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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO. 1570 OF 2023

Shramik Janata Sangh through its
General Secretary and Ors.

... Petitioners

V/s.

State of Maharashtra and Ors.

... Respondents

Mr. Hamza Lakdawala i/b. Deepali Kasul for the Petitioners

Mr. P.P. Kakade, GP with Ms. R.A. Salunkhe, AGP for the
Respondent – State

Mr. Kishor Badgujar, O.S.D., Social Welfare Commissioner,
Maharashtra, Pune

***CORAM : NITIN JAMDAR &
M.M. SATHAYE, JJ.***

DATE : 10 MAY 2024

P.C. :-

The learned AGP tenders an affidavit sworn by the Secretary, Social Justice and Special Assistance Department dated 8 May 2024. The learned Counsel for the Petitioners states that he has not received the copy of the affidavit. In the affidavit it is stated that the State Government has constituted the State Level Monitoring Committees and Vigilance Committee for each Districts.

2. We note that the Notification for constituting the State Level Monitoring Committee is issued on 31 July 2019. Under the governing statute, the Monitoring Committee should hold meetings at least only in six months to monitor. The Committee advises the State Government and Local Authorities for effective implementation of the Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and co-ordinate the concerned of all agencies. It would be therefore necessary to ascertain whether the State Level Monitoring Committee has conducted its meeting at least twice in a year since their formation and also details of the activities that are carried out. Similar position would apply to the District Vigilance Committees which are constituted by the Notification dated 31 July 2019. In our earlier order dated 16 April 2024, we had emphasised on the importance of these two Committees for achieving the object of the Act of 2013.

3. The learned AGP states that this information is called for.

4. The learned AGP states that by order dated 2 May 2024, the Commissioner of Social Welfare, Pune is appointed as a Nodal Officer to co-ordinate with the different Department and call for information.

5. We permit the Petitioners to amend the Petition to join the Commissioner, Social Welfare, Pune (Nodal Officer) as party Respondent.

6. The learned AGP states that information is called for from the Municipal Corporations listed in the order dated 16 April 2024 and the information is awaited.

7. Accordingly, while we defer the hearing at the request of the learned Counsel for the Petitioners to **5 July 2024**, the added Respondent (Nodal Officer) will collect the information as regards the activities carried out by the State Level and District Level Monitoring Committees since their inception till date and also place on record as to how many meetings have been held, what is the action plan prepared by these Committees and stages of their implementation.

8. The Commissioner (Nodal Officer) will follow up with the Municipal Corporations listed in the order dated 16 April 2024 and ensure that the necessary information is received by the next date. We direct the Commissioner of these Municipal Corporations to supply necessary information to the Nodal Officer.

9. We also direct that the State Level Monitoring Committees to prepare a draft action plan for the next two years as

regards the steps to be taken for effective implementation of the Act of 2013 and that draft plan be placed on record to the affidavit to be filed by the Nodal Officer on the next date.

M.M. SATHAYE, J.

NITIN JAMDAR, J.