

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI
BENCH AT AURANGABAD**

1. ORIGINAL APPLICATION NO. 821 OF 2021

Dist. : Hingoli

1. Meena w/o Laxmanrao Gaikwad,
Age: 39 years, Occu: sweeper,
R/o Behind of Devda School,
Mastanshaha Nagar, Hingoli,
Tq. & Dist. Hingoli.
2. Shekh Khairunisa Shekh Rasul,
Age: 50 years, Occu: Sweeper,
R/o At Post Basanba, Hingoli
Tq. & Dist. Hingoli.
3. Ganesh s/o Daulat Kharat,
Age: 26 years, Occu: sweeper,
R/o Datta Mandir, Gawali Pura,
Hingoli, Tq. & Dist. Hingoli.
4. Rahematkha s/o Wahedkha Pathan,
Age: 37 years, Occu: sweeper,
R/o Indira Nagar, Hingoli
Tq. & Dist. Hingoli.
5. Narayan s/o Sakharam Kamble,
Age: 37 years, Occu: sweeper,
R/o Kanhergaon Naka,
Tq. & Dist. Hingoli.
6. Prakash s/o Ganpat Sutar,
Age: 40 years, Occu: sweeper,
R/o Sathe Nagar, Sengaon,
Tq. & Dist. Hingoli.
7. Rajesh (Raju) s/o Shamrao Savant,
Age: 40 years, Occu: Sweeper,

R/o Tofkhana, Hingoli,
Tq. & Dist. Hingoli.

8. Sayyad Salim Sayyad Habib,
Age 41 years, Occu sweeper,
R/o At Warud Gawall,
Post Bawad Tq & Dist. Hingoli
9. Shaikh Shaharukh Shaikh Taher,
Age 26 years, Occu sweeper,
R/o Naikwadi Mohalla, Kalamnuri,
To Kalamnuri, Dist. Hingoli
10. She Jamir s/o She, Ajim,
Age: 35 years, Occu sweeper,
R/o Narsi Namdev,
Hingoli Tq & Dist. Hingol
11. Daulat s/o Prabhuji Kharat,
Age: 50 years, Occu sweeper,
R/o Datta Mandir, Gawali Pura,
Hingoli, Tq. & Dist. Hingoli
12. Surekha w/o Sudam Vathore,
Age: 38 years, Occur sweeper,
R/o Indira Nagar, Hingoli
Tq. & Dist. Hingoli
13. Bhagwat s/o Kisan Devrase,
Age: 40 years, Occu: sweeper,
R/o Samaj Mandira Samor,
Bhoi Pura, Hingoli,
Tq. & Dist. Hingoli
14. Vasant s/o Piraji Vhadagir,
Age: 55 years, Occu: sweeper,
R/o Homgard Colony, Basmat,
Tq. Basmat, Dist. Hingoli.

15. Kondiba s/o Narayan Rankhambe,
Age: 48 years, Occul sweeper,
R/o Anna Bhau Sathe Chowk,
Aundha (N), Tq. Aundha (N),
Dist.Hingoli
16. Keshav s/o Piraji Vhadagir,
Age: 56 years, Occu: sweeper,
R/o Homgard Colony, Basmat,
Tq Basmat, Dist. Hingoli.
17. Sherlha Khalil Kha Pathan,
Age: 41 years, Occu: sweeper,
R/o Shirad Shahapur,
Tq. & Dist. Hingoli.
**(Deleted name of applicant
No. 17 as per Court order dtd.
9.11.2022)**
18. Gautam s/o Pralahad Padghane,
Age:-31 years, Occu: Sweeper,
R/o Akhada Balapur, Tq Kalamnuri,
Dist. Hingoli.
19. Suresh s/o Padmakar Burse,
Age: 45 years, Occu: sweeper,
R/o Jain Galli, Hingoli
Tq. & Dist. Hingoli
20. Babesh s/o Ravibhimsingh Pardeshi,
Age: 35 years, Occu: sweeper,
R/o Near S.R.P.F. Camp,
Group No.12, Hingoli,
Tq. & Dist.Hingoli.
21. Rajiv s/o Sadashiv Sable,
Age: 42 years, Occu: sweeper,
R/o Anna Bhau Sathe Nagar,

At Post Kurunda, Basmat
Tq. Basmat, Dist.Hingoli.

