

**WINTER INTERNSHIP MSHRC 2023-24**  
**By Shaurya Prakash, Asmi Kedare,**  
**Saurabh Tiwari, Yash Pamnami**

# **Review Report : Farmer Suicides & the Agricultural Sector**



**Research and Review Project : Farmer Suicides and Agricultural Sector****INDEX:**

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## INTRODUCTION:

Under the relentless Indian sun, where fertile fields once promised prosperity, a shadow lies. For decades, a silent tragedy has unfolded in the heart of rural India: a staggering rise in farmer suicides. Beyond mere statistics, these deaths represent a brutal violation of human rights, woven into the fabric of a complex agrarian crisis. This research and review project delves into this grim reality, dissecting the interconnected factors that push India's farmers to the brink, and exposing the gaping chasm between policy promises and lived experiences.

We begin by traversing the vast landscapes of India's agricultural sector, examining the economic forces that reshape lives and livelihoods. The shift towards cash crops, seductive in its market promises, often masks deeper inequities. Dependence on fluctuating global prices, the stranglehold of corporate agribusiness, and the burden of exorbitant input costs weave a tangled web of vulnerability. Debt, the ever-present specter, haunts every facet of rural life, pushing farmers into a vortex of financial despair.

But the story doesn't end with economics. Climate change, an unwelcome guest at the agricultural banquet, throws devastating wrenches into the delicate balance. Erratic rainfall patterns, searing droughts, and unpredictable floods exacerbate pre-existing vulnerabilities, turning dreams of harvest into nightmares of ruin. The state, often touted as the protector, sometimes emerges as a silent accomplice. Inadequate support mechanisms, faltering infrastructure, and ineffective market regulations leave farmers exposed to the harsh realities of an unforgiving system.

Through this analysis, we unveil the human cost of this crisis. Each suicide is a stark indictment of a system that fails to uphold the fundamental right to life, dignity, and a decent standard of living. We scrutinize the promises enshrined in human rights instruments, highlighting the glaring discrepancies between legal frameworks and lived realities. The right to food, the right to health, the right to work – these become hollow pronouncements when farmers grapple with hunger, despair, and a crushing sense of powerlessness.

Our investigation extends beyond mere diagnosis. We delve into the burgeoning resistance movements demanding systemic change. We explore existing government initiatives and assess their effectiveness, analyzing successes and failures. Our quest is to unearth tangible solutions, grounded in human rights principles, that can offer a glimmer of hope amidst the prevailing darkness.

This research is not merely an academic exercise, but a clarion call for action. It is a plea for justice, for accountability, and for a transformation of the agricultural landscape that places human dignity at its core. As we embark on this journey, we carry the voices of the silenced, the

stories of lives shattered, and the unwavering hope for a future where the fields of India yield not despair, but the fruits of a just and equitable system.

## **OBJECTIVES:**

These objectives aim to move beyond simply studying the problem to create actionable insights and advocate for transformative solutions that prioritize human rights, promote farmer wellbeing, and ensure a more equitable and sustainable agricultural future in Maharashtra.

### 1. To assess the scope and magnitude of the problem:

To understand in quantifiable terms the extent of farmer suicides in Maharashtra, through analyzing demographics, regional variations, and trends over time.

To identify the key risk factors driving suicides, including economic, social, environmental, and psychological factors.

To investigate the role of specific agricultural practices, market forces, and government policies in perpetuating the crisis and the plight of the farmers.

### 2. To evaluate the human rights violations:

To analyze the violation of fundamental human rights, including the right to life, food, health, work, and a decent standard of living, since that is the basis of the Maharashtra State Human Rights Commission.

To assess the state's responsibility to protect and fulfill these rights in the context of the agricultural sector.

To evaluate the effectiveness of existing legal frameworks and government policy measures in upholding human rights related to agriculture.

### 3. To uncover the power dynamics and inequalities:

To examine the role of corporate agribusiness, landholding patterns, and unequal access to resources in contributing to farmer vulnerability.

To analyze the political and social power structures that perpetuate unequal outcomes for farmers and limit the agency of smallholder farmers.

### 4. Explore Potential Solutions and Interventions:



To identify best practices and successful initiatives aimed at tackling farmer suicides and improving agricultural livelihoods.

To evaluate the effectiveness of existing government schemes and programs in addressing the root causes of the crisis and develop evidence-based recommendations for policy reforms, resource allocation, and institutional strengthening to promote human rights-centered development in agriculture.

#### 5. Raise Awareness and Advocate for Change:

To contribute to a deeper understanding of the complex linkages between farmer suicides, agricultural practices, and human rights violations, and to generate data and evidence to inform advocacy efforts and policy dialogue aimed at systemic change in the agricultural sector.

### **GOVERNMENT RESOLUTIONS & SCHEMES:**

#### STATE SCHEMES:

##### 1. Nanaji Deshmukh Krishi Sanjivani Yojana

Several programs have been launched by the union and state governments to help farmers. The "Nanaji Deshmukh Krishi Sanjeevani Yojana" has recently been launched by the Maharashtra government for farmers. The Maharashtra government would support the farmers through this program in eradicating drought in areas prone to it so that farmers do not encounter any issues and can harvest healthy and good crops on their farms. Nanaji Deshmukh Krishi Sanjivani Yojana belongs to Krishi Vibhag of the Maharashtra Government.

#### Key Features:

- Conversion of drought-prone areas or drought areas into drought-free regions is the main objective of this scheme. So that farmers can do farming easily.
- Small marginal farmers undertaking agriculture in Maharashtra can take advantage of this Krishi Sanjeevani Yojana.
- Increasing the number of farmers in the state to register for agriculture in Maharashtra state under this Nanaji Deshmukh Krishi Sanjeevani Yojana is kept in focus.
- For the implementation of Nanaji Deshmukh Krishi Sanjeevani Yojana 2022, the Government has received assistance from the world bank of about Rs 28000 crore in the form of a loan.
- Under the Maharashtra Nanaji Deshmukh Krishi Sanjeevani Yojana, First, the report on the soil quality will be made available. Based on that, the farmers can improve their

farming, thus contributing to the increased income and standard of living for agriculture in Maharashtra state.

#### Eligibility Criteria:

- Farmers who are domiciled in Maharashtra are eligible to apply under this scheme.
- Only the small marginal and middle-class farmers are eligible.
- The farmers native to the drought-prone area of agriculture in Maharashtra can apply.

## 2. Mahatma Jyotirao Phule Shetkari Karjmukti Yojana

The Mahatma Jyotirao Phule Shetkari Karjmukti Yojana is a loan waiver scheme launched by the Government of Maharashtra in 2019. The scheme aims to waive off loans up to ₹2 lakh for eligible farmers in the state.

#### Key features:

- The scheme is applicable to all farmers in the state, irrespective of their caste, religion, or gender.
- The loan amount eligible for waiver is ₹2 lakh.
- The loan must have been taken from a cooperative bank or a commercial bank.
- The loan must have been taken for agricultural purposes.
- The loan must have been outstanding as of March 31, 2019.

## 3. Pradhan Mantri Kisan Samman Nidhi Yojana (PM-KISAN)

The Pradhan Mantri Kisan Samman Nidhi Yojana (PM-KISAN), or the Prime Minister's Farmer's Income Support Scheme, is a central government scheme that provides financial assistance to small and marginal farmers. The scheme was launched in 2019.

The PM-KISAN scheme provides ₹6,000 crore per year in three equal installments of ₹2,000 crore each to eligible farmers. The scheme is implemented by the Department of Agriculture, Cooperation and Farmers' Welfare.

To be eligible for the PM-KISAN scheme, farmers must meet the following criteria:

- They must be Indian citizens.
- They must be holding a landholding of up to 2 hectares.
- They must have a bank account in their own name.

The PM-KISAN scheme has been well-received by farmers in India. The scheme has helped to improve the income and living conditions of small and marginal farmers. As of 2023, the PM-KISAN scheme has benefited over 12 crore farmers in India.

Drawbacks of scheme:

1. One of the main drawbacks of the PM-KISAN scheme is that it is a one-size-fits-all approach.
2. Another drawback of the PM-KISAN scheme is that it does not address the underlying causes of poverty and inequality in agriculture.

How the PM-KISAN scheme could be improved:

- The scheme could be made more targeted to help the farmers who need it most. For example, the government could provide additional assistance to farmers who are living in drought-prone areas or who are facing other challenges.
- The scheme could be expanded to provide more support for farmers to improve their productivity and efficiency. For example, the government could provide subsidies for agricultural inputs or training for farmers in new farming techniques.
- The government could consider reducing the cost of the scheme by finding ways to make it more efficient. For example, the government could use technology to automate some of the administrative tasks associated with the scheme.

## Drawbacks of Government Resolutions and Schemes for Farmer Suicides in Maharashtra:

Understanding the complexities of farmer suicides requires acknowledging both the genuine efforts of government interventions and their limitations. Here's are some potential drawbacks of existing schemes in Maharashtra:

Limited Reach and Targeting:

- One-size-fits-all approach: Schemes may not effectively address diverse needs of farmers across various regions, crops, and economic situations.
- Exclusion of vulnerable groups: Tenant farmers, landless laborers, and marginalized communities might not be adequately covered under existing schemes.
- Bureaucratic hurdles: Complex application processes and lack of awareness can impede access for deserving farmers.

### Financial Inadequacy and Sustainability:

- Loan waivers: While providing immediate relief, loan waivers can create long-term debt traps and discourage responsible borrowing.
- Inadequate support for income generation: Schemes might focus primarily on financial assistance, neglecting investments in infrastructure, technology, and market access, crucial for long-term income growth.
- Unsustainable funding: Overdependence on government funding raises concerns about long-term viability and potential fluctuations in support.

### Implementation Challenges:

- Corruption and leakages: Inefficient implementation can lead to funds not reaching intended beneficiaries, undermining the scheme's effectiveness.
- Lack of awareness and transparency: Farmers might not be fully informed about available schemes or their benefits, leading to underutilization.
- Inadequate mental health support: Existing schemes may not adequately address the psychological factors contributing to farmer suicides.

### Beyond Schemes:

- Addressing underlying causes: Schemes alone cannot solve the complex issue of farmer suicides. Tackling wider issues like social stigma, exploitation by middlemen, and climate change is crucial.
- Promoting holistic development: Investments in rural infrastructure, education, and healthcare can create a more supportive environment for farmers beyond immediate financial assistance.
- Empowering farmers: Encouraging farmer collectives, promoting knowledge sharing, and fostering resilience through sustainable farming practices can give farmers greater control over their livelihoods.

It's important to note that these are potential drawbacks, and many government initiatives are making genuine efforts to address farmer suicides. However, a critical and nuanced understanding of these limitations is crucial for further improvement and ensuring effective support for farmers in Maharashtra.

## NATIONAL SCHEMES:

The issue of farmer suicides is a complex and multifaceted problem that can be influenced by various factors, including economic, social, and psychological aspects. Governments around the world, including India, where farmer suicides have been a significant concern, have implemented regulations and schemes to address these challenges. As of my last knowledge update in January 2022, here are some of the key initiatives and regulations in India related to farmer suicides:

1. **National Policy for Farmers (2007):** The Government of India introduced the National Policy for Farmers in 2007 to address the issues faced by farmers, including suicides. The policy aims to promote sustainable agriculture, provide adequate and timely credit, and enhance the income of farmers.
2. **Pradhan Mantri Fasal Bima Yojana (PMFBY):** Launched in 2016, PMFBY is a crop insurance scheme that provides financial support to farmers in the event of crop failure or damage due to natural calamities. This is intended to reduce the economic burden on farmers and prevent distress-induced suicides.
3. **National Bank for Agriculture and Rural Development (NABARD):** NABARD plays a crucial role in agricultural and rural development. It provides financial support and loans to farmers, aiming to improve rural livelihoods and reduce the financial distress that may lead to suicides.
4. **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA):** MGNREGA guarantees 100 days of employment to rural households, helping to enhance income and reduce financial stress among rural populations, including farmers.
5. **Agricultural Debt Waiver and Debt Relief Scheme (2008):** The government implemented a debt relief scheme in 2008 to waive off the agricultural debts of eligible farmers. While such schemes aim to provide immediate relief, their effectiveness and long-term impact have been subjects of debate.
6. **State-specific Initiatives:** Several states in India have implemented their own schemes and measures to address the issue of farmer suicides, as agriculture is a state subject. These initiatives may include financial assistance, counseling services, and awareness programs.
7. **Mental Health Support:** Recognizing the psychological toll on farmers, efforts have been made to provide mental health support services. Counseling centers and helplines have been established to assist farmers dealing with stress and emotional challenges.

It's important to note that the effectiveness of these programs can vary, and addressing the root causes of farmer distress requires a comprehensive approach involving economic, social, and psychological interventions. Additionally, there may have been developments or new initiatives introduced since my last update in January 2022.

## WHY ARE CASES OF FARMER SUICIDES HIGHER IN MAHARASHTRA THAN OTHER STATES?

The high incidence of farmers' suicides in Maharashtra can be attributed to a combination of factors. The state faces challenges such as intensive farming practices, climatic fluctuations, high levels of agricultural indebtedness, unequal water distribution, exposure to global market fluctuations, and complex socio-economic dynamics including caste disparities. Additionally, the effectiveness of government policies and support systems may vary, contributing to the overall distress in the agricultural community. These factors collectively create a challenging environment for farmers in Maharashtra, making them more susceptible to economic and environmental uncertainties, thereby leading to a higher rate of suicides compared to some other states. The following is the comparison of the reasons and causes behind the increased number of cases of farmers suicide in maharashtra than other states:

| Factors                | Maharashtra                                    | Other States                                   |
|------------------------|------------------------------------------------|------------------------------------------------|
| Agricultural Practices | Intensive farming, dependence on cash crops    | Diverse cropping patterns, traditional farming |
| Crop Failure           | Vulnerability to climatic variations           | Varied regional impact, resilient crops        |
| Indebtedness           | High levels of agricultural debt               | Varies, but debt is a common issue nationwide  |
| Water Scarcity         | Unequal distribution, irrigation challenges    | Varied water availability and management       |
| Market Fluctuations    | Exposure to price volatility in global markets | Impact of market conditions is widespread      |
| Government Policies    | Effectiveness of policies in addressing issues | Varied implementation and impact nationwide    |
| Social Issues          | Socio-economic disparities, caste dynamics     | Diverse social contexts and dynamics           |



|                   |                                         |                                       |
|-------------------|-----------------------------------------|---------------------------------------|
| Access to Support | Varied effectiveness of support systems | Differential support systems in place |
|-------------------|-----------------------------------------|---------------------------------------|

## **CASE LAWS:**

### **1. SUO MOTU CASE NO. 1080/13/5/2022**

#### *FACTS:*

Picked up from 'Pudhari' and 'Maharashtra Times' Marathi Newspaper dated 12th May, 2022

Name of Complainant : MAHARASHTRA TIMES NEWS DATED 12.05.2022

Date of Complaint : 12/05/2022

Name of Victim : FARMER - LATE NAMDEV AASARAM JADHAV

Name of Respondent : The Collector, Amravati

Date of Incident : 12/05/2022

Place of Incident : BEED

Mode of Complaint : Suo Motu

Coram : allotted to Hon'ble Chairperson, Justice K. K. Tated

#### *EVIDENCE:*

- FORM B- License for Crushing Cane (Season 2021-22) to Jaibhavani Sahakari Sarkar Karkhana Ltd., A/P Gadhi, Tal- Georai, Dist- Beed

#### *ORDER:*

Mr. Namdeo Tilekar, Sub Divisional Officer, Beed is present on behalf of Collector, Beed.

1. In the present suo motu petition, the Commission after considering the oral submissions of Mr. Tilekar, S.D.O. Beed and after scrutiny of the documents, was pleased to issue following directions on 07.07.2022 which reads thus:

2. District Magistrate Beed filed his report dated 10.06.2022.

In the said report on page 2 it is stated that the Sugar Factory had collected the remaining sugar of deceased on 13.05.2022.

Not only that, the District Level Committee approved a grant of Rs.1 Lac to the family of the deceased farmer.

3. Considering these facts, following order is passed:

a) Sub Divisional Officer Mr. Tilekar is directed to place on record a copy of Government Resolution issued by Government about payment of compensation to the agriculturist who commit suicide.

b) How much sugar cane was taken by the sugar factory on 13.05.022 from the field of the deceased farmer and how much amount is paid to his family and at what rate?

Additional Report to be filed on or before 13.07.2022.

3. In compliance of the aforesaid directions report dated

11.07.2022 came to be submitted on record by Collector, Beed.

On going through this report it emerges that the office of Collector, Beed has released a compensation of Rs. 1 Lac in accordance with Rules and Guidelines laid down in Government Resolution No. He 014 2704/7.5.328/7-7 fari: 23.02.2005 followed by official order posed by he Coleo Be

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4. Besides, the son of the deceased has also been paid the remaining amount of price of the sugar cane crop amounting to Rs. 38,571.00 on 02.06.2022.

5. We are of the considered view that the Government should re-consider its policy decision of the payment of compensation amount to the aggrieved family of the farmers who committed suicide on account of default in payment of loan etc. as the quantum of the compensation fixed by Government by its GR dated 23.01.2006 is in the present situation is very meager amount as Rs. 1 Lac and is absolutely insufficient amount to meet the loss suffered by the family, their future income, stability, physical and moral support etc. The trauma and wound left by their dear ones on account of the drastic steps taken for ending their miseries in terms of monetary benefit. In fact the suffering of the farmer may come to an end with his extreme steps of ending his life, but the future of his family and his dependents always suffers a serious setback and we are of the considered view that the Revenue Department, Mantralaya, Mumbai should consider to enhance the Corporation . Though award of monetary compensation can never bring back the loss and damage sustained due to certain departure of life partner.

6. Therefore, with these observations the present suo moto petition stands closed and disposed off with a direction to the Secretary attached to this Commission to forward the copy of the order to the Addl. Chief Secretary (Revenue and Forest) for necessary implementation and follow-up action as under:

a) By amending the policies and guidelines for the compensation as fixed vide : 13.08.2005 for Rs. 10,00,000/- (Rupees Ten Lakhs) to each family instead of Rs.1,00,000/- (Rupees One Lakhs).

- b) As a special case to pay additional compensation of Rs. 10,00,000 (Rupees Ten Lakhs) to the wife of the deceased farmer in accordance with the provisions under Sec. 18 (e) of the Protection of Human Rights Act, 1993 r/w. Regulation 22 to 24 of the Maharashtra State Human Rights Commission, (Procedure), Regulations, 2011.
- c) Ordered accordingly.

## **2. SUO MOTU CASE NO. 1303/13/17/2022**

### *FACTS:*

Picked up from 'LOKMAT MARATHI NEWS PAPER DATED 21.05.2022 NAGPUR'

Name of Complainant : Lokmat Newspaper

Date of Complaint : 24/05/2022

Name of Victim : Farmer (Unknown Male)

Name of Respondent : The Collector, Amravati

Date of Incident : 21/05/2022

Place of Incident : Nagpur

Mode of Complaint : Suo Motu

Coram : allotted to Hon'ble Chairperson, Justice K. K. Tated

### *EVIDENCE:*

1. Mr. Rathod filed a report dated 07.07.2022. Same is taken on record and marked as Ex. 'A'.
2. Present complaint started on the basis of news item in Marathi news paper Lokmat dated 21.05.2022 with title "बनावट स्वाक्षरीने चार एकर शेतीचे खरेदी दुय्यम निबंधक कार्यालयातून खरेदीखत बेपत्ता, न्यायासाठी शेतक-याची धावाधाव"
3. It is to be noted that Mr. Rathod, Sub Registrar placed on record photo copy of Sale Deed dated 28.08.2008 in respect of land bearing Gat No. 122, 46 (1) 1 Hectare 68 Rs situated at Mauja Virul Dhonge, Tal. Dhamangaon, Dist. Amravati. It is stated in the said report dated 07.07.2022 that news appeared in the news paper is not correct, the summary of the report reads thus:

“दैनिक वृत्तपत्र, लोकमत, वृत्ताबाबत दिनांक 21 मे 2022 च्या वृत्तपत्रात बनावट स्वाक्षरीने चार एकर शेतीची खरेदी वृत्त प्रसिद्ध केले आहे. त्या अनुषंगाने या कार्यालयाचे अभिप्राय खालील प्रमाणे आहे.

