerge upon analyzing the above decisions:

- (i) Wide as they are, the powers of the Labour Court and the Industrial Court cannot extend to a direction to order regularisation, where such a direction would in the context of public employment offend the provisions contained in Article 14 of the Constitution;
- (ii) The statutory power of the Labour Court or Industrial Court to grant relief to workmen including the status of permanency continues to exist in circumstances where the employer has indulged in an unfair labour practice by not filling up permanent posts even though such posts are available and by continuing to employ workmen as temporary or daily wage employees despite their performing the same work as regular workmen on lower wages;
- (iii) The power to create permanent or sanctioned posts lies outside the judicial

posts ✓

posts X

posts ✓

unfair labour practice X - no regularisation

" " " ✓ - no regularise.

" " " ✓ - regularise.

domain and where no posts are available, a direction to grant regularisation would be impermissible merely on the basis of the number of years of service;

- (iv) Where an employer has regularised similarly situated workmen either in a scheme or otherwise, it would be open to workmen who have been deprived of the same benefit at par with the workmen who have been regularised to make a complaint before the Labour or Industrial Court, since the deprivation of the benefit would amount to a violation of Article 14; and
- (v) In order to constitute an unfair labour practice under Section 2(ra) read with Item 10 of the Vth Schedule of the ID Act, the employer should be engaging workmen as badlis, temporaries or casuals, and continuing them for years, with the object of depriving them of the benefits payable to permanent workmen.

35. The decision in *PCLU* needs to be revisited in order to set the position in law which it adopts in conformity with the principles emerging from the earlier line of precedent. More specifically, the areas on which *PCLU* needs reconsideration are:

- (i) The interpretation placed on the provisions of clause 2(ii) of the Certified Standing Orders;
- (ii) The meaning and content of an unfair labour practice under Section 2(ra) read with Item 10 of the Vth Schedule of the ID Act; and
- (iii) The limitations, if any, on the power of the Labour and Industrial Courts to order regularisation in the absence of sanctioned posts. The decision in *PCLU* would, in our view, require reconsideration in view of the above decisions of this Court and for the reasons which we have noted above.

36. We accordingly request the Registry to place the proceedings before the Hon'ble Chief Justice of India so as to enable His Lordship to consider placing this batch of appeals before an appropriate Bench.

¹ (2015) 6 SCC 494

² "ID Act"

³ (1992) 4 SCC 118

⁴ (2006) 4 SCC 1

⁵ Serial Nos 1, 2, 4 and 5

⁶ (2001) 7 SCC 346

⁷ (2004) 8 SCC 164

⁸ (2006) 1 SCC 530

⁹ (2007) 1 SCC 250

¹⁰ (2006) 4 SCC 1

¹¹ (2015) 6 SCC 321

¹² (2007) 1 SCC 250

¹³ (2001) 7 SCC 346

¹⁴ "MRTU and PULP Act"

¹⁵ (2004) 8 SCC 164

¹⁶ (2006) 1 SCC 530 : at paragraph 25, page 538

¹⁷ (2007) 5 SCC 755

¹⁸ (2009) 8 SCC 556

¹⁹ (2005) 6 SCC 751

²⁰ (2014) 7 SCC 190

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7


REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NOS. 5689-5690 OF 2021

UNION OF INDIA & ORS.

...Appellant(s)

Versus

ILMO DEVI & ANR.

...Respondent(s)

J U D G M E N T

M.R. SHAH, J.

1. Feeling aggrieved and dissatisfied with the impugned judgment and order passed by the High Court of Punjab & Haryana at Chandigarh in CWP No. 9167 of 2007 and CWP No.6854 of 2008 by which the High Court has modified the judgment and order passed by the learned Central Administrative Tribunal in O.A. No.886/CH/2005 and consequently has directed the appellants to revisit the whole issue, complete the exercise to reformulate their regularization/absorption policy and take a decision to sanction the posts in a phased manner, the Union of India and others have preferred the present appeal.

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Natarajan
Date: 2024.10.07
10:34:47 IST
Reason:

The High Court has further directed that till the exercise, as directed above, is undertaken, the appellants shall continue the employees in service with their current status but to those of them who have completed 20 years as part-time daily wagers shall be granted "minimum" basic pay of Group 'D' posts w.e.f. 01.04.2015 and/or the date of completion of 20 years contractual service, whichever is later.

2. That the respondents herein are/were working as contingent paid part-time Sweepers (Safai Karamcharies working for less than five hours a day) in a Post Office at Sector-14, Chandigarh. That the respondents approached the Central Administrative Tribunal being O.A. No.886/CH/2005 seeking directions to frame a regularization/absorption policy for regularization of their service. Alternatively, a direction for grant of temporary status w.e.f. 19.11.1989. The said O.A. was opposed by the department. Written statement was filed stating that the respondents -original applicants are contingent paid Safaiwalas working for less than five hours and, therefore, are not entitled for temporary status. It was further stated that there is no regular sanctioned post of Safaiwala in that particular Post Office in Chandigarh.

2.1 An O.M. dated 11.12.2006 was issued by the Ministry of Personnel, Public Grievances & Pensions (DoPT), Government of India by which regularization of qualified workers appointed against

sanctioned posts in irregular manner was declared. A regularization policy was framed considering the decision of this Court in the case of **Secretary, State of Karnataka & Ors. Vs. Umadevi (3) and Ors., (2006) 4 SCC 1.** It provided that the Union of India, the State Governments and their instrumentalities should take steps to regularize as a one-time measure the services of such irregularly appointed, qualified persons, in terms of the statutory requirement of the Rules for the posts, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of the courts or of tribunals. As the respondents - original applicants were serving as part-time employees working for five hours a day and there were no regular sanctioned posts in the particular Post Office and so they were not granted the benefit of the said O.M. dated 11.12.2006. By the judgment and order dated 17.01.2007, the learned Tribunal disposed of the said O.A. rejecting the claim of the respondents for their regularization. However, the learned Tribunal observed that since the Department need the continuous service of Safaiwalas, they shall advertise this post to appoint regular Safaiwala through proper process of selection positively within three months. The learned Tribunal also further directed that the respondents herein may also be considered for such selection after providing age relaxation to them under the relevant rules keeping in view that they have been working for last so many years without interruption. Learned Tribunal also observed that till then they are at liberty to allow the

respondents to continue to perform their duties with the present status (as part-time). Learned Tribunal also observed that in case a one-time scheme is formulated by the Department/Government in exercise of the directions of this Court in the case of **Umadevi (supra)**, the respondents' cases may also be considered for regularization, if they fulfill the required conditions as prescribed in the said scheme.

2.2 Feeling aggrieved and dissatisfied with the judgment and order passed by the learned Tribunal dated 17.01.2007 passed in O.A. No. 886/CH/2005 both, the Union of India and the respondents herein – part-time employees filed their respective writ petitions before the High Court being CWP Nos. 9167 of 2007 and 6854 of 2008. At this stage, it is required to be noted that pursuant to the judgment and order passed by the learned Tribunal, the Department/Government was required to formulate the regularization scheme, which was not formulated and, therefore, the contempt proceedings were initiated. By its order dated 19.05.2014, the High Court issued a notice in the contempt proceedings to the Secretary (Post) and directed to place the scheme before the Court by 04.07.2014. In view of the abovesaid directions dated 19.05.2014, the Department formulated a policy for regularization of casual labourers considering the observations made by this Court in the case of **Umadevi (supra)** and subsequent to the O.M. of DoPT dated

11.12.2006 (referred to hereinabove) for the welfare of the casual labourers.

2.3 That by order dated 06.08.2014, the High Court directed the appellants to reconsider the claim of the respondents as per the new policy dated 30.06.2014. The authorities rejected the claim by order dated 11.09.2014 for the reasons that; (i) there are no sanctioned posts and (ii) employees have not completed 10 years of service as on 10.04.2006 namely, the date of decision of this Court in **Umadevi (supra)**.

2.4 By the impugned common judgment and order, the High Court has disposed of the aforesaid writ petitions with the following directions:-

“[22] We, thus, direct the petitioner-authorities to re-visit the whole issue in its right perspective and complete the exercise to re-formulate their policy and take a decision to sanction the posts in phased manner within a specified time schedule. Let such a decision be taken within a period of six months from the date of receiving a certified copy of this order.

[23] Till the exercise as directed above, is undertaken, the respondents shall continue in service with their current status but those of them who have completed 20 years as part-time daily wagers, shall be granted 'minimum' basic pay of Group 'D' post(s) w.e.f. 1.4.2015 and/or the date of completion of 20 years contractual service, whichever is later.”

2.5 Feeling aggrieved and dissatisfied with the impugned common judgment and order passed by the High Court, the Union of India and others have preferred the present appeals.

3. At this stage, it is required to be noted that while issuing notice in the present appeals on 22.07.2016, this Court passed the following order:-

“On hearing Mr. Ranjit Kumar, learned Solicitor General appearing on behalf of the petitioners, we are not inclined to interfere with the directions of the High Court in paragraph 23 for granting minimum basic pay to Group 'D' posts from a particular date to those who have completed 20 years of part-time daily wage service. The petitioners should carry out that direction.

Insofar as the directions of the High Court to re-visit the whole issue of sanction of posts etc. and re-formulation of policy are concerned, there appears some merits in the submission that the High Court should not have interfered in policy matters.

Issue notice on the special leave petition in that respect as well as on the application for condonation of delay.

The direction contained in paragraph 22 of the impugned order shall remain stayed until further orders.”

4. Ms. Madhvi Divan, learned ASG has appeared on behalf of the appellants and Shri Rahul Gupta, learned counsel has appeared on behalf of the respondents.

5. Ms. Madhvi Divan, learned ASG has vehemently submitted that the High Court has not properly appreciated the facts that in the Post Office where the respondents were working, there are no sanctioned posts and that the respondents were serving as part-time contingent Safaiwalas for five hours a day and their wages were paid even from the contingent fund. It is submitted that neither the O.M. dated 11.12.2006 nor the subsequent regularization policy dated 30.06.2014 shall be applicable to the facts of the case at hand.

5.1 It is further submitted that even in the impugned judgment also, the High Court has observed that the respondents were working as part-time daily wages sweepers. It is submitted, therefore, in absence of the sanctioned posts in the Post Office where the respondents were working as part-time Safaiwalas, there services cannot be regularized.

5.2 It is further submitted that the directions issued by the High Court to sanction the posts can be said to be a policy decision, and, therefore, the High Court is not justified in issuing the Mandamus and/or direction to create and sanction the posts. It is submitted that the High Court has not properly appreciated the facts that even the O.M. dated 11.12.2006 and subsequent regularization policy dated 30.06.2014 were absolutely in consonance with the decision of this Court in the case of **Umadevi (supra)**. It is submitted that in the case of **Umadevi (supra)** it has been

specifically observed that the High Court, in exercise of jurisdiction under Article 226 of the Constitution of India, should not ordinarily issue direction for absorption, regularization or permanent continuance unless the recruitment was itself done regularly and in terms of constitutional scheme.

5.3 It is submitted that as per the dictum of this Court in the case of **Umadevi (supra)**, the services of only those employees are to be regularized as a one-time measure, who are irregularly appointed and otherwise who are duly qualified persons in terms of the statutory requirement rules for the post and who have worked for 10 years or more in duly sanctioned posts but not under cover of the orders of courts or tribunals. It is submitted that, thereafter, the Department came out with the regularization policy dated 30.06.2014. It is submitted that even the High Court has also in the impugned judgment observed that there are no sanctioned posts in the office where the respondents were working. It is submitted further that the High Court has directed to create and sanction the posts, which is beyond the jurisdiction of the High Court in exercise of power under Article 226 of the Constitution.

5.4 It is further submitted that the High Court has not taken note of the Recruitment Rules, 2002, which were replaced by 2010 Rules, however, the same shall not be applicable to the Postal Department as specifically

mentioned in the said rules. It is further submitted that even the High Court has observed that it is no doubt true that a part-time employee cannot seek parity with full-time worker but despite the same the High Court has observed that whatever benefits, authorities decide to confer on the full-timers, the same can be extended to part-timers as well, of course, on such additional and stringent conditions like double the length of contingent service and/or other reasonable and fair conditions which the authorities may deem fit. It is submitted that the aforesaid observations are also beyond the scope and ambit of exercise of the power under Article 226 of the Constitution.

5.5 It is further submitted that even the High Court has also materially erred in observing that though the respondents are working for four to five hours as part-time daily wagers, they must have worked for full day. It is submitted that aforesaid is absolutely without any basis and the same is not supported by any evidence. It is further submitted that even the observations made by the High Court in paragraph 9 that it is true that these employees are working on "part-time basis only", the ground realities of which a Court can take judicial notice, leave no room to doubt that once the respondents come to their respective work place to perform duties, may be for four to five hours, it is nearly impossible for them to secure another job for the rest of the day. It is submitted that the aforesaid observation is on surmises and conjunctures only. It is

submitted that the entire observations made in paragraph 9, thus, are on surmises and conjunctures, which has no factual basis at all.

5.6 Ms. Madhvi Divan, learned ASG has relied upon the decisions of this Court in the cases of **Union of India and Ors. Vs. A.S. Pillai and Ors., (2010) 13 SCC 448; State of Rajasthan and Ors. Vs. Daya Lal and Ors., (2011) 2 SCC 429** and **Secretary, Ministry of Communications and Ors. Vs. Sakkubai and Anr. (1997) 11 SCC 224** in support of her submission that services of a part-time worker working on the post of a full-time worker cannot be regularized. She has also relied upon the decision of this Court in the cases of **Dr. Ashwani Kumar Vs. Union of India and Anr., (2020) 13 SCC 581; State of Karnataka and Anr. Vs. Dr. Praveen Bhai Thogadia, (2004) 4 SCC 684; Anuradha Bhasin Vs. Union of India and Ors., (2020) 3 SCC 637; Oil and Natural Gas Corporation Vs. Krishan Gopal & Ors., (2020) SCC Online SC 150; State of Maharashtra & Anr. Vs. R.S. Bhonde & Ors., (2005) 6 SCC 751** in support of her submission that in judicial review, a Court has no right to direct the Government to review the policy of appointment; in judicial review the Court cannot interfere in the administrative matters and that in the absence of a regular sanctioned post, the Court cannot direct to create one.

6. Present appeals are opposed by Shri Rahul Gupta, learned counsel appearing on behalf of the respondents. It is submitted that by the impugned judgment and order the High Court has decided as many as nine petitions, however, two out of nine are being challenged before this Court. It is submitted, therefore, that qua other seven writ petitions, the Union of India has accepted the verdict and it has become final as the same have not been challenged. It is further submitted that while issuing notice in the present appeals on 22.07.2016, this Hon'ble Court made it clear that it was not inclined to interfere with the directions of the High Court in paragraph 23 of the judgment and, therefore, the scope of present case now confines to the directions contained in paragraph 22 of the impugned judgment. It is submitted that in the present case, the respondent No.1 – Ilmo Devi, who was working continuously since 1982 as a sweeper has already attained the age of retirement and the other respondent Babli, who was working continuously since 1991 as a sweeper is of around 53 years of age and, therefore, this Court may not interfere with the impugned judgment and order passed by the High Court and the present appeals be dismissed keeping the question of law open.

6.1 On merits, Shri Gupta, learned counsel has relied upon the decision of this Court in the case of **Umadevi (supra)** and in the case of

Mineral Exploration Corpn. Employees' Union Vs. Mineral Exploration Corpn. Ltd. and Anr., (2006) 6 SCC 310.

7. Heard the learned counsel for the respective parties at length.

8. At the outset, it is required to be noted that the respondents-original applicants were working as contingent paid part-time sweepers (Safai Karamcharies working for less than five hours a day) in a Post Office at Chandigarh. It is not in dispute and cannot be disputed that there are no sanctioned posts of Safaiwalas in the Post Office in which the respondents were working. There is no documentary evidence on record to establish and prove that the respondents were working continuously. Even otherwise as observed hereinabove, they were working as contingent paid part-time sweepers. Even it is not the case on behalf of the respondents that their appointment was done after following due procedure of selection and to that extent, it cannot be said that their appointments were irregular. As such in the absence of any sanctioned posts in the Post Office in which the respondents were working, there was no question of appointing the respondents after following due procedure. In light of the above, the directions issued by the High Court in the impugned judgment and order are required to be considered.

8.1 In the present case, pursuant to the order passed by the learned Tribunal and the order passed in the contempt proceedings, the appellants came out with a regularization policy dated 30.06.2014. In the said regularization policy, it has been provided as under:-

- “(i) Regularization of all the Casual Labourers, who have been irregularly appointed, but are duly qualified persons in terms of statutory requirement rules for the post and was engaged against a sanctioned post, shall be done if they have worked for 10 years or more but not under the covers of orders of courts or tribunals as on the date of Hon'ble Apex Court's *ibid* judgment, i.e., 10.04.2006.
- (ii) A temporary contractual, casual or daily wage worker shall not have a legal right to be made permanent unless he/she fulfills the above criteria.
- (iii) A Casual Labourer engaged without following the due process or the rules relating to appointment and does not meet the above criteria shall not be considered for their absorption, regularization, permanency in the Department.
- (iv) If a Casual Labourer was engaged in infraction of the rules or if his engagement is in violation of the provisions of the Constitution, the said illegal engagement shall not be regularized.”

8.2 The aforesaid regularization policy has been framed considering the decision of this Court in the case of **Umadevi (supra)**. That thereafter pursuant to the interim order passed by the High Court dated 06.08.2014, the appellant authorities reconsidered the claim of the

respondents herein as per the regularization policy dated 30.06.2014 and the same came to be rejected vide communication dated 11.09.2014 mainly on the ground that there are no sanctioned posts and the employees have not completed ten years of service as on 10.04.2006.

8.3 By the impugned judgment and order, the High Court has directed to reformulate the regularization policy and to take a decision to sanction the post in a phased manner. While issuing the aforesaid directions, the High Court made certain observations, relevant observations, which are necessary for the purpose of present appeals are as under:-

- “[8] The respondents in all these cases have worked for more than 10 to 20 years as contingent employees and some of them (like in the lead case) have served for about 30 years. A few of them are obviously nearing retirement age as prescribed under the Central/State Service Rules.
- [9] It is true that these employees are working on 'part-time basis' only. The ground realities of which a Court can take judicial notice, leave no room to doubt that once the respondents come to their respective work place to perform duties, may be for 4 to 5 hours, it is nearly impossible for them to secure another job for the rest of the day. The petitioner-authorities cannot be oblivious of the fact that where supply of manual labour is more than the demand, the market forces won't permit the private-respondents to have the choice of getting another and alternative employment for the remainder of the day after they are relieved of their duties by the postal authorities.

[12] It is no doubt true that a 'part-time' employee cannot seek parity with a 'full time' worker but then the petitioner-authorities can also draw no mileage out of their undue favour shown to those who are engaged for 7 to 8 hours and total neglect of the others who are 'part-time' due to 4 to 5 hours engagement. It appears to us that whatever benefits authorities decide to confer on the full-timers, the same can be extended to part-timers as well, of course, on such additional and stringent conditions like double the length of contingent service and/or other reasonable and fair conditions which the authorities may deem fit.

[13] While we refrain from suggesting any policy module as such an exercise falls within the domain of the Executive only, the authorities ought to be cautioned that the policy, so framed, must reflect the due application of mind as well as their conscious decision to reject or accept the claim of any class or category of contractual employees.

[15] Be that as it may, now the Department of Postal and Ministry of Communication and I.T. has issued a policy circular dated 30.06.2014 for the welfare of casual labourers. The above-stated policy is said to have been issued in compliance to the directions issued in Uma Devi's case (supra). The salient feature of the aforesaid policy are to the following effect.

"(i) Regularization of all the casual Labourers, who have been irregularly appointed, but are duly qualified persons in terms of statutory recruitment rules for the post and was engaged against a sanctioned post, shall be done if they worked for 10 years or more but not under the covers of orders of courts or tribunals as on the date of Hon'ble Apex Court's ibid judgment i.e. 10.04.2006 (Secretary State of Karnataka and others versus Uma Devi and

others in Civil Appeal No.3595-3612/1999).

- (ii) A Temporary, Contractual, Casual or Daily wage worker shall not have a legal right to be made permanent unless he/she fulfills the above criteria.
- (iii) A casual Labourer engaged without following the due process or the rules relating to appointment and does not meet the above criteria shall not be considered for their absorption, regularization, permanency in the Department.
- (iv) If a casual Labourer was engaged in Infraction of the rules or if his engagement is in violation of the provision of the Constitution, the said illegal engagement shall not be regularized...."(emphasis applied)

[18] We have given our thoughtful consideration to both the reasons assigned by the petitioner-authorities, who have further stated that as of now, fresh engagements on contingent or daily wage basis have been completely stopped. If that is so, it can be safely inferred that only a small group of daily wage part-time employees engaged before 10.04.2006 are still working. If their eligibility of 10 years daily wage service is determined in the year 2014-15 on the basis of cut off date of 10.04.2006, such a policy would be an exercise in futility. The petitioners themselves have taken more than 8 years in giving effect to one of the directions in Uma Devi's case (supra), hence, they cannot reject the claim of daily-wage employees with an ante-date cut off date as the compliance of such an eligibility condition is nearly impossible. This would render the policy totally ineffective and a brutum fulmen without percolating even a drop of benefit to those for whom it has been formulated.

[20] Surely, the respondents cannot be made regular in the absence of sanctioned posts, but then what is the public purpose sought to be achieved through the policy dated 30.06.2014? The Executive who has authored the policy is also competent to create or sanction the posts. Depending upon the total expenditure now being incurred on the retention of respondents, we have no reason to doubt that the petitioners can rationalize their resources and sanction some regular posts every year so that the respondents can be adjusted on regular basis without any unbearable additional financial burden on the Department, but before they leave the department on attaining the age of superannuation.

[21] The petitioners might have incurred huge expenditure in defending multiple litigation initiated by contractual employees who are now a diminishing cadre. This is for the petitioners to take a pragmatic view and divert this unproductive expenditure towards sanctioning the posts in a phased manner for adjusting the respondents."

8.4 The observations made in paragraph 9 are on surmises and conjunctures. Even the observations made that they have worked continuously and for the whole day are also without any basis and for which there is no supporting evidence. In any case, the fact remains that the respondents served as part-time employees and were contingent paid staff. As observed above, there are no sanctioned posts in the Post Office in which the respondents were working, therefore, the directions issued by the High Court in the impugned judgment and order are not permissible in the judicial review under Article 226 of the Constitution. The High Court cannot, in exercise of the power under Article 226, issue a Mandamus to direct the Department to sanction and

create the posts. The High Court, in exercise of the powers under Article 226 of the Constitution, also cannot direct the Government and/or the Department to formulate a particular regularization policy. Framing of any scheme is no function of the Court and is the sole prerogative of the Government. Even the creation and/or sanction of the posts is also the sole prerogative of the Government and the High Court, in exercise of the power under Article 226 of the Constitution, cannot issue Mandamus and/or direct to create and sanction the posts.

8.5 Even the regularization policy to regularize the services of the employees working on temporary status and/or casual labourers is a policy decision and in judicial review the Court cannot issue Mandamus and/or issue mandatory directions to do so. In the case of R.S. Bhonde and Ors. (supra), it is observed and held by this Court that the status of permanency cannot be granted when there is no post. It is further observed that mere continuance every year of seasonal work during the period when work was available does not constitute a permanent status unless there exists a post and regularization is done.

8.6 In the case of Daya Lal & Ors. (supra) in paragraph 12, it is observed and held as under:-

“12. We may at the outset refer to the following well-settled principles relating to regularisation and parity in pay, relevant in the context of these appeals:

(i) The High Courts, in exercising power under Article 226 of the Constitution will not issue directions for regularisation, absorption or permanent continuance, unless the employees claiming regularisation had been appointed in pursuance of a regular recruitment in accordance with relevant rules in an open competitive process, against sanctioned vacant posts. The equality clause contained in Articles 14 and 16 should be scrupulously followed and Courts should not issue a direction for regularisation of services of an employee which would be violative of the constitutional scheme. While something that is irregular for want of compliance with one of the elements in the process of selection which does not go to the root of the process, can be regularised, back door entries, appointments contrary to the constitutional scheme and/or appointment of ineligible candidates cannot be regularised.

(ii) Mere continuation of service by a temporary or ad hoc or daily-wage employee, under cover of some interim orders of the court, would not confer upon him any right to be absorbed into service, as such service would be "litigious employment". Even temporary, ad hoc or daily-wage service for a long number of years, let alone service for one or two years, will not entitle such employee to claim regularisation, if he is not working against a sanctioned post. Sympathy and sentiment cannot be grounds for passing any order of regularisation in the absence of a legal right.

(iii) Even where a scheme is formulated for regularisation with a cut-off date (that is a scheme providing that persons who had put in a specified number of years of service and continuing in employment as on the cut-off date), it is not possible to others who were appointed subsequent to the cut-off date, to

claim or contend that the scheme should be applied to them by extending the cut-off date or seek a direction for framing of fresh schemes providing for successive cut-off dates.

(iv) Part-time employees are not entitled to seek regularisation as they are not working against any sanctioned posts. There cannot be a direction for absorption, regularisation or permanent continuance of part-time temporary employees.

(v) Part-time temporary employees in government-run institutions cannot claim parity in salary with regular employees of the Government on the principle of equal pay for equal work. Nor can employees in private employment, even if serving full time, seek parity in salary with government employees. The right to claim a particular salary against the State must arise under a contract or under a statute.

[See *State of Karnataka v. Umadevi* (3) [(2006) 4 SCC 1], *M. Raja v. CEERI Educational Society* [(2006) 12 SCC 636], *S.C. Chandra v. State of Jharkhand* [(2007) 8 SCC 279], *Kurukshetra Central Coop. Bank Ltd. v. Mehar Chand* [(2007) 15 SCC 680] and *Official Liquidator v. Dayanand* [(2008) 10 SCC 1.]

8.7 Thus, as per the law laid down by this Court in the aforesaid decisions part-time employees are not entitled to seek regularization as they are not working against any sanctioned post and there cannot be any permanent continuance of part-time temporary employees as held. Part-time temporary employees in a Government run institution cannot claim parity in salary with regular employees of the Government on the principle of equal pay for equal work.

8.8 Applying the law laid down by this court in the aforesaid decisions, the directions issued by the High Court in the impugned judgment and order, more particularly, directions in paragraphs 22 and 23 are unsustainable and beyond the power of the judicial review of the High Court in exercise of the power under Article 226 of the Constitution. Even otherwise, it is required to be noted that in the present case, the Union of India/Department subsequently came out with a regularization policy dated 30.06.2014, which is absolutely in consonance with the law laid down by this Court in the case of Umadevi (supra), which does not apply to the part-time workers who do not work on the sanctioned post. As per the settled preposition of law, the regularization can be only as per the regularization policy declared by the State/Government and nobody can claim the regularization as a matter of right de hors the regularization policy. Therefore, in absence of any sanctioned post and considering the fact that the respondents were serving as a contingent paid part-time Safai Karamcharies, even otherwise, they were not entitled for the benefit of regularization under the regularization policy dated 30.06.2014.

8.9 Though, we are of the opinion that even the direction contained in paragraph 23 for granting minimum basic pay of Group 'D' posts from a particular date to those, who have completed 20 years of part-time daily wage service also is unsustainable as the part-time wagers, who are

working for four to five hours a day and cannot claim the parity with other Group 'D' posts. However, in view of the order passed by this Court dated 22.07.2016 while issuing notice in the present appeals, we are not quashing and setting aside the directions contained in paragraph 23 in the impugned judgment and order so far as the respondents' employees are concerned.

9. In view of the above and for the reasons stated above, both the appeals succeed. The impugned judgment and order passed by the High Court and, more particularly, the directions contained in paragraphs 22 and 23 in the impugned judgment and order are hereby quashed and set aside. However, it is observed that quashing and setting aside the directions issued in terms of paragraph 23 in the impugned judgment and order shall not affect the case of the respondents and they shall be entitled to the reliefs as per paragraph 23 of the impugned judgment and order passed by the High Court.

With these observations, both the appeals are allowed and in the facts and circumstances of the case, there shall be no order as to costs.

.....J.
[M.R. SHAH]

NEW DELHI;
OCTOBER 07, 2021.

.....J.
[A.S. BOPANNA]

**(2011) 2 Supreme Court Cases 429 : (2011) 1 Supreme Court Cases (L&S) 340 :
2011 SCC OnLine SC 172****In the Supreme Court of India**
(BEFORE R.V. RAVEENDRAN AND MARKANDEY KATJU, JJ.)

STATE OF RAJASTHAN AND OTHERS . . Appellants;

Versus

DAYA LAL AND OTHERS . . Respondents.

Civil Appeals Nos. 486-495 of 2011[†], decided on January 13, 2011**A. Service Law — Regularisation — Entitlement to regularisation and parity in pay — Principles reiterated — Constitution of India, Art. 16***Held :*

The following are well-settled principles relating to regularisation and parity in pay:

(i) The High Courts, in exercising power under Article 226 of the Constitution will not issue directions for regularisation, absorption or permanent continuance, unless the employees claiming regularisation had been appointed in pursuance of a regular recruitment in accordance with



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relevant rules in an open competitive process, against sanctioned vacant posts. The equality clause contained in Articles 14 and 16 should be scrupulously followed and Courts should not issue a direction for regularisation of services of an employee which would be violative of the constitutional scheme. While something that is irregular for want of compliance with one of the elements in the process of selection which does not go to the root of the process, can be regularised, back door entries, appointments contrary to the constitutional scheme and/or appointment of ineligible candidates cannot be regularised.

(ii) Mere continuation of service by a temporary or ad hoc or daily-wage employee, under cover of some interim orders of the court, would not confer upon him any right to be absorbed into service, as such service would be "litigious employment". Even temporary, ad hoc or daily-wage service for a long number of years, let alone service for one or two years, will not entitle such employee to claim regularisation, if he is not working against a sanctioned post. Sympathy and sentiment cannot be grounds for passing any order of regularisation in the absence of a legal right.

(iii) Even where a scheme is formulated for regularisation with a cut-off date (that is a scheme providing that persons who had put in a specified number of years of service and continuing in employment as on the cut-off date), it is not possible to others who were appointed subsequent to the cut-off date, to claim or contend that the scheme should be applied to them by extending the cut-off date or seek a direction for framing of fresh schemes providing for successive cut-off dates.

(iv) Part-time employees are not entitled to seek regularisation as they are not working against any sanctioned posts. There cannot be a direction for absorption, regularisation or permanent continuance of part-time temporary employees.

(v) Part-time temporary employees in a government-run institutions cannot claim parity in salary with regular employees of the Government on the principle of equal pay for equal work. Nor can employees in private employment, even if serving full time, seek parity in salary with government employees. The right to claim a particular salary against the State must arise under a contract or under a statute.

(Para 12)

State of Karnataka v. Umadevi (3), (2006) 4 SCC 1 : 2006 SCC (L&S) 753, *M. Raja v. CEERI Educational Society*, (2006) 12 SCC 636 : (2007) 2 SCC (L&S) 334; *S.C. Chandra v. State of Jharkhand*, (2007) 8 SCC 279 : (2007) 2 SCC (L&S) 897; *Kurukshetra Central Coop. Bank Ltd. v. Mehar Chand*, (2007) 15 SCC 680 : (2010) 1 SCC (L&S) 742; *Official Liquidator v. Dayanand*, (2008) 10 SCC 1 : (2009) 1 SCC (L&S) 943, *applied*

B. Service Law — Absorption — Entitlement to absorption — Employees of aided non-governmental hostels, held, not entitled to claim absorption by way of regularisation in

government service nor salary on a par with Superintendents in government hostels — Such persons were employees of respective organisations running those hostels and not employees of Government — Government had merely prescribed eligibility conditions to be fulfilled by private organisations to get grants to meet food

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and education expenses of students staying in such hostels — Thus, Government was liable only to extend aid by way of a grant — Therefore, persons employed by aided hostels could not be termed as persons employed by State Government — Nor could Government be held liable for their service conditions, absorption, regularisation or salary — Hence, respondents not entitled to any relief — Education and Universities — Employment and Service matters — Regularisation — Employees of aided hostels — Grant-in-aid

(Paras 18, 19 and 22)

C. Constitution of India — Art. 226 — Writ petitions by respondents employed in aided hostels for relief of regularisation and parity in pay on a par with corresponding post holders in State Government service — Maintainability of — Held, respondents were not employees of Government, hence, writ petitions, not maintainable — Herein, decision of High Court, granting relief to them, unsustainable

(Para 19)

D. Service Law — Regularisation — Entitlement to regularisation — Whether respondents, who were part-time cooks and chowkidars, appointed temporarily by Mess Committees of Government Hostels, with two or three years' service, entitled to regularisation by framing a special scheme, as done for persons in service prior to 1-5-1995 — Respondents continuing on interim orders by courts — Held, service for a period of one or two years or continuation for some more years, by virtue of final orders of courts under challenge, or interim orders, will not entitle respondents to any kind of relief, either with reference to regularisation nor for payment of salary on a par with regular employees — Even if there was a one-time scheme for regularisation of those who were in service prior to 1-5-1995, there cannot obviously be successive directions for scheme after scheme for regularisation of irregular or part-time appointments — Hence, respondents not entitled to any relief

(Paras 20 to 22)

State of Karnataka v. Umadevi (3), (2006) 4 SCC 1 : 2006 SCC (L&S) 753, applied

Daily Rated Casual Labour v. Union of India, (1988) 1 SCC 122 : 1988 SCC (L&S) 138 : (1987) 5 ATC 228; *Bhagwati Prasad v. Delhi State Mineral Development Corpn.*, (1990) 1 SCC 361 : 1990 SCC (L&S) 174; *Dharwad District PWD Literate Daily Wage Employees Assn. v. State of Karnataka*, (1990) 2 SCC 396 : 1990 SCC (L&S) 274 : (1990) 12 ATC 902, held, overruled

Anshkalin Samaj Kalyan Sangh v. State of Rajasthan, WP No. 3453 of 1994 order dated 26-5-1995 (Raj), overruled

Appeals allowed

Y-D/47217/CL

Advocates who appeared in this case:

Ms Madhurima Tatia, Milind Kumar and Aruneshwar Gupta, Advocates, for the Appellants;

Vineet Dhanda, J.P. Dhanda, Ms Raj Rani Dhanda, Amrendra Kr. Singh, Manu Mridul, Anant Vats, Pranav Vyas, Surya Kant, Ms Rakhi Banerjee, Ms Sharmila Upadhyay, M.P. Jha, Ram Ekbal Roy and Harshvardhan Jha, Advocates, for the Respondents.

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1. (2008) 10 SCC 1 : (2009) 1 SCC (L&S) 943, *Official Liquidator v. Dayanand* 431
2. (2007) 15 SCC 680 : (2010) 1 SCC (L&S) 742, *Kurukshetra Central Coop. Bank Ltd. v. Mehar Chand* 431
3. (2007) 8 SCC 279 : (2007) 2 SCC (L&S) 897, *S.C. Chandra v. State of Jharkhand* 431
4. (2006) 12 SCC 636 : (2007) 2 SCC (L&S) 334, *M. Raja v. CEERI Educational Society* 431
5. (2006) 4 SCC 1 : 2006 SCC (L&S) 753, *State of Karnataka v. Umadevi (3)* 436a, 438e, 438f
6. WP No. 3453 of 1994 order dated 26-5-1995 (Raj), *Anshkalin Samaj Kalyan Sangh v. State of Rajasthan (overruled)* 433d, 433g-h, 434a-b, 438e, 438f
7. (1990) 2 SCC 396 : 1990 SCC (L&S) 274 : (1990) 12 ATC 902, *Dharwad District PWD Literate Daily Wage Employees Assn. v. State of Karnataka (held, overruled)* 431
8. (1990) 1 SCC 361 : 1990 SCC (L&S) 174, *Bhagwati Prasad v. Delhi State Mineral Development Corpn. (held, overruled)* 431
9. (1988) 1 SCC 122 : 1988 SCC (L&S) 138 : (1987) 5 ATC 228, *Daily Rated Casual Labour v. Union of India (held, overruled)* 431

The Judgment of the Court was delivered by

R.V. RAVEENDRAN, J.— Leave granted.

2. The first matter relates to persons temporarily appointed as Assistant Superintendents in 1985 and 1986 in aided hostels. The prefix "Assistant" was omitted in 1996 and thereafter the respondents were known as Superintendents. The second matter relates to a person temporarily appointed as a Superintendent on 30-6-1998 in an aided hostel. They filed writ petitions contending that they were employed on full-time basis and were discharging functions similar to those of Superintendents in government hostels, but were being paid only a meagre salary while their counterparts in government hostels are paid much higher pay in the scale of Rs. 4000-6100 in Categories A and B hostels and Rs. 3200-4900 in Category C hostels. They sought regularisation in the posts of Hostel Superintendent from the date of initial appointment and payment of salary on a par with Hostel Superintendent of Class C hostels of the Social Welfare Department.

3. The respective respondents in the remaining eight appeals, claim that they were appointed in the years 1995, 1996, 1997 and 1998, as part-time cooks/chowkidars in government hostels run by the Social Welfare Department. They claim that their appointment orders were issued by the respective Mess Committee of the hostel where they were employed; that the State Government was paying a fixed amount of Rs. 600 per month in the form of aid to the Hostel Mess Committee concerned which, in turn, was

being paid to them as remuneration.

4. The State Government issued an Order dated 28-12-1998, stopping the practice of appointing Class IV employees on consolidated wages and to

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remove any person appointed on that basis. By subsequent Circular dated 21-1-1999, the District Social Welfare Officers were directed to remove part-time chowkidars/cooks employed by the Department with effect from 1-2-1999 and replace them by ex-servicemen or widows of ex-servicemen. In view of the government directives, the respondents apprehended their services may be dispensed with. [The services of two of the respondents — Madan Lal Yogi and Kurda Ram who were appointed on 15-7-1995 and 1-7-1995 respectively were however terminated even earlier, on 17-3-1997 and 28-12-1998.]

5. The respondents submitted that this Court had earlier approved a scheme under which part-time cooks and chowkidars who were working as on 1-5-1995 were regularised; and that as they (respondents) were all appointed subsequent to 1-5-1995 and were not therefore covered under the said scheme, a fresh scheme should be framed to benefit them. They therefore sought a declaration that the Circulars dated 28-12-1998 and 1-2-1999, were invalid and a direction for regularisation by framing an appropriate scheme similar to the scheme framed by the State Government in pursuance of the order dated 26-5-1995 in *Anshkalin Samaj Kalyan Sangh v. State of Rajasthan*¹.

6. In the first seven appeals, a learned Single Judge by a common order dated 7-5-2003 allowed the writ petitions. He held that the writ petitioners working on the posts of Superintendent, cooks and chowkidars are entitled to salary on a par with the salary which was paid to their counterparts holding similar posts in the hostels run by the Social Welfare Department of the State Government with effect from the dates of their respective writ petitions. He also held that any attempt to terminate the services of employees working in the hostels on consolidated salary was unjust and illegal and therefore the writ petitioners should be permitted to continue to work on the posts which they were holding as on the date of filing their respective writ petitions.

7. The learned Single Judge directed the State Government to frame a scheme on the same lines in which the State Government had earlier framed a scheme relating to part-time cooks and chowkidars (who were serving as on 1-5-1995). He also quashed the orders dated 28-12-1998 and 21-1-1999 (which directed chowkidars and cooks employed on consolidated wages should be removed with immediate effect from 1-2-1999 and should be replaced by ex-servicemen or widows of ex-servicemen). The scheme referred to by the learned Single Judge was the scheme which was framed by the State Government in pursuance of the directions of the Rajasthan High Court in *Anshkalin Samaj Kalyan Sangh*¹ which was approved by this Court in 1996 (in CA No. 365 of 1994 — *State of Rajasthan v. Mod Singh*).

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8. Feeling aggrieved, the State filed appeals which were dismissed by a common judgment dated 16-8-2004. The said judgments are challenged in the first seven appeals by the State and its functionaries.

9. In the next two appeals, a learned Single Judge by common order dated 5-2-2001 allowed the writ petitions of the respondent in terms of the following directions issued in

Anshkalin Samaj Kalyan Sangh:

"In the circumstances of the case, it would be just and proper to direct that the chowkidars and cooks employed in the hostels run by the Government or government-aided institutions, shall be paid at the rate of the minimum of the pay scale applicable to Class IV employees and cooks in the government employment respectively from the date of their filing of the petition. In cases of those who have filed the petition, in cases of those who have not filed the petition, it shall be paid from the date of this order. So far as the regularisation is concerned, the cases of all such employees who have put in service of five years or more shall be immediately taken up for consideration for regularisation and scheme for regularisation of their services shall be framed and put into effect within a period of six months from today. A scheme for regularisation of employment of such employees who have not completed five years' service shall also be framed within a reasonable time by the Government. These directions shall be applicable in the cases of all the employees similarly situated working in the hostels under the Social Welfare Department of the State irrespective of the fact whether such employees have filed petitions in this Court or not. The benefit of this order shall be available to only those employees who were in service on the day of filing of petition or the date of this order as the case may be."

The writ appeals filed by the State against the said order were dismissed by a Division Bench by a common order dated 16-11-2005.

10. In the last appeal (relating to Kurda Ram), the writ petition for regularisation was dismissed by a learned Single Judge by order dated 3-5-1999. However, the special appeal filed by the respondent was allowed by order dated 2-12-2005 and the order of termination was set aside following the decision dated 16-8-2004 (which is the subject-matter of the first seven appeals). The Division Bench observed that the respondents' case may be considered in the light of the decision of this Court in the pending challenge to the order dated 16-8-2004.

11. Two questions therefore arise for consideration in these appeals:

(i) Whether persons appointed as Superintendents in aided non-governmental hostels are entitled to claim absorption by way of regularisation in government service or salary on a par with Superintendents in government hostels?

(ii) Whether part-time cooks and chowkidars appointed temporarily by Mess Committees of Government Hostels, with two or three years' service, are entitled to regularisation by framing a special scheme?



12. We may at the outset refer to the following well-settled principles relating to regularisation and parity in pay, relevant in the context of these appeals:

(i) The High Courts, in exercising power under Article 226 of the Constitution will not issue directions for regularisation, absorption or permanent continuance, unless the employees claiming regularisation had been appointed in pursuance of a regular recruitment in accordance with relevant rules in an open competitive process, against sanctioned vacant posts. The equality clause contained in Articles 14 and 16 should be scrupulously followed and Courts should not issue a direction for regularisation of services of an employee which would be violative of the constitutional scheme. While something that is irregular for want of compliance with one of the elements in the process of selection which does not go to the root of the process, can be regularised, back door entries, appointments contrary to the constitutional scheme and/or appointment of ineligible candidates cannot be regularised.

(ii) Mere continuation of service by a temporary or ad hoc or daily-wage employee,

under cover of some interim orders of the court, would not confer upon him any right to be absorbed into service, as such service would be "litigious employment". Even temporary, ad hoc or daily-wage service for a long number of years, let alone service for one or two years, will not entitle such employee to claim regularisation, if he is not working against a sanctioned post. Sympathy and sentiment cannot be grounds for passing any order of regularisation in the absence of a legal right.

(iii) Even where a scheme is formulated for regularisation with a cut-off date (that is a scheme providing that persons who had put in a specified number of years of service and continuing in employment as on the cut-off date), it is not possible to others who were appointed subsequent to the cut-off date, to claim or contend that the scheme should be applied to them by extending the cut-off date or seek a direction for framing of fresh schemes providing for successive cut-off dates.

(iv) Part-time employees are not entitled to seek regularisation as they are not working against any sanctioned posts. There cannot be a direction for absorption, regularisation or permanent continuance of part-time temporary employees.

(v) Part-time temporary employees in government-run institutions cannot claim parity in salary with regular employees of the Government on the principle of equal pay for equal work. Nor can employees in private employment, even if serving full time, seek parity in salary with government employees. The right to claim a particular salary against the State must arise under a contract or under a statute.



[See *State of Karnataka v. Umadevi* (3)², *M. Raja v. CEERI Educational Society*³, *S.C. Chandra v. State of Jharkhand*⁴, *Kurukshehra Central Coop. Bank Ltd. v. Mehar Chand*⁵ and *Official Liquidator v. Dayanand*⁶.]

13. As noticed above, the respondents in these appeals were appointed in pursuance of the Government and Aided Hostels Management Rules, 1982 which were issued by the State Government on 18-1-1982. Though they were referred to as the Rules, they were not statutory rules framed by the State Government in pursuance of any power vested in the State by the legislature under any enactment. They were more in the nature of executive instructions and guidelines framed for administrative convenience. The said Rules were intended to apply to government hostels run by the Social Welfare Department as also aided hostels which received any aid in the form of grant from the Social Welfare Department.

14. We may refer to the relevant provisions of these Rules. Rule 5 indicated the staff pattern in government hostels. Clause (2) of Rule 5 provided that every government hostel should have an Assistant Superintendent and the salary of the Assistant Superintendent in A and B category hostels will be in the pay scale of Rs. 385-650 and in C category hostels, the salary will be in the pay scale of Rs. 350-570. Clauses (4), (5) and (6) of Rule 5 provided that every hostel will have one temporary doctor (who will be paid a monthly conveyance allowance of Rs. 75 in A and B category hostels and Rs. 50 in C category hostels), a Class IV employee who was to stay in the hostel by being provided accommodation and a Safai Karamchari who was to be appointed on temporary basis.

15. Rule 9 provided that every government hostel will have a Mess Committee consisting of Superintendent/Warden as the President, one elected Secretary from among the students, five other students as members and an Assistant Superintendent as accountant-cum-cashier. Clause (3) of Rule 9 provided that the Mess Committee will arrange for the food, breakfast, water, electricity, clothes, haircutting, soap, oil and shoes, etc. for the students for which the Government would pay to the Mess Committee a sum of Rs. 80 per student (relating to students of Classes 6 to 8) and Rs. 85 per month (relating

to students of Classes 9 to 11). For every academic session, the Government would also pay in a lump sum to the District Officer, a sum calculated at the rate of Rs. 60 per student (for Classes 9 to 11) and Rs. 40 per student (for Classes 6 to 8) for providing books, stationery and fees for the students in the Hostels. Clause (7) of Rule 9 provided that Mess Committee of Government Hostels will not be provided departmental cooks but each Mess Committee will be given a grant of Rs. 250 per month per cook and the number of cooks will be decided with reference to the number of students (one cook for 25



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students) and the appointment of cooks will be on part-time basis for ten months in a year.

16. Rule 11 related to recognition of aided hostels and their management. Clause (1) thereof provided that registered voluntary service organisations are required to submit applications to the Director for management of hostels, recognition and permission of grant. Clause (2) provided that the Director, Social Welfare Department, will dispose of the applications taking note of the availability of sufficient building and other sources, whether sufficient means for meeting the necessary expenses are available with the organisation in the proposed hostel, whether the organisation is capable of providing the prescribed facilities in the hostel. Clause (3) provided that one of the conditions for sanction of the hostel is the admission of students belonging to the Scheduled Castes, Scheduled Tribes and Backward Classes as declared by the Government from time to time.

17. Clause (5) of Rule 11 provided that 90% of the amount payable by the Social Welfare Department to the aided hostels (for providing food, clothes, etc. to the students) will be paid to the account of the Mess Committee (calculated with reference to the number of students) and grant for fees and books of the students will be distributed by the District Offices. It further provided that *the expenses on the salary and allowances of Assistant Superintendent, Class IV employees appointed by the aided organisation, cost of fixed assets and rent of building will be borne by the aided organisation which runs the hostel.*

Re: Question (i)—First two appeals relating to aided hostels

18. It is thus evident that insofar as aided hostels were concerned, the Government was liable only to extend aid by way of a grant to students of 6 to 8 standards and students of 8 to 11 standards, staying in such hostels, to meet the expenditure of food, water, electricity, clothes, haircutting, soap, oil and shoes and another grant for books and stationery of such students. The Government was not liable to bear the expenses of salary and allowances of the employees of the aided hostels and it was for the private organisations which ran the aided hostels to meet the salaries of employees from their own resources. The persons employed in the aided hostels were the employees of the respective organisations running those hostels and not the employees of the Government. The Government has merely prescribed the eligibility conditions to be fulfilled by the private organisations to get grants to meet the food and education expenses of students staying in such hostels. Therefore under no stretch of imagination persons employed by the aided hostels could be termed as persons employed by the State Government. Nor could the Government be held liable for their service conditions, absorption, regularisation or salary of employees of private hostels.

19. If the employees (either permanent or temporary) of the aided hostels are not the employees of the Government, but of the aided private charitable organisations which run such aided hostels, they could not obviously maintain any writ petition claiming the status or salary on a par with the



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corresponding post holders in State Government service, nor claim regularisation of service under the State Government. Hence, the writ petitions by persons employed in aided hostels for relief of regularisation or parity in pay, were not maintainable and the decision of the High Court granting any relief to them cannot be sustained.

Re: Question (II)—The other appeals relating to part-time cooks/chowkidars in government hostels

20. The part-time cooks and chowkidars were employed on temporary basis in the government hostels in the years 1995, 1996, 1997 and 1998. They approached the High Court in the year 1999 (except Madan Lal Yogi who approached in the year 1997). The services of some of them had been terminated within one or two years from the date of temporary appointment. Though the State had taken a decision to terminate all those who were appointed on consolidated wage basis, the other respondents continued because of the interim orders by the courts. Service for a period of one or two years or continuation for some more years by virtue of final orders under challenge, or interim orders, will not entitle them to any kind of relief either with reference to regularisation nor for payment of salary on a par with regular employees of the Department.

21. The decision relied upon by the High Court, namely, the decision in *Anshkalin Samaj Kalyan Sangh*¹ of the High Court no doubt directed the State Government to frame a scheme for regularisation of the part-time cooks and chowkidars. It is clear from the said decision, that such scheme was intended to be a one-time measure. Further the said decision was rendered by the High Court prior to *Umadevi (3)*² relying upon the decision of this Court in *Daily Rated Casual Labour v. Union of India*³, *Bhagwati Prasad v. Delhi State Mineral Development Corpn.*⁴ and *Dharwad District PWD Literate Daily Wage Employees Assn. v. State of Karnataka*⁵. These directions were considered, explained and in fact, overruled by the Constitution Bench in *Umadevi (3)*⁶. The decision in *Anshkalin Samaj Kalyan Singh*¹ is no longer good law. At all events, even if there was a one-time scheme for regularisation of those who were in service prior to 1-5-1995, there cannot obviously be successive directions for scheme after scheme for regularisation of irregular or part-time appointments. Therefore the said decision is of no assistance.

Conclusion

22. In view of the above, both the questions are answered in the negative and in favour of the appellants. Therefore, none of the respondents is entitled to any relief. All the appeals are allowed and the orders of the High Court challenged in these appeals are set aside. Consequently, the writ petitions filed by the respondents before the High Court stand dismissed.

¹ Arising out of SLP (C) No. 1927 of 2005. From the Judgment and Order dated 16-8-2004 of the High Court of Judicature for Rajasthan at Jodhpur in DB Civil Special Appeal (W) No. 454 of 2004

² WP No. 3453 of 1994 order dated 26-5-1995 (Raj)

³ (2006) 4 SCC 1 : 2006 SCC (L&S) 753

⁴ (2006) 12 SCC 636 : (2007) 2 SCC (L&S) 334

⁵ (2007) 8 SCC 279 : (2007) 2 SCC (L&S) 897

⁶ (2007) 15 SCC 680 : (2010) 1 SCC (L&S) 742

⁷ (2008) 10 SCC 1 : (2009) 1 SCC (L&S) 943

⁸ (1988) 1 SCC 122 : 1988 SCC (L&S) 138 : (1987) 5 ATC 228

⁹ (1990) 1 SCC 361 : 1990 SCC (L&S) 174

¹⁰ (1990) 2 SCC 396 : 1990 SCC (L&S) 274 : (1990) 12 ATC 902

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क्र.सं.	औद्योगिक न्यायालयाचा निकाल Industrial Court Order	मा. महाराष्ट्र प्रशासकीय न्यायाधिकरणाल/ मा. उच्च न्यायालयात याचिका, निर्णय दिनांक	शासनस्तरावरील कायवाही
१	यु.एल.पी.क्र. २४८/१९९६ मध्ये दि. ३.३.१९९९ अन्वये सदर याचिका औद्योगिक न्यायालयाद्वारे फेटाळण्यात आली. सदर निर्णयाविरुद्ध सर्व मजदुर संघ यांनी मा. उच्च न्यायालयात रिट याचिका क्र. ११८२/१९९९ दाखल केली.	रिट याचिका क्र. ११८२/१९९९ आदेश दि. २३.६.१९९९ सदरची रिट याचिका मान्य करण्यात आली.	या दोन्ही याचिकांमधील आदेशाच्या अनुषंगाने सर ज.जी. समुह रुग्णालय प्रशासनामार्फत बदली कामगारांची ६०३ लोकांची जेष्ठता यादी तयार करण्यात आली. या ६०३ बदली कामगारांपैकी ज्या लोकांनी दि.३१.३.२००७ पर्यंत १० वर्षे काम केले आहे अशा लोकांची "अ" यादी करण्यात आली. तसेच ज्या लोकांनी दि.३१.३.२००७ पर्यंत १० वर्षे काम केले नाही अशा लोकांची "ब" यादी करण्यात आली आहे. अ यादीतील बदली कामगार --- २७७ ब यादीतील बदली कामगार ---- ३२४ "अ" यादीतील २७७ बदली कामगारांपैकी २२७ इतके बदली कामगारांच्या सेवा दि.७.१२.२०१५ च्या शासन निर्णयानुसार नियमित करण्यात आल्या. "ब" यादीतील ३२४ बदली कामगारांपैकी १५ इतक्या बदली कामगारांनी मा. महाराष्ट्र प्रशासकीय न्यायाधिकरणाकडे मुळ अर्ज क्र.७५६/२०२० दाखल केला आहे. दि. ७.१२.२०१५ च्या शासन निर्णयान्वये एकूण ६२६ बदली कामगारांच्या सेवा नियमित करण्यात आल्या आहेत. त्यामध्ये ३३६ बदली कर्मचारी हे जे.जे. रुग्णालयातील आहेत. यास्तव दि.२९.७.२००३ रोजीच्या न्यायनिर्णयाचे अनुपालन करण्यात आले आहे.
२	यु.एल.पी.क्र. २४८/१९९६ मध्ये दि. ३.३.१९९९ अन्वये सदर याचिका औद्योगिक न्यायालयाद्वारे फेटाळण्यात आली. सदर निर्णयाविरुद्ध सर्व मजदुर संघ यांनी मा. उच्च न्यायालयात रिट याचिका क्र. ११८२/१९९९ दाखल केली.	रिट याचिका क्र. ११८२/१९९९ आदेश दि. २३.६.१९९९ सदरची रिट याचिका मान्य करण्यात आली.	या दोन्ही याचिकांमधील आदेशाच्या अनुषंगाने सर ज.जी. समुह रुग्णालय प्रशासनामार्फत बदली कामगारांची ६०३ लोकांची जेष्ठता यादी तयार करण्यात आली. या ६०३ बदली कामगारांपैकी ज्या लोकांनी दि.३१.३.२००७ पर्यंत १० वर्षे काम केले आहे अशा लोकांची "अ" यादी करण्यात आली. तसेच ज्या लोकांनी दि.३१.३.२००७ पर्यंत १० वर्षे काम केले नाही अशा लोकांची "ब" यादी करण्यात आली आहे. अ यादीतील बदली कामगार --- २७७ ब यादीतील बदली कामगार ---- ३२४ "अ" यादीतील २७७ इतके बदली कामगारांच्या सेवा दि.७.१२.२०१५ च्या शासन निर्णयानुसार नियमित करण्यात आल्या. "ब" यादीतील ३२४ बदली कामगारांपैकी १५ इतक्या बदली कामगारांनी मा. महाराष्ट्र प्रशासकीय न्यायाधिकरणाकडे मुळ अर्ज क्र.७५६/२०२० दाखल केला आहे. दि. ७.१२.२०१५ च्या शासन निर्णयान्वये एकूण ६२६ बदली कामगारांच्या सेवा नियमित करण्यात आल्या आहेत. त्यामध्ये ३३६ बदली कर्मचारी हे जे.जे. रुग्णालयातील आहेत. यास्तव दि.२९.७.२००३ रोजीच्या न्यायनिर्णयाचे अनुपालन करण्यात आले आहे.

and desist from continuing to do so.

iii) The respondent is directed to consider the badli workers shown in this seniority list filed by the respondent at Ex. 'A' colly. with Ex.C-१३ as per their seniority and by considering their suitability for the post, make them permanent in proportionate to the vacant permanent post and the other conditions of their service and Rules of service.

iv) No order as to costs.

यु.एल.पी.क्र. १२७१/१९९३
आदेश दिनांक. २०.०१.२००३

*औद्योगिक न्यायालयाच्या निर्णयानुसार कार्यवाही न झाल्याने श्री. जयरज हाटे व इतर

* सामान्य प्रशासन विभाग व वित्त विभागाच्या मान्यतेने याचिकेतील १०३ कामगारांपैकी ७१ कामगारांच्या सेव

<p>आदेश:-</p>	<p>१) Complaint (ULP) No. १२७२/९३ is hereby declared that, the Respondent have engaged in and are engaging in the Unfair Labor Practices under item ६ & ९ of Sch. IV of the MRTU & PULP Act, १९७१ and they are directed cease and desist from continuing to do so</p> <p>२) The respondents are hereby directed to prepare the seniority list of all the badly workers in the order of their initial date of appointment in the Hospital and Considering their Suitability for the post make them permanent post considering their seniority and the other conditions of their services</p> <p>४) No Order as to cost.</p>	<p>यांनी मिसलेनीअस क्रिमीनल कम्प्लेंट (ULP) क्र.१२१/२००४ दाखल केली.</p> <p>* वरील १२१/२००४ प्रमाणे कार्यवाही न होण्यासाठी शासनाने औद्योगिक न्यायालयात रिव्हीजन अपीलकेशन (ULP) क्र.२७/२००३ दाखल केली मात्र ही याचिका औद्योगिक न्यायालयाने दि.१७.३.२००५ रोजी फेटाळली</p> <p>* या विरोधात शासनाने मा. उच्च न्यायालय मुंबई येथे क्रिमीनल रिट पिटि.क्र.१०६०/२००५ दाखल केली मात्र ही याचिका मा. उच्च न्यायालयाने दि.२२.१०.२०१३ रोजी फेटाळली.</p> <p>* मिसलेनीअस क्रिमीनल कम्प्लेंट क्र.१२१/२००४ नुसार फौजदारी कार्यवाही सुरु करण्यात आली.</p>	<p>दि.१७.१.२०१५ च्या शासन निर्णयान्वये नियमित करण्यात आल्या आहेत.</p> <p>* या ७१ कर्मचाऱ्यांनी महाराष्ट्र प्रशासकीय न्यायाधिकरणात मुळ अर्ज क्र. ५७१/२०१९ व संकीर्ण अर्ज क्र. ३१०/२०१९ दाखल केला व दि.१७.१.२०१५ चा शासन निर्णय रद्द करून नियुक्तीच्या दिनांकापासून त्यांच्या सेवा नियमित करण्याबाबत विनंती करण्यात आली.</p> <p>* मा. न्यायाधिकरणाने दि.२०१९ रोजी आदेश दिले की, दि.१७.१.२०१५ च्या शासन निर्णयात आवश्यक ते बदल करून सुधारीत आदेश निर्गमित करावेत अन्यथा मा. उच्च न्यायालय, मुंबई येथे अवमान याचिका दाखल करण्यात येईल.</p> <p>* मा. न्यायाधिकरणाच्या आदेशानुसार या ७१ कर्मचाऱ्यांच्या सेवा त्यांच्या नियुक्तीच्या दिनांकापासून नियमित करण्यास शासन निर्णय दि.२९.१.२०२० अन्वये मान्यता दिली.</p>
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DIVISIONAL LABOR OFFICER, MUMBAI, INDUSTRIAL COURT, MUMBAI.
Complaint (ULP) No. 248 of 1996

Shri. ...
Khandeshi Chavan, 165, ...
Mumbai-400 001.

Complainant.

v/s

The Superintendent,
J.J. Hospital, Byculla,
J.J. Nagar, Mumbai.

Respondent.

In the matter of complaint of unfair labour practice under Item 6 of sch. IV of MTA & PULP Act, 1971.

QUANT

Shri. ...

APPEARANCE

Shri. ... for complainant.

Shri. ... for Respondent.

ORDERED (dated - 25th July, 1996)



The complainant union has filed this complaint under Item 6 of sch. IV of the MTA & PULP Act (in short, the Act) with a prayer to direct the Respondent hospital to make a seniority list of all the staff workers on the basis of their initial date of working to provide them work in accordance with the said seniority list and further direction not to recruit any fresh workers.

2. The brief facts giving rise to this complaint are as under:

The complainant is a trade union representing the workers of Respondent hospital. The Respondent hospital recruits a large number of casual, part or temporary workers in conformity with the object of providing work to all and willing to accept any ...

hospital employs them for a period of 25 days in a month and on last day of each month, it terminates their service. It is alleged that as such, asking giving one day break in their employment and ensures that no worker could complete 240 days in a year. All employed workers are Safaikar (scavenger) doing work of sweeping, a work of potential in nature. It is alleged that on the similar set of facts complaint has been filed in respect of St. George Hospital, Mumbai, being Complaint (ULP) No. 2743/94. In the said matter the Bombay High Court has made an order. A true copy of which is filed at Ex. 'B'. On the similar facts complaints have been filed at Pune and Auganchad in the Industrial Courts and the said Courts have made orders. The true copies of which are annexed at Ex. 'C' & 'D'. It is alleged that the respondent ought to have made seniority list of all beilli workers and thereafter the respondent is required to absorb all the beilli workers and no fresh workers should be recruited till all beilli workers are absorbed. It is alleged that the respondent hospital has recruited about 100 fresh workers keeping out the workers listed in Annex 'A' to the complaint. The respondent has thus indulged into unfair labour practices under Item 6 of Sch. IV of the Act. The complainant has therefore, filed this complaint with the above prayers.

3. The respondent hospital has contended the complaint by filing written statement at Ex. C-3. It is contended that the respondent hospital has been owned by the State Government of Maharashtra. The recruitment and permanency has been governed by the regulations and circulars issued by the state Govt.

from time to time. As per the provisions w/a 13 of the Administrative Tribunal Act, the complaint is not maintainable as the jurisdiction vests with the WT constituted under the Administrative Tribunal Act, 1955. The respondent has been employing the bedli workers according to the State Government Rules in the leave vacancy of permanent workers and in some recent past the procedure for selection of the said workers for bedli karyak has been as per norms given by the Hon'ble High Court in writ Petition No. 2749/04 where the respondent hospital has been directed to appoint the workers from seniority list or on compassionate grounds. The employment exchange has been concerned authority for recommendation of appropriate candidates to be recruited. The respondent is not depriving the workers concerned from attaining their status and privileges of permanent employees. The respondent has not appointed permanent employees in view of the orders issued on 7.2.02 by the Minister for Health as per Ex. '21' and also as per the directives issued on 1.9.92 by the Government of Maharashtra, I.O. Ex. '14'. The action of the respondent is justified by virtue of stay order issued by Director, of Medical Education and Research which is at Ex. '12'.

4. The respondent grant only 20 days appointment to these bedli workers as the respondent is empowered to grant only such appointments as per G. No. M. Tn/1063/C-1000 dtd. 2.12.1960 I.O. as per Ex. '11'. It is contended that to if mainly appointment of bedli karyak have been done according to seniority list which are as per Ex. '11' by the respondent in this case. It is contended that as per list of seniority

submitted by the complainant under the head "Munshi Bays, Munshi
Officers J.J. Hospital Nursing Department, workers and head
Bays Grand Medical College" are consistent. The Respondent
Hospital contended that the employment of workers in Grand
Medical College and Nursing Department is governed and con-
trolled by separate establishments and their cases cannot be
combined with the seniority list and or employment of staff
workers in J.J. Hospital. The complaint filed on their behalf
is misconceived and not maintainable. It is contended that
the Respondent wish to appoint permanent employees in view of
the Judgment delivered by the Poona Industrial Court under reser-
vation from the Government of Maharashtra as this will per-
manently solve classes. It is thus contended that no unfair
labour practice have been done during employing staff workers.
The complaint therefore be rejected.

6. Shri H.D.Bhat, Adv. for the complainant made submissions
that there are various hospitals of Government. The Respondent
is not absorbing staff workers. The complainant union has filed
complaint against Secion Hospital Poona and Government Hospital
Aurangabad in Industrial Courts of Poona and Aurangabad. The
complaint succeeded in those complaints. The staff workers
are required to be considered as per Model Standing Orders.
He made submission that the claim of permanency arising on
two counts 1) on the ground of permanent vacancies and 2) 240
days uninterrupted service rendered by the concerned staff
workers of the Respondent. The Government has not complied
the provisions of Model Standing Orders. The Government Cir-
culet if contrary to the Model Standing Orders, it cannot be
a ground to reject the claims claimed as per Model Standing

process. The Respondent has not adduced oral evidence and
 therefore the evidence of complainant is to be believed and
 considered. As nobody entered in the witness box on behalf
 of the respondents the adverse inference will have to be
 drawn against the Respondent. He also submitted that as
 the main defence raised by the Respondent is not supported
 by any oral evidence, the claim made by the complainant to
 give benefit of presumption can be said proved by the com-
 plainant. He submitted that hospital is essential service.
 It comes under the definition of Industry. Nayak and Ward-
 boys and Sweepers are necessary to be appointed in the
 hospital. The Government has to provide reasonable emp-
 loyment. Government has not deducted P.F. for about last
 20 years of the concerned workmen. The appointment letters
 and other record is produced by the complainant. The Res-
 pondent ought to have filed relevant records. The complain-
 ant has submitted an application at M.O-26 & for production
 of documents and information. The Respondent has supplied
 the information at M.O-16 but that cannot be believed. No
 hostel worker is accommodated for about last 20 years. The
 evidence of the witnesses examined by the complainant is
 consistent with the case made out by the complainant. No
 need submission that the incorrect seniority list was pre-
 pared by the Respondent and manipulation is made. The
 appointments of hostel workers be made as per Model Standing
 Orders. There cannot be only one post Nayak in such a big
 hospital like Respondent. If Govt. is found contrary to the
 law, it is not easy to be ignored. He filed the statements
 of Jyoti Bhandari at M.O-25 and other documents attached at



positions in the case of Chief Conservator of Forests & anti-
v/a Government Forest Revenue, 1990 I LLJ - 1223 employment
as "casuals", casuals or temporary for years with the object
of depriving them the status of permanent employees and con-
tinuing the casuals for long years was held an unfair labour
practice under Item 6 of Sch.IV of the Act by the Apex Court.
He also submitted that our High Court in the case of Burroughs
Wilson (I) Ltd., Mumbai, v/o D.H.Chosla & Co., 2001(2) LLJ
P-590 held that completion of 243 days work alone is not a sine
qua non for a valid claim under Item (6), Sch.IV of the Act and
court must make a realistic appraisal in each case if the object
of the employer in keeping temporaries as such for years was
to deprive them of the status and the privileges of regular
employees and held that the concerned workers are entitled to
grant benefit of permanency. He also relied the case and the
observations in the case of Mahagantra Small Scale Industrial
Development Corporation, Ltd. and o/s. v/o Industrial Court,
Mumbai Nagar, IA 1990 II LLJ - 76. He further submitted that
party withholding from the court the best evidence in his posses-
sion which could throw light upon the issue in controversy,
court can if could raise an adverse inference against such party
in view of the observations in the case of Gopal Krishnaji Kotkar
v/o Ashraf Haji Latif and o/s., 1969 I LLJ-234 and S.P.Chan-
gudrao v/o Jaganath, IA 1994 Court-353
and the judgments of Industrial Court, Poona in the case of
Sarve Madhus Sangh v/o Sassoon General Hospital in Com-
plaint (ULP) No. 579/91 delivered on 30.4.1992 and Sarve Madhus
Sangh v/o The Dean, St. George Hospital, Mumbai in Complaint
(ULP) No. 1271/93 dtd. 20.1.2003 and submitted that the com-
plaint be allowed and the respondent be directed to fill up

the permanent vacancies from badli workers and the badli workers who completed 240 days in a year be made permanent.

6. Mrs. N.R. Patankar, Adv. for the respondent made submissions that the respondent hospital is Government hospital. The rules and regulations which are applicable to the Government are applicable to the hospital. The posts are civil posts. She drew my attention to the evidence of Smt. Jyoti Sakpal and Ankush Utekar and submitted that the said witnesses have also admitted that the respondent hospital is appointing permanent employees as per Government Rules and as per the names referred by an Employment Exchange. She further submitted that in the complaint and evidence it is nowhere alleged that they have deprived with the object to keep them temporary for years together. The said witnesses also admitted that they get the salary as per the Government servants. The copy of the seniority list prepared by the respondent was sent to the union after passing order by the Hon'ble High Court as per Ann. 'D' to the written statement. The complainant union has not raised any objection to the said seniority list before this Court or High Court. She made submission that the statements of the concerned workmen show that Item 6 is not attracted. Smt. Patankar, Adv. relied the observations in the case of Punjabrao Krishi Vidyapeeth, Akola v/s General Secretary, Krishi Vidyapeeth Kamgar Union & ors., 1994 I CLR- 913 and submitted that as held in the said case if there is no proof that the object in employing labourers as temporaries for years together was to deprive them of the status and the benefits of permanency and as such Item 6 of Sch. IV

was not attracted. Subsequently, Adv. P. N. Datta filed the ob-
jections in the case of P. N. Datta v. The State of Madhya Pradesh, 1956 II CLR - 146 and sub-
mitted that as per the observations in the said case badli
workmen ^{could} have no right to claim compensation on ac-
count of dismissal. Industrial Disputes Act, 1947 and Sec. 25(c)
thereof excluding badli workmen or casual workmen from the
benefit of compensation in the case of lay off. She made
submissions that in view of the observations in the above two
cases the claim made by the complainant can not be said legal
and proper. She further submitted that the respondent is not
depriving the concerned workmen from any benefits thereof.
Item 6 is not applicable. She submitted that Item 6 of Schedule
is applicable only when regular strength is more than the
permanent vacancies and some of the workmen who are appointed
as badli are doing the work as casuals but irregularly.
She made submission that in this case no design can be imagined
in the mind of respondent in view of the admissions given by
the witnesses in the examination by the complainant that with a
view to deprive them of benefit of permanency they are recruited
as badli workmen. She further submitted that respondent has to
comply with the High Court orders and the Government Circulars.
The witnesses of the complainant have no grievance about the
explicit conclusions of the High Court directions and the
Government circulars. She further submitted that the respondent
has raised objection about maintainability of the complaint. The
jurisdiction as per the subject matter of the complaint lies with
the concerned Administrative Tribunal and in view of the provisions
of Sec. 23 of the Administrative Tribunal Act and

In the affidavit of ... such objection is specifically raised. She therefore made submission that the complaint is liable to be dismissed. The provisions of Model Standing orders will not come into the picture in this case as the provisions of Maharashtra Civil Services Rules are applicable to the respondent. The respondent is following rules and regulations of the Government. The workmen have no grievance about the system followed by the respondent even if posts are vacant the respondent cannot fill up unless the Government gives sanction. The complainant has not made Government as party to this complaint. The Respondent is a body who has administrative control only therefore there is no question of unfair labour practices on the part of the Respondent. She made submission that the citations relied by the complainant are not applicable to the facts of this case. The complaint therefore, be dismissed.



7. The following issues are framed by my Ld. Presiding Officer Mr. H. H. Ingule at Ex. 0-0. My findings on the said issues with reasons are as under:

<u>ISSUES</u>	<u>FINDINGS</u>
1. Whether the complainant has proved that the Respondent has engaged in and is continuing to engage in unfair labour practices prescribed under Item 6 of sch. IV of the M.T.U & PULP Act?	Proved
2. Whether the complainant is entitled to the relief claimed in the complaint?	Yes
3. What RTI?	As per final order.

MEMORANDUM

8. As to all issues- This order passed below Ex. B-19, the list Ann. 'A' with Ex. B-19 was directed to be considered as the list of concerned workmen in the complaint in place of list shown in Ex. 'A' to the complaint. As it is alleged that some names of badli workmen remained to be mentioned in the list shown in Ex. 'A' attached to the complaint. The respondents have also produced the seniority list of 3 categories i.e. staff hospital male, staff hospital ladies and ward boys with Ex. C-13 i.e. reply to the application filed by the complainant to substitute Ex. 'A' to the complaint consisting of list of seniority of badli employees which is Ann. 'A' as per Ex. C-13.