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APPLICANTS*V E R S U S*

01. The State of Maharashtra,
through its Secretary for
Home Department, Mantralaya,
Mumbai-32
02. The Director General of Police,
Director General Office,
Shahid Bhagat Singh Marg,
Colaba, Mumbai-05, Maharashtra.
03. The Special Inspector General of Police,
I.G.P. Office, Nanded Range,
Nanded, Tq. & Dist. Nanded.
04. The Superintendent of Police,
S.P. Office, Hingoli,
Tq. & Dist. Hingoli.

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RESPONDENTSW I T H**2. ORIGINAL APPLICATION NO. 822 OF 2021**

Dist. : Nanded

1. Anita w/o Dayanand Damodar,
Age: 48 years, Occ. Sweeper,
R/o: Gautam Nagar, Killa Road,
Nanded, Tq. & Dist. Nanded.
2. Khaja Pasha Chotemiya,
Age: 55 years, Occ. Sweeper,
R/o: Nallatta Chaul,
Opp. Police Head Quarter,
Nanded, Tq. & Dist. Nanded.

3. Khandu s/o Laxman Mundphale,
Age: 43 years, Occ. Sweeper,
R/o: Barbada, Tq. Naigaon,
Dist. Nanded.
4. Sidram s/o Gangaram waghmare,
Age: 50 years, Occu: sweeper,
R/o Ramthirth, Naigaon Tq.Naigaon,
Dist.Nanded.
5. Devrao s/o Chmpatrao Khillare,
Age: -52 years, Occu: sweeper,
R/o H.No.272, Shivaji Nagar,
Jay Bhim Nagar, Nanded
Tq. & Dist.Nanded.
6. Anausayabai w/o Devrao Khillare,
Age: -50 years, Occu: sweeper,
R/o H.No.272, Shivaji Nagar,
Jay Bhim Nagar, Nanded
Tq. & Dist.Nanded.
7. Dilip s/o Rajeshwar Shriramjwar,
Age: -55 years, Occu: sweeper,
R/o Bhoskar Galli, Hadgaon,
Tq. Hadgaon, Dist.Nanded.
8. Ananda s/o Piraji Manpure,
Age: -55 years, Occu: sweeper,
R/o Janta Colony, Himayatnagar,
Tq. Himayatnagar, Dist.Nanded.
9. Sushilabai w/o Ganpatrao Kalaskar,
Age: 48 years, Occu: sweeper,
R/o H.No.1-1-590, Tehra Nagar,
Shivaji Nagar, Nanded.
Tq. & Dist. Nanded.

10. Gayabai w/o Pundlik Khandare,
Age:-50 years, Occu: sweeper,
R/o H.No.1-2-803, Ambedkar Nagar,
Shivaji Nagar, Nanded,
Tq. & Dist.Nanded.
11. Shanta s/o Sopan Gaikwad,
Age:-48 years, Occu: sweeper.
R/o H.No. 1-1-6851, Ambedkar Nagar,
Shivaji Nagar, Nanded, Tq. & Dist. Nanded.
12. Sumanbai w/o Kashinath Narnaware,
Age: 48 years, Occu: sweeper,
R/o H.No.1-1-1017, Ambedkar Nagar,
Fire Station, Nanded, Tq. & Dist.Nanded.
13. Bharatbai w/o Manohar Surya,
Age: 53 years, Occu: sweeper,
R/o Ambedkar Nagar, Shivaji Nagar,
Waghi, Nanded, Tq. & Dist.Nanded.
14. Shakuntala w/o Ramesh Narwade,
Age:-50 years, Occu: sweeper,
R/o C-2, Police Colony, Sneha Nagar,
Waghi, Nanded, Tq. & Dist.Nanded.
15. Shivaji s/o Laxman Pandilwad,
Age: 44 years, Occu: sweeper,
R/o GHR 62, at post.Pethwadaj,
Tq. Kandhar, Dist.Nanded.
16. Maloji s/o Bhujanga Kadam,
Age: 54 years, Occu: sweeper,
R/o at post. Bahadarpura, Kandhar,
Tq. Kandhar, Dist.Nanded.
17. Ratnakar s/o Narayan Shinde,
Age: 36 years, Occu: Sweeper,

R/o Rohi Pimpalgaon, Tq. Mudkhed,
Dist. Nanded.