- 1) खरेदीखत नोंदणी क्रमांक 1701/ 2008 हे या कार्यालयामधून बेपत्ता नाही आहे. या खरेदी खताची मूळ पत्र पक्षकारांना देण्यात आले आहे व कार्यालयीन पत्र उपलब्ध आहे. प्रत सोबत जोडली आहे.
- 2) 1908 चे कलमाचे पूर्तता झाल्यानंतर नोंदणी झाली आहे.
- 3) शेताचा ताबा या कार्यालयाकडून दिला जात नाही.
- 4) नोंदणी अधिनियम 1908 चे कलम प्रमाणे मागेल त्या पक्षकाराला दस्तऐवजाची प्रत पुरविली जाते त्याप्रमाणे प्रमाणित प्रत अर्जदार श्री हरिभाऊ लोंदे यांना दिनांक 31.05. 2022 रोजी दिली आहे.
- 5) वृत्तपत्रात आलेले वृत्त निराधार आहे
- 6) दस्तऐवज मॅन्युअल्ली नोंदला आहे. हा कार्यालयीन अभिलेख जसे टोकण रजिस्टर अंगठे पुस्तक व दस्तऐवजाची कार्यालयीन पत्र परत सूची क्रमांक 2 ची प्रत, कार्यालयीन अभिलेखात उपलब्ध आहे. करिता सदरील प्रकरणात वरील प्र काय केलं माणे लेखी जबाब माहिती व उचित कार्यवाही सविनय सादर.”

4. It is to be noted that it is specifically stated in news item dated 21.05.2022 that owners i.e. Mr. Haribhau B. Londe and Shri. Sandip V Patil their signatures and other documents are fabricated. Not only that though the Sale Deed was executed on 28.08.2008, Revenue Entry was made in 7/12 extract sometime in February 2022. Mr. Rathod is unable to explain how the entries are made in 7/12 extract after more than 14 years. He submits that this issue is pertaining to Talathi and Tahsildar of that area.

#### *ORDER:*

Keeping in mind all presented evidence, following order is passed:

- a) Office is directed to issue summons to the Superintendent of Police, Amravati to hold inquiry as stated hereinabove and submit the report before this Commission on 18.08.2022.
- b) Mr. M.K. Rathod, Sub Registrar, Dhamangaon Railway is directed to meet personally Superintendent of Police, Amravati along with the copy of this order and explain him the entire case so that he can hold proper inquiry.
- c) Matter to appear on board before Court No.1 on 18th August 2022 at 11.00 a.m.

### **3. SUO MOTU CASE NO. 3484/13/30/2022**

*FACTS:*

Suo Motu cognizance from news article in Marathi newspaper 'Samaana' dated 06.09.2022

Name of Complainant : Samaana Newspaper

Date of Complaint : 07/09/2022

Name of Victim : Agriculturalist of Murbad

Name of Respondent : The Collector, Thane

Date of Incident : 06/09/2022

Place of Incident : Thane

Mode of Complaint : Suo Motu

Corum : allotted to Hon'ble Justice K. K. Tated

*EVIDENCE:*

Reports on affidavits on behalf of respondent no. 1 & 2 came to be placed on record vide Ex. 'A' to 'F'. The most relevant piece of evidence is the affidavit dated 14.06.2023, filed by Shri Kishor Kerlikar, Sub Regional Officer, MPCB at Kalyan -3 affirming in para I to IV as under:

I) During the visit of the officials of the Respondent –Board at Kalyan on 30/05/2023, it is observed that the farms mentioned in the Newspaper are around 25 to 30 mtrs away from the compound wall of M/s. Technocraft Industries (I) Ltd., Dhanivali, Murbad. At the time of visit, there was no discharge of effluent found from the industry into the farm. At the time of present visit, the said farms were found in dry stage and no crops were found planted. Further, the Officials of the Respondent Board have visited to site of M/s. Technocraft Industries and observed that they have provided Sewage Treatment Plant comprising primary, secondary and tertiary treatment plants and also provided adequate RO(3 stages), multi effective evaporator and ATFD treatment system. The treated water is utilized for gardening purposes etc.

II) The officials of the Respondent –Board at Kalyan also visited Village Devpe on 30/05/2023. During the visit it is noted that the villagers are using bore well water for drinking purposes. The said water is not polluted. There is no industrial activity in the said village. Board officials collected samples of 2 Borewells during the visit. The same were sent to the Central Laboratory, MPCB Board, Mahape for analysis purposes.

III) On 30/05/2023, the officials of the Board at Kalyan visited the village – Nandani. During the visit, it was observed that the well water of the well situated at roadside is used for washing cloths and farming purposes, but this water is not used for drinking purposes. At the time of visit, the officials of the Board at Kalyan have collected the samples of well water situated at Village Nandani, (near River Murbadi). A sample of Murbadi River near Nandani village is also collected. The said samples are sent to the Central Laboratory, MPC Board, Mahape for analysis purposes.

IV) Further, the officials of the Board at Kalyan have visited the Village: Dhanivali on 30/05/2023 and observed that presently, the said well water is not used for drinking purpose. During the visit, the samples of water from the stagnant well adjacent to the compound wall of M/s. Technocraft Industries were collected in presence of Gram Panchayat representative Shri Kalpesh Karale. Further the sample of borewell of Mr. Chintaman Kushaba Bhoir is collected. Also, samples of Murbadi River near Dhanivali Bridge are also collected. All these samples were sent to the Central Laboratory, MPC Board, Mahape for analysis purpose.``

The above affirmed statements are duly substantiated by authentic documents annexed with the affidavit Ex. 'G'.

*ORDER:*

The present Suo Motu case stands closed and disposed off with no order as to cost.

**4. SUO MOTU CASE NO. 3595/13/30/2022**

*FACTS:*

A news article in Marathi newspaper 'Samana dated 14.09.2022 reported about the apathy on the part of the government agencies for paying compensation to the owners of field by the respondent authority for having acquired their respective portion of agricultural field for installation of the electrical wires and its towers.

Name of Complainant : Samaana Newspaper

Date of complaint : 14/09/2022

Name of Victim : Farmers of Bhiwandi

Name of Respondent : The Collector and the Chairman and managing director  
Maharashtra state electricity distribution Co. Ltd

Date of incident : 14/09/2022

Place of incident : Thane

Mode of complaint : Suo moto

Corum : Justice K.K.Tated, chairperson

#### PROCEEDINGS :-

The detail affirmed affidavit of Shri Bharat Chougule, Additional Executive Engineer, Maharashtra State Electricity Distribution Company Ltd., marked Ex. 'A', it clearly emerges that due compensation to the affected landowners has been paid as per Rules and Guidelines vide GR no. 01.12.2022 and the copies of the documents attached with it clearly reveals that compensation to most of the owners of the land has been released And paid by the electrical company. The relevant para no. 7 to 10 of the affidavit Ex. 'A' reads thus:

I state that, thereafter vide Government Notification dated 01.12.2022, the amount for compensation was increased from 15% to 30% of total valuation as per the ready reckoner rate of affected land valuation for the line corridor. Hereto marked and annexed as Exhibit 'B' is the copy of Government Notification dated 01.12.2022.

I state that, Shri. Amrut Nau Patil, Shri. Ganpat Patil, Shri. Gopal Patil, Shri. Swapnil Moir, Shri. Santosh Lokhande, Shri. Narendra Patil along with 15 other farmers at Dighashi Tal-Bhiwandi, Dist-Thane who have given news regarding grievance of the land valuation for 220KV LILO line on Padghe-Wada Kolshet-Wada for 400Kv Kudus s/s, were not accepting the land valuation for the line corridor as 15% of total line corridor value as per the land valuation order passed by SDO Bhiwandi, as per the Maharashtra Government G.R. No.2016/subNo.520/Energy- 4 dated 31.05.2017. on the contrary they are demanding 100% land valuation for the line corridor which is not as per the Government G.R. As of today, they have accepted the 15% land valuation for the line corridor. Hereto marked and annexed as as Exhibit 'C' is the copy of order dated 23.05.2022 passed by sub-divisional Officer, Bhiwandi.

I state that, thereafter Shri. Amrut Nau Patil and others residents at Village-Dighashi Tal-Bhiwandi, Dist-Thane, accepted the land valuation for the area occupied by the tower and land valuation decided by the sub-divisional Bhiwandi as he is empowered for the land valuation order as per above government G.R. They have already accepted the payment of Rs. 1,74,408/- on 10.06.2022 and Rs. 96,269/- vide cheque dated 24.06.2022. That, as the said cheque was returned by the recipient, a cheque for amount of Rs. 96,269/- was reissued on 28.10.2022. Hereto marked and annexed as Exhibit 'D-COLLY' is the copy of cheque and bank statement showing the compensation received by Shri Amrut Patil & Ors.

I say that, Respondent No.2 has not gained any monetary benefit from the present transaction and has offered bonafide compensation as per the provisions of government GR dated 31.05.2017. Hence, the allegations leveled against the Respondent no. 2 are totally false and baseless and the present Suo Moto case does not lie against Respondent No.2"

Order :-

The statement made on solemn affirmation by the concerned officer indicating that the affected owners have received due amount of compensation calculated as per norms and therefore further action in the matter is not required. Accordingly, the present suo motu case stands closed and disposed of.

## **5. SUO MOTU CASE NO. 3563/13/30/2022**

### *FACTS:*

Suo Motu cognizance from news article in Marathi newspaper 'Samaana' dated 08.09.2022

Name of Complainant : NIDHI ASUNHI KHARDITIL 250 SHETKARYANA FUTKI  
KAVADIHI NAHI

Date of Complaint : 08/09/2022

Name of Victim : FARMERS OF KHARDI

Date of Incident : 08/09/2022

Place of Incident : THANE

Mode of Complaint : Suo Motu

Coram : allotted to Hon'ble Chairperson, Justice K. K. Tated

### *EVIDENCE:*

Action Date -27/02/2023

Authority - [Select Authority]- The Addl. Chief Secretary, (Industries), Mantralaya, Mumbai

### Proceeding

Following parties are present:

Advocate Mr. Hemal for Maharashtra Industrial Development Corporation

Mr. A. A. Gavade, Area Manager, HQ, Maharashtra Industrial Development Corporation

Mr. Sudesh Jadhav, Area Manager, Regional Office, Thane

Mr. Sachin Balap, Assistant Regional Office, Thane



Mrs. Surekha Sonawane, Surveyor, Regional Office, Thane

Mr. S.D. Patil, Retired N.T. Land Acquisition

1. Advocate Mr. Hemal appearing for Maharashtra Industrial Development Corporation seeks eight weeks time to comply with the order dated 15.02.2023. Same is granted.
2. Matter to appear on board before Court No.1 on 16th June 2023 at 11.00 a.m.

*ORDER:*

Action Date - 01/09/2023

Authority THE GENERAL MANAGER- Land Acquisition, Mumbai

Proceeding

The following persons are present:

Adv. Mr. Hemal Dedhia for MIDC

Mr. S. D. Patil, Nayab Tahsildar, Bhiwandi

Mr. Sudesh Jadhav, Area Manager

Mr. Sachin Pratap, Assistant

2. Today, Adv. Hemant Dedhia appearing on behalf of MIDC filed an affidavit dated 31.08.2023 of Amit S. Sanap, Sub Regional Officer, Bhiwandi Division. Same is taken on record and marked as Ex. 'C'.

3. The present suo motu complaint initiated on the basis of news appeared Marathi newspaper 'Samaana dated 08.09.2022 under caption "एमआयडीसीसाठी कसल्या जमिनी दिल्या पण निधी असूनही खर्चीतील 250 शेतक-यांना फुटकी कवडीही नाही ".

4. As per summons issued by this Commission, the Collector filed an affidavit dated 10.10.2022 Ex. 'A' and respondent no. 2 MIDC affidavit dated 12.10.2022 Ex. 'B'

5. Adv. Mr. Hemal Dedhia for MIDC submitted that they acquired land measuring 185 hectares of land and taken possession of only 139 Hectors. He further submit that they already deposited the entire amount of 185 Hectors is deposited with the office of Sub Divisional Officer, Bhiwandi. He submit that out of that, office of the Sub Divisional Officer disbursed the amount of 139 Hectors to the affected persons. He further submit that in remaining cases verification of ownership documents is pending and as soon as the same is done the amount can be released.

6. Considering the above mentioned fact we satisfy that the amount is already paid to the affected persons whose land is taken by the MIDC. For remaining land they already deposited amount with Sub Divisional Officer, Bhiwandi. In view of these facts we do not find to continue with the present suo motu complaint. Hence following order:

“ORDER”

a) The present suo motu case stands closed and disposed of with no order as to cost.

## **DATA ANALYSIS:**

Various factors contribute to this distressing situation

1. **Economic Distress:** Many farmers in Maharashtra face severe financial hardships due to factors such as crop failures, rising production costs, and fluctuating market prices for their produce. This economic distress often leads to indebtedness and a sense of hopelessness, pushing farmers to take extreme steps.
2. **Climate Challenges:** The region is prone to erratic rainfall patterns, droughts, and extreme weather events, which significantly affect crop yields and add to the financial burden of farmers.
3. **Lack of Support:** Inadequate access to credit, proper irrigation facilities, and modern agricultural technologies further exacerbates the challenges faced by farmers. The lack of government support and effective policies to address their concerns adds to their despair.
4. **Social Factors:** Social pressures, such as the stigma associated with failure and the expectation of providing for their families, can also contribute to the mental anguish experienced by farmers.

### **Schemes To Minimize Risk Of Economic Distress [Agricultural Finance]**

Financial assistance is provided to farmers by way of short-term loans, credit, etc. by the government through various banks and co-operative agencies. The National Bank for Agriculture and Rural Development (NABARD), the apex bank for agricultural and rural development in India, provides agricultural short term & medium term loans through Maharashtra State Co-operative Bank (MSCB) & District Central Co-operative Banks (DCCB), Regional Rural Banks (RRB) and Commercial Banks (CB). Annual Credit Plan for priority sector of the State for 2021-22 is of ₹ 4.61 lakh crore. Share of the Agricultural and allied activities sector in Annual Credit Plan is ₹ 1.19 lakh crore (25.8 per cent). Loans disbursed by Commercial banks, RRB and MSCB/DCCB are given in Table 7.18.

The institutions directly associated with agricultural finance at grass root level in the State are Primary Agricultural Credit Co-operative Societies (PACS) which provide short-term crop loans to their cultivator members. During 2019-20, loans of ₹ 10,898 crore were advanced to farmers through PACS while during 2020-21, the corresponding figure was ₹ 17,757 crore. The crop loan disbursement target for 2021-22 has been set to ₹ 20,584 crore, of which PACS have disbursed crop loan of ₹ 13,990 crore during kharif season at the end of September, 2021 and ₹ 546 crore during rabi season upto 10th December, 2021.

Kisan Credit Card Scheme : Maharashtra State Co-operative Bank has newly issued 31.82 lakh Kisan Credit Cards (KCC) in the State during 2020-21. The amount of loans sanctioned to the new KCC holders during 2020-21 was ₹ 17,649 crore. KCC linked agriculture loans disbursed to farmers by MSCB are given in Table 7.19.

### Agricultural marketing

Department of Agricultural Marketing establishes Agricultural Produce Market Committees (APMC) under Maharashtra Agricultural Produce Marketing (Development & Regulation) Act, 1963 and provides infrastructure for sale of agricultural produce so that farmers get adequate price of their agricultural produce and are protected from exploitation by traders and middlemen by offering low prices. In all 306 APMCs and 623 sub yards have been established in the State. Minimum Support Price Scheme :

GoI declares Minimum Support Prices (MSP) for selected crops before their sowing seasons in order to give guaranteed price & assured market to the farmers and protect them from the price fluctuations, which is a preventive measure to make agricultural activity economically viable. Under the scheme, procurement in the State is undertaken by Maharashtra State Co-operative Marketing Federation, Maharashtra State Co-operative Tribal Development Corporation, National Agricultural Co-operative Marketing Federation and Maharashtra State Co-operative Cotton Growers Federation. The MSP was declared for selected 18 crops by GoI.

### Information & Communication technology

MahaDBT portal is used for transferring subsidies & benefits directly into the bank accounts of eligible farmers. e-NAM portal is made available to farmers for direct online trading of their farm produce to APMC/mandis. Krushik app has been made available to farmers to increase farm productivity by accessing relevant information. The State has established an e-governance system MAHA-MADAT for assessment of drought situation in the State, to ensure minimum human interference and human errors in the process of valuation.

1. Electronic National Agriculture Market (e-NAM).
2. MahaDBT Portal.
3. MahaAgritech project.
4. Kisaan SMS service.

### Selected agricultural development schemes

1. Rashtriya Krishi Vikas Yojana.
2. Punyashlok Ahilyadevi Holkar Nursery Scheme.
3. Support to State Extension Programmes for Extension Reforms (ATMA Scheme).
4. National Food Security Mission (NFSM).
5. Sub-Mission on Seeds and Planting Material (SSPM).
6. Seed Processing Plant and Storage Godown.

7. Unnat Sheti-Samruddha Shetkari Mission.
8. Sub-Mission on Agricultural Mechanisation.
9. National Mission for Sustainable Agriculture.
10. Soil Health Management and Distribution of Soil Health Cards.
11. Paramparagat Krishi Vikas Yojana.
12. Rainfed Area Development Programme.
13. Crop Pest Surveillance and Advisory Project (CROPSAP).
14. Pradhan Mantri Krishi Sinchayee Yojana.

#### Mission for Integrated Development of Horticulture (MIDH)

From 2015-16, the Mission for Integrated Development of Horticulture (MIDH) is being implemented in 34 districts, with the main objective of increasing the area & productivity under horticulture and to promote post-harvest management such as controlling ripening, edible coating, temperature management, chemical treatment etc. Maharashtra State Horticulture and Medicinal Plants Board (MSHMPB) is implementing schemes of MIDH.

Grapes, mango, pomegranate and bananas are the major fruits exported from the State. The quantity and value of export of fruits, vegetables & flowers are given in Table 7.25.

#### Schemes for Farmers in Horticulture Farming :

1. Orchard Plantation Scheme under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)
2. Bhausaheb Fundkar Falbaug Lagwad Yojana
3. Promotion of Kitchen Garden in Tribal Districts
4. Weather Based Crop Insurance Scheme for Fruit Crops
5. Pradhan Mantri Fasal Bima Yojana
6. Dr. Babasaheb Ambedkar Krishi Swavalamban Yojana
7. Birsa Munda Krishi Kranti Yojana
8. Watershed development programme

#### Schemes of Central Government For Water and Electricity

##### Electrification of agricultural pumps

In all 45.20 lakh agricultural pumps have been energised upto 2020-21 and 1.42 lakh agricultural pumps have been energised during 2021-22, upto December.

Pradhan Mantri Kissan Urja Suraksha Evam Utthan Mahabhiyaan: Ministry of New and Renewable Energy (MNRE), GoI is implementing Pradhan Mantri Kisan Urja Suraksha Evam Utthan Mahabhiyan (PM-Kusum) scheme. The scheme is being implemented during 2019-20 to 2022-23. Under this scheme, farmers will be able to install off-grid solar agricultural pumps upto 7.50 hp capacity. MNRE has set the target of one lakh solar agricultural pumps per year for the

State. This includes 3 HP DC, 5 HP DC and 7.5 HP DC solar agricultural pumps. The scheme has 30 per cent central financial assistance, 60 per cent financial assistance from the State and the remaining 10 per cent has to be deposited by open category beneficiary. The scheme has 30 per cent central financial assistance, 65 per cent financial assistance from the State and the remaining 5 per cent has to be deposited by the SC/ST category beneficiary.

Mukhyamantri Saur Krishi Pump Yojana : GoM has launched this scheme in 2018-19 with the main objectives of day time power availability for agricultural pumps and replacement of diesel pumps to reduce pollution. GoM has targeted deployment of one lakh off-grid solar powered agricultural pumps in the next three consecutive years. The scheme is implemented for farmers from remote & tribal non-electrified areas or for areas which are not electrified by MAHADISCOM. Farmers who do not have electric agricultural pumps and own agricultural land with assured sources of water are eligible under the scheme and have to pay a maximum 10 percent of total cost of solar pump as beneficiary's share contribution. Beneficiary's share contribution for general category is 10 per cent and for SC/ST category is five per cent. Since inception of the scheme in all 99,588 solar agricultural pumps have been commissioned by MAHADISCOM upto 10th February, 2022.

#### Climate fluctuations in Maharashtra :

Monsoon 2021 7.5 Monsoon rains arrived on 5th June, 2021 in the State. During June, July, August, September and October, the State received 136.2 per cent, 121.2 per cent, 60.7 per cent, 185.0 per cent and 113.9 per cent rainfall respectively as compared to the normal. Total rainfall in the State during 2021 upto October, was 118.2 per cent of the normal. Out of 355 talukas (excluding those in Mumbai City & Mumbai Suburban districts) in the State, 187 talukas received excess rainfall, 146 talukas received normal and 22 talukas received deficient rainfall.

#### Drought and natural calamity

Agriculture sector in the State was badly affected due to frequent hailstorms, cyclones and untimely rains during cropping season of 2020-21 and 2021-22. During March to May 2021, about 0.91 lakh ha agriculture area in 31 districts was affected by untimely rains, hailstorms & cyclones, for which a compensation of ₹ 122.26 crore was sanctioned. During May, 2021 about 0.17 lakh ha agriculture area in 17 districts was affected by Tauktae cyclone for which a compensation of ₹ 72.35 crore was sanctioned. During July, 2021 about 4.43 lakh ha agriculture area was affected in 24 districts due to heavy rainfall & flood for which a compensation of ₹ 365.67 crore was sanctioned. During August to September, 2021 due to excessive rains/floods the agriculture area affected was 48.38 lakh ha in 28 districts for which a compensation of ₹ 3,766.35 crore was sanctioned.

