

MAHARASHTRA ADMINISTRATIVE TRIBUNAL,

NAGPUR BENCH, NAGPUR.

ORIGINAL APPLICATION NO.256/2009.(D.B.)

Kalidas Laxman Kalbandhe,
Aged about 40 years,
Occ-Driver, Regional Office (DVET),
Nagpur.

Applicant.

-Versus-

1. The State of Maharashtra,
Through its Secretary,
Department of Higher and Technical Education,
Mantralaya, Mumbai-32.
2. The Director,
Vocational Education and Training,
3, MahapalikaMarg, P.B. No.100036,
Mumbai.
3. The Joint Director,
Vocational Education and Training,
Regional Office, Civil Lines,
Nagpur.

Respondents.

ORIGINAL APPLICATION NO.359/2009.

1. Mr. Prashant Tulshiram Pande,
Aged about 38 years,
Occ-Wireman Instructor,
Industrial Training Institute (ITI), Gondpipri,
Distt. Chandrapur.

2. Mr. Rajesh Shriram Palandurkar,
Aged about 39 years,
Occ- Fitter Instructor,
Industrial Training Institute (ITI),Nagbhid,
Distt. Chandrapur,
3. Mr. D.M. Phalke,
Aged about 37 years,
Occ- Wireman Instructor,
Industrial Training Institute (ITI),Warora,
Distt. Chandrapur,
4. Mr. Prabhat Murlidha rHokam,
Aged about 40 years,
Occ- Radio and T.V. Instructor,
Industrial Training Institute (ITI) Girls,Chandrapur,
Distt. Chandrapur,
5. Mr. Sudhakar Govind Govardhan,
Aged about 41 years,
Occ- Language Instructor,
Industrial Training Institute (ITI) Girls,Chandrapur,
Distt. Chandrapur.
6. Mr.Jayaram Baburao Pipre,
Aged about 40 years,
Occ- Fitter Instructor,
Industrial Training Institute (ITI),Rajura,
Distt. Chandrapur,
7. Mr.Satyanarayan Mahakali Bholewar,
Aged about 44 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI),Rajura,
Distt. Chandrapur,
8. Mr.Pramod Laxman Jagtap,
Aged about 42 years,
Occ- Wireman Instructor,

Distt. Chandrapur.

15. Mr.Prashant Tulshiram Malekar,
Aged about 38 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI),Bhadravati,
Distt. Chandrapur.
16. Mr.Kishor Nanaji Eardande,
Aged about 38 years,
Occ- Drawing Instructor,
Industrial Training Institute (ITI),Bhadravati,
Distt. Chandrapur.
17. Mr.Dayanand Mukundrao Petkar,
Aged about 36 years,
Occ- Plumber Instructor,
Industrial Training Institute (ITI),Bhadravati,
Distt.Chandrapur.
18. Mr.Rambhau Domaji Landge,
Aged about 40 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI),Bhadravati,
Distt.Chandrapur.
19. Mr.Anil Balaji Budhale,
Aged about 38 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI),Korpana,
Distt.Chandrapur.
20. Mr.Krishna Sahadev Biswas,
Aged about 39 years,
Occ- Drawing Instructor,
Industrial Training Institute (ITI),Chandrapur,
Distt.Chandrapur.
21. Mr.Sachin Manohar Mahendrakar,
Aged about 37 years,
Occ- Math. And Drawing Instructor,
Industrial Training Institute (ITI),Korpana,

Distt.Chandrapur.

22. Mr. Vilas Namdeo Khedekar,
Aged about 37 years,
Occ- Drawing Instructor,
Industrial Training Institute (ITI),Rajura,
Distt.Chandrapur.
23. Mr.Abhay Ramchandra Ghate,
Aged about 35 years,
Occ- Math Instructor,
Industrial Training Institute (ITI),Chandrapur,
Distt.Chandrapur.
24. Mr.Narendra Shankarrao Zade,
Aged about 32 years,
Occ- Carpenter Instructor,
Industrial Training Institute (ITI),Sindewahi,
Distt.Chandrapur.
25. Mr.Vishweshwar Marutirao Umaka,
Aged about 41 years,
Occ- Fitter Instructor,
Industrial Training Institute (ITI),Chimur,
Distt.Chandrapur.
26. Mr.Prashant Devrao Khiratkar,
Aged about 38 years,
Occ- Drawing Instructor,
Industrial Training Institute (ITI),Chimur,
Distt.Chandrapur.
27. Sou.Rekha Yuvraj Garade,
Aged about 38 years,
Occ- Dress Making Instructor,
Industrial Training Institute (ITI),Bramhapuri,
Distt.Chandrapur.
28. Mr. Debhuji Namdeo Bante,
Aged about 37 years,
Occ- Math and Drawing Instructor,
Industrial Training Institute (ITI),Bramhapuri,

Distt.Chandrapur.