9. In this case the Hon'ble High Court in writ Petition filed by the complainant union being writ Petition No. 2557/01 directed to dispose of this complaint within six months from 6.2.03 vide its order dtd. 6.2.03. The record of the case also shows that the order passed below Ex. B-2 in this complaint dtd. 3.3.99 for grant of interim relief that the respondent hospital ^{by} made seniority list of all the badli workmen on the basis of their initial date of working and to provide them work in accordance with the said seniority list and further directions not to recruit any fresh workmen which was rejected by this Court, was challenged by the complainant before the Hon'ble High Court ^{Hon'ble High Court} vide its order dtd. 23.6.09 allowing writ Petition in terms of prayer clause (a) & (b) and made it clear that the said order is without prejudice to the right of the respondent to make new appointments on contractual ground in accordance with the law. It is also pertinent



Handwritten notes:
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to note that in Complaint (ULB) No. 1271/93 filed by Nurse
 Hazoor Singh w/s The Govt St. George Hospital after rejection
 of Interim relief by the Industrial Court vide its order dtd.
 30.9.94 challenged the said order before the Hon'ble High
 Court in writ Petition No. 2748/94 and the Hon'ble High Court
 vide order dtd. 9.1.95 allowed the writ Petition in terms
 for Interim relief which was sought before the Industrial
 Court granting the relief that pending hearing and final
 disposal of the complaint to direct the respondents not to
 make any fresh appointment but to appoint persons from the
 seniority list of staff workers prepared in the order of
 initial date of appointment as staff workers in the hospital.



10. In this complaint the complainant has adduced evidence
 of Jyoti School at Ex.U-25 and Anandh Utakar at Ex.U-26 in
 support of its case. The respondents have not adduced oral
 evidence and filed pleas to that effect at Ex.C-17.

11. While considering the claim made in this complaint
 it is necessary to consider whether the case made out by the
 complainant that in view of the Item 6 of Sch. IV of the Act,
 the persons employed as casual, casual or temporary and
 continuation of them as such for years together with the
 object/^{of} depriving them of status and privilege of permanent
 employees is proved by the complainant or not. For that the
 oral evidence of the witnesses of complainant and the documents
 produced by the complainant as well as the respondent are
 necessary to be scrutinized. In the oral evidence of Mr. Jyoti
 Utakar he has specifically stated that he was appointed as
 staff worker initially on 15.3.91 upto 12.6.91 and the said
 order is at Ex.100 of Ex.U-26. On 15.6.91 he was appointed as

certificates issued by the respondent...
as Kankhya Kulkarni from time to time is produced by her at Nos
140 and 141 of Ex. U-20. She has also stated that the prou-
ducesly hadli workers used to be appointed by rotation with
that means the respondents used to provide work to hadli
workers for about 1-2 months and thereafter the same for
1-2 months used to be given and during that period the other
workers used to be appointed by the respondents only with a
view to deprive them to give continuous work by the respondent
and to avoid benefit of permanency to hadli workers. She has
also stated that they used to get Rs. 4100/- p.m. when they
are appointed as hadli and the permanent workers used to get
initially Rs. 4500/- p.m. She has also stated that the other
benefits which are provided to permanent employees are not
given to them such as leave, deduction of P.f. etc. She has
also stated that many vacancies of permanent employees are
now vacant in the respondent hospital but they are purposely
not filled in by the respondents. In the evidence of Anant Datar,
at Ex. U-20 he has stated that his seniority is not properly con-
sidered by the respondent while making the seniority list. He
is working as hadli worker from 1.2.57 by giving break to him
of 1 or 2 days and they used to get 2-3 months work in a year
because of the orders of 20 days only after about 1952. He
has also stated that while making appointment of permanent
employees in 1953 the seniority list of that was not considered
and many vacancies of workers are vacant in the hospital.
The said witness have admitted that after the directions given
by the Hon'ble High Court the hadli workers are getting regular
work and they are getting 100 days in the appointment order.

ORIGINAL CC 1

The said witnesses have explained admitted that because of the directions given by the Hon'ble High Court only senior most persons are getting work at present. In the vacant post of health workers. The said witness though admitted that the Government circulars and G.Os are applicable to the Respondent and the seniority list is maintained by the hospital is not challenged by the union. It is necessary to consider whether in the light of the admissions given in the cross examination by the above two witnesses whether the complainant has proved that item 6 of Sch.IV of the Act attracts or not while determining their case.

12. item 6 of Sch.IV of the Act runs as under:

"To employ employees as "bedlies", casuals or temporary and to continue them as such for years, with the object of depriving them of the status and privileges of permanent employees"

and the case is considered general unfair labour practice on the part of the employer. The Respondent has filed information at Ex.C-15 which was called for by the complainant vide Ex.U-25. The said information is though not complete information as called by the complainant however, from the said information at Ex.C-15 it appears that total number of posts sanctioned in each category i.e. wardboys, 500 sanctioned posts, boys 1 sanctioned post, male and female nurses total 352 sanctioned posts etc. there however, there is no differentiation or bifurcation as male and female occupancy. As per the said information there are vacant post of 1000/5-50, 1000-11, 1000-14. The Respondent has not adduced any oral evidence in support of the evidence adduced by the witnesses of the hospital in the however, from Ex.C-15 it can be said that there are total 173 posts are vacant in the hospital of



persons at Ex.C-5, with their written statement it appears that the respondent has given details of the days of the work done by 43 casual workers mentioned in the list for the period 1991 to 1999 and the said list shows that almost all workers concerned in the said list in any each year worked more than 100 days in a year and some workers have also worked about 200 or more ~~less~~ days during that period. The respondent in the seniority list filed with Ex.C-13 has given the details of first appointment or initial appointment of casual workers. From the said list it results that the said workers were appointed as casual workers from the year 1976 onwards. The respondent however, has not given details of the work done by each of casual workers in each year after their initial appointment as given in the list at Ex.C-5 filed with the written statement. In the seniority list referred above, filed with Ex.C-13 as ann. 'a' copy, the respondent has thus avoided to give information of each worker about the work done by them from their initial appointment and therefore, the case made out by the complainant that the respondent has withheld the said information though available with it which could throw light upon issues in controversy and on that count it is necessary to raise adverse inference against the respondent as held in the case of Opal Krishnaji Kothkar v/s Anshu Raji Lati, 1963 I L 202-234 can be said legal and proper. The respondent has also not adduced oral evidence to rebut the oral and documentary evidence adduced by the complainant union in support of its claim, necessarily go to show that the oral evidence of the complainant's witnesses and the documentary evidence of the appointing letters and the



undisputed facts ^{maintaining} of the list of health workers lead to draw the adverse inference that the respondent hospital is employing the health continuously for years together.

13. In the light of the above discussion and the documents on record, it is necessary to consider whether the submissions made by the Adv. for the respondent that the respondent is a Government hospital and there is nothing on record to show that in filling the permanent vacancies in any class or occupation in the establishment, the health are not considered in view of the provisions of Bombay Industrial Employment (Standing Orders) Act, 1946, clause 4(b), (3) and 4(e) and submitted that as per the explanation of clause 4(e) as it is necessary to consider that the respondent has to abide by the rules and regulation of Maharashtra Civil Services Rules which are applicable to the Government of Maharashtra employees and in view of the provisions of Administrative Tribunal Act. There is no need to entertain this complaint can be said neither legal and proper. To my mind, the said submissions made by the Adv. for the respondent cannot be said legal and proper as per the Bangalore Water supply's case the hospital is an Industry and therefore to my mind the Model Standing Orders shall apply to its employees in addition to the Government Civil Service Rules. It is well settled legal position that the legislation or rules which advances the cause of, enactment required to be considered and the legislation which is beneficial from worker's point of view is required to be looked into. The M.I.E. Act is a beneficial legislation which is enacted for the purpose of improving and

working conditions of the employees and preventing their from
exploitation and this fact in view of the provisions of Item 6
of sch.IV and the respondent being an industry, to my mind, 11
the provisions of Model Standing Orders can be said applicable
while deciding the controversy between the parties. Model
Standing Orders defined the casual, temporary and badli.
Badli or substitute means a workman who has appointed to the
post of permanent workman or probationary who is temporarily
absent and whose name is entered in badli register, the defini-
tion of badli in the standing Orders indicate that the before a
person can describe himself as a badli, certain conditions have
to be specified. Those conditions are first of all neither a
permanent workman nor probationary has to be temporarily absent
a workman has to be employed on the post of which such permanent
workman or probationary who is absent used to work. He must work
in the post by virtue of positive act of employment by the employer
and then only he gets employed. Thus as per the Standing Orders
if all the conditions are satisfied then only a person can be
described as badli. Such workman is nothing but a substitute.
As per the provisions of Standing Order 4(c) a badli or temporary
workman has put in uninterrupted service of 100 days in any estab-
lishment of seasonal nature and 240 days in other establishment
during a period of preceding twelve calendar months shall be made
permanent in that establishment. As per the explanation of 4(c)
of Model Standing Orders for the purpose of the said clause any
period of uninterrupted service, which caused by cessation of
work which is not due to any fault of the workman concerned, shall
not be counted for the purpose of completing 100 days or 240 days.
As the case may be, for making a badli or temporary workman
permanent. It can be said that if such persons are

"The judgment of the Supreme Court in Kondhwa case (1996(1) LLN 473) (vide supra), is thus a clear authority for the principle that while it is true that it is not a mere employment for years together that constitutes an unfair labour practice under Item (6) of Sch. IV of the Act, whether or not the engagement of temporary workers for years together was with the object of depriving them of the status and privileges of permanent employees, can be a matter of inference based on the circumstances on the record. The object of the employer is ultimately a matter of subjective evaluation which can only be present in the mind of the employer. Consequently, the establishment of the object of keeping temporary as such for years together cannot be stretched to unreasonable limits because if that were to be done, the whole purpose and spirit of the Act would be defeated. Thus, in every case in which there is an allegation of a violation of item (6) of Sch. IV of the Act, the Court must make a realistic appraisal of the circumstances on the record for the purpose of evaluating whether the object of employer come within the purview of item (6). The length of service which is rendered by the employees as temporary workers, the difference, if any, between the benefits allowed to temporary workers as opposed to permanent workers, the nature of the work which is being performed, by the temporary workers and the nature of the business of the employer, these are the circumstances which may be of relevance in arriving at an inference in regard to the object of the employer in employing temporary or casual workers. As in other cases, it would be hazardous to the Court to attempt an exhaustive-enumeration of the circumstances which could be relevant for an analysis of item (6) and ultimately each case will have to be considered on its own facts."



Considering the aforesaid observations and Item 6 of Sch. IV of the Act make it an unfair labour practice to employ workers inter alia as temporaries and to continue them for years together with the object of depriving them of the status and privileges of permanent employees. In other words the basis of Item 6 is not merely the employment of temporary work is not that in all employments or each must be with the

employed with a view to ensure that they do not complete more than 240 days in a year and such practice is continuous for years together than as per Item 6 of Sch. IV of the Act, definitely it is an unfair labour practice. If the above test is applied in this case, it is very clear from the evidence of the witnesses of the complainant and the list filed by the hospital authorities and list filed at Ex. 8A by the complainant. The employees of this complainant are workers as defined in various categories since several years without getting the benefits of permanency. It is an undisputed fact that in the present case the employees whose seniority list is given by the hospital are in the employment of the hospital since several years. From the evidence of both the witnesses it appears that the seniority lists filed with Ex. C-13 by the respondent were issued to the complainant union and the complainant union had not raised any objection to the said seniority list maintained by the hospital and therefore, the contention raised by the complainant's witnesses that the said seniority lists which are produced by the respondent with Ex. C-13 are not properly maintained, cannot be said just and proper. The respondent hospital has furnished the particulars of the permanent vacant posts in the hospital as per the document at Ex. C-10.

14. In the authority relied by Shri N.D. Dhot, Advocate in the case of Dunroths welcome (I) Ltd., Mumbai v/s Sh. G.H. Ghosh (cited supra). The observations in the case of Punjab-Indo Kishori Vidyapeeth, Amritsar, relied by the respondent's Advocate are distinguished relying upon the judgment of Supreme Court in Kandhari's case (1956 1 L.J. 1223) and observations there-

object of depriving them of the benefits conferred upon permanent employees and this position emerges from the language of It a G itself but that was also from the context of the respondent's attacks in this case. In view of the Circular issued by the Director of Medical Education and Research etc. 8.11.95 in which it is specifically mentioned that the Dean of the Government Hospitals should see that it should take care of no permanent vacancies should be filled in of Class IV employees in the Gov. etc. 2.12.63. It is also mentioned that it is therefore specifically brought to the notice of all appointing authorities that it is only not permissible to make direct appointment without reference to the employment exchange for vacancies in Class IV and Class IV posts which are not likely to last for more than a month and the appointing authorities are satisfied that there is no adequate time to obtain a candidate from the employment exchange and if such posts are likely to continue beyond one month for any reasons appointing authority should see that the persons appointed directly are replaced by the employment exchange candidates, as early as possible, and in any case within 3 months. I thus hold that, the submissions made by Mr. Patankar, Adv. that in view of the admissions given by the witnesses examined by the complainant, the complainant has failed to prove any unfair labour practice under It a G of sec. IV of the Act cannot be said legal and proper. The complainant has though not filed a writ mandamus under It a G and on that count in application of sec-2 (b) of the Act and on said count on which it is in High Court in writ petition no. 1132/93. The matter is now pending in the



etc. 23.6.99 observed that the person of impugned order states
 it clear that the Industrial Court has denied the interim
 relief mainly on the ground that the writs have not speci-
 fically pleaded unfair labour practice under Item 9 of sch.IV
 of the said act, in my opinion on the facts case has been made
 out by the petitioner union for grant of interim relief. The
 submissions made by the Gov. for the respondent that the com-
 plaint is therefore, not entitled to relief as claimed also
 cannot be said legal and proper. Even though the complaint is
 not filed under Item 9 of sch.IV of the act because non imple-
 mentation of Model Standing Order is amounting to breach or
 violation of Item 8 of sch.IV of the act. The submissions made
 by Mr. Patankar, Adv. that Maharashtra Administrative Tribunal
 has jurisdiction to entertain the grievance in the complaint as
 the services of the employees are governed under A.S. and ac-
 cording to the provisions of sec. 20 of Administrative Tribunal act,
 the jurisdiction lies before the said Court or there is exclusion
 of jurisdiction of other courts also cannot be said considered
 as legal and proper in view of the observations of the Hon'ble
 High Court in the order referred above in writ Petition No.1182/99
 wherein the said point was also agitated by the respondents and
 in view of the order passed by this Court below in C-8. I there-
 fore, hold that in view of the suggestion given to the concerned
 witnesses that they are employed only for 29 days in view of the
 Govt. Circular, it can be said that though the permanent posts
 have fallen vacant as per C-16 and also the seniority list
 of the employees is on record. The respondent has not appointed
 any of back workers on those posts and this itself indicates that
 there was some delay in appointing the complainant as per seniority.
 I thus, hold that it can be said by law that the complainant



circumstances that just to deprive the privileges and benefits to these employees the respondent did not take care for the permanency and this is certainly not permissible under the Act. It is not in consonance with the Standing Orders. Considering this aspect, I find that the complainant has made out a case for declaration of unfair labour practice against the respondent.

15. As pointed out earlier the list of the workmen filed by the respondent with Ex.C-13 at Ex.7A' copy, is maintained in view of the directions of the Hon'ble High Court in writ Petition No.1182/99 dtd. 23.6.99 and the union has not raised any objection to the said list and the witnesses examined by the complainant have specifically admitted that after the directions of the Hon'ble High Court seniority list was maintained by the hospital as per the information given by the bedli workers from time to time. The said list can be considered as basis for giving benefits of permanency to the workmen concerned who are senior most in the said list. As per the various posts shown in the said list, I thus hold that the documents of appointment letters, the list at Annex-C-5 filed with written statement at Ex.C-5 necessarily go to show that none claim made in the complaint that the respondent be directed to cease and desist any unfair labour practice under Item 6 of Sch. IV of the Act and to appoint bedli workers, in accordance with the seniority list in the vacant post in the hospital can be said legal and proper. The complainant union is therefore entitled to such relief. The contention raised by the respondent that the complainant has claimed the relief's of bedli workers in other establishment also is not substantiated and proved by adducing any oral and documentary evidence by the

Respondent. To my mind, while considering the claim made in the complaint the seniority list which are filed by the respondent at Ex. 'A' colly. with Ex.C-13 are required to be considered as basis in view of the directions given by the Hon'ble High Court while filling up the vacant post as prayed in the complaint. The authority relied by Mr. Patankar, Adv. in the case of Prakash Cotton Mills Pvt. Ltd. v/s The Rajasthan Mills Mazdoor Sangh, 1986 II CLR 146 is not any way applicable to the facts of this case. I am of the view that Respondent is clearly guilty of unfair labour practice within the meaning of Item 6 of Sch. IV of the Act. The complainant is therefore entitled to declaration under the said item. In the result, I answered all issues accordingly and pass the following order.

ORDER

- i) The complaint is partly allowed.
- ii) It is hereby declared that the Respondent has engaged in and are engaging in unfair labour practices under Item 6 of Sch. IV of the M.T.U & PULP Act, 1971 and they are directed to cease and desist from continuing to do so.
- iii) The Respondent is directed to consider the backlist workers shown in the seniority list filed by the Respondent at Ex. 'A' colly. with Ex.C-13 as per their seniority and by considering their suitability for the post, make them permanent in proportionate to the vacant permanent post and the other conditions of their service including of service.

iv) No order as to costs.

sd/-
(S.M. RATNAKAR)
MEMORIAL
INDUSTRIAL COURT, MUMBAI.
29.07.2003

sd/-
(K.G. Bhathe)
Registrar,
Industrial Court, Mumbai.
Dt/- 12/8/03

ryp/-

Copy applied by Lata N. Shirkhe
Copy applied on 11.8.03
Copy ready on 13.8.03
Copy received by R.Y. Pardeeshi
Copy sent to court by ---
Copy filed in court on 13.8.03
Fees & court charges Rs. 25/-
C-6 NO. 2051/03

CERTIFIED TRUE COPY

[Signature]
13/8/03

Assistant Registrar
Industrial Court Maharashtra
Mumbai

JUDGEMENT (Dated:- 29th July,2003)

The complainant union has filed this complaint under Item 6 of Sch.IV of the MRTU & PULP Act (in short, the Act) with a prayer to direct the respondent hospital to make a seniority list of all the badli workers on the basis of their initial dates of working to provide the work in accordance with the said seniority list and further direction not to recruit any fresh workers.

2. The brief fact giving is to this complaint is as under :

This complainant is a trade union representing the workme of respondent hospital. The respondent hospital recruits a large number of casual] badli or temporary workers specially with the object of depriving them status and privilege of permanent employees. This respondent hospital employs them for a period of 29 days in a month and on last day of each month, terminate their services. It is alleged that as such, giving one day break in their employment and ensures that no workman would complete 240 days in a year. All aggrieved workman are safai kamgar (Scavenger) doing work of sweeping, a work of perennial in nature. It is alleged that on the similar set of facts complaint has been filed in respect of St.George Hospital, Mumbai being Complaint (ULP) NO.2748/94. In the said matter the Bombay High Court has made an order. A true copy of which is filed at Ex. 'B'. On the similar facts complaints have been filed at Pune and Aurangabad in the Industrial Courts and the said Courts have made orders. The true copies of which are annexed at Ex. 'C' & 'D'. It is alleged that the respondent ought to have made seniority list of all badli workers and thereafter the respondent is required to absorb all the badli workers and no fresh workers should be recruited till all badli workers are absorbed. It is alleged that the respondent hospital has recruited about 100 fresh workers keeping out the workmen listed in Ann. 'A' to the complaint. The respondent has thus indulged into unfair labour practiced under Item 6 of Sch.IV of the Act. The complainant has the post, filed this complaint with the above prayee.

3. The respondent hospital has conducted the complaint by filing written statement at EX.C-3. It is contended that the respondent hospital has been owned by the State Government of Maharashtra. The recruitment and

permanency has been governed by the regulations and circulars issued by the State Govt. from time to time. As per the provisions u/s 15 of the Administrative Tribunals Act, the complaint is not maintainable as the Jurisdiction vests with the MAT constituted under the Administrative Tribunals Act, 1985. The respondent has been employing the badli workers according to the State Government Rules in the leave vacancy of permanent workers and in some vacant post the procedure for selection of the said workers for Badli kamgars has been as per norms given by the Hon'ble High Court in Writ Petition No.2748/94 where the respondent hospital has been directed to appoint the workers from seniority list or on compassionate grounds. The Employment Exchange has been concerned authority for the recommendation of appropriate candidates to be recruited. The respondent is not depriving the workers concerned from attaining their status and privilege of permanent employees. The respondent has not appointed permanent employees in view of the orders issued on 7.2.89 by the Minister of Health as per Ex '3' and also as per directives issued on 1.9.92 by the Government of Maharashtra i.e., Ex '4'. The action of the respondent is justified by virtue of stay order issued by Director of Medical Education and Research which is at Ex. '2'.

4. The respondents grant only 29 days appointment to these badli workers as the respondent is empowered to grant only such appointment as per Sr.No.

-----/1060/c-1089 dtd.2.12.88 i.e., as per Ex. '1'. It is contended that only monthly appointment of badli kamgar have been done according to seniority list which are maintained by the respondent in this complaint. It is contended that the list of persons annexed by the complainant under the head "ward Boys, Matron office, J.J Hospital Nursing Department, workers and ward boys Grand Medical College " are concerned. The respondent hospital contended that the employment of workmen in Grand Medical College and Nursing Department is governed and controlled by separate establishment and that cannot be combined with the seniority list and or employment of badly workmen in J.J .Hospital. The complaint filed on their behalf is misconceived and not maintainable. It is contended that respondent wish to appoint permanent employees in view of the Judgment delivered by the Pune Industrial Court under Jurisdiction from the Government of Maharashtra as this will permanently solve crisis. It is thus contended that no unfair labour

practice have been done during employing badli workers. The complaint therefore be rejected.

5. Shri. N.D.Bhat, Adv. for complainant made submission that there are various hospitals of Government. The respondent is not absorbing badli workers. The Complainant union has filed complaint against Sasoon Hospital Pune and Government Hospital Aurangabad in Industrial Courts of Pune and Aurangabad. The complainant succeeded in those complaints. The badli workers are required to be considered as per Model Standing Orders. He made submission that the claims of the permanency arising on two counts 1) On the ground of permanent vacancies and 2) 240 days uninterrupted service rendered by the concerned badli workmen of the respondent. The Government has not complied the provisions of Model Standing Orders. The Government circulars if contrary to the Model standing orders, it cannot be a ground to reject the reliefs claimed as per Model standing orders. The respondent has not produced oral evidence and therefore the evidence of complainant is to be believed and considered. As nobody unturned in the witness box on behalf of the respondent the adverse inference will have to be drawn against the respondent. He also submitted that the defence raised by the Respondent is not supported by any oral evidence, the claim made by the complainant to give benefit of permanency can be said proved by the complainant. He submitted that hospital is essential service. It comes under the definition of Industry. Aayas and Ward boys and Sweepers are necessary to be appointed in the hospital. The Government has to provide reasonable employment. Government has not deducted P.F. for about last 20 years of the concerned workmen. The appointment letters and other record is produced by the complainant. The respondent ought to have filed relevant record. The complainant has submitted an application at Ex. u-26 for production of documents and information. The respondent has supplied the information at Ex. u-16 but that cannot be believed . No badli worker is accommodated for about last 20 years. The evidence of the witness examined by the complainant is consistent with the case made out by the complainant. He made submission that the incorrect seniority list was prepared by the respondent and manipulation is made. The appointment of badli worker be made as per Model Standing Orders. There cannot be only one post Aayas in such a big hospital like respondent. If so issued contrary to the law, it is necessary to be ignored.

He relied that evidence of Jyoti Sakpal at Ex.u-25 and Ankush Ramchandra Utekar at Ex.u-26. He made submission that in view of the observation in the case of Chief Conservator of Forest and another v/s Gannanath Maruti Kendhare, 1996 ILLJ-1225 employment as "badlie" , casuals or temporary for years with the object of depriving them the status of permanent employee and continuing the casuals for long years was held an unfair labour practice under Item 6 of Sch. IV of the act by the apex court. He also submitted that but High Court in the case of Burroughs wellcome (I) ltd v/s O.N. Ghosle and ors, 2001 (2) ----- p-696 held that completion of 240 days were alone is not sine qua non for a valid claim under Item (6), sch. IV of the Act and Court must make a realistic appraisal in such case if the object of the employer in keeping temporaries as such for years was to deprive them of the status and the privileges of regular employees and held that the concerned workers are entitled to grant benefit of permanency. He also relied the case and the observations in the case of Maharashtra Small Scale Industries Development Corporation, Ltd. and ors v/s Industrial Court, Nagpur, Nagpur, 1990 II LLR-76. He further submitted that party withholding from the court the best evidence in his position which could throw light upon issues in controversy. As it could raise an adverse inference against such party in view of the observation in case of Gopal Krushnaji Kotkar v/s Mohmmmed Haji Latif and ors, 1968 ILCJ-954 and S.P.Changaludiye Naidu v/s Jagganath, A.11994 Supreme Court-853 and Judgements of Industrial Court , Pune in the case of Sarv Mazdoor Sangh v/s Sassoon General Hospitals in complaint (ULP) No.579/91 delivered on 30.4.92 and Sarv Majdoor Sangh v/s The Dean, St. George Hospital, Mumbai in complaint (ULP) No.1271/93 dated 20.1.2003 and submitted that the complaint be allowed and respondent be directed to fillup the permanent vacancies from badli workers and the badli workers who completed 240 days in a year be made permanent.

6. Mrs. N.R.Patankar, Adv. for the respondent made submission that respondent hospital is Government hospital. The rules and regulations which are applicable to the Government are applicable to hospital. The posts are civil Posts. She drew my attention to the evidence of Smt. Jyoti Sakpal and Ankush Utekar and submitted that the said witness have also submitted that the respondent hospital is appointing permanent employees as per Government GRs and rules and as per the names referred by an Employment Exchange. She

further submitted that in the complaint and evidence it is nowhere alleged that they have deprived with the object to keep them temporary for years together. The said witness also submitted that they get the salary as per the Government Servants. The copy of the seniority list prepared by the respondent was sent to the Union after passing order by the Hon'ble High Court as per Annexure 'B' to the written statement. The complainant union has not raised any objection to the seniority list before this court or High Court. She made submission that the statements of the concerned workmen show that Item 6 is not attracted. Smt. Patankar, Adv. relied the observation in the case of Punjabrao Krishi Vidyapeeth, Akola v/s General Secretary, Krishi Vidyapeeth Kamgar Union and ors, 1994 I CLR-913 and submitted that as held in the said case if there is no proof that the object in employing labourers as temporaries for years together was to deprive them of the status and the benefits of permanency and as such Item 6 of Sch.IV was not attracted. Smt. Patankar, Adv. further relied the observation in the case of Prakash Cotton Mills Pvt Ltd v/s Rastriya Mill Majdoor Sangh, 1986 II CLR-146 and submitted that as per the observation in the said case Badli workmen however held have no right to claim compensation on account of closure. Industrial Dispute Act, 1947 and Sec 25(c) thereof excluding badli workmen or casual workmen from the benefit of compensation in the case of lay off. She made submission that in view of the observations in the above ruling the claim made by the complainant cannot be said legal and proper. She further submitted that the respondent is not depriving the concerned workmen from any benefits therefore Item 6 is not applicable. She submitted that Item 6 of Sch. IV is applicable only when regular strength is more than the permanent vacancies and some of the workman who are appointed as badlies are doing the work as casuals but irregularly. She made submission that in this case no design can be imagine in the mind of respondent in view of the observations given by the witness in the examination by the complainant that with a view to deprive them of benefits of permanency they are recruited as badli workers . She further submitted that respondent has to comply with the High Court Order and the Government circulars . The witness of the complainant have no grievances about the explain compliances of the High court direction and Government circulars. She further submitted that the respondent has raised objection about accountability of the complaint. In Jurisdiction as regards

subject matter of the complaint lies with Maharashtra Administrative Tribunal Act in view of the provision of the Sec.20 of the Maharashtra Administrative Tribunal Act and in the affidavit of Ex.C-8 such objection is specifically raised. She therefore made submission that the complaint is liable to be dismissed. The provisions of Model Standing Orders will not come into the picture in this case as the provisions of Maharashtra Civil Service Rules are applicable to the respondent. The respondent is following rules and regulations of the Government. Government have no grievance about the system followed by the respondent even if posts are vacant the respondent can not fill up unless the Government gives sanction. The complainant has not made Government as party to this complaint. The respondent is a body who has Administrative Control only therefore as there is no question of unfair labour practice on the part of respondent. She made submission that the citations relied by the Complainant are not applicable to the facts of this case. The complaint therefore, be dismissed.

7. The following issues are framed by the Ld. Predecessors Shri.A.V.Ingule at Ex.C-8. My findings on the said issues with reasons are as under:

ISSUES	FINDINGS
1. Whether the Complainant has proved that the respondent has engaged in and is continuing to engage in unfair labour practices prescribed under Item 6 of Sch.IV of the MRTU & PULP Act	Proved
2. Whether the complainant is entitled to the relief claimed in the complaint?	Yes
3. What order ?	As per Final order

REASONS

8. As to all issues vide order passed below Ex.U-19, the list Ann 'X', with Ex.U-19 was directed to be considered as the list of concerned workmen in the complaint in place of list shown in Ex.A to the complaint as it is alleged that some names of badli workers remained to be mentioned in the list shown in

Ex.A attached to the compliant. The respondent have also produced the seniority list of 3 categories i.e., Safai Kamgar Male, Safai Kamgar Ladies and Wardboys with Ex.C-13 i.e., reply to the application filed by the Complainant to substitute Ex. A to the complaint consisting of list of seniority of badli employees which is Ann.'A' colly with Ex.C-13.

9. In this case the Hon'ble High Court in Writ Petition filed by the complainant union being writ Petition no.2557/01 directed to dispose of this complaint within six months from 6.2.03 vide its order dtd.6.2.03. The record of the case also shows that the order passed below Ex.U-2 in this complaint dtd.3.3.99 for grant of interim relief that the respondent hospital be made seniority list of all the badli workers on the basis their intial date of working and to provide them work in accordance with the said seniority list and furthure directions not to recruit any fresh workers which was rejected by this Court, was challenged by the complainant before the Hon'ble High Court vide its order dtd.23.6.99 allowed writ Petition in terms of prayers clauses (a) & (b) and made it clear that the said order without prejudices to the right of the respondent to ---- make appointment on compassionate ground in accordance with the rules. It is also pertinent to note that in complaint (ULP) No. 1271/93 filed by sarv majdur sangh v/s The Dean St. Jorge hospital of the Objection of interim relief by the Industrial court with its order dated 30.9.1994 challenged the said order of the Hon'ble High court in writ petition no 2740/94 and the Hon'ble high court vide order dated 9.1.1995 allowed the writ petition in the--- -- for interim relief which was brought before the industrial court granting the relief that pending before hearing and final disposal of the complaint to direct the respondent not to make any fresh appointment but to appoint persons from the seniority list of dadli workers prepared in the order of initial date of appointment as badli workers in the hospital.

10. In this complaint, the complainant had added evidence of Joyti Sakpal at ex. U-25 and Ankush Utekar at ex. U-28 in support of this case. The Respondent have not produced oral evidence and filed ----- to that effect at ex.C-17.

11. While considering the claim made in this complaint it is necessary to consider whether the case made out by the complainant that in view of the item 6 of sch. IV of the Act, the person employed as badli, causal or

temporary and continuation of them as such for years together with the object of depriving them of status and privilege of permanent employees is proved by the compliant or not. For that the oral evidence of two witness of complaint and the documents produced by the complainants as well as the respondent are necessary to be scrutinize. In the oral evidence of Joyti Sakpal she had specifically stated that she was appointed as badli kamgar initially on 15.3.1991 up to 12.4.1991 and the said order is of 139 of U-224 she has also stated that the certificate issued by the respondent showing that she worked as kakshya sevika form time to time is produced by --- at--- 140 and 141 of Ex.U-24. She has also stated that the previously badli workers used to be appointed by the rotation with that means the respondent used to provides work to badly workers for about 1-2 months and there after the breaks for 1-2 months used to be given and during that period the other workers used to be appointed by the respondent only with a view to deprive that to give continuous work by the respondent and to avoid benefit of permanency to badli workers . she has also stated that they used to get Rs, 4100/- P.M. when they are appointed as badli and the permanent workers used to get initially Rs 4500/ P.M. she has also stated that the other benefit which are provided to permanent employees are not given to that such as leave, deduction of P.F. etc. she has also stated that any vacancies of permanent employees are with vacant in the respondent hospital but they are purposely not filling by the respondent. In the evidence of Ankush Utekar, of Ex. U-28 he has stated that his seniority is not properly considered by the respondent while making the seniority list. He is working as badli worker From 1.2.1997 by giving works to his of 1 or 2 days and they used to get 2-3 monts wrok in a year because of the orders of 29 days only after 1992. He has aslo stated that while making appointment of permanent employees in 1993 the seniority list of that was not considered and any vacancies of ward boys are vacant in the hospital. This said witnesses have addimte4ed that after the direction given by the Hon'ble high court the badli workers are getting regular work and there is gap of two days In the appointment orders.

The said witnesses have ----- admitted that, because of the directions given by the Hon'ble High court only senior most persons are getting works at present, on the vacant post of badli workers. The said witnesses though admitted that the Government circular and G.R. are applicable to the

Respondent and the seniority list is maintained by the Hospital is not challenged by the union. It is necessary to consider whether in the light of the -
---- given in the cross examination by the above two witness. A whether the complainant has proved that Item 6 of sch. IV of the Act. attracts or not while determining their case.

12. Item 6 of Sch. IV of the Act. runs under.

“To employ employees as badli”, casual or temporaries and to continue them as such for years, With the object of depriving them of the status and privileges of permanent employees.”

and the same is considered general unfair labour practice on the part of the employees. The respondent has filled information at Ex-16 which was called for by the complainant vide Ex. U-26 . The said information is though not complete information as called by the complainant however, from the said information at Ex.. C-16, It appears that total number of posts sanctioned in each category i.e. wordboys-500 sanctioned posts, Aayas 1 sanctioned post, also male and female sweeper total 352 sanctioned posts, are there however, there is no differentiation or bifurcation as male and female sweeper. As per the said information, bifurcation there are vacant post of ward boys-30, Aayas- -- all sweeper-140. The respondent has not produced in oral evidence --
---- of the evidence added by the witness of the complainant however, from Ex. C-16 t can be said that there about 178 posts e vacant in the hospital of ward boys and sweeper from the list produced by the respondent at Ex. C-5, with their written Statement it appears that the Respondent has given details of the days of the work done by 43 safai kamgar sanctioned in the list for the period 1991 to 1996 and the said list shows that almost all workers concerned in the said list in --- each year worked more than 100 days in a year as and same workers have aslo worked about 200 or more days during that period. The Respondent in the seniority list filed with EX. C-13 has given the details of first appointment or initial appointment of badli workers. from the said list it reveals that the said workers were appointed as badli workers form the year 1976 onwards. The Respondent however, has not given details the work done by such of badli workers in each year of there initial appointment as given in the list. and Ex-C-6. filed with the written statement. In the seniority list refered above filed with Ex.C-13 as annex. A colly. The respondent has these

avoided to give information of each worker about the work done by them from their initial appointment and therefore, the case made out by the complainant that the respondent has withheld the said information though available within which could throw light upon issues in controversy and on that count it is necessary to raise adverse inference against the respondent on said in the case of Gopal Krishnaji ketkar v/s mohamad haji latif, 1963 I SC3-934 can be said legal and proper. The respondent has also not produced oral evidence to about the oral and documentary evidence adduced by the complainant union in support of its claim, necessarily go to show that the oral evidence of the complainant, witnesses and the documentary evidence of the respondent letters and the undisputed facts maintaining list of badli workers lead to draw the adverse inference that the respondent hospital is employing the badlies continuously for years together.

13. In the light of the above discussion and the documents on record. It is necessary to consider whether the submissions made by the adv. for the respondent that the respondent is a Government hospital and there is nothing on record to show that in filing the permanent vacancies, in any class of occupation in the establishment, the badlies are not considered in view of the provisions of Bombay Industrial Employment (standing orders) Act. 1948, clause 4 (b), (3) and 4 (a) and submitted that as per the explanation of clause 4(a) an it is necessary to consider that the respondent has to abide by the rules and regulation of Maharashtra Civil Services rules which are applicable to the Government of Maharashtra employees and in view of the provisions of Administrative Tribunal Act. there is no need to entertain this compliant can be said whether legal and proper. To my mind, the said submissions made by the Adv. for the respondent cannot be said legal and proper as per the Bangalore water supply case the hospital is an industry and therefore to my mind the nodal standing orders shall apply to its employees in addition to the Government Civil Service rules. It is well settled legal position that the legitimation or rules which advanced the Cause of enactment required to be considered and the litigation which is beneficial from workers point of view is required to be look into. The MRTU and PULP Act. is beneficial legislation which is enacted fro the purpose of improving service conditions of the employees and preventing their from. explanation and therefore in view of the provisions of item 6 of sch.IV and the respondent being an industry my mind,

to the provisions of model standing orders can be made applicable while deciding the controversy between the parties, model standing orders defined the casual/ temporaries and badlis . Badli or substitute means a workman who was appointed to the post of permanent workman. or probationary means who is temporarily absent and whose name is entered in badli register the definition of badli in the standing orders indicate that before a reason can disable himself as a badli, certain conditions has to be specified. Those conditions are first of all neither a permanent workman nor probationer has to be temporally absent workman has to be employed on the post of which such permanent workman or probationer who is absent used to work . He must work on the post by virtue of positive act of employment by the employees and then only he gets employed. Thus as per the standing orders if all the conditions are satisfied then only a person can be described as badli. such workman is nothing but a substitutes. as per the provisions of standing order 4 (c) a badli or temporary who has put in uninterrupted service of 190 days in any establishment of seasonal nature and 240 days in other establishment using a period of preceding 1 calendar months shall be made permanent I that establishment. As per the explanation of 4(c) model standing orders for the purpose of the said clause in avoid of uninterrupted service caused by----- of work which is not due to any fault of the workmen concerned, shall not be counted for the purpose of coming 190 days or 240 days,----- as the case be, for making a badli of temporary workman permanent. It can be therefore said that of such person employed with a view to ensure that they do not complete more than 240 days in a year and such practice is continued for years. together than s per item 6 of sch. IV of the Act, definitely it is an unfair labour practices. If the above fact is applied in this case, It is very clear form the evidence of the witness of the complainant and the list filed by the hospital authorities and list filed at Ex. A. by the complainant. The employee of this complaint are workers as badli in various categories since several years. without getting the benefits of permanency. It is an undisputed fact. that in the present case the employees whose seniority list is given by the hospital are in the employment of the hospital since several years, from the evidenc of both the witnesses is appears that the seniority list filed with Ex, C-15 by the respondent. were issued to the complainant union and the complainant union had not raised any objection to the said seniority list maintained by the hospital and therefore the

contentions raised by the complainants witnesses that said seniority lists which are produced by the respondent with Ex.C-13 are not proper the maintained, cannot be said just & proper. the respondent hospital has furnished the particulars of the permanent vacant post in the hospital as per the document at Ex.C-16.

14. In the authority relied by shri A.D.Bhat Adv.in the case of Burrornge welcome (P) limited, abdul v/s Ghosala &cited supra) the observation in the case of Panjabrao kurshi vidhyaptih akola relied by respondent adv. are distinguished relying upon the judgment of Supreme court in Kendhares case (1996 ----- 1223) and observed that.

“ The judgment of the supreme court in Kendhares case (1996(1)LLN 475) (vide supra),is this clear authority for the principle that while it is true that it is not a mere employment for years together that constitutes an unfair labour practice under item (6) of sch.IV of the Act. Whether or not engagement of temporary persons for years together was with the object of depriving them of the status and privileges of permanent employees , can be a matter of inference based on the circumstances on the record. The object of the employer is ultimately a matter of subjective evaluation which can only be present in the mind of employer. Consequently the establishment of the object of keeping temporaries as such for years together cannot be stretched to unreasonable limits because if that case to be done the whole purpose and spirit of the Act would be defeated. Therefore, in every case in which there is allegation of the violation Item 6 of Sch.IV of the Act, the Court must take a realistic appraisal of the circumstances on the record for the purpose of evaluating whether the object of employer come within the mischief of Item(6). The length of the service which is rendered by the employers as temporary workers, the difference, if any, between the benefits allowed to temporary workers as opposed to permanent workers, the nature of the work which is being performed by the temporary workers and the nature of the business of the employer, these are the circumstances which may be of relevance in arriving at an inference in regard to the object of the employer in employing temporary or casual workers. As in other areas, it would be hazardous to the Court to attract on exhaustive enumeration of the circumstances which could be

relevant for the analysis of Item (6) and ultimately each case will have to be considered on its own facts.”

Considering the aforesaid observation and Item 6 of Sch.IV of the Act makes it an unfair labour practice to employ workers inter alia as temporaries and to continue them for years together with the object of depriving them of the status and privileges of permanent employee. In other words the basis of Item (6) is not merely the employment of the temporary workers but their employment as such must be with the object of depriving them of the benefits conferred upon permanent employees and emerges from the language of Item (6) itself. But that has also from the conduct of Respondent attracts in this case. In view of the circular issued by the Director of Medical Education and Research dtd.8.11.95 in which it is specifically mentioned that the Dean of the Government Hospital should see that it should take care of no permanent vacancies should be filled in Class IV employees. In the case dated 3.12.68 it is also mentioned that it is therefore specifically brought to the notice of all accounting authorities that it is only permissible to make direct appointment without reference to employment exchange for vacancies in class IV and class IV posts which are not likely to last for more than a month and the appointing authorities are satisfied that there is no adequate time to obtain a candidate from the employment exchange and if such posts are likely to continue beyond one month for any reasons appointing authorities should see that the persons appointed directly are replaced by the employment exchange candidate as early as possible, and in any case within 3 months. I thus hold that, the submission made by Smt.Patankar, Adv.that in view of the submissions given by the witness examined by the Complainant, the complainant has failed to prove that any unfair labour practice under Item (6) of Sch.IV of the Act cannot be said legal and proper. The complainant has though has not filed this complaint under Item 9 and on that count the application at Ex.u-2 was rejected and the said order was challenging order in High Court in writ Petition no.1182/99. The Hon'ble High Court vide order dtd.23.6.99 observed that ' a person of impugned order makes it clear that the Industrial Court has denied the Interim relief mainly on the ground that the workers have not specifically pleaded unfair labour practice under Item 9 of Sch.IV of the said Act. In my opinion Prima facie case has been made out by the petitioner union for grant of interim relief". The submission made by the Adv.

for the respondent that the Complainant is therefore not entitled to relief as claimed also cannot be said legal and proper- even though the complaint is not filed under Item 9 of Sch.IV of the Act because non implementation of Model Standing Order is amounting to breach of violation of Item 6 of Sch.IV of the Act. The submission made by Smt.Patankar, Adv. that Maharashtra Administrative Tribunal has Jurisdiction to entertain the grievances in the complaint as the services of the employees are governed under MCSR and as per the provisions of Sec.28 of Administrative Tribunal Act, the Jurisdiction lies on the said court or there is exclusion of Jurisdiction of other courts also cannot be said considered as legal and proper. In view of the observations of the Hon'ble High Court in the order referred above in writ petition no. 1182/99 wherein the said point was also agitated by the respondents and in view of the order passed by this court below Ex.c-8. I therefore hold that in view of the suggestion given to the concerned witness that they are employed only for 29 days in view of the Government circular. It can be said that though the permanent post have fall on vacant as per Ex.c-16 and also the seniority list of the employees is on record as the respondent has not appointed any of badli workers on those posts and this itself indicates that one was done for depriving the members of the complainant the status of permanency. I thus, hold that it can be oftenly inferred from the attending circumstances that just to deprive the privilege and benefits to these employees the respondent did not take care for their permanency and this is certainly not permissible under the Act. It is not in consonance with the standing orders. Considering this aspect, I find that the complainant has made out a case for declaration of unfair labour practice against the respondent.

15. As pointed out earlier the list of workmen filed by the respondent with Ex.C-13 at Ex.A colly. is maintained in view of the directions of the Hon'ble High Court in writ petition no.1182/99 dated 23.6.99 and the union has not raised any objection to the said list and the witness examined by the complainant have specifically admitted that after the directions of Hon'ble High Court Seniority list was maintained by the hospital as per the information given by the Badli workers from time to time. The said list can be considered as basis for giving benefits of permanency to the workmen concerned who are seniormost in the said list. As per the various posts shown in the said list, I thus hold that documents of appointment letters, the list at Ann.c-6 find with written

statement at Ex.c-6 necessarily go to show that claim made in the complaint that the respondent be directed to cease and desist any unfair labour practice under Item 6 of Sch.IV of the Act and to appoint badli workers in accordance with the seniority list in the vacant post in the hospital can be said legal and proper. The complainant union is therefore entitled to such relief. The contention raised by the respondent that the complainant has claimed the relief of badli workers in other establishment also is not substantiated and proved by adducing any oral and documentary evidence by the respondent. To my mind, while considering the claim made in the complaint the seniority lists which are filed by the respondent at Ex.'A' colly. with /ex.C-13 are required to be considered as basis in view of the directions given by the Hon'ble High Court while filling up the vacant post as prayed in the complaint. The authority relied by Smt. Patnkar, Adv. in the case of Prakash Cotton Mills Pvt. Ltd. v/s The Rashtriya Mills Mazdoor Sangh, 1986 II CLR-146 is not any way applicable to the facts of this case. I am of the view that respondent is clearly guilty of unfair labour practice within the meaning of Item 6 of Sch.IV of the Act. The complainant is therefore entitled to declaration under the said Item. In the result, I answered all issues accordingly and pass the following order.

ORDER

- i) The complaint is partly allowed.
- ii) It is hereby declared that the respondent has engaged in and are engaging in. unfair labour practices under Item 6 of Sch. IV of the MRTU & PULP Act, 1971 and they are directed to cease and desist from continuing to do so.
- iii) The respondent is directed to consider the badli workers shown in this seniority list filed by the respondent at Ex. 'A' colly. with Ex.C-13 as per their seniority and by ^{considering} ~~considerers~~ their suitability for the post, make them permanent in proportionate to the vacant permanent post and the other conditions of their service and Rules of service.
- iv) No order as to costs.

(S.M.RATNAKAR)
MEMBER
INDUSTRIAL COURT, MUMBAI.
29.7.2003

(K.G.SATHE)
REGISTRAR
INDUSTRIAL COURT, MUMBAI.
Dt/- 12/08/03

rpy/-

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
MUMBAI**

ORIGINAL APPLICATION NO.756 OF 2020

- 1) Mayavati Ramchandra Sawant,)
Age : 55 years, Occ. Aaya,)
Joining date of service : 21-01-1986,)
A Block Behind Zopdapatty, Sir JJ Group of)
Hospital, Byculla, Mumbai 400 008.)
- 2) Shakutla Ashok Gaykwad,)
Age : 55 years, Occ : Ward Boy,)
Joining date of service : 06-05-1987,)
J. Compound, C/ Block, Back Side Cha,)
Room No.14, Byculla, Mumbai 400 008.)
- 3) Nitesh Anant Sawant,)
Age : 51 years, Occ. Ward Boy,)
Joining date of service : 01-08-1988,)
Vignaharta Park, C/1, Adarsh Nagar,)
Goandevi Marg, Malang Road, Chakk Naka,)
Kalyan (E), Pin code No.421 306.)
- 4) Sachin Shyam Bhojane,)
Age : 44 years, Occ. Ward Boy,)
Joining date of service : 10-05-1993)
C/3, Atharva, Room No.401, Gouri Wstate)
Manjarli Gaon, Deepali Park, Badlapur (W))
- 5) Satish Laxman Vayangankar,)
Age : 45 years, Occ. Peon,)
Joining date of service: 06-08-1993,)
Room No.201, Building No.3,)
Shri Saraswatidevi Co-op Society,)
Rahul Estate, B Cabin Road,)
Ambernath (E) 421 501.)
- 6) Arvind Prabhakar Chavan,)
Age: 48 years, Occu. Ward Boy,)
Joining date of service : 01-10-1993)
Parashiwade, Nawin Chawl, Room No.02)

- 7) Pradeep Keshav Lohara,)
Age: 45 years, Occu. Ward Boy,)
Joining date of service : 13-02-1995)
Nav Uday Kiran Apt. 3/18, Behind Navghar)
Police Station, Navghar Phatak Road,)
Bhayandar (E), Thane 401 105)
- 8) Ganpat Anant Kawale,)
Age : 45 years, Occ. Ward Boy,)
Joining date of service : 01-07-1994,)
Mhada Transit Camp, 90 Feet Road,)
Indra Nagar, Kokari Agar, Chawl No.F-22.)
Room No.-1, GTB Nagar 37, Wadala.)
- 9) Shashikant Gopichand Ghadi Gaonkar,)
Age : 44 years, Occu. Ward Boy,)
Joining date of service : 08-07-1995,)
162, Samta Chwal, Salt Pen Road No.10,)
Anand Wali, Wadala East Mumbai 37)
- 10) Shivaji Dada Darekar,)
Age : 44 years, Occ : Ward Boy,)
Joining date of service : 01-10-1995)
Room No.09, Bhim Srmuti Chawal, Opp. Tulsi)
Niwas, Ayaregaon Dombivali (E) 421 201.)
- 11) Vilas Bhanu Chaukekar,)
Age : 43 years, Occu. Ward Boy,)
Joining date of service : 01-11-1995)
JJ Hospital Compound, B Block, Room No.3,)
Byculla, Mumbai 400 008.)
- 12) Archana Arvind Darekar,)
Age : 57 years, Occu. Ward Boy,)
Joining date of service : 06-05-1996 Wayerman)
Patra Chawl, Room No.02, JJ Hospital)
Compound, Mumbai 08.)
- 13) Sunanda Bhikaji Kamble,)
Age : 58 years, Occu. Ward Boy,)
Joining date of service : 24-01-1997.)
Samrat Ashok Nagar, Borla Gondi,)
Room No.233, Mumbai 400 088.)

- 14) Madhura Mahendra Utekar,)
 Age : 48 years, Occu. Ward Boy,)
 Joining date of service : 01-04-1997)
 JJ Hospital, B Block, 1st floor, Room No.29,)
 Byculla, Mumbai 400 008.)
- 15) Bapu Namdev Vengurlekar,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 01-04-1997,)
 7/2 Venus Shetty Chawal, Pratap Nagar Road,)
 Hanuman Nagar, Bhandup (W),)
 Mumbai 400 078)
- 16) Sanjay Nilkanth Kadam,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 01-05-1997)
 Sahjeevan C.H.S. Flat No.612, Near CNG Pump,)
 Mhada Colony, Ambernath (E), 421 501.)
- 17) Adhik Dagdu Waydande,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 02-05-1997,)
 Near Mangirabad Mandir,)
 Ganga Jamuna Chawal No.8, Room No.10,)
 Annabhau Sath Nagar, Munkhud (W),)
 Mumbai 400 043)
- 18) Dhanraj Ananda Gavali,)
 Age : 54 years, Occ. Ward Boy,)
 Joining date of service : 09-05-1997)
 Shshekant Call Surya Nagar, Vittava,)
 Room No.2, 400 605.)
- 19) Pravin Baban More,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 12-05-1997)
 Room No.-54, Manubhai Chawl,)
 Saidham Society, Anand Nagar Road,)
 Navi Mumbai 400 708)
- 20) Ganesh Vilas Ballal,)
 Age : 41 years, Occu. Ward Boy,)
 Joining date of service : 13-05-1997)
 Room No.-89, B Block, 3rd floor, Cement Chawal,)
 JJ Hospital Compound, Byculla,)
 Mumbai 400 008)

- 21) Ashok Dnyandeo Ovhal,)
Age : 41 years, Occu. Ward Boy,)
Joining date of service : 14-05-1997)
5/1, Panchavati Colony, Parvati Nagar,)
Vitthalwadi (E), Kalyan 421 306)
- 22) Rajendra Pandurang Trilotkar,)
Age : 46 years, Occu. Ward Boy,)
Joining date of service : 15-05-1997)
B.I.T. Chawal No.6, Room No.11, Balacic Road,)
Mumbai Central, Mumbai 400 008)
- 23) Shridhar Maruti Sawant,)
Age : 45 years, Occu. Ward Boy,)
Joining date of service : 15-05-1997)
305, Sai Niketan Apartment, Goddev Gon)
Bhayander (E).)
- 24) Sanjay Maruti Kamble,)
Age : 43 years, Occu. Ward Boy,)
Joining date of service : 16-05-1997)
1st floor, Motlabhai Chawl, Room No.19,)
JJ Hospital Campus, Byculla, Mumbai 400 008)
- 25) Vasanti Dattaram Jadhav,)
Age : 51 years, Occu. Ward Boy,)
Joining date of service : 30-05-1997)
JJ Compound, A Block, First Floor,)
Room No.40, Byculla, Mumbai.)
- 26) Hanumant Dagadu Waydande,)
Age : 52 years, Occu. Ward Boy,)
Joining date of service : 01-07-1997)
Ganga Jamuna Chawl, Room No.9, Annabhau)
Shathe Nagar, Mankurd, Mumbai)
- 27) Sangita Satyawant Jadhav,)
Age : 46 years, Occu. Ward Boy,)
Joining date of service : 01-07-1997)
JJ Hospital Compound, Motalabai Chawl,)
1st floor, Byculla, Mumbai 400 008)
- 28) Sangram Bhambu Salvi,)
Age : 37 years, Occu. Ward Boy,)
Joining date of service : 01-07-1997)
Sanjay Gandhi Nagar, Trilok Society,)
Near Limbuni Buddha Vihar,)
Vikroli Parksit Mumbai 400 079)

- 29) Nilesh Tukaram Utekar,)
Age : 41 years, Occu. Ward Boy,)
Joining date of service : 10-07-1997)
Flat No.404, 4th floor, Shradha Saburi Building)
Nandivali Village, Bhopar Road, Dombivli (E))
Thane 421 201.)
- 30) Raghunath Ganpat Amberkar,)
Age : 41 years, Occu. Ward Boy,)
Joining date of service : 01-08-1997)
Shree Sadguru Krupa Colony, Chall No.1,)
Room No.17, Laxminagar Nandivali,)
Kalyan (E) 421 306.)
- 31) Nilesh Mahadev Kondalkar,)
Age : 42 years, Occu. Ward Boy,)
Joining date of service : 08-02-1997)
Building No.87/102, A Wing, Kannawar Nagar-2)
Vikhroli (E), Mumbai 400 083)
- 32) Krishna Apaji Vazarkar,)
Age : 40 years, Occu. Ward Boy,)
Joining date of service : 18-08-1997)
Ganesh Darshan, First Floor, Room No.10,)
Star Colony, Jagunnath Palace, Dombivali (E))
Thane 421 201.)
- 33) Suresh Ramchandra Kamble,)
Age : 54 years, Occu. Ward Boy,)
Joining date of service : 19-08-1997)
F/20, Sidhartha Nagar, Bapty Road, P.P. Marg,)
Mumbai 400 008.)
- 34) Ganesh Maruti Pawar,)
Age : 41 years, Occu. Ward Boy,)
Joining date of service : 02-09-1997)
Shivneri Ekta Chawl 6, Road No.32,)
Jai Bhavnai Nagar, Wagle Estate, Thane.)
- 35) Mahindra Rajaram Dalvi,)
Age : 41 years, Occu. Ward Boy,)
Joining date of service : 09-09-1997)
JJ Hospital Compound, Cement Chawl,)
B Block, 2nd floor, Room No.56, Mumbai 8)

- 36) Anand Murari Shetve,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 01-10-1997,)
 1202, Royalcauty, CO OP. HOS. SOC.)
 Samrat Ashok Nagar, Near Datta Mandir,)
 Nallasopara (W), Mumbai 401 303)
- 37) Mahendra Dhondu Jadhav,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 01-10-1997)
 Arjun Chawl No.-02, Room No.11, Laxminagar)
 Chinchapada, Katemanivali Kalyan East)
 Mumbai 421 306.)
- 38) Ganesh Sudam Kadam,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 01-10-1997)
 Anand Bhavan Soc. Room No.16, Saytribai)
 Nagar, Near Thane-Vashi, Railway Line,)
 Ganpati Pada Digha, Navi Mumbai 400 708.)
- 39) Sakshi Sanjay Sawant,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 01-10-1997)
 Shivneri Nagar, Near M.I.D.C. Water Tank Road,)
 Behind Birla Mandir, Dhobighat, Ulhasnagar)
 Kalyan Thane 421 103)
- 40) Yogini Yashwant Dalvi,)
 Age : 50 years, Occu. Ward Boy,)
 Joining date of service : 18-10-1997)
 B/46, Sir JJ Compound, Byculla,)
 Mumbai 400 008)
- 41) Anant Dhondu Jadhav,)
 Age : 41 years, Occu. Ward Boy,)
 Joining date of service : 01-11-1997)
 Arjun Chawl No.02, Room No.11, Katemanivali,)
 Naka Laxmi Nagar Chinchpada Gaon, Kalyan (E))
 Thane 421 306)
- 42) Sandeep Shankar Uttekar,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 01-11-1997)
 Sai Krup Chawl, Chawl No.3, Room No.2,)
 Chinchpadagaon, Laxmi Nagar, Near Old)
 Grampachyat office, Kalyan (E), Katemanvli,)
 Thane 421 306.)

- 43) Mangesh Tulshiram Jadhav,)
 Age : 45 years, Occu. Ward Boy,)
 Joining date of service : 18-10-1997)
 Bldg No.69, Room No.1853, Kannamwar Nagar)
 No.2, Vikhroli (E), Mumbai 400 083)
- 44) Dinesh Krishna Utekar,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 02-05-1998)
 Room No.06, Ishwar Bapu Chawl, Shivaji Nagar)
 Jurimari Krula 72)
- 45) Sunita Ram Vatkari,)
 Age : 46 years, Occu. Ward Boy,)
 Joining date of service : 04-05-1998)
 Shatree Nagar, Annasheth Chawal, Bhind Dogdi,)
 Building, Room No.148, Dharavi,)
 Mumbai 400 017)
- 46) Vijaya Raju Navgire,)
 Age : 44 years, Occu. Ward Boy,)
 Joining date of service : 07-05-1998)
 Room No.27/27A, Sanjay Gandhi Nagar,)
 Railway Compound, JJ Road, Byculla,)
 Mumbai 400 008)
- 47) Shubhangi Sunil Sugadare,)
 Age : 51 years, Occu. Ward Boy,)
 Joining date of service : 13-05-1998)
 Shree Shraddha Saburi Seva Sangh,)
 Sakharam Buwa, Patil Marg, Gajdhar Baandh,)
 Santacruz (West), Mumbai 400 054.)
- 48) Anil Hari Jadhav,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 13-05-1998)
 Waliv Hanuman Nagar Panas Pada, Opp.)
 Hanuman Mandir, Vasai (East), Umele,)
 Thane 401 202)
- 49) Subhash Arjun Kamble,)
 Age : 44 years, Occu. Ward Boy,)
 Joining date of service : 14-05-1998)
 At Post, Sawant Wadi, New Kashil Wada,)
 Municipality Chawl.)

- 50) Sandeep Sitaram Pawar)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 14-05-1998)
 Alnkapuri CHS I/105, Sector-10, Plot No.12,)
 Near by Union Bank, Kamothe,)
 Navi Mumbai 412 209)
- 51) Sanjay Vishram Kadam,)
 Age : 45 years, Occu. Ward Boy,)
 Joining date of service : 15-05-1998)
 D-10, Room No.2, Khardev Nagar, MU Colony)
 Ghatla Village, Chembur 400 071)
- 52) Mangesh Vinayak Jangam,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 16-05-1998)
 B.D.D. Chawl No.29, Room No.33, S.M. Marg,)
 Dilas Road, Dilaes Road, Delisle Road,)
 Mumbai 400 013)
- 53) Shivaji Rajaram Padwal,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 18-05-1998)
 Room No.-02, Tagor Nagar, Haryli Vile, Behind)
 Powar House, Vikhroli (E), Mumbai.)
- 54) Anant Prakash Kharade,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 01-06-1998)
 B-104, Alankapuri, Nayanraj Mauli Co-op.)
 Society, Sector-10, Plot -12, Opp. Union Bank,)
 Kamothe, Panvel - 410 209)
- 55) Jayshree J. Gaiwad,)
 Age : 44 years, Occu. Ward Boy,)
 Joining date of service : 10-07-1998)
 Saklap Yogna Building, 1st floor, Room No.102,)
 Katraj Road, Badlapur (E))
- 56) Sanjay Vijay More,)
 Age : 47 years, Occu. Ward Boy,)
 Joining date of service : 03-08-1998)
 Room No.2m Shiv Krupa CO OP HSG Society)
 Katemanivali Road, Near S.T. Depot,)
 Vitthal Wadi, Kalyan (East) Thane 421 206)

- 57) Krishna Maruti Kashitkar,)
 Age : 42 years, Occu. Barbar (Nashik))
 Joining date of service : 20-08-1998)
 Room No.9, Manubhai Chawl, SJC,)
 Iswar Nagar, Digha, (Navi Mumbai) 400 708)
- 58) Nitin Raya Sakpal,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 01-02-1998)
 Raya Sakpal, Chawl No.4, Room No.8, Parvati)
 Chawl, Chinchpadagaon, Near Laxmi Nagar,)
 Kalyan (E), Katemanivali, Thane 421 306)
- 59) Sachin Tukaram Kadam,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 01-09-1998)
 Building No.89, Room No.2501, Kannamwar)
 Nagar 2, Vikhroli (E), Mumbai 400 083)
- 60) Sanjay Dattatray Nalawade,)
 Age : 48 years, Occ. Ward Boy,)
 Joining date of service : 01-10-1998)
 Om Ashtvinayak Co. Op. Housing Society Ltd.)
 Room No.06, Chawl No.2, Laxmi Nagar)
 Chinchpada Road, Kalyan (E) 421 306)
- 61) Rajendra Atmaram Patil,)
 Age : 41 years, Occu. Ward Boy,)
 Joining date of service : 01-10-1998)
 Gr. Floor, Motlabhai Chawl, Room No.11, JJ)
 Hospital Campus, Byculla, Mumbai 400 008)
- 62) Smita Shyam Bhojane,)
 Age : 47 years, Occu. Ward Boy,)
 Joining date of service : 01-11-1998)
 Rajgruha Apt. Room No.902, 19th Road,)
 Khar Road (W))
- 63) Jayshree Balu Ware,)
 Age : 50 years, Occu. Ward Boy,)
 Joining date of service : 11-11-1998)
 Room No.4, Pitambar Bhaiya Chawl,)
 Ambedkar Chowk, J.V. Link Road,)
 Jogeshwari (E) Mumbai 400 060)

- 64) Suresh Chhotalal Waghela)
 Age : 52 years, Occu. Ward Boy,)
 Joining date of service : 01-01-1998)
 A-2/003 Unique Homes Tirupati Nagar PH-II)
 Near Madhuvan Park Virar (W), Palghar 401 305)
- 65) Santosh Devji Kadam)
 Age :40 years, Occ. Ward Boy,)
 Joining date of service : 01-01-1999)
 201 Ganga Sagar Building, 2nd floor,)
 Umerkhadi Road, Dongri, Mumbai 400 009)
- 66) Shridhar Sakharam Tayade,)
 Age : 50 years, Occu. Ward Boy,)
 Joining date of service : 01-02-1999)
 Bindu Mahadev Nagar, Anand Krupa Society)
 Room No.502, Digha, Navi Mumbai 400 708)
- 67) Vinod Deu Gawade,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 01-02-1999)
 89/ 2492, Near Shivai Chowk, Kannamwar in)
 Nagar 2, Vikhroli (E), Mumbai 400 083)
- 68) Naresh Atmaram Pawar,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 01-04-1999)
 Building No.87, Room No.603, 6th floor, Raigadh)
 Co-operating Housing Society Pvt. Ltd, Kannawar)
 Nagar No.2, Vikhroli (E), Mumbai 400 083)
- 69) Vijay Nilkanth Kadam,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 01-04-1999)
 A/ 201, Shree Rama CHS, Near Kunkai Gavdevi)
 Mandir, Vitawa Thane, Belapur Road,)
 Thane (E) 400 605)
- 70) Mahesh Gopichand Kadam,)
 Age : 39 years, Occu. Ward Boy,)
 Joining date of service : 01-04-1999)
 Room No.10, Siddhivinayak Chawl,)
 Hanuman Takadi Chaitty Nagar, Hanuman)
 Tekadi Pada No.30,Thane (W) 400 606)

- 71) Suvarna Pappu Jadhav)
 Age : 38 years, Occu. Ward Boy,)
 Joining date of service : 06-04-1999)
 Govind Apartment 'B' Wing, Room No.308,)
 3rd floor, Saiath Nagar, Chandan Sar Road,)
 Virar (E).)
- 72) Kavita Amrut Shinde)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 01-05-1999)
 Chinchodyacha Pada, Near Hanuman Mandir)
 Saibal Monu Building, First Floor, Room No.105)
 Dombivali (W) 421 202)
- 73) Sachin Balkrishna Salunke,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 01-05-1999)
 Shreeramkrishna Hsg. Soc. Building,)
 Room No.101, 1st floor, Opp. Bharat Gas)
 Godown Mahalaxmi Nagar,)
 Ambernath (E) 421 501)
- 74) Arjun Vijay Naik,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 01-05-1999)
 Flat No.404, D Wing, Sunrise Residency,)
 Badlapur, Karjat Highway.)
- 75) Mahendra Govind Malekar,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 03-05-1999)
 Sadguru Krupa, Room No.2, Bhagat Wadi,)
 Tukaram Nagar, Ayare Road,)
 Dombivali (E) 421 201)
- 76) Sachin Dattaram Gole,)
 Age : 39 years, Occu. Ward Boy,)
 Joining date of service : 03-05-1999)
 Sagar Society, Sector No.02, Plot No.202,)
 Room No.23, Charkop, Kandivali (W))
- 77) Ravindra Kashinath Shinde)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 04-05-1999)
 Navpanchak grhanirman Society, Gaikwad)
 Chawl, Vinayak Chowk, Kalyan (E))

- 78) Babu Dhondiba Patil)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 05-05-1999)
 Room No.7, Chawl No.13, Rajershi Shabu Chawl)
 New Shivaji Nagar, near Jagruti School,)
 Kalwa (E) 400 605)
- 79) Dnyaneshwar Nivrutti Kalambe)
 Age : 49 years, Occu. Ward Boy,)
 Joining date of service : 05-05-1999)
 Room NO.02, Surajbali Dube Chawl,)
 Ramdas Chowk, New Mill Road, Kurla (W))
 Mumbai 400 070)
- 80) Rajendra Devji Gudekar,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 05-05-1999)
 Room No.6, Shanti Doot Soc. Rahul Nagar,)
 Vikhroli Parkshite (W), Mumbai 400 079)
- 81) Atish Ravindra Pednekar,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 05-05-1999)
 2-10, B2, 2nd floor, Saptashrugi Society,)
 Juinagar (W), Navi Mumbai 400 706)
- 82) Dilip Dataram Pawar)
 Age : 39 years, Occu. Ward Boy,)
 Joining date of service : 05-05-1999)
 Room No.403, A Wing, 4th floor, Naganth Galaxy,)
 Sabe Road, Near Shree Swami Samath Mandir,)
 Diva (E), Thane, Maharashtra 400 612)
- 83) Deepak Tukaram Padwal,)
 Age : 43 years, Occu. Ward Boy,)
 Joining date of service : 06-05-1999)
 SOJ Niwas, Room No.A 17, Nirabai Patil Marg,)
 Manavel Pada Road, Near Geetanjali School,)
 Virar (E))
- 84) Prakash Vishwanath Surve,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 08-05-1999)
 Gaondevi Krupa Chawl No.01, Room No.08,)
 Retibunder Cross Road, Devicha Pada,)
 Dombivali (W) 421 202)

- 85) Ramesh Bhau Pawar,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 10-05-1999)
 New Nisarg Society, Vijay Nagar, Amrai Chawl)
 No./D, Room No.4, Kalyan (E))
- 86) Satish Parshuram Sakpal,)
 Age : 40 years, Occu. Ward Boy,)
 Joining date of service : 10-05-1999)
 Sangam Chawl, Ambewade No.2,)
 Hindustan Comp, Vikhroli (W), Mumbai 400 083)
- 87) Ramesh Tukaram Shelar,)
 Age : 42 years, Occu. Ward Boy,)
 Joining date of service : 11-05-1999)
 Room No.302, Panchvati Dham, Near Sashkiya)
 Dawa Khana, Manda, Titwala (W) 421 605)
- 88) Mukund Jaysingh Utekar,)
 Age : 41 years, Occu. Ward Boy,)
 Joining date of service : 02-05-1999)
 Room No.111, Ajinkya Mitra Mandal, Siddarth)
 Nagar, Anny Benzynt Road, Opposite Podar)
 Hospital, Worli, Mumbai 400 018)
- 89) Aparna Subhas Sawant)
 Age : 41 years, Occu. Ward Boy,)
 Joining date of service : 15-05-1999)
 Saklap Yogna Building, 1st floor, Room No.102,)
 Khatraj Road, Badlapur (E).)
- 90) Madhukar Ramchandra Sugdhare,)
 Age : 40 years, Occu. Ward Boy)
 Joining date of service : 15-05-1999)
 Navdurga Apartment, Building no.3,)
 Room No.401, Nagindas Pada Nallasopara (E))
 Palghar 401 209)
- 91) Anil Tukaram Padwal,)
 Age : 49 years, Occu. Ward Boy)
 Joining date of service : 01-06-1999)
 Shree Samarth Krupa, Room No.03,)
 Chawl No.2, Opp. New Drop School, Mhatra)
 Gate, Aagasan Road, Diva(E) 400 612)

- 92) Balamani Raju Yamba)
 Age : 44 years, Occ. Kaksh Sevika,)
 Joining date of service : 04-06-1999)
 1st floor, Building No.19, Room No.10,)
 7th Gali Kamathipura, Mumbai Central,)
 Mumbai 400 008)
- 93) Sudhakar Aanaji Kadam,)
 Age : 52 years, Occu. Barbar (Nabhik))
 Joining date of service : 07-06-1999)
 Room No.125, Building No.15, (MMMRDA),)
 Mhada Colony, Mahul Gaon,)
 Near BPCL Company.)
- 94) Prakash Vithoba Pawar,)
 Age : 41 years, Occu. Ward Boy)
 Joining date of service : 07-06-1999)
 Myuresh Darshan Building, Room No.B-207,)
 B Wing, Omkar Nagar, Ajde Gav, Dombivali (E))
 Mumbai 421 201)
- 95) Arun Suresh Jadhav,)
 Age : 45 years, Occu. Ward Boy)
 Joining date of service : 13-06-1999)
 Tania Monarch Apt. C Wing, Room No.209, 2nd)
 floor, Raj Nagar Road, Nallasopara (E) 401 203)
- 96) Sanjay Govind Ambre,)
 Age : 40 years, Occu. Ward Boy)
 Joining date of service : 16-06-1999)
 Raigad Darshan Co-op. Society, Room No.4,)
 Chikani Pada, Kalyan (E))
- 97) Rakesh Dattaram Kadam,)
 Age : 40 years, Occu. Ward Boy)
 Joining date of service : 01-07-1999)
 Ambika Vijay Rahiwashi Mandal Chawl, Room)
 No.2, Adarsh Nagar, Hanuman Gully, Kunjur)
 Village, Kanjurmarg (E), Mumbai 400 042)
- 98) Rohit (Rashmikant) Shankar Pawar,)
 Age : 39 years, Occu. Ward Boy)
 Joining date of service : 01-07-1999)
 Arunoday Building, Room No.1, Ground Floor,)
 Dr. Nemade Marg, Shatri Nagar, Dombivali)
 (West), Thane - 421 503)

- 99) Shivaji Dagdu Ulalkar,)
 Age : 45 years, Occu. Ward Boy)
 Joining date of service : 05-07-1999)
 Sant Dyaneshwar Nagar, Rahivashi Sangh,)
 Opp. Building No.186, Kannamwar Nagar -2,)
 Vikhroli (E), Mumbai 400 083)
- 100) Anand Chandrakant Raut,)
 Age : 45 years, Occu. Peon,)
 Joining date of service : 05-08-1995)
 Chandrakant Bhuvan, Ayare Road, Behind)
 Madavi School, Dombivli (E), 421 201.)
- 101) Santosh Ramchandra Kadam,)
 Age : 43 years, Occu. Peon)
 Joining date of service : 03-05-1995)
 Dhanji Bhai Ice Factory Chawl, Room No.32,)
 Sardar Balwant, Sing Dhodi Marg, Mazgaon,)
 Mumbai 400 010.)
- 102) Geeta Keshav Kadam,)
 Age : 46 years, Occu. Peon,)
 Joining date of service : 19-01-1996)
 Hamathipura, 5th Lane, Pansheel Niwas,)
 3rd floor, Room No.124, B.No.169, M.R.RD.)
 Mumbai 400 008.)
- 103) Sakshi Satish Katkar (Pushpa S. Gundaye))
 Age : 43 years, Occu. Peon,)
 Joining date of service : 12-05-1997)
 Suyog CHS, Ground Floor, Room No.10,)
 Near New Police Station, Kunjurmarg-E,)
 Mumbai 42)
- 104) Shirish Pandurange Bandarkar,)
 Age : 42 years, Occu. Peon,)
 Joining date of service : 02-06-1997)
 10/102, Anna Nana Co Op. Hsg. Soc. Ltd.)
 Jadhav Colony, Belavli, Badlapur (W) 421 503)
- 105) Giridhar Prabhakar Nirgun)
 Age : 51 years, Occu. Peon,)
 Joining date of service : 02-06-1997)
 Rai office stop, Murdha, Uttam Road, Near)
 Custom Chawl, Sadanand Nagar,)
 Bhayander (West), Thane.)

