



## **MAHARASHTRA STATE HUMAN RIGHTS COMMISSION, MUMBAI**

Administrative Staff College Compound, 9, Hajarimal Somani Marg, Opp. C.S.T. Mumbai - 400001.

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10.06.09

**Case No. 14/3/2006-07 / 1233**

**Name of the complainants :**

1. Shri Punjabrao Tukaramji Pawar  
At & Post-Morshi (Ramji Babanagar Ward No.2)  
Tal-Morshi, Dist-Amravati -444 905.
2. Shri Uttamrao Pandurangji Dahake  
At & Post Morshi ( Malipura)  
Tal-Morshi, Dist-Amravati.

V/s  
The Collector, Amravati.

**Date :** June 2, 2009.

**Coram :** Justice Kshitij R. Vyas (*Former Chief Justice*), Chairperson.

### **PROCEEDINGS**

The sons of the complainants are present at the time of hearing. On behalf of the respondent Shri Indrasen M. Titakare, Deputy Collector, Amravati has remained present.

The complainants are retired Class-IV employees from Tahasil Morshi in Amravati. They have approached the Commission against alleged injustice caused to them due to contravention of a Government Resolution regarding providing employment to the children of retired Class-IV employees in Government service. It is submitted that 10 to 12 posts were filled without following due procedure and giving a chance to the complainants' children to be appointed.

In the reply filed in the case, the respondent has denied the allegations and claims made by the complainants. It is submitted that the relevant Government Resolution being quoted and relied upon by the complainants does not make it mandatory for children of retired Class-IV employees to be absorbed in Government service. Also it is submitted that in the instant case, there are 59 aspirants and the complainants' sons are placed at Sr. Nos. 26 and 36 respectively. Opinion as regards appointment has been sought from the Government and the matter is reported to be pending.

At the time of hearing, it is pointed out that even though the complainants' sons are placed at Sr. Nos. 26 and 36 respectively, the respondent have committed breach by appointing one S. S. Mahulkar listed at Sr. No. 52 by ignoring all the persons shown above him. Shri Titakare submitted that as he is not aware about this, he has to take instruction in the matter.

Be that it may, the fact remains that this is a service matter and in view of Regulation 8 (e) of the Maharashtra State Human Rights Commission (Procedure) Regulation 2001, it is beyond the power of the Commission to enter into the merits of the case. The Commission has, therefore, impressed upon the complainants to file Writ Petition by approaching the State Legal Services Authority at Nagpur, as the complainants are not in position to bear the legal expenses.

It is, therefore, recommended that as and when the complainants approach the State Legal Services Authority at Nagpur, they may be provided legal assistance by providing the services of the Advocate to fight their case in the High Court.

With this recommendation the complaint is accordingly disposed off without entering into the merits.

The Registrar, SHRC shall send the copy of order to the State Legal Services Authority, Nagpur.



*Kshitij R. Vyas*  
(Justice Kshitij R. Vyas)  
Chairperson.

Mumbai; June 2, 2009.