

**IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL  
MUMBAI BENCH**

**ORIGINAL APPLICATION NO 709 & 710 OF 2018**

**DISTRICT : PUNE**

**1) ORIGINAL APPLICATION NO 709/2018**

Shri Vishal Vilas Ghanwat, )  
Occ : Peon, Group-D, )  
R/o: Plot no. 56, Sai Krupa Society, )  
Shreedhar Nagar, Dhankawadi, Pune. )...**Applicant**

**Versus**

1. The State of Maharashtra, )  
Through the Secretary, )  
Agriculture Department, Mantralaya, )  
Mumbai 400 032. )  
2. The Commissioner for Agriculture, )  
Central Building, Pune. )  
3. The Divisional Joint Director, )  
Agriculture, Krushi Bhavan, )  
Shivaji Nagar, Pune – 5. )  
4. The District Superintendent, )  
Agriculture Officer, Shivaji Nagar, )  
Pune – 5. )  
5. The Deputy Director Agriculture, )  
Employee Welfare, Central Bldg, )  
Pune. )...**Respondents**

**2) ORIGINAL APPLICATION NO 710/2018**

Shri Pradeep Bhanudas Waghmare, )  
Occ : Peon, Group-D, )  
District Superintendent, )

Agriculture Officer, Shivaji Nagar, Pune-5. )  
 R/at: Survey No. 30/2, Ramwadi Nagar Rd, )  
 Pune – 14. )...**Applicant**

**Versus**

1. The State of Maharashtra, )  
 Through the Secretary, )  
 Agriculture Department, Mantralaya, )  
 Mumbai 400 032. )  
 2. The Commissioner for Agriculture, )  
 Central Building, Pune. )  
 3. The Divisional Joint Director, )  
 Agriculture, Krushi Bhavan, )  
 Shivaji Nagar, Pune – 5. )  
 4. The District Superintendent, )  
 Agriculture Officer, Shivaji Nagar, )  
 Pune – 5. )  
 5. The Deputy Director Agriculture, )  
 Employee Welfare, Central Bldg, )  
 Pune. )...**Respondents**

Shri K.R Jagdale, learned advocate for the Applicants.

Smt K.S Gaikwad, learned Presenting Officer for the Respondents.

**CORAM** : **Shri P.N Dixit (Vice-Chairman) (A)**  
**Shri A.D Karanjakar (Member) (J)**

**DATE** : **13.06.2019**

**PER** : **Shri A.D Karanjakar (Member) (J)**

**ORDER**

1. Heard Shri K.R Jagdale, learned advocate for the Applicants and  
 Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned advocate for the applicants invited our attention to the Notification dated 11.6.2019 issued by General Administration Department, Mantralaya, Mumbai, which is taken on record and marked as Exh. 'X'. By this Notification, Government of Maharashtra has amended Rule 3 of Principle Rules applicable to Clerk-cum-typist, Group 'C' in Government Offices, outside Greater Mumbai (Recruitment) Rules, 2017. The rules are retrospective and they are made applicable w.e.f 6.6.2017.

3. In view of this amendment, the proviso is inserted in Rule 3, which is as under:-

“Provided also that, the persons who are holding the post in Group 'D' and who have passed the Secondary School Certificate Examination and possess qualifications mentioned in sub-clause (iii) of clause (b), before the date of publication of these rules in the Maharashtra Government Gazette, shall also be considered for promotion under clause 9a) above, for next five years from the date of publication of these rules.”

4. In view of this amendment, effected by the Government, the applicants may request the Department for promotion after this date of the order.

5. Subject to the amendment under Rule 3, both the O.As stand disposed of.

**(A.D Karanjakar)**  
**Member (J)**

**(P.N Dixit)**  
**Vice-Chairman (A)**

**Place : Mumbai**  
**Date : 13.06.2019**  
**Dictation taken by : A.K. Nair.**