- 106) Manisha Vijay Pawar)
 Age : 45 years, Occu. Sevak,)
 Joining date of service : 14-07-1997)
 Ramchandra Pawar Chawl, Near Hanuman)
 Temple, Marathi Koleswadi, Kalyan (East),)
 Dist. Thane.)
- 107) Shrimat Yallubai Suresh Gaikwad,)
 Age : 52 years, Occu. Hamal,)
 Joining date of service : 02-05-1997)
 New Bharat Nagar Sai Tekdi, Neyr HP Colony,)
 Vashi Naka RC Marg, Chembur Mumbai 400 074)
- 108) Santosh Manaji Nikam,)
 Age : 41 years, Occu. Peon,)
 Joining date of service : 02-09-1997)
 Building No.88, Room No.2474, Near Vikas)
 High School, Kannamwar Nagar 2, Vikhroli (E))
 Mumbai 400 089.)
- 109) Parshuram Vijay Talgaonkar)
 Age : 41 years, Occu. Security Guard,)
 Joining date of service : 17-04-1998)
 Satys Kasoti Chawl, Ground Floor, Room No.1)
 Balaji Wadi, Devicha Pada, Satyawan Chowk,)
 Dombivali (W) 421 202.)
- 110) Nagesh Deepak Surve,)
 Age : 41 years, Occu. Sevak,)
 Joining date of service : 02-02-1998)
 Shree Ganeshsai S.R.A. Co.op. Housing Society)
 Ltd., No.212/D, Jaerabai Wadia Road, Parel,)
 Bhoiwada, Mumbai 12.)
- 111) Sandesh K. Shirvadkar,)
 Age : 40 years, Occu. Security Guard,)
 Joining date of service : 16-06-1998)
 Satyakasoti Chawl Deecha Pada, Balaji Wadi,)
 Dombivali West 421 202.)
- 112) Ramesh Nandan Sabat,)
 Age : 39 years, Occu. Sevak)
 Joining date of service : 14-04-1999)
 B 201, Neelkanth Park, New Sarya Nagar,)
 Vitawa Thane Belapur Road, Kalwa,)
 Thane 400 605)

- 113) Reshma Suresh Chawan,)
 Age : 41 years, Occu. Hamal,)
 Joining date of service : 06-12-1995)
 1/7, Manisha Niwas, Lokmaya Nagar, Sanman)
 Singh Road, Bhandup (W), Mumbai 400 078)
- 114) Sachin Suresh Shinde)
 Age : 40 years, Occu.)
 Joining date of service : 02-02-1997)
 Hsg Society, Plot No.42, Sector 19 'A' Wing)
 Room No.103, 1st floor, Opp. Saibaba Mandir)
 Kamote 410 209)
- 115) Chandrakant Manji Nikam,)
 Death Age :40 years,)
 Joining date of service : 14-06-1999)
 Building No.88, Room No.2474, Near Vikas)
 High School, Kannamwar Nagar 2, Vikhroli (E))
 Mumbai 400 089)
- 116) Sandesh Ramesh Yerunkar,)
 Age : 41 years, Occu. Hamal)
 Joining date of service : 12-03-1998)
 Anil Karpe Chawl, First Floor, Room No.1,)
 Tisgaon Road, Mhasoba Chowk Karpe Wadi,)
 Kalyan (E))
- 117) Vijay Vishnu Parab)
 Age : 46 years, Occu. Hamal)
 Joining date of service : 02-06-1995)
 Room No.701, 7th floor, Sai Niwas, Jay Shiv Sai)
 Housing Society, Siddarth Nagar, Bandra (E))
 Mumbai 400 051.)
- 118) Ramesh Daulat Ranpise,)
 Age : 50 years, Occ. Hamal,)
 Joining date of service : 21-04-1999)
 Daulat Niwas, Plot No.G 42/30, Sector No.12,)
 Near Shivaji Mini Market, Kharghar 410 210.)
- 119) Ramesh Ramanna Kshetriya)
 Age : 40 years, Occ. Hamal.)
 Joining date of service : 02-06-1999)
 Room NO.02, Sai Prerna Apartment, Ground)
 Floor, Bindu Madhav Nagar, Belapur Road,)
 Digha, Navi Mumbai 400 708.)

- 120) Rajesh Ravindra Sawant)
 Age : 39 years, Occ. Mali.)
 Joining date of service : 04-05-1999)
 B/401, Sai Sagar, Sec-35, Plot No.03, Kamothe)
 Panvel 410 209.)
- 121) Sandip Sanpat Gaikwad,)
 Age : 40 years, Occ. Hamal.)
 Joining date of service : 17-06-1999)
 Sanjay Gandhi Nagar, Railway Compound,)
 Room No.29/26, Byculla 400 008.)
- 122) Vithal Narayan Jagtap,)
 Age : 40 years, Occ. Hamal.)
 Joining date of service : 01-03-1998)
 Pundlik Apartment, Building No.2, Room No.407)
 Bedekar Nagar, Diva, Agasan Road, Diva (E))

....Applicants

Versus

- 1) The State of Maharashtra,)
 Through Principal Secretary, Medical Education)
 And Drugs Department.)
- 2) The Director, Medical Education and Research)
 Department, Government of Maharashtra,)
 St. George Hospital, Mumbai.)
- 3) The Dean, Grant Medical College and JJ Group)
 Of Hospital, Mumbai.)
- 4) Giju Nagin Waghela)
 Date of Birth 19-10-1980,)
 1st Joining date : 01-03-1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing JJ Campus)
- 5) Vijay Dalpath Purbiya.)
 Date of Birth 26-10-1980)
 1st Joining date : 01-03-1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing JJ Campus)

- 6) Vasant Nagaji Soda.)
 Date of Birth 27-07-1973)
 1st Transfer Date : 01-04-1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing JJ Campus)
- 7) Vitthal Kisan Waghela)
 Date of Birth 01.02.1981)
 1st Joining Date : 01-04-1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing)
- 8) Khiresb Bhavan Solanki)
 Date of Birth 08.01-.1980)
 1st Joining Date : 10.05.1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing JJ Campus)
- 9) Harshvardhan Sukha Solanki,)
 Date of Birth 24.06.1980)
 1st Joining Date : 22.05.1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing JJ Campus)
- 10) Madhu Purushottam Solanki,)
 Date of Birth 06.02.1968)
 1st Joining Date : 07.05.1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing JJ Campus.)
- 11) Usha Ratilal Waghela)
 Date of Birth 01.06.1972)
 1st Joining Date 01.07.1999)
 Occ : Hamal (Housekeeping))
 Add : Nursing JJ Campus.)
- 12) Sandesh Yerunkar)
 Date of Birth 01.06.1979)
 1st Joining Date 11.03.1998)
 Occ. Hamal (Housekeeping))
 Add : Nursing JJ Campus)
- 13) Vijay Parab)
 Date of Birth 09.08.1974)
 1st Joining Date 02.06.1995)
 Occ. Hamal (Housekeeping))
 Add : Nursing JJ Campus)

- 14) Ramesh Ranpise,)
 Date of Birth 28.08.1970)
 1st Joining Date 21.04.1999)
 Occ. Hamal (Housekeeping))
 Add : Nursing JJ Campus.)
- 15) Ramesh Kshatriya)
 Date of Birth 15.07.1970)
 1st Joining date : 03.05.1999)
 Occ. Hamal (Housekeeping))
 Add : Nursing)
- 16) Rajesh Sawant)
 Date of Birth 01.05.1981)
 1st Joining Date 04.05.1999)
 Occ. Mali.)
 Add : Nursing JJ Campus.)
- 17) Vitthal Narayan Jagtap)
 Date of Birth 01.01.1980)
 1st Joining Date 01.03.1998)
 Occ. Hamal (Housekeeping))
 Add : Nursing JJ Campus)

....Respondents

Dr. Gunratan Sadavarte, learned advocate for the Applicants.

Ms Swati Manchekar, learned Chief Presenting Officer for the Respondents.

CORAM : JUSTICE MS. MRIDULA BHATKAR, CHAIRPERSON

RESERVED ON : 21.12.2021

PRONOUNCED ON : 14.02.2022

J U D G M E N T

1. In this Original Application, 122 applicants, Badli Workers, working as Wardboys, Sweepers and Ayas, on Class-IV post, in J.J Group of Hospitals, Mumbai, pray for regularization of their services from the date of their appointment, i.e. from 1986 to 1999.

2. It is the case of the applicants that they have been working in the said Hospital since 1986 and each of them have completed working 240 days in the period of 10 years, which is a requirement for the regularization of service. The services of 336 Badli Workers of J.J. Group of Hospitals were regularized as per the G.R of 2015. However, the applicants were not given that benefit and they were disqualified on the ground of lack of requisite period of service as on cut-off date i.e. 31.03.2007. They pray their regularization on the basis of the judgment of the Industrial Court in Complaint (ULP) No. 1271 /1993, dated 20.1.2003 and Complaint (ULP) No.248/1996, dated 29.7.2003. Hence, they have approached this Tribunal.

3. This Tribunal from time to time passed orders wherein the queries were made in order to extract the correct information to adjudicate the issues. Pursuant to those queries, short affidavits in reply have been filed by the Respondents as under:-

(I) Affidavit-in-reply dated 9.2.2021, is filed by Shri Ranjeet J. Mankeshwar, Dean, Sir J.J Group of Hospitals, Byculla, Mumbai.

(II) Affidavit-in-reply dated 31.3.2021, is filed by Shivaji Sampatrao Patankar, Joint Secretary in the office of Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, in compliance of order of this Tribunal dated 18.2.2021.

(III) Short affidavit-in-reply dated 20.4.2021, is filed by Shivaji Sampatrao Patankar, Joint Secretary in the office of Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, in compliance of order of this Tribunal dated 1.4.2021.

(IV) Affidavit-in-reply dated 9.6.2021 is filed by Sanjay D. Kamlakar, Deputy Secretary in the office of the Secretary, Medical Education and Drugs Department, Mantralaya,

Mumbai, in compliance of order of this Tribunal dated 25.2.2021.

(V) Short affidavit-in-reply dated 12.8.2021 is filed by Sanjay D. Kamlakar, Deputy Secretary in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, pursuant to the order of this Tribunal dated 29.6.2021.

(VI) Short affidavit-in-reply dated 6.9.2021 is filed by Vaishali M. Sule, Deputy Secretary in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, pursuant to the order of this Tribunal dated 24.8.2021.

(VII) Short affidavit-in-reply dated 23.9.2021 is filed by Vaishali M. Sule, Deputy Secretary in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, pursuant to the order of this Tribunal dated 7.9.2021.

4. Learned counsel for the applicants Mr Sadavarte has submitted earlier 336 employees were regularized in J.J. Group of Hospitals. As on today total 350 posts of Class-IV employees are available in J.J Group of Hospitals and out of which 210 posts are vacant. Learned counsel for the applicants submitted that the applicants claim relief on the basis of two Government Resolutions dated 7.12.2015 and 29.1.2020. Learned counsel has submitted that pursuant to the directions given in the case of **State of Karnataka & Ors Vs. Umadevi & Ors, AIR 2006 S.C 1806**, the Respondents have fixed the cut-off date as 31.3.2007 and the Badli Workers in Class-IV category working as Wardboys, Sweepers and Ayas, the criterion of 210 days attendance for 10 years was fixed for the regularization of their services, though the applicants fulfill the same as on 2015 were not considered hence injustice is caused to them. The Applicants seek regularization on the basis of the decision of the Industrial Court.

5. Learned counsel for the applicants compared and relied on Exh. 'A', chart of service record of 336 employees who were regularized and Exh. 'C', a service chart of the applicants, who have put in 10 years of service. Learned counsel for the applicants have submitted that out of 336 employees, many employees though have completed lesser than 10 years of service were regularized by showing illegally that they have completed 10 years of service. However, the names of the present applicants were deliberately eliminated in the said process. He further submitted that some contents in the affidavits in reply in respect of the service record of the applicants and some 336 regularized employees are patently false. In support of his submissions, he relied on the affidavit in reply of Shivaji Sampatrao Patankar, Joint Secretary in the office of Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai. He further relied on the judgment of this Tribunal dated 15.6.2017 in O.A 199/2016, Smt Satyawati P. Ambare & Ors Vs. State of Maharashtra & Ors. He submitted that the judgment of this Tribunal is not challenged by the Respondent-State before the Hon'ble High Court, but it is implemented in favour of the applicants, therein, who are Class-IV employees. Learned counsel for the applicants heavily relied on the judgment of the Industrial Court, dated 29.7.2003 in Complaint (ULP) No.248/1996. The order of the Industrial Court was challenged before the Hon'ble Bombay High Court in Criminal Writ Petition No.1060/2005, and the judgment of the Industrial Court was confirmed by the Hon'ble High Court by order dated 22.10.2013. Learned counsel for the applicants submitted that in the Industrial Court, the present applicants are the Members of the Complainant Association, and therefore, the said judgment and the relief granted by the Industrial Court is applicable to them. He submitted that Contempt Petition was filed before the Industrial

Court and the Industrial Court by order dated 29.12.2017 had saddled cost of Rs.5000/- on the Respondents for non-compliance of the order. Learned counsel for the applicants submitted that the Hon'ble High Court has confirmed the order of the Industrial Court after the decision of the Hon'ble Supreme Court in **Umadevi's case (supra)**.

6. Learned counsel for the applicants has relied on the following judgments :

- (i) **State of Karnataka & Ors Vs. Umadevi & Ors, AIR 2006 S.C 1806.**
- (ii) **Hari Nandan Prasad & another Vs. Employer I/R to Management of Food Corporation of India & Anr, (2014) 7 SCC 190.**
- (iii) **State of Uttar Pradesh & Ors Vs. Arvind Kumar Srivastava & Ors, (2015) 1 SCC 347.**
- (iv) **Narendra Kumar Tiwari & Ors Vs. The State of Jharkhand & Ors, (2018) 8 SCC 238.**
- (v) **State of Karnataka & Ors Vs M.L Kesari & Ors, AIR 2010 S.C 2587.**
- (vi) **W.P.No.246/2015 dated 19.08.2016, The State of Maharashtra & Ors. Versus Bhartiya Kamgar Sena.**
- (vii) **Criminal Writ Petition No.1060/2005, dated 22.10.2013, The State of Maharashtra & Ors. Versus Jayraj Hate & Ors.**

7. The learned C.P.O. has relied on the affidavit-in-reply, the Respondents have admitted that a policy decision was taken to regularize the temporary service of the employees in the year 2015 and such policy decision cannot be taken frequently. It is further submitted that the temporary services of the applicants were not continued voluntarily by the State Government, but it is continued due to the intervention of the Court. Therefore, the services of the present applicants cannot be regularized. The appointment of

Badli Workers is nothing but a stop gap arrangement adopted for a long time period in the Institution functioning under the Respondent-Department. These all establishments are involved in patient care. The Badli Workers have no legal right and they cannot claim regularization as a right. It is further submitted that under the Medical Education and Drugs Department in nearly 52 Institutions, Badli Workers' practice is followed and if the services of Badli Workers in J.J Group of Hospitals are regularized, then it will put a great burden on public exchequer. It is submitted that the applicants were aware about the nature of their appointments and they have accepted it, though there is no assurance of regularization. The applicants are free to take up the employment at any other place and they were never prohibited by the State Government. It was submitted that the Government Resolution relied by the applicants do not support the case of the applicants as they are for the different posts and different situations. The applicants are paid as per the 6th Pay Commission.

8. Learned C.P.O had submitted that the applicants were working as Badli Workers and they continued on account of Court orders. The system of Badli Workers has now been stopped and Respondent-State has not appointed any person as Badli Workers since 1999. The services of Safai Kamgars are very important and necessary in the Hospital, especially in Government Hospital like J.J Hospital. However, largely these Safaikamgars often go on leave hence, the administration needs to fill up those posts to maintain the hygiene and cleanliness in the hospital. Therefore, the applicants, Badli Workers were given appointments from time to time for not more than 29 days at a stretch. They are aware of the nature and tenure of their appointment. Sometime, they were given appointments for two to three years continuously with an interval / break after circuit of 29 days. Only the badli workers

who have completed service of 240 days in each year for 10 years, those Badli Workers were absorbed and regularized by G.R dated 7.12.2015, which is after the judgment of the Hon'ble Supreme Court in **Umadevi's case supra**. In all 626 Badli Workers were absorbed and regularized. However, in the same list the names of the present applicants, Badli Workers did not appear for want of eligibility, i.e. the fulfillment of the criteria of 240 days in each year for 10 years. No legal right is created in favour of the Badli Workers, even if they rendered 240 days continuous service but less than 10 years. Thus, when a person is working as Badli Worker there is always a regular worker and the Respondent-State, thus had to bear the expenses of double payment in this event.

9. Learned C.P.O., while meeting the contention of discrimination has submitted that basically the Respondent-State has checked the list of all the Badli Workers thrice when the decision was taken by the Respondent-State to regularize Badli Workers, pursuant to the directions given by the Hon'ble Supreme Court in the case of **Umadevi, (supra)**. Therefore, services of only 626 Badli Workers were regularized as they could fulfill the criteria of 240 days in a year for continuously 10 years as on 31.03.2007. She while refuting the accusation of discrimination, has submitted that assuming there might have been some few cases of Badli Workers, who despite not fulfilling the requisite working days and years, might have been regularized, however, that was a mistake and the mistake cannot be corrected or repeated by relaxing the said criteria which is laid down by the Hon'ble Supreme Court. Thus, the learned counsel for the applicants is advocating adverse discrimination, which is not legal.

10. Learned C.P.O has relied on the following judgments:-

- ✓ (i) **Oil and Natural Gas Corporation Vs. Krishna Gopal and Ors, 2020 SCC Online SC 150.**
- ✓ (ii) **Union of India & Ors Vs. Ilmo Devi & Anr, Civil Appeal Nos.5689-5690/2021.**

Learned C.P.O has argued that pursuant to the order of this Tribunal dated 7.9.2021, to verify Badli Workers Ms Mayavati R. Sawant, Mr Sachin Shyam Bhojane and Mr Ganesh Vilas Ballal whether as on 31.03.2007 they fulfill the criterion of working for 240 days in a year for 10 years. She submitted that none of them can fulfill the said criterion as on 31.03.2007.

11. Learned counsel for the applicants in reply relied on the judgment of this Tribunal dated 9.7.2019 in O.A 571/2019, Mrs. Manjula Yeshawant Sate Versus The Dean, St. George Hospital, Bombay & 3 Ors. Learned counsel further relied on the judgment of the Hon'ble Supreme Court in the case of **Hari Nandan Prasad (supra)**, on the point of jurisdiction of the Industrial Court in respect of service conditions of Class-IV employees. He also relied on the judgment of the Hon'ble Supreme Court on parity in **Arvind Kumar Srivastava (supra)**. Learned counsel for the applicants has further submitted that on the point of manner of computation of period of 10 years, he relied on the judgment of the Hon'ble Supreme Court in the case of **Narendra Kumar Tiwari (supra)**, wherein it is held that,

If they have completed 10 years of service on the date of promulgation of the Regularisation Rules, ought to be given the benefit of the service rendered by them.

In the present cases, the applicants claim regularization accordingly. Learned counsel further argued that against these employees, there is no charge of misconduct and there is no punishment. The applicants have been serving in J.J Group of

Hospital as Badli Workers when they were given the work and have rendered excellent service during the period of Covid-19 Pandemic. He has further submitted that the criterion of attendance of 240 days for continuous 10 years is very arbitrary. It does not depend upon the willingness and capacity of the employee, but it all depends on the appointment order and job provided by the Respondents.

12. Learned counsel Mr. Sadavarte, has submitted that he prays for regularization of the services of the applicants mainly on the basis of the orders of the Industrial Court and Articles 14, 16, 21, 141 & 142 of the Constitution of India and so also based on the judgment of the Hon'ble Supreme Court in the case of **M.L Kesari (supra)**. He pointed out that by G.R dated 7.12.2015, though 626 Badli Workers were regularized, out of them 60% were not fulfilling the criteria of working for 240 days in a year for a period of 10 years. He submitted that out of 122 applicants, assuming that some of them did not full the criteria of working for 240 days in a year for a period of 10 years, yet they are entitled to be regularized on the ground of parity. Thus, the applicants also claim their regularization on the ground of discrimination on the part of the Respondent-State. Learned counsel relied on the letter/communication dated 19.10.2019 supplied by the Dean to the Director, Medical Education, regarding 110 Badli Workers.

13. Considered submissions. The basis of the relief claimed in these Original Applications is the said order of the Industrial Court in Complaint (ULP) No. 248/1996 and hence, the said order needs to be looked into. The operative portion of the said order is as under:-

- "i) The Complaint is partly allowed.*
- ii) It is hereby declared that the respondent has engaged*

in and are engaging in unfair labour practices under Item 6 of Exh. IV of the MRTU & PULP Act 1971 and they are directed to cease and desists from continuing to do so.

- iii) The respondent is directed to consider the badli workers shown in the seniority list filed by the Respondent at Exh. 'A' coll. with Exh. C-13 as per their seniority and by considering their suitability for the post, make them permanent in proportionate to the vacant permanent post and the other conditions of their service and Rules of service.*
- iv) No order as to costs."*

Thus, in the order, the reference is made of Exh.-A colly. with Exh. C-13 of the Complaint. Hence, the learned C.P.O was directed to produce the Certified Copy of Exh.-A colly. with Exh. C-13 of the said Complaint by obtaining from the Industrial Court. The said copy was obtained and produced by the learned C.P.O. Exh.-A colly. with Exh. C-13 is the list of Members of the Association of Ward boys, Ayas and Safai Kamgars working in J.J Hospital as Badli Workers. Admittedly, the names of the present applicants are mentioned in Exh.-A colly. with Exh. C-13. Thus, the judgment and order dated 29.7.2003 of the Industrial Court in Complaint (ULP) No.248/1996, is also applicable to the present applicants who are 122 in number. It is to be noted that other than Complaint No.248/1996 earlier another Complaint (ULP) No. 1271/1993 was filed by Badli Workers in J.J Hospital, namely, Jayraj Hate & Ors, in which the Industrial Court has granted relief to the Complainants by order dated 20.1.2003 and held that the Respondents have indulged in unfair labour practices. The said judgment and order was challenged by the Respondent-State before the Hon'ble Bombay High Court in Criminal Writ Petition No.1060/2005, wherein by order dated 22.10.2013, the judgment and order of the Industrial Court was upheld. Thereafter, Contempt proceedings was filed before the Second Labour Court, Mumbai and by order dated 29.12.2017, cost of Rs.5000/- was

imposed on the Respondent-State for non-compliance of the order of the Industrial Court dated 20.1.2003. However, the judgment and order dated 29.7.2003 in Complaint (ULP) No.248/1996 was not challenged before the Hon'ble High Court by the Respondent-State, wherein the applicants are the party to the Complaint. Thus, the said judgments and orders of the Industrial Court as on today hold the field. Therefore, the operative portion of the order and judgment is a decisive factor in deciding these Original Applications. No cut-off date is mentioned in the said judgments.

14. Learned C.P.O had explained how the order of the Industrial Court was implemented by the Respondent-State by giving employment to the Badli Workers, whose names were mentioned in Exh.C-3. Learned C.P.O relied on the affidavit in reply dated 20.12.2021 filed by Vaishali M. Sule, Deputy Secretary in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, along with Exh.-A colly. with Exh. C-13, the list of Badli Workers who are the Members of the Sarva Mazdoor Sangh along with two other lists. First, A-list list was of 277 eligible Badli Workers and out of which services of 227 Badli Workers were regularized. However, the names of the Badli Workers who were in the second list, B-list were found ineligible and therefore, their services were not regularized. The names of the present applicants, most of the 122 applicants are included in the said list, i.e. B-list

15. On perusal of both the lists, it is found that the criterion of continuous working of 240 days each year for 10 years as on 31.03.2007 plus having the educational qualification of passing 4th standard were applied. Learned C.P.O relied on the Recruitment Rules dated 30.9.1995, issued by G.A.D regarding recruitment of Government servants in Group A, B, C & D. Learned C.P.O

pointed out that the Ward Boys and Sweepers though form one group and for them the required educational qualification is that the candidate should have passed 4th standard. The reason of ineligibility of the applicants mentioned in the remarks column is mostly on account of long leave and therefore, they could not fulfill the required attendance of work of 240 days in a year till 31.03.2007, the cut-off date fixed by the State in G.R. dated 07.12.2015. I state that the adoption of such back dated cut-off date 31.03.2007 in Government Resolution dated 7.12.2015 for implementation of the order of the Industrial Court is itself fallacious.

16. Learned counsel for the applicants Mr Sadavarte, while meeting this affidavit in reply filed by Vaishali M. Sule (supra) has submitted that the G.A.D by order dated 30.10.1995 by issuing G.R cannot make the recruitment rules. Thus, they are executive instructions, which is not a law. Therefore, the criterion of educational qualification cannot be applied to those Badli Workers or Safai Kamgars. The arguments of Mr. Sadavarte regarding the mandate of G.R. dated 30.10.1995 is not tenable in law. The G.R. is issued in the name of His Excellency the Governor under Article 166 r/w. 309 proviso. The executives are empowered to issue the executive orders which take the character of law if at all these orders are issued in the name of His Excellency the Governor. Thus by issuing this G.R. the Government has clarified that minimum education qualification of 4th standard pass for all Class-IV employees which cannot be said as illegal. Learned counsel for the applicants further has pointed out that the regularization of Badli Workers is also accepted and recommended in the opinion of the Law & Judiciary Department by letter dated 23.6.2020. Learned counsel for the applicants argued that the judgment and order passed by the Bombay High Court in **Bhartiya Kamgar Sena**

(supra) is also to be considered. Moreover submissions of learned Advocate for the Applicants that the Applicants were subjected to discrimination because they have also fulfilled criterion of 240 days working for 10 years as on 31.03.2007 are not acceptable. The learned Advocate could not demonstrate satisfactorily how the applicants had completed this criterion as on 31.03.2007, though his further submissions that they have fulfilled the criterion in 2015 or at the time of filing of the application are correct.

17. The regular employees get the salary when they are on leave. However, the persons who are temporary substitute are also paid for those 29 days and further 29 days from time to time when they are required. Therefore, the State has rightly discontinued giving appointment as badli workers since 1999, but these applicants have continued to work in the J.J Group of Hospitals due to the intervention of the Courts order in the year 1996 which was not in force after final decision of the Industrial Court. However, after 2003 due to high percentage of leave of the regular Class-IV employees and the essential nature of service of Class-IV employees as it is mandatory to keep the cleanliness and high standard of hygiene in the hospitals. The Badlis continued till today.

18. The judgment of the Hon'ble Supreme Court in **Narendra Kumar Tiwari's case, (supra)**, is not applicable in the present case, because in the said case, there was a special situation in Jharkhand wherein the criterion of 10 years of continuous service could not have been fulfilled because the State of Jharkhand was created in the year 2010, i.e. after the judgment of the Hon'ble Supreme Court in **Umadevi's case (supra)**. The said peculiar issue in Jharkhand, was considered in Narendra Kumar Tiwari's case.

19. The issue of absorption of adhoc employees was considered in the case of **Umadevi's case (supra)**. However, that absorption is to be done by following certain conditions and on fulfillment of minimum qualification. Coming to the judgment of Industrial Court in the case of Union of Association of the Applicants, admittedly, the names of the applicants were not recommended by the Employment Exchange and therefore their appointments though are irregular, but not illegal. The appointments of these badli workers cannot be questioned in view of the exigencies of services. In **Umadevi's case (supra)** as the Hon'ble Supreme Court has acknowledged the peculiar nature of service of these badli workers whose appointments are irregular but not illegal and at paragraph 53 of its judgments has directed the Union and the State Government,

"to take steps to regularize as a one time measure, the services of such irregularly appointed, who have worked for ten years or more in duly sanctioned posts but not under cover of orders of courts or of tribunals."

The method of a one time measure is further interpreted by the Hon'ble Supreme Court in the judgment of **M.L. Kesari (supra)**, where it is said that till the last person who fulfills the criterion is regularized that can be done and whose names were not considered or who have missed it can be considered subsequently. Hence, it is not disputed that the directions given by the Hon'ble Supreme Court of applying the criterion of service of 10 years with 240 days attendance is to be applied read with the order passed by the Industrial Court

20. The affidavit-in-reply dated 20.12.2021 filed by Ms. Vaishali M. Sule, Deputy Secretary in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai discloses that there were total 862 Class-IV employees and as per the said

affidavit, services of 336 badli kamgar of J.J Group of Hospitals have been regularized as per G.R. dated 07.12.2015 and out of 336, 335 badli kamgar were from List-A read with Exhibit-C-3. The badli kamgars who were found eligible as on cut-off date 31.03.2007 their services were regularized. List-B in the said documents is the list of non-eligible badli kamgars i.e. Applicants. Out of 324 non-eligible badli kamgars, 95 badli kamgars from List-B are the applicants in the present Original Applications. Thus, it shows that their case were considered at that time as per the order of the Industrial Court dated 29.07.2003 in Complaint (ULP) No.248/1996. Thus the order of Industrial Court was duly complied. As per the service Rules the educational qualification of Safaikamgar is 4th standard. However, as per policy of the State if a person is not educated upto 4th standard then he or she can be accommodated in some other similar post.

21. The level of hygiene and cleanliness undoubtedly cannot be compromised in any Hospitals. It is the fact that Class-IV employees take leave frequently and the Government had no option but to continue the services of these badli workers. However, it is necessary for the Government to find out the permanent solution as the issue cannot be kept unresolved for such a long time at the cost of hygiene and health of the patients. It is high time for the Government to fill-up all the vacant posts.

22. The learned C.P.O. has relied on the judgment of the Hon'ble Supreme Court in case of **Ilmo Devi & Anr (supra)**. In the said matter the order of C.A.T. was challenged before the Hon'ble High Court of Punjab and Haryana at Chandigarh wherein it directed to reformulate the regularization and absorption policy to take a decision to sanction the posts in a phased manner. Hence, the Appeal was preferred before the Hon'ble Supreme Court. The

Respondents (Original Applicants) were working as Part Time Sweepers for more than 5 hours a day. They applied for their regularization, alternatively they be given temporary status w.e.f. 19.11.1989. It was opposed by the State on the ground that they are working for less than 5 hours. Hence not entitled to temporary status, so also it was argued that there is no regular sanctioned post of Safaiwala in that particular post office in Chandigarh. The Hon'ble Supreme Court held that there is no sanctioned post of Safaiwala in the said establishment. No documentary evidence is available that the Respondents were working continuously and temporarily though were working as contingent paid part-time sweepers. They were not appointed by following due procedure. Though it can be said that their appointments were not irregular, however in absence of sanctioned posts in the post-office where they were working regularizing their services was not possible. The Hon'ble Supreme Court referred the regular policy of 240 days work for 10 years as laid down in the case of **Umadevi's case (supra)**. It was held that the Hon'ble High Court in exercise of the power under Article 336 of the Constitution cannot issue Mandamus and/ or direct the Department to sanction and create the posts and also cannot direct the Government or the Department to formulate a particular regularization policy. It is the sole prerogative of the Government even the regularization policy to regularize the services of the employees working on temporary status or casual labourers is the policy decision and the Court cannot issue Mandamus. The Hon'ble Supreme Court mainly held that the status of permanency cannot be granted when there is no permanent post. The Hon'ble Supreme Court relied on the judgment of **State of Rajasthan & Ors. Versus Daya Lal and Ors. (2011), 2SCC 429** and reproduce the relevant paragraphs :

“As per the settled preposition of law, the regularization can be only as per the regularization policy declared by the State / Government and nobody can claim the regularization as a

matter of right dehors the regularization policy. Therefore, in absence of any sanctioned post and considering the fact that the respondents were serving as a contingent paid paid-term Safai Karamcharies, even otherwise, they were not entitled for the benefit of regularization under the regularization policy dated 30.06.2014.”

The present case stands on different footing than **Ilmo Devi & Anr (supra)**. The Applicants in the present case have worked as full time Badli workers and not as Part time workers. As per the affidavit filed by Ms. Vaishali Sule, Deputy Secretary on 10.11.2020 and also on 20.12.2021, wherein the chart of vacant post is shown as follows :-

Sr. No.	Cadre	Sanctioned posts	Filled up posts	Vacant posts
1.	Safaigar	352	348	4
2.	Class-4 (Direct/ Nomination)	694	504	190

Thus, vacant posts were available in the present case.

The affidavit states that pursuant to G.R. dated 01.07.2015, 336 Badli workers of Sir JJ Group of Hospitals had been regularized and 335 Badli kamgars out of them are from those 3 lists and the selection is as follows :-

Sr. No.	List	Number of badli workers in Exhibit A (Colly) with Exhibit C-13	Number of Badli workers regularized from among the column No.3 vide Government Resolution dated 7.12.2015
1	2	3	4
1	Male Safaigar	120	60
2	Female Safaigar	141	48
3	Kaksh Sevak	601	228
	Total	862	336

Exh.-A colly. with Exh. C-13 in the Industrial Court is the list of 603 Badli Kamgars of Kaksh-sevak ward boys is Exhibit R-1 to the affidavit.

The list of 603 total Badli Kamgars, Kaksh-sevak ward boys is enclosed as Exhibit R-2 to the affidavit. Out of them the list of 227 was prepared as (अ - यादी - पात्र). They were found suitable and regularized. 277 Badli Kamgars were regularized pursuant to G.R. 07.12.2015 which is marked at Exhibit R-3 i.e. (अ - यादी - पात्र). (ब - यादी - अपात्र) is made of non-eligible of 324 Badli Kamgars i.e. Kaksh-sevak ward boys i.e. (ब - यादी - अपात्र) which is marked as R-4, so the criterion fixed by the Government of 10 years service of the Badli kamgars with 240 days in a year was applied.

23. The Industrial Court by the two orders have held that if the Badli workers i.e. Complainants are made to work as Badlis for years together it will amount to Unfair Labour Practices under the item 6 and 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention Unfair Labour Practices Act, 1971 (MRTU & PULP Act). This finding is final and holds the field as on today also. Obviously in the order of the Hon'ble High Court dated 22.10.2013 in Criminal Writ Petition No.1060/2005, thereby confirming the judgment of the Industrial Court there is no mention of the criterion of 10 years and 24 days which is specified in the judgment of **Umadevi (supra)** decided later i.e. on 10.04.2006. In the G.R. of 07.12.2015 also there is no mention or reference of the judgment of **Umadevi (supra)**. Only at Clause 8 the Government has adopted the formula i.e.

(c) सदर बदली कर्मचा-याने प्रत्येक आर्थिक वर्षात किमान २४० दिवस इतकी सेवा केलेली असली पाहिजे.

24. The defense taken by the Respondents that the Applicants cannot fulfill the requisite criterion, is blatantly erroneous. Had the Government implemented the order of Industrial Court immediately i.e. in the year 2003 or 2004 itself and would have discontinued the practice of Badli after 2003; this complicated situation would not have arisen. The continuation of practice of

Badlis even after the judgment of the Industrial Court resulted in continuation of unfair labour practice. Therefore as submitted by learned Counsel Mr. Sadavarte the case of the Applicants is fully covered by the judgment of Industrial Court. The applicants have completed 240 days working for 10 years till 2015. Thus the Applicants are also to be regularized in proportionate to vacant permanent posts and the other conditions of their services and rules of service which were prevailing in the year 2015. In the year 2015 the Respondent-State has lost the sight that the criterion of cut-off date of 31.03.2007 was applied in a wrong manner. In view of the fact that though the services of the Badli workers were declared as Unfair Labour Practices under the item 6 and 9 of Schedule IV of the MRTU & PULP, 1971, the Respondent continued to call these present applicants on Badli whenever they were required, though the practice of Badli's was discontinued in the year 1999. Thereafter no new Badli worker was taken on role by the Respondent; that was the correct policy decision of the Respondent-State. However, the Respondents have missed the basic legal point that as per judgment of the Industrial Court which is in force as on today the Badli workers who continued to work not only upto 2015 but till the date of the filing of the application were not discontinued. Thus, the case of the present applicants is required to be considered afresh in the light of the finding of the Industrial Court on the ground of Unfair Labour Practices.

25. The Respondent is a welfare State and cannot indulge into unfair labour practices, especially when such finding is given by the Industrial Court. On query I am informed by the Respondent that the services of the Badli - Wardboys, Sweepers and Ayas was very much used during the period of COVID-19 pandemic with great risk and exposure and two of them succumbed to COVID-19.

26. The services and the type of job of Badlis remained the same and they continued to work for such a long period of 20 to 22 years. I could, with the help of Respondents find out how many applicants have completed 10 years with 240 days in a year, till 2015 and it is found that most of them have fulfilled this criterion. The Industrial Court was competent to decide the issue of Unfair Labour Practices and this Tribunal cannot take other view. Thus, the Respondents cannot apply the new recruitment rules but they will have to absorb all the applicants as per the order given by the Industrial Court. Had the Government not continued the services of the applicants after 2007 or 2015 to stop the unfair labour practices the applicants would not have come before the Court. However, it did not happen so. As on today in J.J. Group of Hospital following vacancies are available :

1	J.J. Hospital	110 Badlis
2	Grant Medical College	15 Badlis
3	Nursing	7 Badlis
Total		132

I rely on the recent G.R. dated 21.01.2020 by which services of Badlis in St. George Hospital were regularized in view of the judgment and order passed by the Maharashtra Administrative Tribunal in O.A.No.471 of 2019 on 01.01.2019, relying on the same judgment of the Industrial Court dated 20.01.2003 in U.L.P. No.1271 of 1993. In the judgment of **Arvind Kumar Srivastava (supra)** the Hon'ble Supreme Court held that,

22.1. The normal rule is that when a particular set of employees is given relief by the court, all other identical situated persons need to be treated alike by extending that benefit. Not doing so would amount to discrimination and would be violative of Article 14 of the Constitution of India. The principle needs to be applied in service matters more emphatically as the service jurisprudence evolved by this Court from time to time postulates that all similarly situated persons should be treated similarly. Therefore, the normal

rule would be that merely because other similarly situated persons did not approach the Court earlier, they are not to be treated differently.

27. Thus, the right of the Applicants accrued to get the regularization subject to service Rules and suitability, when the judgments/orders of Industrial Court were passed. Thus, the Applicants are to be regularized pursuant to the judgments/orders of the Industrial Court and the suitability is to be verified on the basis of the then existing Recruitment Rules, if any. It is to be implemented till the date of filing of the present Original Application. As mentioned earlier the educational qualification of Class-IV employees, Safai Kamgars in J.J. Group of Hospital should be 4th standard pass. 4 Applicants out of 122 Applicants have not studied upto 4th standard. However, it is made clear that they cannot be treated at this stage as unsuitable because the Respondent-State has allowed them to work for a long period of more than 10 years. The arguments that suitability criterion is not required for the appointment of Badli workers is also not tenable because appointing continuously unsuitable persons for such a long period also amounts to unfair labour practice as declared by the Industrial Court. Moreover the job of Safai Kamgars is of unskilled labour and therefore exception of these four applicants who are not having requisite educational qualification of 4th standard pass will not affect adversely in any manner the degree of cleanliness or hygiene in J.J. Group of Hospital. Thus, they are to be regularized considering their services. This order is to be implemented within four weeks i.e. upto 16.03.2022. Thus when the posts are available Badlis are to be accommodated against the said posts.

28. Original Application is allowed in view of paragraph 27 and the order is to be implemented accordingly.

Sd/-

**(Mridula Bhatkar, J.)
Chairperson**

prk/nair

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1 Principal Secretary
medd.vaiseva4@gov.in

Medical Education & Drugs Dept. Mantralaya, Mumbai

Sub : O.A. Nos. : 756/2020-
Sawant M.R. & Ors. <Opinion>

Aaya, Ward Boy etc.

Sir,

With reference to your letter dtd. 18.2.2022 seeking my opinion as whether to approach the Hon`ble High Court to challenge judgment of this Hon`ble Tribunal dtd. 14.2.2022 in O.A. No. 756/2020, I am to state as under :

I am fully conversant with the facts of the case and the submissions made therein on behalf of Respondents as I appeared in the above mentioned case.

After careful perusal of the above mentioned judgment, I am of the opinion that this is not a fit case to approach the Hon`ble High Court as the Hon`ble Tribunal has relied on the decisions of the Hon`ble Industrial Court in Complaint (ULP) No. 248/1996, which is reproduced in paragraph no. 13 of the judgment. The said judgment was never challenged before the Hon`ble High Court and thus has achieved finality. One more judgment of the Hon`ble Industrial Court in Complaint (ULP) No. 1271/1993 is referred to in paragraph 13 on page 29 of the judgment. It is clearly observed at the end of paragraph no. 13 that the said judgments and orders of the Industrial Court as on today hold the field.

After discussing various judgments of the Hon`ble Supreme Court referred to and relied on in the above mentioned case, the Hon`ble Tribunal has taken note of the vacancy position on page 36 of the judgment.

The Hon`ble Tribunal has allowed the said Original Application because of the observations of the Hon`ble Industrial Court in both these orders that if the badli workers i.e. complainants are made to work as badli worker for years together, it will amount to unfair labour practice under item 6 and 9 of Schedule IV of the Maharashtra Recognition of Trade Unions and Prevention Unfair Labour Practices Act, 1971 (MRTU & PULP Act). As this finding is final and still holds the field, this Hon`ble Tribunal has held that the Applicants are to be regularized.

The Hon`ble Tribunal in its judgment has observed that in action on the part of the Respondents in not challenging the decisions of the Hon`ble Industrial Court at the relevant time and continuation of the

Applicants as badli workers even after G.R. dtd. 7.12.2015 amounts to continuation of unfair labour practice.

In the light of such observations of the Hon`ble Tribunal in the judgment dtd. 14.2.2022, I am of considered opinion that it will be in the interest of justice to implement the same instead of approaching before the Hon`ble High Court. However, you are free to take your own independent decision.

The Hon`ble Tribunal has given period of four weeks i.e. up to 16.3.2022 to implement the said judgment. You are, therefore, requested to do the needful and if it is not possible to implement the judgment within said period, kindly instruct Office of the Chief Presenting Officer to file Miscellaneous Application seeking extension of time with reasons for seeking the same.

With kind regards,

Swati P. Manchekar
Chief Presenting Officer
MAT, Mumbai

सामान्य प्रशासन विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक ३० ऑक्टोबर, १९९५.

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भारताचे संविधान.

क्रमांक : आरटीआर १०९४/घ.क्र.१/९४/९२- भारताच्या संविधानाच्या अनुच्छेद ३०९ खालील प्रत्येकाच्या प्रदान करण्यात आलेल्या शक्तीचा वापर करून आणि अस्तित्वात असलेले संबंधित सर्व विद्यमान नियम, आदेश किंवा अनुदेश अधिक्रमिक करून, महाराष्ट्राचे राज्यपाल याद्वारे महाराष्ट्र शासनाच्या विभागातील, सोबत जोडलेल्या अनुसूचीतील गट "ड" पदाच्या सेवामरतीचे विनियमन करणारे पुढील नियम करित आहेत, जसे :-

१. या नियमांना महाराष्ट्र शासनाच्या विभागातील गट "ड" पदांचे (सेवामरती) नियम, १९९५ असे संबोधण्यात यावे.

२. या नियमांमध्ये संदर्मानुसार दुसरा अर्थ अभिप्रेत नसेल तर, --

(अ) अनुसूचीमध्ये नमूद केलेल्या पदांवर सेवामरती करण्याबाबत "नियुक्ती प्राधिकार" म्हणजे त्या पदावर नेमणुका करण्यात जो प्रकाम आहे असा प्राधिकारी;

(ब) विभाग म्हणजे संविधानाच्या अनुच्छेद-१६६ अन्वये बनविलेल्या महाराष्ट्र शासन कार्यालयसंबंधीच्या पहिल्या अनुसूचीमध्ये निर्दिष्ट केलेले विभाग, यामध्ये अशा नियमांच्या अधिपत्याखालील इतर कार्यालये देखील अंतर्भूत आहेत;

(क) "शासन" म्हणजे महाराष्ट्र शासन;

(ड) "अनुसूची" म्हणजे या नियमांना जोडलेली अनुसूची.

३. अनुसूचीमधील भाग "अ" मध्ये उल्लेख केलेल्या पदांवरील नेमणुका अनुसूचीमधील भाग "ब" मध्ये नमूद केलेल्या पदांवर काम करित आहेत अशा व्यक्तींमधून आणि अनुसूची भाग "क" मध्ये नमूद पदांवर काम करित आहेत, आणि ज्यांची किमान ३ वर्षांची नियमित सेवा त्या पदांवर झालेली आहे आणि नियम-६ च्या खंड "क" च्या उपखंड (२) मधील नामनिर्देशनाने भरतीसाठी विहित केलेली शैक्षणिक अर्हता धारण करित आहेत अशा व्यक्तींमधून "ज्येष्ठता अधीन पात्रता" या आधारावर पात्र ठरविलेल्या योग्य व्यक्तींच्या पदांभरतीने करता येतील.

४. अनुसूचीमधील भाग "ब" मध्ये उल्लेख केलेल्या पदांवरील नेमणुका पुढीलपैकी कोणत्याही मार्गाने करता येतील :-

(अ) अनुसूची मधील भाग "ड" मध्ये उल्लेख केलेल्या पदांवर काम करित असलेल्या आणि त्याची त्या पदांवर किमान ३ वर्षांची नियमित सेवा झाली आहे त्या व्यक्तींमधून ज्येष्ठता अधीन पात्रता या आधारावर पात्र ठरलेल्या योग्य व्यक्तींच्या पदांभरतीने किंवा,

(ब) अनुसूचीमधील भाग "क" मधील पदांवर काम करित असलेल्या आणि नियम "६" च्या खंड "क" च्या उपखंड (२) मधील शैक्षणिक अर्हता धारण करित असलेल्या योग्य व्यक्तींच्या बदलीने.

५. अनुसूचीमधील भाग "क" मध्ये उल्लेख केलेल्या पदांवरील नेमणुका अनुसूचीमधील भाग "ब" मध्ये नमूद केलेल्या पदांवर काम करीत असलेल्या व्यक्तींकडून, ज्यांची किमान ३ वर्षांची नियमित सेवा त्या पदांवर झालेली आहे, अशा व्यक्तींमधून ज्येष्ठता अर्थात पात्रता या आधारावर पात्र ठरविलेल्या योग्य व्यक्तींच्या पदोन्नतीने करता येतील.

६. अनुसूचीमधील भाग "ड" मध्ये उल्लेख केलेल्या पदांवरील नेमणुका पुढीलप्रमाणे बदलविल्या जातील :-

(अ) अनुसूची भाग "क" मध्ये उल्लेख केलेल्या पदांवर काम करीत असलेल्या व्यक्तींमधून कोणत्या त्या पदांवर किमान ३ वर्षांची नियमित सेवा झालेली आहे, अशा व्यक्तींमधून ज्येष्ठता अर्थात पात्रता या आधारावर पात्र ठरविलेल्या योग्य व्यक्तींच्या पदोन्नतीने किंवा,

(ब) अनुसूचीमधील भाग "ड" मधील काम करीत असलेल्या आणि नियम-६ च्या खंड (क) उपखंड (२) मधील सैद्धांतिक अर्हता धारण करीत असलेल्या योग्य व्यक्तींच्या बदलीने किंवा,

(क) पुढील अटी पूर्ण करणा-या उमेदवारांमधून नामनिर्देशनाने :-

- (१) ज्यांचे वय १८ वर्षांपेक्षा कमी आणि ३० वर्षांपेक्षा जास्त नाही आणि
- (२) जो शासनाने मान्यता दिलेल्या शाळेमधून प्राथमिक शाळेची ४ वी इयत्ता उत्तीर्ण आहे.

परंतु, नियुक्ती प्राधिका-यांस जे माजी सैनिक किंवा लष्करी सेवेचे निवृत्ती वेतनधारक असतील अशा उमेदवारांच्या बाबतीत कमाल वयोमर्यादा ४५ वर्षांपर्यंत शिथिल करता येईल.

७. अनुसूची "ड" मध्ये उल्लेख केलेल्या पदांवरील नेमणुका ज्यांचे वय १८ वर्षांपेक्षा कमी आणि ३० वर्षांपेक्षा जास्त नाही, अशा उमेदवारांमधून नामनिर्देशनाने करता येतील. परंतु, नियुक्ती प्राधिका-यांस जे माजी सैनिक किंवा लष्करी सेवेचे निवृत्ती वेतनधारक आहेत अशा उमेदवारांच्या बाबतीत कमाल वयोमर्यादा ४५ वर्षांपर्यंत शिथिल करता येईल.

८. अनुसूचीमधील भाग "फ" मध्ये उल्लेख केलेल्या पदांवरील नेमणुका :-

- (१) ज्यांचे वय १५ वर्षांपेक्षा कमी नाही आणि १८ वर्षांपेक्षा जास्त नाही आणि
- (२) जो शासनाने मान्यता दिलेल्या शाळेमधून प्राथमिक शाळेची ४ वी इयत्ता उत्तीर्ण आहे

उमेदवारांमधून नामनिर्देशनाने करता येतील.

९. वरील नियमांमध्ये काहीही अंतर्भूत असले तरी अनुसूचीमध्ये उल्लेख केलेल्या पदांवरील नेमणुका या पदांवर आवश्यकतेनुसार शासनास योग्य वाटतील असे विरोध अथवा सर्वसाधारण आदेश निर्गमित झाल्याने निर्देशित केलेल्या पध्दतीनुसार विरोध परिस्थितीत सेवा भरती करता येईल.

अनुसूची

पदनाम

- भाग-अ
- १ जमादार
- २ चौपदार
- भाग-ब
- ३ हवालदार

- १ जर्क
- २ उद्घाटन चालक
- ३ आवेष्टक
- ४ फार्मल कुरी
- ५ दुपतरी
- ६ नपासत
- १० रानिओ शिपाई/रानिओ शालक
- ११ मुकादम
- १२ दारवान
- भाग-क
- १३ स्वच्छक मुकादम
- १४ नफाईगार मुकादम
- भाग-ड
- १५ शिपाई
- १६ सहायक नावान
- १७ रानेश वाक
- भाग-इ
- १८ स्वच्छक
- १९ नफाईगार
- भाग-फ
- २० बाल शिपाई

महाराष्ट्राचे राज्यपालांच्या आदेशानुसार व नावाने

अ.म. जोशी
शासनाचे उप सचिव.

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संस्थेचे नाव :- अधिष्ठाता कार्यालय, सर ज.जी. समूह रुग्णालय, मुंबई ४०० ००८

विवरणपत्र - अ

ज्या बाबतीत कर्मचाऱ्यांनी १० वर्ष सेवा केलेली आहे. अशा कर्मचाऱ्यांची यादी

क्र.सं.	सूत्र बाबी क्र.	वर्गवली कर्मचाऱ्यांचे नाव	जाती प्रवर्ग	शैक्षणिक पात्रता	जन्म दिनांक	प्रवेश दिनांक	प्रथम नियुक्तीचा मेळवे क्र	नियुक्तीचे स्तर	धारा
1	2	3	4	5	6	7	9		
1	184	बी.प्रभुलाल सिताराम शेठे A1	महारा	७ वी	9/3/1960	06/05/78	१८	स्थानिक	
2	८	श्री.हरिचंद्र अंकुश मांजरेकर	भंडारी	१२ वी	3/6/1954	01/04/80	२६	स्थानिक	
3	185	श्री.राज मोहन बार	मांग	४ वी	28-9-61	01/11/81	२०	स्थानिक	
4	१०	श्री.राधिका भा.साळवी A ०	बौध्द	१० वी	1/6/1952	25-5-82	३०	स्थानिक	
5	187	श्री.सुभाष केरु पवार	म्हावी	७ वी	12/1/1959	01/09/82	२९	स्थानिक	
6	188	श्रीम.सविता सत्यधाम निर्गुण A 96	मराठा	५ वी	11/4/1964	10/12/82	१८	स्थानिक	
7	188	श्री.सुमिल देऊ जाधव A 5	बौध्द	७ वी	11/4/1961	17-5-83	२२	स्थानिक	
8	188	श्री.विनोद केसव बरेकर A 6	हिंदू	७ वी	11/6/1964	01/09/83	१९	स्थानिक	
9	188	श्री.प्रकाश नागू शेजने A 2	बौध्द	५ वी	14-3-68	12/09/83	१५	स्थानिक	
10	189	श्री.रमेश रामचंद्र शासकवाड A 7	मांग	९ वी	17/1/1964	01/12/83	१९	स्थानिक	
11	189	श्री.सुभाष गोसावस पाटे A 8	मराठा	४ वी	10/6/1965	06/01/84	१९	स्थानिक	
12	189	श्री.गोपाळ सुकायान पवार A 9	मराठा	७ वी	1/6/1965	14-1-84	१९	स्थानिक	
13	189	श्रीम.उर्मिला लक्ष्मण माळवकर A 7	भंडारी	९ वी	27-2-59	20-3-84	२५	स्थानिक	
14	189	श्रीम.सुहासिनी व. शंभरकर	भंडारी	७ वी	7/8/1961	22-4-84	२३	स्थानिक	
15	२३	श्रीम.वैजाली विजय माईक A	मराठा	९ वी	6/12/1958	16-5-84	२६	स्थानिक	
16	२५	श्रीम.कल्पना स्वाम शेजने	भांगी	८ वी	1/6/1951	02/06/84	३३	स्थानिक	
17	189	श्री.मोहन चंद्ररंग सोसावणे	मांग	६ वी	1/6/1963	01/08/84	२१	स्थानिक	
18	189	श्री.हरिचंद्र पां.उतरेकर	मराठा	५ वी	2/6/1959	24-9-84	२५	स्थानिक	
19	189	श्री.शंकर बाळकृष्ण गाडगे A 10	मराठा	९ वी	1/1/1960	03/1/084	२५	स्थानिक	
20	189	श्रीम.कल्पना रामचंद्र जंगम A 98	महारा	७ वी	15-9-63	09/1/084	२१	स्थानिक	
21	189	श्रीम.सविता बल्लाराम मोरे A 94	मराठा	७ वी	2/12/1969	01/01/85	१६	स्थानिक	
22	३३	श्रीम.वैजना शंतंत मांढरे A 100	मराठा	४ वी	1/4/1953	10/05/85	३२	स्थानिक	
23	३४	श्री.शुक्रराज रामचंद्र तोरले A 11	बौध्द	६ वी	14-8-68	10/05/85	१७	स्थानिक	
24	189	श्री.मधुसूदन सुकायान लाड	मराठा	९ वी	28-2-62	05/1/0/85	२३	स्थानिक	
25	३९	श्री.अशोक मोहन गायकवाड A 15	शिखण	५ वी	1/6/1960	06/05/86	२६	स्थानिक	
26	189	श्रीम.मालिनी मनोहर गोसावी	हिंदू	७ वी	3/6/1971	07/05/86	१५	स्थानिक	
27	189	श्री.विनकर नयूराम गाडे A 14	बौध्द	९ वी	13-3-67	19-5-86	१९	स्थानिक	
28	189	श्रीम.रेखा सतिश भास A 102	भंडारी	९ वी	22-3-65	01/07/86	२१	स्थानिक	
29	४४	श्री.सर्जराव बाबुराव साळेकर A 12	मराठा	९ वी	11/1/1967	18-7-86	१९	स्थानिक	
30	189	श्रीम.मिनाबी चंद्रमलत जाधव	बौध्द	७ वी	12/5/1964	11/09/86	२०	स्थानिक	
31	२७	विलीप भा साळवी A 46	हिंदू	५ वी	30-5-59	18-2-87	२८	स्थानिक	
32	189	श्री.अंकुश रामचंद्र उतेकर A 16	मराठा	९ वी	18-7-67	01/03/87	२०	स्थानिक	
33	189	श्री.बाबुराव रंगू कपले	मराठा	५ वी	1/6/1966	15-4-87	२६	स्थानिक	
34	189	श्री.सुधिर मनोहर सावंत A 19	मराठा	९ वी	21-8-68	04/05/87	१९	स्थानिक	

Total - 277.
In (R - 227

क्र.सं.	नाम	पता	वर्ग	दिनांक	स्थान	वर्ग	दिनांक	स्थान
१११	श्री. रविंद्र गोविंद कांबळे	श्री. सुभा गौतम बरे	बौध्द	१९/१०/७१	१९	१९	०८/०६/९१	स्थानिक
११२	श्री. सुभा गौतम बरे	A ५४	इ.मा.ब.	१९/०६/९१	१९	१९	२०-६-९१	स्थानिक
११३	श्री. विद्या विलीप मोरे	A ११०	मराठा	०१/०७/९१	२५	२५	०१/०७/९१	स्थानिक
११४	श्री. जेठेन्द्र महादेव जाधव		बौध्द	०१/०९/९१	१८	१८	०१/०९/९१	स्थानिक
११५	श्री. अशुभला जगदीश काळमाडे /		बौध्द	०५/१०/९१	२५	२५	०५/१०/९१	स्थानिक
११६	श्री. हरिभाषण सुरेश इच्छनकर		मराठा	११/१२/९१	१९	१९	११/१२/९१	स्थानिक
११७	श्री. गोपाळ आया म्हास्व	A ५१	हिंदू	१४-१२-९१	२०	२०	१४-१२-९१	स्थानिक
११८	श्री. जगदल गोपाळ बाणे	A ५२	मराठा	०१/०१/९२	२४	२४	०१/०१/९२	स्थानिक
११९	श्री. सुजित नारायण देवळेकर	A ५२	मराठा	०१/०२/९२	२०	२०	०१/०२/९२	स्थानिक
१२०	श्री. सिताराम सहदेव आंबे	A ५३	मराठा	०४/०२/९२	२२	२२	०४/०२/९२	स्थानिक
१२१	श्री. राजेश गणपत जाधव		मराठा	०४/०२/९२	२२	२२	०४/०२/९२	स्थानिक
१२२	श्रीमती लता मानाजी निम्म		मराठा	०८/०२/९२	२०	२०	०८/०२/९२	स्थानिक
१२३	श्रीमती बायाबाई बौद्ध जयम	A ५४	मराठा	१७-२-९२	२७	२७	१७-२-९२	स्थानिक
१२४	श्री. संतोष राजाराम चेवामकर		मराठा	०१/०३/९२	२२	२२	०१/०३/९२	स्थानिक
१२५	श्री. विजय राम साळुंबे	A ५५	मराठा	०१/०३/९२	२२	२२	०१/०३/९२	स्थानिक
१२६	श्री. संतोष राजी मोरे	A ५६	मराठा	०१/०३/९२	२२	२२	०१/०३/९२	स्थानिक
१२७	श्री. जितेंद्र विठाराम कश्यम	A ५७	मराठा	०९/०३/९२	२२	२२	०९/०३/९२	स्थानिक
१२८	श्री. प्रविण रत्तायाम पावसकर	A ५८	मराठा	१३-३-९२	२६	२६	१३-३-९२	स्थानिक
१२९	श्री. जगदल चंद्रकांत लाड	A ५७	मराठा	२९-३-९२	२०	२०	२९-३-९२	स्थानिक
१३०	श्री. रामचंद्र वृत्तराम उलेकर	A ५६	मराठा	०४/०३/९२	२३	२३	०४/०३/९२	स्थानिक
१३१	श्री. गोपल राजाराम भोसले	A ६०	मराठा	०१/०४/९२	१९	१९	०१/०४/९२	स्थानिक
१३२	श्री. गणेश हीरामच गावड		मराठा	०३/०४/९२	१९	१९	०३/०४/९२	स्थानिक
१३३	श्री. संतोष धाक सोनावणे	A ६१	मराठा	०६/०४/९२	१८	१८	०६/०४/९२	स्थानिक
१३४	श्री. विश्वनाथ श्रीधर पावळेकर		मराठा	१०/०४/९२	१९	१९	१०/०४/९२	स्थानिक
१३५	श्री. श्रीराम मारुती पवार		मराठा	०५/०४/९२	१९	१९	०५/०४/९२	स्थानिक
१३६	श्री. राजेश नामदेव मोहीते		मराठा	०५/०५/९२	२०	२०	०५/०५/९२	स्थानिक
१३७	श्री. लक्ष्मण हरिभाषण धोडे		मराठा	०५/०५/९२	१९	१९	०५/०५/९२	स्थानिक
१३८	श्री. श्याम विष्णु माडये		मांग	११/०५/९२	२६	२६	११/०५/९२	स्थानिक
१३९	श्री. सुमिल बाबराम जंबावकर	A ६०	मराठा	१६-५-९२	२८	२८	१६-५-९२	स्थानिक
१४०	श्रीमती रंजना सुनाथ साळुंबे	A ११२	मांग	२५-५-९२	३०	३०	२५-५-९२	स्थानिक
१४१	श्री. पंडुरंग रामचंद्र कोंढाळकर		मराठा	२७-५-९२	२१	२१	२७-५-९२	स्थानिक
१४२	श्री. मंगल लि. बोभाडे	A ६४	मराठा	०१/०५/९२	२३	२३	०१/०५/९२	स्थानिक
१४३	श्री. गोपल वित्कर गोळे		मराठा	०१/०५/९२	२०	२०	०१/०५/९२	स्थानिक
१४४	श्री. विजय विक्रमी सारंग		शिरधन	०१/०६/९२	२०	२०	०१/०६/९२	स्थानिक
१४५	श्री. सुजित दगडू कश्यम		मराठा	०१/०६/९२	१९	१९	०१/०६/९२	स्थानिक
१४६	श्री. सव्याराम सहदेव आंबे	A ६५	मराठा	०५/०६/९२	१९	१९	०५/०६/९२	स्थानिक
१४७	श्री. किशोर सिताराम शेलार		मराठा	१४-६-९२	२०	२०	१४-६-९२	स्थानिक
१४८	श्री. महेंद्र परशुराम वाजपेरे	A ६६	महारा	२०-६-९२	२८	२८	२०-६-९२	स्थानिक
१४९	श्री. राजू गोविंद सारंगकर	A ६७	चाभार	०१/०८/९२	२२	२२	०१/०८/९२	स्थानिक
१५०	श्री. राजेश रामचंद्र राणे		मराठा	०१/०८/९२	२०	२०	०१/०८/९२	स्थानिक
१५१	श्री. मंगेश किसन लोंढे		मांग	०१/०८/९२	२०	२०	०१/०८/९२	स्थानिक



 मु.सं. १०० ००६
 १०/११/२०११

१२६६	१६६६	श्रीमती संख्या सुरेश मोरे A114	महाराष्ट्र	५वी	14-4-67	01/09/92	२५
१२६७	१६६७	श्री. बासुदेव लक्ष्मण कदम A 68	म्हाराष्ट्र	९वी	1/6/1972	01/09/92	२०
१२६८	१६६८	श्रीमती नंदा विपक विलेकर	म्हाराष्ट्र	७वी	26-8-74	06/09/92	२८
१२६९	१६६९	श्री. गोविंद कृष्ण मोहिते	बोम्बे	६वी	1/6/1967	16-9-92	२५
१२७०	१६७०	श्री. संतोष रामचंद्र साठे A 69	मोराठा	७वी	1/6/1969	22-9-92	२३
१२७१	१६७१	श्री. बळवंत रामचंद्र तोरले A71	बोम्बे	७वी	7/1/1969	01/10/92	२३
१२७२	१६७२	श्री. अशोक राजी पाटे	मराठा	७वी	1/6/1976	01/10/92	२६
१२७३	१६७३	श्री. अनिल मधुसूदन भायकनाथ A 70	मराठा	५वी	14/1/1969	28-10-92	२३
१२७४	१६७४	श्री. संजय रामचंद्र पवार	मराठा	८वी	1/6/1973	01/11/92	२९
१२७५	१६७५	श्री. सुर्यकांत रामचंद्र उल्लाळकर	म्हाराष्ट्र	९वी	1/6/1975	01/11/92	२७
१२७६	१६७६	श्री. गंगाधर पांडुरंग नाईक A 73	मराठा	७वी	27-11-70	26-11-92	२२
१२७७	१६७७	श्री. नानिबा मनोहर संबळे A115	बोम्बे	९वी	1/6/1966	01/12/92	२६
१२७८	१६७८	श्री. अशोक जगन्नाथ वेसाई	मराठा	९वी	22-2-73	03/12/92	२९
१२७९	१६७९	श्री. विनायक सुकासन जोकाटे A159	बांधी	९वी	25-11-71	16-12-92	२९
१२८०	१६८०	श्री. प्रमोद कृष्ण मराठे A 74	मराठा	९वी	16-8-71	01/01/93	२२
१२८१	१६८१	श्री. नारायण रामचंद्र परब A 75	मराठा	८वी	1/6/1972	01/01/93	२९
१२८२	१६८२	श्री. सावित्र कल्याणंत पानवलकर	लोहार	९वी	20-7-70	28-1-93	२३
१२८३	१६८३	श्री. सुनिल गोपाळ बांधे	मराठा	९वी	16-3-74	01/02/93	२९
१२८४	१६८४	श्री. जिवेश वितारान जाधव	बोम्बे	९वी	16-2-73	04/02/93	२०
१२८५	१६८५	श्री. सुरेश चंद्रकांत निवाळे	म्हाराष्ट्र	९वी	28-9-68	01/03/93	२५
१२८६	१६८६	श्री. संतोष गंगाधर सुर्वे	मराठा	८वी	10/6/1974	03/03/93	२९
१२८७	१६८७	श्री. राजेश सुब्बाबा जाधव	मराठा	९वी	25-1-74	08/03/93	२९
१२८८	१६८८	श्री. नमोद विठोबा जाधव	बोम्बे	७वी	3/4/1970	01/04/93	२३
१२८९	१६८९	श्री. जयवंत अण्णा तेली A 76	तेली	७वी	26-1-71	01/04/93	२२
१२९०	१६९०	श्री. शिवाजी देवू शेटके	मराठा	९वी	1/6/1972	01/04/93	२९
१२९१	१६९१	श्री. शिवाजी बाळू ठाकरे	मुम्बयी	९वी	1/6/1972	07/04/93	२९
१२९२	१६९२	श्री. शिवायत लक्ष्मण कदम	मराठा	९वी	1/3/1975	01/05/93	२८
१२९३	१६९३	श्री. मंगेश मनोहर शक्याप A 77	मराठा	९वी	12/1/1972	03/05/93	२२
१२९४	१६९४	श्री. सुरेश हनुमंत पोदकोडे	म्हाराष्ट्र	९वी	20-9-74	03/05/93	२९
१२९५	१६९५	श्री. अनिल चंद्रकांत देवगी A 79	मुम्बयी	९वी	12/2/1972	04/05/93	२२
१२९६	१६९६	श्री. मनोज माऊली बाडके	मराठा	९वी	27-6-72	05/05/93	२९
१२९७	१६९७	श्री. सुभाष कौशिक गोळे	मुम्बयी	७वी	23-2-75	05/05/93	२८
१२९८	१६९८	श्री. महेश सलीम अन्वारी	मुम्बयी	७वी	23-3-73	07/05/93	२०
१२९९	१६९९	श्री. निलेश शिवराम शिबराय	मराठा	७वी	8/1/1975	14-6-93	२८
१३००	१७००	श्री. बाळू तिकाजी करारवे	म्हाराष्ट्र	७वी	18-5-68	01/07/93	२५
१३०१	१७०१	श्री. राजू संकर इगळे	बोरे	८वी	4/2/1968	15-7-93	२५
१३०२	१७०२	श्री. अनंत विनकर जतेकर	मराठा	७वी	1/6/1975	07/08/93	२८
१३०३	१७०३	श्री. रामचंद्र जाधव	मराठा	८वी	1/7/1975	11/08/93	२८
१३०४	१७०४	श्री. भागीनाथ शिवराम भेसले	मराठा	९वी	10/6/1972	21-9-93	२९
१३०५	१७०५	श्री. नैबेराम वामन पवार	मराठा	९वी	12/6/1974	04/10/93	२९
१३०६	१७०६	श्री. नरेश सकराम पाठे	मुम्बयी	९वी	12/11/1975	01/11/93	२९
१३०७	१७०७	श्री.म.सुर्गा नागनाथ जाधव	कैम्बडी	५वी	15-6-72	03/11/93	२९


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क्र.सं.	नाम	पद	पता	श्रेणी	दिनांक	स्थिति	विवरण
२५६	श्री. विठ्ठल धातकर शिंदे	मराठा	१०वी	११/११/१९७८	०१/०६/१९७६	स्थापित	१८
२५७	श्री. वल्लभराव बाळू पवार	मराठा	७वी	१५/११/१९७७	०७/०६/१९७६	स्थापित	१९
२५८	श्री. जितेंद्र अनंत निकम	मराठा	८वी	१६-८-७७	०७/०६/१९७६	स्थापित	१९
२५९	श्री. गणेश बगडू कवठ	मराठा	९वी	८/७/१९७४	१७-८-७६	स्थापित	२२
२६०	श्री. मनिषा केदार मोहरे	मराठा	७वी	२६-८-७५	१८-६-७६	स्थापित	२१
२६१	श्री. बाबाजी चाना जाधव	नाथिक	७वी	१२/६/१९७०	०१/०७/१९७६	स्थापित	१६
२६२	श्री. पुंडरीक चमरत बाणे	मराठा	१२वी	१९-१२-७७	०१/०७/१९७६	स्थापित	१९
२६३	श्री. अनिश जसवंत बाणे	मराठा	७वी	३२/१९७८	०१/०७/१९७६	स्थापित	१८
२६४	श्री. बालाराम मणिपाल सोबी	शेकी	२वी	२५-१-७८	०६/०७/१९७६	स्थापित	१८
२६५	श्री. अशिल यणपत मोसाळकर	मराठा	९वी	१/६/१९७८	१४-७-७६	स्थापित	१८
२६६	श्री. रमेश बलाराम रेणोत	मराठा	५वी	२८/११/७७	२०-७-७६	स्थापित	१९
२६७	श्री. नारायण बी मोरे	जनकर	७वी	२७/११/७५	०२/०८/१९७६	स्थापित	२०
२६८	श्री. विठ्ठल रघुनाथ पालाडे	मराठा	९वी	१/३/१९६३	०९/०५/१९७६	स्थापित	३२
२६९	श्री. संतोष सोतीराम पाटे	मराठा	७वी	५/१२/१९७७	०१/०९/१९७६	स्थापित	१९
२७०	श्री. नवलकाश कुंजा मुल्की	शेकी	९वी	१७-८-७६	०७/०९/१९७६	स्थापित	२०
२७१	श्री. जगन्नाथ संकर आचरेकर	भंडारी	७वी	४/२/१९७४	१७-९-७६	स्थापित	२२
२७२	श्री. सुविता राजू साळवे	महार	९वी	७/६/१९७६	१७-९-७६	स्थापित	२०
२७३	श्री. विद्या यणपत सावंत	शेकी	९वी	१/६/१९७८	१७-९-७६	स्थापित	१८
२७४	श्री. संजय सिताराम शेंडे	शेकी	८वी	८/८/१९७१	०१/१०/१९७६	स्थापित	२९
२७५	श्री. विजय काशिराम तोडकरी	जपवी	७वी	१३-६-७८	०३/१०/१९७६	स्थापित	२८
२७६	श्री. राकेश मोहन याचोला	हरिजन	९वी	२६-१०-७६	०५/१०/१९७६	स्थापित	२०
२७७	श्री. विलीय शंकर मोरे	भंडारी	७वी	१/६/१९६७	०५/१०/१९७६	स्थापित	२९
२७८	श्री. चंद्रकांत रामचंद्र कावळे	शेकी	७वी	१३-१०-६४	०१/११/१९७६	स्थापित	३२
२७९	श्री. रमेश सुखवंत पोदफडे	भंडारी	९वी	११/९/१९७८	०१/११/१९७६	स्थापित	२८
२८०	श्री. शासिकाल शालाराम जगताप	मराठा	९वी	४/१०/१९७८	०१/११/१९७६	स्थापित	२८
२८१	श्री. विठ्ठल जगन्नाथ गावक्याड	नाथ	९वी	८/२/१९७८	०१/११/१९७६	स्थापित	२८
२८२	श्री. अश्विनी विसोला	विद्यमान	७वी	१३-३-७९	०१/११/१९७६	स्थापित	२७
२८३	श्री. विजय रामचंद्र राणे	मराठा	१२वी	२८-१-७८	०१/१२/१९७६	स्थापित	२८
२८४	श्री. विजया सधुकर भोगडे	भंडारी	७वी	१४-१०-७३	१२/१२/१९७६	स्थापित	३३
२८५	श्री. वैभव वसंत पवार	शेकी	७वी	९/११/१९७७	०१/१०/१९७७	स्थापित	२०
२८६	श्री. लयाविशा केदार तेजी	शेकी	९वी	६/२/१९७८	०१/१०/१९७७	स्थापित	१९
२८७	श्री. अश्विनी शिंदे	शेकी	१०वी	५/१०/१९७५	०१/०२/१९७७	स्थापित	३२
२८८	श्री. जगन्नाथ रघुनाथ जेंडे	महार	९वी	१५-४-७९	०१/०३/१९७७	स्थापित	१८


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संस्थेचे नाव :- अधिष्ठाता कार्यालय, सर ज.जी. समुह रुग्णालय, मुंबई ४०० ००८
विवरणपत्र - ब

ब.क्र.	पुठ माकी क्र.	यवली कर्माचा-बापे नाव	माती प्रवर्ग	शिकणींग प्राप्ती	नाम दिनांक	प्रथम नियुक्तीचा दिनांक	प्रथम नियुक्तीचा दिवस वय	नियुक्तीचे माध्यम	धेरा
1	2	3	4	5	6	7	9		
१	२	श्री. अरुण बाबू दोडके	बौध्द	४ वी	5/8/1954	02/03/75	२२	स्थानीक	विर्ष काळ गैरहजर
२	३	श्री. पुळशीराम बा. साळंबी	बौध्द	३ वी	1/1/1956	01/05/77	२२	स्थानीक	विशेषीक पात्रता: पूज्य करीत नाही
३	४	श्री. अमोक लडोजी बाजे	हिंदू	९ वी	18-1-56	04/07/77	२२	स्थानीक	शून्य
४	५	श्री. सिताराम सोमा कदम	मराठा	२ रि	14-3-58	05/10/79	२२	स्थानीक	विशेषीक पात्रता पूज्य करीत नाही
५	६	भिमसा शंकर जाधव	बौध्द	७ वी	8/8/1958	01/11/79	२२ वर्षे	स्थानीक	शून्य
६	७	अशोक सिताराम पडेलकर	बौध्द	६ वी	1/6/1962	01/01/83	२१	स्थानीक	विर्ष काळ गैरहजर
७	८	श्री. राजू सरदेव नवगीरे	बौध्द	४ वी	15-7-66	01/08/83	१७	स्थानीक	विर्ष काळ गैरहजर
८	९	दिमा विलीप जाधव	मराठा	९ वी	5/9/1967	05/12/83	१६	स्थानीक	अनुकंपा नियुक्ती
९	१०	श्रीम. कमल महादेव चव्हाण	मराठा	५ वी	21-8-52	20-5-84	३२	स्थानीक	विर्ष काळ गैरहजर
१०	११	श्रीम. सुकमीनी पांडुरंग जेदवणकर	भंडारी	३ रि	1/6/1949	12/08/84	३५	स्थानीक	विशेषीक पात्रता: पूज्य करीत नाही
११	१२	कृष्णा बाबू परब	हिंदू	१० वी	15-4-58	18-2-85	२७	स्थानीक	विर्ष काळ गैरहजर
१२	१३	तेजती बाबू सनवे	मराठा	५ वी	2/11/1965	05/09/85	२०	स्थानीक	विर्ष काळ गैरहजर
१३	१४	श्रीम. मायावती रामचंद्र सावंत	बौध्द	३ रि	25-12-65	21-1-86	२२	स्थानीक	विशेषीक पात्रता पूज्य करीत नाही
१४	१५	परभुराम दत्ताराम परब	बौध्द	९ वी	5/6/1971	19-4-86	१५	स्थानीक	शून्य
१५	१६	प्रभात दत्ताराम चव्हाण	म्हारी	७ वी	5/5/1966	02/07/86	२०	स्थानीक	शून्य
१६	१७	सुरेश जाधव	मराठा	७ वी	30-7-67	01/02/87	२०	स्थानीक	विर्ष काळ गैरहजर
१७	१८	नाबाची नोंद नाही							नाबाची नोंद नाही
१८	१९	श्रीम. शकुंतला अशोक गायकवाड	मांग	२ रि	25-10-65	06/05/87	२२	स्थानीक	विशेषीक पात्रता पूज्य करीत नाही
१९	२०	सैमंत बी सावंत	हिंदू	८ वी	23-5-69	03/10/87	१८	स्थानीक	कायम नियुक्ती जी टी होस्पीटल
२०	२१	निलेश अमंत सावंत	मराठा	९ वी	24-10-69	01/08/88	१९	स्थानीक	विर्ष काळ गैरहजर
२१	२२	श्री. मनोज आया बाघेल	हरीजन	७ वी	26-12-71	01/01/89	१८	स्थानीक	सफाईगार कायम नियुक्ती सर जजीरु
२२	२३	श्रीम. सुलीकता ड पालडे	चांभार	३ रि	20-8-65	05/04/89	२६	स्थानीक	विर्ष काळ गैरहजर
२३	२४	महेंद्र आत्माराम पवार	मराठा	९ वी	16-10-68	18-5-89	२१	स्थानीक	विर्ष काळ गैरहजर
२४	२५	श्री. शंकर सरदेव बापे	मराठा	७ वी	29-8-70	09/11/89	१९	स्थानीक	विर्ष काळ गैरहजर
२५	२६	शिवाजी लक्ष्मण गंगताप	मराठा	९ वी	02/03/70	17-4-90	२०	स्थानीक	विर्ष काळ गैरहजर
२६	२७	श्रीम. रंजना रमेश शिंदे	मराठा	७ वी	09/09/72	03/05/90	१८	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२७	२८	श्री. शशिनाथ संभाजी बाळके	मराठा	७ वी	6/8/1972	09/06/90	१६	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२८	२९	श्रीम. लता नामदेव शिर्के	चांभार	४ वी	1/6/1962	08/08/90	२८	स्थानीक	सफाईगार कायम नियुक्ती सर जजीरु
२९	३०	श्री. सिताराम दत्ताराम हळदवणकर	भंडारी	४ वी	30-10-64	01/09/90	२६	स्थानीक	विर्ष काळ गैरहजर
३०	३१	दशराम गोपीनाथ शिर्के	माई	७ वी	24-10-71	02/11/90	१९	स्थानीक	अनुकंपा कायम सर ज.जी. रु
३१	३२	श्री. विकास का. मोरे	हिंदू	९ वी	18-9-68-	01/02/91	२३	स्थानीक	अनुकंपा कायम सर ज.जी. रु

Handwritten signatures and stamps at the bottom right of the page, including a date stamp '1/11/2019' and some illegible text.