#### SUCIDE DATA

#### DATA OF 2021 MAHARASHTRA FARMERS SUCIDE

Unit-wise information on Suicidal Deaths during 2021 is given in Table No. 102. In Maharashtra, 22207 persons (including 17489 male, 4715 female and 3 Transgender) committed suicides during 2021 as compared to 19909 (including 15433 male, 4472 female and 4 Transgender) during 2020. Thus, there is an increase by 2298, i.e. 11.54% in suicides as compared to 2020. There is an increase in suicide cases of male by 13.32% & number of suicide cases of female shows an increase by 5.43%.

### SUICIDES IN INDIA

Rate of suicides has been calculated using projected population for the non-census years whereas for the census year 2011, the population in the Census 2011 Report was used.

A total of 1,70,924 suicides were reported in the country during 2022 showing an increase of 4.2% in comparison to 2021 and the rate of suicides has increased by 3.3% during 2022 over 2021. [LIST-2.1] The incidence and rate of suicides during 2012-2022 is presented in Table-2.1. Majority of suicides were reported in Maharashtra (22,746) followed by 19,834 suicides in Tamil Nadu, 15,386 suicides in Madhya Pradesh, 13,606 suicides in Karnataka and 12,669 suicides in West Bengal accounting for 13.3%, 11.6%, 9.0%, 8.0% and 7.4% of total suicides respectively. These 5 States together accounted for 49.3% of the total suicides reported in the country.

A total of 11,290 persons involved in farming sector (consisting of 5,207 farmers/cultivators and 6,083 agricultural labourers) have committed suicides during 2022, accounting for 6.6% of total suicides victims (1,70,924) in the country. Out of 5,207 farmer/cultivator suicides, a total of 4,999 were male and 208 were female.

[As per a report of the Divisional Commissioner's office 685 farmers have committed suicide this year till August 31 in Maharashtra's Marathwada region, according to an official report, with the highest deaths at 186 reported from Beed, the home district of state Agriculture Minister Dhananjay Munde.

Here, 685 cultivators have ended their lives between January 1 and August 31, 2023, in the region and 294 of these deaths took place in three monsoon months alone (June to August). Marathwada is currently facing a 20.7 percent rainfall deficit. The region has so far received 455.4 mm of rainfall (till September 11) as against 574.4 mm of average monsoon showers (during the period under review), an official said.

**Table 7.18 Loans disbursed by Commercial banks, RRB and MSCB/DCCB**

(₹ crore)

| Type of loan          | Commercial Banks <sup>\$</sup> |                      | RRB          |                      | MSCB/DCCB     |                      | Total         |                      |
|-----------------------|--------------------------------|----------------------|--------------|----------------------|---------------|----------------------|---------------|----------------------|
|                       | 2020-21                        | 2021-22 <sup>+</sup> | 2020-21      | 2021-22 <sup>+</sup> | 2020-21       | 2021-22 <sup>+</sup> | 2020-21       | 2021-22 <sup>+</sup> |
| Crop loan             | 26,677                         | 16,522               | 3,538        | 2,554                | 17,757        | 13,990               | 47,972        | 33,066               |
| Agriculture term loan | 43,618                         | 24,445               | 56           | 264                  | 336           | 254                  | 44,010        | 24,963               |
| <b>Total</b>          | <b>70,295</b>                  | <b>40,967</b>        | <b>3,594</b> | <b>2,818</b>         | <b>18,093</b> | <b>14,244</b>        | <b>91,982</b> | <b>58,029</b>        |

\$ including nationalised banks

+ upto September

Source : State Level Bankers' Committee, Maharashtra State

**Table 7.19 Agriculture loans to farmers by MSCB linked to KCC**

| Year                 | Short term loans     |                  | Long term loans      |                  |
|----------------------|----------------------|------------------|----------------------|------------------|
|                      | No of farmers ('000) | Amount (₹ Crore) | No of farmers ('000) | Amount (₹ Crore) |
| 2019-20              | 2,259                | 10,538           | 0.2                  | 3.38             |
| 2020-21              | 3,165                | 17,372           | 18                   | 277              |
| 2021-22 <sup>+</sup> | 2,732                | 14,832           | 8                    | 136              |

Source: Maharashtra State Co-op. Bank Ltd.

+ upto November

**Table 7.25 Quantity & value of exports of fruits, vegetables & flowers**

| Commodity                                                 | Export      | 2018-19       |                | 2019-20       |                | 2020-21       |                |
|-----------------------------------------------------------|-------------|---------------|----------------|---------------|----------------|---------------|----------------|
|                                                           |             | Quantity (MT) | Value (₹Crore) | Quantity (MT) | Value (₹Crore) | Quantity (MT) | Value (₹Crore) |
| Mango                                                     | Maharashtra | 29,346        | 314            | 29,884        | 307            | 19,184        | 241            |
|                                                           | India       | 46,510        | 406            | 49,657        | 400            | 21,034        | 272            |
| Grapes                                                    | Maharashtra | 1,93,709      | 2,118          | 1,53,693      | 2,019          | 1,79,126      | 2,034          |
|                                                           | India       | 2,46,134      | 2,335          | 1,93,690      | 2,177          | 2,46,107      | 2,298          |
| Banana                                                    | Maharashtra | 61,831        | 208            | 1,08,961      | 429            | 1,63,696      | 556            |
|                                                           | India       | 1,34,502      | 412            | 1,95,746      | 659            | 2,32,518      | 740            |
| Orange/ Mandarine                                         | Maharashtra | 1,230         | 5.35           | 1,461         | 6.0            | 1,014         | 5.0            |
|                                                           | India       | 43,506        | 249.14         | 93,879        | 254            | 1,62,740      | 454            |
| Pomegranate                                               | Maharashtra | 40,721        | 491            | 32,137        | 408            | 17,724        | 224            |
|                                                           | India       | 67,892        | 689            | 80,548        | 688            | 67,976        | 517            |
| Raisins                                                   | Maharashtra | 18,183        | 248            | 23,721        | 257            | 22,631        | 195            |
|                                                           | India       | 18,926        | 259            | 24,668        | 270            | 24,406        | 216            |
| Rose Flowers                                              | Maharashtra | 863.36        | 29.81          | 550           | 22.65          | 188           | 11.51          |
|                                                           | India       | 2,134.34      | 57.47          | 1,614         | 47.95          | 853           | 27.42          |
| Rose Plants                                               | Maharashtra | 38.65         | 3.17           | 43.43         | 3.47           | 15.63         | 0.89           |
|                                                           | India       | 40.88         | 3.30           | 45.76         | 3.65           | 17.03         | 0.97           |
| Mango Pulp                                                | Maharashtra | 21,068        | 168            | 15,195        | 115            | 16,892        | 127            |
|                                                           | India       | 1,05,872      | 658            | 85,726        | 584            | 98,369        | 714            |
| Onion                                                     | Maharashtra | 13,23,482     | 1,941          | 7,29,563      | 1,350          | 7,96,898      | 1,515          |
|                                                           | India       | 21,82,826     | 3,467          | 11,48,924     | 2,319          | 15,74,323     | 2,820          |
| Other vegetables (excluding Onion)                        | Maharashtra | 1,54,548      | 694            | 1,31,023      | 669            | 1,12,363      | 655            |
|                                                           | India       | 7,35,742      | 2,070          | 7,54,007      | 2,065          | 6,82,029      | 2,143          |
| Other processed Fruits & Vegetables(excluding Mango pulp) | Maharashtra | 1,71,810      | 1,755          | 1,72,780      | 1,759          | 1,62,812      | 1,770          |
|                                                           | India       | 5,87,726      | 5,279          | 6,13,736      | 5,847          | 7,10,202      | 6,890          |

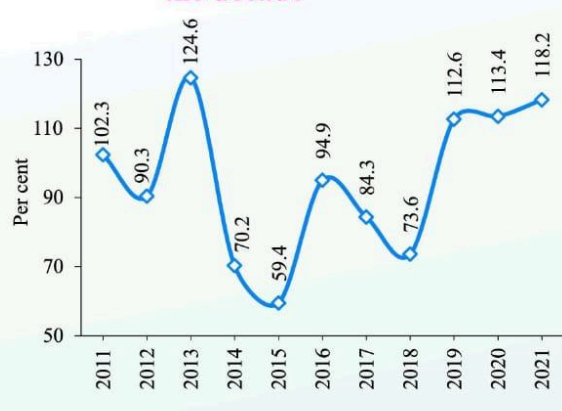
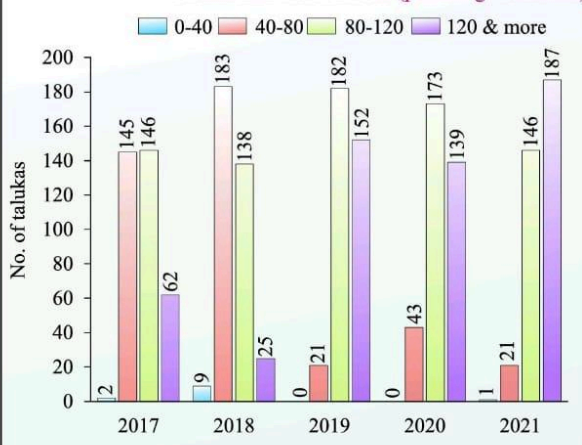
Source : Commissionerate of Agriculture, GoM



**Table 7.1 Classification of talukas according to rainfall received**

| Rainfall class<br>(percentage<br>to normal) | No. of talukas <sup>#</sup> |      |      |      |        |      |           |      |         |      |
|---------------------------------------------|-----------------------------|------|------|------|--------|------|-----------|------|---------|------|
|                                             | June                        |      | July |      | August |      | September |      | October |      |
|                                             | 2020                        | 2021 | 2020 | 2021 | 2020   | 2021 | 2020      | 2021 | 2020    | 2021 |
| 120 & above                                 | 177                         | 231  | 113  | 177  | 144    | 35   | 180       | 298  | 220     | 150  |
| 100 – 120                                   | 64                          | 58   | 51   | 64   | 58     | 22   | 46        | 13   | 24      | 46   |
| 80 – 100                                    | 50                          | 32   | 69   | 57   | 60     | 48   | 58        | 13   | 41      | 54   |
| 60 – 80                                     | 34                          | 17   | 58   | 39   | 51     | 107  | 42        | 19   | 35      | 44   |
| 40 – 60                                     | 26                          | 12   | 42   | 15   | 39     | 91   | 25        | 9    | 26      | 31   |
| 20 – 40                                     | 4                           | 5    | 21   | 3    | 3      | 46   | 4         | 3    | 7       | 23   |
| 0 – 20                                      | 0                           | 0    | 1    | 0    | 0      | 6    | 0         | 0    | 2       | 7    |

Source : Commissionerate of Agriculture, GoM

<sup>#</sup> Excluding talukas in Mumbai City & Mumbai Suburban districts*Economic Survey of Maharashtra 2021-22***Graph 7.2 : Percentage of actual rainfall to average rainfall in the State for the decade****Graph 7.3 : No. of talukas according to rainfall received (percentage to normal)**

## LIST-2.1

## Number of Suicides, Growth of Population and Rate of Suicides during 2018 - 2022

| Sl. No. | Year        | Total Number of Suicides | Mid-Year Projected Population (in Lakh <sup>+</sup> ) | Rate of Suicides (Col.3/Col.4) |
|---------|-------------|--------------------------|-------------------------------------------------------|--------------------------------|
| (1)     | (2)         | (3)                      | (4)                                                   | (5)                            |
| 1       | 2018        | 1,34,516                 | 13233.8 <sup>#</sup>                                  | 10.2                           |
| 2       | 2019        | 1,39,123                 | 13376.1 <sup>#</sup>                                  | 10.4                           |
| 3       | 2020        | 1,53,052                 | 13533.9 <sup>\$</sup>                                 | 11.3                           |
| 4       | 2021        | 1,64,033                 | 13671.8 <sup>\$</sup>                                 | 12.0                           |
| 5       | <b>2022</b> | <b>1,70,924</b>          | <b>13797.5<sup>\$</sup></b>                           | <b>12.4</b>                    |

# Source: Report of the Technical Group on Population Projections (November, 2019), National Commission on Population, Ministry of Health & Family Welfare.

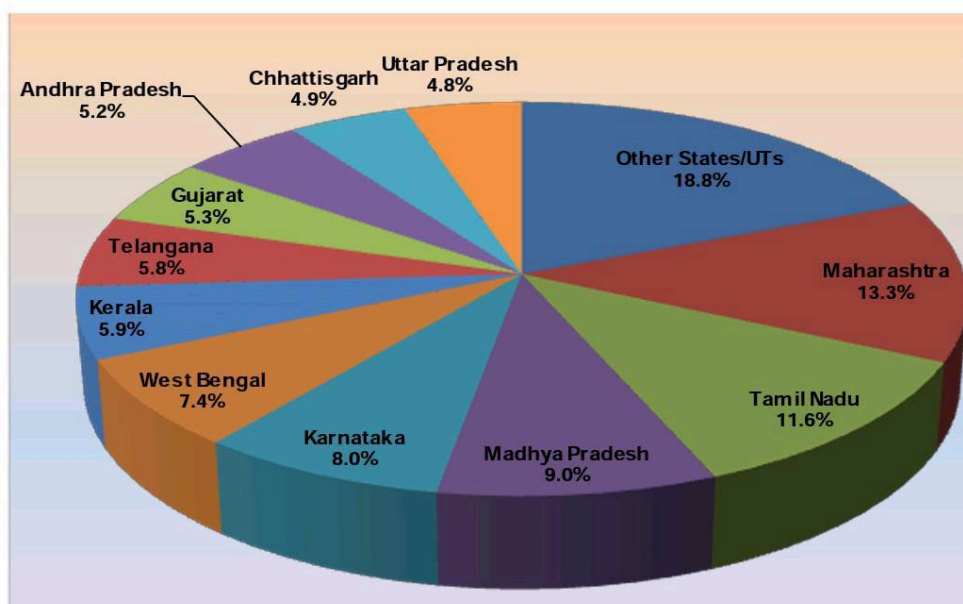
\$ Source: Report of the Technical Group on Population Projections (July, 2020), National Commission on Population, Ministry of Health & Family Welfare

+ One Lakh = 0.1 Million

\*\*\* Rate of Suicides = Incidence of suicides per one lakh (1, 00,000) of population.

FIGURE-2.1

## State/UT wise Percentage Share of Suicides in States/UTs during 2022

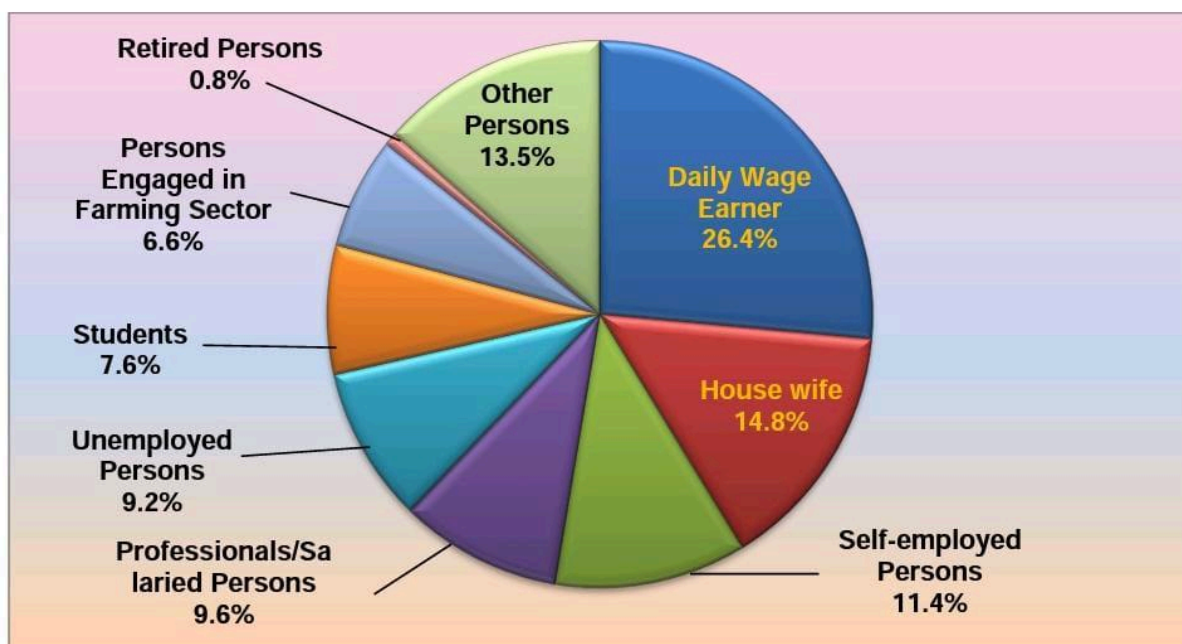


**LIST-2.2**  
**States with Higher Percentage Share of Suicides during 2020 to 2022**

| Sl. No. | Year           |         |                |         |                |         |
|---------|----------------|---------|----------------|---------|----------------|---------|
|         | 2020           |         | 2021           |         | 2022           |         |
| 1       | Maharashtra    | (13.0%) | Maharashtra    | (13.5%) | Maharashtra    | (13.3%) |
| 2       | Tamil Nadu     | (11.0%) | Tamil Nadu     | (11.5%) | Tamil Nadu     | (11.6%) |
| 3       | Madhya Pradesh | (9.5%)  | Madhya Pradesh | (9.1%)  | Madhya Pradesh | (9.0%)  |
| 4       | West Bengal    | (8.6%)  | West Bengal    | (8.2%)  | Karnataka      | (8.0%)  |
| 5       | Karnataka      | (8.0%)  | Karnataka      | (8.0%)  | West Bengal    | (7.4%)  |

- As per data provided by States/UTs.

**FIGURE-2.8**  
**Percentage Distribution of Suicide Victims by Profession During 2022**



- As per data provided by States/UTs.

## CONCLUSIONS & RECOMMENDATIONS:

The research and review project on farmer suicides in the agricultural sector present a poignant narrative of the challenges faced by Indian farmers. The interconnected web of economic, environmental, and social factors contributes to the alarming rise in farmer suicides.

The case laws highlighted specific incidents, shedding light on the complexities and shortcomings in addressing these issues.

The objectives of the research, ranging from assessing the scope of the problem to evaluating human rights violations and exploring potential solutions, have been diligently pursued. The study delves into government regulations and schemes, providing insights into both state and national initiatives designed to alleviate farmer distress.

Government schemes like the Nanaji Deshmukh Krishi Sanjivani Yojana demonstrate efforts to address specific issues, such as drought-prone areas. However, the case laws reveal gaps in implementation and the need for constant evaluation of the effectiveness of such programs.

The legal cases highlighted instances where farmers faced hardships, leading to tragic consequences. The orders issued by the Maharashtra State Human Rights Commission reflect a nuanced understanding of the systemic issues contributing to farmer suicides and recommendations for policy changes.

Data analysis from various cases emphasizes the importance of evidence-based policymaking. It becomes evident that addressing farmer suicides requires a multi-faceted approach, including economic support, environmental sustainability, and mental health services.

In recommendations, there is a call for a reevaluation of compensation policies for the families of deceased farmers. The compensation plans to the families of the dead farmers are woefully lacking in terms of empathy and real-world value. For example, the best case compensation to a deceased farmer's family is around 50% of his income, which is already far too less, as the income of the farmer was in all probability, extremely low in itself, and if the whole of his income was not enough to sustain him and his family earlier, there is no reason to presume that half of this income will do the family members of the deceased any good. The emphasis on human rights-centred development and advocacy for systemic change underscores the urgency for a comprehensive overhaul of agricultural policies.

As the research concludes, it stands not just as an academic exercise but as a clarion call for action. The voices of the silenced farmers echo through the pages, demanding justice, accountability, and transformative change in the agricultural landscape to ensure a future where fields yield hope instead of despair.

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# **“AN ANALYSIS OF CIVIC AMENITIES AND COMMUNITY PROBLEMS IN SHIVAJI NAGAR, MUMBAI”**

A Group Report submitted To  
**Maharashtra State Human Rights Commission**  
As a part of Winter Internship Programme

By  
Jyoti Pandey  
Nipu Roger Raju Somy  
Pradyumna Khirodkar  
Raveena Karnik

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## ACKNOWLEDGEMENT

First and foremost, we extend our heartfelt thanks to the Maharashtra State Human Rights Commission for their unwavering support and guidance throughout the duration of this study. The Commission's commitment to addressing human rights issues and promoting community welfare has been instrumental in the successful execution of this research.

