

RNI No. MAHBIL/2009/31732

Reg. No. MII/MR/South-320/2010-12



महाराष्ट्र शासन राजपत्र

भाग चार-अ

वर्ष ३, अंक २५ | गुरुवार ते बुधवार, जानेवारी २६-फेब्रुवारी १, २०१२/माघ ६-१२, शके १९३३ [पृष्ठे ८]
[किंमत : रुपये ४.००]

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने केंद्रीय अधिनियमान्वये तयार केलेले (भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

MAHARASHTRA STATE HUMAN RIGHTS COMMISSION

College Compound, 9, Hajarimal Somani Marg, Opp. CST. (VT),

Mumbai 400 001, dated the 13th January 2012

CORRIGENDUM

PROTECTION OF HUMAN RIGHTS ACT, 1993.

Maharashtra State Human Rights Commission (Procedure) Regulations, 2011, published in the *Maharashtra Government Gazette*, Part IV-A in the period July 14-20, 2011 (Thursday-Wednesday).

Sr. No.	Regulation	Old Format	New Format
(1)	(2)	(3)	(4)
1	2(1)(h)	"Divisional Bench" means a Bench consisting of two members of the State Commission as constituted by the Chairperson;	"Division Bench" means a Bench consisting of two members or the Chairperson and a member of the State Commission, as constituted by the Chairperson;
2	2(1)(j)	"Full Bench" means a Bench consisting of three or more members of the State Commission as constituted by the Chairperson;	"Full Bench" means a Bench consisting of the Chairperson and two members of the State Commission, as constituted by the Chairperson;
3	20(a)	Upon receipt of the report or information called for, the case shall be prepared in Form 'E' and then be placed before the State Commission for consideration.	Upon receipt of the report or information called for, the case shall be prepared in Form 'E' by the office of the concerned Bench and the be placed before the Single Bench, Division Bench or Full Bench for consideration.
4	20(b)	After considering the report or information, if the State Commission disposes off the case without any recommendation, the case is closed.	After considering the report or information, if the Single Bench, Division Bench or Full Bench disposes off the case without any recommendation, the case is closed.

(j) "*Full Bench*" means a Bench consisting of three or more Members of the State Commission as constituted by the Chairperson ;

(k) "*Investigation*" means and shall have the same meaning as defined under clause (h) of section 2 of the Code of Criminal Procedure 1973 (2 of 1974) ;

(l) "*Registrar*" means the Registrar of the State Commission ;

(m) "*Regulation*" means the regulations framed by the State Commission ;

(n) "*Secretary*" means Secretary of the State Commission ;

(o) "*Single Bench*" means a Bench consisting of one Member of the State Commission as constituted by the Chairperson ;

(p) "*State Commission*" means the Maharashtra State Human Rights Commission.

(2) Words and expressions not defined in these regulations shall, to the extent they are defined in the Act, have the same meaning as assigned to them therein.

3. *Head Quarter of the State Commission.*— The Head Quarter of the State Commission shall be at Mumbai.

CHAPTER - II

Meetings

4. *Venue of the Meeting.*— The State Commission shall ordinarily hold its meetings in its office at Head Quarter at Mumbai. However, it may, in the discretion of the Chairperson, hold its meetings at any other place in Maharashtra, if he considers the same necessary and expedient.

5. *Periodicity of Sitzings.*— The State Commission shall normally have its regular sittings on all working days of every month excepting the holidays. However, the Chairperson either *suo-motu* or at the request of one or more members, may direct a special sitting of the State Commission to be convened to consider any specific matter of urgency.

6. *Secretariat assistance.*— The Secretary shall, along with such other officers of the State Commission as may be directed by the Chairperson, attend meetings of the State Commission.