29. Mr.Arvind Girdhar Kolhe,
Aged about 36 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI),Bramhapuri,
Distt.Chandrapur.
30. Mr.Divakar Pandurang Bhakre,
Aged about 39 years,
Occ- Math and Drawing Instructor,
Industrial Training Institute (ITI),Jivati,
Distt.Chandrapur.
31. Mr. Revaram Jadhavrao Sathwane,
Aged about 38 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI),Rajura,
Distt.Chandrapur.
32. Mr.Mahesh Vasudeo Nadamwar,
Aged about 38 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI),Chandrapur,
Distt.Chandrapur.
33. Mr.Bhaskar Sitaram Meshram,
Aged about 40 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI),Sindewahi,
Distt.Chandrapur.
34. Mr.Dattatraya Arindrao Pampattiwar,
Aged about 39 years,
Occ- TV/ Radio Mechanic Instructor,
Industrial Training Institute (ITI),Chandrapur,
Distt.Chandrapur.
35. Mr.Jetendarrao Narsimharao Mochineny,
Aged about 38 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI),Chandrapur,

Distt.Chandrapur.

36. Mr.Dilip Pandurang Kuthe,
Aged about 40 years,
Occ- Electrical Instructor,
Industrial Training Institute (ITI),Bramhapuri,
Distt.Chandrapur.
37. Sou. Snehalata Vasantryao Ghormare,
Aged about 39 years,
Occ- Dress Making Instructor,
Industrial Training Institute (ITI),Bramhapuri,
Distt.Chandrapur.
38. Sou. Minaxi Nandkishor Pachare,
Aged about 43 years,
Occ- Dress Making Instructor,
Industrial Training Institute (ITI),Bhadrawati,
Distt.Chandrapur.
39. Mr.Bandu Sambaji Pusam,
Aged about 39 years,
Occ- Pump Mechanic Instructor,
Industrial Training Institute (ITI),Sawali,
Distt.Chandrapur.
40. Mr.Shashikant Narsingh Ambade,
Aged about 38 years,
Occ- Math and Drawing Instructor,
Industrial Training Institute (ITI),Pombhurna,
Distt.Chandrapur.
41. Mrs.Sunita Avinash Padole,
Aged about 35 years,
Occ- COPA Instructor,
Industrial Training Institute (ITI),Wardha,
Distt.Wardha.
42. Mr. Sanjay Janardhan Warhade,
Aged about 36 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI),Wardha,

Distt.Wardha.

43. Ms. V. N. Masade,
Aged about 38 years,
Occ- Cutting and Tailoring Instructor,
Industrial Training Institute (ITI),Pulgaon,
Distt.Wardha.
44. Mr. Pramod Namdeo Ingole,
Aged about 37 years,
Occ- Electrical Instructor,
Industrial Training Institute (ITI),Pulgaon,
Distt.Wardha.
45. Mr. Sunil NilkanthThakre,
Aged about 36 years,
Occ- Electrical Instructor,
Industrial Training Institute (ITI),Arvi,
Distt.Wardha.
46. Mr. Sanjay Mahadeo Ambalkar,
Aged about 38 years,
Occ- Wireman Instructor,
Industrial Training Institute (ITI),Selu,
Distt.Wardha.
47. Mr.Ramesh Pandharinath Randive,
Aged about 37 years,
Occ- Math Instructor,
Industrial Training Institute (ITI),Wardha,
Distt.Wardha.
48. Mr.Vilas Dnyaneshwar Bhagat,
Aged about 36 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI),Wardha,
Distt.Wardha.
49. Mrs. Suwarna Avinash Assirghade,
Aged about 38 years,
Occ- Hair and Skin Care Instructor,
Industrial Training Institute (ITI),Hinganghat,

Distt.Wardha.

50. Mr.Girish Marutirao Zade,
Aged about 35 years,
Occ- Math & Drawing Instructor,
Industrial Training Institute (ITI),Chamorshi,
Distt.Gadchiroli.
51. Mr.Khirsagar Kashinath Maraskole,
Aged about 43 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI),Gadchiroli,
Distt.Gadchiroli.
52. Kum.Ratnamala PurushottamNagrале,
Aged about 44 years,
Occ- Cutting and Tailoring Instructor,
Industrial Training Institute (ITI),Ettapalli,
Distt.Gadchiroli.
53. Mr. Deepak Chandrakant Bokade,
Aged about 37 years,
Occ- Wireman Instructor,
Industrial Training Institute (ITI),Mulchera,
Distt.Gadchiroli.
54. Mr. Ajay Anandrao Kanoje,
Aged about 38 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI),Chamorshi,
Distt.Gadchiroli.
55. Mr.Hiralal Isoba Vasnik,
Aged about 41 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI),Armori,
Distt.Gadchiroli.
56. Mr. Vishnu Yadav Nagmoti,
Aged about 36 years,
Occ- Electrical Instructor,
Industrial Training Institute (ITI),Armori,

Distt.Gadchiroli.