We would also like to express sincere appreciation to the Apnalaya Foundation for their invaluable support in facilitating the execution of the study. Their expertise, community engagement initiatives, and commitment to positive social change have significantly contributed to the depth and relevance of the findings presented in this report.

Special acknowledgment is due to the residents of Shivaji Nagar, Mumbai, who generously shared their time, experiences, and perspectives during the data collection phase. Their cooperation and openness were essential in gaining a comprehensive understanding of the challenges and opportunities within the community.

This report represents a collective effort aimed at fostering positive change and addressing the civic amenities and community problems in Shivaji Nagar. It is our hope that the insights gathered will contribute to informed decision-making and inspire initiatives that enhance the well-being of the community.

Thank you once again for the support and encouragement extended by the Maharashtra State Human Rights Commission and the Apnalaya Foundation.



## INTRODUCTION

Human Rights are essential for all irrespective of their class, creed, caste, gender, race, or any other factor. Every person deserves to be able to avail themselves of all necessities and live with dignity. The Maharashtra State Human Rights Commission (MSHRC) is a body that works on addressing any shortcomings from the side of Public Officers faced by the residents of Maharashtra. It is important that the residents of the democratic nation of India can voice their concerns against the public officers and departments, a government elected by the people should be able to provide for the people.

Civic amenities are essential services and facilities provided by local governments or municipal authorities to residents within a community or urban area. These services are designed to enhance the quality of life, promote public health and safety, and contribute to the overall well-being of the population. Civic amenities encompass a wide range of services and infrastructure that cater to the basic needs and requirements of residents, fostering a sustainable and comfortable living environment

Civic amenities play a crucial role in fostering a sense of community, ensuring public health and safety, and supporting economic development. Access to well-maintained and efficiently managed civic amenities contributes to the overall livability of an area, making it an attractive place for residents, businesses, and visitors alike. Local governments and municipal authorities bear the responsibility of planning, developing, and maintaining these amenities to create sustainable and inclusive urban environments.

The term "community problems" refers to challenges, issues, or concerns that impact the well-being, functioning, and overall quality of life within a specific community or locality. These problems can vary widely in nature and scope, ranging from social and economic issues to environmental and infrastructure challenges. Identifying and addressing community problems is essential for fostering a healthy, resilient, and cohesive society.

Addressing community problems often involves a combination of grassroots initiatives, government interventions, and collaboration with various stakeholders. Effective problem-solving requires a thorough understanding of the specific challenges faced by the community and the development of sustainable, community-

driven solutions. By fostering a sense of ownership and empowerment within the community, it becomes possible to create positive change and build a resilient, thriving environments for all residents.

Shivaji Nagar is situated in the eastern part of Mumbai and falls under the M-East Ward of the Municipal Corporation of Greater Mumbai (MCGM). It is near areas like Govandi, Chembur, Mankhurd, and Trombay. The locality has a blend of commercial establishments, small businesses, and markets catering to the daily needs of residents. Shivaji Nagar has a vibrant cultural life with places of worship, community centers, and social gathering spaces. Shivaji Nagar faces challenges related to overcrowding, infrastructure, sanitation, and urban planning.

## OBJECTIVE AND SCOPE OF THE STUDY

### **The objectives of the study:**

- Evaluate Civic Amenities:
  - Assess the availability and quality of key civic amenities such as infrastructure, public spaces, health services, educational facilities, and safety measures in Shivaji Nagar.
- Identify Community Problems:
  - Identify and analyze the diverse range of community problems affecting the residents of Shivaji Nagar, including but not limited to economic challenges, social issues, educational constraints, healthcare concerns, and infrastructure-related problems.
- Understand Local Dynamics:
  - Gain insights into the socio-economic and cultural dynamics of Shivaji Nagar, considering factors such as demographics, income distribution, and community engagement.
- Assess Public Services:
  - Evaluate the efficiency and accessibility of public services provided by local authorities, including waste management, transportation, and healthcare facilities.
- Explore Environmental Concerns:
  - Investigate environmental challenges within the locality, such as pollution, waste disposal, and the state of green spaces, to understand their impact on the community.

### **The scope of the study:**

- Geographical Coverage:
  - The study will focus specifically on Shivaji Nagar, considering its geographical boundaries and the immediate surroundings that directly impact the community.
- Civic Amenities Analysis:
  - Infrastructure: Assess the condition of roads, transportation networks, water supply, sewage systems, and other key components.

- Public Spaces: Examine the state of parks, recreational areas, and community centers.
  - Public Health Services: Evaluate the accessibility and quality of healthcare facilities.
  - Educational Facilities: Analyze the availability and condition of schools and educational institutions.
- Community Problems Investigation:
  - Economic Challenges: Study unemployment rates, income distribution, and housing conditions.
  - Social Issues: Examine crime rates, substance abuse, and social services availability.
  - Education: Assess educational resources, dropout rates, and vocational training opportunities.
  - Healthcare: Evaluate healthcare access and the prevalence of diseases.
- Stakeholder Engagement:
  - Engage with residents, community leaders, and relevant authorities to gather firsthand information and perspectives.
- Recommendations and Solutions:
  - Propose recommendations based on the findings to address identified issues and contribute to the improvement of civic amenities and overall community well-being in Shivaji Nagar.

## EXPLANATION OF THEME

The theme of "An Analysis of Civic Amenities and Community Problems in Shivaji Nagar, Mumbai" is centered around a thorough examination of the condition of civic amenities and the variety of challenges confronting the community in the Shivaji Nagar locality of Mumbai. The study aims to survey the availability and quality of essential services provided by local authorities, including infrastructure, public spaces, health services, educational facilities, and safety measures. At the same time, the focus is on identifying and analyzing various community problems such as economic challenges, social issues, educational constraints, healthcare concerns, and other factors impacting the residents.

An essential aspect of the theme involves grasping the socio-economic, cultural, and demographic dynamics specific to Shivaji Nagar to interpret findings contextually. The study employs an inclusive approach by engaging with community members, ensuring their perspectives and experiences are considered.

Recommendations and solutions will be proposed, going beyond issue identification, with an emphasis on collaborative efforts among stakeholders, including the Maharashtra State Human Rights Commission (MSHRC).

This collaborative and human rights-driven analysis seeks to contribute to positive change, enhance community well-being, and align civic conditions with human rights principles. Ultimately, the study aims to serve as a foundation for informed decision-making and targeted interventions for the improvement of life in Shivaji Nagar.

## CASE ANALYSIS

### 1. Suo Moto Case No.- 4703/13/16/2022

Name of Respondents:

1. The Municipal Commissioner Municipal Corporation of Greater Mumbai, Mumbai
2. Additional Chief Secretary Urban Development Department, Mantralaya, Mumbai

This legal case appears to revolve around the neglect and inaction of the municipal corporation regarding sewage and waste management in the Mithi river and surrounding areas, leading to contamination and an unhygienic environment. The news highlighted the corporation's failure to implement recommendations from the Chitale Commission in 2006. However, subsequent affidavits indicate that the corporation initiated the 'Mithi River Rejuvenation Project' to address flooding, increase water capacity, and prevent waste disposal into the river. The corporation asserts that these steps are being taken promptly and within stipulated timeframes, aiming to rectify the issues raised. Consequently, the court decided to close the case, acknowledging the steps taken by the municipal corporation.

### 2. Suo Moto Case No.– 4398/13/37/2022

Name of Respondents:

1. The Commissioner of Police Mira Bhayendar Vasai Virar Commissionerate Mira Road, Thane.
2. The Municipal Commissioner Vasai Virar Municipal Corporation Virar.
3. The Collector Palghar.

This case involves the tragic death of a senior citizen due to falling into an inadequately secured manhole. The blame was primarily placed on the Vasai Virar Municipal Corporation for neglecting safety measures. Despite efforts by the corporation to offer monetary compensation to the victim's family, they refused, stating it wouldn't bring back the deceased. The family also showed reluctance in pursuing criminal action. Consequently, considering the family's refusal of compensation and lack of intent for further legal action, the Commission closed the case without any additional intervention.

### 3. Case No: 4076/13/30/2022

#### Name of Respondents:

1. The Addl. Chief Secretary
2. Panchayat Raj and Rural Development Department
3. Mantralaya, Mumbai
4. The Addl. Chief Secretary Urban Development Department Mantralaya, Mumbai
5. The Addl. Chief Secretary Public Works Department Mantralaya, Mumbai
6. The Principal Secretary Tribal Development Department Mantralaya, Mumbai
7. The Collector Thane

This case revolves around the deplorable state of public roads in Shahapur Taluka, District Thane. After a newspaper report brought attention to the issue, the Human Rights Commission took action, initiating an inquiry. Affidavits were submitted, detailing administrative approvals, tender notices, and work orders for repairing the roads mentioned in the report.

The Zilla Parishad and Public Works Department provided responses, citing administrative actions and confirming the satisfactory condition of some roads under their jurisdiction. The repair works were subsequently completed by contractors as per the commitments made to the Zilla Parishad, and by May 31, 2023, all works were satisfactorily finished.

The Commission, upon reviewing the actions taken and the successful completion of repairs, concluded that further intervention wasn't necessary. As a result, the case was closed and disposed of without any orders regarding costs.

## VISIT OBSERVATIONS

### Background-

Shivaji Nagar is a cluster of around 2.5 sq. Km. With a population of more than 1.2 million. The cluster was formed in the past due to increase in immigrants to Mumbai. The population keeps fluctuating because of the migration of people almost every day. Mumbai is divided into 24 wards and Shivaji Nagar lies in the M/E ward which has the lowest human development amongst all 24. The average income of M/E ward is Rs. 13,000/- which is low compared to the average income of Rs. 23,000/- in India.

### Pre-Visit Research-

We visited the Apnalaya Foundation before visiting the community of Shivaji Nagar, we were briefed about the community, the general problems faced by the people, their steps in uplifting the community and the community participation.

### Observations-

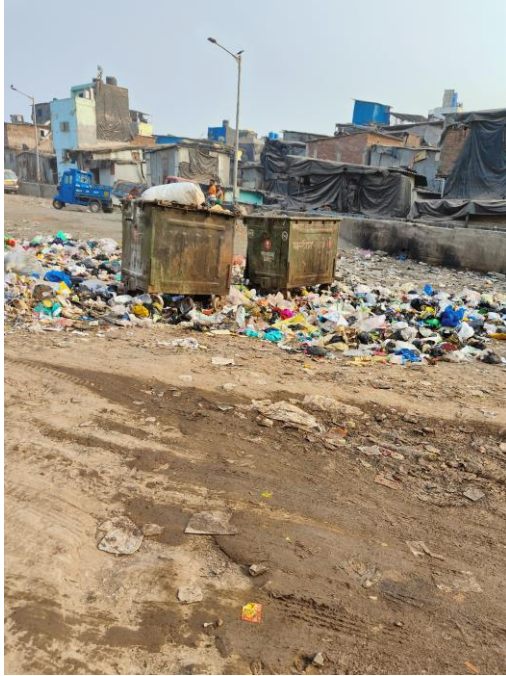
The 25 students were divided into 2 groups, one went to Rafique Nagar and the other went to Baingan Wadi. Upon entering the area, the major observations made by all of us were the lack of hygiene, overcrowding and the bad odor produced due to ill garbage management.

#### 1. Hygiene issues:

The interior lanes of Shivaji Nagar were filled with garbage which was produced by the high number of residents in small places. The residents were responsible for collecting their personal garbage and dumping it in one place. There was no place to dump the garbage, the trash cans were overflowing and not in good shape. There was a foul odor due to the garbage saturation which is harmful for the health of people residing there for long times. This can amount to respiratory and skin diseases. Which can be seen with the high number of TB cases. All the locals that were asked about the problems they faced complained about the spread of TB for sure.

On talking to the sanitation workers appointed for clearing the garbage, it was found that they clear the dumping areas 3 times a day.





## 2. Water problem:

The locals complained about the poor quality of water which was supplied to them. The permanent residents shared one water connection between 5 houses and the rental residents bought water. The water smelled foul and caused health problems for some people.

### 3. Sanitation issue:

The public Toilets were in bad conditions. The floors were broken, there was no proper water supply, the toilet commodes were dirty, broken and not functional. The official ratio of every individual toilet to the population is 1:143, the actual number might be higher because there are many undocumented residents, and many families keep moving in and out of the area. The lack of hygiene in the toilets will spread infections and diseases at a rapid rate. The unhygienic humid toilets are also a breeding place for new health issues.



### 4. Educational Institutes:



Another problem highlighted by the Apnalaya Foundation was that there was only one primary public school available for the whole population. The quality of education provided there was not good and thus no students attended school there, instead they have many unregistered schools and colleges running in the houses themselves. The qualifications the children receive from these institutes will hold no importance in their future.

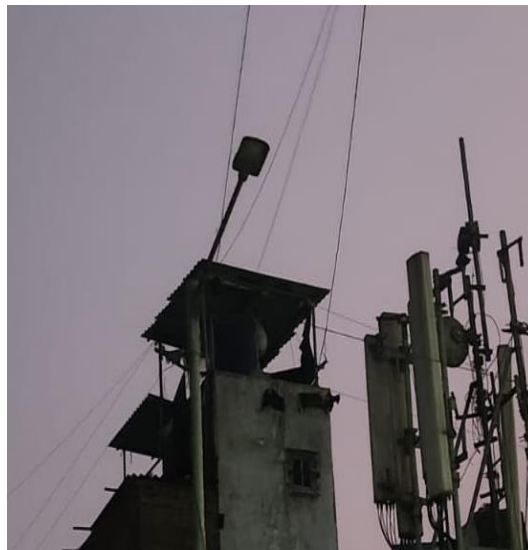
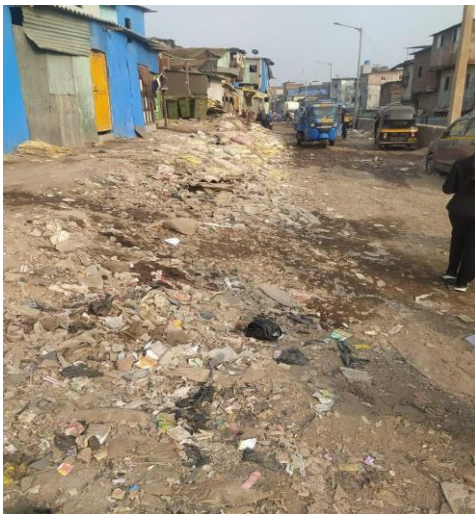
#### 5. Medical Institutes:

The number of hospitals and the staff present there was not enough to accommodate the needs of the vast population of Shivaji Nagar.

The most peculiar observation was that there were many chemists present, sometimes a chemist was present after every 2-3 shops. After inquiring, it was discovered that there is a severe drug abuse/ addiction problem. Many prescribed drugs and cough syrup packets were found on the streets empty.

#### 6. Roads:

The roads all over Shivaji Nagar are broken and there has been no action taken on it for a long time as informed by the residents. Also, the streetlights in some isolated places have been broken by the locals, making the area unsafe.





## 7. Manholes and Drainage:

The manholes and drainages are open in many places, otherwise the covers are not very strong and have rusted. They are filled with garbage.







## CASE STUDY ANALYSIS

### Interview of Apnalaya volunteer:

Q. Do you get water every day? Is it continuous or timed? Is the water clean?

A. Yes. Between 5 PM to 8 PM. 5 families share one connection, and the rental residents buy their water. Not Always, it smells foul sometimes.

Q. does the dumping and cleaning truck pick up garbage from your houses and clean your streets?

A. No, the residents are supposed to throw the garbage in the designated dump spaces, but everyone throws the garbage off the creek more. The streets are cleaned once in the morning.

Q. How are the medical facilities around here?

A. The primary healthcare units here are not very effective so residents often have to travel to government hospitals which are far. Also, most of the residents here are undocumented, which makes it difficult to register the patient in the hospital. Thus, many people try to solve their medical problems at home, including giving birth, which risks their lives.

Q. How is the schooling facility around here?

A. There is only one primary school here. The quality of education is not at all good, the quality of food they provide is not good as well. There is no secondary school at present. There are many unregistered and illegal schools and colleges running in the houses of people as well.

### Interview of a local resident:

Q. Are there any problems you face here often?

A. Yes, TB is very common among residents here, especially children. There is at least one TB patient in every home.

Also, addiction is a big problem here. The children here have access to drugs of every kind, legal and illegal.

Q. Do you get proper ration?

A. Ration is given only every other month. The people who are educated and know the rules fight with the ration shop manager, but others must wait for their deserved ration.

## SUGGESTIONS AND RECOMMENDATIONS

| Sr. No. | Observation            | Recommendation                                                                                                                                                                                                                                                                                                                                                      |
|---------|------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.      | Hygiene issue          | <ul style="list-style-type: none"> <li>• The number of cleaners and the shifts can be increased.</li> <li>• The cleaning routes could include the interior lanes.</li> <li>• Proper trash dumping areas could be designated.</li> <li>• The broken trash cans can be replaced, and a greater number of local dustbins can be placed throughout the area.</li> </ul> |
| 2.      | Water problem          | <ul style="list-style-type: none"> <li>• Proper water supply can be provided to everyone.</li> <li>• The filtration process should be improved for the water supplied to the residents.</li> </ul>                                                                                                                                                                  |
| 3.      | Sanitation issue       | <ul style="list-style-type: none"> <li>• The public toilets can be repaired.</li> <li>• Permanent staff could be hired for the cleaning and maintenance of the toilets.</li> </ul>                                                                                                                                                                                  |
| 4.      | Educational Institutes | <ul style="list-style-type: none"> <li>• The primary school already existing can be audited and there could be a revision and update session of the syllabus regularly.</li> <li>• New primary and secondary schools can be made according to the requirements of the population.</li> <li>• The illegal institutes can be barred from operation.</li> </ul>        |
| 5.      | Medical Institutes     | <ul style="list-style-type: none"> <li>• More medical staff can be hired.</li> <li>• More healthcare centers can be built according to the needs of the population.</li> <li>• Proper documentation of every resident should be encouraged.</li> </ul>                                                                                                              |
| 6.      | Roads                  | <ul style="list-style-type: none"> <li>• Roads can be repaired.</li> <li>• Streetlights can be repaired and covered properly so they cannot be broken.</li> <li>• CCTV cameras can be installed.</li> </ul>                                                                                                                                                         |



|    |                       |                                                                                                                                                                                                                                                         |
|----|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 7. | Manholes and Drainage | <ul style="list-style-type: none"> <li>• Stronger material can be used to cover the manholes to avoid the damage.</li> <li>• The already broken and open manholes should be covered.</li> <li>• The drainage and manholes should be cleaned.</li> </ul> |
| 8. | Addiction problem     | <ul style="list-style-type: none"> <li>• A government Rehabilitation Center can be built in the area of Shivaji Nagar.</li> </ul>                                                                                                                       |
| 9. | Ration Shop           | <ul style="list-style-type: none"> <li>• The ration shop manager can be questioned about his practices and the residents can be taught their rights.</li> </ul>                                                                                         |

## RESEARCH METHODOLOGY

In this study focusing on civic amenities and community problems in Shivaji Nagar, Mumbai, a dual-method approach involving surveys and qualitative methods will be employed. The survey instrument, designed with a mix of closed-ended and Likert-scale questions, aims to quantitatively capture residents' perspectives on civic amenities. Using a stratified random sampling strategy, face-to-face, phone, and online surveys will be conducted, ensuring a diverse representation. Concurrently, qualitative insights will be gathered through in-depth interviews with residents, local authorities, and community leaders, as well as focus group discussions. The qualitative approach seeks to uncover nuanced perspectives and underlying factors influencing residents' experiences. The synthesis of quantitative and qualitative data will provide a comprehensive understanding of civic challenges and community dynamics, contributing to well-informed recommendations for improvement.

Ethical considerations will be paramount, with informed consent obtained, and confidentiality maintained throughout the research process. Findings will be triangulated to ensure robustness, and the report will present a nuanced narrative supported by visual representations for clarity. The outcomes will not only inform policymakers but also empower the community through inclusive research practices. This survey and qualitative research methodology aim to go beyond statistics, delving into the lived experiences of residents to foster a more holistic and actionable understanding of civic realities in Shivaji Nagar.

## CONCLUSION

In conclusion, this report serves as a poignant revelation of the ground-level realities in areas like Shivaji Nagar, where the challenges extend beyond government shortcomings to encompass a collective responsibility among residents for maintaining civic amenities.

The awareness raised through this analysis underscores the imperative need for proactive community engagement and education. The complexities of Shivaji Nagar's problems necessitate a dual approach — not only addressing the deficiencies in public services but also fostering a sense of civic responsibility among residents.

It is evident that sustainable solutions in Shivaji Nagar will only materialize when residents are fully cognizant of both their rights and duties. Monitoring and accountability mechanisms for public bodies managing the area are vital, requiring regular checks to ensure effective governance and resource utilization. Moving forward, conducting comprehensive surveys to discern accurate figures and data is essential.