३	१०७	श्री. अनिल वसंत भेलार	मराठा	१० वी	4/4/1972	06/05/91	१९	स्थानीक	दिर्घ काळ गैरहजर
३३	१०८	श्री. भरत वगडू सुर्वे	मराठा	९ वी	9/11/1972	08/05/91	१९	स्थानीक	दिर्घ काळ गैरहजर
३४	११४	पांडुरंग महादेव म्हाडके	मराठा	७ वी	1/6/1972	01/07/91	१९	स्थानीक	दिर्घ काळ गैरहजर
३५	११५	उदय गोपाळ सुर्वे	मराठा	१ वी	1/6/1971	01/09/91	२०	स्थानीक	दिर्घ काळ गैरहजर
३६	१२३	सुभाष भोसलेकर साळवे	मांग	९ वी	22-9-73	01/02/92	१९	स्थानीक	अनुसंधान कायम सर ज.जी.रु
३७	१३८	श्री. विजय रामचंद्र सावंत	मराठा	८ वी	23-10-74	08/04/92	१८	स्थानीक	अनुसंधान कायम नियुक्ती सर जजीरु
३८	१४१	रविंद्र वारकूर पेंडामकर	मराठा	१० वी	26-12-73	20-4-92	१९	स्थानीक	अनुसंधान कायम नियुक्ती सर जजीरु
३९	१४२	अजय मारुती सावंत	मराठा	१० वी	2/9/1974	20-4-92	१८	स्थानीक	अनुसंधान कायम नियुक्ती सर जजीरु
४०	१४३	सुमीला मधुकर पवार	तेली	३ रि	1/6/1962	01/04/92	३०	स्थानीक	अनुसंधान कायम नियुक्ती सर जजीरु
४१	१४७	अक्षय शम्भू गासावी	मराठा	७ वी	9/8/1973	15-5-92	१९	स्थानीक	अनुसंधान कायम सर ज.जी.रु
४२	१५८	मोतीराम वी. जिंदे	मराठा	५ वी	21-5-66	28-10-92	२६	स्थानीक	अधिलेवीका कायलय प्रतीक्षा थांबत नाव
४३	१७०	विजय कृष्णा गावकर	हरीजन	५ वी	25-1-73	01/11/92	१९	स्थानीक	मृत्यू
४४	१७२	श्री. संतोष बोंडू पवार	बौध्द	९ वी	29-6-74	01/11/92	१८	स्थानीक	अनुसंधान कायम सर ज.जी.रु
४५	१७४	श्री. रामराज हंसराज	चालीकी	१० वी	11/10/1967	10/11/92	२९	स्थानीक	दिर्घ काळ गैरहजर
४६	१८४	श्री. सुरेश सहदेव सोबे	भोई	८ वी	10/2/1-76	04/02/93	२७	स्थानीक	अनुसंधान कायम सर ज.जी.रु
४७	१८५	नरेंद्र सदाशिव देसाई	मराठा	९ वी	17-6-72	05/02/93	२२	स्थानीक	दिर्घ काळ गैरहजर
४८	१८६	श्री. सुभाष खांदे	बौध्द	६ वी	23-6-68	28-2-93	२५	स्थानीक	मृत्यू
४९	१९३	श्री. संजय महादेव आंबे	मराठा	७ वी	1/6/1973	01/06/93	२०	स्थानीक	अनुसंधान कायम नियुक्ती सर जजीरु
५०	१९४	योगेश एकनाथ पारकर	भंडारी	५ वी	5/11/1969	04/04/93	२४	स्थानीक	दिर्घ काळ गैरहजर
५१	१९६	रघुनाथ जानू तांबोळी	आग्नी	४ धी	6/1/1-74	23-4-93	१९	स्थानीक	दिर्घ काळ गैरहजर
५२	२०२	रविंद्र पांडुरंग परब	कुणभी	७ वी	15-7-74	05/05/93	१९	स्थानीक	दिर्घ काळ गैरहजर
५३	२०४	मरिअप्पा खांडा कदम	महार	१० वी	1/6/1-65	06/05/93	२८	स्थानीक	दिर्घ काळ गैरहजर
५४	२०६	श्री. सचिन राम भोजने	बौध्द	९ वी	21-4-75	10/05/93	१८	स्थानीक	दिर्घ काळ गैरहजर
५५	२०७	महेंद्र शांताराम घडगे	बौध्द	७ वी	2/4/1975	17-5-93	१८	स्थानीक	दिर्घ काळ गैरहजर
५६	२०८	श्री. नंदू वामन भिंगारदीवे	मांग	९ वी	15-2-66	01/06/93	२७	स्थानीक	दिर्घ काळ गैरहजर
५७	२०९	श्री. किशोर शांताराम मालुसरे	मराठा	१० वी	10/11/1972	01/06/93	२१	स्थानीक	दिर्घ काळ गैरहजर
५८	२१०	मरेश नांरायण सणस	मराठा	९ वी	15-9-72	01/06/93	२२	स्थानीक	दिर्घ काळ गैरहजर
५९	२१३	जयेंद्र नांरायण पवार	मराठा	७ वी	23-3-72	01/07/93	२२	स्थानीक	दिर्घ काळ गैरहजर
६०	२१४	संतोष तुकाराम सुतार	सुतार	७ वी	20-6-75	03/07/93	१८	स्थानीक	दिर्घ काळ गैरहजर
६१	२१६	विनायक वसंत कोबरेकर	भंडारी	९ वी	18-9-67	01/08/93	२६	स्थानीक	दिर्घ काळ गैरहजर
६२	२१७	विमलिंग लक्ष्मणराव रावत	रणपूत	१० वी	10/2/1975	01/08/93	१८	स्थानीक	दिर्घ काळ गैरहजर
६३	२१८	सतिश लक्ष्मण बायंगणकर	भंडारी	७ वी	8/4/1975	06/08/93	१८	स्थानीक	दिर्घ काळ गैरहजर
६४	२२१	श्री. शान्तदेव लक्ष्मण कदम	म्हावी	९ वी	5/5/1974	01/09/93	१९	स्थानीक	दिर्घ काळ गैरहजर
६५	२२३	आरविंद प्रभाकर बळ्हाण	म्हावी	७ वी	22-7-72	01/10/93	२१	स्थानीक	दिर्घ काळ गैरहजर
६६	२२४	श्री. संतोष सुभाष पेडणेकर	भंडारी	९ वी	20-8-75	01/10/93	१८	स्थानीक	दिर्घ काळ गैरहजर
६७	२२६	जयेश गजानन खेडकर	भंडारी	७ वी	9/6/1976	06/10/93	१७	स्थानीक	दिर्घ काळ गैरहजर
६८	२२७	मालती शांताराम सकपाळ	मराठा	९ वी	1/6/1973	23-10-93	२०	स्थानीक	संपन्नईगार कायम नियुक्ती सर जजीरु
६९	२३३	श्री. शशिकान्त नांरायण जाधव	महार	९ वी	1/5/1973	29-3-94	२१	स्थानीक	दिर्घ काळ गैरहजर
७०	२३४	भरत म्हााराम पेडणेकर	भंडारी	१० वी	5/12/1975	01/04/94	२९	स्थानीक	कायम नियुक्ती सर ज.जी. सोस्पीटल
७१	२३५	लक्ष्मण पांडुरंग साळवे	मराठा	८ वी	10/12/1975	01/04/94	१९	स्थानीक	कायम नियुक्ती सर ज.जी. सोस्पीटल



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 २५/१०/९३
 २०००
 २५/१०/९३

क्र.	राजेंद्र गजानन जाधव	मराठा	९ वी	११/१२/१९७६	१६-४-९४	१८	स्थानीक	कायम नियुक्ती सर ज.जी. हॉस्पिटल
२३६	राजेंद्र गजानन जाधव	मराठा	९ वी	११/१२/१९७६	१६-४-९४	१८	स्थानीक	कायम नियुक्ती सर ज.जी. हॉस्पिटल
२३७	प्रविम केसव लोहुरा	भगी	९ वी	२६-१२-७५	१९-४-९४	१९	स्थानीक	दिवर्ष काळ गैरहजर
२३८	अनिल रामचंद्र गायकवाड	महारा	७ वी	१/६/१९७४	२५-४-९४	२०	स्थानीक	दिवर्ष काळ गैरहजर
२३९	श्री. विनेश धोंडू राडीये	कुमारी	८ वी	१/६/१९७४	११/०५/९४	२०	स्थानीक	दिवर्ष काळ गैरहजर
२४०	श्री. गणपत अंतत कवळे	मांग	७ वी	१३-३-७५	०१/०७/९४	१९	स्थानीक	दिवर्ष काळ गैरहजर
२४१	श्री. तिलक बंधू बल्लळ	मांग	७ वी	१८-८-७५	०१/०७/९४	१९	स्थानीक	अनुकंपा कायम नियुक्ती सर जजीठ
२४२	श्रीकृष्ण नारायण रेपोसे	मराठा	७ वी	१८-८-७५	२०-९-९४	१८	स्थानीक	अनुकंपा कायम नियुक्ती सर जजीठ
२४३	राजाराम हरी सावंत	बौध्द	७ वी	८/८/१९७५	२६-१०-९४	१९	स्थानीक	दिवर्ष काळ गैरहजर
२४४	श्री. सुधीर भिमजी सोनावणे	मराठा	१० वी	१५-७-७६	०१/०३/९५	१९	स्थानीक	दिवर्ष काळ गैरहजर
२४५	संजीवकुमार विजय भोसले	मराठा	९ वी	१२/८/१९७२	०७/०३/९५	२३	स्थानीक	दिवर्ष काळ गैरहजर
२४६	शारदा कुमाव येवले	हिंदू	५ वी	२२-१२-६६	१५-३-९५	३०	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२४७	सहदेव शांताराम कुंठाळकर	भंडारी	९ वी	१/८/१९७१	०५/०४/९५	२५	स्थानीक	दिवर्ष काळ गैरहजर
२४८	श्री. विजय सुरेश गावंड	मराठा	९ वी	२३-९-७७	११/०४/९५	१८	स्थानीक	दिवर्ष काळ गैरहजर
२४९	अनिल शिवराम लखडे	मराठा	८ वी	३१-१-७२	०१/०५/९५	२३	स्थानीक	अनुपेक्ष कायम सर ज.जी. रु
२५०	मंगेश सिताराम पालोडे	मराठा	९ वी	२४-६-७२	०१/०६/९५	२३	स्थानीक	दिवर्ष काळ गैरहजर
२५१	किशोर विष्णू चव्हाण	मराठा	७ वी	१३-११-७५	०१/०५/९५	२०	स्थानीक	अनुकंपा कायम नियुक्ती सर जजीठ
२५२	दिनेश जगन्नाथ भाव्यावंत	बाभार	९ वी	५/११/१९७७	०४/०५/९५	१८	स्थानीक	दिवर्ष काळ गैरहजर
२५३	विनोद लक्ष्मण साठुके	मराठा	९ वी	१४-९-७६	०५/०५/९५	१९	स्थानीक	दिवर्ष काळ गैरहजर
२५४	सत्यरजण दत्ताराम गोसावी	गोसावी	१० वी	१०/११/१९७५	०१/०७/९५	२०	स्थानीक	अनुकंपा कायम नियुक्ती सर जजीठ
२५५	उदय अंकुश पुजारे	कुमारी	९ वी	८/११/१९७६	०६/०७/९५	१९	स्थानीक	दिवर्ष काळ गैरहजर
२५६	शिकोज गोपीचंद यादगाडकर	मराठा	७ वी	२८-९-७६	०८/०७/९५	१९	स्थानीक	दिवर्ष काळ गैरहजर
२५७	अनिल कृष्ण जाधव	मराठा	८ वी	७/११/१९७५	११/०७/९५	२०	स्थानीक	दिवर्ष काळ गैरहजर
२५८	श्री शिवाजी बाबा बरेकर	मराठा	७ वी	२८-३-७६	०१/१०/९५	१९	स्थानीक	दिवर्ष काळ गैरहजर
२५९	लक्ष्मण वसंत सावंत	मराठा	७ वी	२/६/१९७७	०१/१०/९५	१९	स्थानीक	दिवर्ष काळ गैरहजर
२६०	श्री. संतोष धोंडू जाधव	बौध्द	१० वी	१/६/१९७८	०४/१०/९५	१७	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२६१	श्री. एश्वर किसन साठुके	म्हावी	७ वी	१/६/१९६९	१६-१०-९५	२६	स्थानीक	दिवर्ष काळ गैरहजर
२६२	विकास धानु चौकिकर	महारा	७ वी	३१-१-७७	०१/११/९५	१८	स्थानीक	दिवर्ष काळ गैरहजर
२६३	विकास धनंजय बाय	महारा	८ वी	१७/११/९४	१०/११/९५	२२	स्थानीक	दिवर्ष काळ गैरहजर
२६४	सुजानसिंग रामसिंग दसौनी	राजपूत	७ वी	१/१०/१९७१	०३/०१/९६	२५	स्थानीक	दिवर्ष काळ गैरहजर
२६५	नरेश दत्ताराम परब	मराठा	७ वी	३०-८-७७	०९/०१/९६	१९	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२६६	श्रीम. वनिता काशिनाथ कलमकर	मराठा	२४	१/६/१९५५	२४-१-९६	४१	स्थानीक	वैधानिक पात्रता पुत्र करीत नाही
२६७	सचिन अंकुश जाधव	मराठा	७ वी	२/९/१९७६	०१/०३/९६	२०	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२६८	सत्यजय मंतोरर कुरी	भंडारी	७ वी	१६-१२-७७	०१/०३/९६	१९	स्थानीक	शिपमती येथे कायम नियुक्ती
२६९	श्री. विजय श्रीधर पाडळकर	शिंपी	९ वी	४/६/१९७०	०१/०४/९६	२९	स्थानीक	शिपमती येथे कायम नियुक्ती
२७०	राजेश दत्ताराम पवार	म्हावी	९ वी	२९-८-७८	०१/०४/९६	१८	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२७१	साकळाराम विठोबा बोलकेकर	भंडारी	९ वी	१५-३-७४	२४-४-७६	२२	स्थानीक	अनुकंपा नियुक्ती सर ज.जी. रुग्णालय
२७२	श्री. संतोष यशवंत लाड	मराठा	१० वी	१/४/१९७८	०२/०५/९६	१८	स्थानीक	हायकोर्ट येथे कायम नियुक्ती
२७३	स्वाती शेखर माने	गापाळ	९ वी	८/३/१९७४	११/०५/९६	२२	स्थानीक	अनुपेक्ष कायम नियुक्ती सर जजीठ
२७४	सुशिल महेशच गोसावी	गोसावी	७ वी	१५-११-७५	१५-५-९६	२१	स्थानीक	अनुपेक्ष कायम नियुक्ती सर जजीठ
२७५	श्री. विद्याधर वामुदेव घाडगे	मराठा	७ वी	१६-५-७८	०१/०६/९६	१८	स्थानीक	अनुकंपा कायम नियुक्ती सर जजीठ

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१३/०७/२०१६
१३/०७/२०१६

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क्र.सं.	व.सं.	राजेंद्र रामचंद्र रोकाडे	श्रीव.सं.	१० वी	२६-३-७८	०१/०९/९६	१८	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
११२	३७२	राजेंद्र रामचंद्र रोकाडे	कोळी	९ वी	६/७/१९७४	०९/१०/९६	२९	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
११३	३८०	जितेंद्र पांडुरंग तळगोडे	कोळी	९ वी	६/७/१९७४	०९/१०/९६	२९	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
११४	३९०	श्रीम. सुमेशा शिवाजी गवळे P	सेली	२१ वी	१०/९/१९६२	२४-१-९७	३५	स्थानीक	स्थानीक पात्रता पूर्ण करित नाही
११५	३९४	श्रीम. मधुरा महेद्र उलतेकर P	मराठा	७ वी	२०-८-७२	०१/०४/९७	३५	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
११६	३९४	श्री. राकेश गणु मोहोते	मराठा	९ वी	३/४/१९७५	०१/०४/९७	३२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
११७	३९५	उत्कर्ष रमेश मोरे	शिंदे	१० वी	१०/६/१९७८	०१/०४/९७	२९	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
११८	३९६	श्री. महेश विठोबा महाडीक	पवठी	९ वी	२३-६-७८	०१/०४/९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
११९	३९७	श्री. यापु नामदेव बेगुलकर P	भंडारी	९ वी	२६-१०-७८	०१/०४/९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१२०	३९८	सचिन विष्णू महाडीक	गवळी	९ वी	२६-९-७७	१७-४-९७	२०	स्थानीक	शिष्टावस्था देणे कायम नियुक्ती
१२१	४००	श्रीम. रेखा विष्णूनाथ कलमकर	मराठा	९ वी	४/७/१९७८	२०-४-९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१२२	४००	श्री. संजय निळकंठ कदम P	मराठा	९ वी	२/६/१९७६	०१/०५/९७	३१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१२३	४०१	नारायण गणपत पाटे	मराठा	९ वी	१२/१०/१९७७	०१/०५/९७	२६	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
१२४	४०२	जगदीश रामचंद्र साळुंके	मराठा	७ वी	१३-१२-७८	०१/०५/९७	२९	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
१२५	४०३	श्री. सुधीर अशोक जगताप	मराठा	२ वी	२८-१२-७८	०१/०५/९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१२६	४०४	श्री. समिर सुरेश नाईकर	भंडारी	७ वी	२६-३-७९	०१/०५/९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१२७	४०५	श्री. मिलींद मनोहर उलतेकर	मराठा	९ वी	०३/०५/७९	०१/०५/९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१२८	४०६	श्री. सतिश अनंत मांडरे	मराठा	१० वी	२४-७-७९	०१/०५/९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१२९	४०७	बाबाजी नामा गोसावी	भासावी	९ वी	२५-४-७४	०२/०५/९७	२८	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
१३०	४०८	श्री. अधिक वराहू जावडे P	मांग	९ वी	१/६/१९७७	०२/०५/९७	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३१	४०९	श्री. अनिल दत्ता राम वढवी	मराठा	७ वी	१०/९/१९७६	०२/०५/९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३२	४१०	श्री. धनराज आनंदा गवळे P	फुलमाळी	१० वी	१६-१-६६	०९/०५/९७	३१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३३	४११	श्री. प्रविण धनंजय मोरे P	मराठा	९ वी	१/१२/१९७९	१२/०५/९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३४	४१२	श्री. दिनेश रामचंद्र जाधव	शोध	९ वी	१४-११-७६	१३-५-९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३५	४१३	श्री. गोपेश विलास बालवळ P	मांग	९ वी	१४-१-७९	१३-५-९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३६	४१४	रामजीराज दत्ताराम चव्हाप	काशी	९ वी	१८-७-७८	१४-५-९७	२९	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
१३७	४१५	श्री. अशोक नामदेव ओकाळे P	शोध	९ वी	१४-६-८१	१४-५-९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३८	४१६	श्री. राजेंद्र पांडुरंग तिळोटेकर P	शोध	७ वी	१/६/१९७४	१५-५-९७	३३	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१३९	४१७	श्री. अश्वर मारुती सावंत P	मराठा	१० वी	२१-११-७५	१५-५-९७	३२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४०	४१८	कविनाथ सहदेव तांदे	भोंव	९ वी	२८-५-७९	१५-५-९७	२८	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
१४१	४१९	श्री. संजय मारुती गवळे P	नाभार	७ वी	५/९/१९७७	१६-५-९७	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४२	४२०	श्री. हेमचंद्रराज रा. दसोनी	गुरबा	७ वी	२४-५-७९	१९-५-९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४३	४२१	जगदिप राजानन कदम	मराठा	९ वी	२५-२-७९	२०-५-९७	२८	स्थानीक	अनुकंपा कायम नियुक्ती सर जलीर
१४४	४२२	श्रीम. सुप्रिया सुभाब मांजरेकर	भंडारी	७ वी	६/८/१९७९	२३-५-९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४५	४२३	श्रीम. बालीती दत्ताराम जाधव P	मराठा	७ वी	१७-४-७७	३०-५-९७	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४६	४२४	श्री. भरत बेंबू गोळे	मराठा	७ वी	२/३/१९७५	०३/०६/९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४७	४२५	श्री. नरेंद्र गोविंद जेठवा	गुणवर्ती	१ वी	२९-९-७६	०६/०६/९७	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४८	४२६	श्री. सुजयंत दगडू बायंदे P	मांग	१० वी	२०-१२-७०	०१/०७/९७	२७	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१४९	४२७	श्रीम. सीता सत्यवान जाधव P	शोध	७ वी	२/९/१९७३	०१/०७/९७	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५०	४२८	श्री. संशान भंडू साळवी P	शोध	८ वी	५/६/१९७९	०१/०७/९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५१	४२९	श्री. मिलिंद नरकराम उलतेकर P	मराठा	७ वी	४/७/१९७९	१६/०७/९७	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही


Handwritten signature and official stamp of the organization.

१५२	४१०	श्री. सुनिल कृष्णा मखले	भांभार	८वी	26-1-73	13-7-97	२४	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५३	४११	श्री. रघुनाथ गणपत आंबेरकर	भंडारी	७वी	9/9/1979	01/08/97	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५४	४१२	श्री. निलेश महादेव सोडाळकर	मराठा	७वी	15-12-78	02/08/97	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५५	४१३	श्री. निलेश विष्णुनाथ तळपारंबकर	बोव्ह	९वी	6/7/1979	2-8-97	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५६	४१४	श्रीम. पल्लवी नारायण रावे	मराठा	१०वी	19-4-79	14-8-97	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५७	४१५	श्री. कृष्णा आप्पा बहारकर	भंडारी	९वी	13-6-80	18-8-97	२७	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५८	४१६	श्री. सुरेश रामचंद्र कांबळे	बीव्ह	१२वी	5/2/1986	19-8-97	३१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१५९	४१७	श्री. अनिल वामन भिंगारडिवे	मांग	९वी	1/6/1988	01/09/97	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६०	४१८	श्री. जयदेव महादेव सावंत	बीव्ह	९वी	26-4-74	01/09/97	३३	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६१	४१९	श्री. महेंद्र राजाराम डळवी	मराठा	९वी	31-7-79	02/09/97	३८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६२	४२०	श्रीम. सुनल चंद्रकांत सोलंकी	मराठा	७वी	5/5/1979	09/09/97	३२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६३	४२१	श्री. अनंत सुरारी सैतवे	ठाडी	४ वी	20-5-65	01/10/97	४२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६४	४२२	श्री. महेंद्र शंभू जाधव	क्षेत्रवाणी	९वी	15-3-77	01/10/97	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६५	४२३	श्री. गणेश सुखानंद कांबळे	बीव्ह	७वी	23-7-77	01/10/97	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६६	४२४	श्री. सोनू कृष्णा राठोळकर	मराठा	१०वी	1/6/1978	01/10/97	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६७	४२५	श्रीम. जाधनाथ वसंत सूरवे	मराठा	८वी	14-6-78	01/10/97	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६८	४२६	श्रीम. अशोक वि. कवम	मराठा	७वी	13-8-78	01/10/97	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१६९	४२७	श्रीम. योगिनी यशवंत वळवी	मराठा	११वी	25-3-65	09/10/97	३२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७०	४२८	श्री. सुरेश सुरारी सैतवे	मराठा	९वी	1/1/1970	18-10-97	२७	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७१	४२९	श्री. अनंत शंभू जाधव	क्षेत्रवाणी	९वी	24-5-79	01/11/97	३८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७२	४३०	श्री. संविप शंकर उतेकर	बीव्ह	७वी	12/7/1979	01/11/97	३८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७३	४३१	श्री. योगेश अनंत आवबडे	मराठा	७ वी	7/10/1979	1-11-7-97	३८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७४	४३२	श्री. सचिन पांडुरंग सुरडे	मांग	७ वी	23-12-79	01/12/97	३८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७५	४३३	श्री. योगेश मनोहर नाईक	मराठा	८वी	22-2-80	01/12/97	३७	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७६	४३४	श्री. शकेल कशिनाथ इरी	भंडारी	९वी	6/8/1976	01/01/98	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७७	४३५	श्री. संविप राधाकृष्ण खानोलकर	मराठा	९वी	14-6-79	1/1/1998	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७८	४३६	श्री. मधु गोपाळ सोनाबणे	सेवळी	७वी	7/7/1972	01/02/98	२६	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७९	४३७	श्री. अंजना आत्मराम सोलंके	क्षेत्रवाणी	८वी	10/9/1973	11/03/98	२५	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८०	४३८	श्री. सुनिल मनोहर पवार	मराठा	१०वी	1/6/1975	11/03/98	२३	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८१	४३९	श्री. शोभा वसंत कवमकर	मराठा	८वी	6/6/1979	01/04/98	२९	स्थानीक	अनुकंपा कवम नियुक्ती सर जर्नीट
१८२	४४०	श्री. सुरेश राजाराम पवार	मराठा	७ वी	21-6-79	01/04/97	२९	स्थानीक	अनुकंपा कवम नियुक्ती सर जर्नीट
१८३	४४१	श्री. शोभा वसंत कवमकर	मराठा	९वी	28-1-80	01/04/98	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८४	४४२	श्री. सुरेश राजाराम पवार	मराठा	१० वी	23-5-80	01/04/98	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८५	४४३	श्री. अनंत चंद्रकांत सावंत	मराठा	१० वी	22-6-74	01/05/98	२४	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८६	४४४	श्री. प्रविण गोविंद सावंत	मराठा	८वी	5/5/1976	01/05/98	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८७	४४५	श्री. सुरेश जतावन गोसावी	मराठा	९वी	25-8-77	01/05/98	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८८	४४६	श्री. अनंत चंद्रकांत पारब	गोसावी	९वी	28-5-78	01/05/98	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८९	४४७	श्री. सुनिल कृष्णा उतेकर	मराठा	९वी	9/6/1979	01/05/98	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९०	४४८	श्रीम. सुनिता क. सिडे	मराठा	८वी	1/10/1978	02/05/98	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९१	४४९	श्रीम. सुनिता क. सिडे	भोर	९वी	30-10-74	04/05/98	२४	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही

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२१०	१००	श्री. अजय शिवराम साहूकर	भोपा	१०	२५-४-७८	०४/०५/९८	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२११	१०१	श्रीम. विजया राजू तनवीरे	भोपा	७	१५/१९७६	०७/०५/९८	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१२	१०२	श्रीम. संध्या महादेव जाधव	मराठा	७	१५-६-७०	१३-५-९८	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१३	१०३	श्री. अनिल हरी जाधव	भोपा	७	९/११/१९७७	१३-५-९८	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१४	१०४	श्री. सुभाष अर्जुन कोवटे	भोपा	९	२६-१२-७६	१४-५-९८	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१५	१०५	श्री. संविप विठाराम पवार	मराठा	९	१६/१९७९	१४-५-९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१६	१०६	श्री. संजय विठ्ठल खेम	भोपा	१०	१५-५-७८	१५-५-९८	२३	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१७	१०७	श्री. रमेश मारुती वळवी	मराठा	७	१६/१९७६	१५-५-९८	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१८	१०८	श्री. इशिता क. कुंबव	कुडव	९	५/११/१९७८	१५-५-९८	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१९	१०९	श्री. मंगेश विनायक जंगम	भोपा	१०	५/२/१९७७	१६-५-९८	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२०	११०	श्री. शिवाजी राजाराम पहडळ	मराठा	७	१०/१२/१९७८	१८-५-९८	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२१	१११	श्री. अनंत प्रकाश कुडवे	व्हावी	७	२४-१०-७७	०१/०६/९८	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२२	११२	श्रीम. कमल दगडू लोसकरे	कोळी	७	१८-३-७८	०१/०६/९८	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२३	११३	श्री. ज्योतिनी यशवंत मोरे	मराठा	१०	१४-६-७९	०१/०६/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२४	११४	श्री. मनोज बळीराम बळ्वाण	मराठा	९	७/४/१९८०	०१/०६/९८	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२५	११५	श्री. जावली मुकुंद माडये	भंडारी	९	२३-३-७८	०२/०६/९८	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२६	११६	श्री. विजय रामजी निवाले	कुणभी	१०	२३-९-६८	१३-६-९८	३०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२७	११७	श्रीम. शालीनी विमल सोलंकी	गोसावी	७	५/११/१९६५	०१/०७/९८	३३	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२८	११८	श्री. विशाल विलास साळवी	महार	९	१०/४/१९७९	०१/०७/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२२९	११९	श्री. अमित राखाराम वेसाई	विठ्ठ	१०	८/९/१९७९	०१/०७/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३०	१२०	वेदेंद्र वसंत बळ्वाण	मराठा	९	२५-७-७९	०८/०७/९८	२९	स्थानीक	अनुकंपा क्रयम नियुक्ती सर जर्गीट
२३१	१२१	श्रीम. जयजी जगदैन गायकवाड	मांग	९	८/१/१९७७	१०/०७/९८	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३२	१२२	श्रीम. संविप धामन कवम	मराठा	९	८/६/१९७७	१०/०७/९८	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३३	१२३	श्रीम. विजय देवजी बाबेला	हरीजन	१०	१४-९-७१	०१/०८/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३४	१२४	श्री. किशोर शिवराम बळ्वाण	भोपा	९	१३-५-७३	०१/०८/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३५	१२५	श्री. संजय विजय मोरे	मराठा	७	३१-५-७२	०३/०८/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३६	१२६	श्री. गजानन बद्रकंत शिंदे	मराठा	७	२/६/१९७९	१७-८-९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३७	१२७	श्री. कुष्णा मारुती काशितकर	व्हावी	९	२७-५-७९	२०-८-९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३८	१२८	श्री. नितीम रघा सकपाळ	भोपा	७	१/८/१९७७	२५-८-९८	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२३९	१२९	श्री. निरंजन काशिताय कर्जुडेकर	भोपा	७	४/८/१९७२	०१/०९/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४०	१३०	श्री. संविप तुकाराम कवम	मराठा	९	२९-१२-७७	०१/०९/९८	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४१	१३१	श्री. विजय विभाकर चंद्रशेखर	भंडारी	७	२४-४-८०	०१/०९/९८	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४२	१३२	विनोद जगदीश जागडे	मराठा	७	१५-५-८०	०१/०९/९८	२८	स्थानीक	अनुकंपा क्रयम नियुक्ती सर जर्गीट
२४३	१३३	श्री. रमेश शंकर पांभाळ	खुतार	९	२७-७-६८	०४/०९/९८	३०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४४	१३४	श्री. विष्णु राज शिरसवाळ	हरीजन	९	१७-९-८०	०६/०९/९८	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४५	१३५	श्री. दादा धर्मा जाधव	मराठा	९	१४-३-६९	२१-९-९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४६	१३६	श्री. संजय दत्तात्रय नलावडे	भोपा	७	२५-८-६५	०१/१०/८९	२४	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४७	१३७	श्री. मंगेश मधुकर आंग्रलकर	मराठा	९	३/६/१९७२	०१/१०/९८	२६	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४८	१३८	श्री. राजेंद्र भास्कराम पाटील	कुणभी	१०	६/१०/१९७९	०१/१०/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२४९	१३९				२४-१२-७९	०१/१०/९८	२९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही


 सहायक संचालक
 सार्वजनिक वित्त विभाग
 जिल्हा कार्यालय, १, ग्री. ऑफिस, सोनीबाग
 पुणे-४०० ००६

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१७४	११०	श्री. सुब्बा गणपत लामजे	मराठा	१६बी	१५-३-७७	०४/०५/९९	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७५	१११	श्री. रविंद्र फादिनाथ शिंदे	मराठा	१६बी	६/६/१९७७	०४/०५/९९	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७६	११२	श्री. सचिन मारुती सकपाळ	मराठा	१६बी	१३-८-७७	०४/०५/९९	२२	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७७	११३	श्री. बाबू गोविंदा घाटील	मराठा	१६बी	१/६/१९७२	०५/०५/९९	२७	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७८	११४	श्री. आनंदराव त्रिभुवती मळवे	मराठा	१६बी	२५-६-७२	०५/०५/९९	२७	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१७९	११५	श्री. राजेंद्र देवजी गुंडेकर	हिंदू मराठा	१६बी	९/६/१९७९	०५/०५/९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८०	११६	श्री. अतिश रविंद्र पेडणेकर	भंडारी	२६बी	१८-११-८०	०५/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८१	११७	श्री. विलास इत्ताराम पवार	मराठा	७बी	१/६/१९८१	०५/०५/९९	१८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८२	११८	श्री. शैलेश नरेंद्र सावंत	मराठा	७बी	२२-७-७७	०६/०५/९९	२६	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८३	११९	श्री. विपक तुकाराम पडवळ	मराठा	७बी	२२-३-७९	०६/०५/९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८४	१२०	श्री. सुभाष महाजी मोरे	मराठा	७बी	३७/१/९७८	०८/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८५	१२१	श्री. संजय जका परमार	मराठा	१०बी	९/१२/१९७९	०८/०५/९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८६	१२२	श्री. प्रकाश विठ्ठलराव सुर्वे	हरीजन	७बी	७/४/१९८०	०८/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८७	१२३	श्री. अंजना गजानन म्हालीकर	मराठा	१०बी	२१-६-८०	०८/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८८	१२४	श्री. सतिश भाऊ पवार	मराठा	२६बी	८/७/१९७५	१०/०५/९९	२४	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१८९	१२५	श्री. सतिश परशुराम सकपाळ	मराठा	७बी	१/६/१९८०	१०/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९०	१२६	श्री. संतोष पांडुरंग मोरे	मराठा	१०बी	८/७/१९८०	१०/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९१	१२७	श्री. प्रमोद तुकाराम गेलार	मराठा	१६बी	२७-११-८०	११/०५/९९	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९२	१२८	श्री. काशिराम नारायण पवार	मराठा	१६बी	३१-१०-७८	११/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९३	१२९	श्री. सुरेंद्र जयशिंग उतेकर	मराठा	२६बी	२९-७-८०	११/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९४	१३०	श्री. अजित जाधव	मराठा	१०बी	२७/११/७७	१२/०५/९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९५	१३१	श्री. अर्जुन सुभाष सावंत	मराठा	१०बी	५/४/१९८०	१३-५-९९	१९	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९६	१३२	श्री. मधुकर रामचंद्र सुखार	मराठा	१६बी	२९-३-७९	१५-५-९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९७	१३३	श्री. अजित श्रीधर आंबे	मराठा	१६बी	१९-१-७९	१५-५-९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९८	१३४	श्री. संजय बाबू लिवे	मराठा	१०बी	७/६/१९७२	१७-५-९९	२७	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
१९९	१३५	श्री. वैजली दत्ताराम आंबेकर	मराठा	७बी	१५-३-८१	१७-५-९९	१८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२००	१३६	श्री. अतिश तुकाराम पडवळ	मराठा	२६बी	१/७/१९७३	१८-५-९९	२६	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०१	१३७	श्री. अतिश विनायक पोटे	मराठा	१६बी	१/८/१९७१	०१/०६/९९	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०२	१३८	श्री. अशोक शिबराज भीमराज	मराठा	१६बी	१९-११-७५	०३/०६/९९	२४	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०३	१३९	श्री. अशोक गजानन म्हालीकर	मराठा	७बी	१६-९-७१	०४/०६/९९	२८	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०४	१४०	श्री. अशोक बलराज इप्यकपला	मराठा	५बी	२४-५-७४	०४/०६/९९	२५	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०५	१४१	श्री. अशोक जगजित माने	मराठा	७बी	४/२/१९७८	०५/०६/९९	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०६	१४२	श्री. अशोक अशुभ शेटकर	मराठा	७बी	४/२/१९७८	०५/०६/९९	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०७	१४३	श्री. अशोक अशुभ शेटकर	मराठा	१६बी	२२-२-७९	०६/०६/९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०८	१४४	श्री. अशोक अशुभ शेटकर	मराठा	१६बी	१/६/१९६८	०७/०६/९९	३१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२०९	१४५	श्री. अशोक अशुभ शेटकर	मराठा	१६बी	२९-१०-७०	०७/०६/९९	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१०	१४६	श्री. अशोक अशुभ शेटकर	मराठा	१६बी	१८-८-७८	०७/०६/९९	२१	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२११	१४७	श्री. अशोक अशुभ शेटकर	मराठा	१६बी	१/६/१९७९	०७/०६/९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही
२१२	१४८	श्री. अशोक अशुभ शेटकर	मराठा	१६बी	१७-६-७९	०७/०६/९९	२०	स्थानीक	१० वर्ष सेवा पूर्ण होत नाही

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क्र	श्री. विकास रायबा मालुसरे	पराठा	वर्ग	17-12-76	08/06/99	२३	सामाजिक	१० वर्ष सेवा पूर्ण होत नाही
३१३	श्री. मंगेश रा. जाधव	मौख	१वी	11/6/1974	10/06/99	२५	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३१४	श्री. अरुण सुरेश जाधव	हरिकान	१वी	1/8/1975	13-6-99	२५	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३१५	श्री. संजय गोविंद आडे	मराठा	१वी	11/1/1980	16-6-99	२५	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३१६	श्री. राजू यलप्या गायकवाड	कैकडी	५वी	27-5-80	18-6-99	२९	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३१७	श्री. विक्रम रमेश पुराडकर	भांगर	१वी	30-5-81	22-6-99	२८	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३१८	श्री. अनिपार बाळाराम गावंड	जाडी	१वी	7/5/1975	01/07/99	२४	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३१९	श्री. विकास रामचंद्र लाड	व्हाडी	५वी	13-9-78	01/07/99	२१	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३२०	श्री. मंगेश बगडू कवठे	मराठा	१वी	1/5/1979	01/07/99	२०	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३२१	श्री. राजेश बल्लाराम कवठे	मराठा.	१वी	1/1/1980	01/07/99	२५	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३२२	अनासल आत्माराम बरगावकर	धेवरी	६वी	11/7/1981	01/07/99	२८	स्वामीक	अनुकंपा आधारे नियुक्ती सर जबाबदार
३२३	श्री. शशिकान्त संकर पवार	मराठ	१वी	18-7-81	01/07/99	२८	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही
३२४	श्री. शिवाजी इगडू उलालकर	नामिक	१वी	4/6/1976	05/07/99	२३	स्वामीक	१० वर्ष सेवा पूर्ण होत नाही

टिप :- मुळ वारी क्रमांक ३०९ पासून ६०९ पर्यंतच्या बदली क्रमांकांच्या मारुतल्या इतर मारुतल्या नियुक्ती रेष होत असल्याने ज्यांच्या नावासमोर एड्डा अंकित्यावरी मुद्र केलेला नाही

अधिकारता,
सर ज. गो. समुह रुग्णालय मुंबई ४०० ००८
संस्था क्र. १९०००४
संस्था पत्ता ४०११०१०८
२३/५/१९



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- ४८२ श्री-संजय विश्राम कदम ✓
- ४८३ श्री-रमेश मारुती दळवी ✓
- ४८४ श्री-सचिन कु-कुडव ✓
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- ४९४ श्री-जिनाल विलास साळवी ✓
- ४९५ श्री-जमिंत सखाराम देसाई ✓
- ४९६ श्री- देवद वसंत चव्हाण ✓
- ४९७ श्रीमती- गयत्री जर्नादन गायकवाड ✓
- ४९८ श्री-सदिय दामण कदम ✓
- ४९९ श्री- विजय देवजी नाघेल ✓
- ५०० श्री- जिनोर शिंदाराम चव्हाण ✓
- ५०१ श्री- रंजय विजय मोरे ✓
- ५०२ श्री- गजानन चंद्रकांत शिंदे ✓
- ५०३ श्री- दृष्टा लालाजी काशिमकर ✓
- ५०४ श्री- नितीश राधा सखपाळ ✓
- ५०५ श्री-नरेद्र कालिदास शशिर्कर ✓

सर ज.जी.समुह रुग्णालये मुंबई उच्च न्यायालय याचीचा क्र. ११८२/९९ नुसार

१४-०५-१९९८	०१-०६-१९७९	९ वी	मराठा	गासकीय
१५-०५-१९९८	१५-०५-१९७५	१०वी	बौध्द	अशासकीय
१५-०५-१९९८	०१-०६-१९७६	७वी	मराठा	अशासकीय
१५-०५-१९९८	०५-०१-२०१९	९वी	भंडारी	अशासकीय
१६-०५-१९९८	०५-०२-१९७७	१०वी	बौध्द	अशासकीय
१८-०५-१९९८	१०-१२-१९७८	८वी	मराठा	गासकीय
०१-०६-१९९८	२४-१०-१९७७	८ वी	म्हावी	अशासकीय
०१-०६-१९९८	१८-०३-१९७८	७वी	कोळी	गासकीय
०१-०६-१९९८	१४-०६-१९७९	१०वी	मराठा	गासकीय
०१-०६-१९९८	०७-०४-१९८०	९वी	मराठा	अशासकीय
०२-०६-१९९८	२३-०३-१९७८	९ वी	भंडारी	अशासकीय
१३-०६-१९९८	२३-०९-१९६८	१० वी	कुणबी	अशासकीय
०१-०७-१९९८	०५-०१-१९६५	८वी	गोसावी	गासकीय
०१-०७-१९९८	१०-०४-१९७९	९वी	महार	अशासकीय
०१-०७-१९९८	०८-०९-१९७९	१०वी	हिडु	गासकीय
०८-०७-१९९८	२५-०७-१९७९	९ वी	मराठा	अशासकीय
१०-०७-१९९८	१८-०१-१९७७	९वी	मांग	गासकीय
१०-०७-१९९८	०८-०६-१९७७	८वी	मराठा	अशासकीय
०१-०८-१९९८	१४-०९-१९७१	१० वी	हरीजन	गासकीय
०१-०८-१९९८	१३-०५-१९७३	५वी	चांधार	अशासकीय
०३-०८-१९९८	३१-०५-१९७२	७ वी	मराठा	अशासकीय
१७-०८-१९९८	०२-०६-१९७९	७ वी	मराठा	अशासकीय
२०-०८-१९९८	२७-०५-१९७९	९ वी	म्हावी	अशासकीय
२५-०८-१९९८	०१-०८-१९७७	७ वी	बौध्द	गासकीय
०१-०९-१९९८	०४-०८-१९७२	७वी	बौध्द	गासकीय

२८/१०/२०२२

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- ५०० श्री-सचिन गुकाराम कदम
 ५०१ श्री- विजय विभाकर चैदवणकर
 ५०२ श्री- विनोद अशोक जागडे
 ५०३ श्री- रमेश शंकर पांचळ
 ५०४ श्री- विक्रम राज सिरसवाल
 ५०५ श्री-युभाप दत्ताराम सावंत
 ५०६ श्री- दायद घर्मा जाधव
 ५०७ श्री- संजय दत्तात्रय गलावडे
 ५०८ श्री- नंगे मधुकर अंबसकर
 ५०९ श्री- राजेंद्र आत्मा राम पाटील
 ५१० श्री-अशोक सिताराम कदम
 ५११ श्री- विनोद विजय कदम
 ५१२ श्रीमती- स्मिता श्याम भोजने
 ५१३ श्री-समित विष्णू महाडिक
 ५१४ श्रीमती- जयश्री बाळू वारे
 ५१५ श्री-दिपक वाळकुण बव्हण
 ५१६ श्री-जितेंद्र जयसिंग घाग
 ५१७ श्री- सचिन चंद्रकांत मिरगळे
 ५१८ श्री- सुरेश छोटलाल वाघेला
 ५१९ श्री- निलेश मुकुंद खरीबले
 ५२० श्री- संतोष देवजी कदम
 ५२१ श्री- मिलिंद विठोबा महाडिक
 ५२२ श्री- संजय बहादूर वैद्य
 ५२३ श्री- शेखर शिवगम गुंडेकर
 ५२४ श्री- श्रीधर सखाराम तायडे

०१-०९-१९९८	२९-१२-१९७७	९वी	मराठा	अशासकीय
०१-०९-१९९८	२४-०४-१९८०	७ ती	हिंदू भंडारी	शासकीय
०१-०९-१९९८	१५-०५-१९८०	७ वी	मराठा	शासकीय
०४-०९-१९९८	२७-०७-१९६८	९ वी	सुतार	अशासकीय
०६-०९-१९९८	१७-०९-१९८०	--	हरिजन	अशासकीय
२१-०९-१९९८	१८-०३-१९६९	९ वी	मराठा	अशासकीय
०१-१०-१९९८	२५-०८-१९६५	७ वी	बौध्द	शासकीय
०१-१०-१९९८	०३-०६-१९७२	९ वी	मराठा	अशासकीय
०१-१०-१९९८	०६-१०-१९७९	१२वी	मराठा	अशासकीय
०१-१०-१९९८	२४-१२-१९७९	७ वी	कुणबी	शासकीय
०४-१०-१९९८	०७-०६-१९७८	९ वी	बौध्द	अशासकीय
२९-१०-१९९८	२६-०६-१९८०	७ वी	मराठा	शासकीय
०१-११-१९९८	२५-०१-१९७२	७ वी	बौध्द	शासकीय
०१-११-१९९८	२७-१०-१९८०	९ वी	गवळी	अशासकीय
११-११-१९९८	२३-०१-१९७०	७ वी	मातंग	अशासकीय
०२-१२-१९९८	११-०५-१९७२	६ वी	हिंदू न्हावी	अशासकीय
०८-१२-१९९८	०८-०४-१९७६	७ वी	मराठा	अशासकीय
१७-१२-१९९८	०७-०७-१९६८	९ वी	गवळी	अशासकीय
०१-०१-१९९९	२५-०७-१९६८	१ वी	हरिजन	अशासकीय
०१-०१-१९९९	०३-०१-१९८०	९ वी	मराठा	अशासकीय
०१-०१-१९९९	०२-०५-१९८०	९ वी	मराठा	अशासकीय
०१-०१-१९९९	०२-११-१९८०	९ वी	गवळी	अशासकीय
०५-०१-१९९९	०८-०१-१९७३	९ वी	बौध्द	अशासकीय
१८-०१-१९९९	०१-०६-१९७८	७ वी	मराठा	शासकीय
०१-०३-१९९९	१५-०६-१९७०	७ वी	मराठा	अशासकीय

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- ५२१९ श्री-विनायक देवू गावडे ✓
- ५२१९ श्री-नटराज शांताराम जगताप ✓
- ५२२० श्री-नितीश रमेश बल्लाळ ✓
- ५२२० श्री-किशोर विनाय परब ✓
- ५२२१ श्री-रविंद्र अनंत मुंडे ✓
- ५२२१ श्री-सुरेश अर्जुण सकपाळ ✓
- ५२२२ श्री-मंगेश पाडुरंग कदम ✓
- ५२२२ श्री-नरेश आत्माराम पवार ✓
- ५२२३ श्री-विजय निलकंठ कदम ✓
- ५२२३ श्री-संतोष गुरुनाथ होडावडेकर ✓
- ५२२४ श्री-महेश गों-जळम ✓
- ५२२४ श्रीमता-सुवर्णा नामदेव शिर्के ✓
- ५२२७ श्री-अनिल मारुती सावंत ✓
- ५२२८ श्री-सचिन अनंत हातबांसकर ✓
- ५२२९ श्रीमती-कविता अमृत शिंदे ✓
- ५२३० श्री-दत्ताराम लक्ष्मी शिंदे ✓
- ५२३० श्री-सचिन बाळकृष्ण साळुंके ✓
- ५२३१ श्री-अर्जुन विजय नाईक ✓
- ५२३२ श्री-श्रीराम प्रकाश गुजर ✓
- ५२३४ श्री-संतोष विश्वनाथ कतमकर ✓
- ५२३५ श्री-नितेश गोपीनाथ क्षीरसागर ✓
- ५२३६ श्री-महेन्द्र गोविंद मळेकर ✓
- ५२३७ श्री-रविंद्र दत्ताराम तिलोटकर ✓
- ५२३८ श्री-सचिन दत्ताराम गोळे ✓
- ५२३९ श्रीमती नमिता शंकर पारकर ✓

सर ज.जी.समूह रुग्णालये मुंबई उच्च न्यायालय याचीका क्र.१८२/९९ नुसार

०२-०२-१९९९	१९वी	१९-०४-१९८०	मराठा	अशासकीय
०२-०२-१९९९	१९वी	०४-०२-१९८१	मराठा	शासकीय
०२-०२-१९९९	७वी	०८-०२-१९८१	सांग	शासकीय
०२-०२-१९९९	७वी	२५-०२-१९८१	शिंदु मराठा	अशासकीय
०२-०२-१९९९	९वी	०४-०६-१९९२	फुणवी	अशासकीय
०६-०३-१९९९	८वी	१०-०६-१९८०	नावीक	अशासकीय
०२-०४-१९९९	८वी	१२-०६-१९७५	मराठा	शासकीय
०२-०४-१९९९	९वी	१०-१२-१९७७	मराठा	अशासकीय
०२-०४-१९९९	९वी	१९-०१-१९८०	मराठा	अशासकीय
०२-०४-१९९९	९वी	१९-०६-१९८०	भंडारी	अशासकीय
०२-०४-१९९९	७वी	०५-०३-१९८१	मराठा	अशासकीय
०६-०४-१९९९	९वी	२९-०७-१९८०	चांभार	अशासकीय
१५-०४-१९९९	९वी	०२-१२-१९७७	बौध्द	अशासकीय
१९-०४-१९९९	९वी	१०-१२-१९७९	म्हावी	अशासकीय
०२-०५-१९९९	८वी	१४-०५-१९७८	घनगर	अशासकीय
०२-०५-१९९९	९वी	१०-१२-१९७९	म्हावी	अशासकीय
०२-०५-१९९९	९वी	१५-०२-१९८०	मराठा	शासकीय
०२-०५-१९९९	१०वी	०६-०६-१९८०	मराठा	शासकीय
०२-०५-१९९९	९वी	२७-०४-१९८१	मराठा	शासकीय
०२-०५-१९९९	९वी	१७-०६-१९८१	म्हावी	शासकीय
०२-०५-१९९९	१०वी	०८-०३-१९८०	म्हावी	शासकीय
०२-०५-१९९९	९वी	१८-१२-१९७७	हिंदू भेंडारी	अशासकीय
०३-०५-१९९९	७वी	२२-०९-१९८०	बौध्द	शासकीय
०३-०५-१९९९	९वी	१०-०७-१९८१	मराठा	अशासकीय
०४-०५-१९९९	१०वी	१२-०३-१९७०	भंडारी	शासकीय

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- ५५० श्री- कृष्णा गणपत लामजे ✓
- ५५१ श्री- रविंद्र काशिनाथ गिरे ✓
- ५५२ श्री-सचिन माऊती भकनाळ ✓
- ५५३ श्री- बाबू घोडिया पार्टील ✓
- ५५४ श्री- झोनेवर निवृत्ती फळंबे ✓
- ५५५ श्री-राजेंद्र देवजी गुडेकर ✓
- ५५६ श्री- अतिश रविंद्र पेरुणेकर ✓
- ५५७ श्री- दिलीप दत्ताराम पवार ✓
- ५५८ श्री- वैभव नरेद्र सावंत ✓
- ५५९ श्री- दिपक सुकाराम पठवळ ✓
- ५६० श्री- सुभाष राहाजी मोरे ✓
- ५६१ श्री- अक्षुण परशुराम भावसरे ✓
- ५६२ श्री-नरेश जेठा परमार ✓
- ५६३ श्री- प्रकाश विश्वनाथ सुर्वे ✓
- ५६४ श्री- अंकुश गजानन म्हालिकर ✓
- ५६५ श्रीमती- लगीता कृष्णा मोरुक ✓
- ५६६ श्री- रमेश भाऊ पवार ✓
- ५६७ श्री-सतिश परशुराम सकपाळ ✓
- ५६८ श्री- संतोष धाडुरंग मोरे ✓
- ५६९ श्री- रमेश सुकाराम गेलार ✓
- ५७० श्री-काशिराम नारायण पवार ✓
- ५७१ श्री-मुकुंद जयशिंग उलतेकर ✓
- ५७२ श्री- नितेश चंद्रकांत जाधव ✓
- ५७३ श्रीमती- अपर्णा सुभाष सावंत ✓
- ५७४ श्री- मधुकर रामचंद्र मुखर्जे ✓

सर ज.जी.समूह रुग्णालये गुंवर उष्य म्यायालय याचीका क्र. ११८२/९९ नुसार

०४-०५-१९९९	१५-०६-१९७७	९ वी	मराठा	अशासकीय
०४-०५-१९९९	०६-०६-१९७७	९ वी	मराठा	अशासकीय
०४-०५-१९९९	१३-०८-१९७७	९ वी	मराठा	अशासकीय
०५-०५-१९९९	०६-०६-१९७२	४ धी	मराठा	अशासकीय
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20/11/2

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५०१ श्री- शिवानी दाहू उलालकर

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असासकीय

श्री. सपर शशावर्ध, सुवर्ध-६
श्री. शिवानी
श्री. शिवानी

सहयोगी अधिकाता
सर व. जी. समुह रुग्णालये
सुवर्ध

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क.ज.जी.सू./आस्था-४/बक/ 1207 100
 अधिष्ठाता यांचे कार्यालय,
 सर, ज.जी.समूह रुग्णालये, मुंबई ८
 दिनांक :- १४ / १ / २००८

प्रति,
 मा. संचालक,
 वैद्यकीय शिक्षण व संसाधन,
 मुंबई १

विषय :- २९ दिवस बदली कर्मचारी बाबतची माहिती ...

महोदय,

उपरोक्त विषयान्वये सर, ज.जी.समूह रुग्णालय, मुंबई या संस्थेतील तात्पुरत्या स्वरूपात जे बदली कर्मचारी उच्च न्यायालय यादी क्रमांक ११८२/९९ अन्वये कार्यरत आहे. अशा कर्मचाऱ्यांबाबतची माहिती सोबत जोडून मा. संचालकांच्या दुरध्वनीवरील मौखिक आदेशान्वये पुढील योग्य त्या कार्यवाही करिता सवीनय सादर.

स्थ. प्र. महयोगी अधिष्ठाता,
 सर, ज.जी.समूह रुग्णालय, मुंबई ८
 डॉ.कमले
 १४/१/०८. १४/१/०८

संस्थेचे नाव :- अधिष्ठाता, सर, ज.जी.समूह रुग्णालये, मुंबई - ४०० ००८

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३१/१०/१८
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संस्थेचे नाव :- अधिष्ठाता, सर, ज. जी. समूह रुग्णालये, मुंबई - ४०० ०००
गट "ड" बाबतची माहिती.

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सर, ज. जी. समूह रुग्णालये
मुंबई
११/११/०२

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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI

ORIGINAL APPLICATION NO. 756 OF 2020.

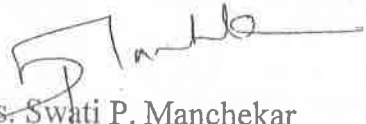
Smt. Mayavati Ramchandra Sawant & Ors. ... Applicants

v/s

The State of Maharashtra & Ors. ... Respondents

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1.	Affidavit in Reply on behalf of Respondent Nos. 1, 2 & 3.	___ to ___
2.	R-1 Copy of judgment dtd. 10.6.2006 of Hon`ble Supreme Court in the case of Secretary, State of Karnataka & Ors. v. Umadevi & Ors.	___ to ___


Ms. Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai

<rsp>



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IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI

ORIGINAL APPLICATION NO. 756 OF 2020.

Smt. Mayavati Ramchandra Sawant & Ors. ... Applicants

v/s

The State of Maharashtra & Ors. ... Respondents



AFFIDAVIT IN REPLY
ON BEHALF OF RESPONDENT NOS.1, 2 & 3.

I, Ranjeet Jayant Mankeshwar, age : 55 years, working as Dean, Sir J.J. Group of Hospitals, Byculla, Mumbai-8, do hereby state on solemn affirmation as under :

1. I say that I have perused the copy of the Application as well as other relevant records of the case. I crave leave of this Hon`ble Tribunal to further add or amend the affidavit and/or file additional affidavit, if so found necessary. I say that I have been authorised to file this affidavit on behalf of the Respondent Nos. 1, 2 & 3.

2. At the outset, I say and submit that, the decision of State Cabinet to regularize the temporary services of the persons in 2015 was a policy decision which had been taken as one time measure for the



welfare of employees. It is needless to state that such policy decision cannot be taken frequently.

2.1. The temporary services of the Applicants was not continued voluntarily by the State but it was continued by the intervention of the order of the Hon'ble Court. As per the decision of the Hon'ble Supreme Court in case of State of Karnataka v. Umadevi for the regularization of temporary service the concerned employee should have worked for 10 years or more in duly sanctioned post without the benefit of protection of the order of any Court or Tribunal. The present Applicants have been working as per the protection of the order of Hon'ble Court, therefore their service cannot be regularized. Copy of judgment passed by the Hon'ble Supreme Court in the case of Secretary, State of Karnataka & Ors. v. Umadevi & Ors. is annexed hereto and marked as **Exhibit R-1**.

WITHOUT PREJUDICE to above, I would now like to deal with the averments raised by the Applicants at seriatim :

3. With reference to contents of paragraph no. 1, I say that the contents therein are matter of record, hence not disputed.

4. With reference to contents of paragraph no. 2, I say that the contents therein are matter of facts, hence not disputed.



5. With reference to contents of paragraph no.3, I say that the appointment of Badli Worker is nothing but a stop-gap arrangement adopted for a long time and existing for several decades in the institutes functioning under Respondent Department.

5.1. The Respondents are running Medical Colleges, Hospitals as well as Health units, institute of nursing education etc. It is pertinent to note that all these establishments are related with patient care and large nos. of Class IV (Group-D) employees are working in these institutes. It is also submitted that the Dean or concerned head of institute is competent authority to appoint Class-IV employees.

5.2. For administrative exigency of man power during leave or absence of Class-IV employees, the practice of appointing Badli-workers on 29 days basis came in existence.

5.3. The appointment orders given to Badli-workers are self-explanatory and it is clearly mentioned in each of these orders that the appointment is purely temporary and for 29 days only. It is also always mentioned that these appointments will not be considered as a right for further appointment or regularization and that Badli-workers cannot make any claim on the basis of such temporary appointments.



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appointments, Badli-workers filed several different applications in different Courts of Law for the regularization of their service. In several such cases the Hon'ble Courts and Hon'ble Tribunal have given order to prepare waiting seniority list of the Badli-workers and also directed to not to give 29 days Badli appointment to the person beyond that list. Resulting this repeated 29 days appointment were given to Badli-worker and the practice was continued for several years.

5.5. It is pertinent to note that Badli-workers are not only in Sir J.J. Group of Hospital but around in 52 institutes in all over the State under the Medical Education and Drugs Department.

5.6. Accordingly policy decision was taken by the Government and criteria of completion of 10 years and completion of 240 days in a year was fixed for the regularization.

5.7. All the relevant pros and cons were considered and services of the Badli-workers fulfilling above criteria were considered positively and total nos. of 626 Badli-workers were regularized in the service as per the decision of the State Cabinet. It is also submitted that no back wages and financial benefits of back service were granted to these employees.



5.8. The back ground of the judicial cases mentioned here in this para are entirely different from present case.

5.9. It is further submitted that the Respondents have always taken positive view for these employees which is reflected in the Government Resolution dated 7.12.2015 by which services of 626 Badli workers were regularized.

5.10. As far as present applicants are considered, the proposal of regularization of these Badli-workers in Government Medical / Dental College and Hospitals is not under active consideration of the Government in Medical Education and Drugs Department

6. With reference to contents of paragraph Nos. 4 & 5, I say that the contents therein are matter of facts.

7. With reference to contents of paragraph Nos. 6(i) to 6(iii), I say that the contents therein are matter of facts, hence not disputed.

8. With reference to contents of paragraph Nos. 6(iv) to 6(v), I say that the contents therein are partly denied. It is denied that the hospital authorities have willfully failed and neglected to appoint the regular employees in the existing permanent vacancies.



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8.1. The background of Badli appointments on the establishment under Respondents is already explained. It is also denied that there are 500 permanent vacant posts available on the establishment of Government Medical Colleges and J.J. Hospital, Mumbai.

9. With reference to contents of paragraph Nos. 6(vi) to 6(vii), I say that the contents therein are denied. The applicants do not have any claim as their appointment orders are very much clear. These Badli workers are well aware of the nature of their appointment that they were appointment for 29 days only.

9.1. Instead of these facts several Badli employees had filed various court cases before different Judicial Authorities and these employees were continued for years. The applicants were well aware about the nature of their appointment. No assurance of regularization of their services was given to them by the Respondents. The applicants could have tried elsewhere for the employment in between but they did not. Now they are claiming that they are age barred. The Respondents are not at all responsible for the same.

9.2. It is pertinent to note that the Respondents are Government Hospitals and they are bound to follow the policy decided by the Government. It is denied that the Badli workers are actually coming to



rescue of the hospital in the event of the emergencies. In fact Badli workers is just a temporary stop gap arrangement for daily routine work in the vacancy due to leave of regular employee.

10. With reference to contents of paragraph Nos. 6(viii) and 6(ix), I say that the contents therein are denied for the reasons explained herein under :

10.1. The Respondents had always taken positive view about the Badli workers which is reflected in decision dated 7.12.2015. Services of total 626 Badli workers were regularized vide the said Government Resolution as one time measure.

10.2. The Respondents are hospitals and institutes run by the Government of Maharashtra. It is not needed to state that large nos. of patients from all classes of the society come to these institutes and get treatment. It is also submitted that the salary of all the regular or badli employees is given from the State consolidated fund.

10.3. Badli workers is nothing but a temporary and stop gap arrangement to carry out the daily emergency routine work. The concept of Badli workers came in existence with a view to have man power as and

the regular employees remain absent or proceed on leave.



10.4. The Respondents institutes are Government establishments hence the parameters of labour laws are not applicable to them.

11. With reference to contents of paragraph Nos. 6(x) and 6(xi), I say that the contents therein are denied for the reasons explained herein under :

11.1. The Badli employees were kept working several years because the Respondents were required to follow the directions given by different Courts of Law in the cases filed by Badli workers.

11.2. Since the Badli workers were initially appointed only for 29 days and it was made clear to them from time to time that they cannot claim regularization of their service.

11.3. It is strongly denied that the applicants were not appointed and posts are kept vacant for depriving them the status of permanency.

12. With reference to contents of paragraph No. 6(xii), I say that, as per direction given by the Hon'ble Tribunal in Original Application 199/2016, temporary service of those applicants was

regularized.



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13. With reference to contents of paragraph No. 6(xiii), I say that the contents therein are matter of record, hence not disputed.

14. With reference to contents of paragraph No. 6(xiv), I say that the contents therein are matter is record.

15. With reference to contents of paragraph Nos. 6(xvi) and 6(xvii), I say that mere submission of proposal cannot be said that the Applicants are entitled for regularization of their temporary service.

16. With reference to contents of paragraph Nos. 7.1 to 7.10, I submit that the judgments cited by the Applicants are not applicable in the present case as the facts are different. The Government has already taken policy decision in 2015 to regularize temporary service of badly workers as one time measure. It is needless to state that such policy decisions cannot be taken again and again.

17. With reference to contents of paragraph Nos. 7.11(ii), 7.11(iv) & 7.11(v), I submit that the judgments cited by the Applicants are not applicable in the present case as the facts are different. The Government has already taken policy decision in 2015 to regularize temporary service. It is needless to State that such policy decision

cannot be taken again and again.



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18. ⁸ With reference to contents of paragraph Nos. 7.11(vi) to 7.11(xii), I submit that the Government Resolutions mentioned herein are mater of record. It is submitted that the Government Resolutions referred herein were issued by the different departments and for different posts. The back ground of each and every case was different; hence just reference of these Government Resolutions do not support the case of Applicants in present Original Application.

19. With reference to contents of paragraph Nos. 9 & 10, I say that the contents therein are procedural, however, in case of any dispute, it is for the Applicants to substantiate the same.

20. With reference to contents of paragraph No. 11(a), I say that the applicants have been paid salary as per 6th pay commission regularly. As per policy formed by the Finance Department of the State, it is necessary to pay consolidated fix pay to the temporary employees. Therefore necessary corrective steps will be taken soon.

21. With reference to contents of paragraph No. 11(b), I say that, as the applicants are claiming pension whilst in temporary service, they are not entitled to the same. ⁵



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22. In the light of the facts and circumstances mentioned hereinabove, I say that the Application filed by the Applicant is without any foundation and devoid of any merits and the same deserves to be dismissed with costs.

Mumbai.

Dated : 09.02.2021.



RESPONDENT

DR. RANJEET JAYANT MANKESHWAR

VERIFICATION

I, Ranjeet Jayant Mankeshwar, age : 55 years, working as Dean, Sir J.J. Group of Hospitals, Byculla, Mumbai-8, do hereby state on solemn affirmation that contents of para nos. 1 to 22 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon'ble Tribunal.

Solemnly affirmed at Mumbai.


This 9th day of February, 2021.



DEPONENT

DR. RANJEET JAYANT MANKESHWAR
BEFORE ME

Drafted & Identified by :


Ms. Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai.

rsp

0679/21

9/2/21

Solemnly affirmed before me
by Ranjeet Jayant Mankeshwar
who is identified before me
by S.P. Manchekar CPO.
Whom I personally known
This day of 9/2/21.
Mah. Administrative Tribunal Mumbai

Research Officer (A.R.)
Maharashtra Administrative Tribunal

Mumbai 09.02.2021
04:50 PM.



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Exhibit (R-1) 607

CASE NO.:
Appeal (civil) 3595-3612 of 1999

PETITIONER:
Secretary, State of Karnataka and others

RESPONDENT:
Umadevi and others

DATE OF JUDGMENT: 10/04/2006

BENCH:
Y.K. SABHARWAL ARUN KUMAR G.P. MATHUR, C.K. THAKKER & P.K. BALASUBRAMANYAN

JUDGMENT:
J U D G M E N T

WITH
CIVIL APPEAL NO.1861-2063/2001, 3849/2001,
3520-3524/2002 and CIVIL APPEAL NO. 1968 of 2006
arising out of SLP(C)9103-9105 OF 2001

P.K. BALASUBRAMANYAN, J.

Leave granted in SLP(C) Nos.9103-9105 of 2001

1. Public employment in a sovereign socialist secular democratic republic, has to be as set down by the Constitution and the laws made thereunder. Our constitutional scheme envisages employment by the Government and its instrumentalities on the basis of a procedure established in that behalf. Equality of opportunity is the hallmark, and the Constitution has provided also for affirmative action to ensure that unequals are not treated equals. Thus, any public employment has to be in terms of the constitutional scheme.