57. Mr.Dnyandev Shankar Dupare,
Aged about 40 years,
Occ- Tailoring Instructor,
Industrial Training Institute (ITI),Korchi,
Distt.Gadchiroli.
58. Mr.Arvind Tulshiram Ganvir,
Aged about 35 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI),Desaiganj,
Distt.Gadchiroli.
59. Mr.Suresh Krishnaji Lakhe,
Aged about 39 years,
Occ- Math and Drawing Instructor,
Industrial Training Institute (ITI),Kurkheda,
Distt.Gadchiroli.
60. Mr. Vivekanand Madhusudan Havaladar,
Aged about 43 years,
Occ- Carpenter Instructor,
Govt. Technical High School Centre, Gadchiroli,
Distt.Gadchiroli.
61. Mrs. Vanita Deepakrao Pittalwar,
Aged about 37 years,
Occ- Dress Making Instructor,
Industrial Training Institute (ITI), Chamorshi,
Distt.Gadchiroli.
62. Mr. Santosh Madhukarrao Chilwarwar,
Aged about 38 years,
Occ- I.T. Instructor,
Industrial Training Institute (ITI), Chamorshi,
Distt.Gadchiroli.
63. Mr. Shankar Vasudeo Dudhbale,
Aged about 44 years,
Occ- Drawing Instructor,
Industrial Training Institute (ITI), Gadchiroli,

Distt.Gadchiroli.

64. Mr. Narendrakumar Bhatpatlal Mallewar,
Aged about 38 years,
Occ- Motor Mechanic,
Industrial Training Institute (ITI), Gadchiroli,
Distt.Gadchiroli.
65. Mrs. Meena Nandkumar Gangreddywar,
Aged about 37 years,
Occ- Electronic Instructor,
Industrial Training Institute (ITI), Gadchiroli,
Distt.Gadchiroli.
66. Mr. Pramod Shyamrao Gutte,
Aged about 37 years,
Occ- Fitter Mechanic Instructor,
Industrial Training Institute (ITI), Allapally,
Distt.Gadchiroli.
67. Mr. Suresh Shivram Dhengale,
Aged about 37 years,
Occ- Pump Mechanic Instructor,
Industrial Training Institute (ITI), Mulchera,
Distt.Gadchiroli.
68. Mr. Chandrakant Vasudev Thengadi,
Aged about 39 years,
Occ- Painting Instructor,
Industrial Training Institute (ITI), Dhanora,
Distt.Gadchiroli.
69. Mr.Suresh Madhukar Tabhane,
Aged about 38 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI), Umred,
Distt. Gadchiroli.
70. Mr. Premanand Nanaji Bhaisare,
Aged about 35 years,
Occ- Sheet Metal Worker Instructor,
Industrial Training Institute (ITI), Gadchiroli,

Distt. Gadchiroli.

71. Kum. Shobha Uddhav Chandekar,
Aged about 44 years,
Occ- Tailoring Instructor,
Industrial Training Institute (ITI), Mulchera,
Distt. Gadchiroli.
72. Mr. Shankar Pentayyagy Madhelwar,
Aged about 38 years,
Occ- Electric Instructor,
Industrial Training Institute (ITI), Allapally,
Distt. Gadchiroli.
73. Mr. Damodhar Govindaji Ambade,
Aged about 38 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI), Kurkheda,
Distt. Gadchiroli.
74. Mr. Madan Dodkuji Bhaisare,
Aged about 40 years,
Occ- Tractor Mechanic Instructor,
Industrial Training Institute (ITI), Desaiganj,
Distt. Gadchiroli.
75. Mr. Sapan Bhausindhu Ballava,
Aged about 37 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI), Allapaly,
Distt. Gadchiroli.
76. Mr. Ratnakar Shrawan Kuwale,
Aged about 43 years,
Occ- Motor Mechanic Instructor,
Industrial Training Institute (ITI), Gadchiroli,
Distt. Gadchiroli.
77. Mr. Chandu Damodar Samarth,
Aged about 38 years,

Occ- Math Instructor,
Industrial Training Institute (ITI), Gadchiroli,
Distt. Gadchiroli.