This evidence-based approach will enable targeted interventions and facilitate informed decision-making. Evidential actions on public officials in Shivaji Nagar can be initiated based on the findings of these surveys. By fostering a culture of accountability, raising awareness, and implementing strategic interventions, positive strides can be made towards improving the living conditions and community well-being in Shivaji Nagar.

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**Research Report  
for  
Winter Internship Programme 2023  
on**

**Breaking the Bonds: An Analysis of Bonded Labour  
in Maharashtra and Implications for Human Rights  
Enforcement**

**Presented by**  
Mr. Anmol Pareek  
Mr. Aryan S. Gupte  
Ms. Karishma K. Choudhari  
Mr. Shivshankar Girija Velayudhan

Submitted in fulfilment  
of  
the requirements for the  
**Winter Internship Programme 2023**

**Maharashtra State Human Rights Commission**  
Mumbai - 400 001.  
December 2023

## ACKNOWLEDGEMENT

During this research we have benefited from the input of many talented resource persons who have contributed to this research for so long and their contribution is so valuable. First and foremost, we would like to express our deepest and sincere gratitude towards MSHRC for believing in us and giving us this wonderful opportunity.

We are grateful towards our supporting faculty Ms. Divya Hake, resource person Ms. Vaishali Patil, and International Justice Mission for providing invaluable guidance throughout our research journey. Their dynamism, vision, sincerity, and motivation have deeply inspired us. It was a great privilege and honour to work under their guidance. We would also like to thank them for their friendship, empathy, and great sense of humour.

We express our heartfelt thanks to Justice K. K. Tated (Chairman, MSHRC), Mr M. A. Sayeed (Member, MSHRC), Mr Sanjay Kumar (Member, MSHRC) and Dr S. N. Dholam (Reg. MSHRC) for their encouragement, guidance, and support. We are thankful to all the Resource persons for their excellent workshops on various social issues, several authors of books & articles for their deep insights on the topic and our fellow student friends of Winter Internship Programme 2023 for making this research journey a memorable one. A special thanks to Dr. S. N. Dholam (Reg. MSHRC) for all her guidance, undivided love, cooperation, and support.

Now, we would like to thank our group members for their cooperation, perseverance, and dedicated efforts; without which this research wouldn't have been possible. We are extremely grateful to our parents for supporting and allowing us to explore ourselves in this research journey. Finally, we would like to thank God almighty for giving us the strength, Knowledge, Ability and Opportunity to undertake this research study and to persevere and complete it satisfactorily because of his blessings.

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# **1. Introduction and Literature Review**

## **A. Introduction**

Bonded labour, a distressing issue in the context of India, particularly Maharashtra, reflects a modern form of exploitation entrenched in societal structures. Despite the implementation of the Bonded Labour System (Abolition) Act in 1976, this unlawful practice persists in the rural and remote areas of Maharashtra. The Act aimed to eradicate bonded labour, requiring states to conduct surveys, yet the problem endures, shrouded in shadows and challenging to identify in regions with limited awareness. In Maharashtra, the cycle of bonded labour continues to impact vulnerable communities, creating a web of exploitation that spans generations. This introduction sets the stage for a focused exploration of the specific challenges faced in Maharashtra, examining the socio-economic factors, enforcement issues, and the imperative for targeted interventions. Addressing bonded labour in this context demands a nuanced understanding and collaborative efforts to break the chains of exploitation in one of India's most populous states.

## **B. The Magnitude of the Problem**

The problem of bonded labour persists in rural Maharashtra despite the 1976 Bonded Labour System (Abolition) Act. While states declared themselves "free from bonded labour" after surveys almost a decade later, the reality contradicts these claims. Bonded labour endures in remote, less-aware areas, posing a persistent challenge to the identification. This practice forms a vicious cycle, ensnaring generations in seemingly unbreakable traps. The entrenched nature of bonded labour in Maharashtra underscores the need for nuanced understanding and targeted interventions to effectively address this enduring issue.

## **C. Bonded Labour Definition**

- a) **Forced Labour Convention, 1930 (No. 29) [Article 2(i)]** —The term forced, or compulsory labour shall mean all work or service, which is exacted, from any person under the menace of any penalty and for which the said person has not offered himself voluntarily.
- b) **Universal Declaration of Human Rights** — On December 10, 1948, the United Nations General Assembly adopted and proclaimed the Universal Declaration of Human Rights. Article 4 says: "No one shall be held in slavery or servitude; slavery and slave trade shall be prohibited in all their forms."
- c) **UN Supplementary Convention on the Abolition of Slavery (1956)** — Under this Convention debt bondage is defined as "the status or condition arising from a pledge by a debtor of his personal service or those of a person under his control as security for a debt, if the value of those services as reasonably assessed is not applied toward the liquidation of the debt or the length and nature of those services are not respectively limited and defined".
- d) **As per the ILO Report on Stopping Forced Labour (2001)** — The term (Bonded Labour) refers to a worker who rendered service under the condition of bondage arising from economic consideration, notably indebtedness through a loan or an advance. Where debt is the root cause



of bondage, the implication is that the worker (or dependents or heirs) is tied to a particular creditor for a specified or unspecified period until the loan is repaid.

- e) **As per the Bonded Labour System (Abolition) Act, 1976** - "bonded labour" means any labour or service rendered under the bonded labour system - Section 2 (e)

## D. Types of Bonded Labour

- a) **Child Bonded Labour:** Children are forced to work under exploitative conditions, sometimes to repay family debts.
- b) **Agrestic Bonded Labor:** Agricultural workers may fall into bonded labour when they are unable to repay loans taken for farming inputs. They end up working on the creditor's land for meagre wages.
- c) **Brick Kiln Bonded Labor:** Workers in brick kilns often find themselves in bonded labour situations due to debt incurred for necessities. They work long hours in harsh conditions, and their earnings go towards repaying the debt.
- d) **Construction Sector Bonded Labor:** Construction workers, particularly migrant labourers, may become bonded labourers due to debt, lack of job security, and substandard living conditions provided by employers.
- e) **Mining Industry Bonded Labor:** Workers in the mining sector, especially in small-scale and informal operations, may face bonded labour situations, often tied to debt and lack of alternative employment options.

## E. Reasons/Causes of Bonded Labour

- a) **Poverty:** Economic deprivation is a major cause, forcing vulnerable individuals into bonded labour due to limited livelihood opportunities. Lack of financial resources can make people susceptible to exploitative practices, accepting unfavourable working conditions in exchange for meagre wages.
- b) **Lack of Education:** Illiteracy and limited access to education contribute to the perpetuation of bonded labour. Without proper knowledge of their rights and alternative employment opportunities, individuals may remain trapped in exploitative situations.
- c) **Caste-Based Discrimination:** India's historical caste system has led to social inequalities, with certain castes facing discrimination and marginalisation. This discrimination can push individuals from these castes into bonded labour as they struggle to access better opportunities. People from lower castes such as SC/ST are more prone to bonded labour.
- d) **Weak Law Enforcement:** Inadequate implementation and enforcement of labour laws create an environment where unscrupulous employers can exploit workers with impunity. Weak regulation allows for the persistence of bonded labour practices. The Police department itself is often negligent of labourers' complaints.
- e) **Rural-Urban Migration:** The search for better opportunities and living conditions often leads people from rural areas to migrate to urban centres. Exploitative employers take advantage of migrants' vulnerability.
- f) **Inadequate Awareness:** Limited awareness about labour rights and available support mechanisms leaves potential victims uninformed.

- g) **Difficulty in securing formal loans:** Since most people who fall in the trap of bonded labour are from poor economic backgrounds and have no land, it becomes really difficult for them to secure loans from banks without guarantee or collateral.

## **F. Government Measures like Legislation, Acts and Schemes**

### **a) The Bonded Labour System (Abolition) Act of 1976**

Encompasses several crucial sections to address and prohibit bonded labour in India. Some notable sections include:

1. **Section 2: Definitions** - Provides definitions for various terms used in the Act, such as "bonded labour," "bonded debt," and "family."
2. **Section 4: Agreements, custom, or tradition to be void** - Declares any agreement, custom, or tradition that supports bonded labour as void.
3. **Section 5: Powers and duties of District Magistrate** - Grants authority to the District Magistrate to conduct surveys, release bonded labourers, and oversee their rehabilitation.
4. **Section 6: Release and rehabilitation of bonded labourers** - Details the procedures for releasing and rehabilitating individuals identified as bonded labourers.
5. **Section 16: Penalty for contravention of the provisions of the Act** - Prescribes penalties for individuals involved in enforcing or abetting bonded labour.

### **b) Constitution Articles**

**Article 21** – No person shall be deprived of his life or personal liberty.

**Article 23** – Prohibition of traffic in human beings and forced labour.

**Article 42** – Provision for just and humane conditions of work and maternity.

**Article 43** – Talks about Living wages for workers.

## **G. International Conventions & Human Rights**

In the realm of international legal discourse, the imperative to address bonded labour is underscored by India's commitment to various international conventions and human rights instruments. India, as a signatory to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social, and Cultural Rights (ICESCR), assumes obligations to uphold fundamental rights, including the prohibition of forced labour. These conventions necessitate the elimination of practices akin to bonded labour and require the State to ensure just working conditions. Furthermore, the conventions obligate India to adopt comprehensive measures for the prevention, suppression, and punishment of forced labour, emphasizing the alignment of domestic legislation, such as the Bonded Labour System (Abolition) Act of 1976, with international human rights standards.

## **H. Relevance to the Field of Human Rights**

Bonded labour in India is a severe human rights issue, constituting a form of modern slavery where individuals are compelled to work under exploitative conditions to repay a debt. This deeply entrenched practice raises profound concerns in the realm of human rights. Prevalent bonded labour infringes upon fundamental rights enshrined in the Indian Constitution. Article 21, guaranteeing the right to life and personal liberty, is violated as bonded labour deprives individuals of dignity through harsh working conditions, minimal wages, and often, physical abuse. It also violates the right to equality (Article 14) and the prohibition of discrimination (Article 15). It disproportionately affects marginalized communities, perpetuating poverty and reinforcing social inequalities, especially impacting Dalits and tribal communities. Apart from constitutional violations, bonded labour contradicts international human rights instruments that India is a party to, such as the ICCPR and ICESCR. These treaties obligate the Indian government to protect individuals from forced labour and ensure fair working conditions. The Bonded Labour System (Abolition) Act of 1976 is crucial, but weak enforcement, corruption, and lack of awareness impede its effectiveness. Addressing bonded labour necessitates a multi-stakeholder approach involving government agencies, NGOs, and the private sector. Bonded labour is not merely an economic or labour issue; it is a profound violation of human rights.

## **I. Rationale of the Study.**

This study is driven by the evident lack of awareness and insufficient legal frameworks addressing the bonded labour system in Maharashtra, which persists even 48 years after the enactment of the Bonded Labour System (Abolition) Act of 1976. Despite the passage of time, bonded labour remains prevalent in both Maharashtra and India. The paper aims to highlight this issue and provide recommendations to break the cycle of bonded labour. By examining the current landscape, the study intends to contribute to a deeper understanding of the problem and advocate for enhanced awareness and more effective legal measures to combat bonded labour in Maharashtra and, by extension, across India.

## **2. Research Methodology**

### **A. Goals and Objectives**

- To study the Socio-Economic profile of the bonded labourers.
- To find out the causes of bonded labour
- To understand the process of the bonded system.
- To analyse the situation of bonded labour in Maharashtra.
- To examine the implementation of laws regarding the abolition of bonded labour.

### **B. Research Design**

This research paper is based on doctrinal, qualitative, and descriptive research methodology.

### **C. Sources of Data**

Primary data – Laws, Cases, and Expert interview

Secondary data – Government Resolution, Publications, News Articles

### **D. Scope and Limitations of the Study**

**Scope of the study** – The scope of the study is limited to only the state of Maharashtra.

**Limitations of the study** – Fewer data, there is a lack of registered cases in the state of Maharashtra when compared to the magnitude of the problem. This research follows a doctrinal form of methodology; hence we rely on cases, statutes, laws, and other secondary sources more compared to primary sources. This research is only based on the region of Maharashtra state.

# Igatpuri Bonded Labour



## A. Case Analysis

### *Suo-motu Case No 3610/ 13/19/2022BL*

#### **PARTIES:** Respondents

- The Principal Secretary, Disaster Management Department, mantralaya, Mumbai
- The Commissioner of Police, Nashik
- The Superintendent of Police, Ahmednagar
- The Collector, Ahmednagar.

#### **FACTS:**

- MSHRC took cognizance of the case based on a mid-day article dated 14/09/2022 with the heading “Igatpuri tribal girl’s death exposes a bigger bonded labour racket”
- A 10 yr. old tribal girl from Ubhade village in Igatpuri, Gauri Agivle, worked as a bonded labour for Vikas Kundar, a shepherd from Shindodi village, she worked on the farm belonging to Baban Shelke. As a part of a loan of rupees 3,000 taken by her parents and an agreement to give rupees 10,000 and two sheep to him if they send their daughter to work on the sheep farm.
- Later, she was found at the doorstep of her parents' home at 4:00 a.m. on August 27<sup>th</sup>, 2022, by her parents in no condition to talk and a V-shaped mark around her neck. Her condition was critical, so they took her to the rural hospital at Ghoti, but the doctors referred her to Nashik Civil Hospital.
- During investigation it was revealed that Kundar took her to 2 hospitals before, but due to medical expenses discharged her and dumped her on the doorstep of her home. Neither of the hospitals informed the police of the girl's condition despite evidence of abuse.
- When the police got the information, they filed an FIR under section. 307 of IPC against Kundar on 28<sup>th</sup> August. Later she died in the hospital after which the police filed a Zero FIR under sec 302. In the FIR enquiry, her parents mentioned that for the past 3 years, Gauri had been staying with the accused and his family.

#### **EVIDENCE:**

##### *Exhibit A*

Contains a response by the commissioner of police of Nashik City to the summons issued by the MSHRC

##### *Exhibit B*

An investigation by the Ghoti Police station, District Nashik Rural. Concerning the summons issued by MSHRC

##### *Exhibit C*

Report by way of affidavit submitted By the District magistrate (collector of Ahmednagar) regarding the compliance of the directions given by the commission.

*Exhibit D*

Response by principal secretary, disaster management department, ministry, Mumbai. Under the scheme for rehabilitation of Destitute workers,2021.

**CONCLUSION:**

- A committee was set up consisting of Talathi, Gram sevak, and police to conduct a detailed inquiry for bonded labour instances in different villages.
- The Tehsildar and Block Development Officers in Taluka Sangamner were instructed to conduct awareness regarding the legal consequences of bonded labour and to help children/ victims of bonded labour.
- A total of 19 release certificates were issued by the Tehsildar Sangamner and Tehsildar Parner, collectively. The concerned departments were instructed to make the benefits of different government schemes and the funds for rehabilitation of Bonded Labour, available to the Bonded Labourers found in Ahmednagar District.

## ***Suo-moto Case No. SM 7861/13/1/2023***

### **PARTIES: Respondents**

- The Principal Secretary, Labour Department
- The Special Inspector General of Police, Nashik.

### **FACTS:**

- MSHRC took cognizance of the case based on a mid-day article dated 11/12/2023, regarding “Starving for five days, 20 tribals make a daring escape from Slavery”
- The Igatpuri based, katkari tribals were working in the fields of farmer Pankaj Khatik in Patharwala village of Ahmednagar district.
- They did the work of sugarcane cutting, for which a meagre sum was given and were forced to live in makeshift shanties which were easily destroyed by seasonal rains. Due to this, they had lost their belongings and rations.
- They were starving for at least 5 days and when they asked Khatik to pay money for survival, he refused to pay before the month ended.
- In the 2nd week of December, they decided to return to their village in Igatpuri, Nashik and called for a pick-up van. The van was obstructed by Khatik, threatening with dire consequences if they leave without completing the work.
- As a result, one of the tribals approached Newasa police Station, and an FIR was registered but without invoking the relevant acts, including the Bonded Labour System Abolition Act and the Schedule Castes/ Schedule Tribes (Prevention of Atrocities) Act.
- Taking suo-moto cognizance of the case the Maharashtra State Human Rights Commission summoned The Principal Secretary, Labour Department and The Special Inspector General of Police, Nashik, to appear before the commission on 4th January 2024.

### **HEARING:**

- No one appeared on the part of the Special Inspector General of Police, Nashik Exhibit ‘A’ submitted by Sub - the Divisional Police Officer on behalf of the Special Inspector General of Police, Nashik.
- The report stated that an FIR had been apprehended and offences under IPC and The Schedule Castes / Schedule Tribes (Prevention of Atrocities) Act had been registered.
- The investigation is in progress. A default report against the Newasa Police Station officer is submitted to the Special Inspector General of Police and a response is awaited.
- Sri Sunil Patil sir is further directed to inform Tribal Activists Shri Gokul Ilam to be informed of the present matter and directions and to appear if he desires and submit his response.
- The matter was adjourned to 7th March 2024.



## **B. Bonded Labour in the Katkari Tribe**

The Katkari tribe, a Scheduled Tribe in Maharashtra, India, faces unique challenges related to bonded labour. Historically marginalized due to their forest-dwelling heritage, they have been designated as a Particularly Vulnerable Tribal Group (PVTG). The stigma attached to them under the British Raj's Criminal Tribes Act of 1871 continues to affect their social standing. Despite no longer being forest dwellers, the Katkari people possess a rich knowledge of forest resources. However, their vulnerability is exacerbated by economic factors, leading to instances of bonded labour. The Katkari's reliance on traditional practices and their historical association with forest resources make them susceptible to exploitation. Efforts to address bonded labour in the Katkari community necessitate a culturally sensitive approach that considers their historical background, economic challenges, and the preservation of their traditional knowledge. In combating bonded labour, it becomes crucial to empower the Katkari tribe economically, raise awareness, and ensure the enforcement of legal safeguards, recognizing the intersectionality of their cultural identity and the issue of bonded labour. They are spread in pockets in Gujarat and Maharashtra, a substantial population (approx. 1,10,000) is spread across all of Raigad district. Only 4% own land deeds, majority of them have no land titles, making it difficult for them to avail of financial loans from the banks. This leads to them turning over to local lenders who are usually Brick Klin owners and contractors who lend them money during festivals and sickness and then employ them as bonded labourers with their entire family.

### **Recommendations**

- Create camps to provide skill development training which can provide them a chance to earn a livelihood in today's world.
- Provide formal training for the cultivation of crops.
- Associate an NGO with the community to tackle the various problems faced by them like documentation and create awareness in the tribes about the government schemes available.
- Promotional activities like exhibitions of the local produce by NGOs create an income source.

All these recommendations can help break the vicious cycle of bonded labour and uplift the tribal people.

## **C. Compensation**

CURRENT SCHEME UNDER THE BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976 AND THE PROHIBITION OF EMPLOYMENT AS MANUAL SCAVENGERS AND THEIR REHABILITATION ACT, 2013

- Financial assistance of Rs.1 lakh per adult male beneficiary,
- Financial assistance of Rs. 2 lakhs for special category beneficiaries such as children including orphans or those rescued from organized & forced begging rings or other forms of forced child labour,
- Financial assistance of Rs. 3 lakhs for women in cases of bonded or forced labour involving extreme cases of deprivation or marginalization such as transgenders, or women or children rescued from ostensible sexual exploitation such as brothels,

massage parlours, placement agencies etc., or trafficking, or in cases of differently able persons, or in situations where the District Magistrate deems fit.

The experience of bonded labour is profoundly traumatic. Survivors endure physical and emotional abuse, exploitation, and isolation. These experiences leave deep scars, manifesting as anxiety, depression, post-traumatic stress disorder (PTSD), and low self-esteem. These mental health challenges can hinder their ability to reintegrate into society, find employment, and rebuild meaningful relationships. There is an urgent need to include mental health in the rehabilitation scheme, where the financial assistance provided goes to counsellors and other mental health professionals to deal with these previously bonded labourers and help them in life post-bonded labour. Support groups and group counselling can also go a long way if funded well and taken forth.

The scheme fails to consider amputation and life-sustaining physical injury within its purview. Many bonded labourers suffer physical damage to their body parts during labour which is a pressing concern. The following table encompasses a proposed monetary compensation for 10 kinds of amputations that bonded labourers are susceptible to. The data on loss of earning capacity has been taken from the Employees' Compensation Act, of 1923 and has been used as the backbone for the suggestion.