18. Vinod (Vinayak) s/o Rameshsinh Thakur
Age. 39 years, Occu. Sweeper,
R/o At Post Kalambar (bk),
Tq. Loha, Dist. Nanded.
19. Jiwanao s/o Lasmanan Vishvramhe,
Age 52 years, Occu sweeper.
R/o Near Shivaji School, Sonkhed,
Tq. & Dist. Nanded.
20. Saraswatibal w/o Shankar Jogdand,
Age 55 years, Occu sweeper,
R/o Police Head Quarter, Nanded
Tq. & Dist Nanded.
21. Ushabai W/o Chokhoba Khandare,
Age: 48 years, Occu Sweeper
R/o 1-2-803, Ambedkar Nagar,
Nanded, To & Dist. Nanded."
22. Rohit s/o Raju Chindaliya,
Apt 26 years, Occu sweeper,
R/o Valmiki Nagar, Malitekdi Road,
Degloor Naka, Itwara, Nanded,
Tq. & Dist. Nanded.
23. Vilash s/o Lokdoba Vachhewar,
Age 50 years, Occu sweeper,
R/o Naik Nagar, Nanded,
To & Dist Nanded.
24. Yamunabii w/o Gangadhar Suryawanshi,
Age 48 years, Occu; sweeper,
R/o Bhaiyasaheb Ambedkar Nagar
Degav Chal, Nanded,

Tq. & Dist. Nanded.

25. Mangalabai w/o Jagannath Jondhale,
Age: 54 years, Occu: Sweeper,
R/o Gautam Nagar, Killa Road,
Itwara, Nanded. Tq. & Dist. Nanded. .. **APPLICANTS**

VERSUS

01. The State of Maharashtra,
Through its Secretary for
Home Department, Mantralaya,
Mumbai-32
02. The Director General of Police,
Director General Office,
Shahid Bhagat Singh Marg,
Colaba, Mumbai.
03. The Spl. Inspector General of Police,
1.G.P. Office, Nanded Range.
Nanded, Tq. & Dist. Nanded.
04. The Superintendent of Police,
S.P. Office, Nanded,
Tq. & Dist. Nanded. -- **RESPONDENTS**

WITH

3. ORIGINAL APPLICATION NO. 823 OF 2021

Dist. : Osmanabad.

- 1) Sunil s/o Balaji Sangewar
Age 48 years, Occu Sweeper,
R/o Shree Om Medical, Anand Nagar
Osmanabad, Tq & Dist. Osmanabad
- 2) Sunil s/o Navnath Gaikwad
Age: 41 years, Occu: Sweeper,

R/o 298, Near Water Tank, Diksal,
To Kalamb, Dist. Osmanabad.

- 3) Tukaram s/o Arjun Shinde,
Age 42 years, Occu: Sweeper,
R/o Shriram Galli, Kasbe Tadvale,
Osmanabad, Tq. & Dist. Osmanabad.
- 4) Santosh w/o Sanatan Rasal.
Age: 34 years, Occu: Sweeper,
R/o Ter, Tq. Ter, Dist. Osmanabad.
- 5) Sarvar s/o Fakira Shaikh,
Age: 41 years, Occu Sweeper,
R/o House no. 4/226, Sheri Galli,
Kalamb, Tq. Kalamb, Dist. Osmanabad.
- 6) Archana w/o Rajabhau Raut
Age: 34 years, Occu: Sweeper,
R/o Ambevadi. Tq. & Dist. Osmanabad.
- 7) Mohan s/o Janu Patole,
Age: 47 years, Occur Sweeper.
R/o Ward No 4, Walwad,
Tq Bhoom, Dist. Osmanabad
- 8) Sadik s/o Musa Kazi,
Age: 47 years, Occu Sweeper,
R/o Indira Nagar Zopadpatti,
At post. leet Tq. Bhoom, Dist. Osmanabad.
- 9) Rashid s/o Bashir Shaikh,
Age: 46 years, Occu: Sweeper,
R/o Navajpura, Anand Nagar,
Osmanabad, Tq. & Dist. Osmanabad
- 10) Kavira w/o Gopal Salgar,
Age: 50 years, Occu Sweeper,
R/o Amrut Nagar, Bilal Galli,
Osmanabad, Tq. & Dist. Osmanabad
- 11) Sukhdev w/o Fulchand Rathod,
Age: 48 years, Occu: Sweeper,
R/o Kawaldara Tanda, Bavi

Tq. & Dist. Osmanabad.