78. Mr. Dilip Lalaji Shende,
Aged about 37 years,
Occ- Math and Drawing Instructor,
Industrial Training Institute (ITI), Aurmoroli,,
Distt. Gadchiroli.
79. Mr. Madhukar Motiram Halami,
Aged about 36 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI), Allapally,
Distt. Gadchiroli.
80. Kum. Maya Konduji Nale,
Aged about 42 years,
Occ- Tailoring Instructor,
Industrial Training Institute (ITI), Mulchara,
Distt. Gadchiroli.
81. Mr. Pravin Yadavrao Sakhure,
Aged about 37 years,
Occ- Electronic Mechanic Instructor,
Industrial Training Institute (ITI), Lakhandur,
Distt.Bhandara.
82. Mr. Vishal Pramod Rangane,
Aged about 36 years,
Occ- Math and Drawing Instructor,
Industrial Training Institute (ITI), Lakhandur,
Distt.Bhandara.
83. Mrs. Sunita Rajendra Bhosle,
Aged about 33 years,
Occ- Electronic Instructor,
Industrial Training Institute (ITI), Tumsar,

Distt.Bhandara.

84. Mr. Sanjay Haribhau Mallewar,
Aged about 34 years,
Occ- Diesel Mechanic Instructor,
Industrial Training Institute (ITI), Mohadi,
Distt.Bhandara.
85. Mr. Sudhir Damodhar Gavande,
Aged about 38 years,
Occ- Electrical Instructor,
Industrial Training Institute (ITI), Mohadi,
Distt.Bhandara.
86. Mr. Shridhar Gangadhar Ghatoley,
Aged about 39 years,
Occ- Fitter Instructor,
Industrial Training Institute (ITI), Bhandara,
Distt.Bhandara.
87. Kum. Mangala Bapurao Supare,
Aged about 36 years,
Occ- Dress Making Instructor,
I.T.I. , Sakoli, Distt. Bhandara.
88. Mr. A.K. Mandale,
Aged about 38 years,
Occ- Cutting and Sewing Instructor,
Industrial Training Institute (ITI), Lakhandur,
Distt.Bhandara.
89. Ku. Sheetal Ramkrishna Deo,
Aged about 38 years,
Occ- Baker and Confectioner Instructor,
Industrial Training Institute (ITI), Sakoli,
Distt.Bhandara.
90. Mr. Kushal Shrikrishna Umak,
Aged about 40 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI), Sakoli,

Distt. Bhandara.

91. Mr. Sudhir Vasantrao Harde,
Aged about 40 years,
Occ- Pump Mechanic Instructor,
Industrial Training Institute (ITI), Tiroda,
Distt.Gondia.
92. Mr. Sharatkumar Lamnan Sakharwade,
Aged about 40 years,
Occ- Electrician Instructor,
Industrial Training Institute (ITI), Deori,
Distt. Gondia.
93. Mr. Pradeep Keshav Kawadkar,
Aged about 42 years,
Occ- Drawing Instructor,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.
94. Mrs. Kirti Vitthal Vinchurkar,
Aged about 37 years,
Occ- Tailoring Instructor,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.
95. Mr. Rajendra Sudhamji Patale,
Aged about 37 years,
Occ- Fitter Instructor,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.
96. Mr. Devanand Jayshankar Chindalore,
Aged about 40 years,
Occ- Wireman Instructor,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.
97. Mr. Manoj Kumar Ramnath Suman,
Aged about 33 years,
Occ- Pump Mechanic Instructor,
Industrial Training Institute (ITI), Tiroda,

Distt. Gondia.

98. Mr. Satish Laxmanrao Chakole,
Aged about 28 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI), Amgaon,
Distt. Gondia.

99. Mr. Sanjay Kumar Pundlik Shahare,
Aged about 42 years,
Occ- Turner Instructor,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.

100. Mr. Atul Bhaskarrao Debare,
Aged about 36 years,
Occ- Draughtsman Mechanic Instructor,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.

101. Kum. Seema Someshwar Karande,
Aged about 38 years,
Occ- Dress Making Instructor,
Industrial Training Institute (ITI), Arjuni Morgaon,
Distt. Gondia.

102. Mr. Anand Pandurang Dohatare,
Aged about 39 years,
Occ- DLM Instructor,
Industrial Training Institute (ITI), Deori,
Distt. Gondia.

103. Kum. Shalini Vasudev Yengandalwar,
Aged about 31 years,
Occ- Electronics Instructor,
Industrial Training Institute (ITI), Gondia,

Distt. Gondia.

