

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 8 OF 2012

Campaign Against Manual Scavenging In ... Petitioner
Maharashtra, Through Sandeep Prakash Jedhe

Versus

The State of Maharashtra And Ors ... Respondents

WITH

CIVIL APPLICATION (CAI) NO. 187 OF 2014

IN

PUBLIC INTEREST LITIGATION NO. 08 OF 2012

Shree Varkari Prabhodhan Mahasamiti ... Applicant

IN THE MATTER BETWEEN

Campaign Against Manual Scavenging In ... Petitioner
Maharashtra, Through Sandeep Prakash Jedhe

Versus

The State of Maharashtra And Ors ... Respondents

Mr. Asim Sarode (Thr VC) and Mr. Yogesh Sawant, Ms. Siddhi Diwan & Mr. S. Mujawar for the Petitioner.

Dr. Uday Warunjikar, (Thr VC) Adv. Neha Deshpande & Adv. N. G. Kamble for the Applicant.

Mr. Siddheshwar B. Kalel, AGP for the Respondent-State.

Mr. Sarang S. Aradhye (thr VC) for the Respondent No. 5.

Coram : M. S. Karnik &
Sharmila U. Deshmukh, JJ.

Date : October 9, 2025.

P.C. :

1. Heard learned Counsel for the Petitioner.
2. Our attention is invited to various orders passed by this Court from time to time for the benefit of those who are involved in manual scavenging.
3. The order dated 24th December, 2014 at paragraph 22 records the interim directions passed:

“(xv) We accept the statements made in the affidavit dated 07th October, 2014 of Shri Shankar Gore, the Chief Officer of Pandharpur Municipal Council. We make it clear that steps shall be taken for rehabilitation of all the 213 families of the workers, who were forced to do the work of manual scavenging;”

4. Pursuant thereto, several orders have been passed from time to time. The Respondent No. 5-Chief Officer, Pandharpur Municipal Council, has filed an affidavit on 7th October, 2025. It is necessary to reproduce the contents of the affidavit filed by the Chief Officer which reads thus:

“1. I say that my predecessors have filed various Affidavits in the aforesaid Public Interest Litigation thereby placing on record the steps taken by the Pandharpur Municipal Council to eradicate the practice of Manual Scavenging in Pandharpur City including the issue of maintenance of Health and hygiene in Pandharpur City during four majors Yatras namely Ashadhi, Kartiki, Chaitri and Maghi. I crave leave to refer to and to rely upon the copies of earlier affidavits as well as copies of the orders passed by this

Hon'ble Court in the present Public Interest Litigation.

2. I say that as of now and evil practice of Manual Scavenging has completely stopped in Pandharpur City. As far as, the cleaning of drainage line is concerned, the Municipal Council is using advanced hi-tech machinery such as suction cum Jetting Machine Vehicles, Desilt Machine Vehicles, Powerful Suckers and Suction Machine/Vehicles etc. Hereto annexed and marked as Exhibit -"R-1" Colly are the copies of the photographs of Hi-tech Machinery use by the Pandharpur Municipal Council.

3. I say that as far as activity of daily cleaning is concerned, the Municipal Council had provided gum boot, hand gloves, masks, to the sweeper and strict instructions are issued to the workers as well as sweepers not to indulge in the activity of Manual Scavenging in any case. I say that the Municipal Council had already taken note and, on many occasions, had already expressed gratitude towards these sweepers /workers considering their dedication and devotion in maintaining cleanliness in the Pandharpur City.

4. I say that the Municipal Council had taken many efforts for not only the upliftment of these workers but also have tried his level best to provide the facilities to these workers for their right to live with decency and dignity. Therefore, the Municipal Council had provided the facilities in the residential colony of these workers such as internal roads, community hall, hymast street lamp, library etc. The Municipal Council have conducted various cultural programmes/activities for these workers. The Municipal Council had also organised various events with the participation of these workers. Hereto annexed and marked as Exhibit "R-2"colly are the copies of the Photographs.

5. I say that the Ministry of Housing And Urban Affairs under Swachh Bharat Mission had Awarded rank to the Pandharpur Municipal Council for "Open Defecation Free" the said certification is called as "Water + ". Hereto annexed and marked as Exhibit "R-3" is a copy of the Certificate dated 17/07/2025.

6. I say and submit that the Pandharpur Municipal Council had issued promotional orders to these workers for their upbringing by passing Administrative Resolution. Hereto annexed and marked as Exhibit-"R-4" is a copy of the Administrative Resolution dated 04/07/2025 along with orders of Promotion issued by the Municipal Council.

7. I say that the principal demand of the organization of the Petitioner that they should get permanent accommodation of 600 Sq.ft. for their residence in the same locality where they are already deciding. The Pandharpur Municipal Council had taken serious note of their said demand and had already forwarded their proposal for getting permanent accommodation to the office of Director of Municipal Administration vide communication dated 16/12/2024 and as of now, the said proposal is pending with the said office. The said demand of these workers is being treated by the State Government as a special case. Hereto annexed and marked as Exhibit-"R-5" is a copy of the Covering letter of the proposal dated 16/12/2024.

8. I most respectfully submit the Municipal Council had taken each and every step to the upliftment as well as upbringing of these workers. The Municipal Council is well aware about the role played by these workers in keeping Pandharpur City neat and clean. Therefore, in future also the Municipal Council will take all possible steps for betterment of these workers and will take follow-up with the State Government for getting sanctioned for their demand of permanent accommodation are admeasuring 600 Sq.ft.

9. I say that whatever has been stated in the aforesaid Paragraphs are true and correct to the best of my knowledge and belief and I believe the same to be true. I crave leave of this Hon'ble court to add, amend, alter, modify, delete any of the aforesaid Paragraphs as and when required. I may be permitted to file Additional Affidavit if occasion so arise."

5. We find that, so far as the permanent accommodation to the eligible members is concerned, at paragraph 7, the Pandharpur Municipal Council had taken serious note of the said demand and has already forwarded the proposal for granting permanent accommodation, to the office of Director of Municipal Administration vide communication dated 16th December, 2024.

6. Mr. Aradhya learned Counsel appearing for the Respondent No. 5 –

Pandharpur Municipal Council, is unable to make a positive statement as to whether the proposal has been forwarded. In any case, on instructions, he submits that the said proposal will be forwarded to the Urban Development Department within a period of two weeks from today.

7. In our opinion, this is fit case where the State Government must consider this as special case as the earlier orders have already reflected the approach to be adopted in such matters. We have no manner of doubt that the State Government is equally concerned with the plight of these workers and shall adopt pro-active approach in this matter.

8. The Urban Development Department of State Government on receipt of the proposal within a period of 15 days from today is requested to take decision on the said proposal as expeditiously as possible and make an endeavour to take it to logical conclusion within a period of 16 weeks from the date of receipt of the proposal.

9. Learned AGP is directed to communicate the sensitivity of the issue to the concerned authorities.

10. On decision being taken, Mr. Aradhye assures that effective steps for implementation of decision in so far as the permanent accommodation of the members of the Petitioner organization is concerned will be undertaken expeditiously.

11. In this view of the matter, since the State Government and the

Municipal Council is actively seized of the matter and as we are assured that the matter will be taken to its logical conclusion expeditiously, we do not propose to keep this PIL pending any further. Therefore, Public Interest Litigation is disposed of. However, list the PIL under the caption 'For Compliance' on **23rd February, 2026**.

12. In view of the disposal of this PIL nothing survives for consideration in the pending connected Interim Applications and the same stand disposed of.

[Sharmila U. Deshmukh, J.]

[M. S. Karnik, J.]