7. *Agenda.*— The Secretary shall, in consultation with the Chairperson, prepare the agenda for each meeting of the State Commission and shall cause notes thereon to be prepared by the Secretariat. Such notes shall, as far as possible, be self-contained. Specific files covering the agenda items shall be made available to the State Commission for reference. The agenda papers shall ordinarily be circulated to the Members at least two clear days in advance of every meeting. Provided that when the Chairperson is of the view that the opinion of the Members on any issue or items is required urgently, such approval can be obtained from the Members of the State Commission by way of circulation. In that exigency the agenda items need not be circulated to the Members.

8. *Minutes of the Meeting.*— (a) The draft minutes of each meeting of the State Commission shall be drawn up immediately after the meeting by the Secretary. Such draft minutes shall be circulated to all the Members and Chairperson for their approval. Approved minutes shall then be got signed by all the Members and Chairperson for the purpose of record.

(b) The decision of the State Commission in every matter undertaken by it shall be recorded in the form of an opinion. Dissenting opinion, if any, shall also form part of and be kept on record. Action shall be taken on the basis of the majority opinion where there may be any difference.

9. *Record of minutes.*— A master copy of the approved minutes of every meeting along with the Agenda Notes shall be maintained by the Secretary.

10. *Report on action taken.*— Report of follow up action in regard to decisions taken by the State Commission shall be submitted to the State Commission by the Secretary at every subsequent meeting, till that decision is implemented.

CHAPTER - III

Procedure of Dealing with Complaints or Suo-Moto Action

11. *General.*— (a) Complaints may be made to the State Commission ordinarily in Marathi, Hindi or English.

(b) No fee shall be chargeable on complaints.

(c) The complainant should disclose a complete picture of the matter. The State Commission may, if necessary, call for further information and may direct affidavits to be filed in support of the allegation, whenever considered necessary.

12. *Complaints not ordinarily entertainable.*— The State Commission may dismiss, in limine, complaints of the following nature namely :—

(a) vague, anonymous, pseudonymous, illegible, trivial or frivolous;

(b) barred under sub-section (1) of Section 36 of the Act; when the dispute is pending before other Commission;

(c) barred under sub-section (2) of Section 36 of the Act; when the complaint is presented after one year from alleged violation of Human Rights;

(d) barred Under sub-section (5) of section 21 of the Act, when the complaint does not pertain to state subject e.g. Railway, Defence etc;

(e) relate to civil dispute, such as property rights, contractual obligations; and family, matrimonial disputes;

(f) relate to service matters or labour or industrial disputes;

(g) allegations are not against any public servant;

(h) allegations do not make out any specific violation of human rights;

(i) matter is *sub-judice* before a court or tribunal;

(j) matter is covered by a judicial verdict or decision of the State Commission;

(k) where a copy of the complaint, addressed to some other authority, is received by the State Commission; or

(l) matter is outside the purview of the State Commission.

13. *Processing of Complaints.*— (a) Immediately on receipt of complaint, the Section Officer in the Legal Wing shall sort out the complaints and place them for scrutiny before the concerned Assistant/Deputy Registrar;

(b) Complaints and other communications requiring urgent action shall be placed before the Registrar, who shall arrange for urgent processing.

(c) After completing the scrutiny, the Assistant Registrar shall fill up Form A in case a complaint is found entertainable, and Form B in case of a complaint found not entertainable for any of the reasons mentioned in Regulation 12. He/she shall then forward the complaint with the scrutiny report to the Registrar;

(d) If the communication is not found to be a complaint under clause (a) of Section 12 of the Act, but relates to the other clauses of section 12 the same shall be placed before the Secretary who shall place it with a brief note before the Chairperson.

14. *Classification.*— The Subjectwise classification of the complaints shall be made as per list annexed to this Regulation at Appendix 1. The list in APPENDIX - I may be modified or new entries added thereto, from time to time, as per the direction of the State Commission.

15. *Registration.*— (a) A common register shall be maintained in the Legal Division for entering in serial order, the case number with the district code and year of registration to which the incident relates, in respect of each complaint to be registered.