104. Mr. Sanjay Narayan Janbandhu
Aged about 35 years,
Occ- Assistant Lecturer,
Govt. Technical High School Centre, Gondia,
Distt. Gondia.
105. Mr. Ganesh Ramdas Bante,
Aged about 35 years,
Occ- Wireman Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
106. Kum. Sarita Madhavrao Moharkar,
Aged about 35 years,
Occ- Food & Vegetable Processing Instructor,
Industrial Training Institute (ITI) (Girls), Kuhi,
Distt. Nagpur.
107. Mr. Santosh Vasudev Bondre,
Aged about 39 years,
Occ- Grinder Machinist Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
108. Mr. Madhukar Bhavarao Sevatkar,
Aged about 32 years,
Occ- Motor Mechanic Vehicle Instructor,
Industrial Training Institute (ITI), Katol,
Distt. Nagpur.
109. Mr. Shashikant Ramchandra Dande,
Aged about 37 years,
Occ- Gas / Electric Welding Instructor,
Industrial Training Institute (ITI), Savner,
Distt. Nagpur.
110. Mr. Pradeepkumar Rameshrao Sontakke,
Aged about 38 years,
Occ- Wireman Instructor,
Industrial Training Institute (ITI), Nagpur,

111. Kum. Zakya Parvin Mohiyuddin,
Aged about 35 years,
Occ- Tailoring Instructor,
Industrial Training Institute (ITI), Narkhed,
Distt. Nagpur.
112. Mr. Mukesh Mahadev Mehar,
Aged about 39 years,
Occ- Motor Mechanic & Vehicle Instructor,
Industrial Training Institute (ITI), Katol,
Distt. Nagpur.
113. Mr. Arvind Prabhakar Vaidhya,
Aged about 40 years,
Occ- Electrical Instructor,
Industrial Training Institute (ITI), Mouda,
Distt. Nagpur.
114. Mr. Pramod Shesharaoji Bhende,
Aged about 37 years,
Occ- Electronic Instructor,
Industrial Training Institute (ITI), Katol,
Distt. Nagpur.
115. Sou, Prerna Prashant Kunte,
Aged about 36 years,
Occ- Food & Vegetable Processing Instructor,
Industrial Training Institute (ITI), (Girls), Nagpur,
Distt. Nagpur.
116. Mr. Yuvraj Harishchandra Khobragade,
Aged about 37 years,
Occ- Tool and Die Making Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
117. Sou. Pratibha Rajesh Dhande,
Aged about 38 years,
Occ- Dress Making Instructor,
Industrial Training Institute (ITI), Mouda,
Distt. Nagpur.

118. Kum. Sunita Ganpathrao Deshmukh,
Aged about 42 years,
Occ- Dress Making Instructor,
Industrial Training Institute (ITI), (Girls), Nagpur,
Distt. Nagpur.
119. Mr. Pranav Shirish Halde,
Aged about 38 years,
Occ- COPA Group Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
120. Mr. Shailesh Balaji Patil,
Aged about 38 years,
Occ- Math and Drawing Instructor,
Industrial Training Institute (ITI), Mouda,
Distt. Nagpur.
121. Mr. Pravin Devidasji Bhagat,
Aged about 37 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI), Kamptee,
Distt. Nagpur.
122. Mr. Dilip Govindrao Maski,
Aged about 37 years,
Occ- Wireman Instructor,
Industrial Training Institute (ITI), Umred,
Distt. Nagpur.
123. Mr. Gajanan Sambshiv Kelkar,
Aged about 37 years,
Occ- R/ Ac Instructor,
Industrial Training Institute (ITI), Hingna,
Distt. Nagpur.
124. Mr. Mohd. Asraflal Md. Ansari,
Aged about 38 years,
Occ- MMV Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.

125. Mr. Rajesh Ramkrishna Vasnik,
Aged about 33 years,
Occ- Sheet Metal Work Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
126. Mr. Manish Ashok Balamwar,
Aged about 37 years,
Occ- R/ Ac Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
127. Mr. Rajendra Prahlad Shingade,
Aged about 38 years,
Occ- I.T. & ESM Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
128. Mr. Baniram Pandurang Koche,
Aged about 37 years,
Occ- Drawing Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
129. Mr. Kishor Natuji Bomble,
Aged about 39 years,
Occ- Painter Instructor,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
130. Mr. Anand Daulatrao Walake,

Aged about 37 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI), Kalmeshwar,
Distt. Nagpur.

Applicants.

-Versus-

1. The State of Maharashtra,
Through its Secretary,
Department of Higher and Technical Education,
Mantralaya, Mumbai-32.
2. The Director,
Vocational Education and Training,
3, Mahapalika Marg, P.B. No.100036,Mumbai.
3. The Joint Director,
Vocational Education and Training,
Regional Office, Civil Lines,
Nagpur.

Respondents.

ORIGINAL APPLICATION NO.360/2009.