.. **APPLICANTS**

VERSUS

01. The State of Maharashtra,
Through its Secretary for Home
Department. Mantralaya, Mumbai-32
02. The Director General of Police,
Director General Office, Mumbai,
Maharashtra.
03. The Spl. Inspector General of Police,
I.G.P. Office, Aurangabad Range,
Aurangabad, Tq. & Dist. Aurangabad.
04. The Superintendent of Police,
S.P. Office, Osmanabad.
Tq. & Dist. Osmanabad.

.. **RESPONDENTS**

WITH

4. ORIGINAL APPLICATION NO. 824 OF 2021

Dist. : Nanded

- 1) Premla w/o Uttamrao Hanumante,
Age: -47 years, Occu: sweeper,
R/o Triratna Nagar, Sangi
Tq. & Dist.Nanded.
- 2) Rukhminbai w/o Vithalrao Padalwad,
Age: 45 years, Occu: sweeper,
R/o Triratna Nagar, Near Airport,
Nanded, Tq. & Dist. Nanded.

...APPLICANTS

VERSUS

01. The State of Maharashtra,
Through its Secretary for Home
Department, Mantralaya, Mumbai-32

02. The Director General of Police,
Director General Office
Shahid Bhagat Singh Marg,
Colaba, Mumbai.
03. The Superintendent of Police,
Anti-Corruption Bureau, Nanded Range,
Nanded, Tq. & Dist. Nanded. .. RESPONDENTS

WITH

**5. ORIGINAL APPLICATION NO. 825 OF 2021
DISTRICT: - BEED.**

1. Datta s/o Baban Jadhav,
Age: 30 years, Occ. Sweeper,
R/o: Ankush Nagar, Juna Charat Road,
Beed, Tq. & Dist. Beed.
2. Babasaheb s/o Baliram Kirvale.
Age: 40 years, Occ. Sweeper,
R/o: Pohner Road, Sirsala,
Tq. Parali V. Dist. Beed.
3. Muktar s/o Gafar Shaikh,
Age: 32 years, Occ. Sweeper,
R/o: At post Dindrud, Tq. Majalgaon,
Dist. Beed.
4. Ashok s/o Prakash Kadam,
Age: 36 years, Occ. Sweeper,
R/o: Ashok Nagar, Dhage Colony,
Barshi Naka, Tq. & Dist. Beed.
5. Dhammpal s/o Sadhu Kavle,
Age: 30 years, Occu: sweeper,
R/o At Ghatsawli, Tq. & Dist. Beed.

6. Ajim s/o Gafur Tamboli,
Age: 42 years, Occu: sweeper,
R/o Indira Nagar, Chausala,
Tq. & Dist. Beed.
7. Ashamati w/o Ashokrao Pradhan,
Age: 44 years, Occu: sweeper,
R/o Near Kalika Devi Mandir.
Kalika Nagar, Majalgaon,
Tq & Dist. Beed.
8. Jayshri w/o Manjur Dhanve
Age: 48 years, Occu: sweeper,
R/o At post Gomalwada,
Shirur Kasar). Tq & Dist Beed
9. Vijay kumar s/o Tulahiram Shinde,
Age 52 years, Occu: Wweeper.
R/o At post Dindrud,
Ta Majalgaon, Dist. Beed
10. Ashok s/o Vithoba Malshikare,
Age 48 years, Occu sweeper,
R/o Ambhora kada, Ashti
T& Dist Beed.
11. Lakshman s/o Dagdu Sonwane,
Age 45 years, Occu. Sweeper,
R/o Muslim Galli, Anandgaon
Manur T & Dist Beed.
12. Rajendra s/o Mariba Gade,
Age 46 years, Occu: Sweeper.
R/o At Post Amalner. Tq. Patoda,
Dist. Beed.
13. Manda s/o Bandu Chavhan,
Age 45 years, Occu Sweeper.

R/o. Sant Namdeo Nagar,
Palwan Beed, Tq. & Dist. Beed.

...APPLICANTS

VERSUS

01. The State of Maharashtra,
Through its Secretary for Home
Department, Mantralaya, Mumbai-32
02. The Director General of Police,
Director General Office,
Shahid Bhagat Singh Marg,
Colaba, Mumbai-05, Maharashtra.
03. The Spl Inspector General of Police,
I.G.P. Office, Aurangabad Range.
Aurangabad, Tq & Dist. Aurangabad.
04. The Superintendent of Police,
S.P. Office, Beed, Tq & Dist. Beed.