(b) After completion of the scrutiny of a complaint, entry shall be made in the common register and the case number, alongwith the district code, assigned to the complaint shall be entered on the complaint in red ink and also in the space provided in the Scrutiny Report.

(c) Records relating to each complaint shall be kept separately duly indexed and in separate file covers. and the same shall be sent to the listing section. for placing the matter before the State Commission.

(d) All complaints registered as aforesaid shall be placed before the State Commission for consideration as expeditiously as possible and at any rate not later than seven days from the date of its receipt. In case a longer time is required, specific orders shall be obtained from the Chairperson.

(e) Complaints requiring urgent consideration shall be placed before the Chairperson as far as possible within twenty-four hours of its receipt.

16. *Constitution of Benches.*— (1) Subject to any special or general orders of the Chairperson, all complaints shall be dealt with by a Single Bench of the State Commission.

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(2) If the Single Bench dealing with the case, having regard to the importance of the issues involved, is of the opinion that the case shall be considered by a Division or a Full Bench, the papers shall be placed before the Chairperson and if the Chairperson also concurs with that opinion, the case shall be so referred.

(3) If the Chairperson feels that having regard to the importance of the matter a case should be heard by a Full Bench, the case may be referred to such a Full Bench constituted for that purpose.

(4) After taking cognizance, *suo-moto* or the complaints pertaining to the cases of custodial deaths, custodial torture, custodial rape and illegal detention shall ordinarily be heard by a Division Bench of the State Commission and the rest of the cases shall be dealt with by the Single Bench to which the complaints are allocated by the Registry. If the Hon'ble Single or Division Bench is *prima facie* of the view that some recommendations ought to be made by the State Commission to the State Government or to the authorities, then that Bench shall refer the matter to the Chairperson for constitution of a larger Bench for final consideration of the matter.

17. *Preliminary consideration and steps.*— (a) If a complaint is, after consideration, dismissed in limine, the said order shall be communicated to the complainant. The case is then treated as closed.

(b) If a complaint is admitted or is taken cognizance of *suo-moto*, a notice in Form C shall be sent to the concerned authority enclosing a copy of the complaint. Such notice shall specify the time within which the information or the report has to be submitted.

18. *Recording of Orders.*— (a) Orders of the State Commission shall be recorded in the Order Sheet. Lengthy orders may be recorded on separate sheets and appended to the Order Sheet. Personal Assistant attached to a Member shall maintain a record of the order passed in the relevant column of the Order Sheet indicating the date of the order and the number of pages.

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(b) In cases that require urgent action in pursuance of the order issued by the State Commission, the concerned Personal Assistant shall send the file at once to the Registrar, who shall arrange for the immediate communication of the order by fax, telephone, speed post or telegram.

19. *Summons.*— Summons in Form D indicating the purpose of summoning a person shall be issued in the following cases.—

(i) to the complainant or any other person on his behalf to afford him a personal hearing;

(ii) to any other person who, in the opinion of the State Commission, should be heard for appropriate disposal of the case;

(iii) to any person to cause production of records required by the State Commission;

(iv) to any person to be examined as witness;

(v) to any person whose conduct is enquired into; and

(vi) to any person, whose reputation, in the opinion of the State Commission is likely to be prejudicially affected.

20. *Preparation of Synopsis.*— (a) Upon receipt of the report or information called for, the case shall be prepared in Form E and then be placed before the State Commission for consideration.

(b) After considering the report or information, if the State Commission disposes off the case without any recommendation, the case is closed.

21. *Ordering Investigation.*— (a) Whenever the State Commission orders investigation by its Investigation Division or by any other investigation agency of the Central or State Government as provided in Section 14 of the Act, a copy of such order alongwith copies of the papers relevant thereto shall be furnished forthwith to such Division or agency, calling upon it to conduct the investigation and submit its report within the time specified in the order.

(b) If the report is not received within the specified time, the matter shall be placed before the State Commission for further directions.