1. Siddharth Gunvantrao Vasnik,
Aged about 36 years,
Occ-Pump Operator-cum- Mechanic Instructor,
Industrial Training Institute (ITI), Mouda,
Distt. Nagpur.
2. Mr. Manish KamlakarWalke,
Aged about 36 years,
Occ- Welder Instructor,
Industrial Training Institute (ITI), Bhamragad,
Distt.Gadchiroli.

3. Mr. Suresh Kashiram Borkar,
Aged about 37 years,
Occ- R/Ac Instructor,
Industrial Training Institute (ITI), Gadchiroli,
Distt.Gadchiroli.
4. Mr.Vijay Murlidhar Dupare,
Aged about 42 years,
Occ- Plumber Instructor,
Industrial Training Institute (ITI), Alapalli,
Distt.Gadchiroli.
5. Mr.Kamlakar Rambhau Giradkar,
Aged about 37 years,
Occ- Carpenter Instructor,
Industrial Training Institute (ITI), Bramhapuri,
Distt.Chandrapur.
6. Mr.Subhash Gulabrao Turkey,
Aged about 38 years,
Occ- Tractor Mechanic Instructor,
Industrial Training Institute (ITI), Chandrapur,
Distt.Chandrapur.

Applicants.

-Versus-

1. The State of Maharashtra,
Through its Secretary,
Department of Higher and Technical Education,
Mantralaya, Mumbai-32.
2. The Director,
Vocational Education and Training,
3, Mahapalika Marg, P.B. No.100036,Mumbai.
3. The Joint Director,
Vocational Education and Training,
Regional Office, Civil Lines,
Nagpur.

Respondents.

ORIGINAL APPLICATION NO.822/2009.

1. Miss Mangala Yadhavrao Patil,
Aged about 39 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Nagpur,
Distt. Nagpur.
2. Kum. Jyoti Nandlal Sarodhok (Jyoti Laxman Hazari),
Aged about 38 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Chandrapur,
Distt.Chandrapur.
3. Mr. Vilas Raghoba Nikure,
Aged about 40 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Chandrapur,
Distt.Chandrapur.
4. Smt. K.M. Mahatwane,
Aged about 40 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Wardha,
Distt.Wardha.
5. Ms. Rajani Vinayakrao Deshmukh,
Aged about 42 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Wardha,
Distt.Wardha.
6. Smt. Alka Pramod Raut,
Aged about 36 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Pulgaon,
Distt.Wardha.
7. Mr. Prabhakar Atmaram Bulle,

Aged about 38 years,
Occ- Junior Clerk,
Industrial Training Institute (ITI), Gadchiroli,
Distt. Gadchiroli.

8. Mr. Prabhakar Rushi Nandanwar,
Aged about 39 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Armori,
Distt. Gadchiroli.
9. Mr. Kailas Devchand Ale,
Aged about 39 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.
10. Mr. Shyamrao Gendlal Bisen,
Aged about 39 years,
Occ- Clerk-cum-Typist,
Industrial Training Institute (ITI), Gondia,
Distt. Gondia.

Applicants.

-Versus-

1. The State of Maharashtra,
Through its Secretary,
Department of Higher and Technical Education,
Mantralaya, Mumbai-32.
2. The Director,
Vocational Education and Training,
3, Mahapalika Marg, P.B. No.100036, Mumbai.
3. The Joint Director,
Vocational Education and Training,
Regional Office, Civil Lines,
Nagpur.

Respondents.

Shri P.V. Thakre, Ld. Advocate for the applicants.
Shri M.I. Khan, Ld. P.O. for the respondents.

Coram:-Shri J.D. Kulkarni, Vice-Chairman (J)
and
Shri Shree Bhagwan, Member (A)

JUDGMENT

(Delivered on this 27th day of April 2018.)

Per:-Vice-Chairman (J)

Heard Shri P.V. Thakre, the learned counsel for the applicants and Shri M.I. Khan, the learned P.O. for the respondents.

2. All these applications are being disposed of by this common order, since the issue involved in all these matters is one and the same.

3. The applicant in O.A. No. 256/2009 Kalidas Laxman Kalbandhe is working as a Driver and was appointed initially on 8.3.1990 at the regional office (DVAT), Nagpur. His services have been regularized on 8.3.1999 in view of orders issued by respondent No.1 i.e. the Secretary, Department of Higher and Technical Education, Mumbai dated 25.5.1999 and 13.12.1999.

4. The applicants in O.A.No.360/2009 are working as Instructors in the respective I.T.Is and were initially appointed on *ad hoc* basis. They were subsequently selected by the Divisional / Regional Selection Board and their services have been regularized in view of G.R. dated 8.3.1999.

5. The applicants in O.A.No.359/2009 are working as Instructors in the respective I.T.Is and though, they were initially appointed on temporary basis, their services have been regularized on 8.3.1999 in view of the G.Rs issued by the respondent No.1 on 25.5.1999 and 13.12.1999.

