

**MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI**  
**BENCH AT AURANGABAD**

**ORIGINAL APPLICATION NO. 368 OF 2021**

DIST. : OSMANABAD

1. Jahedabi w/o Shabudin Bagwan,  
Age: 70 years, Occup: Service  
(as Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
2. Nanda w/o Madukar Paul  
Age: 37 years, Occup:- Service  
(as Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
3. Rejendra s/o Ramchandra Netkee  
Age: 60 years, Occup:- Service  
(as Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
4. Ambubai w/o Sopan Netake  
Age:- 55 years, Occup: Service  
(as Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
5. Tai w/o Bhiva Vairage  
Age:- 48 years, Occup Service  
(as Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
6. Nirmalabai w/o Madhukar Shelke  
Age: 55 years, Occup: Service as  
Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.

7. Sushila w/o Gorakh Kamble  
Age-70 years, Occup-Service  
(as Anshkalin/part time Sweeper)  
R/o C/o. Office Superintendent,  
Of police, Osmanabad.
8. Hirabai w/o Motiram Kasbe  
Age-70 years, Occup Service  
(as Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
9. Laxmi w/o Malhari Savant  
Age-50 years, Occup Service  
(as Anshkalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
10. Nagarbai w/o Nana Kshirsagar  
Age-70 years, Occup- Service  
(as Anshicalin/part time Sweeper)  
R/O. C/o. Office Superintendent,  
Of police, Osmanabad
11. Sunita w/o Rajendra Netke  
Age-60 years, Occup-Service  
(as Anshicalin/part time Sweeper)  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad.
12. Arun s/o Sopan Rankhamb  
Age-58 years, Occup Service  
R/o. C/o. Office Superintendent,  
Of police, Osmanabad
13. Minabai w/o Shivaji Pethe  
Age-47 years, Occup-Service  
(as Anahicalin/part time Sweeper)  
R/o C/o. Office Superintendent,  
Of police, Osmanabad.

14. Kamal Dharma Dongre  
Age 60 years, occp House bold,  
R/o Bhimnagar, Osmanabad,  
Tq & Dist. Osmanabad. .. **APPLICANTS**

V E R S U S

1. The State of Maharashtra  
Through the Secretary  
Home Department, Maharashtra State,  
Mantralaya, Mumbai-32.
2. The Director General of Police,  
D.G.P. Office, Shajid Bhagat Singh,  
Marg, Colaba, Mumbai-32
3. The Inspector General Of Police,  
Aurangabad Range, Aurangabad,  
Tq & Dist. Aurangabad.
4. The Superintendent Of Police,  
Osmanabad, Tq & Dist. Osmanabad. ...**RESPONDENTS**

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APPEARANCE :- Shri K.G. Salunke, learned Advocate for  
the applicant.  
: Shri N.U. Yadav, learned Presenting  
Officer for the respondents.  
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**CORAM : Hon'ble Shri Justice P.R. Bora,  
Vice Chairman**

**DATE : 3<sup>rd</sup> May, 2023**  
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**ORAL - ORDER**

1. Heard Shri KG Salunke, learned counsel for the applicants and Shri N.U. Yadav, learned Presenting Officer for the respondents.
  
2. By filing the present Original Application the applicants have claimed the arrears towards their wages as per Government Notification 15.3.2003 and 28.9.2010. The applicants are working as Part Time Sweepers in the office of respondent no. 4. The applicants' claimed that they are working in the office of respondent no. 4 as per the information provided in clause 6(i) of the Original Application. It is the contention of the applicants that vide Notification issued on 15.3.2003 the Part Time Sweepers are made entitled to receive 60% of wages payable to the Fulltime Sweepers or Mehatar or performing the alike duties. Vide the said Notification the minimum monthly wages were determined to the tune of Rs. 3200/-, 3100/- and 3000/- for the Fulltime Sweepers' working respectively in Zone-1, Zone-2 and Zone-3. It is the further contention of the applicants that minimum rates so determined vide aforesaid Notification dated 15.3.2003 were revised vide subsequent Notification issued on 28.9.2010 to the extent of Rs.

4600/-, Rs. 4450/- and Rs. 4300/- respectively for Zone-1, Zone-2 and Zone-3.

3. It is the grievance of the applicants that though all the applicants are working even since prior to 2003, they have not yet been paid the wages as declared by the aforesaid 2 Notifications. The applicants have contended that some of the applicants have moved representation on 1.4.2008 to respondent no. 4 to grant them the benefit of minimum wages, but no decision has been taken on the said representation. Applicants have therefore prayed for difference of wages on the basis of the aforesaid 2 Government Notifications.

4. The details of applicants and amount to which they are entitled for difference in wages are given below:-

<b>Applicant No.</b>	<b>Name of Applicant</b>	<b>Difference amount of wages. Rs.</b>
1	Jahedabi w/o Shabudin Bagwan	1,35,212/-
2.	Nanda w/o Madukar Paul	41,895/-
3.	Rejendra s/o Ramchandra Netkee	1,17,496/-
4.	Ambubai w/o Sopan Netake	1,29,495/-
5.	Tai w/o Bhiva Vairage	1,32,168
6.	Nirmalabai w/o Madhukar Shelke	1,35,359/-

7.	Sushila w/o Gorakh Kamble	1,33,217/-
8.	Hirabai w/o Motiram Kasbe	1,27,920/-
9.	Laxmi w/o Malhari Savant	1,32,870/-
10.	Nagarbai w/o Nana Kshirsagar	1,34,673/-
11.	Sunita w/o Rajendra Netke	1,20,750/-
12.	Arun s/o Sopan Rankhamb	47,138/-
13.	Minabai w/o Shivaji Pethe	1,10,111/-
14.	Kamal Dharma Dongre (legal heir of deceased Netaji Dharma Dongre)	80,056/-

5. As contended in the application, applicant no. 14 is the widow of deceased Netaji Dharma Dongre, who was working under respondent no. 4 from 1.4.2008. Said Netaji Dharma Dongre expired on 1.7.2019 while in service. Legal heir of deceased Netaji namely Kamal Dharma Dongre is prosecuting the present application for getting arrears of wages payable to deceased Dharma Dongre. Prayer is made by the applicants for direction against the respondents to release the amount of arrears in their favour.

6. In the affidavit in reply the entitlement of the applicants has not been denied. It is stated that proposal is forwarded to the Government and since adequate grants are not received the arrears have not been paid to the applicants.

7. After considering the facts as aforesaid it appears to me that when according to G.R. dated 28.9.2010 right has been accrued in favour of the applicants to receive the wages as prescribed in the said G.R. and accordingly arrears have been calculated, the Government is under an obligation to pay the arrears to the applicants. The documents filed on record by the respondents reveal that the grants are sought from the Government by moving proposal in that regard in the year 2021, however, till today no progress is seen. In view of the fact that entitlement of the applicants is not disputed the Original Application deserves to be allowed. Hence, the following order:-

**ORDER**

- (i) Respondents are directed to release amount as indicated in the statement in aforesaid para no. 4 in favour of the respective applicants, within the period of 3 months from the date of this order.
- (ii) The Original Application stands disposed of in the aforesaid terms. No order as to costs.

**VICE CHAIRMAN**

**Place : Aurangabad**

**Date : 3<sup>rd</sup> May, 2023**