22. *Communication of Recommendations.*— Whenever the State Commission makes any recommendations after considering the inquiry report, a copy of the report alongwith its recommendation shall be sent within seven days from the date of such recommendation to the concerned government authority calling upon it to furnish its comments on the report including the action taken or proposed to be taken within one month or such further time as the State Commission may allow. The concerned Department will submit Half Yearly Action Taken Report (ATR) to the Commission ending on the March and September of each year, in Form 'F' within one month of the date i.e. 30th April and 31st October respectively.

23. *Reports on Complaints and Inquiries.*— Reports contemplated under Section 18 of the Act shall be sent to the Government or the concerned authority or the person, as the case may be, within a week of completion of the proceedings before the State Commission. On receipt of the comments of the Government or the concerned authority or the person, the State Commission shall publish the report in the manner provided in Section 18 of the Act, within fifteen days of the receipt of the intimation.

24. *Follow up action.*— (a) If no comments are received within the specified time, the case shall be placed before the State Commission forthwith for further direction.

(b) If comments are received, the case shall be placed before the State Commission with a brief note indicating whether the recommendation of the State Commission has been accepted in full or part or not accepted at all, the reasons for such non acceptance or part acceptance and the action that may be taken or proposed to be taken.

(c) After considering the comments and the brief note on it, the State Commission shall pass such order as it deems fit.

25. *Procedure regarding Suo-Moto action.*—The procedure contained in this Chapter shall *mutatis mutandis* apply to *suo-moto* action taken by the State Commission.

26. *Opportunity to persons before the State Commission.*—(1) The State Commission may, in its discretion, afford a personal hearing to the petitioner or any other person on his behalf and such other person or persons as in the opinion of the State Commission shall be heard for the proper disposal of the matter before it and, where necessary, call for records and examine witnesses in connection with it.

(2) The State Commission shall afford a reasonable opportunity or hearing as envisaged in Section 16 of the Act.

(3) Parties before the State Commission shall appear either in person or through authorized representative, unless personal attendance is required by the State Commission. Such a representative may be a Member of the Bar or such other person authorized by the State Commission to represent the parties.

27. *Publication.*—When the State Commission passes an order after inquiry under Section 17, the Registrar shall cause to,—

(1) prepare a list of such cases furnishing particulars such as case number, name of the complainant, name of the Government Department or authority concerned and the date of final order, with a further note that a copy of the Inquiry Report referred to in Section 18(6) of the Act is available for perusal in the library of the State Commission;

(2) publish the list so prepared on the Notice Board of the State Commission on the first working day of every month;

(3) send to the library of the State Commission two sets of the documents referred to in Section 18(6) of the Act and further order, if any, passed by the State Commission in each case; and

(4) send simultaneously, free of cost, a copy of each of the documents referred to in clause (c) to the complainant or his representative and to the Governments or the concerned authority.

28. *Mode of Communication.*—(1) Unless otherwise ordered, all communications from the State Commission shall be sent by ordinary post.

(2) Notwithstanding anything contained in clause (1) above, the notice of hearing to be sent to the parties, in case the hearing is fixed outside the headquarters, shall be sent sufficiently in advance to ensure that the acknowledgement is received before a Member leaves the headquarters for the said sitting; such a notice may be sent by registered post, speed post, or by any other means of transmission of documents including fax or electronic mail service as the situation may warrant.

29. *Review.*—(1) No party shall have a right to seek review of the order which is passed on merits.

(2) If any application seeking review or modification of the order or proceedings passed by the State Commission is received, it shall be placed before the same Bench which passed the order along with the case file and it shall be disposed of by such order in view of the Provisions of Section 114 read with order 47 of the Code of Civil Procedure, 1908 (5 of 1908).

(3) If, however, the same Bench is not available, orders may be obtained from the Chairperson on that behalf.