2. A sovereign government, considering the economic situation in the country and the work to be got done, is not precluded from making temporary appointments or engaging workers on daily wages. Going by a law newly enacted, The National Rural Employment Guarantee Act, 2005, the object is to give employment to at least one member of a family for hundred days in an year, on paying wages as fixed under that Act. But, a regular process of recruitment or appointment has to be resorted to, when regular vacancies in posts, at a particular point of time, are to be filled up and the filling up of those vacancies cannot be done in a haphazard manner or based on patronage or other considerations. Regular appointment must be the rule.

3. But, sometimes this process is not adhered to and the Constitutional scheme of public employment is by-passed. The Union, the States, their departments and instrumentalities have resorted to irregular appointments, especially in the lower rungs of the service, without reference to the duty to ensure a proper appointment procedure through the Public Service Commission or otherwise as per the rules adopted and to permit these irregular appointees or those appointed on contract or on daily wages, to continue year after year, thus, keeping out those who are qualified to apply for the post concerned and depriving them of an opportunity to compete for the post. It has also led to persons who get employed, without the following of a regular procedure or even through the backdoor or on daily wages, approaching Courts, seeking directions to make them permanent in their posts and to prevent regular recruitment to the concerned posts. Courts have not always kept the legal aspects in mind and have

occasionally even stayed the regular process of employment being set in motion and in some cases, even directed that these illegal, irregular or improper entrants be absorbed into service. A class of employment which can only be called 'litigious employment', has risen like a phoenix seriously impairing the constitutional scheme. Such orders are passed apparently in exercise of the wide powers under Article 226 of the Constitution of India. Whether the wide powers under Article 226 of the Constitution is intended to be used for a purpose certain to defeat the concept of social justice and equal opportunity for all, subject to affirmative action in the matter of public employment as recognized by our Constitution, has to be seriously pondered over. It is time, that Courts desist from issuing orders preventing regular selection or recruitment at the instance of such persons and from issuing directions for continuance of those who have not secured regular appointments as per procedure established. The passing of orders for continuance, tends to defeat the very Constitutional scheme of public employment. It has to be emphasized that this is not the role envisaged for Courts in the scheme of things and their wide powers under Article 226 of the Constitution of India are not intended to be used for the purpose of perpetuating illegalities, irregularities or improprieties or for scuttling the whole scheme of public employment. Its role as the sentinel and as the guardian of equal rights protection should not be forgotten.

4. This Court has also on occasions issued directions which could not be said to be consistent with the Constitutional scheme of public employment. Such directions are issued presumably on the basis of equitable considerations or individualization of justice. The question arises, equity to whom? Equity for the handful of people who have approached the Court with a claim; or equity for the teeming millions of this country seeking employment and seeking a fair opportunity for competing for employment? When one side of the coin is considered, the other side of the coin, has also to be considered and the way open to any court of law or justice, is to adhere to the law as laid down by the Constitution and not to make directions, which at times, even if do not run counter to the Constitutional scheme, certainly tend to water down the Constitutional requirements. It is this conflict that is reflected in these cases referred to the Constitution Bench.

5. The power of a State as an employer is more limited than that of a private employer inasmuch as it is subjected to constitutional limitations and cannot be exercised arbitrarily (See Basu's Shorter Constitution of India). Article 309 of the Constitution gives the Government the power to frame rules for the purpose of laying down the conditions of service and recruitment of persons to be appointed to public services and posts, in connection with the affairs of the Union or any of the States. That Article contemplates the drawing up of a procedure and rules to regulate the recruitment and regulate the service conditions of appointees appointed to public posts. It is well acknowledged that because of this, the entire process of recruitment for services is controlled by detailed procedure which specify the necessary qualifications, the mode of appointment etc. If rules have been made under Article 309 of the Constitution, then the Government can make appointments only in accordance with the rules. The State is meant to be a model employer. The Employment Exchanges (Compulsory Notification of Vacancies) Act, 1959 was enacted to ensure equal opportunity for employment seekers. Though this Act may not oblige an employer to employ only those persons who have been sponsored by employment exchanges, it places an obligation on the employer to notify the vacancies that may arise in the various departments and for filling up of those vacancies, based on a procedure. Normally, statutory rules are framed under the authority of law governing employment. It is recognized that no government order, notification or circular can be substituted for the statutory rules framed under the authority of law. This is because, following any other course could be disastrous inasmuch as it will deprive the security of tenure and the right of equality conferred on civil servants under the Constitutional scheme. It may even amount to negating the accepted service jurisprudence. Therefore, when statutory rules are framed under Article 309 of the Constitution which are exhaustive, the only fair means to

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adopt is to make appointments based on the rules so framed.

6. These two sets of appeals reflect the cleavage of opinion in the High Court of Karnataka based on the difference in approach in two sets of decisions of this Court leading to a reference of these appeals to the Constitution Bench for decision. The conflict relates to the right, if any, of employees appointed by the State or by its instrumentalities on a temporary basis or on daily wages or casually, to approach the High Court for the issue of a writ of mandamus directing that they be made permanent in appropriate posts, the work of which they were otherwise doing. The claim is essentially based on the fact that they having continued in employment or engaged in the work for a significant length of time, they are entitled to be absorbed in the posts in which they had worked in the department concerned the authority concerned. There are also more ambitious claims that even if they were not working against a sanctioned post, even if they do not possess the requisite qualification, even if they were not appointed in terms of the procedure prescribed for appointment, and had only recently been engaged, they are entitled to continue and should be directed to be absorbed.

7. In Civil Appeal Nos.3595-3612 of 1999 the respondents therein who were temporarily engaged on daily wages in the Commercial Taxes Department in some of the districts of the State of Karnataka claim that they worked in the department based on such engagement for more than 10 years and hence they are entitled to be made permanent employees of the department, entitled to all the benefits of regular employees. They were engaged for the first time in the years 1985-86 and in the teeth of orders not to make such appointments, issued on 3.7.1984. Though the Director of Commercial Taxes recommended that they be absorbed, the Government did not accede to that recommendation. These respondents thereupon approached the Administrative Tribunal in the year 1997 with their claim. The Administrative Tribunal rejected their claim finding that they have not made out a right either to get wages equal to that of others regularly employed or for regularization. Thus, the applications filed were dismissed. Respondents approached the High Court of Karnataka challenging the decision of the Administrative Tribunal. It is seen that the High Court without really coming to grips with the question falling for decision in the light of the findings of the Administrative Tribunal and the decisions of this Court, proceeded to order that they are entitled to wages equal to the salary and allowances that are being paid to the regular employees of their cadre in government service with effect from the dates from which they were respectively appointed. It may be noted that this gave retrospective effect to the judgment of the High Court by more than 12 years. The High Court also issued a command to the State to consider their cases for regularization within a period of four months from the date of receipt of that order. The High Court seems to have proceeded on the basis that, whether they were appointed before 01.07.1984, a situation covered by the decision of this Court in Dharwad District Public Works Department vs. State of Karnataka (1990 (1) SCR 544) and the scheme framed pursuant to the direction thereunder, or subsequently, since they have worked for a period of 10 years, they were entitled to equal pay for equal work from the very inception of their engagement on daily wages and were also entitled to be considered for regularization in their posts.

8. Civil Appeal Nos.1861-2063 of 2001 reflects the other side of the coin. The appellant association with indefinite number of members approached the High Court with a writ petition under Article 226 of the Constitution of India challenging the order of the government directing cancellation of appointments of all casual workers/daily rated workers made after 01.07.1984 and further seeking a direction for the regularization of all the daily wagers engaged by the government of Karnataka and its local bodies. A learned Single Judge of the High Court disposed of the writ

petition by granting permission to the petitioners before him, to approach their employers for absorption and regularization of their services and also for payment of their salaries on par with the regular workers, by making appropriate representations within the time fixed therein and directing the employers to consider the cases of the claimants for absorption and regularization in accordance with the observations made by the Supreme Court in similar cases. The State of Karnataka filed appeals against the decision of the learned Single Judge. A Division Bench of the High Court allowed the appeals. It held that the daily wage employees, employed or engaged either in government departments or other statutory bodies after 01.07.1984, were not entitled to the benefit of the scheme framed by this Court in Dharwad District Public Works Department case, referred to earlier. The High Court considered various orders and directions issued by the government interdicting such engagements or employment and the manner of entry of the various employees. Feeling aggrieved by the dismissal of their claim, the members of the associations have filed these appeals.

9. When these matters came up before a Bench of two Judges, the learned Judges referred the cases to a Bench of three Judges. The order of reference is reported in 2003 (9) SCALE 187. This Court noticed that in the matter of regularization of ad hoc employees, there were conflicting decisions by three Judge Benches of this Court and by two Judge Benches and hence the question required to be considered by a larger Bench. When the matters came up before a three Judge Bench, the Bench in turn felt that the matter required consideration by a Constitution Bench in view of the conflict and in the light of the arguments raised by the Additional Solicitor General. The order of reference is reported in 2003 (10) SCALE 388. It appears to be proper to quote that order of reference at this stage. It reads:

1. "Apart from the conflicting opinions between the three Judges' Bench decisions in Ashwani Kumar and Ors. Vs. State of Bihar and Ors., reported in 1997 (2) SCC 1, State of Haryana and Ors vs., Piara Singh and Ors. Reported in 1992 (4) SCC 118 and Dharwad Distt. P.W.D. Literate Daily Wage Employees Association and Ors. Vs. State of Karnataka and Ors. Reported in 1990 (2) SCC 396, on the one hand and State of Himachal Pradesh vs. Puresh Kumar Verma and Anr., reported in AIR 1996 SC 1565, State of Punjab vs. Surinder Kumar and Ors. Reported in AIR 1992 SC 1593, and B.N. Nagarajan and Ors. Vs. State of Karnataka and Ors., reported in 1979 (4) SCC 507 on the other, which has been brought out in one of the judgments under appeal of Karnataka High Court in State of Karnataka vs. H. Ganesh Rao, decided on 1.6.2000, reported in 2001 (4) Karnataka Law Journal 466, learned Additional Solicitor General urged that the scheme for regularization is repugnant to Articles 16(4), 309, 320 and 335 of the Constitution of India and, therefore, these cases are required to be heard by a Bench of five learned Judges (Constitution Bench).

2. On the other hand, Mr. M.C. Bhandare, learned senior counsel, appearing for the employees urged that such a scheme for regularization is consistent with the provision of Articles 14 and 21 of the Constitution.

3. Mr. V. Lakshmi Narayan, learned counsel, appearing in CC Nos.109-498 of 2003, has filed the G.O. dated 19.7.2002 and submitted that orders have already been implemented.

4. After having found that there is conflict of opinion between three Judges Bench decisions of this Court, we are of the view that these cases are required to be heard by a Bench of five learned Judges.

5. Let these matters be placed before Hon'ble the Chief Justice for appropriate orders."

We are, therefore, called upon to resolve this issue here. We have to lay down the law. We have to approach the question as a constitutional court should.

10. In addition to the equality clause represented by Article 14 of the Constitution, Article 16 has specifically provided for equality of opportunity in matters of public employment. Buttrussing these fundamental rights, Article 309 provides that subject to the provisions of the Constitution, Acts of the legislature may regulate the recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or of a State. In view of the interpretation placed on Article 12 of the Constitution by this Court, obviously, these principles also govern the instrumentalities that come within the purview of Article 12 of the Constitution. With a view to make the procedure for selection fair, the Constitution by Article 315 has also created a Public Service Commission for the Union and Public Service Commissions for the States. Article 320 deals with the functions of Public Service Commissions and mandates consultation with the Commission on all matters relating to methods of recruitment to civil services and for civil posts and other related matters. As part of the affirmative action recognized by Article 16 of the Constitution, Article 335 provides for special consideration in the matter of claims of the members of the scheduled castes and scheduled tribes for employment. The States have made Acts, Rules or Regulations for implementing the above constitutional guarantees and any recruitment to the service in the State or in the Union is governed by such Acts, Rules and Regulations. The Constitution does not envisage any employment outside this constitutional scheme and without following the requirements set down therein.

11. In spite of this scheme, there may be occasions when the sovereign State or its instrumentalities will have to employ persons, in posts which are temporary, on daily wages, as additional hands or taking them in without following the required procedure, to discharge the duties in respect of the posts that are sanctioned and that are required to be filled in terms of the relevant procedure established by the Constitution or for work in temporary posts or projects that are not needed permanently. This right of the Union or of the State Government cannot but be recognized and there is nothing in the Constitution which prohibits such engaging of persons temporarily or on daily wages, to meet the needs of the situation. But the fact that such engagements are resorted to, cannot be used to defeat the very scheme of public employment. Nor can a court say that the Union or the State Governments do not have the right to engage persons in various capacities for a duration or until the work in a particular project is completed. Once this right of the Government is recognized and the mandate of the constitutional requirement for public employment is respected, there cannot be much difficulty in coming to the conclusion that it is ordinarily not proper for courts whether acting under Article 226 of the Constitution or under Article 32 of the Constitution, to direct absorption in

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permanent employment of those who have been engaged without following a due process of selection as envisaged by the constitutional scheme.

12. What is sought to be pitted against this approach, is the so-called equity arising out of giving of temporary employment or engagement on daily wages and the continuance of such persons in the engaged work for a certain length of time. Such considerations can have only a limited role to play, when every qualified citizen has a right to apply for appointment, the adoption of the concept of rule of law and the scheme of the Constitution for appointment to posts. It cannot also be forgotten that it is not the role of courts to ignore, encourage or approve appointments made or engagements given outside the constitutional scheme. In effect, orders based on such sentiments or approach would result in perpetuating illegalities and in the jettisoning of the scheme of public employment adopted by us while adopting the Constitution. The approving of such acts also results in giving many of their opportunity to compete for public employment. We have, therefore, to consider the question objectively and based on the constitutional and statutory provisions. In this context, we have also to bear in mind the exposition of law by a Constitution Bench in State of Punjab Vs. Jagdip Singh & Ors. (1964 (4) SCR 964). It was held therein, "In our opinion, where a Government servant has no right to a post or to a particular status, though an authority under the Government acting beyond its competence had purported to give that person a status which it was not entitled to give, he will not in law be deemed to have been validly appointed to the post or given the particular status."

13. During the course of the arguments, various orders of courts either interim or final were brought to our notice. The purport of those orders more or less was the issue of directions for continuation or absorption without referring to the legal position obtaining. Learned counsel for the State of Karnataka submitted that chaos has been created by such orders without reference to legal principles and it is time that this Court settled the law once for all so that in case the court finds that such orders should not be made, the courts, especially, the High Courts would be precluded from issuing such directions or passing such orders. The submission of learned counsel for the respondents based on the various orders passed by the High Court or by the Government pursuant to the directions of Court also highlights the need for settling the law by this Court. The bypassing of the constitutional scheme cannot be perpetuated by the passing of orders without dealing with and deciding the validity of such orders on the touchstone of constitutionality. While approaching the questions falling for our decision, it is necessary to bear this in mind and to bring about certainty in the matter of public employment. The argument on behalf of some of the respondents is that this Court having once directed regularization in the Dharwad case (supra), all those appointed temporarily at any point of time would be entitled to be regularized since otherwise it would be discrimination between those similarly situated and in that view, all appointments made on daily wages, temporarily or contractually, must be directed to be regularized. Acceptance of this argument would mean that appointments made otherwise than by a regular process of selection would become the order of the day completely jettisoning the constitutional scheme of appointment. This argument also highlights the need for this Court to formally lay down the law on the question and ensure certainty in dealings relating to public employment. The very divergence in approach in this Court, the so-called equitable approach made in some, as against those decisions which have insisted on the rules being followed, also justifies a firm decision by this court one way or the other. It is necessary to put an end to uncertainty and clarify the legal position emerging from the constitutional scheme, leaving the High Courts to follow necessarily, the law thus laid down.

4. Even at the threshold, it is necessary to keep in mind the distinction between regularization and conferment of permanence in service jurisprudence. In STATE OF MYSORE Vs. S.V. NARAYANAPPA (1967 (1) S.C.R. 128), this Court stated that it was a mis-conception to

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consider that regularization meant permanence. In R.N. NANJUNDAPPA Vs T. THIMMIAH & ANR. [(1972) 2 S.C.R. 799], this Court dealt with an argument that regularization would mean conferring the quality of permanence on the appointment. This Court stated:-

"Counsel on behalf of the respondent contended that regularization would mean conferring the quality of permanence on the appointment, whereas counsel on behalf of the State contended that regularization did not mean permanence but that it was a case of regularization of the rules under Article 309. Both the contentions are fallacious. If the appointment itself is in infraction of the rules or if it is in violation of the provisions of the Constitution, illegality cannot be regularized.

Ratification or regularization is possible of an act which is within the power and province of the authority, but there has been some non-compliance with procedure or error which does not go to the root of the appointment. Regularization cannot be said to be a mode of recruitment. To accede to such a proposition would be to introduce a new head of appointment in defiance of rules or it may have the effect of setting at naught the rules."

oo. In B.N. Nagarajan & Ors. Vs. State of Karnataka & Ors. [(1979) 3 SCR 937], this court clearly held that the words "regular" or "regularization" do not connote permanence and cannot be construed so as to convey an idea of the nature of tenure of appointments. They are terms calculated to condone any procedural irregularities and are meant to cure only such defects as are attributable to methodology followed in making the appointments. This court emphasized that when rules framed under Article 309 of the Constitution of India are in force, no regularization is permissible in exercise of the executive powers of the Government under Article 162 of the Constitution in contravention of the rules. These decisions and the principles recognized therein have not been dissented to by this Court and on principle, we see no reason not to accept the proposition as enunciated in the above decisions. We have, therefore, to keep this distinction in mind and proceed on the basis that only something that is irregular for want of compliance with one of the elements in the process of selection which does go to the root of the process, can be regularized and that it alone can be regularized and granting permanence of employment is a totally different concept and cannot be equated with regularization.

15. We have already indicated the constitutional scheme of public employment in this country, and the executive, or for that matter the Court, in appropriate cases, would have only the right to regularize an appointment made after following the due procedure, even though a non-fundamental element of that process or procedure has not been followed. This right of the executive and that of the court, would not extend to the executive or the court being in a position to direct that an appointment made in clear violation of the constitutional scheme, and the statutory rules made in that behalf, can be treated as permanent or can be directed to be treated as permanent.

16. Without keeping the above distinction in mind and without discussion of the law on the question or the effect of the directions on the constitutional scheme of appointment, this Court in Daily Rated Casual Labour Vs. Union of India & Ors. (1988 (1) SCR 598) directed the Government to frame a scheme for absorption of daily rated casual labourers continuously working in the Posts and Telegraphs Department for more than one year. This Court seems to have been swayed by the idea that India is a socialist republic and that implied the existence of certain important obligations which the State had to discharge. While it might be one thing to say that the daily rated workers, doing the identical work, had to be paid the wages that were being paid to those who are regularly appointed and are doing the same work, it would be quite a different thing to say that a

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framed. Thus a scheme for absorption of casual/daily rated employees appointed on or before 1.7.1984 was framed and accepted. The economic consequences of its direction were taken note of by this Court in the following words.

"We are alive to the position that the scheme which we have finalized is not the ideal one but as we have already stated, it is the obligation of the court to individualize justice to suit a given situation in a set of facts that are placed before it. Under the scheme of the Constitution, the purse remains in the hands of the executive. The legislature of the State controls the Consolidated Fund out of which the expenditure to be incurred, in giving effect to the scheme, will have to be met. The flow into the Consolidated Fund depends upon the policy of taxation depending perhaps on the capacity of the payer. Therefore, unduly burdening the State for implementing constitutional obligation forthwith would create problems which the State may not be able to stand. We have, therefore, made our directions with judicious restraint with the hope and trust that both parties would appreciate and understand the situation. The instrumentality of the State must realize that it is charged with a big trust. The money that flows into the Consolidated Fund and constitutes the resources of the State comes from the people and the welfare expenditure that is meted out goes from the same Fund back to the people. May be that in every situation the same tax payer is not the beneficiary. That is an incident of taxation and a necessary concomitant of living within a welfare society."

With respect, it appears to us that the question whether the jettisoning of the constitutional scheme of appointment can be approved, was not considered or decided. The distinction emphasized in R.N. NANJUNDAPPA Vs T. THIMMIAH & ANR. (supra), was also not kept in mind. The Court appears to have been dealing with a scheme for 'equal pay for equal work' and in the process, without an actual discussion of the question, had approved a scheme put forward by the State, prepared obviously at the direction of the Court, to order permanent absorption of such daily rated workers. With respect to the learned judges, the decision cannot be said to lay down any law, that all those engaged on daily wages, casually, temporarily, or when no sanctioned post or vacancy existed and without following the rules of selection, should be absorbed or made permanent though not at a stretch, but gradually. If that were the ratio, with respect, we have to disagree with it.

20. We may now consider, State of Haryana Vs. Piara Singh and Others [1992] 3 SCR 826]. There, the court was considering the sustainability of certain directions issued by the High Court in the light of various orders passed by the State for the absorption of its ad hoc or temporary employees and daily wagers or casual labour. This Court started by saying:

"Ordinarily speaking, the creation and abolition of a post is the prerogative of the Executive. It is the Executive again that lays down the conditions of service subject, of course, to a law made by the appropriate legislature. This power to prescribe the conditions of service can be exercised either by making rules under the proviso to Article 309 of the Constitution or (in the absence of such rules) by issued rules/instructions in exercise of its executive power. The court comes into the picture only to ensure observance of fundamental rights; statutory provisions, rules and other instructions, if any governing the conditions of service"

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This Court then referred to some of the earlier decisions of this Court while stating:

"The main concern of the court in such matters is to ensure the rule of law and to see that the Executive acts fairly and gives a fair deal to its employees consistent with the requirements of Articles 14 and 16. It also means that the State should not exploit its employees nor should it seek to take advantage of the helplessness and misery of either the unemployed persons or the employees, as the case may be. As is often said, the State must be a model employer. It is for this reason, it is held that equal pay must be given for equal work, which is indeed one of the directive principles of the Constitution. It is for this very reason it is held that a person should not be kept in a temporary or ad hoc status for long. Where a temporary or ad hoc appointment is continued for long court presumes that there is need and warrant for a regular post and accordingly directs regularization. While all the situations in which the court may act to ensure fairness cannot be detailed here, it is sufficient to indicate that the guiding principles are the ones stated above."

This Court then concluded in paragraphs 45 to 50:
"The normal rule, of course, is regular recruitment through the prescribed agency but exigencies of administration may sometimes call for an ad hoc or temporary appointment to be made. In such a situation, effort should always be to replace such an ad hoc/temporary employee by a regularly selected employee as early as possible. Such a temporary employee may also compete along with others for such regular selection/appointment. If he gets selected, well and good, but if he does not, he must give way to the regularly selected candidate. The appointment of the regularly selected candidate cannot be withheld or kept in abeyance for the sake of such an ad hoc/temporary employee."

Secondly, an ad hoc or temporary employee should not be replaced by another ad hoc or temporary employee; he must be replaced only by a regularly selected employee. This is necessary to avoid arbitrary action on the part of the appointing authority.

Thirdly, even where an ad hoc or temporary employment is necessitated on account of the exigencies of administration, he should ordinarily be drawn from the employment exchange unless it cannot brook delay in which case the pressing cause must be stated on the file. If no candidate is available or is not sponsored by the employment exchange, some appropriate method consistent with the requirements of Article 16 should be followed. In other words, there must be a notice published in the appropriate manner calling for applications and all those who apply in response thereto should be considered fairly.

An unqualified person ought to be appointed only when qualified persons are not available through the above processes.

If for any reason, an ad hoc or temporary employee is continued for a fairly long spell, the authorities must consider his case for regularization provided he is

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eligible and qualified according to the rules and his service record is satisfactory and his appointment does not run counter to the reservation policy of the State "

With respect, why should the State be allowed to depart from the normal rule and indulge in temporary employment in permanent posts? This Court, in our view, is bound to insist on the State making regular and proper recruitments and is bound not to encourage or shut its eyes to the persistent transgression of the rules of regular recruitment. The direction to make permanent -- the distinction between regularization and making permanent, was not emphasized here -- can only encourage the State, the model employer, to flout its own rules and would confer undue benefits on a few at the cost of many waiting to compete. With respect, the direction made in paragraph 50 of Piara Singh (supra) are to some extent inconsistent with the conclusion in paragraph 45 therein. With great respect, it appears to us that the last of the directions clearly runs counter to the constitutional scheme of employment recognized in the earlier part of the decision. Really, it cannot be said that this decision has laid down the law that all ad hoc, temporary or casual employees engaged without following the regular recruitment procedure should be made permanent.

We shall now refer to the other decisions. In State of Punjab and others Vs. Surinder Kumar and others (1991 Suppl. (3) SCR 553), a three judge bench of this Court held that High Courts had no power, like the power available to the Supreme Court under Article 142 of the Constitution of India, and merely because the Supreme Court granted certain reliefs in exercise of its power under Article 142 of the Constitution of India, similar orders could not be issued by the High Courts. The bench pointed out that a decision is available as a precedent only if it decides a question of law. The temporary employees would not be entitled to rely in a Writ Petition they filed before the High Court upon an order of the Supreme Court which directs a temporary employee to be regularized in his service without assigning reasons and ask the High Court to pass an order of a similar nature. This Court noticed that the jurisdiction of the High Court while dealing with a Writ Petition was circumscribed by the limitations discussed and declared by judicial decisions and the High Court cannot transgress the limits on the basis of the whims or subjective sense of justice varying from judge to judge. Though the High Court is entitled to exercise its judicial discretion in deciding Writ Petitions or Civil Revision applications coming before it, the discretion had to be confined in declining to entertain petitions and refusing to grant reliefs asked for by the petitioners on adequate considerations and it did not permit the High Court to grant relief on such a consideration alone. This Court set aside the directions given by the High Court for regularization of persons appointed temporarily in the post of lecturers. The Court also emphasized that specific terms on which appointments were made should be normally enforced. Of course, this decision is more on the absence of power in the High Court to pass orders against the constitutional scheme of appointment.

2. In Director, Institute of Management Development, U.P. Vs. Pushpa Srivastava (Smt.) (1992 (3) SCR 712), this Court held that since the appointment was on purely contractual and ad hoc basis on consolidated pay for a fixed period and terminable without notice, when the appointment came to an end by efflux of time, the appointee had no right to continue in the post and to claim regularization in service in the absence of any rule providing for regularization after the period of service. A limited relief of directing that the appointee be permitted on sympathetic consideration to be continued in service till the end of the concerned calendar year was issued. This Court noticed that when the appointment was purely on ad hoc and contractual basis for a limited period, on the expiry of the period, the right to remain in the post came to an end. This Court stated that the view they were taking was the only view possible and set aside the judgment of the High Court which had given relief to the appointee.

23. In Madhyamik Shiksha Parishad, U.P. Vs. Anil Kumar Mishra and Others [AIR 1994 SC 1638], a three judge bench of this Court held that ad hoc appointees/temporary employees engaged on ad hoc basis and paid on piece-rate basis for certain clerical work and discontinued on completion of their task, were not entitled to reinstatement or regularization of their services even if their working period ranged from one to two years. This decision indicates that if the engagement was made in a particular work or in connection with particular project, on completion of that work or of that project, those who were temporarily engaged or employed in that work or project could not claim any right to continue in service and the High Court cannot direct that they be continued or absorbed elsewhere.

24. In State of Himachal Pradesh Vs. Suresh Kumar Verma (1996 (1) SCR 972), a three Judge Bench of this Court held that a person appointed on daily wage basis was not an appointee to a post according to Rules. On his termination, on the project employing him coming to an end, the Court could not issue a direction to re-engage him in any other work or appoint him against existing vacancies. This Court said: "It is settled law that having made rules of recruitment to various services under the State or to a class of posts under the State, the State is bound to follow the same and to have the selection of the candidates made as per recruitment rules and appointments shall be made accordingly. From the date of discharging the duties attached to the post the incumbent becomes a member of the services. Appointment on daily wage basis is not an appointment to a post according to the Rules."

Their Lordships cautioned that if directions are given to re-engage such persons in any other work or appoint them against existing vacancies, "the judicial process would become another mode of recruitment dehors the rules."

25. In Ashwani Kumar and others Vs. State of Bihar and others (1996 Supp. (10) SCR 120), this Court was considering the validity of confirmation of the irregularly employed. It was stated: "So far as the question of confirmation of these employees whose entry was illegal and void, is concerned, it is to be noted that question of confirmation or regularization of an irregularly appointed candidate would arise if the candidate concerned is appointed in an irregular manner or on ad hoc basis against an available vacancy which is already sanctioned. But if the initial entry itself is unauthorized and is not against any sanctioned vacancy, question of regularizing the incumbent on such a non-existing vacancy would never survive for consideration and even if such purported regularization or confirmation is given it would be an exercise in futility."

This Court further stated :

"In this connection it is pertinent to note that question of regularization in any service including any government service may arise in two contingencies. Firstly, if on any available clear vacancies which are of a long duration appointments are made on ad hoc basis or daily-wage basis by a competent authority and are continued from time to time and if it is found that the incumbents concerned have continued to be employed for a long period of time with or without any artificial breaks, and their services are otherwise required by the institution which employs them, a time may come in the service career of such employees who are continued on ad hoc basis for a given substantial length of time to regularize them so that the employees concerned can give their best by being assured security of tenure. But this

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would require one precondition that the initial entry of such an employee must be made against an available sanctioned vacancy by following the rules and regulations governing such entry. The second type of situation in which the question of regularization may arise would be when the initial entry of the employee against an available vacancy is found to have suffered from some flaw in the procedural exercise though the person appointing is competent to effect such initial recruitment and has otherwise followed due procedure for such recruitment. A need may then arise in the light of the exigency of administrative requirement for waiving such irregularity in the initial appointment by a competent authority and the irregular initial appointment may be regularized and security of tenure may be made available to the incumbent concerned. But even in such a case the initial entry must not be found to be totally illegal or in blatant disregard of all the established rules and regulations governing such recruitment."

The Court noticed that in that case all constitutional requirements were thrown to the wind while making the appointments. It was stated, "On the contrary all efforts were made to bypass the recruitment procedure known to law which resulted in clear violation of Articles 14 and 16(1) of the Constitution of India, both at the initial stage as well as at the stage of confirmation of these illegal entrants. The so called regularizations and confirmations could not be relied on as shields to cover up initial illegal and void actions or to perpetuate the corrupt methods by which these 6000 initial entrants were drafted in the scheme."

26. It is not necessary to notice all the decisions of this Court on this aspect. By and large what emerges is that regular recruitment should be insisted upon, only in a contingency an ad hoc appointment can be made in a permanent vacancy, but the same should soon be followed by a regular recruitment and that appointments to non-available posts should not be taken of for regularization. The cases directing regularization have mainly proceeded on the basis that having permitted the employee to work for some period, he should be absorbed, without really laying down any law to that effect, after discussing the constitutional scheme for public employment.

27. In A. Umarani Vs. Registrar, Cooperative Societies and Others (2004 (7) SCC 112), a three judge bench made a survey of the authorities and held that when appointments were made in contravention of mandatory provisions of the Act and statutory rules framed thereunder and by ignoring essential qualifications, the appointments would be illegal and cannot be regularized by the State. The State could not invoke its power under Article 162 of the Constitution to regularize such appointments. This Court also held that regularization is not and cannot be a mode of recruitment by any State within the meaning of Article 12 of the Constitution of India or any body or authority governed by a statutory Act or the Rules framed thereunder. Regularization furthermore cannot give permanence to an employee whose services are ad hoc in nature. It was also held that the fact that some persons had been working for a long time would not mean that they had acquired a right for regularization.

28. Incidentally, the Bench also referred to the nature of the orders to be passed in exercise of this Court's jurisdiction under Article 142 of the Constitution. This Court stated that jurisdiction under Article 142 of the Constitution could not be exercised on misplaced sympathy. This Court quoted with approval the observations of Farewell, L.J. in Latham vs. Richard Johnson & Nephew Ltd. (1913 (1) KB 398) "We must be very careful not to allow our sympathy with the infant plaintiff to affect our judgment."

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Sentiment is a dangerous will o' the wisp to take as a guide in the search for legal principles."

This Court also quoted with approval the observations of this Court in Teri Oat Estates (P) Ltd. Vs. U.T., Chandigarh, (2004 (2) SCC 130) to the effect:

"We have no doubt in our mind that sympathy or sentiment by itself cannot be a ground for passing an order in relation whereto the appellants miserably fail to establish a legal right. It is further trite that despite an extraordinary constitutional jurisdiction contained in Article 142 of the Constitution of India, this Court ordinarily would not pass an order which would be in contravention of a statutory provision."

s decision kept in mind the distinction between 'regularization' and 'permanency' and laid down that regularization is not and cannot be the mode of recruitment by any State. It also held that regularization cannot give permanence to an employee whose services are ad hoc in nature.

29. It is not necessary to multiply authorities on this aspect. It is only necessary to refer to one or two of the recent decisions in this context. In State of U.P. vs. Niraj Awasthi and others (2006 (1) SCC 667) this Court after referring to a number of prior decisions held that there was no power in the State under Art. 162 of the Constitution of India to make appointments and even if there was any such power, no appointment could be made in contravention of statutory rules. This Court also held that past alleged regularisation or appointment does not connote entitlement to further regularization or appointment. It was further held that the High Court has no jurisdiction to frame a scheme by itself or direct the framing of a scheme for regularization. This view was reiterated in State of Karnataka vs. KGSD Canteen Employees Welfare Association (JT 2006 (1) SC 84).

30. In Union Public Service Commission Vs. Girish Jayanti Lal Vaghela & Others [2006 (2) SCALE 115], this Court answered the question, who was a Government servant and stated:-

Article 16 which finds place in Part III of the Constitution relating to fundamental rights provides that there shall be equality of opportunity for all citizens in matters relating to employment or appointment to any office under the State. The main object of Article 16 is to create a constitutional right to equality of opportunity and employment in public offices. The words "employment" or "appointment" cover not merely the initial appointment but also other attributes of service like promotion and age of superannuation etc. The appointment to any post under the State can only be made after a proper advertisement has been made inviting applications from eligible candidates and holding of selection by a body of experts or a specially constituted committee whose members are fair and impartial through a written examination or interview or some other rational criteria for judging the inter se merit of candidates who have applied in response to the advertisement made. A regular appointment to a post under the State or Union cannot be made without issuing advertisement in the prescribed manner which may in some cases include inviting applications from the employment exchange where eligible candidates get their names registered. Any regular appointment made on a post under the State or Union without issuing advertisement inviting applications from eligible candidates and without holding a proper selection where

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all eligible candidates get a fair chance to compete would violate the guarantee enshrined under Article 16 of the Constitution (See B.S. Minhas Vs. Indian Statistical Institute and others AIR 1984 SC 363)."

31. There have been decisions which have taken the cue from the Dharwad (supra) case and given directions for regularization, absorption or making permanent, employees engaged or appointed without following the due process or the rules for appointment. The philosophy behind this approach is seen set out in the recent decision in The Workmen of Bhurkunda Colliery of M/s Central Coalfields Ltd. Vs. The Management of Bhurkunda Colliery of M/s Central Coalfields Ltd. (JT 2006 (2) SC 1), though the legality or validity of such an approach has not been independently examined. But on a survey of authorities, the predominant view is seen to be that such appointments did not confer any right on the appointees and that the Court cannot direct their absorption or regularization or re-engagement or making them permanent.

32. At this stage, it is relevant to notice two aspects. In Kesavananda Bharati Vs. State of Kerala (1973 Supp. S.C.R. 1), this Court held that Article 14, and Article 16, which was described as a facet of Article 14, is part of the basic structure of the Constitution of India. The position emerging from Kesavananda Bharati (supra) was summed up by Jagannatha Rao, J., speaking for a Bench of three Judges in Indira Sawhney Vs. Union of India (1997 Suppl. (5) S.C.R. 229). That decision also reiterated how neither the Parliament nor the Legislature could transgress the basic feature of the Constitution, namely, the principle of equality enshrined in Article 14 of which Article 16 (1) is a facet. This Court stated, "The preamble to the Constitution of India emphasises the principle of equality as basic to our constitution. In Kesavananda Bharati v. State of Kerala, it was ruled that even constitutional amendments which offended the basic structure of the Constitution would be ultra vires the basic structure. Sikri, C.J. laid stress on the basic features enumerated in the preamble to the Constitution and said that there were other basic features too which could be gathered from the Constitutional Scheme (para 506 A of SCC). Equality was one of the basic features referred to in the Preamble to our Constitution. Shelat and Grover, JJ. also referred to the basic rights referred to in the Preamble. They specifically referred to equality (paras 520 and 535A of SCC). Hegde & Shelat, JJ. also referred to the Preamble (paras 648, 652). Ray, J. (as he then was) also did so (para 886). Jagannathan Reddy, J. too referred to the Preamble and the equality doctrine (para 1159). Khanna, J. accepted his position (para 1471). Mathew, J. referred to equality as a basic feature (para 1621). Dwivedi, J. (paras 1882, 1883) and Chandrachud, J. (as he then was) (see para 1086) accepted this position. That we mean to say is that Parliament and the Legislatures in this Country cannot transgress the basic feature of the Constitution, namely, the principle of equality enshrined in Article 14 of which Article 16(1) is a facet."

3. In the earlier decision in Indira Sawhney Vs. Union of India (1992 Supp. (2) S.C.R. 454), B.P. Jeevan Reddy, J. speaking for the majority, while acknowledging that equality and equal opportunity is a basic feature of our Constitution, has explained the exalted position of Articles 14 and 16 of the Constitution of India in the scheme of things. His Lordship stated:-

5. The significance attached by the founding fathers to the right to equality is evident not only from the fact that

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worker is continued for a time beyond the term of his appointment, he would not be entitled to be absorbed in regular service or made permanent, merely on the strength of such continuance, if the original appointment was not made by following a due process of selection as envisaged by the relevant rules. It is not open to the court to prevent regular recruitment at the instance of temporary employees whose period of employment has come to an end or of ad hoc employees who by the very nature of their appointment, do not acquire any right. High Courts acting under Article 226 of the Constitution of India, should not ordinarily issue directions for absorption, regularization, or permanent continuance unless the recruitment itself was made regularly and in terms of the constitutional scheme. Merely because, an employee had continued under cover of an order of Court, which we have described as 'litigious employment' in the earlier part of the judgment, he would not be entitled to any right to be absorbed or made permanent in the service. In fact, in such cases, the High Court may not be justified in issuing interim directions, since, after all, if ultimately the employee approaching it is found entitled to relief, it may be possible for it to mould the relief in such a manner that ultimately no prejudice will be caused to him, whereas an interim direction to continue his employment would hold up the regular procedure for selection or impose on the State the burden of paying an employee who is really not required. The courts must be careful in ensuring that they do not interfere unduly with the economic arrangement of its affairs by the State or its instrumentalities or lend themselves the instruments to facilitate the bypassing of the constitutional and statutory mandates.

35. The concept of 'equal pay for equal work' is different from the concept of conferring permanency on those who have been appointed on an ad hoc basis, temporary basis, or based on no process of selection as envisaged by the Rules. This Court has in various decisions applied the principle of equal pay for equal work and has laid down the parameters for the application of that principle. The decisions are rested on the concept of equality enshrined in our Constitution in the light of the directive principles in that behalf. But the acceptance of that principle cannot lead to a position where the court could direct that appointments made without following the due procedure established by law, be deemed permanent or issue directions to treat them as permanent. Doing so, would be negation of the principle of equality of opportunity. The power to make an order as is necessary for doing complete justice in any cause or matter pending before this Court, would not normally be used for giving the go-by to the procedure established by law in the matter of public employment. Take the situation arising in the cases before us from the State of Karnataka. Therein, after the Dharwad decision, the Government had issued repeated directions and mandatory orders that no temporary or ad hoc employment or engagement be given. Some of the authorities and departments had ignored those directions or defied those directions and had continued to give employment, specifically interdicted by the orders issued by the executive. Some of the appointing officers have even been punished for their defiance. It would not be just or proper to pass an order in exercise of jurisdiction under Article 226 or 32 of the Constitution or in exercise of power under Article 142 of the Constitution of India permitting those persons engaged, to be absorbed or to be made permanent, based on their appointments or engagements. Complete justice would be justice according to law and though it would be open to this Court to mould the relief, this Court would not grant a relief which would amount to perpetuating an illegality.

36. While directing that appointments, temporary or casual, be regularized or made permanent, courts are swayed by the fact that the concerned person has worked for some time and in some cases for a considerable length of time. It is not as if the person who accepts an engagement either temporary or casual in nature, is not aware of the nature of his employment. He accepts the employment with eyes open. It may be true that he is not in a position to bargain -- not at arms length -- since he might have been searching for some employment so as to eke out his livelihood and accepts whatever he gets. But on that ground alone, it would not be appropriate to jettison the constitutional scheme of appointment and

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to take the view that a person who has temporarily or casually got employed should be directed to be continued permanently. By doing so, it will be creating another mode of public appointment which is not permissible. If the court were to void a contractual employment of this nature on the ground that the parties were not having equal bargaining power, that too would not enable the court to grant any relief to that employee. A total embargo on such casual or temporary employment is not possible, given the exigencies of administration and if imposed, would only mean that some people who at least get employment temporarily, contractually or casually, would not be getting even that employment when securing of such employment brings at least some succor to them. After all, innumerable citizens of our vast country are in search of employment and one is not compelled to accept a casual or temporary employment if one is not inclined to go in for such an employment. It is in that context that one has to proceed on the basis that the employment was accepted fully knowing the nature of it and the consequences flowing from it. In other words, even while accepting the employment, the person concerned knows the nature of his employment. It is not an appointment to a post in the real sense of the term. The claim acquired by him in the post in which he is temporarily employed or the interest in that post cannot be considered to be of such a magnitude as to enable the giving up of the procedure established, for making regular appointments to available posts in the services of the State. The argument that since one has been working for some time in the post, it will not be just to discontinue him, even though he was aware of the nature of the employment when he first took it up, is not one that would enable the jettisoning of the procedure established by law for public employment and would have to fail when tested on the touchstone of constitutionality and equality of opportunity enshrined in Article 14 of the Constitution of India.

37. Learned Senior Counsel for some of the respondents argued that on the basis of the doctrine of legitimate expectation, the employees, especially of the Commercial Taxes Department, should be directed to be regularized since the decisions in Dharwad (supra), Piara Singh (supra), Jacob, and Gujarat Agricultural University and the like, have given rise to an expectation in them that their services would also be regularized. The doctrine can be invoked if the decisions of the Administrative Authority affect the person by depriving him of some benefit or advantage which either (i) he had in the past been permitted by the decision-maker to enjoy and which he can legitimately expect to be permitted to continue to do until there have been communicated to him some rational grounds for withdrawing it on which he has been given an opportunity to comment; or (ii) he has received assurance from the decision-maker that they will not be withdrawn without giving him first an opportunity of advancing reasons for contending that they should not be withdrawn (See Lord Diplock in Council of Civil Service Unions V. Minister for the Civil Service (1985 Appeal Cases 374), National Buildings Construction Corp'n. Vs. S. Raghunathan, (1998 (7) SCC 66) and Dr. Chanchal Goyal Vs. State of Rajasthan (2003 (3) SCC 485). There is no case that any assurance was given by the Government or the concerned department while making the appointment on daily wages that the status conferred on him will not be withdrawn until some rational reason comes into existence for withdrawing it. The very engagement was against the constitutional scheme. Though, the Commissioner of the Commercial Taxes Department sought to get the appointments made permanent, there is no case that at the time of appointment any promise was held out. No such promise could also have been held out in view of the circulars and directives issued by the Government after the Dharwad decision. Though, there is a case that the State had made regularizations in the past of similarly situated employees, the fact remains that such regularizations were done only pursuant to judicial directions, either of the Administrative Tribunal or of the High Court and in some case by this Court. Moreover, the invocation of the doctrine of legitimate expectation cannot enable the employees to claim that they must be made permanent or they must be regularized in the service though they had not been selected in terms of the rules for appointment. The fact that in

enforced. Considered in the light of the very clear constitutional scheme, it cannot be said that the employees have been able to establish a legal right to be made permanent even though they have never been appointed in terms of the relevant rules or in adherence of Articles 14 and 16 of the Constitution.

41. It is argued that in a country like India where there is so much poverty and unemployment and there is no equality of bargaining power, the action of the State in not making the employees permanent, would be violative of Article 21 of the Constitution. But the very argument indicates that there are so many waiting for employment and an equal opportunity for competing for employment and it is in that context that the Constitution as one of its basic features, has included Articles 14, 16 and 309 so as to ensure that public employment is given only in a fair and equitable manner by giving all those who are qualified, an opportunity to seek employment. In the guise of upholding rights under Article 21 of the Constitution of India, a set of persons cannot be preferred over a vast majority of people waiting for an opportunity to compete for State employment. The acceptance of the argument on behalf of the respondents would really negate the rights of the others conferred by Article 21 of the Constitution, assuming that we are in a position to hold that the right to employment is also a right coming within the purview of Article 21 of the Constitution. The argument that Article 23 of the Constitution is breached because the employment on daily wages amounts to forced labour, cannot be accepted. After all, the employees accepted the employment at their own volition and with eyes open as to the nature of their employment. The Governments also revised the minimum wages payable from time to time in the light of all relevant circumstances. It also appears to us that importing of these theories to defeat the basic requirement of public employment would defeat the constitutional scheme and the constitutional goal of equality.

42. The argument that the right to life protected by Article 21 of the Constitution of India would include the right to employment cannot also be accepted at this juncture. The law is dynamic and our Constitution is a living document. May be at some future point of time, the right to employment can also be brought in under the concept of right to life or even included as a fundamental right. The new statute is perhaps a beginning. As things now stand, the acceptance of such a plea at the instance of the employees before us would lead to the consequence of depriving a large number of other aspirants of an opportunity to compete for the post or employment. Their right to employment, if it is a part of right to life, would stand denuded by the preferring of those who have got in casually or those who have come through the back door. The obligation cast on the State under Article 39(a) of the Constitution of India is to ensure that all citizens equally have the right to adequate means of livelihood. It will be more consistent with that policy if the courts recognize that an appointment to a post in government service or in the service of its instrumentalities, can only be by way of a proper selection in the manner recognized by the relevant legislation in the context of the relevant provisions of the Constitution. In the name of individualizing justice, it is also not possible to shut our eyes to the constitutional scheme and the right of the numerous as against the few who are before the court. The Directive Principles of State Policy have also to be reconciled with the rights available to the citizen under Part III of the Constitution and the obligation of the State to one and all and not to a particular group of citizens. We, therefore, overrule the argument based on Article 21 of the Constitution.

43. Normally, what is sought for by such temporary employees when they approach the court, is the issue of a writ of mandamus directing the employer, the State or its instrumentalities, to absorb them in permanent service or to allow them to continue. In this context, the question arises whether a mandamus could be issued in favour of such persons. At this juncture, it will be proper to refer to the decision of the Constitution Bench of this Court in Dr. Rai Shivendra Bahadur Vs. The Governing Body of the Nalanda College [(1962) Supp. 2 SCR 144]. That case arose out of a refusal to promote the writ petitioner therein as the Principal of a college.

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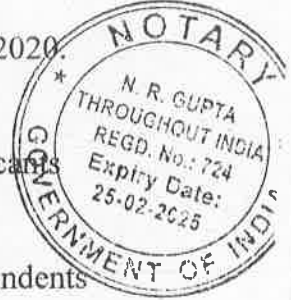
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI

ORIGINAL APPLICATION NO. 756 OF 2020.

Smt. Mayavati Ramchandra Sawant & Ors. ... Applicants

v/s

The State of Maharashtra & Ors. ... Respondents



SHORT AFFIDAVIT ON BEHALF OF RESPONDENT NOS.1, 2

& 3

(In compliance of order dtd. 18.2.2021)

I, Shivaji Sampatrao Patankar, Age : 53 years, working as Joint Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under :

1. I say that I have perused the copy of the Original Application, Order dtd. 18.2.2021 as well as other relevant records of the case. (I am further grateful for the additional time granted by this Hon`ble Tribunal on 25.2.2021 and 19.3.2021 to answer the queries raised in its order dtd. 18.2.2021.) I crave leave of this Hon`ble Tribunal to further add or amend the affidavit and/or file additional affidavit, if



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so found necessary. I say that I have been authorised to file this affidavit on behalf of the Respondent Nos.1, 2 & 3.

2. I say that [→] following queries were posed by this Hon'ble Tribunal in its order dtd. 18.2.2021:

(i) Whether in 2015 only 774 ad hoc employees 'बदली' employees were there in the set up?

(ii) Whether all the present 122 applicants, ad hoc employees 'बदली' employees were considered in 2015 and their cases were rejected as they were found ineligible and they constitute the number of 148 ineligible employees?

(iii) Whether the services of employees at Serial Nos. 282, 283, 284, 285, 286, 287, 288, 335 & 336, who were junior to the present applicants are regularized?

3. I would like to bring following facts to notice of this Hon'ble Tribunal with respect to queries raised vide aforesaid order.

4. // The Directorate of Medical Education and Research, Mumbai in 2014 initially submitted proposal of regularization of badli employees consisting of names of 1081 such employees to the Government in Medical Education and Drugs Department. Later on as per revised proposal names of 1486 badli employees were sent for



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consideration. I would like to state that names of the applicants were not part of the proposal from the Directorate of Medical Education and Research, Mumbai. The Government in Medical Education and Drugs Department directed the Directorate of Medical Education and Research, Mumbai to verify again the proposal and prepare list of only those employees who have completed 10 years of service as on 31/03/2007 with 240 days of actual work per year. The Directorate of Medical Education and Research, Mumbai after due scrutiny then submitted proposal consisting of names of 774 badli employees. It is pertinent to note that names of the applicants were not included in the said proposal. As per Cabinet decision a Committee was constituted under chairmanship of the Director, Medical Education and Research to scrutinize again the service records of 774 badali workers vide Government Resolution dtd. 23/07/2015. As per report of the Committee temporary service of 626 badali employees came to be regularized vide Government resolution dtd. 07/12/2015. //

5. "The names of the applicants were not part of any proposal submitted by the Directorate of Medical Education and Research, Mumbai to the Government in Medical Education and Drugs Department. Therefore, it is needless to state that the applicants did not constitute the number of 148 ineligible employees."



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9/03/21

6. As stated above the names of the applicants were not part of any proposal submitted by the Directorate of Medical Education and Research, Mumbai to the Government in Medical Education and Drugs Department, it is quite difficult to comment on so called seniority of the applicants. I would like to state that badali workers in Government Medical Colleges and Hospitals are appointed as stop gap arrangement for leave period of regular Class-IV employee. In other words badali workers are appointed purely on temporary basis to the post which is already occupied by regular Class-IV employee. It is pertinent to note that such badali workers usually cannot get appointment continuously or even for several years. Therefore concept of seniority cannot be applied in true sense to the badali workers.

7. I would like to state that process of verifying service details of 1486 employees is being carried out and detail affidavit will be submitted as permitted by this Hon'ble Tribunal vide order dtd. 25/02/2021.

Mumbai.

Dated : 31.03.2021.

RESPONDENT



633
9084

VERIFICATION

I, Shivaji Sampatrao Patankar, Age : 53 years, working as Joint Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 7 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon`ble Tribunal.

Solemnly affirmed at Mumbai.
This 31st day of March, 2021.

DEPONENT
BEFORE ME
BEFORE ME

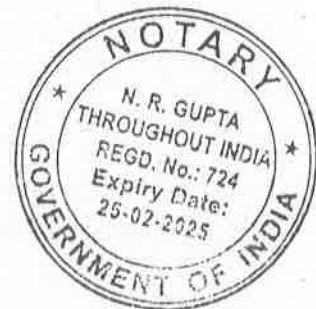
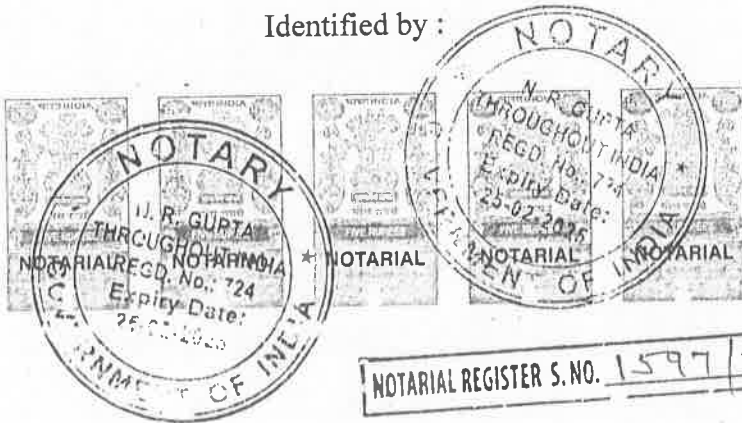
Drafted by :

Ms. Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai.

31/3/2021

N. R. GUPTA
ADVOCATE & NOTARY
Ramdeo Khimji Chawl,
Subhash Nagar, Bandra (E),
Mumbai-400 051.

Identified by :



1034

633A

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI
ORIGINAL APPLICATION NO. 756 OF 2020.

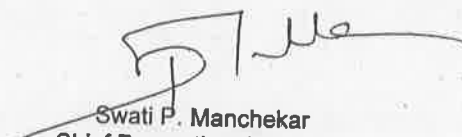
Smt. Mayavati Ramchandra Sawant & Ors. ... Applicants

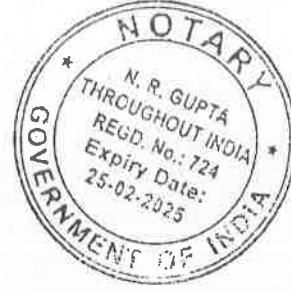
v/s

The State of Maharashtra & Ors. ... Respondents

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3		Exhibit R-2	639


Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai.



7636

634

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI

ORIGINAL APPLICATION NO. 756 OF 2020.

Smt. Mayavati Ramchandra Sawant & Ors. ... Applicants

v/s

The State of Maharashtra & Ors. ... Respondents

SHORT AFFIDAVIT ON BEHALF OF RESPONDENT NOS.1, 2

& 3

(In compliance of order dtd. 1.4.2021)

I, Shivaji Sampatrao Patankar, Age : 54 years, working as Joint Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under :

1. I say that I have perused the copy of the Original Application, order dtd. 1.4.2021 as well as other relevant records of the case. I crave leave of this Hon'ble Tribunal to further add or amend the affidavit



963e
635

and/or file additional affidavit, if so found necessary. I say that I have been authorised to file this affidavit on behalf of the Respondent Nos.1, 2 & 3.

2. I say that this Hon'ble Tribunal vide order dtd. 1.4.2021 directed the Respondent No.1 to collect the information in writing from the Director, Medical Education and Research and file affidavit to that effect whether why the names of these Applicants were not sent.

3. I would like to state that the Dean, Sir J.J. Group of Hospitals vide letter dtd. 8.4.2021 informed the Director, Medical Education and Research that since the applicants were not fulfilling requisite criteria, their names were not sent for regularization of service. A copy of said letter is annexed hereto and marked as Exhibit R-1

4. ~~X~~ The Director, Medical Education and Research vide letter dtd. 9.4.2021 forwarded aforesaid letter dtd. 8.4.2021 of the Dean, sir J.J. Group of Hospitals and clarified that the applicants were not eligible as per requisite criteria and hence their names were not part of proposal sent to the Government in Medical Education and Drugs Department. A copy of letter of the Director, Medical Education and Research dtd. 9.4.2021 is annexed hereto and marked as Exhibit R-2

9489

636



5. Taking into consideration replies of the concerned Dean and the Director, Medical Education and Research, it seems that the applicants were ineligible for regularization of their service as per requisite criteria.

Mumbai.

Dated : 20th April, 2021

RESPONDENT

9083

637



VERIFICATION

I, Shivaji Sampatrao Patankar, Age : 54 years, working as Joint Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 5 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon`ble Tribunal.

Solemnly affirmed at Mumbai.
This 20 th day of April, 2021.

DEPONENT
BEFORE ME

Drafted by :

Ms. Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai.

BEFORE ME

20/4/2021

N. R. GUPTA
ADVOCATE & NOTARY
Randeo Khimji Chawl,
Subhash Nagar, Bandra (E),
Mumbai-400 051.

20 APR 2021



NOTARIAL REGISTER S. NO. 1825 2020



Exhibit-R-1

638

महाराष्ट्र शासन
SIR J.J. GROUP OF HOSPITALS, MUMBAI
सर ज.जी.समुह रुग्णालये, मुंबई

Tel.No.373 55 55, 373 1144 ; Fax No.373 55 99; e-mail - ngjhs@nmhairs@gmail.com

क्र.जजीरु/आस्था-वर्ग-४/न्यायप्र/मुळ अर्ज क्र.७५६/२०२०/२९ दिवस/न्यायप्र/६३४०/२०२१, दि.०४/२०२१,
अतितात्काळ/न्यायालयीन प्रकरण

प्रति,
मा.संचालक,
वैद्यकीय शिक्षण व संशोधन,
मुंबई ४०० ००१.



विषय :- मुळ अर्ज क्र.७५६/२०२० श्रीम.मायावती सावंत व इतर विरुद्ध महाराष्ट्र शासन व इतर.....

- संदर्भ :- १) संचालनालयाचे पत्र क्र.संवैशिवस/न्या.प्र/मुळ अर्ज क्र.७५६/२०२०/श्रीमती सावंत व इतर १२१/६९४३/२०२१. दि. ०७/०४/२०२१.
२) शासन निर्णय क्र.न्यायाप्र.११५/प्र.क्र.३८/१५/वैसेवा-४, वैद्यकीय शिक्षण व औषधी द्रव्ये विभाग, मंत्रालय, मुंबई. दि. २३ जुलै, २०१५
३) या कार्यालयाचा प्रस्ताव क्र.जजीरु/आस्था/वर्ग-४/बदली कर्मचारी/१४००९/२०१५ दि.२७/८/२०१५.
४) शासन निर्णय क्र.न्यायाप्र ०११५/प्र.क्र.३८/१५/वैसेवा-४, वैद्यकीय शिक्षण व औषधी द्रव्ये विभाग, मंत्रालय, मुंबई. दि. ०७/१२/२०१५
५) या कार्यालयाचे पत्र क्र.जजीरु/आस्था/वर्ग-४/२९ दिवस/बदली कर्मचारी/१२७९८/२०१७ दि. २/१२/२०१७

महोदय,

उपरोक्त संदर्भाधिन विषयांच्या अनुमगाने सादर करण्यात येते की, सर ज.जी.समुह रुग्णालये, मुंबई येथील २९ दिवस बदली कर्मचा-यांची एकूण यादी ६०१ व ०१ वैयक्तिक न्यायालयीन प्रकरण (श्री. किसन चौगुले) अशी ६०२ बदली कर्मचा-यांची न्यायालयीन यादी होती. सदर मा.न्यायालयीन यादी मधिल दिनांक ३१/०३/२००७ रोजी १० वर्ष पुर्ण झालेले २२८ बदली कर्मचा-यांची "अ" यादी असा प्रस्ताव मा.संचालनालयास सन २०१४-१५ रोजी या रुग्णालयाकडून संदर्भ २ व ३ अन्वये सादर करण्यात आलेला आहे. व सदर बदली कर्मचा-यांची सेवा शासन निर्णय संदर्भ ४ अन्वये नियमित करण्यात आलेली आहे. तसेच १० वर्ष पुर्ण न झालेले १२२ बदली कर्मचा-यांची "ब" यादी असा प्रस्ताव मा.संचालनालयास सन २०१७ रोजी व वेळोवेळी या रुग्णालयाकडून संदर्भ ५ अन्वये सादर करण्यात आलेला असून सदर बदली कर्मचा-यांनी त्यांची सेवा नियमित करण्याकरिता मा.न्यायाधिकरणात मुळ अर्ज क्र.७५६/२०२० अन्वये दावा दाखल केलेला आहे.

याबाबत कळविण्यात येते की, सन २०१४ मध्ये शासनास सादर केलेल्या बदली कर्मचा-यांच्या सेवा नियमित करण्याबाबतच्या प्रस्तावामध्ये १४८६ कर्मचा-यांच्या यादीत सर ज.जी.समुह रुग्णालयातील मा.न्यायालयीन प्रकरणातील १२२ बदली कर्मचा-यांच्या नावाचा समावेश त्यांची सेवा दि. ३१/३/२००७ रोजी १० वर्ष पुर्ण न झाल्यामुळे करण्यात आलेला नव्हता.

मा संचालनालयाचे संदर्भ १ अन्वये उपरोक्त प्रमाणे वस्तुस्थितीदर्शक अहवाल पुंडील योग्य त्या कार्यवाही करिता सविनय सादर करण्यात येत आहे.

आपला विश्वासू,

अधिष्ठाता,

सर ज.जी.समुह रुग्णालये, मुंबई.



Exhibit-R-2

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संचालनालय, वैद्यकीय शिक्षण आणि संशोधन, मुंबई

शासकीय वेट मरुविद्यालय व रुग्णालय महाराष्ट्र शासन, मुंबई, पोस्ट बॉक्स नं. ११२, मुंबई, महाराष्ट्र, भारत. वेबसाइट: www.vet.ac.in

क्र.संवैशिवस/न्या.प्र./मुळ अर्ज क्र.७५६/२०२०/श्रीगती सावंत व इतर १२१/७०७०/२१, दि.०४/०४/२०२१

प्रति,

मा.सचिव,

वैद्यकीय शिक्षण व औषधी द्रव्ये विभाग,

गो.ते.रुग्णालय आवार, ९ वा मजला,

मंत्रालय, मुंबई.

विषय :- मुळ अर्ज क्र.७५६/२०२०

श्रीमती मायावती रामचंद्र सावंत व इतर विरुद्ध महाराष्ट्र शासन व इतर

संदर्भ:- १) शासन पत्र क्र.सेंट-११२०/प्र.क्र.१४५/वैसेवा-४, दि.०५ एप्रिल, २०२१

२) संचालनालयाचे सम क्रमांकित दि.०५/०४/२०२१ रोजीचे पत्र

३) अधिष्ठाता, सर ज.जी.समुह रुग्णालये, मुंबई यांचे पत्र क्र.जजीरु/आस्था-वर्ग-४/न्याय

/मुळ अर्ज क्र.७५६/२०२०/२१ दिबकर्म/३४९७/२०२१, दि.०६/०४/२०२१

४) संचालनालयाचे सम क्रमांकित दि.०५/०४/२०२१ रोजीचे पत्र

५) अधिष्ठाता, अधिष्ठाता, सर ज.जी.समुह रुग्णालये, मुंबई यांचे पत्र क्र.जजीरु/आस्था वर्ग-

/न्याय/मुळ अर्ज क्र.७५६/२०२०/२१ दिबकर्म/३४९७/२०२१, दि.०६/०४/२०२१

शासनाच्या संदर्भातील क्र. १ च्या पत्रान्वये सदर मुळ अर्जाप्रकरणी मा.न्यायाधिकरणाने सन, २०१४ मध्ये शासनास सादर केलेल्या बदली कर्मचा-यांच्या सेवा नियमित करण्याबाबतच्या प्रस्तावामध्ये १४८६ कर्मचा-यांच्या यादीत सर ज.जी.समुह रुग्णालयातील या न्यायालयीन प्रकरणातील १२२ बदली कर्मचा-यांच्या नावाचा समावेश का करण्यात आला नाही याबाबतचा वस्तुस्थितीदर्शक अहवाल शासनास सादर करावयाचा असल्याने संचालनालयाच्या संदर्भातील क्र.२ च्या पत्रान्वये अधिष्ठाता, सर ज.जी.सु.रु.मुंबई यांचेकडून मागविण्यात आलेला होता. अधिष्ठाता, सर ज.जी.सु.रु.मुंबई यांच्या संदर्भातील क्र.३ च्या पत्रान्वये सदर अहवाल संचालनालयास प्राप्त झालेला होता. तथापी सदर अहवाल संचालनालयास पुनश्च सुस्पष्ट अहवाल सादर करण्याबाबत कळविण्यात आले होते. त्यानुसार अधिष्ठाता यांनी संदर्भातील क्र.५ च्या पत्रान्वये प्रस्तुत प्रकरणास वस्तुस्थितीदर्शक अहवाल सादर केला आहे.

याबाबत सदर अहवालाच्या अनुषंगाने सादर करण्यात येते की, सन २०१४ मध्ये शासनास सादर केलेल्या बदली कर्मचा-यांच्या सेवा नियमित करण्याबाबतच्या प्रस्तावामध्ये १४८६ कर्मचा-यांच्या यादीत सर ज.जी.समुह रुग्णालये, मुंबई येथील सदर मुळ अर्ज क्र.७५६/२०२० या न्यायालयीन प्रकरणातील १२२ बदली कर्मचा-यांना दि.२१/०३/२००७ रोजी १० वर्षांची सेवा पूर्ण झालेली नसल्याने सदर कर्मचा-यांच्या नावाचा समावेश करण्यात आलेला नव्हता, सदर माहिती शासनास पुढील कार्यवाहीकरीता सादर करण्यात येत आहे.

अर्ज ५१५
२०/११/२१

प्रत :- अधिष्ठाता, सर ज.जी.समुह रुग्णालये, मुंबई.

७ कार्यालय

संचालक
वैद्यकीय शिक्षण व संशोधन, मुंबई

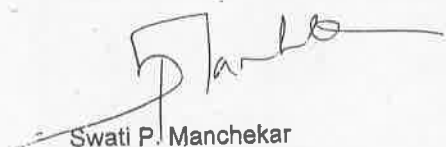
639A
9/23

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI
ORIGINAL APPLICATION NO. 756 OF 2020.

Smt. Mayavati Ramchandra Sawant & Ors. ... Applicants
v/s
The State of Maharashtra & Ors. ... Respondents

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3	R-2	A copy of order dtd. 22/04/2021 of the Hon'ble High Court, Bench at Nagpur.	654-655
4	R-3	A copy of demi-official letter dtd. 26/02/2015.	656
		LAST PAGE	


Swati P. Manchekar
Chief Presenting Officer,
M.A.T. Mumbai.

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9004

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI
ORIGINAL APPLICATION NO. 756 OF 2020.

Smt. Mayavati Ramchandra Sawant & Ors. ... Applicants

v/s

The State of Maharashtra & Ors. ... Respondents

AFFIDAVIT- IN - REPLY ON BEHALF OF RESPONDENT

NOS. 1, 2 & 3

(In compliance of order dtd. 25.2.2021)

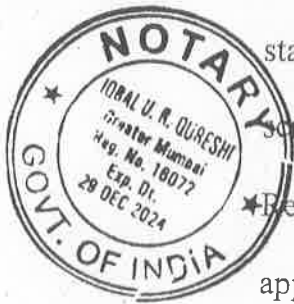


I, Sanjay Dattatray Kamlakar, Age : 51 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under :

1. I respectfully say and submit that, I have read the contents of the Original Application and annexure enclosed thereto as well as the relevant record in my office carefully. After going through the contents of the Original Application, now proceed to file this affidavit as per the directions given by this Hon'ble Tribunal vide order dtd.25.02.2021. I crave leave of this Hon'ble Tribunal to add, amend or to file additional reserved affidavit, if so required.

641
92e9

2. This Hon'ble Tribunal vide order dtd.25/02/2021 directed the respondents to file reply in detail after taking survey of service record of 1486 *badli* employees who were part of original proposal sent by the Directorate of Medical Education and Research, Mumbai to the Government in Medical Education and Drugs Department. As stated in affidavit in reply submitted earlier it is clarified that names of 1486 *badli* employees were sent for consideration. The Government in Medical Education and Drugs Department directed to verify again the proposal and prepare list of only those employees who have completed 10 years of service as on 31/03/2007 with 240 days of actual work per year. The Directorate of Medical Education and Research, Mumbai after due scrutiny then submitted proposal consisting of names of 774 *badli* employees. As per Cabinet decision a Committee was constituted under chairmanship of the Director, Medical Education and Research to scrutinize again the service records of 774 *badli* workers vide Government Resolution dtd.23/07/2015. As per report of the Committee temporary service of 626 *badli* employees came to be regularized vide Government Resolution dtd.07/12/2015. Thus it can be stated that proposal of regularization of *badli* workers was duly scrutinized thrice by the Directorate of Medical Education and Research, Mumbai. It is pertinent to note that the names of the applicants were not part of any proposal submitted to the Government



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9/12/22

in Medical Education and Drugs Department even after scrutinizing the proposal for three times.

3. It would be appropriate here to consider nature of post of 'Badali Worker' held by the applicants. The post of 'Badali Worker' is not a regular post in the staffing pattern of Government Medical Colleges and Hospitals. It is a stop gap arrangement which permits the Dean of respective colleges to appoint a local person purely on temporary basis when a regular class-IV employee is on leave. Thus it is needless to state that, 'Badali worker' is appointed temporarily only for leave period of regular class-IV employee. It is pertinent to note that, 'Badali worker' is appointed to a post which is already occupied by a regular employee.

4. I would like to state that the Hon'ble Apex Court vide the judgment of State of Karnataka Vs. M.L. Kesari dtd. 03/08/2010 while clarifying some aspects of the judgment of Secretary State of Karnataka and Ors. Vs. Uma Devi passed by the Hon'ble Apex Court on 10/04/2006 held that where the appointments are not made or continued against sanctioned posts or where the persons appointed do not possess the prescribed minimum qualifications, the appointment will be considered to be illegal. The Hon'ble Apex Court further held that where the person employed possessed the prescribed qualifications and



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was working against sanctioned posts, but had been selected without undergoing the process of open competitive selection, such appointments are considered to be irregular. As stated earlier 'Badali workers' are appointed to a post which is already occupied by a regular employee and hence it cannot be stated that they are appointed against sanctioned posts. Therefore in light of the judgments passed by the Hon'ble Apex Court in case of Uma Devi and M.L. Kesari claim of the applicants of regularization of their temporary service cannot be accepted.

5. I would like to state that to evolve a policy is prerogative of the State. As stated earlier the Government in Medical Education and Drugs Department vide resolution dtd.07/12/2015 regularized temporary service of 626 badli workers. It was nothing but a policy decision taken as 'one time measure' on humanitarian grounds. The aforesaid policy decision of regularizing 626 Badali workers was challenged by twelve Badali workers from Grant Government Medical College, Mumbai whose services could not be regularized thereby filing Original Application No.199/2016 in the Hon'ble Maharashtra Administrative Tribunal, Mumbai. The applicants in that matter claimed that out of 626 Badali workers whose services were regularized, there were three employees who had not completed 10 years of service on the cut-off date which was 31.03.2007 and were



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inferiorly placed to the applicants and still their services were regularized. The Hon'ble Maharashtra Administrative Tribunal, Mumbai vide judgment and order dtd.15.6.2017 (ref. Exh. C of O.A.) allowed said Original Application and directed the respondents to regularize temporary service of those applicants. The Hon'ble Maharashtra Administrative Tribunal, Mumbai vide para 10 of said order dtd.15.6.2017 observed that it was not possible to fulfill requirement of 10 years of service and 240 days per year of actual work because the availability of work was completely uncertain. The Hon'ble Maharashtra Administrative Tribunal, Mumbai further stated that, the State cannot impose impossibility on employees and then take benefit of the same.



6. I would like to draw attention of this Hon'ble Tribunal towards order and judgment dtd. 27/07/2020 passed by the Hon'ble Maharashtra Administrative Tribunal, Bench at Nagpur in O.A. Nos. 339 and 899/2017 thereby directing the respondents to regularize temporary service of Badali workers from Government Medical College, Yavatmal. A copy of said order and judgment dtd.27/07/2020 is annexed hereto and marked as Exhibit R-1. It is noteworthy that while passing the said order and judgment dtd.27/07/2020, the Hon'ble MAT, Bench at Nagpur heavily relied upon observation made in para 10 of aforesaid order and judgment dtd.15/06/2017 passed by this Hon'ble Tribunal in

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O.A. No. 199/2016. I would further like to state that the respondents have challenged order and judgment dtd.27/07/2020 passed by the Hon'ble MAT, Bench at Nagpur thereby filing Writ Petition No.1687/2021 and 1688/2021 in the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur mainly on the ground that in absence of any permanent vacancy no order of regularization can be made. It is pertinent to note that the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur vide order dtd.22/04/2021 granted interim relief until further orders. A copy of said order dtd. 22/04/2021 of the Hon'ble High Court of Judicature at Bombay, Bench at Nagpur is annexed hereto and marked as Exhibit R-2.