6. The applicants in O.A.No.822/2009 are working as Clerk-cum-Typists in the respective I.T.Is and their services are also regularized on 8.3.1999 in view the orders issued by respondent No.1 i.e. the Secretary, Department of Higher and Technical Education, Mumbai on 25.5.1999 and 13.12.1999.

7. According to the applicants, as per the G.R. dated 1.11.1983, a decision was taken for abolition of the Selection Board and that services of temporary / *ad hoc* employees should be regularized from the date of their initial appointment on *ad hoc* basis. Number of decision were taken by the Government and various G.Rs were issued to regularize the services of temporary

employees. On 24.1.1990, it was decided that the Govt. employees who were selected in the year 1988 by the Selection Board, their selection have been included from the purview of Regional Selection Board and, therefore, it was decided that their appointments shall be considered as regular appointment and it was also directed to give them seniority from the date of their initial appointment.

8. Vide G.R. dated 5.2.1990, the employees who were appointed prior to 8.6.1983 were not selected by the Regional Selection Board, it was decided to regularize their services in view of a decision taken by the Hon'ble High Court in W.P. No.3685/1984 and accordingly services of the employees were regularized from the date of their initial appointment . Almost similar decisions were taken vide G.R. dated 19.9.2001 by the Department of Social Justice and Special Assistance, G.R. dated 20.11.2003 by the Department of Rural Development and a G.R. dated 16.1.2004 by the Department of Tribal Development. On the basis of the G.R. dated 8.3.1999, services of *ad hoc* employees in various departments under the Govt. of Maharashtra were regularized and their seniority was considered from the date of their initial appointment. Thus, various departments the Govt. of

Maharashtra have taken conscious decision to regularize the services of their respective employees from the date of their initial appointment.

9. On 31.7.2007, the Union of the applicants demanded that the services of the applicants shall be regularized in view of G.R. dated 8.3.1999 and they shall be given seniority from the date of their initial appointment alongwith other demands. The meeting was held with the representatives of the respondent No.2 i.e. the Dy. Secretary and other officials and non-officials and it was decided that the Director of Vocational Education and Training should prepare a proposal in respect of demands of the Union of the applicants and to place it in the meeting before the Govt. Accordingly, meeting was held on 23.8.2007 which was attended by the respondent Nos. 2 and 3. In the said meeting, a proposal for granting seniority from the date of initial appointment to the applicants will be submitted to the Govt. on or before 30.9.2007. Since no decision was taken by the Govt., the applicants have filed these O.As. All the applicants are claiming directions to the respondents to consider their cases for granting them seniority on their respective posts from the date of their initial appointment and to pay them consequential benefits thereon.

10. The respondent No.3 i.e the Joint Director, Vocational Education and Training, Nagpur has filed affidavit in reply in all the matters and submitted that the services of the applicants have been regularized in the year 1999 and they are challenging their regularization after ten years and, therefore, the application is barred by limitation. It is stated that the respective applicants were appointed purely on *ad hoc* basis. The Government has taken a decision to regularize the services of such temporary and ad hoc employees on certain conditions as a one time special case and in view thereof, the Govt. of Maharashtra has issued a G.R. dated 8.3.1999 in respect of 3761 *ad hoc* employees working in different departments of the Govt. of Maharashtra. In the said G.R., six conditions were mentioned for regularization. The applicants have accepted those conditions and accepted the order of regularization and conditions therein and, therefore, they cannot claim that they were not properly regularized.

11. Admittedly, the services of all the applicants have been regularized vide G.Rs dated 8.3.1999 and 19.3.1999. Copies of the said G.Rs are placed on record in all the applications and, therefore, such copies in O.A. No. 256/2009 are considered.

The G.Rs are at page Nos. 23 and 24 (both inclusive) and at page Nos. 25 and 26 (both inclusive) at Annexure-C and Annexure-D respectively. From these G.Rs., it is clear that the Govt. has decided to regularize the services of various employees. As per Annexure-C dated 8.3.1999, it was decided to regularize the services of 3761 employees whereas as per the G.R. dated 19.3.1999 (Annexure-D), services of 1061 employees were regularized. The relevant decision for regularizing the series of the applicants taken vide both the G.Rs is the same and the relevant decision is as under:-