CHAPTER - IV

Miscellaneous

30. *Consignment of Records.*— Records of all cases finally disposed of shall be consigned to the Record Section after completing the entries in the Register in Form G.

31. *Period of Retention of Records.*— (1) Unless otherwise ordered by the Chairperson, the entire records of disposed of complaints shall be weeded after the expiry of a period of two years from the date of final disposal.

(2) Where the final order of the State Commission contains recommendations to the government the concerned case should be maintained permanently.

32. *Weeding of Records.*— The record-keeper shall identify the cases, the records of which are ripe for weeding, and ensure that appropriate entries are made in the Register in Form H, regarding the date of weeding. A separate register in Form I shall also be maintained containing the list of cases taken up for weeding.

33. *Periodical Statement.*— The Registrar shall cause to prepare such monthly, quarterly, half yearly or yearly statements, returns/ reports relating to receipts and disposal of complaints, and in such formats as may be prescribed by the State Commission from time to time.

34. *Transaction of Business outside the Headquarters.*— (1) State Commission or some of the Members may transact business at places outside its headquarters under intimation to the Chairperson:

Provided that, while holding the sitting outside the headquarters, minimum of five cases shall be fixed for hearing after the notice of hearing has been served by Registered Post Acknowledgement Due well in advance as required in sub regulation (2) of Regulation 28.

(2) (a) Every Member shall notify his programme not less than 15 days in advance for holding a sitting at Divisional or District Headquarters in the State and send the same to the Chairperson: the programme shall be made in such a manner that the date does not conflict with the date fixed for headquarters' hearing of cases and periodical meetings;

(b) The outstation stay shall not exceed more than three days excluding holidays and days of journey.

(3) The State Commission, or any of its members when requested by the Chairperson, may undertake visits for an on-the-spot study and when such a study is undertaken by one or more Members a report thereon shall be furnished to the State Commission as early as possible.

35. *Authentication of Orders and Decisions.*— Orders and decisions of the State Commission shall be authenticated by the Secretary or any officer authorized by the Chairperson not below the rank of an Assistant Registrar.

36. *Copies.*— (1) The State Commission shall classify reports of intelligence, anti terrorist, anti corruption and like other confidential documents. No sooner they are produced, they shall be kept in Seal Cover. Without the permission of concerned presiding Chairperson/ Member, as the case may be, copy where of shall not be given to the parties.

(2) Unless any document is classified by the State Commission as confidential, a copy of the same may be made available to the parties in the matter, on payment of copying charges fixed by the State Commission from time to time. Copies shall be furnished as expeditiously as possible.

37. *Annual Report.*—The Secretary shall prepare an Annual Report for the period commencing from 1st April of the year to 31st March of the succeeding year, approved and signed by the Chairperson and all the Members, and the same shall be preserved as a permanent record. Authenticated copies shall be sent to the State Government within six months of completion of a year.

38. *Special Reports.*—The State Commission shall likewise prepare and forward Special Reports on specific matters as provided in Section 28 of the Act.

39. *Printing Reports.*—The Secretariat of the State Commission shall arrange for the printing of the Annual and Special Reports within a month of its finalization.

40. *Amendment of Regulations.*—It shall be competent for the State Commission to add, delete and amend these Regulations through Notification to be issued under section 10(2) of the Act, from time to time.

By order of the Commission,

MAFTUL HUSSAIN.
Secretary to the Commission

**MAHARASHTRA STATE HUMAN RIGHTS COMMISSION
MUMBAI**

9, Hajarimal Somani Marg, Opp. C.S.T. (V.T.), Mumbai- 400 001.

