

**HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE**

C I R C U L A R

The Government of Maharashtra has issued Government Resolution, Social Justice and Special Assistance Department No. Sweeper Employees-2018/M. No.46/Sa.Aa.Ka. dated 24.02.2023 in supersession of all the previous Resolutions regarding implementation of recommendations of Lad-Page Committee, wherein, the Government has issued the revised provisions for giving appointments by way of heirship right to the Sweeper Employees.

The Hon'ble the Welfare Committee has been pleased to make applicable the above Government Resolution to the Sweeper Employees on the establishment of the High Court of Bombay its Principal Seat, and its Benches at Nagpur and Aurangabad and to the employees on the establishment of the District Judiciary in the State of Maharashtra, subject to following conditions and modifications :

- 1 Following clauses of the Government Resolution (GR) shall **not** apply: Clause 6.1, 6.2, 6.4, 8.5, 8.8, 8.9 and 8.10.
2. **Clause 5.8** of the GR shall apply with following modification: ***"If husband wife or son/ daughter or any other person in the family of sweeper employee is in service of Government / Semi-government, Local Self Government Bodies /Aided Institutions, the rule of 'heirship right' in respect of the concerned Sweeper***

employee will not apply. However, the Chief Justice may taking into account all relevant factors such as presence of an earning member, size of the family, age of the children, number of dependants and essential needs of the family, consider a dependant member as per Clause 3 of the GR for compassionate appointment.”

3. Clause 7.1 of the GR shall apply with following modification *“Subject to the other conditions of the GR as modified by the Circular, while appointing an heir of the concerned Sweeper employee his educational qualification shall be taken into consideration. If a Group – C post is available and if the heir concerned is suitable in all respects, possesses the requisite qualifications and if he /she so desires, he / she may be appointed to a Group – C post by giving preference to him / her.”*
4. Clause 7.4 of the GR shall apply with following modification *“If an heir is to be appointed to Group – C post on the basis of his / her educational qualification and if the heir does not possess certificate of requisite typing speed or computer proficiency, he / she may granted a period of two years for obtaining such qualifications or such further period as may be determined by the High Court / Chief Justice from time to time.”*
5. Clause 8.1 of the GR shall apply with following modification *“The heir at the time of appointment shall furnish Small Family Declaration as per Government Notification dated 28.03.2005.”*
6. Clause 8.2 of the GR shall apply with following modification *“As the heirs of retired / voluntarily retired / medically unfit or deceased Sweeper Employees are appointed in their places, the total number of employees does not get increased, and therefore, the*

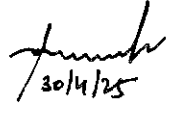
condition of the limit on expenditure on establishment and the condition of staffing pattern shall not be applicable in the cases of heirship right of the Sweeper Employees. Further, as the posts of Sweeper Employees are filled up by way of heirship right as per the recommendations of Hon'ble Lad Committee on their falling vacant, the posts of Sweeper Employees will not get lapsed."

7. Clause 8.6 of the GR shall apply with following modification: "The Personnel Department shall endeavour to process the application within a period of 90 days from the date of receipt of application."
8. Clause 8.11 shall apply with following modification "The Personnel Department being the concerned dealing department shall be responsible for implementation of the GR as modified by the High Court and may solicit further directions from the Hon'ble the Chief Justice, if necessary."
9. The GR as modified by the High Court shall be deemed to have come into force on 24.02.2023 and shall apply to the sweeper employees who have retired, voluntarily retired, died or rendered medically unfit to continue in service, on or after 24.02.2023.
10. The sweeper employee shall be entitled to nominate any person as enumerated in clause 3 of the GR as his heir. The heir so nominated shall be considered for compassionate appointment. Where the nominated heir does not apply for the appointment or fails to accept the appointment without reasonable cause, the other heirs in clause 3 of the GR shall be considered in seriatim.
11. While giving the appointment on compassionate ground, it shall be incumbent upon the heir/nominee to submit

an affidavit stating that he/she shall look after the family members of the deceased employee.

12. Heir / Nominated Heir of sweeper employee shall make an application for appointment on compassionate ground within one year from the date of issuance of this circular or from the retirement / voluntary retirement / death of the sweeper employee or within one year from the date the sweeper employee being rendered medically unfit for continuation in service. In suitable cases the Chief Justice may consider such request upto two years from date of retirement / voluntary retirement / death of the sweeper employee or within one year from the date the sweeper employee is rendered medically unfit for continuation in service.
13. Nothing in the “Bombay High Court Revised Guidelines for Appointment on Compassionate Ground 2019” shall apply to the sweeper employees covered under this GR as modified in its application by the High Court, except the following clauses of the said Scheme shall apply *mutatis mutandis* : clause 5, 7(b), 8(A), 8(C), (9), 11, 13(a) (i) to (iii), 13(b)(i) and 13(b)(ii), 13(c) and 13(d), 15, 16, 17(a), 17(d), 17(e), 17(f).
14. The Personnel Department, which is the dealing department shall prescribe the proformas to be used for giving effect to the resolution as made applicable by the High Court.

High Court, Appellate Side)
Bombay, 400 032.)
Date : 30th April, 2025.)

By Order,

30/4/25
REGISTRAR GENERAL