6. ORIGINAL APPLICATION NO. 540 OF 2022

DISTRICT: PARBHANI

1. Uttam s/o Laxmanrao Raut
Age: 42 years, Occu: Sweeper,
R/o Maulana Azad Nagar, Selu
Tq Manvat, Dist Parbhani
2. Sanjay s/o Rajaram Kusundal
Age: 40 years, Occu: Sweeper,
R/o Sambhaji Nagar, Manat,
To Manwat & Dist. Parbhani
3. Prabhakar s/o Ashroba Dahe,
Age-52 years, Occu: - Sweeper
R/o At post Daithana,
Tq & Dist. Parbhani
4. Sachin s/o Bandu Gaware,

Age-24 years, Occu-Sweeper,
R/o Vilas Gopale Nagar, Pathri
Tq. Pathri Dist. Parbhani

.. **APPLICANTS**

V E R S U S

01. The State of Maharashtra,
Through its Secretary for Home Department,
Mantralaya, Mumbai-32

02. The Director General of Police,
Director General Office,
Shahid Bhagat Singh Marg,
Colaba, Mumbai

03. The Spl. Inspector General of Police,
I.G.P. Office, Nanded Range,
Nanded, Tq. & Dist. Nanded.

04. The Superintendent of Police,
S.P. Office, Parbhani,
Tq. & Dist. Parbhani

.. **RESPONDENTS**

APPEARANCE : Shri P.V. Suryawanshi, learned counsel
for the applicants in all these matters.

: S/Shri BS Deokar, VR Bhumkar, Smt.
Sanjivani Deshmukh Ghate & Smt. MS
Patni, learned Presenting Officers for the
respondent authorities in respective matters.

CORAM : JUSTICE SHRI P.R.BORA, VICE CHAIRMAN

DATE : 30.01.2023.

O R D E R

1 Heard Shri P.V. Suryawanshi, learned counsel for the
applicants in all these matters and S/shri BS Deokar, VR

Bhumkar, Smt. Sanjivani Deshmukh Ghate & Smt. MS Patni, learned Presenting Officers for the respondent authorities in respective matters.

2. The learned Presenting Officer Smt. Sanjivani Deshmukh Ghate appearing for respondent nos. 1 to 4 tendered across the bar the affidavit in reply on behalf of the said respondents in O.A. No. 825/2021. It is taken on record with consent of learned counsel for the applicants. Copy of the affidavit in reply is given to the learned counsel for the applicants.

3. Since all these applicants are raising identical issues, I have heard all these applications together and deem it appropriate to decide all these applications by a common reasoning.

4. As contended in all these applications the applicants are working at different establishments under the Home Department as part time sweepers. The Government vide Notification dated 20.9.2010 has principally accepted to pay the wages to such part time sweepers at the rate of 60% of wages being earned by fulltime sweepers on the establishment. Vide another Notification dated 27.1.2017 issued by the Industries, Energy and Labour Department the minimum monthly wages are enhanced. It is the grievance of the applicants that despite such enhancement in the minimum wages, the applicants are deprived the wages at the same scale. The

applicants have, therefore, prayed for giving difference of wages according to minimum rate of wages fixed vide Notification dated 27.1.2017.

5. The request so made has been opposed by the respondents on the ground that the Notification issued by the Industries, Energy and Labour Department and not by Home Department and is not applicable for the employees in the Home Department. The same objection was also raised in some earlier matters, which has been rejected by the Tribunal.

6. In the circumstances, the applicants cannot be denied the wages in the relevant pay scale as revised vide Notification dated 27.1.2017. In the circumstances, all these applications deserve to be allowed. Hence, the following order :-

ORDER

(i) Respondents shall after ascertaining the service record in respect of each of the applicant and after having considered the wages already paid to the applicants, pay the difference according to their entitlement based upon zone in which they fall w.e.f. 27.1.2017, as per the enhancement in the minimum wages determined vide Notification dated 27.1.2017, within 12 weeks from the date of this order.

(ii) The Original applications stand allowed in the aforesaid terms without any order as to costs.

VICE CHAIRMAN