[Legal Wing]

APPENDIX - I

(See regulation 14)

*List Showing Subject-Wise Classification of Incidents Leading to
Complaints/Suo Motu Action*

Code Number (1)	MAJOR HEADS (2)	Sub-Code Number (3)	SUB-HEADS (4)
100	CHILDREN	100.01	Child Labour
		100.02	Child Marriage
		100.03	Child Prostitution
		100.04	Exploitation of Children
		100.05	Immoral traffic on children
200	HEALTH	200.01	Exploitation of mentally retarded person(s).
		200.02	Public health hazards
		200.03	Malfunctioning of medical Professionals
300	JAIL	300.01	Custodial death
		300.02	Custodial rape
		300.03	Exploitation of child prisoners.
		300.04	Debarment of legal aid.

(1)	(2)	(3)	(4)
		300.05	Harassment of prisoners.
		300.06	Inequalities in prison.
		300.07	Irregularities in jail.
		300.08	Unlawful solitary confinement of prisoners.
400	JUDICIARY	400.01	Biased judiciary
		400.02	Double Jeopardy
500	MAFIAS/ UNDERWORLD	500.01	Nuisance by notorious gangs/mafias
		500.02	Nuisance by local ruffian
		500.03	Trouble by anti-social elements.
600	LABOUR	600.01	Bonded Labour
		600.02	Exploitation of labour
		600.03	Forced Labour
		600.04	Hazardous employments
		600.05	Slavery
		600.06	Traffic on human labour
700	MINORITIES/ SC/ST	700.01	Discrimination against minorities
		700.02	Discrimination against SC/ST

(1)	(2)	(3)	(4)
800	POLICE/ARMED	800.01	Arbitrary use of power
		800.02	Abduction/Kidnapping
		800.03	Abduction/rape
		800.04	Abuse of power
		800.05	Attempt murder
		800.06	Atrocities on SC/ST
		800.07	Custodial death
		800.08	Custodial rape
		800.09	Custodial torture
		800.10	Custodial violence
		800.11	Death in police firing
		800.12	Death in police encounter
		800.13	Fake encounters
		800.14	Failure in taking lawful Action
		800.15	False implications
		800.16	Illegal arrest
		800.17	Unlawful detention
		800.18	Indiscriminate arrest
		800.19	Police motivated incidents
		800.20	Prolonged trial
		800.21	Victimisation

(1)	(2)	(3)	(4)
900	POLLUTION/ ECOLOGY/ ENVIRONMENT	900.01	Ecological disturbances
		900.02	Environmental pollution
		900.03	Mis-use of scientific & technological developments
		900.04	Pollution affecting Surroundings
1000	Refugees/	1000.01	Atrocities on migrants Migrants
		1000.02	Chakma refugee problem
		1000.02	Srilanka refugee problem
1100	RELIGION/	1100.01	Communal violence
		1100.02	Ethnic conflict
		1100.03	Group Clashes
		1100.04	Racial discrimination
		1100.05	Religious discrimination
		1100.06	Religious intolerance
1200	SERVICE MATTERS	1200.01	Disparities in Employment opportunities
		1200.02	Non- payment of Pension/com pensation
		1200.03	Other service disputes.
1300	WOMEN	1300.01	Abduction, rape and murder
		1300.02	Commission of Sati
		1300.03	Discrimination against Attempt

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(1)	(2)	(3)	(4)
		1300.04	Dowry death or their Attempt
		1300.05	Dowry demand
		1300.06	Exploitation of women
		1300.07	Gang rape
		1300.08	Indecent representation of women
		1300.09	Indignity of women
		1300.10	Immoral trafficking of women
		1300.11	Rape
		1300.12	Sexual harassment
1400	SPECIAL ACT	1400.01	Harassment of Detainees under SPECIAL ACT Misuse of SPECIAL ACT
		1400.02	Unlawful detention under SPECIAL ACT
1500	MISCELLANEOUS	1500.01	Disappearance
		1501.02	Land disputes
		1502.03	Hunger strike
		1503.04	Family disputes

FORM A

[See Regulation (13)]

[Legal Wing]

Part I

Case No.: _____ URGENT / Non-Urgent (Tick one)

I INCIDENT & COMPLAINT

1. Is the complaint addressed to the Commission? Yes / No
2. Date of Receipt in Commission : _____
3. Place of incident : _____
4. Date (s) of incident : _____
5. How was complaint received ?