**SUGGESTED COMPENSATION FOR INJURIES SUSTAINED DUE TO BONDED  
LABOUR (BASED ON THE EMPLOYEES' COMPENSATION ACT,1923)**

**Please refer to page 15-16**

| <b>Description of injury</b>                                   | <b>Percentage of loss of earning capacity (%)</b> | <b>Suggestion for monetary compensation for bonded labourers with injury (₹) *</b> | <b>Reason</b>                                                                                                                                 |
|----------------------------------------------------------------|---------------------------------------------------|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
| Amputation through the shoulder joint (either arm)             | 90                                                | 50,000                                                                             | The capacity of the worker to earn wages is reduced drastically for the rest of his life due to which compensation is higher.                 |
| Loss of thumb                                                  | 30                                                | 12,000                                                                             | Capacity: > 50%<br><br>The worker is compensated more than that for other fingers as the thumb is important for our ability to hold objects.  |
| Amputation of both feet resulting in end-bearing stumps        | 90                                                | 60,000                                                                             | The capacity of the worker to earn wages is reduced and the ability to move/walk is compromised.                                              |
| Loss of one eye, without complications, the other being normal | 40                                                | 15,500                                                                             | Vision being compromised by 50% can impede the workers daily life and income-earning activities and may also lead to accidents in the future. |
| Middle finger (whole)                                          | 12                                                | 7,000                                                                              | The worker's motor function is slightly compromised.                                                                                          |
| Middle finger (two phalanges)                                  | 11                                                | 5,500                                                                              | Having 1 out of 3 phalanges does not add substantial value to motor coordination and functioning.                                             |
| Middle finger (one phalanx)                                    | 9                                                 | 3,500                                                                              | With 2 functional phalanges, the worker can still maintain a level of motor and sensory coordination as before.                               |

|                                                                    |    |        |                                                                                                                                                                          |
|--------------------------------------------------------------------|----|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Amputation of great toe through metatarsophalangeal joint          | 14 | 9,000  | The great toe is important for balance and motor activities which will likely suffer due to its loss.                                                                    |
| Part amputation of great toe, with some loss of bone               | 3  | 4,500  | The partial amputation of the great toe does not cause problems in motor coordination and body balance and therefore the compensation is lower than complete amputation. |
| Loss of all toes of one foot through the metatarsophalangeal joint | 20 | 25,000 | With an 80% working capacity, the workman is provided compensation as the loss of all toes can cause incoordination in daily activities and can affect body balance.     |

\*Accompanying monetary compensation, the injured should be provided with basic and free medical facilities to minimise the damage of injury and basic prosthetics as the case might be.

## **4. Recommendation and Conclusion**

### **A. Recommendations**

#### **IDENTIFICATION**

- A special focus should be on creating awareness among Police Officers and DMs/SDMs across the State on the identification of Bonded Labourers which is not confined to the traditional definition which exists.
- A reward can be given to the person who informs them about any Bonded Labour activity going on in the respective area of the district collector.
- The Maharashtra Government should make a Standard Operating Procedure for the identification, rescue, release and rehabilitation of the Bonded Labourers and prosecution of offenders.

#### **RELEASE**

- Release Certificate and immediate relief amount of Rs. 30,000/- should be issued within 24 hours in witness of a Tribal Activist/ Social Worker/NGO & Executive Magistrate.

#### **REHABILITATION**

(An after-care process to check that they don't fall into the trap again)

- Awareness Sessions on human rights, the importance of documentation, education and loan schemes should be given in their regional language.
- The District Magistrate should allocate/appoint an NGO as a Supervisor to follow up the rehabilitation process of a rescued Bonded Labourer family and provide need-based assistance.
- Due to documentation issues the DM can also release the rehabilitation amount by issuing cheques which can be encashed.
- In each District of Maharashtra there should be a corpus fund available for the immediate assistance of the bonded labour instead of the reimbursement system.
- The Central Government can also include Three Years Protection Scheme for the bonded labourers under the Central Sector Scheme for Rehabilitation of Bonded Labour
- Three Years Protection Schemes include:
  - Need-Based Assistance
  - Psycho-Social Counseling
  - Skill Training and Schemes Awareness
  - Job Placement
  - Follow-ups
- The progress details, details of rescued bonded labourers, online updating, release of immediate assistance etc., should be monitored by the Commissioner of Labour and a report should be sent to the Government every month.

## **GENERAL**

- The Vigilance Committee should conduct awareness campaigns on the Bonded Labour System and Government Schemes (Poverty alleviation and loan Schemes) at all workplaces (unorganized sectors) in their respective Districts.
- Organize camps at Gram Panchayat Level for making KYC documents.
- The State Government should conduct awareness and sensitization programmes for the Police Officers and District Collectors on the Bonded Labour Act.
- There should be a speedy trial, as more than 295 cases are pending in the Courts of Maharashtra about the bonded labourers.
- The Vigilance Committee should survey all unorganized sectors and register migrant workers working in their respective jurisdiction every 3 months and submit the Quarterly Survey Report to the Labour and Employment Department and Commissioner of Labour.
- The Labour and Employment Department should ensure that there is strict licensing of all unorganized sectors.
- The Vigilance Committee should conduct a Survey on loans/ debts taken by labourers (migrants /nonemigrants) in their respective jurisdiction and submit the Report to the District Magistrate.

## **B. Conclusion**

Despite the existence of government acts and schemes aimed at promoting education, abolition of bonded labour and safeguarding human rights, the persistent issue of poor implementation has left many individuals deprived of their basic right to education and awareness of their rights. This deficiency contributes to a continuous struggle for a better livelihood among the affected population and leads them to fall into the trap of bonded labour. It is imperative for people to acknowledge that bonded labour remains a prevalent problem despite the lack of statistics. Especially by this research, it is evident that the Katkari tribe in Maharashtra is most prone to this issue of bonded labour due to their social exclusion, the economic condition of the people, lack of education and awareness among the community. Recognition of this issue is the crucial first step toward inspiring individuals to take proactive initiatives for improvement. It is only through collective awareness, advocacy, and action that meaningful progress can be made in addressing the challenges associated with bonded labour and ensuring a more just and equitable society for all.

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**VISIT REPORT ON CHILDREN AID SOCIETY'S  
THE DAVID SASSON INDUSTRIAL SCHOOL  
(CHILDREN HOME) –  
22<sup>nd</sup> DECEMBER, 2023**

**Submitted to:**

**Maharashtra State Human Rights Commission**

**Prepared by:**

1. Harsha Makhija
2. Musaddique Ahmed
3. Roza Shaikh
4. Vanshika Patel
5. Vidhi Wadhwa

### **ACKNOWLEDGEMENT:**

We would like to express our heartfelt gratitude to the Maharashtra State Human Rights Commission for providing us with the opportunity to conduct this visit and prepare a report. The Commission's commitment to upholding human rights and facilitating such initiatives is commendable, also we would like to express our heartfelt thanks to Dr. Swarupa Dholam Ma'am, Registrar of MSHRC, for her guidance and support throughout the process of preparing this visit report. Her insights and feedback have been invaluable in shaping the content and analysis.

Special thanks to all the interns of winter internship 2023-2024 who generously took the time to provide us with additional insights and perspectives during our visit. Their contributions enhanced the depth and quality of our report.

We are grateful to our fellow team members, Vanshika Patel, Harsha Makhija, Musaddique Ahmed, Roza Shaikh, and Vidhi Wadhwa, for their collaborative efforts, dedication, and support throughout the research process. In conclusion, the successful completion of this visit report was made possible by the collective effort and support of all those mentioned above. We are truly grateful for their contributions to this meaningful project.

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## I. INTRODUCTION

A beautiful work of nature is a child, a living canvas where innocence, laughter, dreams, and consciousness paint the journey of their existence. Every child is born with fundamental rights, and it is the collective responsibility of society and the administrative system to nurture their physical, mental, and emotional development until they mature into adulthood. In the tapestry of child welfare, The Children's Aid Society in Mumbai emerges as a vital thread, connecting various government bodies and agencies dedicated to ensuring the rights and social security of children. Established in 1927 during the industrialization era under British rule, the society was a response to the displacement and instability caused by the shifting familial landscape.

The organization runs seven orphanages and two educational institutions, providing care, education, training, and rehabilitation to children in need. Governed by a legal framework comprising acts such as the Juvenile Justice Act, Free and Compulsory Education for Children Act, Protection of Children from Sexual Offenses Act, Anti-Child Marriage Act, and Child/Adolescent Labor Prevention Act, the society strives to create an environment conducive to the holistic development of children.

Children admitted to the institution, sanctioned by Bal Kalyan Samiti and Juvenile Justice Board, experience a comprehensive support system. With facilities like separate canteens, dormitories, libraries, and study rooms, the society ensures the well-being of its residents. Adequate nutrition, educational materials, and uniforms are provided, promoting physical and intellectual growth. Healthcare is a priority, with regular check-ups, special health vigilance, and access to medical professionals. The society also emphasizes education, running primary and secondary schools alongside an industrial training institute. The educational journey aims to prepare children for future employment and rehabilitation. In essence, The Children's Aid Society is not just an institution; it's a haven where the innate beauty of childhood is preserved, nurtured, and allowed to blossom against all odds.

The David Sassoon Children's Home, founded in 1927 under *the Bombay Act*, has a rich history in the field of social welfare in India. This institution, located near Matunga Road, has served as a consistent refuge for missing children aged 12 to 18 years. Its establishment during the pre-independence period underscores a longstanding commitment to addressing the needs of disadvantaged youth. The David Sassoon Children Home operates in alignment with the ideals outlined in the Bombay Act, driven by a steadfast dedication to the welfare and rehabilitation of missing children. Evolving with the changing dynamics of society, it has retained its fundamental objective of providing a secure and nurturing environment for individuals lacking parental support.

In accordance with contemporary legal frameworks, the David Sassoon Children Home is registered under *section 41 of the Juvenile Justice (Care and Protection of Children) Act 2015* and *model 27 of the Maharashtra State Juvenile Justice (Care and Protection of Children) Rules 2018*. The institution holds the registration number *MBC-29/CH/2020/959*, showcasing compliance with established legal norms. It has been officially approved to accommodate 400 male children *under the provisions of the Juvenile Justice (Care and Protection of Children) Act 2015* and *model 27 of the Maharashtra State Juvenile Justice (Care and Protection of Children) Rules 2018*, adhering to rules, terms, and conditions set forth by the Central/State Government as applicable. The institution was granted its license on 06/07/2020, **(Enclosure 1)** signifying its formal authorization to operate within the stipulated legal framework. The David Sassoon Children Home's commitment to extending its reach is evident through the establishment of additional branches or "sansthas" in different locations, reinforcing its dedication to positively impacting the lives of missing children across diverse regions.

## **II. OBJECTIVES AND METHODOLOGY**

### ***Objectives:***

The major goal of this research is to perform an in-depth investigation into the human rights difficulties faced by children residing in residential care facilities, with a focus on the David Sassoon Children Home and similar institutions. The report aims to accomplish the following objectives:

1. Identify Specific Violations of Human Rights:
  - Conduct a thorough investigation into the living circumstances, educational possibilities, healthcare provisions, and general treatment of children aged 12 to 18 in residential care.
  - Investigate potential instances of human rights breaches to ensure a thorough knowledge of the difficulties that these children experience.
2. Children's Voices Must Be Heard:
  - Conduct interviews and conversations with children residing at the David Sassoon Children's Home and equivalent facilities to gain direct access to their viewpoints and experiences.
  - Provide a forum for these children to express their worries, hopes, and frustrations, acknowledging the necessity of amplifying their voices in debates about their rights and well-being.

### 3. Investigate Systemic Issues:

- Examine the rules, procedures, and institutional frameworks in place at the David Sassoon Children's Home and other similar facilities.
- Identify systemic factors that may contribute to human rights challenges so that specific solutions and improvements can be proposed.

#### ***Methodology:***

The method used in the information provided is primarily non-doctrinal and descriptive. In this context, the information presented involves a descriptive analysis of the current scenario at the David Sassoon Children Home, outlining various aspects such as building conditions, health facilities, food quality, education, entertainment, addiction concerns, infrastructure, violations of rights, case studies, and legal proceedings. The information is presented in a detailed, fact-based manner, describing the observed conditions, rights violations, and specific legal acts applicable to the situation.

The non-doctrinal approach is evident in the comprehensive examination of the practical aspects of the children's home, including on-site observations, interviews with residents, and case studies.

### **III. CURRENT SCENARIO**

On 22<sup>nd</sup> December 2023, the MSHRC interns, accompanied by Registrar Dr. Swarupa Dholam Ma'am, visited the David Sassoon Children Home. The purpose of the visit was to assess the living conditions, facilities, and overall environment provided to the children residing in the home.

#### **1. Building and Construction:**

- **Condition of the Building:** The overall condition of the building is poor, with dilapidated infrastructure, broken furniture, and signs of poor maintenance. The staircase, made of wood and shaky, raises concerns about safety. Damages such as rusted and broken iron objects on the ceiling and sharp objects in debris are potential hazards. Unfinished repair work and the presence of debris with sharp objects indicate a lack of urgency in construction and safety measures. The lack of fire extinguishers in the workshop and poor conditions of machines raise safety concerns. Notably, only the first building is adorned for shooting purposes. It's concerning that the money generated from this activity isn't utilized for children, as no "child-friendly" activities were witnessed, raising questions about the prioritization of resources. The building appears unclean,

with limited cleaning staff, poorly cut grass, and inadequate support from the Public Works Department (PWD). Essential facilities like water purifiers are missing, and the overall cleanliness and hygiene in dormitory rooms are lacking. Washrooms were reported to be in unsatisfactory conditions.



***Debris, Building was not properly painted, Uncleaned washroom***

- **Tobacco Spots:** The intentional marking of tobacco spitting spots with paint raises questions about overall maintenance practices, reflecting on the home's commitment to providing a clean and safe environment for the children.
- The lax security, with five vehicles within the premises and unchecked visitor entry, poses a potential threat.

## 2. Health:

- **Medical Facilities:** Limited medical staff availability, reliance on Sion Hospital for emergencies, and infrequent visiting doctors suggest potential challenges in providing timely healthcare services to the children. Treatment of the children is paid for partly from the funds at home and further from the donations. The 10,000/- per month budget for medicines might be inadequate given the health

needs of the children. The dampness in the classroom walls and rainwater leakage during monsoon raises health and hygiene issues. Inadequate cleanliness in dormitory rooms and broken tiles in the community hall further contribute to health concerns. Mosquito nets on windows are absent, posing a risk of vector-borne diseases.

- **Counselling:** Counselling services by ASHIANA NGO are valuable, but the absence of sex education is a notable gap., the absence of sex education raises concerns about the comprehensiveness of the support provided to the children.

### 3. Food:

- **Quality of Food:** Poor-quality food, including uncooked chapatis and substandard vegetables, signals issues in the kitchen and raises concerns about the children's nutritional well-being. The storage room for food grains is small, posing a risk of insect infestation, impacting the quality of the staple. The sacks of rice were stored in a lousy manner, and the grains were scattered around from torn sacks, further exacerbating the issue.



*Uncooked roti, sacks, lousy sack of rice, substandard vegetables*



- **Involvement of Children in Cooking:** Involving children in cooking without proper supervision and guidance may impact their well-being and raises questions about safety and hygiene standards in the kitchen.
- Lack of cleanliness during food service, like children wearing shoes in the dining hall, indicates poor hygiene practices.

#### 4. Education:

- **Classroom Conditions:** Insufficient lighting, cobwebs, and rainwater leaks in classrooms highlight the poor infrastructure, affecting the learning environment.



*Cobwebs in the classroom*

- **Computer Lab:** Limited computers in the computer lab and the absence of designated authorities to serve food underscore resource and management deficiencies.
- **Educational Equipment:** Broken tiles in the community hall and inadequate educational equipment point to a lack of investment in maintaining a conducive learning environment. The certification course in carpentry lacks child-friendly tools, and communication barriers exist for children from different regions.
- **Staffing:** The following table (**Enclosure 2**) provides an overview of the staff vacancies at the David Sassoon Children's Home across various positions. From superintendents to security guards, the institution plays a vital role in ensuring the welfare and rehabilitation of missing children. The vacancies reflect the ongoing efforts to fill crucial roles and maintain a conducive environment for the residents.

| Position       | Total Vacancy | Full | Empty | Collaborative Employees |
|----------------|---------------|------|-------|-------------------------|
| Superintendent | 1             | 0    | 1     | -                       |

| <b>Position</b>          | <b>Total Vacancy</b> | <b>Full</b> | <b>Empty</b> | <b>Collaborative Employees</b> |
|--------------------------|----------------------|-------------|--------------|--------------------------------|
| Deputy Superintendent    | 1                    | 1           | 0            | -                              |
| Chief Clerk              | 1                    | 1           | 0            | -                              |
| Clerk Typist             | 2                    | 1           | 1            | 1                              |
| Probation Officer        | 2                    | 0           | 2            | -                              |
| House Holder             | 2                    | 1           | 1            | -                              |
| Teacher                  | 6                    | 2           | 4            | 3                              |
| Drawing/Painting Teacher | 1                    | 1           | 0            | -                              |
| Workshop Supervisor      | 1                    | 1           | 0            | -                              |
| Director                 | 7                    | 5           | 2            | 2                              |
| Nurse                    | 1                    | 1           | 0            | -                              |
| Guide                    | 2                    | 1           | 1            | -                              |
| Security Guard           | 22                   | 8           | 14           | 14                             |
| Cook                     | 2                    | 1           | 1            | 1                              |
| Cleaning Workers         | 2                    | 0           | 1            | -                              |
| Gardener                 | 1                    | 0           | 1            | 1                              |
| <b>Total</b>             | <b>54</b>            | <b>25</b>   | <b>29</b>    | <b>22</b>                      |

This comprehensive overview illustrates the critical need to fill these vacancies promptly to ensure the smooth functioning of the institution and maintain a nurturing and supportive environment for the children under its care. The collaborative efforts of the existing staff are commendable, but additional personnel are required to meet the diverse needs of the residents. The recruitment and onboarding process should be expedited to address the current staffing challenges and uphold the institution's mission.

- However, the art room showcased incredible artwork done by the children, demonstrating their creativity and talent.



*Artwork by the children in David Sassoon Children Home*

#### 5. Entertainment:

- **Non-Functioning TVs:** TVs not working due to unpaid recharge deprive children of an essential source of entertainment and educational content.
- CCTV, and lack of child-friendly activities raise concerns about the well-being and recreational aspects for the children.

#### 6. Addiction:

- **Fevicol Bag:** The discovery of a Fevicol bag raises concerns about potential substance abuse among children. It necessitates a thorough investigation and preventive measures.

#### 7. Infrastructure:

- **Workshop Conditions:** Poor conditions in workshop areas, including old machines, broken furniture, and the absence of fire extinguishers, pose significant safety risks to both children and staff.
- **Garbage Management:** Dumping garbage on alternate days without proper waste management indicates a lack of commitment to maintaining a clean and sanitary environment.
- The lack of clean water, non-functional cameras, and poor overall infrastructure highlight the need for urgent improvements. The environment lacks tidiness, with stains of spitting on walls, and there are no proper cupboards or shelves for children to keep their clothes.

