



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

SUO MOTO WRIT PETITION NO. 1 OF 2023

High Court on its own Motion .. Petitioners

Versus

The State of Maharashtra & Ors. .. Respondents

**WITH
INTERIM APPLICATION NO. 1963 OF 2025
IN
SUO MOTO WRIT PETITION NO. 1 OF 2023**

Jivan S/o Haribhau Rathod .. Applicant

Versus

High Court on its own Motion & Ors. .. Respondents

Mr. Mihir Desai, *Amicus Curaie*, with Ms. Devyani Kulkarni and Rishika Agarwal.

Mr. P. P. Kakade, Addl. Govt. Pleader with Mrs. R. A. Salunkhe, AGP for respondent nos.1 to 8.

Dr. Bhushan V. Mahadik a/w Ms. Neha Sule for respondent nos.9 and 10.

Mr. Sushan Mhatre for respondent no.11 (Via VC).

Mr. Vivek Salunke for applicant in IA/1963/2025.

**CORAM: ALOK ARADHE, CJ. &
M. S. KARNIK, J.**

DATE: 17th MARCH, 2025

P.C.:

1. This Suo Moto Writ Petition was directed to be registered on the basis of an article published in the daily newspaper "The Hindu" on 8th March, 2023 in relation to pitiable condition of sugarcane workers. Maharashtra is the second largest sugarcane producing State in the country and accounts for

about one-third of the country's sugar production. In the fiscal year 2022-2023, 10.5 million tonnes of sugar was produced in Maharashtra and there are about 210 sugar mills operating in Maharashtra, out of which 104 are privately run and 106 are run by cooperative societies.

2. Every year about 10 to 12 lakh of migrant workers have been migrating within Maharashtra from the drought prone regions of Vidarbha and Marathwada to the sugar belt in the Western region of Maharashtra consisting of Pune, Kolhapur, Solapur, Satara and Ahmednagar. The migrant workers are engaged for cutting, pruning and transporting sugarcane. The sugarcane cutters have to perform their duties in exceedingly difficult physical working condition and each couple, which is called as "koyta", gets paid an amount of Rs.366/- per tonne of sugarcane cut and loaded by them.

3. The following issues concerned the migrants workers:

- i. 85% have no access to safe drinking/bathing water;
- ii. 92% have no access to clean toilets;
- iii. 8.6% of all women sugarcane cutters undergo hysterectomy;
- iv. Not being paid wages as per the Minimum Wages Act;
- v. Higher rate of illiteracy among the children of sugarcane cutters;
- vi. Higher rate of child marriages;
- vii. Sugarcane cutters being an insidious cycle of bonded labour.

4. Learned *Amicus* invited attention of this Court to the decision of the Supreme Court in **Godavari Sugar Mills Ltd.**

vs. Kopargaon Taluka Sakhar Kamgar Sabh Sakarwadi and anr., (1961) 3 SCR 342, and decision of this Court in **Kolhapur Sugar Mills Ltd. vs. Syed Taki Bilgrami & Anr., 1967 SCC Online Bom 173**, wherein it has been held that sugarcane cutters are to be treated as workmen as per Industrial Disputes Act, 1947. It is also pointed out that three different committees have considered the conditions of sugarcane cutters, i.e., Neelam Gorhe Committee, Rupwate Committee and Daund Committee, however, reports of the said committees have not been implemented. It is pointed out that the State Government has also framed various policies and issued Government Resolutions, however, the same have not been implemented in letter and spirit.

5. Learned *Amicus* has invited our attention to the chart, which has been prepared by him, containing the suggestions, which have been given to ameliorate the working conditions of the migrants workers.

6. Learned Additional Government Pleader for respondent nos.1 to 8, on instructions, submits that the State Government has accepted all the suggestions made by the learned *Amicus* and the aforesaid suggestions shall be implemented from the next sugarcane cutting season.

7. The aforesaid submission made by the learned Additional Government Pleader is placed on record.

8. It is directed that the suggestions made by the learned *Amicus* shall be strictly adhered to by the respondent nos.1 to 8 during the next sugarcane cutting season, i.e., from October, 2025 to March, 2026 and a compliance report shall also be filed before this Court before the next date of listing.

9. List in the last week of November, 2025.

10. Before parting, we place on record our appreciation for the effective assistance rendered by Mr. Mihir Desai, learned *Amicus Curiae* as well as Ms. Devyani Kulkarni and Ms. Rishika Agarwal, learned advocates, who had visited the sugarcane areas and met the sugarcane workers to ascertain their difficulties. We also appreciate the proactive stand taken on behalf of the State Government.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)

PRAVIN
DASHARATH
PANDIT

Digitally signed
by PRAVIN
DASHARATH
PANDIT
Date:
2025.03.19
19:26:41
+0530