(a) By Hand		(b) By Post		(c) By Courier	
(d) By Telegram		(e) By Fax		(f) Any other	

6. Is it suo-moto cognizance? Yes / No If yes, source of information :

(a) Newspaper / Newsmagazine (b) Television / Radio (c) Any other

II COMPLAINANT (Sole or First complainant)

1. Name : _____
2. Sex : M / F
3. Address : _____
4. District _____

III VICTIM (S)

1. Is the complainant the victim? Yes / No
2. No. of alleged victim(s) : _____
3. If victim is different from the complainant then name & address of victim : _____

4. Where there is single victim, details of victim (if known) :

- (a) Religion : _____ (b) Caste : _____
 (c) Sex : M / F (d) Age : _____
 (e) Whether physically handicapped : _____

IV OTHER DETAILS

1. (a) Has any other complaint been received or disposed of relating to the same incident or complaint? Yes / No

(b) If yes, Case No. _____ Attach earlier file

3. Is the public interest involved in the present complaint? Yes / No

4. Is the complaint against any member of Armed Forces or Para-Military Force? Yes / No

5. Name & address of the public servant against whom allegation has been made : _____

6. Name & Address of the authority to whom the public servant is answerable : _____

P.T.O.

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२३

Part II

V Gist of complaint / grievance

VI Relief, if any, sought or that may be awarded

VII Any other recommendation :

Date :

Signature.

FORM B

[See Regulation (13)]

[Legal Wing]

Part I

Case No. : _____ URGENT / Non-Urgent (Tick one)

I INCIDENT & COMPLAINT

1. Is the complaint addressed to the Commission ? Yes / No
2. Date of Receipt in Commission : _____
3. Place of incident : _____
4. Date (s) of incident : _____
5. How was complaint received ?

(a) By Hand		(b) By Post		(c) By Courier	
(d) By Telegram		(e) By Fax		(f) Any other	

6. Is it suo-moto cognizance ? Yes / No If yes, source of information :

(a) Newspaper / Newsmagazine (b) Television / Radio (c) Any other

II COMPLAINANT (Sole or First complainant)

1. Name : _____
2. Sex : M / F
3. Address : _____
4. District _____

III VICTIM (S)

1. Is the complainant the victim ? Yes / No
2. No. of alleged victim(s) : _____
3. If victim is different from the complainant then name & address of victim : _____

1. Where there is single victim. details of victim (if known) :

- (a) Religion : _____ (b) Caste : _____
(c) Sex : M / F (d) Age : _____
(e) Whether physically handicapped : _____

IV OTHER DETAILS

1. (a) Has any other complaint been received or disposed of relating to the same incident or complaint? Yes / No

(b) If yes. Case No. _____ Attach earlier file.

2. Is the public interest involved in the present complaint? Yes / No

3. Is the complaint against any member of Armed Forces or Para-Military Force? Yes / No

4. Name & address of the public servant against whom allegation has been made : _____

5. Name & Address of the authority to whom the public servant is answerable : _____

Part II

V Gist of complaint / grievance

VI The complaint appears NOT entertainable because – (Tick one or more)

1. vague, anonymous, pseudonymous, illegible, trivial or frivolous;
2. barred under Section 36 (1) of the Act: when the dispute is pending before other Commission.
3. barred under Section 36 (2) of the Act: when the complaint is presented after one year from alleged violation of Human Rights.
4. barred Under section 21(5) of the Act, when the complaint does not pertain to state subject e.g. Railway, Defence etc.
5. relate to civil dispute, such as property rights, contractual obligations; and family, matrimonial disputes.
6. relate to service matters or labour or industrial disputes;
7. allegations are not against any public servant:

8. allegations do not make out any specific violation of human rights;
9. matter is sub-judice before a court or tribunal;
10. matter is covered by a judicial verdict or decision of the Commission;
11. where a copy of the complaint, addressed to some other authority, is received by the Commission; or
12. matter is outside the purview of the Commission.