“शासन निर्णय:- शासन निर्णय सामान्य प्रशासन विभाग क्र. एसआयव्ही १०९९/प्र. क्र.६/९९/बारा दि. ८.३.१९९९ अन्वये परिशिष्ट अ मध्ये नमूद केलेल्या मंत्रालयीन विभागाच्या प्रशासकीय नियंत्रणाखालील अनियमित नियुक्त्या **एकवेळची** बाब म्हणून नियमित करण्याचा निर्णय शासनाने घेतला असून त्यातील परिशिष्ट अ मध्ये नमूद केलेल्या या विभागाच्या नियंत्रणाखालील व्यवसाय शिक्षण व प्रशिक्षण संचालनालयांतर्गत असलेल्या शासकीय औद्योगिक प्रशिक्षण संस्था व तंत्र माध्यमिक तसेच उच्च माध्यमिक शाळेतील शिक्षक व शिक्षकेतर १०६१ अस्थायी कर्मचाऱ्यांच्या सेवा खालील अटीच्या अधिनस्त नियमित करण्यात येत आहेत:-

(अ) संबंधित कर्मचाऱ्यांने सेवाप्रवेश नियमाप्रमाणे विहित केलेली शैक्षणिक अर्हता व वयाची अट मूळ नियुक्तीच्या वेळी पूर्ण केलेली असावी.

(ब) दि. ३१ डिसेंबर १९९७ रोजी एक वर्षाची सलग सेवा

झालेली असावी व कामांचा दर्जा किमान चांगला असावा.

- (क) पदे उपलब्ध नसावीत.
- (ड) नियमितीकरण करताना आरक्षण बिंदू आणि समांतर आरक्षण, यासंदर्भात तत्वांचे / नियमांचे पालन करण्यात आले असावे.
- (इ) कर्मचाऱ्यांची सेवाज्येष्ठता प्रस्तुत आदेश निर्गमित झाल्याच्या दिनांकापासून धरण्यात यावी.
- (ई) अभावित नियुक्तीचा फायदा कुठल्याही प्रयोजनार्थ/कारणांसाठी देण्यात येणार नाही.

संचालक, व्यवसाय शिक्षण व प्रशिक्षण यांनी याबाबतचे स्वतंत्र आदेश निर्गमित करून अभावित नियुक्त्या नियमित कराव्यात. तसेच भविष्यात अशाप्रकारे अनियमित नियुक्त्या होणार नाहीत, याबाबत योग्य ती दक्षता घ्यावी व तशा सूचना त्यांच्या अधिपत्याखालील नियुक्त्या प्राधीकार्यांना द्याव्यात. भविष्यात ज्या प्रकरणी वरील कार्यपद्धतीचे पालन करण्यात येणार नाही, त्याप्रकरणी संबंधित अधिकारी / कर्मचारी यांच्यावर जबाबदारी निश्चित करण्यात येऊन, त्यांच्याविरुद्ध आवश्यक ती कारवाई करण्यात यावी."

12. The terms and conditions of the aforesaid decision clearly show that the seniority of the employees to be regularized was to be considered from the date of issuing of the respective G.Rs i.e. the G.R. dated 8.3.1999 and 19.3.1999 respectively. Accordingly, the regularization orders of the

applicants were issued. One of such order for reference has been considered in respect of the applicant in O.A.No.256/2009 which is at page Nos. 29 to 32 (Annexure-5). Perusal of the said order clearly shows that the regularization was given effect from the date on which services of the employees are regularized and in this regularization order also, it clearly stated that seniority of the employees, whose services have been regularized shall be from the date of issuance of the G.R. Condition No.3 is material which reads as under:-

“कर्मचाऱ्यांची सेवाज्येष्ठता प्रस्तुत शासन आदेश निर्गमित झाल्याच्या दिनांकापासून अंतर्गत वर्षानिहाय ज्येष्ठतेनुसार धरण्यात येईल.”

13. The learned counsel for the applicants submits that in the minutes of the meeting between the Union and the respondent authorities, it was decided that the respondents will submit a proposal to regularize the services of the employees from the date of their original appointment on or before 30.9.2007. The minutes of the said meeting have been placed on record at page Nos. 18 to 21 (both inclusive). It is material to note that, this meeting has taken place on 23.8.2007 and a proposal was to be forwarded on 30.9.2007. It is not known as to whether a proposal

was forwarded or not. However, the respondents have accepted the order of regularization of employees and their appointment order is also in view of the G.Rs dated 8.3.1999 and 19.3.1999 and both these G.Rs clearly states that the employees were to be regularized and their seniority was to be considered from the date of issuance of the G.R. Therefore, the applicants at the most can claim regularization from the date of G.Rs dated 8.3.1999 and 19.3.1999. The alleged minutes of the meeting between the respondents and the Union of the employees cannot give rise to any legal right of the applicants. In view thereof, we do not find any merits in these O.As. Hence, we proceed to pass the following order:-

ORDER

All the O.As are dismissed with no order as to costs.

(Shree Bhagwan)
Member (A)

(J.D.Kulkarni)
Vice-Chairman(J)

Dt. 27.4.2018.

