

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

70 WRIT PETITION NO.5841 OF 2012

WITH CA/2143/2019 IN WP/5841/2012 WITH CA/8636/2018 IN
WP/5841/2012 WITH CA/9314/2018 IN WP/5841/2012 WITH
CA/10352/2018 IN WP/5841/2012 WITH CA/10354/2018 IN WP/5841/2012
WITH CA/10353/2018 IN WP/5841/2012 WITH CA/10917/2018 IN
WP/5841/2012 WITH CA/10916/2018 IN WP/5841/2012 WITH
CA/16166/2022 IN WP/5841/2012 WITH CA/517/2019 IN WP/5841/2012

TRYSEM AND MINI ITI EMPLOYEES UNION THR MEMBER
VERSUS
THE STATE OF MAHARSHTRA AND ANR

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Advocate for Petitioners : Mr. S.V. Dixit h/f. Tripathi Manish P. For Petitioner
AGP for Respondents/State : Mr. S.K. Tambe

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**CORAM : RAVINDRA V. GHUGE &
SANJAY A. DESHMUKH, JJ.**
DATE : 11th January, 2023

PC. :-

1. Though this petition was lodged on 13.10.2011, it is not admitted. It is in the 13th year. The learned advocate for the petitioners submits that admitting this petition today would bury this petition in the heap of admitted matters and this matter will take years to be taken up for final hearing. He submits that there are hundreds of employees involved in the Trysem and mini ITI projects. They have been working for over two decades. This petition has to be taken for final hearing at admission stage. Admitting the petition would not render any decision at the earliest and by which time, these petitioners

would cross the age of superannuation. Some have already crossed the age of superannuation.

2. In the above backdrop, we have commenced the hearing in this petition at the admission stage.

3. As the hearing progressed to some length, we noticed that the petitioner-Union needs to place before the Court, the data indicating the names of its members and the locations at which they are presently working. We also need to know as to how many are in employment today on account of the interim orders of the Court. Some of the employees had approached the Industrial Court. In some matters, after succeeding before the Industrial Court, the Single Bench Judge of this Court has ordered that the proposals of those employees should be referred to the Rural Development Department of the Government of Maharashtra for considering whether these employees could be absorbed. The statements of these employees that they are willing to work in any department, even in the Zilla Parishad in any part of the State, has been recorded.

4. The learned AGP desires to place on record the details as regards the functional centers under the Trysem and mini ITI scheme. He informs that the Union of India has long ago aborted the scheme. As employees approached

the Courts and protective orders were passed, that the Government had to continue to operate the center, under compulsion. These centers have now become unviable. There are existing ITI institutes, most of them being operated by the Government of Maharashtra. The Trysem scheme was implemented since the Government of India was funding the scheme to the extent of 50%.

5. Let the petitioner file an affidavit in the light of the above. We expect the State Government also to tender an additional affidavit in view of the submissions of the learned AGP.

6. In the meanwhile, we would suggest, not to be mistaken to be our view in this matter, that the Government may explore the possibility of either preparing a scheme as a one time measure for the purposes of accommodating the petitioners / employees who are presently in employment or considering their absorption in any other State authority or State instrumentality in the State of Maharashtra, keeping in view that the employees are willing to work at any place and in any department of the State.

7. Stand over to 02.02.2023 at 2.30 p.m. By consent, this matter is treated as part heard.