7. This Hon'ble Tribunal vide order dtd.25.02.2021 further directed the respondents to consider the order passed by the Hon'ble High Court Writ Petition No.246/2015 dtd.19/08/2016 in case of State of Maharashtra and Ors. Vs. Bhartiya Kamgar Sena and also consider the Government resolution dtd. 29/01/2020. As discussed earlier temporary service of 626 Badali Workers was regularized vide Government resolution dtd.07/12/2015. In clause 4 (c) of the said resolution it was clearly mentioned that decision regarding regularization of Badali Workers involved in Writ Petition No.246/2015 will be taken in accordance with order and judgment of the Hon'ble High Court. Such provision was made in the said resolution



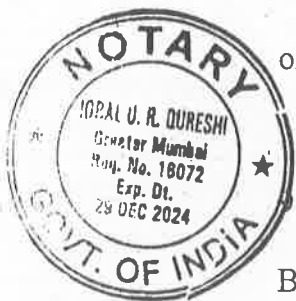
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as per decision of the State Cabinet. The Hon'ble High Court vide order and judgment dtd.19/08/2016 directed the State to apply resolution dtd.07/12/2015 to Badali Workers involved in that matter. Then temporary service of those Badali Workers came to be regularized accordingly vide resolution dtd. 21/12/2016 and 23/11/2017. The resolution dtd.29/01/2020 issued by the Government in Medical Education and Drugs Department pertains to Badali Workers of Saint George Hospital, Mumbai whose services were already regularized vide resolution dtd.17/01/2015 as per order and judgment dtd. 20/01/2003 passed by the Hon'ble Industrial Court, Mumbai in Complaint (ULP) number 1271/1993. The Hon'ble Industrial Court vide said order and judgment directed the respondents to prepare seniority list of all the Badali Workers in the order of their initial date of appointment in the Hospital and to make them permanent in proportion to the vacant permanent posts considering their seniority, suitability for the post and other service conditions. The Government in Medical Education and Drugs Department vide resolution dtd.17/01/2015 regularized Badali Workers of Saint George Hospital, Mumbai with effect from date of resolution. However the Hon'ble Industrial Court had directed to make them permanent in proportion to the vacant permanent posts, therefore vide resolution dtd.20/01/2020 corrective steps were taken to implement order of the Industrial Court.



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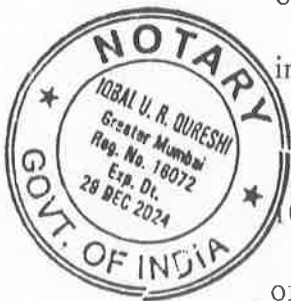
8. I admit that the Hon'ble Industrial Court and the Hon'ble Labour Court in some cases directed the respondents to regularize temporary service of Badali Workers. However it seems that important fact regarding nature of post of Badali Worker was not considered in true sense in those cases. As discussed earlier the Badali Worker usually works on the post already occupied by regular Class-IV employee. Therefore, it cannot be said that their temporary appointments are made against sanctioned clear vacant posts. It is also observed that such most of the Badali Workers usually do not get employment for major portion of the year. There are many Badali Workers who may not get employment even for years together. I would like to further say that appointments made against regularly occupied posts cannot be made legal in light of orders and judgments passed by the Hon'ble Apex Court in the case of Uma Devi, M. L. Kesari and other similar matters. The filing of vacancies cannot be done in a haphazard manner or based on patronage or other considerations.



As discussed in above para (2), the proposal of regularization of Badali Workers was scrutinized for three times at the level of the Directorate of Medical Education and Research, Mumbai. The Government in Medical Education and Drugs Department was never involved in process of actual scrutiny of the proposal. It is relevant here to mention that the Government in Medical Education and Drugs

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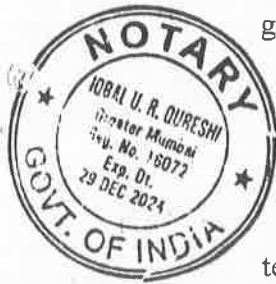
Department vide demi-official letter dtd.26/02/2015 addressed to the Director, Medical Education and Research, Mumbai directed him to prepare and verify a list of Badali Workers at the level of the Dean of respective Government Medical College and Hospitals and to obtain certificate which ascertains eligibility of individual Badali Worker. It was further directed to verify the list obtained from Government Medical College and Hospitals and to certify the same. A copy of said demi-official letter dtd.26/02/2015 is annexed hereto and marked as **Exhibit R-3**. I would like to bring to notice of this Hon'ble Tribunal a fact that service record of 1486 Badali Workers was verified again and it was found that most of the institutes were not able to produce copy of muster roll of Badali Workers during 1997 to 2007. All of them have submitted information regarding service details of Badali Workers in tabular form along with copies of certificates given by erstwhile Deans of respective colleges. Therefore it is difficult to comment on ineligibility of particular individuals.



10. As stated earlier a Committee was constituted under chairmanship of the Director, Medical Education and Research to scrutinize service record of Badali Workers as decided by the State Cabinet. The Government in Medical Education and Drugs Department accepted the report sent by said Committee headed by responsible officer who was regional Head of the department thereby issuing resolution to that

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effect. The record was verified in 2015. Now it will not be appropriate to conclude anything depending on record produced by the applicants and even by the Government Medical Colleges and Hospitals. It is pertinent to note that the applicants have approached this Hon'ble Tribunal after five years of the decision taken by the Government in Medical Education and Drugs Department. As discussed earlier the Badali Workers usually do not get employment for major portion of the year, therefore one cannot state that such temporary service is the only source of livelihood for such employees. The applicants belong to Group of class-IV employees. The Government in Medical Education and Drugs Department has full sympathy for them. However regularization of temporary service of ineligible candidates is nothing but irregularity and irregularities cannot be continued for the sake of good governance.



1. There are more than 900 badali workers who are appointed on temporary basis in various institutes under Medical Education and Drugs Department and if the State has to apply process of regularization then it will open floodgates for thousands of similar claims in the entire State thereby causing heavy financial burden on State exchequer. State's financial situation does not permit to take policy decision of this nature. The situation is further worsened due to Covid-19 Pandemic.

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12. Taking into consideration above facts & circumstances, it is most humbly prayed that present Original Application may kindly be dismissed with cost.

Mumbai.

Dated : 9th June, 2021

[Signature]
RESPONDENT



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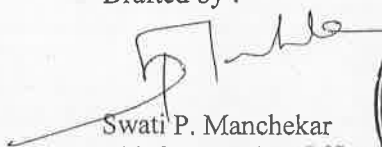
VERIFICATION

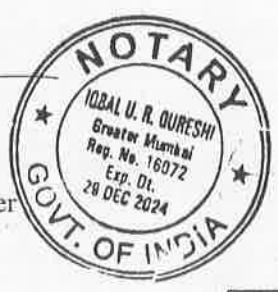
I, Sanjay Dattatray Kamalakar, Age : 51 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 12 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon`ble Tribunal.

Solemnly affirmed at Mumbai.
This 9th day of June, 2021.


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- 9/6

DEPONENT
BEFORE ME

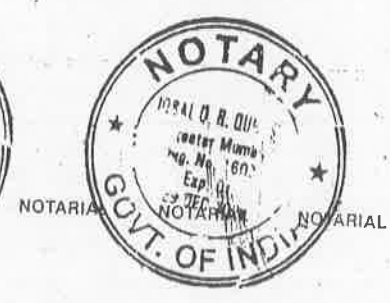
Drafted by :

Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai.



BEFORE ME


IQBAL U. R. QURESHI
NOTARY
Government Of India
Greater Mumbai Maharashtra

NOTED & REGISTERED
S. No. 110 Page No. 016
Date - 9 JUN 2021



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Exhibit-R-1

GPN--J-1942-MMATN--08-2019--10,000 (Loose) --ALA4*

(FARAD CONTINUATION SHEET)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL,
NAGPUR BENCH, NAGPUR

C.A./M.C.A. No OF 20

Rev./Cont. Petn. No. OF 20

ORIGINAL APPLICATION No. OF 20

O.A.Nos.339&899/2017 (S.B.)

OFFICE NOTES (1)	TRIBUNAL'S ORDER (2)
	<p><u>Coram:</u>Shri Shree Bhagwan, Vice Chairman <u>Dated:</u>27/07/2020.</p> <p>Heard Shri S.N.Gaikwad, the ld. Counsel for the applicant and Shri A.M.Ghogre, the ld. P.O. for the respondents.</p> <p>2. The ld. counsel for the applicant has relied on Judgment of M.A.T, Mumbal Bench in O.A. No. 199/2016 which had been considered by Government of Maharashtra and G.R. has been issued on dated 17.12.2018 (Annexure-A-14, P.B., Pg. No. 42). In this G.R., order in O.A. No. 199/2016 has been taken care of.</p> <p>3. The ld. P.O. has pointed out letter by Dsk Officer, Government of Maharashtra, Medical Education and Drugs Department dated 29.12.2000 (Annexure-A-4, P.B., Pg. No. 21) along with this letter, respondents have filed list of such employee; applicant no. 1 name appeared at Sr. No. 57 and applicant no. 2 name appeared at Sr. No. 59.</p> <p>4. Since, respondents have already taken policy decision to appoint such person as and when vacancy arise vide its letter dated 29.12.2000 (Annexure-A-4, P.B., Pg. No. 21). The applicant's are covered by the G.R. dated 29.12.2000. Hence, respondents are directed to take necessary action to appoint the applicants as per their own policy dated 29.12.2000 and as per Judgment in O.A. No.</p>

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OFFICE NOTES (1)	TRIBUNAL'S ORDER (2)
	<p>199/2016 in para no. 10 following observations have been made:-</p> <p>"10. At this stage, in the background of what has been found in the preceding paragraph, it is clear in my view, that when these averments are held in juxta-position with the terms and conditions that have been set out, it does not appear possible that the requirement of 10 years of service and 240 days of yearly actual performance was practically possible. After-all, one cannot force an impossibility before any party and then take advantage thereof. The reason why I have observed that it was an instance of impossibility is that, by the very nature of things, these requirements would make it impossible for any worker to put in 240 days of work in a year because the availability of work was completely uncertain. The vacancies in the posts and the further fact that, it would be in accordance with the rotation would further make it quite clear that, no single person would necessarily get a job for those many days. I still have some discussion in store, but then at this stage, it can be stated quite safely that the requirement of 10 years and 240 days per year was not really possible, if one were to go by the record such as it is."</p> <p>5. Hence, respondents are directed to appoint as per existing rules and regulations and as per the observations made in para no. 10 of the Judgment in O.A. No. 199/2016 as per existing vacancies within two months from the date of this order. With this direction, O.A. is disposed of with no order as to costs.</p>

True Copy

26/11/20
31/8/20

Assistant Registrar / Research Officer
Maharashtra Administrative Tribunal
Blagpur

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Exhibit-R-2



2204wp1687.21 & 1688.21

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

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WRIT PETITION NO.1687 OF 2021

(The State of Maharashtra and others vs. Smt. Dhanwanti Uttamrao Thakare)

WITH WRIT PETITION NO.1688 OF 2021

(The State of Maharashtra and others vs. Smt. Godawari w/o Gulab Pradhan)

Office Notes, Office Memoranda of
Coram, appearances, Court's orders Court's or Judge's orders
or directions and Registrar's orders.

Shri N.R. Patil, Assistant Government Pleader for
petitioners.

CORAM : SUNIL B. SHUKRE AND
S.M. MODAK, JJ.

DATED : APRIL 22, 2021

Hearing was conducted through Video Conferencing and the learned Assistant Government Pleader for the petitioners agreed that the audio and visual quality was proper.

2) Heard Shri Patil, learned Assistant Government Pleader for the petitioners.

3) The submissions are that the impugned order dated 27/7/2020 passed by the Maharashtra Administrative Tribunal, Nagpur, which directs the petitioners to appoint the respondents on the existing vacancies of regular posts, does not in any manner deal with the factual aspects of the case of the respondents, that the impugned order is perfunctory and it also does not take into account the aspect of existence of permanent vacancies on

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2204wp1687.21 & 1688.21

2/2

the establishment of the petitioner no.3. It is further submitted that the respondents, as per records, used to be appointed only intermittently and there was not any year in which they were appointed and allowed to work continuously for the period not less than 240 days. It is also submitted that where there is not in existence any permanent vacancy, no order of regularisation can be made. Reliance in this regard has been placed on the law laid down by the Apex Court in the case of Oil and Natural Gas Corporation vs. Krishan Gopal and others (2020 LawSuit (SC) 130).

- 4) Issue notice for final disposal at the admission stage to the respondents.
- 5) In the meanwhile, having regard to the submissions made across the Bar, there shall be interim relief in terms of prayer clause (iii) of the petitions until further orders.
- 6) Stand over to second week of June 2021.

JUDGE

JUDGE

khj

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Exhibit-R-3



मेधा गाडगीळ
अपर मुख्य सचिव

क्र.डिएमआर-०७१४/प्र.क्र.१३९/१४/वैसेवा-४
वैद्यकीय शिक्षण व औषधी द्रव्ये विभाग,
गोकुळदास तैजपाल रुग्णालय आवार,
९ वा मजला, मुंबई-४००००१
दि. २६ फेब्रुवारी, २०१५.

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विषय :- शासकीय वैद्यकीय महाविद्यालये व रुग्णालयांतील बदली कर्मचाऱ्यांच्या सेवा नियमित करणेबाबत.

प्रिय, श्री. शिन्नगारे,

शासनाचे समक्रमांच्या दिनांक २१ फेब्रुवारी, २०१५ च्या पत्राचे कृपया अवलोकन व्हावे. सदर पत्रान्वये, शासकीय वैद्यकीय महाविद्यालये व रुग्णालयांतील बदली कर्मचाऱ्यांच्या सेवा नियमित करणेबाबत ज्या बदली कर्मचाऱ्यांच्या तात्पुरत्या सेवेचा कालावधी १० वर्षे इतका झालेला आहे, अशा एकूण १४८६ इतक्या बदली कर्मचाऱ्यांका प्रस्ताव आपण शासनास सादर केलेला आहे. यापुर्वी शासनाकडून सेंट जॉर्जस रुग्णालय, मुंबई येथील ७१ बदली कर्मचाऱ्यांना नियमित करण्याबाबत शासन निर्णय दिनांक १७.१.२०१५ अन्वये निर्णमित करण्यात आला आहे. त्यामुळे आता बदली कर्मचाऱ्यांच्या सेवा नियमित करण्याबाबत एकूण पदांची संख्या १४१३ इतकी शासनाकडे नमूद करण्यात आलेली आहे. त्यानुसार सर्व अधिष्ठाता कार्यालयाकडून संस्थानिहाय बदली कर्मचाऱ्यांची यादी तयार करण्यात यावी. सदर यादी संस्थास्तरावर तपासण्यात यावी व त्यानुसार संबंधित अधिष्ठातांकडून प्रमाणपत्र घेण्यात यावे, प्रमाणपत्राचा नमुना सोबत जोडण्यात आलेला आहे. त्याचप्रमाणे संबंधित अधिष्ठाता यांच्याकडून प्राप्त झालेली यादी अधिष्ठाता स्तरावर संस्थानिहाय तपासून, एकत्रित माहिती सोबत जोडलेल्या प्रमाणपत्राच्या नमुन्यानुसार प्रमाणित करून देण्यात यावी. सदर माहितीसह परिपूर्ण प्रस्ताव दिनांक २.३.२०१५ पर्यंत शासनास सादर करावा.

काही प्रकरणांमध्ये न्यायालयांच्या निर्णयानुसार कार्यवाही करणे तातडीचे आहे. करितो या प्रकरणाचे गांभीर्य लक्षात घेऊन लिहित मुदतीत प्रस्ताव शासनास सादर करावा.

आपली ज्येष्ठ सचिव

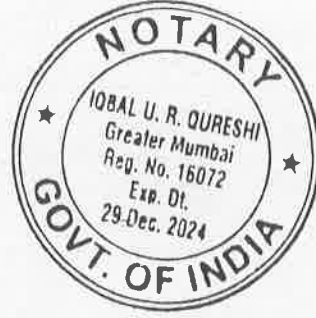
मेधा गाडगीळ

(मेधा गाडगीळ)

14/2/15
at 12:30 PM
Neb

प्रति,
श्री.पी.एच.शिन्नगारे,
संचालक,
वैद्यकीय शिक्षण व संशोधन,
मुंबई.

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9/11



**BEFORE THE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL, MUMBAI**

ORIGINAL APPLICATION NO. 756/2020

Smt. MAYAVATI R. SAWANT AND OTHERS APPLICANTS

v/s

THE STATE OF MAHARASHTRA & OTHERS RESPONDENTS

SHORT AFFIDAVIT IN REPLY

ON BEHALF OF RESPONDENT NO. 1.

I, Sanjay Dattatray Kamlakar, Age: 51 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under:

1. I respectfully say and submit that, I have read the contents of the Original Application and annexure enclosed thereto as well as the relevant record in my office carefully. After going through the contents of the Original Application, now proceed to file this affidavit as per the directions given by this Hon'ble Tribunal vide order

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dtd.29.06.2021. I crave leave of this Hon'ble Tribunal to add, amend or to file additional reserved affidavit, if so required.

2. I say that following queries were raised by this Hon'ble Tribunal in its order dtd.29.06.2021.



(i) *what are the dates of the 3 proposals?*

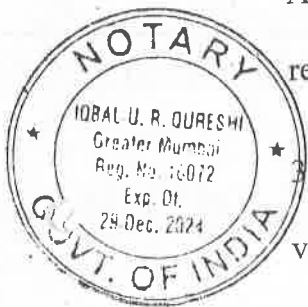
(ii) *whether these persons were paid the salary from their respective establishments for 9 to 10 years or not?*

3. I would like to bring following fact to notice of this Hon'ble Tribunal with respect to aforesaid queries

3.1 As stated in the affidavit in reply filed by the respondents on 09/06/2021, the proposal of regularization of *badli* workers was duly scrutinized thrice by the Directorate of Medical Education and Research, Mumbai. The proposal consisting of names of 1486 *badli* workers was submitted by the Directorate to the Government in Medical Education and Drugs Department vide letter dtd.30/07/2014. The Government in Medical Education and Drugs Department instructed the Directorate to verify again the proposal and prepare list of only those employees who have completed 10 years of service as on 31/03/2007 with 240 days of actual work per year. The Directorate of Medical Education and Research, Mumbai after due scrutiny then submitted proposal consisting of names of 774 *badli* employees vide

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letter dtd.15/06/2015. As per Cabinet decision a Committee was constituted under chairmanship of the Director, Medical Education and Research to scrutinize again this service records of 774 *badli* workers. The said Committee after due scrutiny submitted the proposal consisting of names of 626 *badli* employees vide letter dtd.28/10/2015. Accordingly temporary service of 626 *badli* employees came to be regularized vide Government resolution dtd.07/12/2015.



3.2 The Government in Medical Education and Drugs Department vide letter dtd.02/07/2021 instructed the Directorate to provide information regarding query raised by this Hon'ble Tribunal that whether applicants were paid the salary for 9 to 10 years. The Directorate vide letter dtd.28/07/2021 forwarded the information submitted by the Dean, J.J. Hospital. The said information is in accordance with his opinion as expressed in his letter dtd.08/04/2021 which is annexed as Exh. R-1 to the affidavit in reply filed by the respondents on 20/04/2021 which clearly stated that since the applicants were not fulfilling requisite criteria, their names were not part of the proposal of regularization. I would like to state that as stated above the proposal of regularization was scrutinized by the Directorate for 3 times in 2014-15. Therefore it will not be appropriate to conclude anything depending on record produced by the applicants. I most humbly say and submit that it will be appropriate to take into account

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prey

only the record which was considered thrice for scrutiny of the proposals by the Directorate.

Hence this affidavit

Mumbai

Dated : 12th August, 2021


RESPONDENT



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VERIFICATION

I, Sanjay Dattatray Kamlakar, Age : 51 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 3 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon`ble Tribunal.

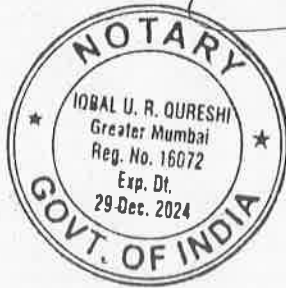
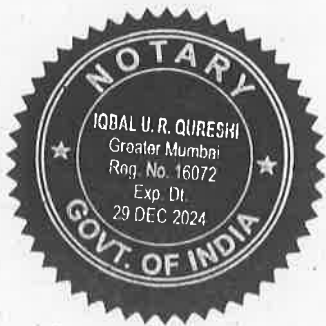
Solemnly affirmed at Mumbai.

This 12th day of August, 2021.

Sanjay
DEPONENT
BEFORE ME

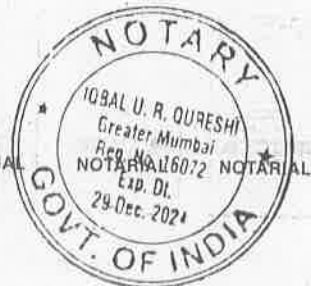
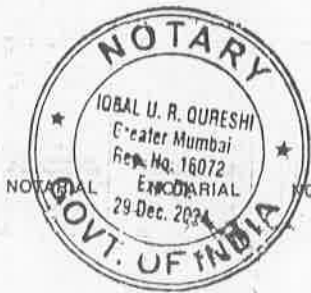
Drafted by :

[Signature]
Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai.



BEFORE ME
[Signature]
IQBAL U. R. QURESHI
NOTARY
Government Of India
Greater Mumbai Maharashtra
12 AUG 2021

NOTED & REGISTERED
S. No. 21 Page No. 052
Date 12 AUG 2021





**BEFORE THE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL, MUMBAI**

ORIGINAL APPLICATION NO. 756/2020

Smt. MAYAVATI R. SAWANT AND OTHERS APPLICANTS

v/s

THE STATE OF MAHARASHTRA & OTHERS RESPONDENTS

SHORT AFFIDAVIT IN REPLY

ON BEHALF OF RESPONDENT NO. 1.

I, Vaishali Manish Sule, Age: 45 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under:

1. I respectfully say and submit that, I have read the contents of the Original Application and annexure enclosed thereto as well as the relevant record in my office carefully. After going through the contents of the Original Application, now proceed to file this affidavit as per the directions given by this Hon'ble Tribunal vide order dtd.24/08/2021. I crave leave of this Hon'ble Tribunal to add, amend or to file additional reserved affidavit, if so required.



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2. I say that this Hon'ble Tribunal had directed the respondents to verify service tenure of some employees whose names were randomly noted down in the order dtd.24/08/2021. As stated in earlier affidavits in reply filed by the respondents from time to time, the proposal of regularizing temporary service of badli workers was verified thrice in 2014-15 and names of the applicants were not part of any proposal submitted by the Directorate of Medical Education and Research to the Government in Medical Education and Drugs Department. The applicants have approached this Hon'ble Tribunal after 5 years of the decision of regularizing temporary service of 626 badli employees. At this stage it is not appropriate to take into consideration any material placed on record by the applicants.

3. I would again like to bring following facts to notice this Hon'ble Tribunal as mentioned in affidavit in reply filed by the respondents on 09/06/2021.

(i) Badli workers are appointed to a post which is already occupied by a regular employee and hence it cannot be stated that they are appointed against sanctioned posts. Therefore in light of the judgments passed by the Hon'ble Apex Court in case of Uma Devi and M.L. Kesari it is crystal clear that in absence of any permanent vacancy no order of regularization can be made.

(ii) The Hon'ble M.A.T., Bench at Nagpur in O.A. Nos.339 and 899/2017 vide order and judgment dtd.27/07/2020 directed the respondents to regularize temporary service of badli workers from Government Medical College, Yavatmal. This order and judgment was challenged by the State thereby filing Writ Petition No.1687/2021 and 1688/2021 mainly on the aforesaid grounds. The Hon'ble High Court, Bench at Nagpur vide order dtd.22/04/2021 granted interm relief to the State.



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(iii) As per the direction of this Hon'ble Tribunal, service record of 1486 badli workers was verified again and it was found that most of the Government Medical Colleges were not able to produce copies of muster roll of such workers upto 2007. All of them have submitted copies of certificate given by erstwhile Deans of respective colleges which certifies eligibility of badli workers whose services were regularized in 2015. It is relevant here to mention that the erstwhile Deans after due scrutiny of the service record of badli employees had provided such certificates which were submitted to the Government in Medical Education and Drugs Department through the Directorate of Medical Education and Research. As stated earlier the record was verified thrice in 2014-15. The decision of 2015 was policy decision taken as one time measure and as per situation arosed thereof. It can not be used as a precedent.

4. As stated above ineligibility of any individual cannot be decided at this stage merely on the basis of material placed on record by the applicants. However as per direction of this Hon'ble Tribunal requisite information was called from the Directorate and the Dean, Sir J.J. Group of Hospitals. The said information was provided by them which reveals that out of 32 badli workers randomly noted down in the order of this Hon'ble Tribunal, 18 workers have rendered more than 15 years of temporary service and remaining 14 workers have rendered more than 10 years of temporary service as on 31/03/2007. On the other hand as per reply of the concerned Dean and Directorate dtd.08/04/2021 and 09/04/2021 respectively it was clarified that the names of the applicants were not part of proposal of regularization as they have not completed 10-years of service as on 31/03/2007. The copies of said replies have already been annexed as Exh R-1 and R-2 to the affidavit in reply filed by the respondent on 20/04/2021.

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5. The regularization of temporary service of badli workers in 2015 was a policy decision taken as one time measure. It is clear that badli workers are appointed to the post already occupied by the regular Government servant and to regularize temporary service of such employees in absence of any permanent vacancy is nothing but irregularity and irregularities cannot be continued for the sake of good governance.

Hence this affidavit

Mumbai.

Dated : 6th Setpember, 2021

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RESPONDENT
BEFORE ME

Suy

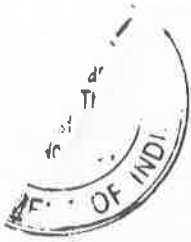
6-9-21

S. M. N. Naqvi
NOTARY
Government of India
Mumbai & Thane Dist.



Notary Serial No. *548* Page No. *032*
Notary Book No. *501* Date No. *06/09/2021*





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2020

VERIFICATION

I, Vaishali Manish Sule, Age : 45 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 5 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon`ble Tribunal.

Solemnly affirmed at Mumbai.

This 6th day of Setpember, 2021.

Drafted & identified by :

Swati P. Manchekar

Chief Presenting Officer

M.A.T. Mumbai.

msule

DEPONENT

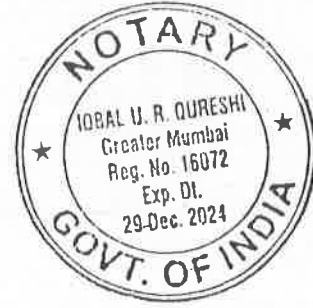
BEFORE ME
BEFORE ME

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6-9-21
S. M. N. Naqvi
NOTARY
Government of India
Mumbai & Thane Dist.



Notary Serial No. *548* Page No. *032*
Notary Book No. *501* Date No. *06/09/2021*

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**BEFORE THE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL, MUMBAI**

ORIGINAL APPLICATION NO. 756/2020

Smt. MAYAVATI R. SAWANT AND OTHERS APPLICANTS

v/s

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SHORT AFFIDAVIT IN REPLY

ON BEHALF OF RESPONDENT NO. 1.

I, Vaishali Manish Sule, Age: 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under:

1. I respectfully say and submit that, I have read the contents of the Original Application and annexure enclosed thereto as well as the relevant record in my office carefully. After going through the contents of the

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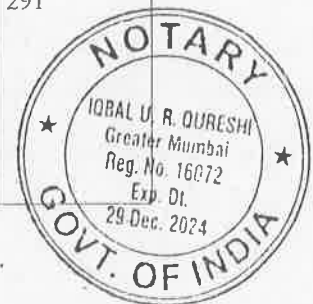
Original Application, now proceed to file this affidavit as directed by this Hon'ble Tribunal vide order dtd.07/09/2021. I humbly pray the leave of this Hon'ble Tribunal to add, amend or to file additional reserved affidavit, if so required.

2. I say and submit that Hon'ble Tribunal directed vide order dated 7/9/2021 that Mr. Sadavarte will be accompanied with the 3 persons i.e. Ms. Mayavati R. Sawant, joining dated 21.1.1986, Mr. Sachin Shyam Bhojne, joining dated 10.5.1993 and Mr. Ganesh Vilas Ballal, joined on 13.5.1997 whose record is going to be verified and one more assistant i.e. total 4 persons, Ms. Vaishali Sule, Mr. Sharad Makane, Desk Offiecr, will verify the record on 16/7/2021 at 11.00 am.

3. I say and submit that 626 badli Karmachari who have completed 10 years of service as on 31.3.2007 with 240 days of actual work per year were regularized vide Government Resolution dated 7.12.2015. Considering this fact, record is verified up to 31.3.2007 i.e. as per the condition at Government Resolution dated 7.12.2015, of the above three persons on 16.9.2021. I say and submit that the following facts came to the notice after the verification of documents available at the concerned office as well as produced by the applicants. :-

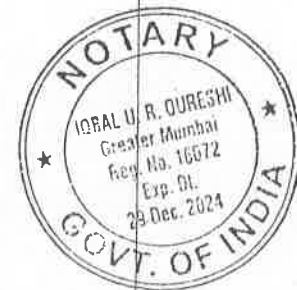
Ms. Mayawati Sawant

Sr.No	Year	Period from date to date	days	working days in a year
1	1986	25.3.1986 to 29.4.1986	34	99
2		24.6.1986 to 29.8.1986	65	
3	1987	2.5.1987 to 31.5.1987	29	29
4	1988	19.11.1988 to 18.12.1988	30	30
5	1989	18.4.1989 to 17.5.1989	30	60
6		17.10.1989 to 16.11.1989	30	
7	1999	1.9.1999 to 29.9.1999	29	29
8	2000	2.2.2000 to 1.3.2000	30	291
9		3.3.2000 to 31.3.2000	29	
10		2.5.2000 to 30.5.2000	29	
11		1.6.2000 to 29.6.2000	29	
12		1.7.2000 to 29.7.2000	29	
13		1.8.2000 to 29.8.2000	29	
14		1.9.2000 to 29.9.2000	29	



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Sr.No	Year	Period from date to date	days	working days in a year
15		1.10.2000 to 29.10.2000	29	
16		1.11.2000 to 29.11.2000	29	
17		1.12.2000 to 29.12.2000	29	
18	2001	1.1.2001 to 29.1.2001	29	275
19		1.2.2001 to 27.2.2001	27	
20		13.1.2001 to 29.3.2001	16	
21		1.4.2001 to 29.4.2001	29	
22		1.5.2001 to 29.5.2001	29	
23		1.6.2001 to 29.6.2001	29	
24		1.7.2001 to 29.7.2001	29	
25		1.8.2001 to 29.8.2001	29	
26		1.9.2001 to 29.8.2001	29	
27		19.12.2001 to 16.1.2002	29	
28	2002	18.2.2002 to 18.3.2002	30	261
29		11.4.2002 to 9.5.2002	29	
30		12.5.2002 to 9.6.2002	28	
31		12.6.2002 to 10.7.2002	29	
32		13.7.2002 to 10.8.2002	29	
33		13.8.2002 to 10.9.2002	29	
34		12.9.2002 to 10.10.2002	29	
35		12.11.2002 to 10.12.2002	29	
36		13.12.2002 to 10.1.2003	29	
37	2003	13.1.2003 to 10.2.2003	28	314
38		12.2.2003 to 12.3.2003	30	
39		15.3.2003 to 12.4.2003	29	
40		14.4.2003 to 12.5.2003	29	
41		15.5.2003 to 12.6.2003	28	
42		14.6.2003 to 12.7.2003	29	
43		15.7.2003 to 12.8.2003	28	
44		16.8.2003 to 13.9.2003	28	
45		15.9.2003 to 13.10.2003	29	
46		16.10.2003 to 13.11.2003	28	
47		3.12.2003 to 31.12.2003	28	
48	2004	2.1.2004 to 30.1.2004	29	344
49		5.2.2004 to 4.3.2004	30	
50		2.3.2004 to 30.3.2004	29	
51		2.4.2004 to 30.4.2004	29	
52		6.5.2004 to 3.6.2004	28	
53		5.6.2004 to 3.7.2004	29	
54		6.7.2004 to 3.8.2004	28	
55		6.8.2004 to 3.9.2004	28	
56		2.9.2004 to 30.9.2004	29	
57		3.10.2004 to 31.10.2004	28	
58		2.11.2004 to 30.11.2004	29	
59		3.12.2004 to 31.12.2004	28	
60	2005	2.2.2005 to 2.3.2005	30	291
61		3.3.2005 to 31.3.2005	29	
62		2.4.2005 to 30.4.2005	29	
63		3.5.2005 to 31.5.2005	29	
64		2.6.2005 to 30.6.2005	29	
65		3.8.2005 to 31.8.2005	29	

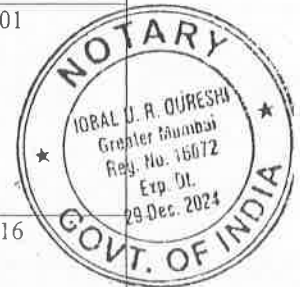


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Sr.	year	period from date to date	Days	Working days in a year
66		2.9.2005 to 30.9.2005	29	
67		3.10.2005 to 31.10.2005	29	
68		2.11.2005 to 30.11.2005	29	
69		3.12.2005 to 31.12.2005	29	
70	2006	3.1.2006 to 31.1.2006	29	312
71		2.2.2006 to 2.3.2006	30	
72		3.3.2006 to 31.3.2006	29	
73		2.4.2006 to 30.4.2006	29	
74		3.5.2006 to 31.5.2006	29	
75		2.6.2006 to 30.6.2006	29	
76		3.7.2006 to 31.7.2006	29	
77		3.8.2006 to 31.8.2006	29	
78		2.9.2006 to 30.9.2006	21	
79		3.10.2006 to 31.10.2006	29	
80		3.12.2006 to 31.12.2006	29	
81	2007	3.1.2007 to 31.1.2007	29	88
82		2.2.2007 to 2.3.2007	30	
83		3.3.2007 to 31.3.2007	29	

Shri Sachin Bhojne

Sr.No	Year	Period from date to date	Days	Working days in a year
1	1993	10.5.1993 to 7.6.1993	29	87
2		9.7.1993 to 6.8.1993	29	
3		7.10.1993 to 4.11.1993	29	
4	1994	4.1.1994 to 1.2.1994	29	201
5		15.3.1994 to 12.4.1994	28	
6		1.4.1994 to 29.4.1994	29	
7		1.6.1994 to 29.6.1994	29	
8		5.9.1994 to 3.10.1994	29	
9		17.11.1994 to 15.12.1994	29	
10		12.12.1994 to 9.1.1995	28	
11	1995	1.4.1995 to 29.4.1995	29	116
12		1.6.1995 to 29.6.1995	29	
13		1.8.1995 to 29.8.1995	29	
14		6.11.1995 to 4.12.1995	29	
15	1996	9.2.1996 to 8.3.1996	30	175
16		2.5.1996 to 30.5.1996	29	
17		1.6.1996 to 29.6.1996	29	
18		1.7.1996 to 29.7.1996	29	
19		1.9.1996 to 29.9.1996	29	
20		1.11.1996 to 29.11.1996	29	
21	1997	1.3.1997 to 29.3.1997	29	116
22		1.7.1997 to 29.7.1997	29	
23		5.9.1997 to 3.10.1997	29	
24		1.11.1997 to 29.11.1997	29	
25	1998	1.2.1998 to 27.2.1998	27	143
26		1.4.1998 to 17.4.1998	17	
27		18.4.1998 to 30.4.1998	12	



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Sr.No	Year	Period from date to date	Days	Working days in a year
28		1.6.1998 to 29.6.1998	29	
29		1.8.1998 to 29.8.1998	29	
30		1.11.1998 to 29.11.1998	29	
31	1999	8.1.1999 to 5.2.1999	28	154
32		1.3.1999 to 29.3.1999	29	
33		1.5.1999 to 29.5.1999	29	
34		1.7.1999 to 29.7.1999	29	
35		12.8.1999 to 9.9.1999	28	
36		9.10.1999 to 20.10.1999	11	
37	2001	24.8.2001 to 22.9.2001	29	29

Shri Ganesh Ballal

Sr.No	Year	Period from date to date	Days	Working days in a year
1	1997	13.5.1997 to 10.6.1997	28	28
2	1998	9.5.1998 to 6.6.1998	28	57
3		1.10.1998 to 29.10.1998	29	
4	1999	11.5.1999 to 7.6.1999	28	28
5	2001	10.5.2001 to 8.6.2001	29	29

4. I further say and submit that, from the above table following observations can be stated. :-

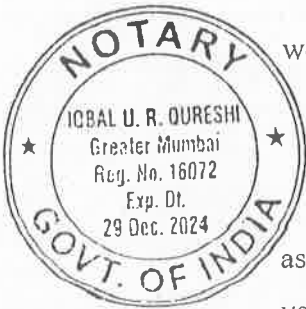
a) Smt. Sawant has worked as badly Karmachari for nearly 10 years till year 2007. But, it is seen that she had not worked for 240 days in any particular year for all the ten years.

b) Shri Bhojne had worked for 9 years till 2007 and he also had not worked for 240 days in any year.

c) Shri Ballal had worked for only 4 years till 2007.

d) It is also observed that above mentioned applicants were given work as badly Karmachari till 2007. But, after-words they were given work on the vacant posts.

5. I say and submit that these three persons have got orders from J.J. Hospital as badly Karmachari. I say and submit that "Badly worker" is not a



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regular employee in the staffing pattern of Government Medical College and Hospitals. It is a stop gap arrangement which permits the Dean of respective colleges to appoint a local person purely on temporary basis when a regular class IV employee is on leave. Thus, it is needless to state that Badly worker is appointed temporarily only for leave period of regular class IV employee. Considering this fact, regularization of persons rendering temporary service is nothing but irregularity and irregularities cannot be continued for the sake of good governance. It is further stated that, as the benefits given to the badly karmachari earlier as per the provisions of Government Resolution dated 07.12.2015 the same benefits which are not entitled to the present applicants cannot be sanctioned.

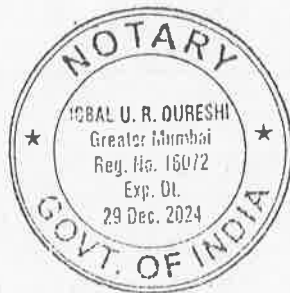
Taking into consideration above facts and circumstances, it is humbly stated that as the present Original Application is baseless and misleading it may kindly be disposed off.

Hence the affidavit.

Mumbai.

Dated : 23rd September, 2021

insule
RESPONDENT



VERIFICATION

I, Vaishali Manish Sule, Age :46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 5 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon'ble Tribunal.

Solemnly affirmed at Mumbai.

23rd day of September, 2021.

meule

DEPONENT

BEFORE ME

Drafted & identified by :

[Signature]

Swati P. Manchekar

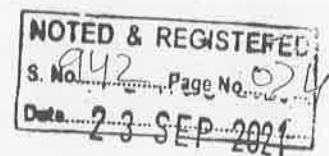
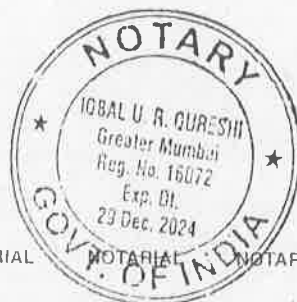
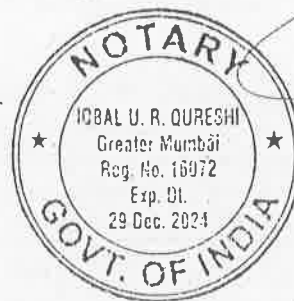
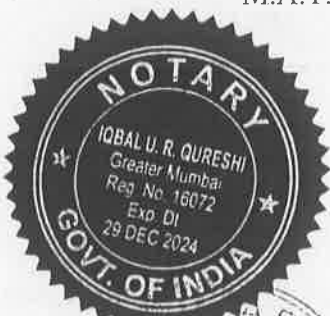
Chief Presenting Officer

M.A.T. Mumbai.

BEFORE ME

IQBAL U. R. QURESHI
NOTARY
Government Of India
Greater Mumbai Maharashtra

23 SEP 2021



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BEFORE THE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO. 756/2020

Smt. MAYAVATI R. SAWANT AND OTHERS-
APPLICANTS

v/s

THE STATE OF MAHARASHTRA & OTHERS
RESPONDENTS

SHORT AFFIDAVIT IN REPLY

ON BEHALF OF RESPONDENT NO. 1.

I, Vaishali Manish Sule, Age: 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under:

1. I respectfully say and submit that, I have read the contents of the Original Application and annexure enclosed thereto as well as the relevant record in my office carefully. After going through

CANCELLED



the contents of the Original Application, now proceed to file this affidavit as ordered by this Hon'ble Tribunal vide order dtd.04/10/2021. I humbly pray the leave of this Hon'ble Tribunal to add, amend or to file additional reserved affidavit, if so required. 2. I say and submit regarding para 2 of the said order that Deputy Secretary to Government is competent authority to file an affidavit on behalf of Government and Secretary Medical Education and Drugs Department has authorized Deputy Secretary to file affidavits in the present matter.

I further say and submit that every affidavit in this matter is filed after the sanction of Head of Department i.e. Secretary Medical Education and Drugs Department.

3. I say and submit that the contents of para 3 of the affidavit filed on dated 23.9.2021, are prepared after thorough verification of record submitted by the concerned office as well as by the applicants. The three concerned badly Kamgars, who were present at the time of verification of record were personally called and were asked to produce all the documents available



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with them. Concerned badli Kamgars replied that whatever documents they have, are submitted through their Advocate. I furthe say and submit that, if now the applicants are objecting the validity of contents of para 3 of affidavit dated 23.09.2021, it shows that the documents submitted by them are false. Thus the applicants are making contradictory statements and misleading this Hon'ble Tribunal.

4. I say and submit that the paper mentioned in order dated 04.10.2021 as Exhibit-B is not with Department as well as with the office of Chief Presenting Officer. Therefore, it is not possible to comment on the contradiction between Exhibit- B and affidavits as mentioned by the applicants.

5. I say and submit that in present Original Application first affidavit was filed on 31.03.2021 and second was filed on 20.04.2021 by Shri Patankar, Joint Secretary Medical Education and Drugs Department. I say and submit that vide affidavit dated 31.03.2021, it was submitted that

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"The Directorate of Medical Education and Research, Mumbai in 2014 initially submitted proposal of regularization of badli employees consisting of names of 1081 such employees to the Government in Medical Education and Drugs Department. Later on as per revised proposal names of 1486 badli employee were sent for consideration. I would like to state that names of the applicants were not part of the proposal from the Directorate of Medical Education and Research, Mumbai. The Government in Medical Education and Drugs Department directed the Directorate of Medical Education and Research, Mumbai to verify again the proposal and prepare list of only those employees who have completed 10 years of service as on 31.3.2007 with 240 days of actual work per year. The Directorate of Medical Education and Research, Mumbai after due scrutiny then submitted proposal consisting of names of 774 badli employees. It is pertinent to note that the names of the applicants were not included in the said proposal. As per cabinet decision committee was constituted under chairmanship of the Director Medical Education and Research, to scrutinize again



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the service records of 774 badli workers vide Government Resolution dated 23.7.2015. As per report of the committee temporary services of 626 badli employees came to be regularized vide Government Resolution dated 7.12.2015. The names of applicants were not part of any proposal submitted by the Directorate, Medical Education and Research, Mumbai to the Government in Medical Education and Drugs Department. Therefore it is needless to state that the applicants did not constitute the number of 148 ineligible employees."

I further say and submit that vide affidavit dated 20.04.2021, it was submitted that

" Taking into consideration the reply of the Dean, of Sir J.J. Group of Hospital dated 8.4.2021 and the reply of the Director, Medical Education and Research, Mumbai dated 9.4.2021, it seems that the applicants were ineligible for regularization of their service as per requisite criteria."

I further say and submit that vide affidavit dated 23.09.2021 only the facts found after verification of documents



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available at the concerned office as well as produced by the applicants were brought to the notice of this Hon'ble Tribunal. No submission was made regarding the proposal of regularization of badly Kamgar vide above said affidavit. Therefore there is no contradiction between the affidavits filed by the Department from time to time in the present matter. It is also submitted that applicants didn't raise any particular point of contradiction between the affidavits and only general remark is seemed to be passed.

6. I say and submit that the letter dated 18.02.2015 produced by the applicants was submitted before the constitution of committee mentioned in para-5. Further it is noticed that this document was submitted by Dean, Sir J.J.Group of Hospital to the Additional Chief Secretary, Medical Education and Drugs Department. So it has no relevance with the proposal submitted by the committee upon which services of 626 badly kamgars were regularized vide Government Resolution dated 7.12.2015.

7. I say and submit that the applicants are submitting the records before this Hon'ble Tribunal which are not procured vide



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any legal or any administrative procedure i.e. Right To Information etc. It is here pertinent to note that applicants are submitting office records which are not relevant to present case and which are not be supposed to be at their disposal. Presenting irrelevant and out of context record is as good as misleading this Hon'ble Tribunal.

Taking into consideration above facts and circumstances it is again humbly brought to the notice of this Hon'ble Tribunal that no contradictory or false affidavits are submitted to this Hon'ble Tribunal. It is humbly submitted that as the present Original Application is devoid of merit, baseless and misleading it may kindly be disposed off.

Hence the affidavit.

Mumbai.

msule
12/10/2021
(Vaishali Sule)

Dated : 12th October, 2021

DEPONENT



ms

VERIFICATION

I, Vaishali Manish Sule, Age : 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 07 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon`ble Tribunal.

Solemnly affirmed at Mumbai.

This 12th day of October, 2021.

msule
12/10/2021
(Vaishali Sule)
DEPONENT

BEFORE ME

Identified by :

Sule
12-10-2021
Dhonde Sunil Kumar Dattatraya,
Desk officer (MED.D.)

SOLEMNLY AFFIRMED

BEFORE ME BY DEPONENT

SHRI *Vaishali Manish Sule*

WHO IS IDENTIFIED

BY SHRI *Dhonde Sunil Kumar Dattatraya*

12/10/21
Joint Secretary
Joint Secretary
Government of Maharashtra
Law and Judiciary Department



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2944

BEFORE THE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO. 756/2020

Smt. MAYAVATI R. SAWANT AND OTHERS-
APPLICANTS

v/s

THE STATE OF MAHARASHTRA & OTHERS
RESPONDENTS

SHORT AFFIDAVIT IN REPLY

ON BEHALF OF RESPONDENT NO. 1.

I, Vaishali Manish Sule, Age: 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under:

1. I respectfully say and submit that, I have read the contents of the Original Application and annexure enclosed thereto as well as the relevant record in my office carefully. After going through



CANCELLED



the contents of the Original Application, now proceed to file this affidavit as ordered by this Hon'ble Tribunal vide order dtd.04/10/2021. I humbly pray the leave of this Hon'ble Tribunal to add, amend or to file additional reserved affidavit, if so required. 2. I say and submit regarding para 2 of the said order that Deputy Secretary to Government is competent authority to file an affidavit on behalf of Government and Secretary Medical Education and Drugs Department has authorized Deputy Secretary to file affidavits in the present matter.

I further say and submit that every affidavit in this matter is filed after the sanction of Head of Department i.e. Secretary Medical Education and Drugs Department.

3. I say and submit that the contents of para 3 of the affidavit filed on dated 23.9.2021, are prepared after thorough verification of record submitted by the concerned office as well as by the applicants. The three concerned badly Kamgars, who were present at the time of verification of record were personally called and were asked to produce all the documents available

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13/10/21



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with them. Concerned badli Kamgars replied that whatever documents they have, are submitted through their Advocate. I furthe say and submit that, if now the applicants are objecting the validity of contents of para 3 of affidavit dated 23.09.2021, it shows that the documents submitted by them are false. Thus the applicants are making contradictory statements and misleading this Hon'ble Tribunal.

4. I say and submit that the paper mentioned in order dated 04.10.2021 as Exhibit-B is not with Department as well as with the office of Chief Presenting Officer. Therefore, it is not possible to comment on the contradiction between Exhibit- B and affidavits as mentioned by the applicants.

5. I say and submit that in present Original Application first affidavit was filed on 31.03.2021 and second was filed on 20.04.2021 by Shri Patankar, Joint Secretary Medical Education and Drugs Department. I say and submit that vide affidavit dated 31.03.2021, it was submitted that



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“The Directorate of Medical Education and Research, Mumbai in 2014 initially submitted proposal of regularization of badli employees consisting of names of 1081 such employees to the Government in Medical Education and Drugs Department. Later on as per revised proposal names of 1486 badli employee were sent for consideration. I would like to state that names of the applicants were not part of the proposal from the Directorate of Medical Education and Research, Mumbai. The Government in Medical Education and Drugs Department directed the Directorate of Medical Education and Research, Mumbai to verify again the proposal and prepare list of only those employees who have completed 10 years of service as on 31.3.2007 with 240 days of actual work per year. The Directorate of Medical Education and Research, Mumbai after due scrutiny then submitted proposal consisting of names of 774 badli employees. It is pertinent to note that the names of the applicants were not included in the said proposal. As per cabinet decision committee was constituted under chairmanship of the Director Medical Education and Research, to scrutinize again



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294e

the service records of 774 badli workers vide Government Resolution dated 23.7.2015. As per report of the committee temporary services of 626 badli employees came to be regularized vide Government Resolution dated 7.12.2015. The names of applicants were not part of any proposal submitted by the Directorate, Medical Education and Research, Mumbai to the Government in Medical Education and Drugs Department. Therefore it is needless to state that the applicants did not constitute the number of 148 ineligible employees."

I further say and submit that vide affidavit dated 20.04.2021, it was submitted that

" Taking into consideration the reply of the Dean, of Sir J.J. Group of Hospital dated 8.4.2021 and the reply of the Director, Medical Education and Research, Mumbai dated 9.4.2021, it seems that the applicants were ineligible for regularization of their service as per requisite criteria."

I further say and submit that vide affidavit dated 23.09.2021 only the facts found after verification of documents



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available at the concerned office as well as produced by the applicants were brought to the notice of this Hon'ble Tribunal. No submission was made regarding the proposal of regularization of badly Kamgar vide above said affidavit. Therefore there is no contradiction between the affidavits filed by the Department from time to time in the present matter. It is also submitted that applicants didn't raise any particular point of contradiction between the affidavits and only general remark is seemed to be passed.

6. I say and submit that the letter dated 18.02.2015 produced by the applicants was submitted before the constitution of committee mentioned in para-5. Further it is noticed that this document was submitted by Dean, Sir J.J.Group of Hospital to the Additional Chief Secretary, Medical Education and Drugs Department. So it has no relevance with the proposal submitted by the committee upon which services of 626 badly kamgars were regularized vide Government Resolution dated 7.12.2015.

7. I say and submit that the applicants are submitting the records before this Hon'ble Tribunal which are not procured vide



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any legal or any administrative procedure i.e. Right To Information etc. It is here pertinent to note that applicants are submitting office records which are not relevant to present case and which are not be supposed to be at their disposal. Presenting irrelevant and out of context record is as good as misleading this Hon'ble Tribunal.

Taking into consideration above facts and circumstances it is again humbly brought to the notice of this Hon'ble Tribunal that no contradictory or false affidavits are submitted to this Hon'ble Tribunal. It is humbly submitted that as the present Original Application is devoid of merit, baseless and misleading it may kindly be disposed off.

Hence the affidavit.

Mumbai.

msule
12/10/2021
(Vaishali Sule)

Dated : 12th October, 2021

DEPONENT

fy



681

VERIFICATION

I, Vaishali Manish Sule, Age : 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 07 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon'ble Tribunal.

Solemnly affirmed at Mumbai.

This 12th day of October, 2021.

V. Sule
12/10/2021
(Vaishali Sule)

DEPONENT

BEFORE ME

Identified by :

Sule
12/10/2021
Dhonde Sunil Kumar Dattatraya,
Desk officer (M.E.D.D.)

SOLEMNLY AFFIRMED

BEFORE ME BY DEPONENT

S. Sule
~~S. Sule~~ Vaishali Manish Sule

WHO IS IDENTIFIED

BY SHRI Dhonde Sunil Kumar Dattatraya

Dhonde
12/10/21
7. H. Ameta

Joint Secretary
Government of Maharashtra
Law and Judiciary Department
Mantralaya, Mumbai 400 032



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**BEFORE THE MAHARASHTRA ADMINISTRATIVE
TRIBUNAL, MUMBAI**

ORIGINAL APPLICATION NO. 756/2020

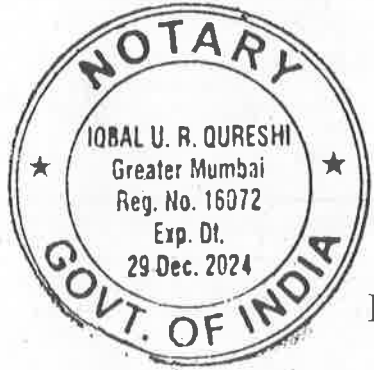
Smt. MAYAVATI R. SAWANT AND OTHERS APPLICANTS

v/s

THE STATE OF MAHARASHTRA & OTHERS RESPONDENTS

SHORT AFFIDAVIT IN REPLY

ON BEHALF OF RESPONDENT NO. 1.



I, Vaishali Manish Sule, Age: 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under:

1. I respectfully say and submit that, I have read the contents of the Original Application and annexure enclosed thereto as well as the relevant record in my office carefully. After going through the contents of the Original Application, now proceed to file this



affidavit as per instructions of this Hon'ble Tribunal in the hearing held on 25.10.2021.

2. As per the instructions of this Hon'ble Tribunal the information regarding sanctioned post, vacant post in Sir J.J. Group of Hospitals is submitted by Dean Sir J.J. Group of Hospital. As per the said report information is as follows:-

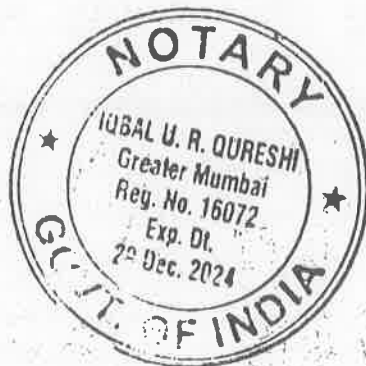
Sr.No.	Cadre	Sanctioned posts	Filled up posts	Vacant posts
1.	Safaigar	352	348	4
2.	Class- 4 (Direct/ Nomination)	694	504	190

3. It is humbly prayed that considering all the affidavits filed earlier the present Original Application may kindly be disposed off.

Hence the affidavit.

Mumbai.

Dated : 9th November, 2021



insule
RESPONDENT



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VERIFICATION

I, Vaishali Manish Sule, Age : 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 3 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon`ble Tribunal.

Solemnly affirmed at Mumbai.
10 NOV 2021
This 9th day of November, 2021.

msule

DEPONENT

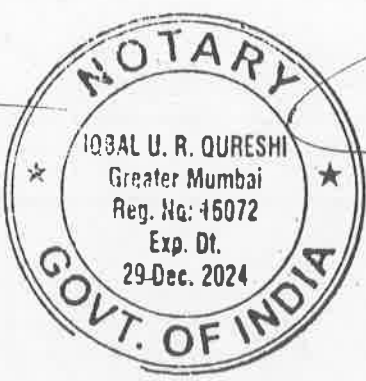
BEFORE ME

Drafted & identified by :

[Signature]
Swati P. Manchekar

Chief Presenting Officer

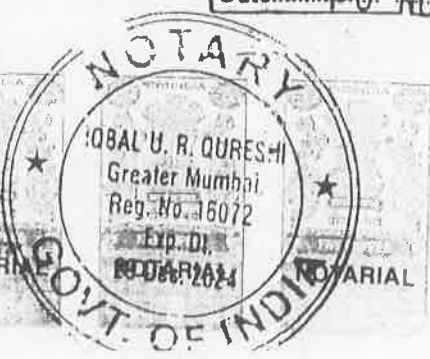
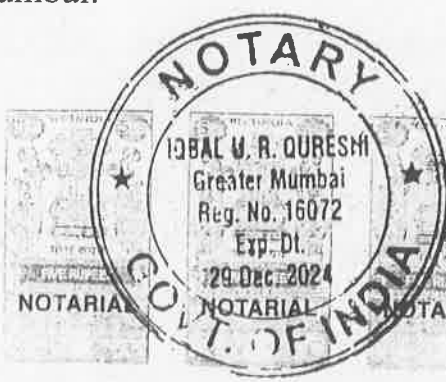
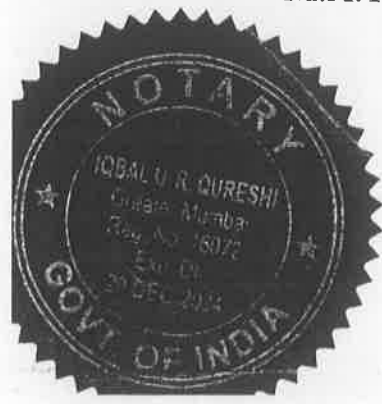
M.A.T. Mumbai.



BEFORE ME

IQBAL U. R. QURESHI
NOTARY
Government of India
Greater Mumbai Maharashtra
10 NOV 2021

NOTED & REGISTERED
S. No. 2576 Page No. 58
Date 10 NOV 2021



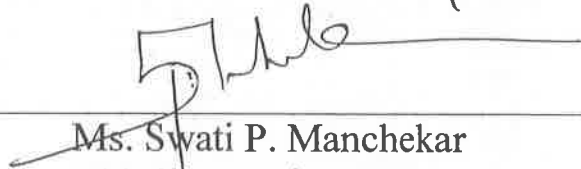
IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI

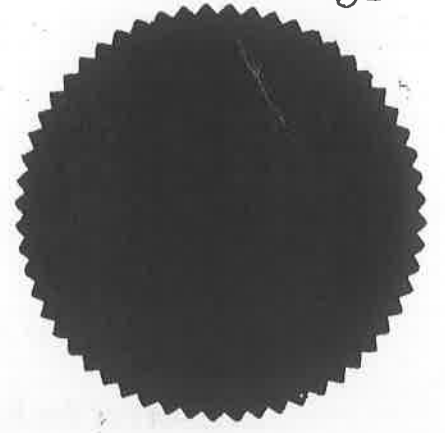
ORIGINAL APPLICATION NO. 756 OF 2020.

Smt. Mayavati R. Sawant and Ors. ... Applicants
v/s
The State of Maharashtra and Ors. ... Respondents

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Ms. Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai



IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL
AT MUMBAI
ORIGINAL APPLICATION NO. 756 OF 2020.

Smt. Mayavati R. Sawant & Ors. ... Applicants

v/s

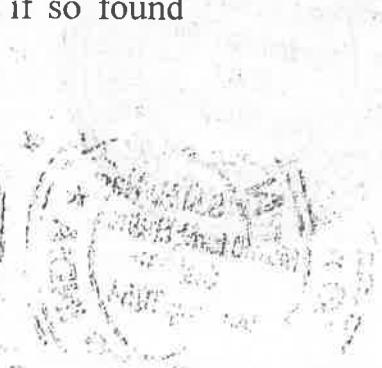
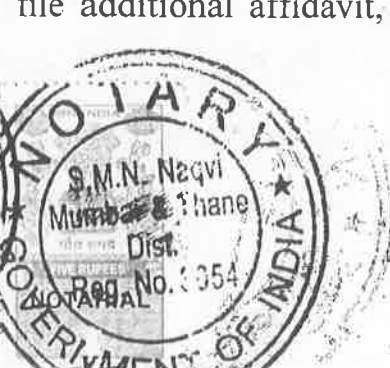
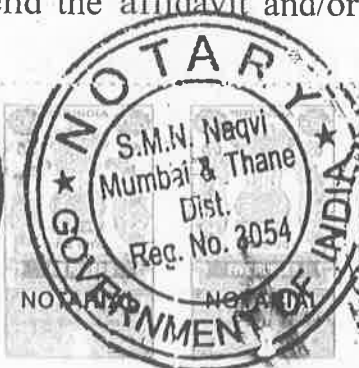
The State of Maharashtra & Ors. ... Respondents

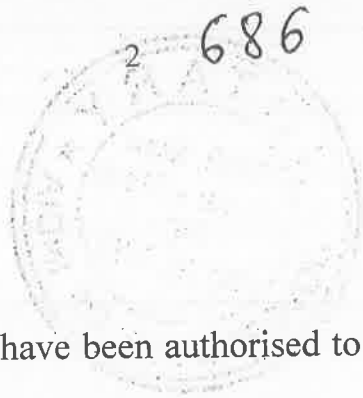
SHORT AFFIDAVIT ON BEHALF OF RESP. NOS.1, 2 & 3.

(In compliance with oral directions dtd. 17.12.2021)

I, Vaishali Manish Sule, Age: 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation as under :

1. I say that I have perused all the relevant records of the case. I crave leave of this Hon`ble Tribunal to further add or amend the affidavit and/or file additional affidavit, if so found





necessary. I say that I have been authorised to file this affidavit on behalf of the Respondent Nos. 1, 2 & 3.

2. I say that, after going through the contents of the Original Application, now proceed to file this Short Affidavit as per oral directions of this Hon'ble Tribunal given during the hearing held on 17.12.2021.

3. I say and submit that the Government got the certified copy of petition of ULP No. 248/1996 with relevant papers from the Ld. Industrial Court Bandra, Mumbai on 14.12.2021. The Ld. Industrial Court decided the said matter vide order dated 29.07.2003. The operative part of the order is as follows :

"i) The complaint is partly allowed.

ii) It is hereby declared that the respondent has engaged in and are engaging in. unfair labour practices under Item 6 of Sch. IV of the MRTU & PULP Act, 1971 and they are directed to cease and desist from continuing to do so.

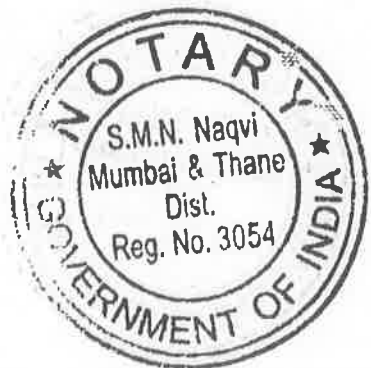


iii) *The respondent is directed to consider the badli workers shown in this seniority list filed by the respondent at Ex. 'A' colly. with Ex.C-13 as per their seniority and by considering their suitability for the post, make them permanent in proportionate to the vacant permanent post and the other conditions of their service and Rules of service.*

iv) *No order as to costs."*

4. I say and submit that, there are three types of lists in "Exhibit A (colly) with Exhibit C-13" in ULP No. 248/1996. (The copies of the said Exhibits are attached herewith and marked as **Exhibit R-1s colly.**) These list are as follows :-

Sr. No	List	Number of badli workers
1	Male Safaigar	120
2	Female Safaigar	141
3	Kaksh Sevak	601
	Total	862





5. I say and submit that 336 badli Kamgar of Sir J.J. Group of Hospitals have been regularized as per the Government Resolution dated 07.12.2015. Out of these 336 badli kamgar, 335 badli kamgar are from the lists mentioned here in above. The details and by bifurcation of the above badli kamgars are as follows:-

Sr. No.	List	Number of badli workers in Exhibit A (Colly) with Exhibit C-13	Number of Badli workers regularized from among the column no.3 vide Government Resolution dated 7.12.2015
1	2	3	4
1.	Male Safaigar	120	60
2.	Female Safaigar	141	48
3.	Kakshsevak	601	227
	Total	862	335

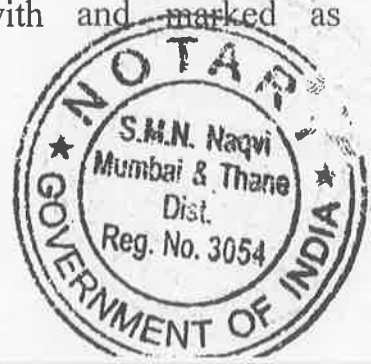
6. Considering the list in Exhibit A (colly) with Exhibit C-13, a list of 603 badli kamgar was prepared by administration



of Sir J.J. Group of Hospitals. This list is as per list of Kaksh sevaks mentioned in above said Exhibits. (The said list is attached herewith and marked as **Exhibit R-2.**)

7. From above said 603 badli kamgars, a list of 277 badli kamgars was prepared as list "A" (अ यादी - पात्र) of those badli kamgars who were suitable for regularization. From among these 277 badli kamgars total 227 badli kamgars were regularized vide Government Resolution dated 07.12.2015. (The copy of said list is attached herewith and marked as **Exhibit R-3.**)

8. List "B" (ब यादी-अपात्र) of 324 badli kamgars was prepared who were not suitable for regularization. It is pertinent to note here that, 95 badli kamgars from the list "B" (ब यादी - अपात्र) are the applicants in present Original Application. (The copy of said list is attached herewith and marked as **Exhibit R-4.**)





9. I say and submit that as per the order of Hon'ble Industrial Court dated 29.07.2003, the suitable and eligible badli workers were considered and their services were regularized vide Government Resolution dated 07.12.2015. For that purpose 10 years of service of the badli kamgars with 240 day work done in a year was the criteria fixed by Government. This shows that the order of Hon'ble Industrial Court is already complied with.

10. Now it is crystal clear that the applicants were not at all eligible for the regularization since the beginning. It is humbly prayed that considering the above facts and all the previous affidavits, it comes to the notice that the present Original Application is misleading and devoid of merit. Hence, it may kindly be dismissed with costs.

Mumbai.

Dated : 20.12.2021.

msule

RESPONDENT



VERIFICATION

I, Vaishali Manish Sule, Age: 46 years, working as Deputy Secretary, in the office of the Secretary, Medical Education and Drugs Department, Mantralaya, Mumbai, do hereby state on solemn affirmation that contents of para nos. 1 to 10 of the affidavit are true to the best of my knowledge and information derived from the records and files maintained in the office and I verify the same to be true. I say that I have not suppressed any material facts from this Hon'ble Tribunal.

Solemnly affirmed at Mumbai.

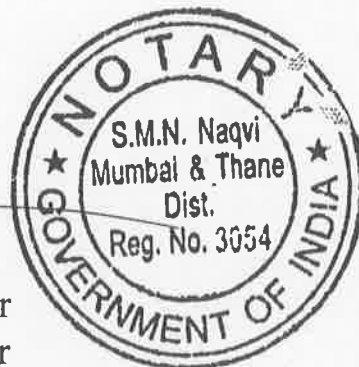
This 20th day of December, 2021.

vsule
DEPONENT
BEFORE ME

Identified by :

Drafted by :

[Signature]
Ms. Swati P. Manchekar
Chief Presenting Officer
M.A.T. Mumbai.



BEFORE ME

Som 12-21
S. M. N. Naqvi
NOTARY
Government of India
Mumbai & Thane Dist.

SR. No. 302 P. No. 34
NOTARY Register 500 Date 20/12/2021



BEFORE ME

W. M. M. M. M.
NOTARY
1911



1911



1911

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C-13

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0-13, 23

BEFORE SHRI S.M. RATNAKAR, MEMBER, INDUSTRIAL COURT
MAHARASHTRA AT MUMBAI

COMPLAINT (ULP) NO. 248 OF 1996

Sarva Mazdoor Sangh

... Complainant

V/s

The Superintendent,
J.J. Group of Hospital,
Mumbai.

... Respondent

SAY OF THE RESPONDENT HOSPITAL ON THE COMPLAINANT'S
APPLICATION DATED 01.02.2003 FOR PERMISSION TO
SUBSTITUTE EXHIBIT 'A' TO THE COMPLAINT.

MAY IT PLEASE THE HON'BLE COURT :

RAL

The Complainant in the above matter has prayed that it be permitted to substitute Exhibit 'A' to the main Complaint by Exhibit 'A' to the Application under reply. In reply to the said Application of the Complainant, the Respondent begs to state as under.



member
21/08/03
Adv for comp.

1. After the Complainant's Application for Interim Relief in the above Complaint was rejected by the Order dated 03.03.1999, the said Order was challenged by the Complainant in the High Court at Mumbai by filing Writ Petition No.1182/99. In the said Writ Petition, the Hon'ble High Court by Order dated 23.06.1999 directed the Respondent Hospital to make a seniority list of all the badli workers on the basis of their initial date of working in the Hospital and thereafter to provide work to the badli workers in accordance with the seniority and not to take fresh workers in preference to the senior badli workers in any circumstances. After the said Order came to be passed, the Respondent Hospital displayed Notices from time to time calling upon the concerned badli workmen to submit their Applications with necessary proof in support of their badli employment, if any, with the Hospital. Last such Notice alongwith the seniority lists prepared by the Hospital was displayed by the Respondent Hospital on 20.08.2002. By the said Notice, it was

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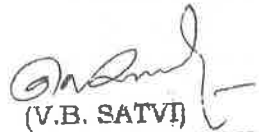
informed by the Hospital to the concerned badli workmen that they should submit necessary proof in respect of their badli employment, if any, in the Hospital so as to enable the Hospital to finalize the list of badli workmen for providing them badli work as per the Hon'ble High Court's Order. It was also stated in the said Notice that if at all any badli workmen had any grievance or objection about their seniority, date of birth, date of appointment, etc., they should submit the same alongwith requisite proof latest by 04.09.2002. It was further stated in the said Notice that no cognizance of any such Application will be taken by the Hospital if the same is received by the Hospital after 04.09.2002. A copy of the said Notice alongwith the seniority lists prepared by the Hospital was sent also to the Complainant Union by letter dated 20.08.2002 is annexed hereto and marked as **Annexure 'A' (Collectively)**. A copy of the letter dated 20.08.2002 addressed by the Hospital inter alia to the Complainant is annexed hereto and marked as **Annexure 'B'**. However, the Respondent Hospital had not received any complaints or objections from the Complainant in respect of the said seniority lists. The Respondent Hospital is giving badli employment to the concerned badli workmen according to the said seniority lists. The Respondent Hospital submits that it had not received any representation or application from S/Shri Deepak Ramchandra Salunkhe, Rajaram D. Sakal, Pandurang M. Kapade, Vijay D. Patole, Shivram K. Dalvi, Dharamraj Solanki and Nagin M. Sakaria and Ms.Subha V. Jadhav and Ms.Nanda A. Jadhav as per the abovementioned Notice dated 20.08.2002. In view of the said position, it is unjustified and wrong to incorporate the names of the said persons in the present Complaint under the guise of substitution of the lists of workmen already annexed by the Complainant in 1996 to the Complaint before this Hon'ble Court. Further, it is submitted that as far as the lists of persons annexed by the Complainant under the head "Ward Boys, Matron Office, J.J. Hosp. Nursing Department, Workers and Ward Boys Grand Medical College" are concerned, the Respondent Hospital submits that the employment of workmen in Grand Medical College and Nursing Department is governed and controlled by separate establishments and their cause cannot be combined with the seniority list and/or employment of badli workmen in J.J.Hospital.



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2. In view of the above, there is no case whatsoever to allow the Complainant to substitute original Exhibit 'A' to the Complaint by Exhibit 'A' to the Application under reply and the Hon'ble Court may be pleased to reject the Complainant's Application under reply.

FOR J.J. GROUP OF HOSPITAL


(V.B. SATVI)
IC ASSOCIATE DEAN

MUMBAI :

DATED : 21/02.2003



Cerified True Copy

Assistant Registrar
Industrial Court, Mumbai

अनु. क्र. १ ते १४१ पर्यंत
अनु. क्र. १ ते ६०१ पर्यंत

दिनांक १६.८.२००२ रोजी मा.संचालक, शैक्षणिक शिक्षण व संग्रहित, मुंबई पर्यवेकडे झालेल्या बैठकीत त्यांनी दिलेल्या सूचनेनुसार बरित यादवा सुचना फलकावर प्रसिध्द करित आलात. सदरच्या जेव्हा यादवाबाबत तर कोणाच्या हरकती अथवा तडजोरी असतील तर त्यांनी नैज्दी स्वरुपात अधिपुत्र पुरवासर (उदा. जन्मतारीख, प्रथम नियुक्तीचा दिनांक, कार्यलयीन वेळेस या कार्यालयाच्या चतुर्दशेणी आस्थापना विभागाकडे आहरवकथा माहितीसद मादर कराव्यात. सदर पुरावा यावर कलनानंतर त्या आधारावर संवधितानी जेव्हा यादीसधं नांव ममनाविष्ट करण्याची घीरे कार्यवाही करव्यात केवला जाणार नाही. याची कृपया नोंद घ्यावी.

श्रीमती लता नामदेव शिर्के, बदली सफाईगार यांनी मा. महाराष्ट्र प्रशासनिक न्यायधिकरण, मुंबई यांचेकडे दाखल केलेल्या यादीका क्र. ३१७/२००७ च्या निर्णयाच्या आधिन गढुन मुधारित जेव्हा यादी मधार करवण्याची कार्यवाही करव्यात केस आहे. न्यायलयाचा निर्णय प्राण झाल्यानंतर बदली कारभाराच्या जेव्हा यादीत निर्णयानुसार मुधारणा करव्यात येईल.