### IV. VIOLATION OF RIGHTS

As interns of MSHRC, our analysis exposes significant violations of constitutional commitments and child rights, calling for immediate attention to address the well-being and rights of the children in the facility.

| Section                                                | Definition                 | Rights Violated                                | How Rights are Violated                                                                            |
|--------------------------------------------------------|----------------------------|------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <b>Constitutional Commitments to Children in India</b> |                            |                                                |                                                                                                    |
| Article 14                                             | Equality Before the Law    | Equal status, opportunity, and protection      | Unequal treatment evident in poor conditions, lack of resources, and safety hazards.               |
| Article 15(3)                                          | Protective Discrimination  | Special provisions for women and children      | Inadequate care and infrastructure violate the special protections envisioned for children.        |
| Article 21                                             | Right to Life              | Well-being and human dignity                   | Poor living conditions, unsafe infrastructure, and inadequate healthcare impact the right to life. |
| Article 21A                                            | Right to Education         | Free and compulsory education for children     | Inadequate educational facilities, insufficient lighting, and lack of qualified staff.             |
| Article 24                                             | Prohibition of Child Labor | Prohibits child labor in hazardous occupations | Potential child labor involvement in cooking and inadequate safety measures.                       |
| Article 39(a), (e), (f)                                | Welfare Policies           | Advocates policies for children's welfare      | Lack of support, poor living conditions, and inadequate facilities for overall development.        |
| Article 45                                             | Right to Education         | Free and compulsory education for all children | Inadequate educational facilities and poor conditions in classrooms.                               |

| <b>Rights Violated</b>         | <b>Acts/Conventions</b>                                       | <b>Violation Description</b>                                                                                                            | <b>Relevant Articles/Sections</b>                            |
|--------------------------------|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| Right to Education             | Right of Children to Free and Compulsory Education Act, 2009  | Inadequate infrastructure, insufficient lighting, poor classroom conditions, lack of proper furniture, and outdated teaching materials. | - Section 19: Norms and standards for school infrastructure. |
| Right to Health                | Juvenile Justice (Care and Protection of Children) Act, 2015  | Lack of proper medical facilities, inadequate number of visiting doctors, dampness in the walls leading to potential health hazards.    | - Section 15: Medical examination of a child.                |
|                                |                                                               |                                                                                                                                         | - Section 24: Health and hygiene.                            |
| Right to Protection from Abuse | Protection of Children from Sexual Offences (POCSO) Act, 2012 | Lack of sex education, poor hygiene in dormitory rooms, and potential exposure to addictive substances like Fevicol.                    | - Section 19: Child Protection Unit.                         |
| Right to Clean Environment     | National Green Tribunal Act, 2010                             | Improper maintenance of the surroundings, dumping of garbage on alternate days, and lack of cleanliness in various areas.               | - Section 15: Penalty for failure to comply with orders.     |
| Right to Nutrition             | National Food Security Act, 2013                              | Poor quality of food, uncooked chapatis, and inadequate storage facilities for food grains, posing a risk of insect infestation.        | - Section 3: Right to food.                                  |

| <b>Rights Violated</b>                       | <b>Acts/Conventions</b>                                      | <b>Violation Description</b>                                                                                                                            | <b>Relevant Articles/Sections</b>                                                        |
|----------------------------------------------|--------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------|
| Right to Safe and Hygienic Living Conditions | Convention on the Rights of the Child (CRC)                  | Unsanitary conditions in dormitory rooms, broken furniture, and lack of cleanliness in common areas.                                                    | - Article 27: Adequate standard of living.                                               |
| Right to Play and Recreation                 | Convention on the Rights of the Child (CRC)                  | Lack of sports facilities, no sports teacher, and an appeal for volunteers to support sports activities.                                                | - Article 31: Right to play and rest.                                                    |
| Right to Special Protection                  | Juvenile Justice (Care and Protection of Children) Act, 2015 | The overall living conditions, including poor infrastructure, broken objects, and potential hazards, violate the special protection rights of children. | - Section 3: Definitions (defines "child in need of care and protection").               |
|                                              |                                                              |                                                                                                                                                         | - Section 12: Entitlements of children in need of care and protection.                   |
| Right to Protection from Exploitation        | Child Labour (Prohibition and Regulation) Act, 1986          | Mention of potential involvement of children in cooking chapatis and other tasks.                                                                       | - Section 3: Prohibition of employment of children in certain occupations and processes. |
| Right to Protection from Substance Abuse     | Narcotic Drugs and Psychotropic Substances Act, 1985         | Presence of fevicol bags and suspicion of substance abuse among children.                                                                               | - Section 2: Definitions (defines "addict").                                             |

| <b>Rights Violated</b>       | <b>Acts/Conventions</b>                        | <b>Violation Description</b>                                                                                           | <b>Relevant Articles/Sections</b>               |
|------------------------------|------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| Right to Play and Recreation | The Right to Play (United Nations Declaration) | Lack of sports facilities, no sports teacher, and the appeal for volunteers to support sports activities.              | - Principle 2: Right to play.                   |
| Right to Information         | Right to Information Act, 2005                 | Lack of transparency regarding the use of funds, status of facilities, and overall functioning of the children's home. | - Section 4: Obligations of public authorities. |

This table outlines the specific sections of constitutional commitments and child rights that are violated based on the information provided regarding David Sasson Children Home. The analysis emphasizes the impact on children's well-being, education, protection, and overall development.

## **V. CASE STUDY**

### **1. Exploring the Experiences of a Resident (Mr. X) at a Children's Home**

**Background:** X, hailing from Sitamari district in Bihar, found himself in Mumbai under deceptive circumstances. He and his younger brother were promised work but were left stranded at Andheri Station. Subsequently, they were brought to the David Sassoon Children School by the police.

**Residential Duration:** X has spent eight months in the children home. During this period, he faced challenges such as the confiscation of his Aadhaar card and phone, raising concerns about privacy and communication.

**Emotional Struggles:** Separated from his wife, who resides with his parents in Bihar, X expresses a constant longing to connect with his family. Despite having their phone number, his requests to make calls are denied by the supervisor.

**Treatment Concerns:** X highlights instances of physical harm from the authorities, creating a distressing environment for residents. He emphasizes the need for better treatment and a more understanding atmosphere within the children's home.

X's case sheds light on the challenges faced by individuals at the David Sassoon Children School. This case study emphasizes the importance of addressing residents' emotional needs, ensuring their rights to communication, and establishing measures to prevent any form of abuse



within the institution. It serves as a call for improvements to create a more positive and supportive environment for those seeking refuge at the children's home.

## 2. The Children's Aid Society, Mumbai - Haswan Rajkumar Nishad's Tragic Death

### Mumbai: 16-year-old homeless boy lynched at children's home in Matunga, dies

Updated on: 19 August 2022 11:50 AM IST | Mumbai  
Sachin Gaad | mailbag@mid-day.com

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The 16-year-old orphan was found loitering at Girgaon Chowpatty, after which he was sent to Matunga home just 10 days ago



The David Sassoon Children's Home, Matunga

A 16-year-old orphan died at the David Sassoon Children's Home, [Matunga](#), after being allegedly assaulted by four boys, including a 12-year-old, at the facility. The victim was brought to the shelter on August 6 after the DB Marg police found him loitering at Girgaon Chowpatty, and felt he was mentally unstable. The Shivaji Park police have registered a case of murder.



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The case of Haswan Rajkumar Nishad, as presented to the Maharashtra State Human Rights Commission (MSHRC), involves a series of legal proceedings and inquiries. The timeline unfolds as follows:

#### Facts:

- Haswan Rajkumar Nishad, a 16-year-old, died on August 16, 2022.
- Death caused by Haemorrhagic shock due to blunt trauma to the abdomen and chest.
- FIR lodged (No. 0594/2022) at Shivaji Park Police Station.
- Ongoing criminal investigation initiated by the police.

#### Court Proceedings:

- **Initiation of Proceedings (Nov 23, 2022):**
  - Legal proceedings initiated concerning Nishad's death.
  - Need for inquiry report under Section 176(1A) of CrPC emphasized.
- **Directive for Inquiry Report (Nov 23, 2022):**
  - Authorities directed to submit inquiry report before the next hearing.



- Scheduled appearance before Court No. 1 on Feb 9, 2023.
- **Submission to MSHRC (Jan 9, 2023):**
  - The Children's Aid Society submits proceedings and information.
  - In response to MSHRC's request for an inquiry report.
- **Follow-up Hearing (Feb 9, 2023):**
  - MSHRC directs the Additional District Magistrate to submit the inquiry report by the same day.
  - Case adjourned for further action.
- **Submission of Inquiry Report (Aug 17, 2022):**
  - Probation Officer submits details about Nishad's admission, discovery, and events leading to his death.
- **MSHRC Hearings (July 24, 2023, and April 30, 2024):**
  - Await the inquiry report under Section 176(1A) of CrPC.
  - Scheduled appearances before Court No. 1 on Oct 17, 2023, and April 30, 2024.

#### **Conclusion (What Held):**

- Legal precedent established for meticulous application of Section 176(1A) in custodial death cases.
- Emphasis on human rights protection and adherence to NHRC guidelines.
- Significance in ensuring transparency, accountability, and justice in custodial care.
- Ongoing commitment to a criminal investigation for accountability and legal consequences.
- MSHRC's systematic oversight ensuring due process and transparency throughout the proceedings.

The case serves as a reminder of the legal responsibilities associated with custodial care, emphasizing the protection of human rights, justice, and accountability.

## **VI. RELEVANT LAWS**

### **Important Acts:**

| <b>Law</b>                        | <b>Key Provisions</b>                                                                                                                                                                                    | <b>Important Sections</b>                                                                                                                                                                                         |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Juvenile Justice Act, 2015</b> | <ul style="list-style-type: none"> <li>- CWC ensures the welfare of children and to review cases brought before them.</li> <li>- JJB for matters involving children in conflict with the law.</li> </ul> | <ul style="list-style-type: none"> <li>- Section 2 (definitions).</li> <li>- Section 14 (procedures for CWC).</li> <li>- Section 15 (procedures for JJB).</li> <li>- Section 34 (registration of CCI).</li> </ul> |

| Law                    | Key Provisions                                                                                                                                                                                                                                                                                                    | Important Sections                                                                                                                                                                                                     |
|------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                        | <ul style="list-style-type: none"> <li>- CCI standards for ensure the welfare of children and to review cases brought before them.</li> <li>- Emphasis on child participation and rehabilitation.</li> </ul>                                                                                                      |                                                                                                                                                                                                                        |
| <b>RTE Act, 2009</b>   | <ul style="list-style-type: none"> <li>- Free and compulsory education for children aged 6-14.</li> <li>- Prohibition of discrimination in schools.</li> <li>- Norms for infrastructure, facilities, and qualified teachers.</li> <li>- Focus on reducing dropout rates and preventing non-enrollment.</li> </ul> | <ul style="list-style-type: none"> <li>- Section 3 (prohibition of discrimination).</li> <li>- Section 8 (norms for schools).</li> <li>- Section 12 (duties of appropriate government and local authority).</li> </ul> |
| <b>POCSO Act, 2012</b> | <ul style="list-style-type: none"> <li>- Protection against sexual offenses, with child-friendly legal procedures.</li> <li>- Stringent measures against offenders.</li> </ul>                                                                                                                                    | <ul style="list-style-type: none"> <li>- Section 4 (penetrative sexual assault).</li> <li>- Section 7 (sexual assault).</li> <li>- Section 23 (special provision for recording the statement of the child).</li> </ul> |

#### Other Acts:

- **Child Labour Act, 1986:**
  - Prohibits employment of children in hazardous occupations.
  - Regulates working conditions in non-hazardous occupations.
- **Child & Adolescent Labour Act, 1986:**
  - Regulates conditions of work in specific occupations involving children and adolescents.
- **NCPCR Act, 2005:**
  - Establishes the National Commission for Protection of Child Rights (NCPCR).
  - Safeguards and promotes children's rights.
- **National Policy for Children, 2013:**
  - Outlines the government's commitment to securing the rights of children.
  - Provides a policy framework for children's holistic development and welfare.

#### VII. SUGGESTION/RECOMMENDATION:

**1. Building and Construction:**

- Conduct a thorough assessment of the building's structural integrity and initiate immediate repairs to address safety hazards.
- Allocate funds generated from shooting activities towards improving facilities for children, emphasizing child-friendly spaces.
- Collaborate with the Public Works Department (PWD) for better maintenance and cleanliness of the premises.

**2. Health:**

- Increase the budget for medical facilities and medicines to ensure timely healthcare services.
- Address the gap in sex education through collaboration with NGOs and experts.
- Explore partnerships with local healthcare providers to enhance medical support.

**3. Food:**

- Improve the quality of food by ensuring proper cooking methods and storage facilities.
- Establish guidelines for the involvement of children in cooking, ensuring proper supervision and adherence to safety standards.

**4. Education:**

- Allocate resources to improve infrastructure in classrooms, computer labs, and community halls.
- Prioritize the recruitment of qualified staff to fill vacant positions and enhance the learning environment.
- Seek donations or partnerships for updated educational equipment.

**5. Entertainment:**

- Address issues with non-functioning TVs and outdated computer equipment by securing necessary funds for recharging and upgrades.

**6. Addiction:**

- Initiate a thorough investigation into the discovered Fevicol bag and implement preventive measures to address potential substance abuse among children.

**7. Infrastructure:**

- Improve workshop conditions, replace old machines, and ensure the presence of fire extinguishers.

- Implement a proper waste management system to maintain a clean and sanitary environment.

#### **8. Staffing:**

- Expedite the recruitment process to fill vacant positions and ensure a sufficient number of personnel for the well-being of the children.
- Provide training and support to existing staff to enhance their collaborative efforts.

#### **9. Rights Violation:**

- Awareness to address constitutional commitments and child rights violations, ensuring compliance with relevant acts and conventions.
- Engage with legal experts and child rights organizations to guide the institution in aligning with constitutional commitments.

#### **10. Case Studies:**

- Implement measures to protect residents' privacy, including the safeguarding of personal documents and communication rights.
- Conduct a thorough internal investigation into reported cases of physical harm, ensuring a safe and supportive environment.

#### **11. Legal Case - Haswan Rajkumar Nishad:**

- Continue supporting the ongoing criminal investigation to ensure accountability.
- Implement recommendations from the legal proceedings to enhance transparency, accountability, and adherence to human rights guidelines.

It is crucial for the management and authorities of the David Sassoon Children Home to prioritize the well-being and rights of the children under their care. Collaborative efforts from various stakeholders, including government bodies, NGOs, and the public, are essential to address the identified challenges and create a nurturing environment for the children. Regular monitoring and follow-up actions are necessary to track progress and ensure sustained improvements.

#### **REFERENCES:**

- Midday News Article <https://www.mid-day.com>

## ENCLOSURE 1



महिला व बाल विकास आयुक्तालय, २८, राणीचा बाग, महाराष्ट्र राज्य, पुणे-४११००१.

बाल न्याय (मुलांची काळजी व संरक्षण) अधिनियम २०१५ अंतर्गत

### नोंदणी प्रमाणपत्र

**क्रमांक: 181**

बाल न्याय (मुलांची काळजी व संरक्षण) अधिनियम, २०१५ चे कलम ४१ आणि महाराष्ट्र राज्य बाल न्याय (मुलांची काळजी व संरक्षण) नियम २०१८ मधील नमुना २७ नुसार

*दि. फिल्लुगन एड. सोसायटी मुंबई संपादित डोक्ट्रेट संपुर्ण औद्योगिक शाळा मादगा रुखी.*

या संस्थेने सावर केलेल्या कागदपत्रांची आयुक्त महिला व बाल विकास, पुणे यांनी पडताळणी केल्यानंतर बाल न्याय (मुलांची काळजी व संरक्षण) अधिनियम २०१५ च्या कलम ४१(१) अन्वये १५/१२/२०२० या दिनांकापासून बालकांची काळजी घेणाऱ्या संस्थेस (बालगृह/ खुले निवारागृहे / निरीक्षण गृह/ विशेष गृह / सुरक्षित ठिकाण / विशेष दत्तक संस्था / योग्य सुविधा) म्हणून ५ वर्षांसाठी अनुदानित / किंवा अनुदानित तत्वावर नोंदणी क्रमांक ( MBL- 29/LH/2020/759 ) दिला जात आहे. तथापि, राज्य शासन कोणत्याही वेळी सदर नोंदणी रद्द करू शकते.

सदर संस्थेला ४०० (मुलांसाठी) प्रवेशित संख्येसाठी मान्यता देण्यात आली आहे. बाल न्याय (मुलांची काळजी व संरक्षण) अधिनियम, २०१५ आणि महाराष्ट्र राज्य बाल न्याय (मुलांची काळजी व संरक्षण) नियम, २०१८ तसेच केंद्र / राज्य शासनाने वेळोवेळी तयार केलेल्या नियम / अटी व शर्तीचे अनुपालन करणे बंधनकारक राहील.

राज्य शासनाकडून निर्धारित केल्यानुसार सहायक अनुदान देय असेल आणि ते हक्क म्हणून दावा करता येणार नाही.

दिनांक: ०६/०७/२०२०

ठिकाण: पुणे

*(Signature)*

अधिक्षक

महिला व बाल विकास आयुक्तालय

२८, टी. एच. कटारिया मार्ग

माहिम, मुंबई ४०० ०१५



*(Signature)*

आयुक्त

महिला व बाल विकास

महाराष्ट्र राज्य, पुणे

## ENCLOSURE 2

बाल न्याय (मुलांची काळजी व संरक्षण) अधिनियम, २०१५ व महाराष्ट्र राज्य (मुलांची काळजी व संरक्षण) नियम, २०१८ अन्वये दि. चिल्ड्रेन्स एंड सोसायटी, मुंबई या संस्थेच्या आस्थापनेवर अधिनियमातील तरतुदीनुसार आवश्यक मनुष्यबळाची विविध पदसंख्यांतील अतिरिक्त पदसंख्या.

१) संस्थेचे नांव :- डेव्हिड ससून औद्योगिक शाळा, माहिम, मुंबई  
मंजूर पदे :- ५४

| अ. क्र. | पदनाम                | मंजूर संख्या | हजर संख्या | रिक्त संख्या | एकात्रित मानधवानर कार्यरत कर्मचारी | बाल न्याय (मुलांची काळजी व संरक्षण) अधिनियम, २०१५ अन्वये आवश्यक कर्मचारी |
|---------|----------------------|--------------|------------|--------------|------------------------------------|--------------------------------------------------------------------------|
| १       | २                    | ३            | ४          | ५            | ६                                  |                                                                          |
| १       | अधिक्षक              | १            | ---        | १            | ---                                |                                                                          |
| २       | उप-अधिक्षक           | १            | १          | ---          | ---                                |                                                                          |
| ३       | मुख्य लिपीक          | १            | १          | ---          | ---                                |                                                                          |
| ४       | लिपीक टंकलिपीक       | २            | १          | १            | १                                  |                                                                          |
| ५       | परिक्षिका अधिकारी    | २            | ---        | २            | ---                                |                                                                          |
| ६       | गृहपाल               | २            | १          | १            | ---                                |                                                                          |
| ७       | शिक्षक               | ६            | २          | ४            | ३                                  |                                                                          |
| ८       | चित्रकला शिक्षक      | १            | १          | ---          | ---                                |                                                                          |
| ९       | कार्यशाळा पर्यवेक्षक | १            | १          | ---          | ---                                |                                                                          |
| १०      | निदेशक               | ७            | ५          | २            | २                                  |                                                                          |
| ११      | परिचारिका            | १            | १          | ---          | ---                                |                                                                          |
| १२      | मार्गदर्शक           | २            | १          | १            | ---                                |                                                                          |
| १३      | रक्षक                | २२           | ८          | १४           | १४                                 |                                                                          |
| १४      | स्वयंपाकी            | २            | १          | १            | १                                  |                                                                          |
| १५      | सफाई कामगार          | २            | १          | १            | ---                                |                                                                          |
| १६      | माजरी                | १            | ---        | १            | १                                  |                                                                          |
|         |                      |              |            |              |                                    |                                                                          |
|         | एकूण                 | ५४           | २५         | २९           | २२                                 |                                                                          |



## ENCLOSURE 3

### Questionnaire for Children

1. What is your age?
2. What did you eat today? What is your favourite food? How is the food here? Do you like it?
3. Do you have friends here?
4. Have you been ill recently? If you get ill whom do you reach out for the same?
5. Who do you approach when you need help or support?
6. Can you read and write? How much schooling did you do?
7. Do you like to go to School? Where do you go to your school?
8. What skills are taught to you here?
9. Where did you live? With whom you used to stay?
10. What is your daily routine?
11. How do you spend your free time?
12. What do you like about this place most?
13. What changes do you see in yourself after coming here? Or what new you got to learn here?
14. What do you want to be when you grow up?
15. Is there anything else you would like to share about yourself?

### Questionnaire for Authorities

1. What is the age group of children commonly rescued?
2. What attempts have been made to reinstate children with their families?
3. According to you, has the rate of children increased or decreased in the past years?
4. How is the behaviour of children usually at the beginning when they are brought here? How much time it takes them to adjust here?
5. Which are the diseases that street/ missing children are diagnosed with?
6. How do you cope with physical and emotional distress felt by the children?
7. Do you give sex education to the children?
8. How do you deal with the mischievous children?
9. How many children have you been able to reinstate with their families?
10. Have you seen children growing up to be capable and independent in their careers after spending years here?

**Research and Review Project : Farmer Suicides and Agricultural Sector****INDEX:**

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## INTRODUCTION:

Under the relentless Indian sun, where fertile fields once promised prosperity, a shadow lies. For decades, a silent tragedy has unfolded in the heart of rural India: a staggering rise in farmer suicides. Beyond mere statistics, these deaths represent a brutal violation of human rights, woven into the fabric of a complex agrarian crisis. This research and review project delves into this grim reality, dissecting the interconnected factors that push India's farmers to the brink, and exposing the gaping chasm between policy promises and lived experiences.

We begin by traversing the vast landscapes of India's agricultural sector, examining the economic forces that reshape lives and livelihoods. The shift towards cash crops, seductive in its market promises, often masks deeper inequities. Dependence on fluctuating global prices, the stranglehold of corporate agribusiness, and the burden of exorbitant input costs weave a tangled web of vulnerability. Debt, the ever-present specter, haunts every facet of rural life, pushing farmers into a vortex of financial despair.

But the story doesn't end with economics. Climate change, an unwelcome guest at the agricultural banquet, throws devastating wrenches into the delicate balance. Erratic rainfall patterns, searing droughts, and unpredictable floods exacerbate pre-existing vulnerabilities, turning dreams of harvest into nightmares of ruin. The state, often touted as the protector, sometimes emerges as a silent accomplice. Inadequate support mechanisms, faltering infrastructure, and ineffective market regulations leave farmers exposed to the harsh realities of an unforgiving system.

Through this analysis, we unveil the human cost of this crisis. Each suicide is a stark indictment of a system that fails to uphold the fundamental right to life, dignity, and a decent standard of living. We scrutinize the promises enshrined in human rights instruments, highlighting the glaring discrepancies between legal frameworks and lived realities. The right to food, the right to health, the right to work – these become hollow pronouncements when farmers grapple with hunger, despair, and a crushing sense of powerlessness.

