

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

**907 WRIT PETITION NO. 12406 OF 2021
WITH WP/12214/2017**

**ATMA EMPLOYEES WELFARE ASSOCIATION
(MAHARASHTRA STATE) THROUGH ITS SECRETARY
VERSUS
THE UNION OF INDIA THROUGH THE SECRETARY (A AND
c) AND OTHERS**

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Advocate for Petitioner : Mr. B. L. Sagar Killarikar
AGP for Respondents: Mrs. M.A. Deshpande
ASG for Respd. No. 1(in WP 12406/21) : Mr. A.G. Talhar
Standing Advocate for Respd. No. 1(in WP 12214/17) :
Mr. A.B. Dhongde

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**CORAM : RAVINDRA V. GHUGE &
S.G.DIGE, JJ.**

DATE : 29.04.2022

P.C. :

1. The learned advocate for the petitioner submits that the employees, who were deployed under the Agricultural Technology Management Agency (ATMA), have been consistently pursuing their demands for grant of permanency. The ATMA operates a scheme, which is responsible for co-ordination of the management of agricultural extension related work. There is Apex Body, namely, "ATMA Governing Board" for supervising implementation of policy decisions.

2. The learned Advocate for the petitioner submits that the Government will have to take a decision for framing a policy as to whether the persons deployed under the ATMA, who are commonly known as Employees of the ATMA, can be regularized. As no policy decision has been taken the State needs to consider the framing of the service conditions and the service benefits of these employees. If such policy decision is taken, the petitioner and their members would be derive security of employment. If the policy is deficient to some extent, in relation to the benefits that can be made available to the petitioners, arising out of their employment and post retirement, they would be at liberty to seek remedy as may be permissible in law. It is, therefore, submitted that these petitions can be disposed off by calling upon the State Government to take a policy decision.

3. The learned AGP places before us a copy of the communication by the Commissioner Agricultural State of Maharashtra to the Deputy Secretary, Agricultural and Animal Husbandry Department, Mantralaya, Mumbai, wherein it is stated that as writ petition No. 4385 of 2016 is pending before

the Principal Seat of this Court and writ petition No. 12214 of 2017 is pending before this Bench, it would be appropriate to wait till the decision of the Court for adopting steps for considering the demands of the Maharashtra State ATMA Employees Association.

4. The learned Advocate for the petitioner refers to the report of the Committee on Doubling Farmer's Income Vol - XI, "Empowering the Farmers through Extension and knowledge dissemination". He submits that this report is the basis of the central scheme by which technological development in agricultural activities is to be taken to the door steps of the farmers in the entire country so as to ensure that agricultural activities are improvised with the aid of latest technological advancement so that their income could to be doubled.

5. He further refers to clause 4.3.2 Incentivising for effective extension delivery under which certain situations have been put forth with regard to manpower recruitment under the ATMA so as to overcome uncertainty in the minds of the employees, which is likely to compromise the

functioning of the ATMA. He canvassed this aspect including regularization of the services of the ATMA employees so as to extend them security in employment and service benefits.

6. The learned Advocate for the petitioner is right in submitting that though the petitioners waited for the State Government to take a policy decision on the basis of their repeated representations, no decision is taken. Now that they have approached this Court by filing writ petition, yet no decision is taken on the pretext that the petition is pending. The petitioner-association, therefore, would be satisfied if this Court directs the State Government to take a policy decision in whichever manner it may find it appropriate, on the demands of the association and for the said purpose, the petitioner is agreeable for the disposal of these petitions.

7. In view of the above, both these petitions are disposed off with the following directions:-

(i) The State of Maharashtra, through the Department of Agricultural Animal Husbandry Fisheries, should arrive at a policy decision,

preferably prior to 30-08-2022, in respect of the demands of the ATMA Employees and/or the demands putforth through the ATMA Employees Welfare Association.

(ii) Needless to state, once such policy decision is taken in respect of the demands of the ATMA employees and for devising their service conditions and further benefits arising out of their employment and post retirement, these petitioners are at liberty to avail of a remedy as may be permissible, if their grievance still persists.

(S.G.DIGE, J.)

(RAVINDRA V. GHUGE, J.)