सहयमा. अधिका.ला
सर ज.जी.समुद्र सणालया, मुंबई-८



अधिकारिता
सर ज.जी.समुद्र सणालया, मुंबई-८

मुंबई याचिका क्र. ११८२/९९ न्यालयीन आदेशानुसार सफाईगार यांची जेष्ठता सुची स्वी

सफाईगार

क्र.	जन्म दिनांक	शिक्षण	सेवायोजना कातं	आहे	हस्तक्षेप	प्रथम हस्तक्षेप दिनांक	वर्ग/धारासंकीय
१	१५-५-२६	१ ली.	आहे	हस्तक्षेप	०१-१२-१९७६	मानकीय	
२	२५-५-७	४ वी	आहे	हस्तक्षेप	०१-१२-१९७६	मानकीय	
३	४-६-५१	३ वी	आहे	हस्तक्षेप	०१-०१-१९७९	मानकीय	
४	६-७-५५	१ वी	आहे	हस्तक्षेप	०१-०५-१९७९	मानकीय	
५	२१-१०-५३	३ वी	आहे	हस्तक्षेप	२८-०४-१९८०	मानकीय	
६	१५-६-५८	१ ली	आहे	हस्तक्षेप	११-०४-१९८१	मानकीय	
७	१३-१२-५९	३ वी	आहे	हस्तक्षेप	०६-०५-१९८१	मानकीय	
८	११-५-६२	-	आहे	हस्तक्षेप	०७-०५-१९८१	मानकीय	
९	१०-६-६०	१ ली	आहे	हस्तक्षेप	०९-०६-१९८१	मानकीय	
१०	१५-७-६१	१ ली	आहे	हस्तक्षेप	१६-१२-१९८१	मानकीय	
११	०२-१५-६२	७ वी	आहे	हस्तक्षेप	१०-१२-१९८२	मानकीय	
१२	१९-६-६५	४ वी	आहे	हस्तक्षेप	०१-०२-१९८४	मानकीय	
१३	१२-४-६२	-	आहे	हस्तक्षेप	०१-०५-१९८४	मानकीय	
१४	२५-११-६२	२ वी	आहे	हस्तक्षेप	०२-०५-१९८४	मानकीय	
१५	६-११-६२	१ ली	आहे	हस्तक्षेप	०२-०५-१९८४	मानकीय	
१६	०९-३-६२	१ ली	आहे	हस्तक्षेप	११-०८-६९	मानकीय	
१७	०५-६-६३	८ वी	आहे	हस्तक्षेप	२०-०८-१९८६	मानकीय	
१८	३-६-५८	२ वी	आहे	हस्तक्षेप	०८-११-१९८६	मानकीय	
१९	२-६-६०	२ वी	आहे	हस्तक्षेप	०१-०५-१९८७	मानकीय	
२०	१९-४-६४	० वी	आहे	हस्तक्षेप	१२-०७-१९८७	मानकीय	
२१	१९-६-६१	२ वी	आहे	हस्तक्षेप	०१-०८-१९८७	मानकीय	
२२	१३-९-६५	८ वी	आहे	हस्तक्षेप	२१-०९-१९८७	मानकीय	
२३	२-१२-६१	३ वी	आहे	हस्तक्षेप	०१-१२-१९८७	मानकीय	
२४	१७-७-६०	२ वी	आहे	हस्तक्षेप	०१-०९-१९८८	मानकीय	



- १. श्री. ए. सी. सुभाषचंद्र राणा
- २. श्री. ए. सी. सुभाषचंद्र राणा
- ३. श्री. ए. सी. सुभाषचंद्र राणा
- ४. श्री. ए. सी. सुभाषचंद्र राणा
- ५. श्री. ए. सी. सुभाषचंद्र राणा
- ६. श्री. ए. सी. सुभाषचंद्र राणा
- ७. श्री. ए. सी. सुभाषचंद्र राणा
- ८. श्री. ए. सी. सुभाषचंद्र राणा
- ९. श्री. ए. सी. सुभाषचंद्र राणा
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- १२. श्री. ए. सी. सुभाषचंद्र राणा
- १३. श्री. ए. सी. सुभाषचंद्र राणा
- १४. श्री. ए. सी. सुभाषचंद्र राणा
- १५. श्री. ए. सी. सुभाषचंद्र राणा
- १६. श्री. ए. सी. सुभाषचंद्र राणा
- १७. श्री. ए. सी. सुभाषचंद्र राणा
- १८. श्री. ए. सी. सुभाषचंद्र राणा
- १९. श्री. ए. सी. सुभाषचंद्र राणा
- २०. श्री. ए. सी. सुभाषचंद्र राणा
- २१. श्री. ए. सी. सुभाषचंद्र राणा
- २२. श्री. ए. सी. सुभाषचंद्र राणा
- २३. श्री. ए. सी. सुभाषचंद्र राणा
- २४. श्री. ए. सी. सुभाषचंद्र राणा

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सर ज.जी.समुह रुग्णालये मुंबई. याचिका क्र. ११८२/९९. न्यालयीन आदेशानुसार सफाई कर गांधी जिल्हा सुधी म्हा.

क्र.	नाम	वर्ग	वर्ष	मास	दिवस	दर	टिप
५०	श्रीम. विना दंडकाव सोलंकी	४ थी	६-१-७०	आहे	हरिजन	०१-०१-१९६०	
५१	श्रीम. तुलनी मोहन शेंडीना	१ ली	१२-३-५८	आहे	हरिजन	०१-०३-१९६०	
५२	श्रीम. कंतु देवब हडीयल	१ री	१-८-६२	आहे	हरिजन	०१-०८-१९६०	
५३	श्रीम. मुली मेष्की सोलंकी	नाही	२०-८-६२	आहे	हरिजन	०१-०८-१९६०	
५४	श्रीम. विधीबाई शालीवास राठोड	६ थी	१०-१२-९०	आहे	हरिजन	०१-०९-१९६०	
५५	श्रीम. गुलाब वर्जन मयेंकर	६ थी	२८-७-६५	आहे	हरिजन	०१-०७-१९६०	
५६	श्रीम. लता शामदेव शिंदे	४ थी	१-१-६२	आहे	बौध्द	०८-०८-१९६०	
५७	श्रीम. लिला. रामजी चोरा	१ ली	१-१-६८	आहे	हरिजन	१६-०८-१९६०	
५८	श्रीम. शारदा. रमेश पटेल	४ थी	४-६-७५	आहे	हरिजन	०१-०९-१९६०	
५९	श्रीम. रामिला सुका सोलंकी	६ थी	८-७-६८	आहे	हरिजन	०१-०९-१९६०	
६०	श्रीम. रमाबाई अहिनाजी स्वर्त.	७ थी	१-२-५-६७	आहे	बौध्द	०१-०२-१९६१	
६१	श्रीम. आदीबेन विद्यम गोहिल	५ थी	१६-१०-६८	आहे	हरिजन	०१-०३-१९६१	
६२	श्रीम. लता अंबालोक बांचेला GR	४ थी	१-४-६८	आहे	हरिजन	०१-०५-१९६१	
६३	श्रीम. पुष्पा रमेश सोलंकी	१ ली	१०-१०-७१	आहे	हरिजन	०१-०५-१९६१	
६४	श्रीम. शांता बालजी भाऊ GR	१ ली	१७-७-६५	आहे	हरिजन	१०-०५-१९६१	
६५	श्रीम. मिता रमेश बां GR	५ थी	१८-३-७१	आहे	हरिजन	०१-०५-१९६१	
६६	श्रीम. मिता विमण बांचे.	१ ली	८-१०-६७	आहे	हरिजन	०१-०८-१९६१	
६७	श्रीम. पुष्पा मण बांचेला	४ थी	१-१०-६५	आहे	हरिजन	०१-०८-१९६१	
६८	श्रीम. मंजुला भगवाबाई सोनकी GR	१ ली	६-५-६७	आहे	हरिजन	०१-०९-१९६१	
६९	श्रीम. शांतीला जयदेव काठारडे	६ थी	१२-४-६६	आहे	बौध्द	०५-१०-१९६१	
७०	श्रीम. देडू भिना बांचेला GR	४ थी	२०-११-६८	आहे	हरिजन	०१-११-१९६१	
७१	श्रीम. विद्या लक्ष्मण काठारडे GR	१ ली	१-०५-७१	आहे	हरिजन	०१-०२-१९६१	
७२	श्रीम. कंकु शिवास भाऊ GR	४ थी	१-६-६१	आहे	हरिजन	०१-०३-१९६१	
७३	श्रीम. मिता छान बांचेला GR	३ री	६-८-६३	आहे	हरिजन	०१-०४-१९६१	
७४	श्रीम. इंदू गिरधर बांचेला GR	३ री	६-१२-७२	आहे	हरिजन	०१-०५-१९६१	



अ.जे.श्रीपाडा

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सर ज.जी सामुह रुग्णालये मुंबई, राधिका क्र. १९८२/९९ न्यालयीन आदेशानुसार साफाईगार यांची जेष्ठता सुची स्वी

साफाईगार

७५	श्रीम. पदमा जगदिश सोलंकी	वार	२१-११-७३	३	मी	आहे	हरिजन	०१-०६-१९९२	मानवीय
७६	श्रीम. जयु विष्णु सोलंकी	वार	१०-५-६८	१	ली	आहे	हरिजन	०१-०६-१९९२	मानवीय
७७	श्रीम. रंजु सगा शतपरा	वार	२१-७-६४	१	ली	आहे	मेखवाल	०१-०८-१९९२	मानवीय
७८	श्रीम. संजुला गिर्यार	वार	२९-६-६९	२	ली	आहे	मेखवाल	०९-१०-१९९२	मानवीय
७९	श्रीम. मंगु धिक्कु सोळी	वार	५-१०-७१	३	मी	आहे	हरिजन	२६-०८-१९९३	मानवीय
८०	श्रीम. रमिका शारिलाल शार्यवाल	वार	२२-१०-६५	६	वी	आहे	हरिजन	०१-०४-१९९३	मानवीय
८१	श्रीम. दिपांक जगदीश सोलंकी	वार	१८-७-७६	७	मी	आहे	हरिजन	०२-०५-१९९३	मानवीय
८२	श्रीम. मिरा मना सोलंकी	वार	१२-१०-७३	४	मी	आहे	हरिजन	०४-०५-१९९३	मानवीय
८३	श्रीम. जयश्री राजु सोलंकी	वार	११-९-६४	७	मी	आहे	हरिजन	१४-०५-१९९३	मानवीय
८४	श्रीम. इंदिरा नरिलाल सोलंकी	वार	२९-७-७२	८	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
८५	श्रीम. संगता चंद्रकान्त जाधव	वार	१५-६-६८	७	मी	आहे	ब्रीड	०१-०८-१९९३	मानवीय
८६	श्रीम. मिरा सुरेश सुत	वार	५-४-६४	४	मी	आहे	हरिजन	०१-०९-१९९३	मानवीय
८७	श्रीम. गान. किशोर पटेल	वार	५-६-७१	३	मी	आहे	हरिजन	०१-१०-१९९३	मानवीय
८८	श्रीम. क्लिा मंगेश सोलंकी	वार	२६-९-६८	७	मी	आहे	हरिजन	०१-११-१९९३	मानवीय
८९	श्रीम. वासुती सुरेश शिंगो	वार	१०-३-६२	१	ली	आहे	हरिजन	११-०४-१९९३	मानवीय
९०	श्रीम. क्लिा मंगेश सोलंकी	वार	२-१-६८	६	मी	आहे	हरिजन	०१-१०-१९९३	मानवीय
९१	श्रीम. क्लिा मंगेश सोलंकी	वार	१-६-७८	३	मी	आहे	हरिजन	११-०४-१९९३	मानवीय
९२	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
९३	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
९४	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
९५	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
९६	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
९७	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
९८	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय
९९	श्रीम. मंगला सुमन जाधव	वार	१५-४-७०	३	मी	आहे	हरिजन	०१-०७-१९९३	मानवीय



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Small rectangular stamp or mark.

Small rectangular stamp or mark.

Small rectangular stamp or mark.

सर ज.जी समुह रुग्णालये मुंबई. दायिका क्र. ११८२/१९ न्यालयीन आदेशानुसार साफाईगार बांधी जेफता रुजी स्त्री



१००	श्रीम. मरदा पुरपोलतम बाळका	२३-१२-७६	७	बी	आहे	हरिजन	०१-०५-१९९५	ग्रामकीय
१०१	श्रीम. जया पिटा मळदाना	१७-२-६५	४	थी	आहे	हरिजन	०६-०५-१९९५	ग्रामकीय
१०२	श्रीम. रतन मगु पुरबिया GR	२८-१२-६३			आहे	हरिजन	०१-०६-१९९५	ग्रामकीय
१०३	श्रीम. झगती आया नोलकी GR	२५-५-७२	१	लो	आहे	हरिजन	०५-०६-१९९५	ग्रामकीय
१०४	श्रीम. लिल्या अंबालाल पतराल	१३-२-६५	४	थी	आहे	हरिजन	०१-०७-१९९५	ग्रामकीय
१०५	श्रीम. रंजना बद्रकांत देवळेकर GR	१७-८-६८	४	थी	आहे	बौध्द	१२-०७-१९९५	ग्रामकीय
१०६	श्रीम. स्वती शडा शम्स GR	२८-११-७३	७	थी	आहे	हरिजन	०१-१०-१९९५	ग्रामकीय
१०७	श्रीम. गैबरो नारायण सोलंकी	२-१०-६८	७	थी	आहे	हरिजन	०१-१०-१९९५	ग्रामकीय
१०८	श्रीम. दसा छोटू सोलंकी GR	२२-४-७४	४	थी	आहे	हरिजन	०१-१२-१९९५	ग्रामकीय
१०९	श्रीम. उलका महादह लोकर	११-६-६५	६	थी	आहे	बौध्द	०१-०१-१९९६	ग्रामकीय
११०	श्रीम. दमयंती वसंत सोलंकी	३-१०-७६	४	थी	आहे	हरिजन	०१-०२-१९९६	ग्रामकीय
१११	श्रीम. सोता यशवंत लुपट	७-५-६२	२	थी	आहे	हरिजन	०१-०८-१९९६	ग्रामकीय
११२	श्रीम. इंदिरा प्रेमप्रधान सोलंकी	२८-१-६९	७	थी	आहे	हरिजन	०१-०४-१९९६	ग्रामकीय
११३	श्रीम. सोमक तुळशी बारीया GR	२५-१-६८	१	ली	आहे	हरिजन	०१-०६-१९९६	ग्रामकीय
११४	श्रीम. मंगू नगल सोलंकी GR	२-६-७३	४	थी	आहे	हरिजन	०१-०६-१९९६	ग्रामकीय
११५	श्रीम. नोमन लालजी शायर	४-६-६४	४	थी	आहे	हरिजन	०१-०६-१९९६	ग्रामकीय
११६	श्रीम. नित गण नोलकी GR	१२-५-७९	३	थी	आहे	हरिजन	१६-०६-१९९६	ग्रामकीय
११७	श्रीम. सोबिका छोटू नोलकी	८-१२-७०	७	थी	आहे	हरिजन	०१-११-१९९६	ग्रामकीय
११८	श्रीम. सोबा बैनाग महोळे GR	२६-६-६८	२	थी	आहे	बौध्द	०१-१०-१९९६	ग्रामकीय
११९	श्रीम. मिता गोपट अंतोल	३०-१-६५	४	थी	आहे	हरिजन	१६-०८-१९९७	ग्रामकीय
१२०	श्रीम. कपिली अजुन गडावा	६-३-६४	१	ली	आहे	मध्यम	२१-०७-१९९७	ग्रामकीय
१२१	श्रीम. मधू बिमन नोलोवकी	८-८-६४	३	थी	आहे	हरिजन	०१-०८-१९९७	ग्रामकीय
१२२	श्रीम. कैवली बिमकी सोलंकी	१५-१०-६७	५	थी	आहे	हरिजन	०१-०८-१९९७	ग्रामकीय
१२३	श्रीम. हंसा पुनपोलत शजता GR	५-७-६२	५	थी	आहे	हरिजन	०१-१०-१९९७	ग्रामकीय
१२४	श्रीम. आशा बाका बाधला GR	१५-६-६६	१	ली	आहे	हरिजन	११-१०-१९९७	ग्रामकीय

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सर ज.जी समुह रुग्णालये मुंबई. याचिका क्र. १९८२/९९ न्यायलयीन आदेशानुसार सफाईगार यांची जेष्ठता सुची स्त्री



क्र.	श्रीम. शशिनाथ नाथराव डांडे	वय	आहे	सफाईगार	दिनांक	अ- प्रत्येकीय
१२५	श्रीम. हेमलता परात्म सोलंकी	२८-८-६८	आहे	हस्तिना	०२-०२-१९९८	अ- प्रत्येकीय
१२६	श्रीम. बोभा जगजीवन सोलंकी	२४-६-७१	आहे	हस्तिना	०१-०२-१९९८	अ- प्रत्येकीय
१२७	श्रीम. मंगला आत्माराम डांडे	४-१०-७८	आहे	हस्तिना	०७-०२-१९९८	अ- प्रत्येकीय
१२८	श्रीम. शोभा चंद्र सोलंकी	२२-४-७२	आहे	हस्तिना	१२-०३-१९९८	अ- प्रत्येकीय
१२९	श्रीम. उषा किमोर सोलंकी	६-८-७४	आहे	हस्तिना	२६-०३-१९९८	अ- प्रत्येकीय
१३०	श्रीम. चमिता नरेण सोलंकी	२५-१०-६८	आहे	हस्तिना	०४-०६-१९९८	अ- प्रत्येकीय
१३१	श्रीम. सुर्या अशोक सोलंकी	२९-६-७५	आहे	हस्तिना	१३-०७-१९९८	अ- प्रत्येकीय
१३२	श्रीम. चमिता नरेण डांडे	५-८-६८	आहे	हस्तिना	०१-०८-१९९८	अ- प्रत्येकीय
१३३	श्रीम. निता नाथराव डांडे	१०-५-७०	आहे	हस्तिना	०१-०५-१९९८	अ- प्रत्येकीय
१३४	श्रीम. वारुडाई कांतिनाथ सोलंकी	४-५-७८	आहे	हस्तिना	०२-०५-१९९८	अ- प्रत्येकीय
१३५	श्रीम. मंगला महेश नाथराव	२५-१२-७५	आहे	हस्तिना	०२-०५-१९९८	अ- प्रत्येकीय
१३६	श्रीम. निमला जेठा चव्हाण	२७-७-६७	आहे	हस्तिना	०२-०६-१९९८	अ- प्रत्येकीय
१३७	श्रीम. मया शंकर सोलंकी	७-११-७०	आहे	हस्तिना	०२-०७-१९९८	अ- प्रत्येकीय
१३८	श्रीम. इना नरहित डांडे	८-२-७३	आहे	हस्तिना	०८-०३-१९९९	अ- प्रत्येकीय
१३९	श्रीम. चंद्र नृपबल्लभ सोलंकी	६-२-६८	आहे	हस्तिना	०७-०५-१९९९	अ- प्रत्येकीय
१४०	श्रीम. मुनिकाता सखाराम डांडे	१२-५-७३	आहे	हस्तिना	०४-०८-१९९९	अ- प्रत्येकीय
१४१	श्रीम. उषा चमिता डांडे	२-६-७६	आहे	हस्तिना	-२-०७-१९९९	अ- प्रत्येकीय

श्रीम. शशिनाथ

सफाईगार

श. श्री. उषा नरेण डांडे, मुंबई-६

२२/१२

सहयोगी अधिकारी
 सुश्रु. श्री. समुह रुग्णालये
 मुंबई
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सर ज.जी. समुह रुग्णालये, मुंबई. याचिका क्र. ११८२/१९ न्यालयीन आदेशानुसार पुरुष सफाईगार यांची जेष्ठता सुची



क्र.	उन्मदाराचे नाव	जन्म दिनांक	शिक्षण	सेवानेमा काळ	जात	प्रथम बदलीचा दिनांक	शासकीय/अशासकीय
१	श्री. नारायण पुत्रबोलान बाबेला	५-२-५८	६ वी	आहे	हरिजन	०१-०५-१९७६	शासकीय
२	शिवराम फालिदास सोलंकी	६-४-६१	२ वी	आहे	हरिजन	०५-११-१९७७	शासकीय
३	धर्मराम बाबोबाब सोलंकी	१७-२-६६	७ वी	आहे	हरिजन	०६-०५-१९८१	शासकीय
४	रतिलाळ सता मोलेंबली	१५-१०-६३	२ वी	आहे	हरिजन	०५-०२-१९८२	अ. गा. वार्दा
५	अंबालाल मेला बाबेला	२-६-६६	६ वी	आहे	हरिजन	११-०२-१९०६	अशासकीय जे.जे.
६	गनिलाल बनूर बाबेला	३-०-६५	१ वी	आहे	हरिजन	११-०४-१९८२	शासकीय जे.जे.
७	रत्नराज मंगल बाबेला	११-३-६३	५ वी	आहे	हरिजन	२२-०४-१९८२	जे.जे. सोपडा
८	रत्नराज बाबू जाधव	२५-१-६४	८ वी	आहे	हरिजन	०३-०५-१९८२	जे.जे. सोपडा
९	उज्जर पुत्रबोलान बाबेला	१५-१-५९	३ वी	आहे	हरिजन	०९-०६-१९८२	जे.जे. सोपडा
१०	गोविंद जिता सोलंकी	२-१०-६४	५ वी	आहे	हरिजन	०१-१२-१९८२	अशासकीय जे.जे.
११	रमण गंगल बाबेला	६-२-६२	१ वी	आहे	हरिजन	०७-१२-१९८२	अशासकीय
१२	गणेश गंजी सोलंकी	४-१-६३	१ वी	आहे	हरिजन	१५-०२-१९८२	अशासकीय
१३	रमण चिखल बाबेला	२२-६-५९	४ वी	आहे	हरिजन	०३-०६-१९८३	अशासकीय
१४	रमण नेला सोलंकी	१-६-६१	३ वी	आहे	हरिजन	०१-०६-१९८४	जे.जे. सोपडा
१५	रमण कित्तत गुरबिना	८-५-६९	४ वी	आहे	हरिजन	०१-०६-१९८४	नामदीय
१६	उज्जर प्रभात खत्री	६-८-६६	२ वी	आहे	हरिजन	२२-०९-१९८४	अशासकीय जे.जे.
१७	रमण बाबू सोलंकी	१८-३-६७	१ वी	आहे	हरिजन	१०-०६-१९८५	शासकीय
१८	नारायण रामपत बाबेला	७-२-६९	४ वी	आहे	हरिजन	१९-०६-१९८५	अशासकीय
१९	जिनेद मोहम सोलंकी	२८-६-६६	१ वी	आहे	हरिजन	१९-१२-१९८५	अशासकीय
२०	तुळसी मनोलाळ सोलंकी	२३-९-६७	८ वी	आहे	हरिजन	०२-०५-१९८६	शासकीय
२१	भरत चिखल सोलंकी	४-२-७०	१० वी	आहे	हरिजन	०३-०५-१९८६	नामदीय
२२	रमण छगल सोलंकी	१७-३-६०	४ वी	आहे	हरिजन	०१-०६-१९८६	अशासकीय
२३	खिनजी नारायण बाबेला	१२-३-६८	६ वी	आहे	हरिजन	०१-०६-१९८६	शासकीय
२४	मंगल बाबू गुरबिना	२५-४-७१	७ वी	आहे	हरिजन	१०-०६-१९८६	शासकीय

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सर. ज. जी. सु. ह. रुग्णालये, मुंबई. याचिका क्र. ११८२/९९ तालीन आदेशानुसार पुरुष सफाईगार यांची जेवढाता सुची

५०	अजय केवळ शारीया	२-८-७३	७ वी	आहे	हरिजन	०१-११-१९८९	शासकीय
५१	पुणजोत्तम विष्णू पुरबिया	२४-८-७१	४ वी	आहे	हरिजन	०३-११-१९८९	शासकीय
५२	चोपट भारायण शारीया	८-१०-७२	९ वी	आहे	हरिजन	०१-१२-१९८९	शासकीय
५३	नये। दाऊद घोला	१०-५-६६	२ री	आहे	हरिजन	०१-१२-१९८९	शासकीय
५४	विजय कान्ताजी सोलंकी	१७-७-७४	७ वी	आहे	हरिजन	०२-०५-१९९०	शासकीय
५५	सुभाष रजा सोलंकी	१२-८-७१	२ री	आहे	हरिजन	०१-०६-१९९०	शासकीय
५६	रुनाथ विमल केवारे	२-६-६८	१० वी	आहे	चौध	०१-०६-१९९०	शासकीय
५७	दिवक चोपट पुणबिका	१३-१-७०	८ वी	आहे	हरिजन	०६-०६-१९९०	शासकीय
५८	चंटू मंगल सोलंकी	२१-१०-६४	६ वी	आहे	हरिजन	०१-०८-१९९०	शासकीय
५९	केवळ नटवर सोलंकी	२१-६-७४	४ वी	आहे	हरिजन	०७-०८-१९९०	शासकीय
६०	अन्ना लिखा पाटवी	१०-६-७२	७ वी	आहे	हरिजन	०१-१०-१९९०	शासकीय
६१	सुरेश रत्तिलाल सोलंकी	१०-४-७२	८ वी	आहे	हरिजन	१३-१०-१९९०	शासकीय
६२	शेख सतिफ इमरान	३०-१०-६४	४ वी	आहे	मुसलमान	०१-१२-१९९०	शासकीय
६३	विमल रम्या सुनुमात	१-८-६३	१२ वी	आहे	चौध	०१-०२-१९९१	शासकीय
६४	बालवंत हलकर अहिरे	१५-७-६७	४ वी	आहे	चौध	०६-०२-१९९१	शासकीय
६५	विजय विमल ठावेला	७-५-७०	४ वी	आहे	हरिजन	०६-७-२-१९९१	शासकीय
६६	राजेश मोहन सोलंकी	८-५-७१	७ वी	आहे	हरिजन	०७-०८-१९९१	शासकीय
६७	कृती माधु सोलंकी	२-११-७२	४ वी	आहे	हरिजन	०२-०९-१९९१	शासकीय
६८	चंटू धनंजी महिडा	१०-४-६७	० री	आहे	हरिजन	०१-०९-१९९१	अशासकीय
६९	चोपट कान्ताजी सोलंकी	१५-१२-६८	७ वी	आहे	हरिजन	०२-०६-१९९१	शासकीय
७०	सतीश खंडोदास वांगडा	३-७-७०	७ वी	आहे	हरिजन	०२-०७-१९९१	शासकीय
७१	उमेश काजी जाधव	७-३-६४	२ री	आहे	हरिजन	१६-०७-१९९१	शासकीय
७२	धरत कानू महिडा	७-८-७६	७ वी	आहे	हरिजन	०१-०८-१९९१	शासकीय
७३	नितीश गणपत वांगडा	१६-११-७४	७ वी	आहे	हरिजन	०१-०९-१९९१	शासकीय
७४	जोशिम नामफळ सुखे	२१-५-७३	५ वी	आहे	हरिजन	०१-१२-१९९१	शासकीय



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७१	देवराव मनीजाल सोलंकी	२५-८-७३	४ वी	आहे	हरिजन	२३-१२-१९९१	शासकीय
७२	राजेश पाखडी सोलंकी	१५-६-७५	८ वी	आहे	हरिजन	०८-०२-१९९६	शासकीय
७३	राजेश मनिलाल चौकान	१४-२-७४	८ वी	आहे	हरिजन	०२-०३-१९९०	शासकीय
७४	प्रविण रविलाल बाबेरा	१०-३-७२	८ वी	आहे	हरिजन	०२-०४-१९९२	शासकीय
७५	दिवेता दयाराम सोलंकी	३-७-७४	७ वी	आहे	हरिजन	०२-०४-१९९२	शासकीय
७६	नितीन सोमा सोलंकी	३०-१२-७३	४ वी	आहे	हरिजन	१७-०४-१९९२	शासकीय
७७	श्यामजी भिका नायका	५-१०-६५	४ वी	आहे	हरिजन	१४-०४-१९९२	शासकीय
७८	मनाज हरी बारीया	२०-५-७२	९ वी	आहे	हरिजन	०२-०५-१९९२	शासकीय
७९	विनोद पुनम सोलंकी	२४-१०-७५	७ वी	आहे	हरिजन	०२-०५-१९९२	शासकीय
८०	महादेव चिमाजी चिटळे	१६-३-७०	८ वी	आहे	बौद्ध	०२-०५-१९९२	शासकीय
८१	टिळू छगन सोलंकी	२१-६-७२	७ वी	आहे	हरिजन	१०-०५-१९९२	शासकीय
८२	राजु नटवर सोलंकी	२-८-७३	१ ली	आहे	हरिजन	०५-०६-१९९२	शासकीय
८३	मोहन प्रभात खत्री	२-१०-६७	४ वी	आहे	हरिजन	०२-०८-१९९२	शासकीय
८४	किंग विजय सोलंकी	५-११-७४	८ वी	आहे	हरिजन	०५-०८-१९९२	शासकीय
८५	सुनिल करव पुनविया	१०-७-७८	७ वी	आहे	हरिजन	०२-०१-१९९२	शासकीय
८६	विजय नारायण चौकान	१-३-७७	१० वी	आहे	हरिजन	०२-११-१९९२	शासकीय
८७	काशीदास दयालाल बाबेरा	१८-१२-७२	० वी	आहे	हरिजन	२३-०२-१९९३	शासकीय
८८	विनोद मधु सोमा	१३-६-७३	७ वी	आहे	हरिजन	०६-०४-१९९३	शासकीय
८९	अणोक नगबाण बाबेरा	२६-५-७५	७ वी	आहे	हरिजन	२३-०२-१९९३	शासकीय
९०	मातीलाल भगत सोलंकी	२८-३-६३	८ वी	आहे	हरिजन	३०-०४-१९९३	शासकीय
९१	ब्रह्माद किळाकर चौकान	२३-५-७२	४ वी	आहे	हरिजन	०२-०५-१९९३	शासकीय
९२	प्रविण विठ्ठल बाबेरा	२४-४-७५	८ वी	आहे	हरिजन	०२-०५-१९९३	शासकीय
९३	राजेश अंबालाल बाबेरा	८-१०-७३	७ वी	आहे	हरिजन	०३-०५-१९९३	शासकीय
९४	मधु मोहन सोलंकी	५-९-७३	७ वी	आहे	हरिजन	०३-०५-१९९३	शासकीय
९५	मनाज रमण साबोले	०-५-७५	० वी	आहे	हरिजन	०४-०५-१९९३	शासकीय

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१००	नरेश देवजी वाघेला	११-६-७६	७ वी	आहे	हरिजन	०१-०६-१९९१	प्रशासकीय
१०१	जितेंद्र केसव सोलंकी	१९-१०-६१	८ वी	आहे	हरिजन	०२-०६-१९९३	अप्रशासकीय
१०२	राहुल लक्ष्मण वाघेला	७-१२-७४	७ वी	आहे	हरिजन	०१-०७-१९९३	प्रशासकीय
१०३	तिलीन किशोर सोलंकी	१-४-७१	७ वी	आहे	हरिजन	०१-०७-१९९३	प्रशासकीय
१०४	प्रमोद गोविंद इरिया	३१-८-७३	७ वी	आहे	हरिजन	०१-०८-१९९३	प्रशासकीय
१०५	संदेश नरसिंह सोलंकी	१-५-७४	९ वी	आहे	हरिजन	०१-०८-१९९३	प्रशासकीय
१०६	दिवक केसव यश्या	११-५-७५	९ वी	आहे	हरिजन	०१-०८-१९९३	प्रशासकीय
१०७	देवजी रतिलास सोलंकी	११-९-७७	४ वी	आहे	हरिजन	०१-०९-१९९३	अप्रशासकीय
१०८	अर्जुन रतिलास वास्ते	१-१०-७४	४ वी	आहे	हरिजन	०१-०९-१९९३	प्रशासकीय
१०९	रावे गणपत सुपत	३०-१-७८	७ वी	आहे	हरिजन	०१-०९-१९९३	प्रशासकीय
११०	त्रिकुण सावजी अंजना	२-९-७३	१० वी	आहे	हरिजन	११-०९-१९९३	प्रशासकीय
१११	राजेश देवजी सोलंकी	७-१०-७४	८ वी	आहे	हरिजन	२०-०९-१९९३	प्रशासकीय
११२	काली करसन भक्वाणा	१५-१२-७८	७ वी	आहे	हरिजन	०१-१०-१९९३	अप्रशासकीय
११३	अश्विनी रोहित सोलंकी GR	१-६-७५	७ वी	आहे	हरिजन	०१-१०-१९९३	प्रशासकीय
११४	नरेंद्र गोविंद सोलंकी GR	१७-८-७०	७ वी	आहे	हरिजन	०१-१०-१९९३	प्रशासकीय
११५	अमन रतिलास चौखाम GR	२८-९-७५	९ वी	आहे	हरिजन	०१-१०-१९९३	प्रशासकीय
११६	संजय किशन गोवंदी GR	११-९-८६	७ वी	आहे	हरिजन	१६-१०-१९९३	अप्रशासकीय
११७	मनीष सुंदर वाघेला GR	१०-४-७४	३ वी	आहे	हरिजन	१६-१०-१९९३	प्रशासकीय
११८	धनंजय जगदिन सोलंकी GR	११-१-७१	७ वी	आहे	हरिजन	३०-१२-१९९३	प्रशासकीय
११९	किरण लक्ष्मण सोलंकी GR	१९-८-७४	८ वी	आहे	हरिजन	०१-०१-१९९४	अप्रशासकीय
१२०	नरेश नारायण सावना GR	१९-६-७५	९ वी	आहे	हरिजन	०१-०१-१९९४	अप्रशासकीय
१२१	विनोद केसव सोलंकी GR	१९-१०-७०	९ वी	आहे	हरिजन	०१-०१-१९९४	अप्रशासकीय
१२२	मधुकर लक्ष्मण गोवंदी GR	१-६-६५	३ वी	आहे	घोष्ट	०१-०१-१९९४	अप्रशासकीय
१२३	विनोद बाळू लक्ष्मण GR	२१-२-७२	५ वी	आहे	हरिजन	०१-०३-१९९४	अप्रशासकीय
१२४	राजेश केसव सोलंकी GR	१९-२-७६	७ वी	आहे	हरिजन	०१-०३-१९९४	प्रशासकीय



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१२९	लक्ष्मण रतिलाल बाकेला	६४	२२-२-७७	८ वी	आहे	हरिजन	०१-०४-१९९४	शासकीय
१३०	विनाय विनायक लोलेकी	६४	१४-१-७६	९ वी	आहे	हरिजन	०१-०४-१९९४	शासकीय
१३१	लक्ष्मण रतिलाल जेट्या	६४	४-१-७६	७ वी	आहे	हरिजन	०२-०४-१९९४	शासकीय
१३२	सजय रमेश बाण्य	६४	१४-४-७७	९ वी	आहे	हरिजन	०५-०६-१९९४	उप शासकीय
१३३	नरेश बालोदास बाकेला	६४	१९-९-७७	९ वी	आहे	हरिजन	०१-०७-१९९४	अशासकीय
१३४	रामगुण रत्न सुपत	६४	१८-४-७४	७ वी	आहे	हरिजन	०१-०९-१९९४	शासकीय
१३५	चंद्रकांत योगीलाल सोल्की	६४	१५-९-७७	५ वी	आहे	हरिजन	०८-०९-१९९४	अशासकीय
१३६	अशोक बाबू पटेल	६४	१-३-७७	५ वी	आहे	हरिजन	०२-११-१९९४	शासकीय
१३७	सचिन कलम सोल्की	६४	८-१-६८	२ वी	आहे	हरिजन	१६-११-१९९४	शासकीय
१३८	दिलोप विमजी बारिया	६४	१६-३-७८	५ वी	आहे	हरिजन	०१-१२-१९९४	अशासकीय
१३९	चंद्रकांत हिममत जेट्या	६४	१०-४-७७	८ वी	आहे	हरिजन	०१-१२-१९९४	शासकीय
१४०	मुंका पुनत सोल्की	६४	१६-३-७८	७ वी	आहे	हरिजन	०१-१२-१९९४	शासकीय
१४१	सजय कतु सोल्की	६४	१४-७-७८	७ वी	आहे	हरिजन	०१-०२-१९९५	शासकीय
१४२	अशोक अंबर सोल्की	६४	३-९-७८	७ वी	आहे	हरिजन	०१-०४-१९९५	शासकीय
१४३	इश्वर कतु मोहिडा	६४	१०-४-८०	८ वी	आहे	हरिजन	०१-०२-१९९५	शासकीय
१४४	दिलोप दुधा गाठ	६४	२९-३-७८	९ वी	आहे	हरिजन	१५-०५-१९९५	अशासकीय
१४५	नरेश पुनत सोल्की	६४	१-१-६९	२ वी	आहे	हरिजन	१७-०५-१९९५	अशासकीय
१४६	राजेंद्र विनाय परमार	६४	१६-९-७८	८ वी	आहे	हरिजन	२२-०२-१९९५	अशासकीय
१४७	चंद्रकांत प्रकाश मोहंकी	६४	१-५-७८	२ वी	आहे	हरिजन	०५-०५-१९९५	अशासकीय
१४८	शम्भूदर काया नालकी	६४	६-११-७८	८ वी	आहे	हरिजन	०१-०६-१९९५	शासकीय
१४९	अंजु देवजी कोठारी	६४	१९-७-७८	७ वी	आहे	हरिजन	०६-०६-१९९५	अशासकीय
१५०	रत्न बोली सोल्की	६४	३०-४-७४	८ वी	आहे	हरिजन	०६-०६-१९९५	अशासकीय
१५१	बाली रमंगन बाकेला	६४	२२-७-७५	८ वी	आहे	हरिजन	०८-०६-१९९५	अशासकीय
१५२	विनाय नामजी गटार	६४	१०-५-७८	२ वी	आहे	हरिजन	०१-०९-१९९५	शासकीय
१५३		६४	१-६-७७	५ वी	आहे	हरिजन	०१-१०-१९९५	अशासकीय
						हरिजन	०१-११-१९९५	अशासकीय

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सा. ज. जी. समुह रुग्णालये, मुंबई. याचिका क्र. ११८२/९९ न्यालयीन आदेशानुसार पुरुष सफाईगार यांची जेठता

१५२	प्रदिप निवराज मारु	१५-१-६८	१ की	आहे	हरिजन	०१-१२-१९९५	अध्यासकीय
१५३	विष्णू रानजी मकवाना	२-३-७४	२ की	आहे	हरिजन	०२-१२-१९९५	अध्यासकीय
१५४	राजेश मंगीलाल सोलंकी	२२-११-७३	१? की	आहे	हरिजन	०२-०१-१९९६	अध्यासकीय
१५५	धेंतन चंतीलाल सोलंकी	२-२-७८	७ की	आहे	हरिजन	०२-०२-१९९६	अध्यासकीय
१५६	अनुज गटवर	१६-७-७८	१ की	आहे	हरिजन	०२-०४-१९९६	अध्यासकीय
१५७	सुभाष विजयी कलपरा	२२-१-७७	७ की	आहे	हरिजन	०३-०४-१९९६	अध्यासकीय
१५८	अजित राजेंद्र सोलंकी	३१-३-७८	८ की	आहे	हरिजन	०३-०४-१९९६	अध्यासकीय
१५९	नितीन प्रेमजी परमार	२-२-७८	८ की	आहे	हरिजन	०२-०५-१९९६	अध्यासकीय
१६०	मंताज घतगी महिला	२१-५-७६	७ की	आहे	हरिजन	०२-०६-१९९६	अध्यासकीय
१६१	जयशंकर लक्ष्मण कणवी	७-८-६८	१ की	आहे	हरिजन	०२-०६-१९९६	अध्यासकीय
१६२	दिवेश गणपत सोलंकी	१६-१०-७३	५ की	आहे	हरिजन	१२-०६-१९९६	अध्यासकीय
१६३	सुरजेंद्र मंगीलाल सोलंकी	५-७-७८	१ की	आहे	हरिजन	०२-०८-१९९६	अध्यासकीय
१६४	सुनु मंगल सोलंकी	१६-८-६६	१ की	आहे	हरिजन	०२-०८-१९९६	अध्यासकीय
१६५	चंतेन रामण सांबोनी	८-४-७८	८ की	आहे	हरिजन	०२-०८-१९९६	अध्यासकीय
१६६	सुरेशचंद्र प्रभात सोलंकी	१-२-६५	७ की	आहे	हरिजन	०१-०८-१९९६	अध्यासकीय
१६७	सुरेश मोहन सोलंकी	२-१०-७८	- की	आहे	हरिजन	१२-०१-१९९६	अध्यासकीय
१६८	सविता गणित्याण सोलंकी	१३-७-७७	१० की	आहे	हरिजन	०१-१०-१९९६	अध्यासकीय
१६९	दासदा विजयी जाधव	७-१२-७८	१० की	आहे	हरिजन	०२-१०-१९९६	अध्यासकीय
१७०	राजेश पुं. इन्गोया	८-६-७९	१० की	आहे	हरिजन	०२-१०-१९९६	अध्यासकीय
१७१	अशोकानंद प्रभात आरंभ	२७-१-६८	५ की	आहे	हरिजन	१०-१२-१९९६	अध्यासकीय
१७२	हरन नारायण परमार	१-२-७७	७ की	आहे	हरिजन	०२-१२-१९९६	अध्यासकीय
१७३	नरेश चरबा मारिशा	२६-१-७७	७ की	आहे	हरिजन	०२-१२-१९९६	अध्यासकीय
१७४	प्रदिप मधुजी सोलंकी	२६-८-७९	६ की	आहे	हरिजन	०३-१२-१९९६	अध्यासकीय
१७५	जयंती गटवर	२०-३-७७	७ की	आहे	हरिजन	०२-१२-१९९६	अध्यासकीय
१७६	नितीन कांतानाथ सोलंकी	२६-११-७७	७ की	आहे	हरिजन	०२-१२-१९९६	अध्यासकीय

२०/१०/९९

सर ज.जी. समुह रुग्णालये, मुंबई. याचिका क्र. १८२/९९ न्यालयीन आदेशानुसार पुरुष सफाईगार यांची जेष्ठता सुची



१७५	त्रकाण जगादेश सोलंकी	१६-६-७४	८ वी	आहे	हरिजन	०१-०२-१९९७	अहमदनगर
१७६	संजय कांती सोलंकी	२-७-७९	७ वी	आहे	हरिजन	०१-०५-१९९७	अहमदनगर
१७७	नरेश वसंत सोलंकी	१-१-७७	१० वी	आहे	हरिजन	०२-०५-१९९७	अहमदनगर
१७८	दिपक पुरषोत्तम वाघेला	२-१२-७९	८ वी	आहे	हरिजन	०१-०६-१९९७	अहमदनगर
१७९	अशोक मंगलनाथ सोलंकी	८-३-७६	७ वी	आहे	हरिजन	०४-०६-१९९७	अहमदनगर
१८०	दिलीप सगत माहिडा	२-१०-७२	५ वी	आहे	हरिजन	०१-०७-१९९७	अहमदनगर
१८१	मंगेश सुनील सोलंकी	१०-१२-७९	७ वी	आहे	हरिजन	०१-०८-१९९७	अहमदनगर
१८२	उपेंद्र फुलबंद वाघेला	२१-६-८०	१० वी	आहे	हरिजन	०१-११-१९९७	अहमदनगर
१८३	राजेश दत्तिलाल सोलंकी	२३-७-७७	६ वी	आहे	हरिजन	०१-११-१९९७	अहमदनगर
१८४	नरेश नारायण पंडित	२-३-७५	१० वी	आहे	हरिजन	०१-१२-१९९७	अहमदनगर
१८५	बंडु प्रभु वाघेला	१२-१-७९	९ वी	आहे	हरिजन	०१-१२-१९९७	अहमदनगर
१८६	बंडु कांती सोलंकी	२७-११-७९	८ वी	आहे	हरिजन	०१-०१-१९९८	अहमदनगर
१८७	राजेश नमन सोबोली	६-८-७९	८ वी	आहे	हरिजन	०६-०१-१९९८	अहमदनगर
१८८	परत भावाण वाघेला	११-८-७५	९ वी	आहे	हरिजन	१२-०१-१९९८	अहमदनगर
१८९	इरिप बेमल पुरबिया	२-८-७९	७ वी	आहे	हरिजन	०१-०२-१९९८	अहमदनगर
१९०	नरेश रघुनाथ मोलंकी	३०-६-७७	७ वी	आहे	हरिजन	०१-०३-१९९८	अहमदनगर
१९१	सुरेश गुलाब वाघेला	११-२-७७	७ वी	आहे	हरिजन	०१-०३-१९९८	अहमदनगर
१९२	राजेश दत्तिलाल वाघेला	१३-८-८०	८ वी	आहे	हरिजन	०१-०३-१९९८	अहमदनगर
१९३	परत रमेश सोलंकी	२०-१२-७९	१० वी	आहे	हरिजन	०१-०३-१९९८	अहमदनगर
१९४	खिमजी पुनक सोलंकी	२-७-८०	७ वी	आहे	हरिजन	०१-०३-१९९८	अहमदनगर
१९५	उत्तम नरिण पुरबिया	२-३-७८	८ वी	आहे	हरिजन	०१-०४-१९९८	अहमदनगर
१९६	सुनिल देवान सोलंकी	३१-१०-७५	१० वी	आहे	हरिजन	०१-०५-१९९८	अहमदनगर
१९७	हाशमनाथ नारायण वाघेला	८-१-८०	७ वी	आहे	हरिजन	०१-०५-१९९८	अहमदनगर
१९८	परत मंगलनाथ वाघेला	१४-१२-७९	८ वी	आहे	हरिजन	०१-०५-१९९८	अहमदनगर
१९९	सुधा प्रमती परमान	१२-११-७६	७ वी	आहे	हरिजन	०१-०५-१९९८	अहमदनगर

अ. जे. शेपाडा

Handwritten signature and date.

Small rectangular stamp.



सर ज.जी. समुह रुग्णालये, मुंबई. याचिका क्र. ११८२/९९ न्यायीन अदेशानुसार पुरुष सफ दिगार बांची जेठाता सुची

विगत संवत् फेब्री २०११ च्या पुर्यातम सोलंकी २०१२ हरिप कातजी लाडव २०१३ सुशेवा निलाल सोलंकी विनाद सोनीलाल सोलंकी इन्ड रतिलाल बांबेला

- २०६ विनाद रमण बांबेला GR
- २०७ नरेश छयाल सोलंकी GR
- २०८ कि. नगीन बांबेला GR
- २०९ विक्रम दत्तपन पुरखिया GR
- २१० नरेश किजाल सोलंकी
- २११ कल्ल नातजी मोडा GR
- २१२ विठ्ठल किजाल बांबेला GR
- २१३ अजिप इब्नास जामदार
- २१४ विजय शामजी करजोला
- २१५ दिपट डात्र सोलंकी
- २१६ कि.मण मनोहर बाबला
- २१७ सकार नरेश गारव
- २१८ छिरीक मंगल सोलंकी GR
- २१९ मंगल शालीकाम बांबेला
- २२० हरिकृष्ण गुरुश सोलंकी GR

३-४-७४	७ वी	आहे	हरिजन	०४-०२-१९९८	अशान्त
५-८-७७	८ वी	आहे	हरिजन	०५-०५-१९९८	अशान्त
२०-४-७९	५ वी	आहे	हरिजन	०२-०६-१९९८	अशान्त
१३-१-७७	१२ वी	आहे	हरिजन	०२-०८-१९९८	बाबनसिंग
२-६-७९	७ वी	आहे	हरिजन	०२-०९-१९९८	हरसोप
१०-६-७८	९ वी	आहे	हरिजन	०५-११-१९९८	शारदा
२६-५-७७	८ वी	आहे	हरिजन	०६-१२-१९९८	अशान्त
३-११-८०	७ वी	आहे	हरिजन	०२-०८-१९९९	अशान्त
१९-१०-८०	७ वी	आहे	हरिजन	०२-०३-१९९९	अशान्त
२६-१०-८०	४ वी	आहे	हरिजन	०२-०३-१९९९	शारदा
२१-७-७६	७ वी	आहे	हरिजन	०२-०३-१९९९	अशान्त
२५-७-७३	८ वी	आहे	हरिजन	०२-०४-१९९९	अशान्त
२-२-८१	५ वी	आहे	हरिजन	०२-०६-१९९९	अशान्त
२-३-८८	० वी	आहे	मुसलमि	०२-०५-१९९९	अशान्त
१-९-८०	९ वी	आहे	हरिजन	०३-०७-१९९९	अशान्त
१-१-८९	९ वी	आहे	हरिजन	०५-०५-१९९९	अशान्त
१५-७-७४	९ वी	आहे	हरिजन	०७-०५-१९९९	अशान्त
१५-७-८९	६ वी	आहे	हरिजन	०७-०५-१९९९	अशान्त
०-१-८०	१० वी	आहे	कोष्ट	१०-०५-१९९९	अशान्त
२४-१०-८०	७ वी	आहे	हरिजन	१०-०५-१९९९	अशान्त
०६-६-८०	६ वी	आहे	हरिजन	२५-०५-१९९९	अशान्त

दीनानंद शर्मा

नाथपट्टा

४. का. समुह रुग्णालये, मुंबई-६

२५/१२

सहयोगी अधिकारी
 डॉ. व्ही. समुह रुग्णालये
 मुंबई
 ००००१२/१७



सर ज.जी.समूह रुग्णालये मुंबई इन्डियन न्यायालय याची का क्र. ११८२/९९ नुसार

- ३५ श्रीमती- कल्पना म्याम भोजे ✓
- ३६ श्री- मोहन पांडुरंग सोनावणे ✓
- ३७ श्री- हारचंद्र पा- उल्तेकर ✓
- ३८ श्री- शंकर बाळकृष्ण गा. वडे ✓
- ३९ श्रीमती- कल्पना रामचंद्र जंगम ✓
- ४० श्रीमती- चकमिनी पांडुरंग चेंदवणकर ✓
- ४१ श्रीमती- वनिता दत्ताराम मोरे ✓
- ३२ श्री- कृष्णा बाबू परब ✓
- ४३ श्रीमती- वंदना शंभर साठरे ✓
- ४४ श्री- युवराज रामचंद्र तोरने ✓
- ४५ श्रीमती- शेवंती बालू मनवे ✓
- ४६ श्री- मधुसुदन तुकाराम लाड ✓
- ४७ श्रीमती- सायावती रामचंद्र सावते ✓
- ४८ श्री- परशुराम दत्ताराम परब ✓
- ४९ श्री- गायकवाड अशोक मोहन ✓
- ५० श्रीमती- मालिनी मनोहर गोसावी ✓
- ५१ श्री- दिनकर गंगाराम गाडे ✓
- ५२ श्रीमती- रेष्मा सतीश सात ✓
- ५३ श्री- प्रशांत दत्ताराम चव्हाण ✓
- ५४ श्री- सज्जराव बाबुराव साळकर ✓
- ५५ श्रीमती- मिनाक्षी चंद्रकांत जाधव ✓
- ५६ श्री- सुरेश पा- जाधव ✓
- ५७ श्री- दिलीप बाबू साळंबी ✓
- ५८ श्री- अंकुश रामचंद्र उल्तेकर ✓

०२-०६-१९८४ ✓	०१-०६-१९५१ ✓	८वी
०१-०८-१९८४ ✓	०१-०६-१९६३ ✓	६वी
२४-०९-१९८४ ✓	०२-०६-१९५९ ✓	५वी
०३-१०-१९८४ ✓	०१-०१-१९६० ✓	९वी
०९-१०-१९८४ ✓	१५-०९-१९६३ ✓	७वी
१८-१०-१९८४ ✓	०१-०६-१९४९ ✓	३री
०१-०६-१९८५ ✓	०२-१२-१९६९ ✓	७वी
१८-०२-१९८५ ✓	१५-०४-१९५८ ✓	१०वी
१०-०४-१९८५ ✓	०१-०४-१९५३ ✓	४थी
१०-०५-१९८५ ✓	१४-०८-१९६८ ✓	६वी
०५-०९-१९८५ ✓	०२-०१-१९६५ ✓	५वी
१५-१०-१९८५ ✓	२८-०२-१९६२ ✓	९वी
२१-०१-१९८६ ✓	२५-१२-१९६५ ✓	३री
१९-०४-१९८६ ✓	०६-०५-१९७१ ✓	९वी
०६-०५-१९८६ ✓	०१-०६-१९६० ✓	५वी
०७-०५-१९८६ ✓	०३-०६-१९७३ ✓	७वी
१९-०५-१९८६ ✓	१३-०३-१९६७ ✓	९ वी
०१-०७-१९८६ ✓	२२-०३-१९६५ ✓	९वी
०२-०७-१९८६ ✓	०५-०५-१९६६ ✓	७वी
१८-०७-१९८६ ✓	०१-०६-१९६७ ✓	९वी
११-०९-१९८६ ✓	१२-०५-१९६४ ✓	७वी
०१-०२-१९८७ ✓	३०-०७-१९६५ ✓	७वी
१८-०२-१९८७ ✓	३०-०१-१९५९ ✓	५ वी
०१-०३-१९८७ ✓	१८-०७-१९६७ ✓	९वी

आप्ती	आसकीय	—
मांग.	आसकीय	—
मराठा	आसकीय	—
मराठा	अशासकीय	—
महारा	आसकीय	—
भंडारी	आसकीय	—
मराठा	उपआसकीय	—
हिंदू	आसकीय	—
मराठा	अशासकीय	—
बौध्द	अशासकीय	—
मराठा	आसकीय	—
हिंदु मराठा	आसकीय	—
बौध्द	अशासकीय	—
हिंदु मराठा	अशासकीय	—
ख्रिस्ती	आसकीय	—
हिंदू	अशासकीय	—
बौध्द	अशासकीय	—
भंडारी	अशासकीय	—
व्हावी	अशासकीय	—
मराठा	अशासकीय	—
बौध्द	आसकीय	—
मराठा	अशासकीय	—
हिंदू	आसकीय	—
हिंद मराठा	आसकीय	—



सर ज. जे. समुह रुग्णालये मुंबई उच्च न्यायालय याचीका क्र. ११८२/९९ नुसार

अशुभासकीय	मुस्लीम	अशुभासकीय	०६-१२-१९६८	८ वी	२६-०३-१९९०	०६-१२-१९६८	८ वी	अशुभासकीय	०६-१२-१९६८
आसकीय	बौध्द	आसकीय	१०-०७-१९७०	७ वी	१६-०४-१९९०	१०-०७-१९७०	७ वी	आसकीय	१०-०७-१९७०
आसकीय	हिंदु मराठा	आसकीय	०२-०३-१९७०	९ वी	१७-०४-१९९०	०२-०३-१९७०	९ वी	आसकीय	०२-०३-१९७०
आसकीय	मराठा	आसकीय	१३-०८-१९७०	९ वी	०२-०५-१९९०	१३-०८-१९७०	९ वी	आसकीय	१३-०८-१९७०
आसकीय	मराठा	आसकीय	०९-०९-१९७२	७ वी	०३-०५-१९९०	०९-०९-१९७२	७ वी	आसकीय	०९-०९-१९७२
आसकीय	चांपार	आसकीय	२०-०४-१९७२	९ वी	०५-०५-१९९०	२०-०४-१९७२	९ वी	आसकीय	२०-०४-१९७२
अशासकीय	मराठा	अशासकीय	१५-०३-१९६३	८ वी	०४-०६-१९९०	१५-०३-१९६३	८ वी	अशासकीय	१५-०३-१९६३
अशासकीय	मंडारी	अशासकीय	०२-०२-१९७०	७ वी	०४-०६-१९९०	०२-०२-१९७०	७ वी	अशासकीय	०२-०२-१९७०
अशासकीय	मराठा	अशासकीय	०६-०८-१९७२	७ वी	०९-०६-१९९०	०६-०८-१९७२	७ वी	अशासकीय	०६-०८-१९७२
आसकीय	मराठा	आसकीय	०१-०१-१९८०	९ वी	१६-०६-१९९०	०१-०१-१९८०	९ वी	आसकीय	०१-०१-१९८०
अशासकीय	मराठा	अशासकीय	२०-०४-१९५८	७ वी	०७-०७-१९९०	२०-०४-१९५८	७ वी	अशासकीय	२०-०४-१९५८
अशासकीय	कुम्बवी	अशासकीय	०८-०२-१९७१	८ वी	०८-०७-१९९०	०८-०२-१९७१	८ वी	अशासकीय	०८-०२-१९७१
आसकीय	मराठा	आसकीय	१२-०२-१९६३	५ वी	०९-०८-१९९०	१२-०२-१९६३	५ वी	आसकीय	१२-०२-१९६३
अशासकीय	गराठ	अशासकीय	०२-०३-१९७२	७ वी	०२-०८-१९९०	०२-०३-१९७२	७ वी	अशासकीय	०२-०३-१९७२
आसकीय	चांपार	आसकीय	०१-०६-१९६२	४ वी	०८-०८-१९९०	०१-०६-१९६२	४ वी	आसकीय	०१-०६-१९६२
आसकीय	श्रीध	आसकीय	१२-०९-१९७१	७ वी	२५-०८-१९९०	१२-०९-१९७१	७ वी	आसकीय	१२-०९-१९७१
हिंदु भंडारी	हिंदु भंडारी	हिंदु भंडारी	३०-१०-१९६४	४ वी	०१-०९-१९९०	३०-१०-१९६४	४ वी	हिंदु भंडारी	३०-१०-१९६४
बौध्द	बौध्द	बौध्द	०३-०३-१९६५	९ वी	०८-१०-१९९०	०३-०३-१९६५	९ वी	बौध्द	०३-०३-१९६५
मराठा	मराठा	मराठा	२८-१०-१९६५	५ वी	१०-१०-१९९०	२८-१०-१९६५	५ वी	मराठा	२८-१०-१९६५
मोई	मोई	मोई	२५-१०-१९६५	७ वी	२२-१२-१९९०	२५-१०-१९६५	७ वी	मोई	२२-१२-१९९०
चांपार	चांपार	चांपार	०८-०४-१९६६	१० वी	०१-१२-१९९०	०८-०४-१९६६	१० वी	चांपार	०१-१२-१९९०
बौध्द	बौध्द	बौध्द	१२-०८-१९६९	७ वी	०१-१२-१९९०	१२-०८-१९६९	७ वी	बौध्द	०१-१२-१९९०
मराठा	मराठा	मराठा	२०-०३-१९७०	९ वी	०१-१२-१९९०	२०-०३-१९७०	९ वी	मराठा	०१-१२-१९९०
बौध्द	बौध्द	बौध्द	१२-०५-१९६७	७ वी	०१-०२-१९९१	१२-०५-१९६७	७ वी	बौध्द	०१-०२-१९९१
हिंदु भंडारी	हिंदु भंडारी	हिंदु भंडारी	१८-०९-१९६८	९ वी	०१-०२-१९९१	१८-०९-१९६८	९ वी	हिंदु भंडारी	०१-०२-१९९१

१. श्री- अशुभासकीय राहुल रहीम जहदीन शेख
 २. श्री- आसकीय सुनिल भालचंद्र साळवी
 ३. श्री- आसकीय शिवाजी लक्ष्मण जयताप
 ४. श्री- आसकीय जयप्रकाश गिंवाराम पांडुरी
 ५. श्रीमती- रंजना रमेश शिंदे
 ६. श्री- सुनिल मारुती कांबळे
 ७. श्री- काम- भारती वि- कदम
 ८. श्री- दिपक मेघ्याम सरमळकर
 ९. श्री- काशिनाथ संभाजी चाळके
 १०. श्री- संजय गोविंद आंबे
 ११. श्री- उदय तुळशीराम पवार
 १२. श्री- रविंद्र ईश्वर शिंदे
 १३. श्री- राजेंद्र बाबू साळवी
 १४. श्री- तुकाराम हरी शिंदे
 १५. श्रीमती- लता नामदेव शिंदे
 १६. श्री- अशोक गोविंद कदम
 १७. श्री- सिताराम दत्ताराम हुळका
 १८. श्री- दिपक रामचंद्र जाधव
 १९. श्रीमती- जयश्री चंद्रकांत कामकर
 २०. श्री- देविदास गोपीनाथ शिंदे
 २१. श्री- प्रेमचंद्र पनचम राम
 २२. श्री- राहुल रामदेव कांबळे
 २३. श्री- राजेंद्र विठ्ठल गोळे
 २४. श्रीमती- रमाबाई अहिसाणी
 २५. श्री- विकास कारीनाथ शिंदे

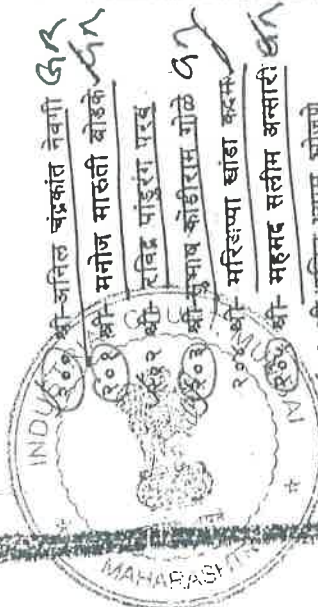
सर ज.जी.समूह रुग्णालये मुंबई उच्च न्यायालय यांचे क्र.११८२/९९ नुसार

- श्री- पादुसंग रामचंद्र कोडालकर ✓
- श्री- मंगेश लिंग बोबाडे ✓
- श्री- योगा दिनकर गोळे ✓
- श्री- विठोद भिकाजी सारंग ✓
- श्री- सुनिल दगडू कदम ✓
- श्री- साबाराम सहदेव जात्रे ✓
- श्री- किशोर सिताराम शेलार ✓
- श्री- महेंद्र परशुराम वाघचौरे ✓
- श्री- राजू गोविंद सारंगकर ✓
- श्री- राजेशे रामचंद्र राणे ✓
- श्री- मंगेश किसन लोढे ✓
- श्रीमती- संघ्या सुरेश मोरे ✓
- श्री- वासुदेव लक्ष्मण कदम ✓
- श्रीमती- हेमलता विश्वनाथ होडावटेकर ✓
- श्री- गौतम कुल्या नोहिते ✓
- श्री-सर्जराव तुकाराम साठे ✓
- बळवंत रामजचंद्र तोरने ✓
- श्री- अंजुना वाजी पाटे ✓
- श्री- मोतीराम वि- शिंदे ✓
- श्री- अनिल भद्रसुदन गायकवाड ✓
- श्री-विजय कुल्या गावकर ✓
- श्री- संजय रामचंद्र पवार ✓
- श्री- संतोष धोंडू पवार ✓
- श्री- सुयकांत रामचंद्र लखारकर ✓
- श्री-रामराज हंसराज ✓

२७-०५-१९९२	०६-०६-१९७१	७ वी	मराठा	अशासकीय
०१-०६-१९९२	१५-०७-१९६९	८वी	मराठा	शासकीय
०१-०६-१९९२	१०-०३-१९७२	४वी	मराठा	शासकीय
०१-०६-१९९२	१५-०४-१९७२	८वी	खिरचन	अशासकीय
०१-०६-१९९२	१८-०२-१९७३	७ वी	मराठा	शासकीय
०५-०६-१९९२	१४-०८-१९७३	७ वी	मराठा	अशासकीय
१०-०६-१९९२	०१-०६-१९७२	८वी	मराठा	शासकीय
२०-०६-१९९२	१८-०६-१९६४	७वी	महारा	अशासकीय
०१-०८-१९९२	०५-११-१९७०	८वी	चांभार	अशासकीय
०१-०८-१९९२	१०-०९-१९७१	९वी	मराठा	अशासकीय
०१-०८-१९९२	२९-०९-१९७२	९ वी	सांग	शासकीय
०१-०९-१९९२	१४-०४-१९६७	५वी	महारा	शासकीय
०१-०९-१९९२	०१-०६-१९७२	९ वी	म्हावी	अशासकीय
१६-०९-१९९२	२६-०८-१९७४	७वी	भंडारी	शासकीय
२२-०९-१९९२	०१-०६-१९६७	६ वी	तौळ	अशासकीय
०१-१०-१९९२	०१-०६-१९६२	७वी	हिंगु मा.ग.	अशासकीय
०१-१०-१९९२	०७-०१-१९६९	७वी	बौध्द	अशासकीय
०१-१०-१९९२	०१-०६-१९७६	७ वी	मराठा	शासकीय
२८-१०-१९९२	२१-०५-१९६६	५वी	मराठा	अशासकीय
२८-१०-१९९२	०१-०४-१९६९	८ वी	मराठा	अशासकीय
०६-११-१९९२	२५-०१-१९७३	५वी	हरीजन	शासकीय
०६-११-१९९२	०१-०६-१९७३	७ वी	मराठा	शासकीय
०६-११-१९९२	२९-०६-१९७४	९ वी	तौळ	शासकीय
०६-११-१९९२	०१-०६-१९७५	९ वी	म्हावी	शासकीय
१०-११-१९९२	१६-१०-१९६७	१८वी	तालम.ग.	अशासकीय

२०१८





- १०१ श्री-जयल चंद्रकांत नेवगी जी
- १०२ श्री-मनोज मारुती बोडके जी
- १०३ श्री-रविंद्र पांडुरंग परब
- १०४ श्री-कुशाब कोडीराम गोळे जी
- १०५ श्री-मरिसाप्या खांडा कदम
- १०६ श्री-महमद सलीम अन्सारी जी
- १०७ श्री-सचिन श्याम सोजणे
- १०८ श्री-महेद्र शांताराम घाडगे
- १०९ श्री-नंदू वामन भिगारदिवे
- ११० श्री-किशोर शांताराम मालुसरे
- १११ श्री-नरेश नारायण सणत
- ११२ श्री-निलेश शिवराम शिवगान जी
- ११३ श्री-बाळ भिकाजी करावडे जी
- ११४ श्री-जयदेव नारायण पवार
- ११५ श्री-संतोष तुकाराम सुतार
- ११६ श्री-राजू शंकर इंगले जी
- ११७ श्री-मिनानाथा वसंत कोबरेकर
- ११८ श्री-किमसिंह अश्वनिह रावत
- ११९ श्री-सतिश लकरण दायंगकर
- १२० श्री-जंत विनयर उलोकर जी
- १२१ श्री-महेद्र रामचंद्र जाधव जी
- १२२ श्री-शान्देव लक्ष्मण कदम
- १२३ श्री-मार्गनाथ मिहाराम गोसावडे
- १२४ श्री-हरविंद शंकाच चव्हाण
- १२५ श्री-संतोष सुनील गोरे

०४-०५-१९९३	१२-०२-१९७२	१ वी	विंगरसागास	गासकीय
०५-०५-१९९३	२७-०६-१९७२	१ वी	मराठा	अशासकीय
०५-०५-१९९३	१५-०७-१९७४	७ वी	कुणबी	अशासकीय
०५-०५-१९९३	२३-०२-१९७५	७ वी	मराठा	अशासकीय
०६-०५-१९९३	०१/०६/१९६४	१० वी	महारा	अशासकीय
०७-०५-१९९३	२३-०३-१९७३	७ वी	मुस्लीम	अशासकीय
१०-०५-१९९३	२१-०३-१९७५	१ वी	बौध्द	गासकीय
१७-०५-१९९३	२३-०४-१९७५	७ वी	बौध्द	गासकीय
०६-०६-१९९३	१५-०२-१९६६	९ वी	सांग	अशासकीय
०६-०६-१९९३	१०-०१-१९७२	१० वी	मराठा	अशासकीय
०६-०६-१९९३	१५-०९-१९७२	९ वी	मराठा	गासकीय
१४-०६-१९९३	०८-०१-१९७५	७ वी	मराठा	अशासकीय
०६-०७-१९९३	१८-०५-१९६८	१ वी	भंडारी	गासकीय
०६-०७-१९९३	२३-०३-१९७२	७ वी	मराठा	अशासकीय
०७-०७-१९९३	२०-०६-१९७५	७ वी	सुतार	गासकीय
१५-०७-१९९३	०४-०२-१९६८	८ वी	खोर	अशासकीय
०६-०८-१९९३	१८-०९-१९६७	१ वी	भंडारी	गासकीय
०६-०८-१९९३	१०-०२-१९७५	१० वी	राजपूत	गासकीय
०६-०८-१९९३	०८-०४-१९७५	७ वी	भंडारी	गासकीय
०७-०८-१९९३	०६-०६-१९७५	७ वी	मराठा	गासकीय
११-०८-१९९३	११-०७-१९७५	८ वी	मराठा	अशासकीय
०९-०९-१९९३	०५-०५-१९७४	६ वी	म्हावी	गासकीय
२१-०९-१९९३	१०-०६-१९७२	१ वी	मराठा	गासकीय
०१-१०-१९९३	२२-०७-१९७२	७ वी	म्हावी	अशासकीय
०१-१०-१९९३	२०-०८-१९७५		भंडारी	गासकीय



२२५ श्री- मेघश्याम वामन पवार G/A

२२६ श्री- लक्ष्मण गजानन खेडेकर

२२७ श्री- मंगलू शंभरूती शांताराम सक्पाळ

२२८ श्री- नरेंद्र सकाराम पाटे G/A

२२९ श्रीमती- दुर्गा नागनाथ जाधव G/A

२३० श्रीमती- अश्विनी अशोक मुल्की G/A

२३१ श्री- संदेश रामचंद्र सावंत G/A

२३२ श्री- प्रविण दत्ताराम परब G/A

२३३ श्री- शशिकान्त नारायण जाधव

२३४ श्री- भंरत सखाराम पेरणेकर

२३५ श्री- लक्ष्मण पांडुरंग साळुंके

२३६ श्री- राजेंद्र गजान्त जाधव

२३७ श्री- दिपक विश्वनाथ होलावडेकर

२३८ श्री- वृदीप केशव लोहरा

२३९ श्री- जयलाल रामचंद्र गायकवाड

२४० श्री- मुनिल केशव मोरे G/A

२४१ श्री- अजय पांडुरंग जगताप

२४२ श्री- विजय घोडू राडीये

२४३ श्री- संजय मोतीराम सक्पाळ G/A

२४४ श्रीमती- मंदा गोविंद पवार

२४५ श्री- नयपत अनंत कळके

२४६ श्री- रितेश बडू बल्लाळ

२४७ श्री- दत्तात्रय भगवान मेढने

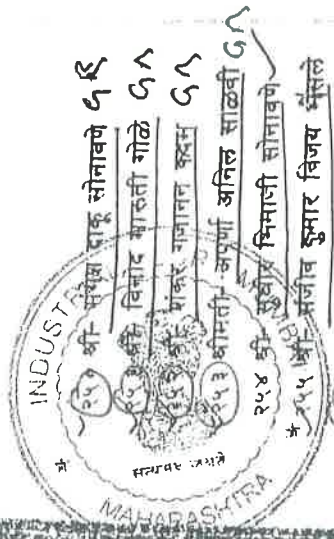
२४८ श्री- श्रीकृष्ण नारायण रेणोडे

२४९ श्री- राजाराम हरी सावंत

सर ज.जी.समुह. रुग्णालये मुंबई उच्च न्यायालय शाचीका क्र.११८२/९९ नुसार

०४-१०-१९९२	१२-०६-१९७४	१० वी	मराठा	अशासकीय
०६-१०-१९९३	०९-०६-१९७६	७ वी	भंडारी	शासकीय
२३-१०-१९९३	०२-०६-१९७३	९ वी	मराठा	शासकीय
०१-११-१९९३	१२-११-१९७५	९ वी	कुणबी	शासकीय
०३-११-१९९३	१५-०७-१९७२	५ वी	कैफाडी	शासकीय
०६-१२-१९९३	१४-१०-१९६९	८ वी	कुणबी	शासकीय
१०-१२-१९९३	२२-११-१९७५	९ वी	मराठा	शासकीय
०१-०२-१९९४	३०-१२-१९७५	९ वी	मराठा	शासकीय
२९-०३-१९९४	०१-०५-१९७३	९ वी	महार	शासकीय
०१-०४-१९९४	०५-१२-१९७५	१० वी	हिंदू भंडारी	अशासकीय
०१-०४-१९९४	१०-१२-१९७५	८ वी	मराठा	शासकीय
१६-०४-१९९४	११-०२-१९७६	९ वी	हिंदू मराठा	अशासकीय
१६-०४-१९९४	०१-०३-१९७६	९ वी	भंडारी	शासकीय
१९-०६-१९९४	२६-१२-१९७५	९ वी	अंभी	शासकीय
२५-०७-१९९४	०१-०६-१९७४	७ वी	महार	अशासकीय
०३-०५-१९९४	१२-०५-१९७५	७ वी	मराठा	अशासकीय
०७-०५-१९९४	१७-०४-१९७६	७ वी	मराठा	शासकीय
११-०५-१९९४	०१-०६-१९७४	८ वी	कुणबी	शासकीय
२४-०५-१९९४	०१-०६-२०१९	४ वी	मराठा	शासकीय
१३-०६-१९९४	२२-०९-१९६३	४ वी	बौध्द	शासकीय
०१-०७-१९९४	१३-०३-१९७५	७ वी	हिंदू मांग	शासकीय
०१-०७-१९९४	१८-०८-१९७५	७ वी	मांग	शासकीय
०१-०७-१९९४	०१-०६-१९७६	१ वी	मराठा	शासकीय
१०-०९-१९९४	१८-०८-१९७६	७ वी	मराठा	शासकीय
१५-१०-१९९४	०८-०८-१९७५	७ वी	बौध्द	शासकीय

20/7/20



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०६-१२-१९९४	०७-१२-१९७६	१ वी	बौध्द	ग्रासकीय
०१-०२-१९९५	२८-११-१९७६	७ वी	मराठा	ग्रासकीय
१०-०२-१९९५	२९-१२-१९७६	९ वी	मराठा	अशासकीय
०१-०३-१९९५	२५-०५-१९६५	९ वी	बौध्द	अशासकीय
०१-०३-१९९५	१५-०७-१९७६	१० वी	मराठा	अशासकीय
०७-०३-१९९५	१२-०८-१९७२	९ वी	मराठा	अशासकीय
०८-०३-१९९५	२३-०३-१९९५	९ वी	बौध्द	अशासकीय
११-०३-१९९५	२२-१२-१९६५	५ वी	हिंदु	अशासकीय
०५-०४-१९९५	०१-०८-१९७१	९ वी	मंडारी	अशासकीय
०५-०४-१९९५	०३-०२-१९७६	७ वी	हिंदु	ग्रासकीय
०६-०४-१९९५	०७-१०-१९७१	६ वी	मराठा	ग्रासकीय
११-०४-१९९५	२३-०९-१९७७	१० वी	मराठा	अशासकीय
०१-०५-१९९५	२६-१०-१९६७	७ वी	बौध्द	ग्रासकीय
०१-०५-१९९५	३१-०१-१९७२	८ वी	दंगर	अशासकीय
०१-०५-१९९५	२४-०६-१९७२	९ वी	मराठा	ग्रासकीय
०१-०५-१९९५	३१-०१-१९७३	५ वी	बौध्द	अशासकीय
०१-०५-१९९५	३१-०८-१९७३	९ वी	मराठा	ग्रासकीय
०१-०५-१९९५	१३-१२-१९७५	७ वी	मराठा	ग्रासकीय
०१-०५-१९९५	२२-०१-१९७६	७ वी	बौध्द	ग्रासकीय
०२-०५-१९९५	१०-०३-१९७९	५ वी	बौध्द	ग्रासकीय
०२-०५-१९९५	०९-०२-१९७४	८ वी	मराठा	अशासकीय
०२-०५-१९९५	२२-१२-१९७६	९ वी	मराठा	अशासकीय
०३-०५-१९९५	०८-०६-१९७३	७ वी	हिंदु मराठा	अशासकीय
०३-०५-१९९५	०७-०२-१९७४	८ वी	मराठा	ग्रासकीय
०३-०५-१९९५	१५-०४-१९७५	१ वी	जापान	अशासकीय

- २१७ श्री- संयुक्त बाबू सोनावणे G.A.
- २१८ श्री- विनायक गारुती गोळे G.A.
- २१९ श्री- शंकर राजानन खडम G.A.
- २२० श्री- धामती-अपूर्णा अनिल साळवी G.A.
- २२१ श्री- सुधीर मिनाजी सोनावणे G.A.
- २२२ श्री- संजीव कुमार विजय भोसले G.A.
- २२३ श्री- अजय शेकर हंडवरे G.A.
- २२४ श्री- शरदा सुभाष येवले G.A.
- २२५ श्री- सहदेव सांताराम कु.गळकर G.A.
- २२६ श्री- विनाय सुंदर राव G.A.
- २२७ श्री- प्रकाश शेकर मोरे G.A.
- २२८ श्री- विजय सुरेश गावंठ G.A.
- २२९ श्री-मती- सुषमा झं- साळवी G.A.
- २३० श्री-अनिल शिवराम लवडे G.A.
- २३१ श्री-मंगल सिताराम पालाडे G.A.
- २३२ श्री- सुनिल भास्कर जाधव G.A.
- २३३ श्री- त्रिविण बाळाराम पालाडे G.A.
- २३४ श्री-किशोर विष्णु पळ्कण G.A.
- २३५ श्री- आनंद माधुकर जाधव G.A.
- २३६ श्री- ब्रह्मराज तुकाराम मोरे G.A.
- २३७ श्री- दिलीप महादेव राजळी G.A.
- २३८ श्री- प्रभाकर बबन मोरे G.A.
- २३९ श्री- रमेश सिताराम साळवे G.A.
- २४० श्री- हनुमान लक्ष्मण पडवळ G.A.
- २४१ श्री- जगदीश तुळजाजी जावळकर G.A.