Date :

Signature.

महाराष्ट्र शासन राजपत्र भाग चार-अ, गुरुवार ते बुधवार,
जुलै १४-२०, २०११/आषाढ २३-२९, शके १९३३

[Legal Wing]

FORM C

[Regulation No. 17 (b)]

Date:-

[Notice calling for report under Section 17(I) of the Protection of Human Rights Act, 1993 read with Regulation 17 (b) of the Maharashtra State Human Rights Commission (Procedure) Regulations, 2001]

Case No. of

To,

Whereas the Commission has taken suo-motu cognizance from the news in _____ Newspaper dated _____ :

OR

Whereas the Commission has received a complaint from _____ dated _____ (a copy of which is enclosed), inter-alia, alleging violation of Human Rights:

2. And whereas with a view to inquiring into the violation of human rights as alleged, the Commission has directed me to call for from you information / report / remarks / affidavits:

3. Now therefore, you are hereby called upon to submit the information as above within / by _____ in three copies.

जुलै १४-२०, २०११/आषाढ २३-२९, शके १९३३

4. Take further notice that in the event you fail to submit the required information, the Commission may proceed to take such action, as it deems fit and proper.

Given under my hand and the seal of the Commission this _____.

Registrar
State Human Rights Commission
Mumbai

Note :— The information shall be furnished / signed only by authority, to whom the Notice is issued and not by any body else.

Copy for information to the Complainant:

FORM D

(See Regulation 19)

Case No.....

(The Protection of Human Rights Act, S. 13 & under the Regulation 20 of Maharashtra State Human Rights Commission (Procedure) Regulations 2009, for appearance in person)

Summons

In the matter of the complaint filed by Shri/Smt.....

To,

WHEREAS proceedings in the matter aforementioned have been initiated and the Commission has directed to issue summons to you :

a) to afford you an opportunity of being heard in person and/or to adduce evidence in support of your complaint;

Or

b) to cause production of records;

Or

c) to examine you as a witness in the above matter;

d) to afford you an opportunity of being heard as in the opinion of the Commission your reputation is likely to be prejudicially affected by the verdict that the Commission may give in the above proceedings;

Or

e) to afford you an opportunity of being heard in the matter as your conduct in connection with the subject matter of the above proceedings is being inquired into.

NOW THEREFORE you are hereby summoned to appear before the Commission in person or through an authorise representative for the purpose aforementioned onat

If you fail to comply with this order without lawful excuse:

i) final decision in the proceedings shall be taken by the Commission in your absence:

Or

ii) you will be subjected to the consequences of non-attendance as provided in Rules 10 and 12 of Order XVI of the Code of Civil Procedure 1908.

Given under my hand and the Seal of the Commission this theday

of2004.

(By Order)

Registrar,

Maharashtra State
Human Rights Commission,

FORM E

[See Regulation (20)]

Case No. _____

1. Name of complainant :

2. Nature of complaint :

3. Report called / received from public servant / office :

4. Remarks of public servant / office

5. Synopsis :

6. Remarks by the Commission, if any :

Date :

Signature.

Form F

[See Regulations No. 22]

Half Yearly Action taken Report Half Year ending March / September due on 30th April / 1st October

Name of Department

Sr. No.	Case Details	Recommendations in brief	Corresponding Action Taken by Respondent	Reasons for Non Compliance	Communication letter for Non Compliance if Any.	Remarks
	No. & Date					
(1)	(2a)	(2b)	(C)	(D)	(E)	(F)
						(G)

महाराष्ट्र शासन राजपत्र भाग चार-अ, गुरुवार ते बुधवार,
जुलै १४-२०, २०११/आषाढ २३-२९, शके १९३३