Handwritten notes and signatures on the right side of the page, including a large signature at the bottom right.

सर ज.जी.समूह रुग्णालये मुंबई उच्च न्यायालय याचीका क्र.११८२/९९ नुसार

- २७५ श्री- दिनशं जगन्नाथ मायवत
- २७६ श्री- दिपक गणपत हुले GA
- २७७ श्री- विनांद लक्ष्मण साळुंके
- २७८ श्री- सुनिल लक्ष्मण पठवळ GA
- २७९ श्री- शांताराम दामू पठवळ GA
- २८० श्री- दामोदर- सुजया विजय गोसावी GA
- २८१ श्री- मालिनी राजेश शबळे GA
- २८२ श्री- महेंद्र मधुकर आंबसकर GA
- २८३ श्री- गुलाम हुसेन युसुफ काशी GA
- २८४ श्री- सुर्यकांत भिकाजी फांदळे GA
- २८५ श्री- हरीश विभाकर चेंदवणकर GA
- २८६ श्री- मंगेश विश्राम शिंदे GA
- २८७ श्री- निरा लिगशेट बोपाटे GA
- २८८ श्री- मंगेश बाळ पवार GA
- २८९ श्री- लक्ष्मी धाकु सोनावणे GA
- २९० श्री- प्रभात शांताराम मूयनकर GA
- २९१ श्री- सत्यरजन दत्ताराम गोसावी GA
- २९२ श्री- उदय अंकुश पुजारे GA
- २९३ श्री- शंभिकांत गोपीचंद चाहीगांवकर GA
- २९४ श्री- अनिल कृष्णा जाधव GA
- २९५ श्री- विजय शांताराम भानुशाली GA
- २९६ श्री- विमाराव महादेव उलतेकर GA
- २९७ श्री- संदीप दामोदर जाधव GA
- २९८ श्री- विलास बाप्पा वझरकर GA



०४-०५-१९९५	१९वी	०५-०१-१९७७	चांभार	अशासकीय
०५-०५-१९९५	१९वी	२१-१०-१९७२	वैशवाणी	अशासकीय
०५-०५-१९९५	१९वी	१४-०९-१९७६	मराठा	अशासकीय
०८-०५-१९९५	७वी	३१-०७-१९७१	मराठा	शासकीय
१०-०५-१९९५	९ वी	०१-०६-१९६९	मराठा	शासकीय
१०-०५-१९९५	७वी	०३-०६-१९७१	गोसावी	शासकीय
१३-०५-१९९५	८वी	३०-१०-१९७०	मोग	शासकीय
१५-०५-१९९५	६ वी	२८-१२-१९७७	हिंदू	अशासकीय
२०-०५-१९९५	९ वी	१७-०३-१९७०	मुस्लीम	अशासकीय
२१-०५-१९९५	६ वी	१९-०४-१९७१	बौध्द	अशासकीय
०१-०६-१९९५	७वी	२७-०६-१९७६	भेडारी	अशासकीय
०१-०६-१९९५	९ वी	१८-०८-१९७६	बौध्द	शासकीय
१३-०६-१९९५	७वी	०५-११-१९७०	मराठा	शासकीय
२६-०६-१९९५	७वी	०१-०६-१९७५	मराठा	शासकीय
२८-०६-१९९५	१९वी	१६-१०-१९७१	बौध्द	शासकीय
०१-०७-१९९५	९वी	०२-०४-१९७१	भंडारी	शासकीय
०१-०७-१९९५	१९वी	१०-०१-१९७५	गोसावी	शासकीय
०१-०७-१९९५	९वी	०१-०७-१९७६	मराठा	शासकीय
०६-०७-१९९५	१९वी	०८-११-१९७६	कुणबी	अशासकीय
०८-०७-१९९५	७वी	०८-०९-१९७६	मराठा	शासकीय
११-०७-१९९५	८वी	०७-०१-१९७५	नराठा	अशासकीय
२०-०७-१९९५	९ वी	१९-०२-१९६९	हिंदू	अशासकीय
२०-०७-१९९५	९वी	१३-०५-१९७७	मराठा	अशासकीय
०९-०८-१९९५	७ वी	१२-०२-१९७८	बौध्द	अशासकीय
२८-०८-१९९५	९ वी	०८-०६-१९७७	भंडारी	शासकीय

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Handwritten signature and date: 21/11/20

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सर ज.जी.समुह रुग्णालये मूयर् उष्व न्यायालय बाधीका क्र. ११८२/९९ नुसार

- ३०० श्री- रुपेश शिवाजी खेडेकर
- ३०१ श्री- रविंद्र शांताराम साळुंके GR
- ३०२ श्री- संतोष रामचंद्र सकपाळ GR
- ३०३ श्री- शिवाजी दादा दरेकर
- ३०४ श्री-लक्ष्मण वसंत सावंत
- ३०५ श्री- सतीश दत्ताराम आत्रे GR
- ३०६ श्री-संतोष घोडू जाधव
- ३०७ श्री- ईश्वर किसन साळुंके
- ३०८ श्री-विलास मंगू चौकेकर
- ३०९ श्री- धर्मा गोरखनाथ कावळे GR
- ३१० विकास घनजय वाघ.
- ३११ श्री- संदीप रामचंद्र सोरे GR
- ३१२ श्री- प्रकाश सगुन कोठावाळे
- ३१३ श्री- पुरुषोत्तम पाडुरंग चेंदवणकर
- ३१४ श्री- महेंद्र सखाराम मांढरे GR
- ३१५ श्री- दिग्वल जनत पवार GR
- ३१६ श्री- रमाकांत गोविंद माडवकर GR
- ३१७ श्री- पुननसिंग रामसिंग दशोती
- ३१८ श्री- महेश दत्ताराम परब
- ३१९ श्री- किरीत नेतु पवार GR
- ३२० श्रीमती- वनिता यशिताय कळामकार
- ३२१ श्री- दीकृष्ण दत्ताराम चेंदवणकर
- ३२२ श्री- किरीत नारायण साळुंकी
- ३२३ श्री- सास्ती अकृषि राणे GR
- ३२४ श्री- सचिन संकृष्ण जाधव

०१-०९-१९९५	७ वी	०१-०७-१९७८	मराठा	गासकीय
१९-०९-१९९५	८ वी	०६-०६-१९७४	मराठा	गासकीय
२१-०९-१९९५	९ वी	०१-०५-१९७७	मराठा	अशासकीय
०१-१०-१९९५	७ वी	२८-०३-१९७६	मराठा	गासकीय
०१-१०-१९९५	७ वी	०२-०६-१९७७	मराठा	गासकीय
०१-१०-१९९५	८ वी	१४-०७-१९७८	मराठा	गासकीय
०४-१०-१९९५	१०वी	०१-०६-१९७८	बौध्द	गासकीय
१६-१०-१९९५	७ वी	०१-०६-१९६९	न्यायी	अशासकीय
०१-११-१९९५	७ वी	३१-०१-१९७७	महारा	गासकीय
०४-११-१९९५	७ वी	०५-०९-१९७५	महारा	गासकीय
१०-११-१९९५	८ वी	०१-०७-१९७४	महारा	अशासकीय
०१-१२-१९९५	८ वी	०२-१०-१९७१	मराठा	अशासकीय
०१-१२-१९९५	७ वी	२४-०५-१९७६	मराठा	गासकीय
०१-१२-१९९५	७ वी	०६-१२-१९७७	भंडारी	गासकीय
०८-१२-१९९५	९ वी	२३-०५-१९७५	मराठा	अशासकीय
१२-१२-१९९५	९ वी	१६-०८-१९७७	मराठा	अशासकीय
१५-१२-१९९५	८ वी	०८-०८-१९७७	कुणबी	अशासकीय
०३-०१-१९९६	७ वी	०१-१०-१९७१	राजपूत	गासकीय
०९-०१-१९९६	७ वी	३०-०८-१९७७	मराठा	गाराकीय
१७-०१-१९९६	१०वी	१७-०५-१९७५	हिंदु मराठा	अशासकीय
२४-०१-१९९६	९ वी	०१-०६-१९५५	मराठा	गासकीय
२४-०१-१९९६	९ वी	३०-०१-१९७६	हिंदु मराठी	अशासकीय
०१-०२-१९९६	८ वी	०१-११-१९६६	बौध्द	अशासकीय
१२-०२-१९९६	७ वी	१९-०३-१९७२	मराठा	गासकीय
०१-०३-१९९६	७ वी	०२-०९-१९७६	मराठा	गाराकीय

20/11/2024

सर ज.जी.रामुह रुग्णालये मुंबई उच्च न्यायालय गाचीका रु. ११८२/९९ नुसार

०१-०३-१९९६	१६-१२-१९७७	७वी	मंडारी	गासकीय
०१-०३-१९९६	०२-०८-१९७८	९वी	भंडारी	गासकीय
११-०३-१९९६	१६-०७-१९६८	७वी	खिचन	अशासकीय
२७-०३-१९९६	२०-०७-१९७२	८वी	बोध	गासकीय
०१-०४-१९९६	०४-०६-१९७०	९ वी	निषी	अशासकीय
०१-०४-१९९६	२९-०८-१९७८	९ वी	म्हावी	गासकीय
०२-०४-१९९६	०२-१२-१९७६	७वी	बोध	अशासकीय
०२-०४-१९९६	०६-११-१९७७	१०वी	हिडु	गासकीय
०४-०४-१९९६	१२-०३-१९७४	९ वी	मंडारी	अशासकीय
०४-०४-१९९६	२६-०४-१९७८	९ वी	मराठा	अशासकीय
२०-०४-१९९६	०५-०६-१९७५	१०वी	बोध	अशासकीय
२६-०४-१९९६	१५-१२-१९७८	९ वी	हिडु मराठा	अशासकीय
०१-०५-१९९६	१५-०४-१९७८	७ वी	मराठा	अशासकीय
०२-०५-१९९६	०३-०७-१९७७	९ वी	हरिजन	अशासकीय
०२-०५-१९९६	०१-०४-१९७८	१० वी	मराठा	गासकीय
०४-०५-१९९६	१८-०८-१९७७	८ वी	मांग	गासकीय
०५-०५-१९९६	०६-०६-१९७७	७ वी	मराठा	गासकीय
०८-०५-१९९६	०१-०६-१९७६	८ वी	मराठा	अशासकीय
०९-०५-१९९६	०१-०५-१९७५	९ वी	मराठा	अशासकीय
१०-०५-१९९६	२६-०३-१९७१	६ वी	बोध	अशासकीय
१०-०५-१९९६	१२-०२-१९७८	९ वी	मराठा	अशासकीय
११-०५-१९९६	०४-०३-१९७२	९ वी	मराठा	गासकीय
११-०५-१९९६	०८-०३-१९७४	९ वी	गोपाळ	अशासकीय
११-०५-१९९६	०५-०४-१९७५	९ वी	मराठा	गासकीय
११-०५-१९९६	१९-०६-१९७७	४ वी	मराठा	गासकीय

- ३२५ श्री-सत्यविणय मनोहर घुरी
- ३२६ श्री-शैलेस काशिनाथ शिरवाडकर
- ३२७ श्री-पीटर लुईस काळे
- ३२८ श्रीमती-सुप्रिया धनराज पवार
- ३२९ श्री-विजय श्रीधर पाडळकर
- ३३० श्री-राजेश दत्ताराम पवार
- ३३१ श्री-सुरज सोनू खैरे
- ३३२ श्री-मनोज आत्माराम पाटील
- ३३३ श्री-सावलाराम विठोबा गोवलेकर
- ३३४ श्री-विजय नारायण पवार
- ३३५ श्री-संतोष काशीनाथ कांबळे
- ३३६ श्री-विजय सुयकांत सावंत
- ३३७ श्री-संतोष गोपाळ बाणे
- ३३८ श्री-योगेश दलपत जाधव
- ३३९ श्री-संतोष यशवंत लाड
- ३४० श्री-सतीशा विलास वल्लाळ
- ३४१ श्री-विलास दत्ताराम कदम
- ३४२ श्री-बंडु तात्याबा पवार
- ३४३ श्री-संतोष गिताराम पडवळ
- ३४४ श्रीमती-सुनिता नेमचंद बाघमारे
- ३४५ श्री-मिलिंद गोपाळ परब
- ३४६ श्री-प्रकाश मारुती मालुसरे
- ३४७ श्रीमती-स्वाती शेखर माने
- ३४८ श्री-जयराम श्रीपत शेलार
- ३४९ श्री-रमेश विठ्ठल पडवळ



Handwritten signatures and official stamps at the bottom of the page, including a large signature on the left and several smaller stamps and marks on the right.

सर अ.जी.समुह रुग्णालये मुंबई उच्च न्यायालय याचीका क्र. ११८२/९९ नुसार

१३-०५-१९९६	२६-०३-७१५वी	५वी	हरिजन	अशासकीय
१५-०५-१९९६	१५-१६-१९७५	७ वी	गोसावी	अशासकीय
१७-०५-१९९६	१५-१६-१९७३	८वी	बौध्द	अशासकीय
१९-०५-१९९६	०९-०५-१९६३	५वी	मराठा	शासकीय
२२-०५-१९९६	२६-०४-१९७४	८वी	मांग	शासकीय
०१-०६-१९९६	०६-०६-१९७७	७वी	भंडारी	अशासकीय
०१-०६-१९९६	०९-०१-१९७८	१० वी	मराठा	शासकीय
०१-०६-१९९६	१६-०५-१९७८	७वी	मराठा	अशासकीय
०३-०६-१९९६	०१-०५-१९७७	७वी	मराठा	अशासकीय
०७-०६-१९९६	१६-०९-१९७७	८ वी	मराठा	अशासकीय
०७-०६-१९९६	०८-०७-१९७४	९वी	मराठा	शासकीय
१८-०६-१९९६	२६-०८-१९७५	७वी	कुणबी	शासकीय
०१-०७-१९९६	१२-०६-१९७०	७वी	नावीक	अशासकीय
०१-०७-१९९६	१९-१२-१९७७	१२ वी	मराठा	अशासकीय
०१-०७-१९९६	०३-०२-१९७८	७ वी	मराठा	शासकीय
०६-०७-१९९६	२५-०१-१९७८	४ वी	दोबी	शासकीय
१४-०७-१९९६	०१-०६-१९७८	९वी	मराठा	शासकीय
२०-०७-१९९६	०२-०८-१९७७	'१' वी	मराठा	शासकीय
०२-०८-१९९६	०२-०६-१९७६	७वी	धनगर	अशासकीय
०८-०८-१९९६	०१-०३-१९६३	९ वी	मराठा	अशासकीय
०१-०९-१९९६	०५-१२-१९७७	७ वी	मराठा	अशासकीय
०१-०९-१९९६	२५-०३-१९७८	१० वी	बौध्द	शासकीय
०७-०९-१९९६	१७-०८-१९७६	९ वी	कुणबी	शासकीय
१७-०९-१९९६	०४-०२-१९७४	७वी	भंडारी	शासकीय
१७-०९-१९९६	१७-०५-१९७६	९वी	महारा	अशासकीय

- १५० मच्छिनाथ किसन नलावडे G.R
- १५१ श्री- सुशिल महादेव गोसावी G.R
- १५२ श्री- संजय पांडुरंग जाधव G.R
- १५३ श्रीमती- अर्चना अरविंद इरेकर
- १५४ श्रीमती- विजया विलास बल्लाळ G.R
- १५५ श्री-सुरज रविंद्र पेडयेकर
- १५६ श्री- किसन भास्कर शिंदे
- १५७ श्री-विद्याधर वासुदेव घोडी
- १५८ श्री- दत्ताराम बाळू पवार G.R
- १५९ श्री- जितेंद्र अनंत निकम
- १६० श्री- गणेश दगडु-करम G.R
- १६१ श्रीमती- मनिषा केशव मोईर
- १६२ श्री- बाबाजी नाना जाधव G.R
- १६३ श्री- पुंडलीक यशवंत बाणे G.R
- १६४ श्री- मानव जनार्दन बाणे G.R
- १६५ श्री- दयाराम महिपाल घोबी G.R
- १६६ श्री-अनिल गणपत घोसाळकर G.R
- १६७ श्री- रमेश दत्ताराम रेणोसे G.R
- १६८ श्री- नारायण वि. झोरे G.R
- १६९ श्री- किशोर रघुनाथ पालांडे
- १७० श्री- सतोंब मोतीराम पाट G.R
- १७१ श्री- राजेंद्र रानचंद्र रोखडे
- १७२ श्री- नंदकुमार कृष्णा मुल्की G.R
- १७३ श्री- जगन्नाथ शंकर आचरेकर G.R
- १७४ श्रीम- सुनिता राजू साळंके G.R



Handwritten signatures and dates at the bottom right of the page, including a signature that appears to be 'S. S. ...' dated '20/10/99'.

स. ज. जी. समूह रुग्णालये मुंबई उच्च न्यायालय क्र. ११८२/९९ नुसार

०१-०५-१९९७	१०२-०८-१९७६	१ वी	मराठा	अशासकीय
०१-०५-१९९७	१२-१०-१९७७	१ वी	मराठा	शासकीय
०१-०५-१९९७	१३-१२-१९७८	७ वी	मराठा	अशासकीय
०१-०५-१९९७	२८-१२-१९७८	१ वी	मराठा	शासकीय
०१-०५-१९९७	२६-०३-१९७९	७ वी	पंढारी	शासकीय
०१-०५-१९९७	०३-०५-१९७९	१ वी	मराठा	शासकीय
०१-०५-१९९७	२४-०७-१९७९	१० वी	मराठा	अशासकीय
०१-०५-१९९७	२५-०४-१९७४	१ वी	गोसावी	अशासकीय
०१-०५-१९९७	०१-०६-१९७७	१ वी	हिंदु मांग	शासकीय
०१-०५-१९९७	१०-०९-१९७८	७ वी	हिंदु मराठा	शासकीय
०१-०५-१९९७	१५-०१-१९६६	१० वी	फुल माळी	शासकीय
०१-०५-१९९७	०१-१२-१९७९	९ वी	मराठा	अशासकीय
१२-०५-१९९७	०१-१२-१९७९	९ वी	बोध	अशासकीय
१३-०५-१९९७	१४-११-१९७६	९ वी	मांग	शासकीय
१३-०५-१९९७	१४-०१-१९७६	१ वी	न्यावी	अशासकीय
१४-०५-१९९७	१८-०७-१९७८	१ वी	दौध	शासकीय
१४-०५-१९९७	१४-०६-१९८१	७ वी	दौध	शासकीय
१५-०५-१९९७	०८-०६-१९७४	७ वी	मराठा	शासकीय
१५-०५-१९९७	२१-११-१९७५	१० वी	धोई	शासकीय
१५-०५-१९९७	२८-०५-१९७९	९ वी	चोभार	अशासकीय
१५-०५-१९९७	०५-०९-१९७७	७ वी	मराठा	अशासकीय
१५-०५-१९९७	२६-०५-१९७९	७ वी	मराठा	अशासकीय
१५-०५-१९९७	२५-०२-१९७९	९ वी	मराठा	अशासकीय
२३-०५-१९९७	०६-०८-१९७९	७ वी	मराठा	शासकीय
३०-०५-१९९७	१७-०४-१९७७	७ वी	मराठा	शासकीय
०३-०६-१९९७	०२-०३-१९७५	९ वी	मराठा	शासकीय

- ४०० श्री- सजय निलकंठ कदम
- ४०१ श्री- नारायण गणपत पाटे
- ४०२ श्री- जगदीश रामचंद्र साळुंके
- ४०३ श्री-सुधीर अशोक जगतप
- ४०४ श्री-सनीर सुरेश नार्वेकर
- ४०५ श्री-निलिद मनोहर उल्तेकर
- ४०६ श्री- सतीश अनंत मोडरे
- ४०७ श्री-बाबाजी नाना गोसावी
- ४०८ श्री-अधिक दगडु वायदडे
- ४०९ श्री- अनिल दत्ताराम दळवी
- ४१० श्री- धनराज आनंदा गवळे
- ४११ श्री- प्रविण बकन मोरे
- ४१२ श्री- दिनेश रामचंद्र जाधव
- ४१३ श्री- गणेश विलास बल्लाळ
- ४१४ श्री-रामविजय दत्ताराम चव्हाण
- ४१५ श्री- जगोप शानदेव ओस्काळ
- ४१६ श्री- राजेंद्र पांडुरंग तिलोत्कर
- ४१७ श्री- दीधर मारुती सार्वत
- ४१८ श्री- कशिताय मरुदेव जोबे
- ४१९ श्री- संजय मारुती कांबळे
- ४२० श्री- होशयारसिंग रामसिंग श्रीगोनी
- ४२१ श्री- जगदीप गणेशन दंडम
- ४२२ श्रीमती- सुश्रिया सुभाष मांजरेकर
- ४२३ श्रीमती- वसंती दत्ताराम जाधव
- ४२४ श्री- भरत देवु जोबे



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०६-०६-१९७७	१२वी	गुजराती	गासकीय
०१-०७-१९९७	१०वी	हिंदी भांग	गासकीय
०१-०७-१९९७	७वी	बौध्द	गासकीय
०१-०७-१९९७	८ वी	बौध्द	अशासकीय
१०-०७-१९९७	७ वी	मराठा	गासकीय
१३-०७-१९९७	८ वी	चांभार	अशासकीय
०१-०८-१९९७	७वी	धंदारी	गासकीय
०२-०८-१९९७	७वी	मराठा	अशासकीय
०२-०८-१९९७	१वी	बौध्द	गासकीय
१४-०८-१९९७	१०वी	मराठा	गासकीय
१८-०८-१९९७	९ वी	धंदारी	गासकीय
१९-०८-१९९७	१२ वी	बौध्द	अशासकीय
०१-०९-१९९७	१वी	भांग	अशासकीय
०१-०९-१९९७	१वी	बौध्द	अशासकीय
०२-०९-१९९७	९ वी	मराठा	अशासकीय
०२-०९-१९९७	७ वी	मराठा	अशासकीय
०९-०९-१९९७	४थी	आग्नी	गासकीय
०९-१०-१९९७	१ वी	वैश्यवासी	गासकीय
०१-१०-१९९७	७ वी	बौध्द	गासकीय
०१-१०-१९९७	१० वी	मराठा	गासकीय
०१-१०-१९९७	८ वी	मराठा	गासकीय
१४-०६-१९७८	७वी	मराठा	अशासकीय
१७-०६-१९७८	१० वी	मराठा	गासकीय
०९-१०-१९९७	१० वी	वैश्यवासी	गासकीय

- ४२५ श्री-नरेंद्र गोविंद जेठवा
- ४२६ श्री-लज्जुमंत दगाडू वायदंडे
- ४२७ श्री-ती-संगीता सत्यवान जाधव
- ४२८ श्री-संग्राम भांवू साळवी
- ४२९ श्री-निलेश तुकाराम उल्लेकर
- ४३० श्री-सुनिल कृष्णा नवळे
- ४३१ श्री-रघुनाथ गणपत आवेकर
- ४३२ श्री-निलेश महोदेव फोडालकर
- ४३३ श्री-निलेश विभवनाथ तळगांवकर
- ४३४ श्रीमती-पल्लवी नारायण राणे
- ४३५ श्री-कृष्णा आप्पा वझरकर
- ४३६ श्री-सुरेश रामचंद्र कांबळे
- ४३७ श्री-अंगिल वामन भिंगारदिवे
- ४३८ श्री-अरविंद महोदेव यादव
- ४३९ श्री-गणेश मारुती पवार
- ४४० श्री-गणेश राजाराम दळवी
- ४४१ श्रीमती-सुनन दलपत सोलकी
- ४४२ श्री-आनंद सुरारी शेटवे
- ४४३ श्री-गणेश धोंडू जाधव
- ४४४ श्री-गणेश सुदाम कदम
- ४४५ श्री-सोनु कृष्णा सहवलकर
- ४४६ श्रीमती-साधना दसत मुंबे
- ४४७ सौ-शुलका वि-ददम
- ४४८ श्रीमती-सोनिनी वरावंत दळवी
- ४४९ श्री-मु. गाय. सुरारी शेडवे



26/10/99

संज्ञा

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०१-१२-१९९७	१२-०७-१९७९	७ वी	बौध्द	पासकीय
०१-११-१९९७	०७-१०-१९७९	७वी	मराठा	पासकीय
०१-१२-१९९७	२३-१२-१९७९	७ वी	मांग	पासकीय
०१-१२-१९९७	२२-०२-१९८०	८ वी	मराठा	अशासकीय
०१-०१-१९९८	०६-०८-१९७६	९ वी	भंडारी	पासकीय
०१-०१-१९९८	१४-०६-१९७९	९ती	मराठा	पासकीय
०१-०२-१९९८	०७-०७-१९७२	७ वी	देवळी	अशासकीय
११-०३-१९९८	१०-०९-१९७३	८ वी	कक्या	अशासकीय
११-०३-१९९८	०१-०६-१९७५	१० वी	बौध्द	अशासकीय
०१-०४-१९९८	०६-०६-१९७९	८वी	मराठा	पासकीय
०१-०४-१९९८	२१-०६-१९७९	७वी	मराठा	पासकीय
०१-०४-१९९८	२८-०१-१९८०	९ वी	मराठा	पासकीय
०१-०४-१९९८	२३-०५-१९८०	१० वी	मराठा	पासकीय
०१-०५-१९९८	२२-०६-१९७४	१०वी	मराठा	अशासकीय
०१-०५-१९९८	०५-०५-१९७६	८वी	मराठा	अशासकीय
०१-०५-१९९८	२५-०८-१९७७	९ ची	गराठा	पासकीय
०१-०५-१९९८	२८-०५-१९७८	९वी	गोसावी	अशासकीय
०१-०५-१९९८	०६-०६-१९७९	६ वी	मराठा	पासकीय
०१-०५-१९९८	०१-१०-१९७८	८वी	मराठा	पासकीय
०४-०५-१९९८	३८-१०-१९७४	१वी	होर	अशासकीय
०४-०५-१९९८	२५-०४-१९७८	१वी	चाभार	अशासकीय
०७-०५-१९९८	०१-०५-१९६६	७वी	बौध्द	अशासकीय
१३-०५-१९९८	१५-०६-१९७०	७वी	मराठा	पासकीय
१३-०५-१९९८	०९-०१-१९७७	७ वी	बौध्द	पासकीय
१८-०५-१९९८	२६-१२-१९७६	९वी	बौध्द	पासकीय

- ४५६ श्री- अनंत घोडू जाधव
- ४५७ श्री- नरदिप संकर उल्तेकर
- ४५८ श्री- योगेश अर्जुन अवघडे
- ४५९ श्री- सचिन पांडुरंग तुरडे
- ४६० श्री- योगेश मनोहर नार्डक
- ४६१ श्री- राकेश काशिनाथ तुरी
- ४६२ श्री- संदीप राधाकृष्ण खानोलकर
- ४६३ श्री- मधु गोपाळ सोनावणे
- ४६४ श्री- मंगेश सुळशीराम जाधव
- ४६५ श्री- मती- अंजिरा आत्माराम साळुंखे
- ४६६ श्री- सुनिल मनोहर पवार
- ४६७ श्री- शैलेश वसंत कलमकर
- ४६८ श्री- संतोष तुकाराम पवार
- ४६९ श्री- मनोहर कृष्णा पवार
- ४७० श्री- मारुती सिताराम चटोळे
- ४७१ श्री- प्रविण गोविंद सावंत
- ४७२ श्री- सुधिर जर्नादन गोसावी
- ४७३ श्री- अनंत चंद्रकांत परब
- ४७४ श्री- दिनेश कृष्णा उल्तेकर
- ४७५ श्री- सुनिता कु- शिंदे
- ४७६ श्री- अजय शिवराम मांडवकर
- ४७७ श्री- मती- विजया राजू नवगीरे
- ४७८ श्री- मती- संव्या महादेव जाधव
- ४७९ श्री- अनिल हरी जाधव
- ४८० श्री- सुभाष अर्जुन कोबळे




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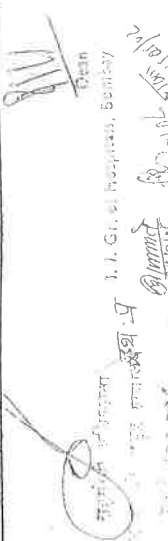
क्र.सं.	नाम	पता	विवरण	वर्ग	दिनांक	स्थिति	टिप्पणी
३१	श्री.म.वसुदेव	मराठा	मराठा	७ बी	2/12/1969	01/01/85	स्थानीक
३२	श्री.म.वसुदेव	मराठा	मराठा	१० बी	15-4-58	18-2-85	स्थानीक
३३	श्री.म.वसुदेव	मराठा	मराठा	४ बी	1/4/1953	10/05/85	स्थानीक
३४	श्री.म.वसुदेव	मराठा	मराठा	६ बी	14-8-68	10/05/85	स्थानीक
३५	श्री.म.वसुदेव	मराठा	मराठा	५ बी	21/1/1965	05/09/85	स्थानीक
३६	श्री.म.वसुदेव	मराठा	मराठा	९ बी	28-2-62	05/10/85	स्थानीक
३७	श्री.म.वसुदेव	मराठा	मराठा	३ रि	25-12-65	21-1-86	स्थानीक
३८	श्री.म.वसुदेव	मराठा	मराठा	९ बी	5/6/1971	19-4-86	स्थानीक
३९	श्री.म.वसुदेव	मराठा	मराठा	५ बी	1/6/1960	06/05/86	स्थानीक
४०	श्री.म.वसुदेव	मराठा	मराठा	७ बी	3/6/1971	07/05/86	स्थानीक
४१	श्री.म.वसुदेव	मराठा	मराठा	९ बी	13-3-67	19-5-86	स्थानीक
४२	श्री.म.वसुदेव	मराठा	मराठा	९ बी	22-3-65	01/07/86	स्थानीक
४३	श्री.म.वसुदेव	मराठा	मराठा	७ बी	5/5/1966	02/07/86	स्थानीक
४४	श्री.म.वसुदेव	मराठा	मराठा	९ बी	1/1/1967	18-7-86	स्थानीक
४५	श्री.म.वसुदेव	मराठा	मराठा	७ बी	12/5/1964	11/09/86	स्थानीक
४६	श्री.म.वसुदेव	मराठा	मराठा	७ बी	30-7-67	01/02/87	स्थानीक
४७	श्री.म.वसुदेव	मराठा	मराठा	५ बी	30-5-59	18-2-87	स्थानीक
४८	श्री.म.वसुदेव	मराठा	मराठा	९ बी	18-7-67	01/03/87	स्थानीक
४९	श्री.म.वसुदेव	मराठा	मराठा	४ बी	1/6/1966	15-4-87	स्थानीक
५०	श्री.म.वसुदेव	मराठा	मराठा	९ बी	21-8-68	04/05/87	स्थानीक
५१	श्री.म.वसुदेव	मराठा	मराठा	२ रि	25-10-65	06/05/87	स्थानीक
५२	श्री.म.वसुदेव	मराठा	मराठा	८ बी	4/10/1968	21-5-87	स्थानीक
५३	श्री.म.वसुदेव	मराठा	मराठा	८ बी	16-6-59	07/08/87	स्थानीक
५४	श्री.म.वसुदेव	मराठा	मराठा	९ बी	6/9/1969	02/09/87	स्थानीक
५५	श्री.म.वसुदेव	मराठा	मराठा	८ बी	23-5-69	03/10/87	स्थानीक
५६	श्री.म.वसुदेव	मराठा	मराठा	९ बी	7/5/1965	02/12/87	स्थानीक
५७	श्री.म.वसुदेव	मराठा	मराठा	८ बी	10/10/1968	02/12/87	स्थानीक
५८	श्री.म.वसुदेव	मराठा	मराठा	८ बी	1/6/1969	11/07/88	स्थानीक
५९	श्री.म.वसुदेव	मराठा	मराठा	९ बी	24-10-69	01/08/88	स्थानीक
६०	श्री.म.वसुदेव	मराठा	मराठा	९ बी	10/6/1968	01/09/88	स्थानीक
६१	श्री.म.वसुदेव	मराठा	मराठा	९ बी	5/8/1969	01/09/88	स्थानीक
६२	श्री.म.वसुदेव	मराठा	मराठा	८ बी	30-7-70	16-9-88	स्थानीक
६३	श्री.म.वसुदेव	मराठा	मराठा	७ बी	26-12-71	01/01/89	स्थानीक
६४	श्री.म.वसुदेव	मराठा	मराठा	५ बी	15-3-68	01/04/89	स्थानीक
६५	श्री.म.वसुदेव	मराठा	मराठा	३ रि	20-8-65	05/04/89	स्थानीक
६६	श्री.म.वसुदेव	मराठा	मराठा	७ बी	01/06/62	11/05/89	स्थानीक
६७	श्री.म.वसुदेव	मराठा	मराठा	७ बी	03/07/67	16-5-89	स्थानीक
६८	श्री.म.वसुदेव	मराठा	मराठा	९ बी	16-10-68	18-5-89	स्थानीक
६९	श्री.म.वसुदेव	मराठा	मराठा	९ बी	02/07/57	20-6-89	स्थानीक
७०	श्री.म.वसुदेव	मराठा	मराठा	९ बी			स्थानीक

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१११	११०	श्री. सिल्वीम बळीराम साळवी	५५	कुंभार	९ वी	३१/५/१९७२	१६-५-९१	१९	स्थानीक	
११२	१११	श्री. रविंद्र गोविंद कांबळे		बौध्द	९ वी	१९-१०-७१	०८/०६/९१	१९	स्थानीक	
११३	११२	श्री. इंडा गौलम खरे	५४	इ. मा. व	१० वी	१/६/१९७२	२०-६-९१	१९	स्थानीक	
११४	११३	श्री. य. विद्या विल्लीप मोरे	११०	मराठा	८ वी	६/८/१९६६	०१/०७/९१	२५	स्थानीक	
११५	११४	पांडुरंग महादेव म्हाळें		मराठा	७ वी	१/६/१९७२	०१/०७/९१	१९	स्थानीक	दिर्घ काळ गैरहजार
११६	११५	उदय गोपाळ सूर्ये	५०	मराठा	६ वी	१/६/१९७१	०१/०९/९१	२०	स्थानीक	दिर्घ काळ गैरहजार
११७	११६	श्री. शेळेंद्र म्हाडेंद्र जाधव		बौध्द	९ वी	२४-८-७३	०१/०९/९१	१८	स्थानीक	
११८	११७	श्री. शंकराळ अमार्दन साळमाडे		बौध्द	४ वी	१२/४/१९६६	०५/१०/९१	२५	स्थानीक	
११९	११८	श्री. हरिनाथ मरेश हळदकर		मराठा	४ वी	१३-६-७२	११/१२/९१	१९	स्थानीक	
१२०	११९	श्री. गोपाळ थापा म्हाड	५१	हिंदू	७ वी	२०-१०-७१	१४-१२-९१	२०	स्थानीक	
१२१	१२०	विशोर वागु राणे		मराठा	९ वी	१/६/१९६९	०१/०१/९२	२४	स्थानीक	
१२२	१२१	श्री. अतिल गोपाळ बाणे	५२	मराठा	७ वी	१/१०/१९७२	०१/०२/९२	२०	स्थानीक	
१२३	१२२	श्री. सुनिल नाथाय देवळेकर	५२	मराठा	८ वी	८/९/१९७३	०१/०२/९२	१९	स्थानीक	
१२४	१२३	रमेश जनेकर साळवे		मांग	९ वी	२२-९-७३	०१/०२/९२	१९	स्थानीक	अनुबंध कायम सर ज.जी.रु
१२५	१२४	श्री. सिताराम महादेव भाजे	५३	मराठा	७ वी	१/६/१९७०	०४/०२/९२	२२	स्थानीक	
१२६	१२५	श्री. राजेश गणपत जाधव	५५	मराठा	९ वी	१३-५-७१	०४/०२/९२	२२	स्थानीक	
१२७	१२६	श्रीमती लता मानाजी निकम		मराठा	९ वी	५/७/१९७२	०८/०२/९२	२०	स्थानीक	
१२८	१२७	श्रीमती बायाबाई धोंडु जंगम	११	मराठा	१० वी	१४-९-६५	१७-२-९२	२७	स्थानीक	
१२९	१२८	श्री. संतोष राजाराम पेडामकर		मराठा	७ वी	१/६/१९७०	०१/०३/९२	२२	स्थानीक	
१३०	१२९	श्री. विजय राम साळवे	६३	मराठा	७ वी	१७-६-७१	०१/०३/९२	२१	स्थानीक	
१३१	१३०	श्री. संतोष दाजी मोरे	५८	मराठा	७ वी	१४-५-७३	०१/०३/९२	१९	स्थानीक	
१३२	१३१	श्री. सिल्विंद सिताराम कदम	५९	मराठा	९ वी	८/४/१९७०	०९/०३/९२	२२	स्थानीक	
१३३	१३२	श्री. प्रविण इताराम पावसकर	६५	मराठा	९ वी	१०/७/१९६६	१३-३-९२	२६	स्थानीक	
१३४	१३३	श्री. जगदिस चंद्रकांत लाड	६७	मराठा	९ वी	४/२/१९७२	२९-३-९२	२०	स्थानीक	
१३५	१३४	श्री. रामचंद्र तुकाराम उल्लेकर	६६	मराठा	८ वी	२८-६-६९	०४/०३/९२	२३	स्थानीक	
१३६	१३५	श्री. गणेश दाजीराव भोसले	६०	मराठा	८ वी	७/६/१९७३	०१/०४/९२	१९	स्थानीक	
१३७	१३६	श्री. गणेश हीरामण गावंड		मराठा	९ वी	१/६/१९७३	०३/०४/९२	१९	स्थानीक	
१३८	१३७	श्री. संतोष धाकू सोतावणे	६१	मराठा	७ वी	२४-३-७४	०६/०४/९२	१८	स्थानीक	
१३९	१३८	श्री. विजय रामचंद्र सावंत		मराठा	८ वी	२३-१०-७४	०८/०४/९२	१८	स्थानीक	
१४०	१३९	श्री. विश्वनाथ श्रीधर पाडळेकर		मराठा	८ वी	१३-१-७३	१०/०४/९२	१९	स्थानीक	
१४१	१४०	श्री. श्रीराम मारुती पवार		मराठा	७ वी	२०-५-७३	०५/०४/९२	१९	स्थानीक	
१४२	१४१	रविंद्र वारकू पेडामकर		मराठा	१० वी	२६-१२-७३	२०-४-९२	१९	स्थानीक	अनुबंध कायम नियुक्ती सर जजीरु
१४३	१४२	जय मारुती सावंत		मराठा	१० वी	२/९/१९७४	२०-४-९२	१८	स्थानीक	अनुबंध कायम नियुक्ती सर जजीरु
१४४	१४३	सुशीला मधुकर पवार		तेली	३ रि	१/६/१९६६	०१/०४/९२	३०	स्थानीक	अनुबंध कायम नियुक्ती सर जजीरु
१४५	१४४	श्री. राजेश नामदेव मोहीते		मराठा	९ वी	१३-१०-७२	०५/०५/९२	२०	स्थानीक	
१४६	१४५	श्री. रुपेश हरिचंद्र बोडे		मराठा	८ वी	१६-८-७३	०५/०५/९२	१९	स्थानीक	
१४७	१४६	श्री. स्वाम विष्णू माडये		मांग	९ वी	६/२/१९७६	११/०५/९२	२६	स्थानीक	
१४८	१४७	अंकुश शत्रुघ्न गासावी		मराठा	७ वी	९/८/१९७३	१५-५-९२	१९	स्थानीक	
१४९	१४८	श्री. सुनिल बाबुराम अंबावकर		मराठा	९ वी	२६-९-७४	१६-५-९२	२८	स्थानीक	
१५०	१४९	श्रीमती रंजना रघुनाथ साळवे	११७	मांग	७ वी	२७-१२-६२	२५-५-९२	३०	स्थानीक	


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१५१	१५०	श्री. पांडुरंग रामचंद्र जोडाळकर	मराठा	७वी	16/1971	27-5-92	२१	स्थानीक
१५२	१५१	श्री. मनोरा लि. बोबाडे ✓ ६५	मराठा	८वी	15-5-69	01/05/92	२३	स्थानीक
१५३	१५२	श्री. गणेश विठकर गोळे	मराठा	९वी	10/3/1972	01/05/92	२०	स्थानीक
१५४	१५३	श्री. विनीत शिकोजी सारंग	शिक्षक	८वी	15-4-72	01/06/92	२०	स्थानीक
१५५	१५४	श्री. सुमिल वरुण खडम	मराठा	७वी	18-2-73	01/06/92	१९	स्थानीक
१५६	१५५	श्री. सखाराम सहदेव आत्रे ✓ 65	मराठा	७वी	10/12/1973	05/06/92	१९	स्थानीक
१५७	१५६	श्री. किशोर सिताराम शेळार	मराठा	८वी	1/6/1972	14-6-92	२०	स्थानीक
१५८	१५७	श्री. संतदे परशुराम बाबुराे ✓ 64	मशार	७वी	18-6-64	20-6-92	२२	स्थानीक
१५९	१५८	श्री. राज गोविंद सांरंगवार	भांभार	८वी	5/11/1970	01/08/92	२०	स्थानीक
१६०	१५९	श्री. राजेश रामचंद्र राणे ✓ 114	मराठा	९वी	10/9/1972	01/08/92	२०	स्थानीक
१६१	१६०	श्री. मनोरा किस्त लोडे	मांग	९वी	29-9-72	01/08/92	२५	स्थानीक
१६२	१६१	श्रीमती संध्या सुरेश मोरे ✓ 68	मशार	५वी	14-4-67	01/09/92	२०	स्थानीक
१६३	१६२	श्री. वासुदेव लक्ष्मण कवम	तहावी	९वी	1/6/1972	01/09/92	२०	स्थानीक
१६४	१६३	श्रीमती नंदा विपक विसंकर	भंडारी	७वी	26-8-74	06/09/92	२८	स्थानीक
१६५	१६४	श्री. गोतम कृष्णा मोहिते	बौध्द	६वी	1/6/1967	16-9-92	२५	स्थानीक
१६६	१६५	श्री. संजय सुकाराम साठे	मांग	७वी	1/6/1969	22-9-92	२३	स्थानीक
१६७	१६६	श्री. हळवंत रामचंद्र तोरणे ✓ 71	बौध्द	७वी	7/1/1969	01/10/92	२३	स्थानीक
१६८	१६७	श्री. अक्षय बाजी पाटे	मराठा	७वी	1/6/1976	01/10/92	२६	स्थानीक
१६९	१६८	श्री. अनिल मधुसूदन गायकवाड ✓ 70	मराठा	५ वी	21-5-66	28-10-92	२६	स्थानीक
१७०	१६९	विजय कृष्णा गावकर	मराठा	५ वी	1/4/1969	28-10-92	२३	स्थानीक
१७१	१७०	श्री. संजय रामचंद्र पवार	हरिजत	५ वी	25-1-73	01/11/92	१९	स्थानीक
१७२	१७१	श्री. संतोष शंभू पवाड	मराठा	८वी	1/6/1973	01/11/92	२९	स्थानीक
१७३	१७२	श्री. सुरेश शंभू पवाड	बौध्द	९ वी	29-6-74	01/11/92	१८	स्थानीक
१७४	१७३	श्री. सुरेश रामचंद्र जल्लाळकर	तहावी	९वी	1/6/1975	01/11/92	२७	स्थानीक
१७५	१७४	श्री. रामराज हंसराज	वाल्मीकी	१० वी	11/10/1967	10/11/92	२६	स्थानीक
१७६	१७५	श्री. गंगाराम पांडुरंग नाईक ✓ 73	मराठा	७वी	27-11-70	26-11-92	२२	स्थानीक
१७७	१७६	श्रीम. मनिषा मनोहर कांबळे ✓ 115	बौध्द	६वी	1/6/1966	01/12/92	२६	स्थानीक
१७८	१७७	श्री. अशोक जगन्नाथ देसाई ✓	मराठा	९वी	22-2-73	03/12/92	१९	स्थानीक
१७९	१७८	श्री. विलास लुकराम कोकटे ✓ 159	बापी	९वी	25-11-71	16-12-92	२१	स्थानीक
१८०	१७९	श्री. प्रमोद कृष्ण मराळ ✓ 74	मराठा	९वी	16-8-71	01/01/93	२२	स्थानीक
१८१	१८०	श्री. नारायण रामचंद्र परब ✓ 75	मराठा	८वी	1/6/1972	01/01/93	२१	स्थानीक
१८२	१८१	श्री. सतिश कृष्णकांत पानवलकर	लोहार	९वी	20-7-70	28-1-93	२३	स्थानीक
१८३	१८२	श्री. सुजित गोपाळ बाणे	मराठा	९वी	16-3-74	01/02/93	१९	स्थानीक
१८४	१८३	श्री. जितेंद्र सिताराम जाधव	बौध्द	९वी	16-2-73	04/02/93	२०	स्थानीक
१८५	१८४	श्री. सुरेश सहदेव तांबे	भोई	८ वी	10/2/1-76	04/02/93	१७	स्थानीक
१८६	१८५	नरेंद्र सदाशिव देसाई	मराठा	९ वी	17-6-72	05/02/93	२१	स्थानीक
१८७	१८६	श्री. सुभाष खांबे	बौध्द	६ वी	23-6-68	28-2-93	२५	स्थानीक
१८८	१८७	श्री. सुरेंद्र चंद्रकांत मिसाळे	भंडारी	१० वी	28-9-68	01/03/93	२५	स्थानीक
१८९	१८८	श्री. संतोष गंगाराम सुर्वे	मराठा	८वी	10/6/1974	03/03/93	१९	स्थानीक
१९०	१८९	श्री. राजेश जल्लाळाराम पवार	मराठा	९ वी	25-1-74	08/03/93	१९	स्थानीक


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230	श्रीम. अश्वमेधी अशोक मुन्को V16	कृपभी	८वी	14-10-69	06/12/93	२४	स्थानीक	
231	श्री. इविस रामचंद्र साधन	मराठा	९वी	22-11-75	10/12/93	२८	स्थानीक	
232	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	30-12-75	01/02/94	२९	स्थानीक	
233	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	1/5/1973	29-3-94	२९	स्थानीक	विर्ष काळ गैरहजार
234	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	5/12/1975	01/04/94	२९	स्थानीक	अयम नियुक्ती सर ज.जी. सोस्वीडल
235	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	10/12/1975	01/04/94	२९	स्थानीक	अयम नियुक्ती सर ज.जी. सोस्वीडल
236	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	11/2/1976	16-4-94	२८	स्थानीक	अयम नियुक्ती सर ज.जी. सोस्वीडल
237	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	1/3/1976	16-4-94	२८	स्थानीक	विर्ष काळ गैरहजार
238	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	26-12-75	19-4-94	२९	स्थानीक	विर्ष काळ गैरहजार
239	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	1/6/1974	25-4-94	२०	स्थानीक	
240	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	12/5/1975	03/05/94	२९	स्थानीक	
241	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	17-4-76	07/05/94	२८	स्थानीक	
242	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	1/6/1974	11/05/94	२०	स्थानीक	
243	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	1/6/1975	24-5-94	२९	स्थानीक	विर्ष काळ गैरहजार
244	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	13-3-75	13-6-94	२९	स्थानीक	
245	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	13-3-75	01/07/94	२९	स्थानीक	विर्ष काळ गैरहजार
246	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	18-8-75	01/07/94	२९	स्थानीक	अनुकंया कायम नियुक्ती सर जजीरु
247	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	1/6/1976	01/07/94	२८	स्थानीक	
248	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	18-8-76	20-9-94	२८	स्थानीक	अनुकंया कायम नियुक्ती सर जजीरु
249	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	8/8/1975	26-10-94	२९	स्थानीक	विर्ष काळ गैरहजार
250	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	7/12/1976	06/12/94	२८	स्थानीक	
251	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	28-11-76	01/02/95	२९	स्थानीक	
252	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	29-12-76	10/02/95	२९	स्थानीक	
253	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	25-5-65	01/03/95	३०	स्थानीक	
254	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	15-7-76	01/03/75	२९	स्थानीक	विर्ष काळ गैरहजार
255	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	12/8/1972	07/03/95	२३	स्थानीक	विर्ष काळ गैरहजार
256	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	23-3-69	08/03/95	२६	स्थानीक	
257	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	22-12-65	15-3-95	३०	स्थानीक	अनुकंया नियुक्ती सर ज.जी. सुपालय
258	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	1/8/1971	05/04/95	२५	स्थानीक	विर्ष काळ गैरहजार
259	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	3/2/1976	05/04/95	२९	स्थानीक	
260	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	7/10/1971	06/04/95	२४	स्थानीक	विर्ष काळ गैरहजार
261	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	23-9-77	11/04/95	२८	स्थानीक	
262	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	26-10-67	01/05/95	२८	स्थानीक	
263	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	31-1-72	01/05/95	२३	स्थानीक	अनुकंया कायम सर ज.जी. रु
264	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	24-6-72	01/06/95	२३	स्थानीक	विर्ष काळ गैरहजार
265	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	31-1-73	01/05/95	२२	स्थानीक	
266	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	31-8-73	01/05/95	२२	स्थानीक	
267	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	13-11-75	01/05/95	२०	स्थानीक	अनुकंया कायम नियुक्ती सर जजीरु
268	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	22-1-76	01/05/95	२९	स्थानीक	
269	श्री. प्रविण इत्यायाम परछ ✓ 322	मराठा	९वी	10/3/1971	02/05/95	२४	स्थानीक	



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३५२	३५०	श्री. मखिमनाथ किसन मळावडे	हरीजन	५वी	26-3-71	13-5-96	२५	स्थानीक	अनुपेक्ष कयम नियुक्ती सर जर्जीठ
३५३	३५१	सुबिल महादेव गोसावी	गोसावी	७ वी	15-11-75	15-5-96	२१	स्थानीक	
३५४	३५२	श्री. संजय पांडुरंग जाधव	बीधू	८वी	15-11-73	17-5-96	२३	स्थानीक	
३५५	३५३	श्री. अर्चना अरविंद वरेकर	मराठा	९वी	9/5/1963	06/05/96	३३	स्थानीक	
३५६	३५४	श्री. विजया विद्यास मरसाळ	मांग	८वी	26-4-74	22-5-96	२२	स्थानीक	
३५७	३५५	श्री. सुरेश रविंद्र पेडणेकर	भंडारी	७वी	6/6/1977	01/06/96	१९	स्थानीक	
३५८	३५६	श्री. किशोर भास्कर बिंदे	मराठा	१०वी	9/11/1978	01/06/96	१८	स्थानीक	
३५९	३५७	श्री. निरंजन राहुदेव वाडी	मराठा	७ वी	16-5-78	01/06/96	१८	स्थानीक	अनुपेक्ष कयम नियुक्ती सर जर्जीठ
३६०	३५८	श्री. इल्लाराम बाळू पवार	मराठा	७वी	15/1/1977	07/06/96	१९	स्थानीक	
३६१	३५९	श्री. जितेंद्र जलंत निरुम	मराठा	८वी	16-9-77	07/06/96	१९	स्थानीक	
३६२	३६०	श्री. गोपल दशरु कदम	मराठा	९वी	8/7/1974	17-8-96	२२	स्थानीक	
३६३	३६१	श्री. मनिषा कैलास भोईर	मराठा	७वी	26-8-75	18-8-96	२१	स्थानीक	
३६४	३६२	श्री. शाबाजी संभा जाधव	नाथिक	७वी	12/6/1970	01/07/96	२६	स्थानीक	
३६५	३६३	श्री. पंकजीक शशवंत बाणे	मराठा	१२वी	19-12-77	01/07/96	१९	स्थानीक	
३६६	३६४	श्री. मनिषा जनावंत जाणे	मराठा	७वी	3/2/1978	01/07/96	१८	स्थानीक	
३६७	३६५	श्री. वयाराम मणिपाल धोवी	धोवी	१०वी	25-1-78	06/07/96	१८	स्थानीक	
३६८	३६६	श्री. अमिळ गणपत बोसाळकर	मराठा	९वी	1/6/1978	14-7-96	१८	स्थानीक	
३६९	३६७	श्री. रमेश इत्यायम रेणोसे	मराठा	५वी	2/8/1977	20-7-96	१९	स्थानीक	
३७०	३६८	श्री. नारायण वी झोरे	धतार	७वी	27/1/1976	02/08/96	२०	स्थानीक	
३७१	३६९	श्री. किशोर रघुनाथ पावळे	मराठा	९वी	1/3/1963	09/05/96	३३	स्थानीक	
३७२	३७०	श्री. संतोष मोतीराम पाटे	मराठा	७वी	5/12/1977	01/09/96	१९	स्थानीक	
३७३	३७१	राजेंद्र रामचंद्र रोडके	बीधू	१० वी	25-3-78	01/09/96	१८	स्थानीक	अनुपेक्ष कयम नियुक्ती सर जर्जीठ
३७४	३७२	श्री. संवत्सार कृष्णा मुको	कुणबी	९वी	17-8-76	07/09/96	२०	स्थानीक	
३७५	३७३	श्री. जगन्नाथ शंकर आचरेकर	भंडारी	७वी	4/2/1974	17-9-96	२२	स्थानीक	
३७६	३७४	श्री. मनिषा राजू साळवे	महाप	९वी	7/5/1976	17-9-96	२०	स्थानीक	
३७७	३७५	श्री. विद्या यशवंत सावंत	बीधू	९वी	1/6/1978	17-9-96	१८	स्थानीक	
३७८	३७६	श्री. संजय सिताराम झेंडे	बीधू	८वी	8/8/1971	01/10/96	२५	स्थानीक	
३७९	३७७	श्री. विजय कृष्णनाथ लोडकरी	बाणी	७वी	13-6-78	01/10/96	१८	स्थानीक	
३८०	३७८	श्री. राकेश मोहन बाघेला	हरीजन	९वी	26-10-76	03/10/96	२०	स्थानीक	
३८१	३७९	श्री. विलीय शंकर मोरे	भंडारी	९वी	1/6/1967	05/10/96	२९	स्थानीक	
३८२	३८०	जितेंद्र पांडुरंग मळपाडे	बोटी	९ वी	6/7/1974	09/10/96	२२	स्थानीक	अनुपेक्ष कयम नियुक्ती सर जर्जीठ
३८३	३८१	श्री. संवत्सार रावसाहेब कांचंडे	बीधू	७वी	13-10-64	01/11/96	३२	स्थानीक	
३८४	३८२	श्री. रमेश कदमस पोडकोडे	भांगार	९वी	1/9/1978	01/11/96	१८	स्थानीक	
३८५	३८३	श्री. मन्मिळकर मातायाम मरासास	मराठा	९वी	4/10/1978	01/11/96	१८	स्थानीक	
३८६	३८४	श्री. किशोर जगदाम शायक्याड	मांग	९वी	8/2/1978	01/11/96	१८	स्थानीक	
३८७	३८५	अशोनी दिसेाडा	शिवन	७वी	13-8-79	01/11/96	१७	स्थानीक	
३८८	३८६	श्री. विजय रामचंद्र राणे	मराठा	१२वी	29-1-78	01/12/96	१८	स्थानीक	
३८९	३८७	श्री. विजया मधुकर बोगडे	भंडारी	७वी	14-10-73	12/12/96	३३	स्थानीक	
३९०	३८८	श्री. वैभव वदंत पवार	रुबी	७वी	9/11/1977	01/01/97	२०	स्थानीक	
३९१	३८९	श्री. जगदिश केसव नेली	तेरी	९वी	6/2/1978	01/01/97	१९	स्थानीक	



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४३३	श्री. सुजित कुमा मारुटे	शंभार	९वी	26-1-73	13-7-87	२४	स्थानीक
४३४	श्री. सुभाष. मधुसूदन आठवरेकर	भंभारी	७वी	9/9/1979	01/08/87	१८	स्थानीक
४३५	श्री. निलेश महादेव कोंडाळकर	मराठा	७वी	15-12-78	02/08/87	१९	स्थानीक
४३६	श्री. दिलीप विठ्ठलराज तळगाडकर	बोध	९वी	6/7/1979	2-8-87	१८	स्थानीक
४३७	श्रीम. पल्लवी नारायण राजे	मराठा	९वी	19-4-79	14-8-97	१८	स्थानीक
४३८	श्री. रुपा आष्या बंधारकर	भंभारी	९वी	13-6-80	18-8-97	१७	स्थानीक
४३९	श्री. सुरेश राजेश्वर कांयले	बोध	९वी	5/2/1966	19-8-97	३१	स्थानीक
४४०	श्री. अजित ब्राम्हण शिंदारदिसे	मांग	९वी	1/6/1968	01/09/97	१९	स्थानीक
४४१	श्री. अरविंद महादेव यादव	बोध	९वी	26-4-74	01/09/97	३२	स्थानीक
४४२	श्री. गणेश भास्ती पवार	मराठा	९वी	31-7-79	02/09/97	१८	स्थानीक
४४३	श्री. महेश राजाराम इलबी	मराठा	७वी	5/5/1979	09/09/87	१८	स्थानीक
४४४	श्रीम. सुमान बलपंत सोलंकी	जाडी	४ वी	20-5-55	01/10/87	४२	स्थानीक
४४५	श्री. अनंत मधारी शेठडे	शैलवाणी	९वी	15-3-77	01/10/87	२७	स्थानीक
४४६	श्री. महेश शंभू जाधव	बोध	७वी	23-7-77	01/10/87	२०	स्थानीक
४४७	श्री. गणेश सुवास खडूम	मराठा	९वी	1/6/1978	01/10/87	१९	स्थानीक
४४८	श्री. सोन. कृष्णा राठबेलकर	मराठा	९वी	14-8-78	01/10/87	१९	स्थानीक
४४९	श्रीम. माधवा. शरत सुर्वे	मराठा	९वी	13-8-78	01/10/87	१९	स्थानीक
४५०	श्रीम. अलका. वि. खडूम	मराठा	९वी	25-3-65	09/10/87	३२	स्थानीक
४५१	श्रीम. मोहिनी. महादेव इलबी	मराठा	९वी	1/1/1970	18-10-97	२७	स्थानीक
४५२	श्री. गणेश मधारी शेठडे	शैलवाणी	९वी	24-5-79	01/11/87	१८	स्थानीक
४५३	श्री. अनंत शंभू जाधव	बोध	७वी	12/7/1979	01/11/87	१८	स्थानीक
४५४	श्री. संविद्य. अंकर उतकर	मराठा	७वी	7/10/1979	1-11-7-97	१८	स्थानीक
४५५	श्री. योगेश अशोक अकषडे	मांग	७ वी	23-12-79	01/12/87	१८	स्थानीक
४५६	श्री. सविन पांडुरंग वरडे	मराठा	९वी	22-2-80	01/12/87	१७	स्थानीक
४५७	श्री. योगेश मनोहर अर्बडे	भंभारी	९वी	6/8/1976	01/01/98	२०	स्थानीक
४५८	श्री. राकेश काशिराज तुरी	मराठा	९वी	14-6-79	1/1/1998	१९	स्थानीक
४५९	श्री. सविन राधाकृष्ण खानोलकर	बेळी	७वी	7/7/1972	01/02/98	२६	स्थानीक
४६०	श्री. मधु. गोपाळ सोनाबणे	भंभारा	९वी	10/9/1973	11/03/98	२५	स्थानीक
४६१	श्री. संयोग. लक्ष्मीराम जाधव	बोध	९वी	1/6/1975	11/03/98	२३	स्थानीक
४६२	श्रीम. अंजिरी आत्माराम सांठके	मराठा	९वी	6/6/1979	01/04/98	१९	स्थानीक
४६३	सुजित मनोहर पवार	मराठा	७ वी	21-6-79	01/04/97	१९	स्थानीक
४६४	श्री. शेणैश. रामंत अलमकर	मराठा	९वी	28-1-80	01/04/98	१८	स्थानीक
४६५	सतीश तुकाराम पवार	मराठा	१० वी	23-5-80	01/04/98	१८	स्थानीक
४६६	श्री. मनोहर कृष्णा पवार	मराठा	९वी	22-6-74	01/05/98	२४	स्थानीक
४६७	श्री. माऊली शिवायाम अटोळे	मराठा	९वी	5/5/1976	01/05/98	२२	स्थानीक
४६८	श्री. प्रविण गोविंद सांबुज	मराठा	९वी	25-8-77	01/05/98	२१	स्थानीक
४६९	श्री. सुधीर. लक्ष्मीराम गोसावी	गोसावी	९वी	28-5-78	01/05/98	२१	स्थानीक
४७०	श्री. अनंत. शंभूराज परब	मराठा	९वी	9/6/1979	01/05/98	१९	स्थानीक
४७१	श्री. शिवाय. कृष्णा लंतेकर	मराठा	९वी	1/10/1978	02/05/98	२०	स्थानीक
४७२	श्रीम. सुमिता क. शिंदे	भोर	९वी	30-10-74	04/05/98	२४	स्थानीक


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५५१	५५१	श्री. अश्विनी गणपत जामने	मराठा	१०	१५-३-७७	०४/०५/९९	२२	स्थानीक
५५२	५५२	श्री. राजेश नरसिंहाय शिंदे	मराठा	१०	६/६/१९७७	०४/०५/९९	२२	स्थानीक
५५३	५५३	श्री. प्रफुल्ल नानवी सक्पाळे	मराठा	१०	१३-८-७७	०४/०५/९९	२२	स्थानीक
५५४	५५४	श्री. माधु सोडिया पाटील	श्री	१७	१६/१९७२	०५/०५/९९	२७	स्थानीक
५५५	५५५	श्री. अमरेश्वर निवृत्ती कळंबे	मराठा	१०	२५-६-७२	०५/०५/९९	२७	स्थानीक
५५६	५५६	श्री. राजेश प्रेमजी सुळेकर	हिंदू मराठा	१०	९/६/१९७९	०५/०५/९९	२०	स्थानीक
५५७	५५७	श्री. अशिशु रविंद्र पंढरेकर	भक्षरी	१९	१८-११-८०	०५/०५/९९	१९	स्थानीक
५५८	५५८	श्री. विलीय वल्लाराम पवार	मराठा	१०	१/६/१९८१	०५/०५/९९	१८	स्थानीक
५५९	५५९	श्री. वृंक्ष महेन्द्र सावंत	मराठा	१६	२/६/१९७३	०६/०५/९९	२६	स्थानीक
५६०	५६०	श्री. विष्णू देकराम पडवळ	मराठा	२२	२२-७-७७	०६/०५/९९	२२	स्थानीक
५६१	५६१	श्री. मंगळ शंभूजी मोरे	मराठा	२०	२२-३-७९	०६/०५/९९	२०	स्थानीक
५६२	५६२	श्री. अंकुश परशुराम भाळुसरे	मराठा	१९	३७/१९७८	०८/०५/९९	१९	स्थानीक
५६३	५६३	श्री. रमेश जयंत पडवळ	हरिजन	२०	९/१२/१९७९	०८/०५/९९	२०	स्थानीक
५६४	५६४	श्री. प्रकाश विठ्ठलराव सुर्वे	मराठा	१९	७/४/१९८०	०८/०५/९९	१९	स्थानीक
५६५	५६५	श्री. अंकुश गजानन स्वर्नामिकाळ	भांगार	१९	२१-६-८०	०९/०५/९९	१९	स्थानीक
५६६	५६६	श्री. रमेश भाऊ पवार	मराठा	२४	८/७/१९७५	१०/०५/९९	२४	स्थानीक
५६७	५६७	श्री. रमेश भाऊ पवार	मराठा	१९	१/६/१९८०	१०/०५/९९	१९	स्थानीक
५६८	५६८	श्री. प्रफुल्ल परशुराम सक्पाळे	मराठा	१९	८/७/१९८०	१०/०५/९९	१९	स्थानीक
५६९	५६९	श्री. मंगेश पोद्दार मोरे	मराठा	१९	२७-११-८०	१०/०५/९९	१९	स्थानीक
५७०	५७०	श्री. रमेश नरहराम सोळाड	कुणबी	२१	३१-१०-७८	११/०५/९९	२१	स्थानीक
५७१	५७१	श्री. वल्लाराम नारायण पडवळ	मराठा	१९	२९-७-८०	११/०५/९९	१९	स्थानीक
५७२	५७२	श्री. मंगळ जयसिंग उलेकर	मराठा	२२	२७/१९७७	१२/०५/९९	२२	स्थानीक
५७३	५७३	विठ्ठल चंद्रकांत जाधव	बीड	१०	५/४/१९८०	१३-५-९९	१९	स्थानीक
५७४	५७४	श्री. अश्विनी सुभाष सावंत	मराठा	२०	२९-३-७९	१५-५-९९	२०	स्थानीक
५७५	५७५	श्री. मधुकर रामचंद्र मुचपरे	मराठा	२०	१९-१-७९	१५-५-९९	२०	स्थानीक
५७६	५७६	श्री. अश्विनी अधिराज आंधे	मराठा	२७	७/६/१९७२	१७-५-९९	२७	स्थानीक
५७७	५७७	श्री. मंगळ दगडू शिंदे	मराठा	१८	१५-३-८१	१७-५-९९	१८	स्थानीक
५७८	५७८	श्री. वल्लाराम वल्लाराम आंबोकर	भांगार	२६	१/७/१९७३	१८-५-९९	२६	स्थानीक
५७९	५७९	श्री. अश्विनी वल्लाराम पडवळ	मराठा	२८	१/८/१९७१	०१/०६/९९	२८	स्थानीक
५८०	५८०	श्री. अश्विनी विठ्ठलराव पडवळ	मराठा	२४	१९-११-७५	०३/०६/९९	२४	स्थानीक
५८१	५८१	श्री. अश्विनी विठ्ठलराव भोजपट्टर	मराठा	२८	१६-९-७१	०४/०६/९९	२८	स्थानीक
५८२	५८२	श्री. अश्विनी वल्लाराम भुयंकयलगा	अहमदाबाद	२५	२४-५-७४	०४/०६/९९	२५	स्थानीक
५८३	५८३	श्री. अश्विनी वल्लाराम अश्विनीकर	हिंदू	२१	४/२/१९७८	०५/०६/९९	२१	स्थानीक
५८४	५८४	श्री. अश्विनी अश्विनी मोरे	मराठा	२१	४/२/१९७८	०५/०६/९९	२१	स्थानीक
५८५	५८५	श्री. वल्लाराम अश्विनी अश्विनी	मराठा	२०	२२-२-७९	०६/०६/९९	२०	स्थानीक
५८६	५८६	श्री. अश्विनी अश्विनी अश्विनी	मराठा	३१	१/६/१९८८	०७/०६/९९	३१	स्थानीक
५८७	५८७	श्री. अश्विनी अश्विनी अश्विनी	मराठा	२९	२९-१०-७०	०७/०६/९९	२९	स्थानीक
५८८	५८८	श्री. अश्विनी अश्विनी अश्विनी	मराठा	२१	१९-८-७६	०७/०६/९९	२१	स्थानीक
५८९	५८९	श्री. अश्विनी अश्विनी अश्विनी	मराठा	२०	१/६/१९७९	०७/०६/९९	२०	स्थानीक
५९०	५९०	श्री. अश्विनी अश्विनी अश्विनी	मराठा	२७	१७-६-७९	०७/०६/९९	२७	स्थानीक

मंत्रालय येथे अमुकथा नियुक्ती

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३, J. G. of Hospital, Bombay
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५९०	श्री. विकास रायबा नारकरे	मराठा	७वी	१७-१२-७६	०८/०६/९९	२३	स्थानीक
५९१	श्री. योग रा जाधव	बोपळ	९वी	११/०६/१९७४	१०/०६/९९	२५	स्थानीक
५९२	श्री. गुरुप सुरेश जाधव	हरीजन	१०वी	१८/१९७५	१३-६-९९	२५	स्थानीक
५९३	श्री. संजय गोविंद आडे	मराठा	९वी	११/१९८०	१६-६-९९	२९	स्थानीक
५९४	श्री. राजू मलया मायकाव	केवाडी	७वी	२७-५-८०	१८-६-९९	२९	स्थानीक
५९५	श्री. विजय देवेंद्र पुराडकर	बोपार	१०वी	३०-५-८१	२२-६-९९	२८	स्थानीक
५९६	श्री. रामेश्वर आठवाम मारंड	आग्नी	१०वी	७/५/१९७५	०१/०७/९९	२४	स्थानीक
५९७	श्री. विकास रामेश्वर लाड	रहाडी	९वी	१३-९-७८	०१/०७/९९	२१	स्थानीक
५९८	श्री. योग वनाडू कव्ठम	मराठा	९वी	१५/१९७९	०१/०७/९९	२०	स्थानीक
५९९	श्री. राजेश वसंतराम कव्ठम	मराठा	९वी	११/१९८०	०१/०७/९९	२१	स्थानीक
६००	श्री. राजेश वसंतराम कव्ठम	मराठा	९वी	११/१९८०	०१/०७/९९	२१	स्थानीक
६०१	श्री. राजेश वसंतराम कव्ठम	मराठा	९वी	११/१९८०	०१/०७/९९	२१	स्थानीक
६०२	श्री. प्रभिकान्त प्रंकार पवार	मराठी	९वी	१८-७-८१	०१/०७/९९	२०	स्थानीक
६०३	श्री. प्रिजाती वगण उजालकर	माथिक	९वी	४/६/१९७६	०५/०७/९९	२३	स्थानीक

सरकारी अधिकाता
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