Our investigation extends beyond mere diagnosis. We delve into the burgeoning resistance movements demanding systemic change. We explore existing government initiatives and assess their effectiveness, analyzing successes and failures. Our quest is to unearth tangible solutions, grounded in human rights principles, that can offer a glimmer of hope amidst the prevailing darkness.

This research is not merely an academic exercise, but a clarion call for action. It is a plea for justice, for accountability, and for a transformation of the agricultural landscape that places human dignity at its core. As we embark on this journey, we carry the voices of the silenced, the

stories of lives shattered, and the unwavering hope for a future where the fields of India yield not despair, but the fruits of a just and equitable system.

## **OBJECTIVES:**

These objectives aim to move beyond simply studying the problem to create actionable insights and advocate for transformative solutions that prioritize human rights, promote farmer wellbeing, and ensure a more equitable and sustainable agricultural future in Maharashtra.

### 1. To assess the scope and magnitude of the problem:

To understand in quantifiable terms the extent of farmer suicides in Maharashtra, through analyzing demographics, regional variations, and trends over time.

To identify the key risk factors driving suicides, including economic, social, environmental, and psychological factors.

To investigate the role of specific agricultural practices, market forces, and government policies in perpetuating the crisis and the plight of the farmers.

### 2. To evaluate the human rights violations:

To analyze the violation of fundamental human rights, including the right to life, food, health, work, and a decent standard of living, since that is the basis of the Maharashtra State Human Rights Commission.

To assess the state's responsibility to protect and fulfill these rights in the context of the agricultural sector.

To evaluate the effectiveness of existing legal frameworks and government policy measures in upholding human rights related to agriculture.

### 3. To uncover the power dynamics and inequalities:

To examine the role of corporate agribusiness, landholding patterns, and unequal access to resources in contributing to farmer vulnerability.

To analyze the political and social power structures that perpetuate unequal outcomes for farmers and limit the agency of smallholder farmers.

### 4. Explore Potential Solutions and Interventions:

To identify best practices and successful initiatives aimed at tackling farmer suicides and improving agricultural livelihoods.

To evaluate the effectiveness of existing government schemes and programs in addressing the root causes of the crisis and develop evidence-based recommendations for policy reforms, resource allocation, and institutional strengthening to promote human rights-centered development in agriculture.

#### 5. Raise Awareness and Advocate for Change:

To contribute to a deeper understanding of the complex linkages between farmer suicides, agricultural practices, and human rights violations, and to generate data and evidence to inform advocacy efforts and policy dialogue aimed at systemic change in the agricultural sector.

### **GOVERNMENT RESOLUTIONS & SCHEMES:**

#### STATE SCHEMES:

##### 1. Nanaji Deshmukh Krishi Sanjivani Yojana

Several programs have been launched by the union and state governments to help farmers. The "Nanaji Deshmukh Krishi Sanjeevani Yojana" has recently been launched by the Maharashtra government for farmers. The Maharashtra government would support the farmers through this program in eradicating drought in areas prone to it so that farmers do not encounter any issues and can harvest healthy and good crops on their farms. Nanaji Deshmukh Krishi Sanjivani Yojana belongs to Krishi Vibhag of the Maharashtra Government.

#### Key Features:

- Conversion of drought-prone areas or drought areas into drought-free regions is the main objective of this scheme. So that farmers can do farming easily.
- Small marginal farmers undertaking agriculture in Maharashtra can take advantage of this Krishi Sanjeevani Yojana.
- Increasing the number of farmers in the state to register for agriculture in Maharashtra state under this Nanaji Deshmukh Krishi Sanjeevani Yojana is kept in focus.
- For the implementation of Nanaji Deshmukh Krishi Sanjeevani Yojana 2022, the Government has received assistance from the world bank of about Rs 28000 crore in the form of a loan.
- Under the Maharashtra Nanaji Deshmukh Krishi Sanjeevani Yojana, First, the report on the soil quality will be made available. Based on that, the farmers can improve their

farming, thus contributing to the increased income and standard of living for agriculture in Maharashtra state.

#### Eligibility Criteria:

- Farmers who are domiciled in Maharashtra are eligible to apply under this scheme.
- Only the small marginal and middle-class farmers are eligible.
- The farmers native to the drought-prone area of agriculture in Maharashtra can apply.

## 2. Mahatma Jyotirao Phule Shetkari Karjmukti Yojana

The Mahatma Jyotirao Phule Shetkari Karjmukti Yojana is a loan waiver scheme launched by the Government of Maharashtra in 2019. The scheme aims to waive off loans up to ₹2 lakh for eligible farmers in the state.

#### Key features:

- The scheme is applicable to all farmers in the state, irrespective of their caste, religion, or gender.
- The loan amount eligible for waiver is ₹2 lakh.
- The loan must have been taken from a cooperative bank or a commercial bank.
- The loan must have been taken for agricultural purposes.
- The loan must have been outstanding as of March 31, 2019.

## 3. Pradhan Mantri Kisan Samman Nidhi Yojana (PM-KISAN)

The Pradhan Mantri Kisan Samman Nidhi Yojana (PM-KISAN), or the Prime Minister's Farmer's Income Support Scheme, is a central government scheme that provides financial assistance to small and marginal farmers. The scheme was launched in 2019.

The PM-KISAN scheme provides ₹6,000 crore per year in three equal installments of ₹2,000 crore each to eligible farmers. The scheme is implemented by the Department of Agriculture, Cooperation and Farmers' Welfare.

To be eligible for the PM-KISAN scheme, farmers must meet the following criteria:

- They must be Indian citizens.
- They must be holding a landholding of up to 2 hectares.
- They must have a bank account in their own name.

The PM-KISAN scheme has been well-received by farmers in India. The scheme has helped to improve the income and living conditions of small and marginal farmers. As of 2023, the PM-KISAN scheme has benefited over 12 crore farmers in India.

Drawbacks of scheme:

1. One of the main drawbacks of the PM-KISAN scheme is that it is a one-size-fits-all approach.
2. Another drawback of the PM-KISAN scheme is that it does not address the underlying causes of poverty and inequality in agriculture.

How the PM-KISAN scheme could be improved:

- The scheme could be made more targeted to help the farmers who need it most. For example, the government could provide additional assistance to farmers who are living in drought-prone areas or who are facing other challenges.
- The scheme could be expanded to provide more support for farmers to improve their productivity and efficiency. For example, the government could provide subsidies for agricultural inputs or training for farmers in new farming techniques.
- The government could consider reducing the cost of the scheme by finding ways to make it more efficient. For example, the government could use technology to automate some of the administrative tasks associated with the scheme.

## Drawbacks of Government Resolutions and Schemes for Farmer Suicides in Maharashtra:

Understanding the complexities of farmer suicides requires acknowledging both the genuine efforts of government interventions and their limitations. Here's are some potential drawbacks of existing schemes in Maharashtra:

Limited Reach and Targeting:

- One-size-fits-all approach: Schemes may not effectively address diverse needs of farmers across various regions, crops, and economic situations.
- Exclusion of vulnerable groups: Tenant farmers, landless laborers, and marginalized communities might not be adequately covered under existing schemes.
- Bureaucratic hurdles: Complex application processes and lack of awareness can impede access for deserving farmers.

### Financial Inadequacy and Sustainability:

- Loan waivers: While providing immediate relief, loan waivers can create long-term debt traps and discourage responsible borrowing.
- Inadequate support for income generation: Schemes might focus primarily on financial assistance, neglecting investments in infrastructure, technology, and market access, crucial for long-term income growth.
- Unsustainable funding: Overdependence on government funding raises concerns about long-term viability and potential fluctuations in support.

### Implementation Challenges:

- Corruption and leakages: Inefficient implementation can lead to funds not reaching intended beneficiaries, undermining the scheme's effectiveness.
- Lack of awareness and transparency: Farmers might not be fully informed about available schemes or their benefits, leading to underutilization.
- Inadequate mental health support: Existing schemes may not adequately address the psychological factors contributing to farmer suicides.

### Beyond Schemes:

- Addressing underlying causes: Schemes alone cannot solve the complex issue of farmer suicides. Tackling wider issues like social stigma, exploitation by middlemen, and climate change is crucial.
- Promoting holistic development: Investments in rural infrastructure, education, and healthcare can create a more supportive environment for farmers beyond immediate financial assistance.
- Empowering farmers: Encouraging farmer collectives, promoting knowledge sharing, and fostering resilience through sustainable farming practices can give farmers greater control over their livelihoods.

It's important to note that these are potential drawbacks, and many government initiatives are making genuine efforts to address farmer suicides. However, a critical and nuanced understanding of these limitations is crucial for further improvement and ensuring effective support for farmers in Maharashtra.

## NATIONAL SCHEMES:

The issue of farmer suicides is a complex and multifaceted problem that can be influenced by various factors, including economic, social, and psychological aspects. Governments around the world, including India, where farmer suicides have been a significant concern, have implemented regulations and schemes to address these challenges. As of my last knowledge update in January 2022, here are some of the key initiatives and regulations in India related to farmer suicides:

1. **National Policy for Farmers (2007):** The Government of India introduced the National Policy for Farmers in 2007 to address the issues faced by farmers, including suicides. The policy aims to promote sustainable agriculture, provide adequate and timely credit, and enhance the income of farmers.
2. **Pradhan Mantri Fasal Bima Yojana (PMFBY):** Launched in 2016, PMFBY is a crop insurance scheme that provides financial support to farmers in the event of crop failure or damage due to natural calamities. This is intended to reduce the economic burden on farmers and prevent distress-induced suicides.
3. **National Bank for Agriculture and Rural Development (NABARD):** NABARD plays a crucial role in agricultural and rural development. It provides financial support and loans to farmers, aiming to improve rural livelihoods and reduce the financial distress that may lead to suicides.
4. **Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA):** MGNREGA guarantees 100 days of employment to rural households, helping to enhance income and reduce financial stress among rural populations, including farmers.
5. **Agricultural Debt Waiver and Debt Relief Scheme (2008):** The government implemented a debt relief scheme in 2008 to waive off the agricultural debts of eligible farmers. While such schemes aim to provide immediate relief, their effectiveness and long-term impact have been subjects of debate.
6. **State-specific Initiatives:** Several states in India have implemented their own schemes and measures to address the issue of farmer suicides, as agriculture is a state subject. These initiatives may include financial assistance, counseling services, and awareness programs.
7. **Mental Health Support:** Recognizing the psychological toll on farmers, efforts have been made to provide mental health support services. Counseling centers and helplines have been established to assist farmers dealing with stress and emotional challenges.

It's important to note that the effectiveness of these programs can vary, and addressing the root causes of farmer distress requires a comprehensive approach involving economic, social, and psychological interventions. Additionally, there may have been developments or new initiatives introduced since my last update in January 2022.

## WHY ARE CASES OF FARMER SUICIDES HIGHER IN MAHARASHTRA THAN OTHER STATES?

The high incidence of farmers' suicides in Maharashtra can be attributed to a combination of factors. The state faces challenges such as intensive farming practices, climatic fluctuations, high levels of agricultural indebtedness, unequal water distribution, exposure to global market fluctuations, and complex socio-economic dynamics including caste disparities. Additionally, the effectiveness of government policies and support systems may vary, contributing to the overall distress in the agricultural community. These factors collectively create a challenging environment for farmers in Maharashtra, making them more susceptible to economic and environmental uncertainties, thereby leading to a higher rate of suicides compared to some other states. The following is the comparison of the reasons and causes behind the increased number of cases of farmers suicide in maharashtra than other states:

| Factors                | Maharashtra                                    | Other States                                   |
|------------------------|------------------------------------------------|------------------------------------------------|
| Agricultural Practices | Intensive farming, dependence on cash crops    | Diverse cropping patterns, traditional farming |
| Crop Failure           | Vulnerability to climatic variations           | Varied regional impact, resilient crops        |
| Indebtedness           | High levels of agricultural debt               | Varies, but debt is a common issue nationwide  |
| Water Scarcity         | Unequal distribution, irrigation challenges    | Varied water availability and management       |
| Market Fluctuations    | Exposure to price volatility in global markets | Impact of market conditions is widespread      |
| Government Policies    | Effectiveness of policies in addressing issues | Varied implementation and impact nationwide    |
| Social Issues          | Socio-economic disparities, caste dynamics     | Diverse social contexts and dynamics           |



|                   |                                         |                                       |
|-------------------|-----------------------------------------|---------------------------------------|
| Access to Support | Varied effectiveness of support systems | Differential support systems in place |
|-------------------|-----------------------------------------|---------------------------------------|

## **CASE LAWS:**

### **1. SUO MOTU CASE NO. 1080/13/5/2022**

#### *FACTS:*

Picked up from 'Pudhari' and 'Maharashtra Times' Marathi Newspaper dated 12th May, 2022

Name of Complainant : MAHARASHTRA TIMES NEWS DATED 12.05.2022

Date of Complaint : 12/05/2022

Name of Victim : FARMER - LATE NAMDEV AASARAM JADHAV

Name of Respondent : The Collector, Amravati

Date of Incident : 12/05/2022

Place of Incident : BEED

Mode of Complaint : Suo Motu

Coram : allotted to Hon'ble Chairperson, Justice K. K. Tated

#### *EVIDENCE:*

- FORM B- License for Crushing Cane (Season 2021-22) to Jaibhavani Sahakari Sarkar Karkhana Ltd., A/P Gadhi, Tal- Georai, Dist- Beed

#### *ORDER:*

Mr. Namdeo Tilekar, Sub Divisional Officer, Beed is present on behalf of Collector, Beed.

1. In the present suo motu petition, the Commission after considering the oral submissions of Mr. Tilekar, S.D.O. Beed and after scrutiny of the documents, was pleased to issue following directions on 07.07.2022 which reads thus:

2. District Magistrate Beed filed his report dated 10.06.2022.

In the said report on page 2 it is stated that the Sugar Factory had collected the remaining sugar of deceased on 13.05.2022.

Not only that, the District Level Committee approved a grant of Rs.1 Lac to the family of the deceased farmer.

3. Considering these facts, following order is passed:

a) Sub Divisional Officer Mr. Tilekar is directed to place on record a copy of Government Resolution issued by Government about payment of compensation to the agriculturist who commit suicide.

b) How much sugar cane was taken by the sugar factory on 13.05.022 from the field of the deceased farmer and how much amount is paid to his family and at what rate?

Additional Report to be filed on or before 13.07.2022.

3. In compliance of the aforesaid directions report dated

11.07.2022 came to be submitted on record by Collector, Beed.

On going through this report it emerges that the office of Collector, Beed has released a compensation of Rs. 1 Lac in accordance with Rules and Guidelines laid down in Government Resolution No. He 014 2704/7.5.328/7-7 fari: 23.02.2005 followed by official order posed by he Coleo Be

2/71. 371.///ta 311646637747//07/507-7874770570/04/70770

4. Besides, the son of the deceased has also been paid the remaining amount of price of the sugar cane crop amounting to Rs. 38,571.00 on 02.06.2022.

5. We are of the considered view that the Government should re-consider its policy decision of the payment of compensation amount to the aggrieved family of the farmers who committed suicide on account of default in payment of loan etc. as the quantum of the compensation fixed by Government by its GR dated 23.01.2006 is in the present situation is very meager amount as Rs. 1 Lac and is absolutely insufficient amount to meet the loss suffered by the family, their future income, stability, physical and moral support etc. The trauma and wound left by their dear ones on account of the drastic steps taken for ending their miseries in terms of monetary benefit. In fact the suffering of the farmer may come to an end with his extreme steps of ending his life, but the future of his family and his dependents always suffers a serious setback and we are of the considered view that the Revenue Department, Mantralaya, Mumbai should consider to enhance the Corporation . Though award of monetary compensation can never bring back the loss and damage sustained due to certain departure of life partner.

6. Therefore, with these observations the present suo moto petition stands closed and disposed off with a direction to the Secretary attached to this Commission to forward the copy of the order to the Addl. Chief Secretary (Revenue and Forest) for necessary implementation and follow-up action as under:

a) By amending the policies and guidelines for the compensation as fixed vide : 13.08.2005 for Rs. 10,00,000/- (Rupees Ten Lakhs) to each family instead of Rs.1,00,000/- (Rupees One Lakhs).

- b) As a special case to pay additional compensation of Rs. 10,00,000 (Rupees Ten Lakhs) to the wife of the deceased farmer in accordance with the provisions under Sec. 18 (e) of the Protection of Human Rights Act, 1993 r/w. Regulation 22 to 24 of the Maharashtra State Human Rights Commission, (Procedure), Regulations, 2011.
- c) Ordered accordingly.

## **2. SUO MOTU CASE NO. 1303/13/17/2022**

### *FACTS:*

Picked up from 'LOKMAT MARATHI NEWS PAPER DATED 21.05.2022 NAGPUR'

Name of Complainant : Lokmat Newspaper

Date of Complaint : 24/05/2022

Name of Victim : Farmer (Unknown Male)

Name of Respondent : The Collector, Amravati

Date of Incident : 21/05/2022

Place of Incident : Nagpur

Mode of Complaint : Suo Motu

Coram : allotted to Hon'ble Chairperson, Justice K. K. Tated

### *EVIDENCE:*

1. Mr. Rathod filed a report dated 07.07.2022. Same is taken on record and marked as Ex. 'A'.
2. Present complaint started on the basis of news item in Marathi news paper Lokmat dated 21.05.2022 with title "बनावट स्वाक्षरीने चार एकर शेतीचे खरेदी दुय्यम निबंधक कार्यालयातून खरेदीखत बेपत्ता, न्यायासाठी शेतक-याची धावाधाव"
3. It is to be noted that Mr. Rathod, Sub Registrar placed on record photo copy of Sale Deed dated 28.08.2008 in respect of land bearing Gat No. 122, 46 (1) 1 Hectare 68 Rs situated at Mauja Virul Dhonge, Tal. Dhamangaon, Dist. Amravati. It is stated in the said report dated 07.07.2022 that news appeared in the news paper is not correct, the summary of the report reads thus:

“दैनिक वृत्तपत्र, लोकमत, वृत्ताबाबत दिनांक 21 मे 2022 च्या वृत्तपत्रात बनावट स्वाक्षरीने चार एकर शेतीची खरेदी वृत्त प्रसिद्ध केले आहे. त्या अनुषंगाने या कार्यालयाचे अभिप्राय खालील प्रमाणे आहे.

- 1) खरेदीखत नोंदणी क्रमांक 1701/ 2008 हे या कार्यालयामधून बेपत्ता नाही आहे. या खरेदी खताची मूळ पत्र पक्षकारांना देण्यात आले आहे व कार्यालयीन पत्र उपलब्ध आहे. प्रत सोबत जोडली आहे.
- 2) 1908 चे कलमाचे पूर्तता झाल्यानंतर नोंदणी झाली आहे.
- 3) शेताचा ताबा या कार्यालयाकडून दिला जात नाही.
- 4) नोंदणी अधिनियम 1908 चे कलम प्रमाणे मागेल त्या पक्षकाराला दस्तऐवजाची प्रत पुरविली जाते त्याप्रमाणे प्रमाणित प्रत अर्जदार श्री हरिभाऊ लोंदे यांना दिनांक 31.05. 2022 रोजी दिली आहे.
- 5) वृत्तपत्रात आलेले वृत्त निराधार आहे
- 6) दस्तऐवज मॅन्युअल्ली नोंदला आहे. हा कार्यालयीन अभिलेख जसे टोकण रजिस्टर अंगठे पुस्तक व दस्तऐवजाची कार्यालयीन पत्र परत सूची क्रमांक 2 ची प्रत, कार्यालयीन अभिलेखात उपलब्ध आहे. करिता सदरील प्रकरणात वरील प्र काय केलं माणे लेखी जबाब माहिती व उचित कार्यवाही सविनय सादर.”

4. It is to be noted that it is specifically stated in news item dated 21.05.2022 that owners i.e. Mr. Haribhau B. Londe and Shri. Sandip V Patil their signatures and other documents are fabricated. Not only that though the Sale Deed was executed on 28.08.2008, Revenue Entry was made in 7/12 extract sometime in February 2022. Mr. Rathod is unable to explain how the entries are made in 7/12 extract after more than 14 years. He submits that this issue is pertaining to Talathi and Tahsildar of that area.

#### *ORDER:*

Keeping in mind all presented evidence, following order is passed:

- a) Office is directed to issue summons to the Superintendent of Police, Amravati to hold inquiry as stated hereinabove and submit the report before this Commission on 18.08.2022.
- b) Mr. M.K. Rathod, Sub Registrar, Dhamangaon Railway is directed to meet personally Superintendent of Police, Amravati along with the copy of this order and explain him the entire case so that he can hold proper inquiry.
- c) Matter to appear on board before Court No.1 on 18th August 2022 at 11.00 a.m.

### **3. SUO MOTU CASE NO. 3484/13/30/2022**

*FACTS:*

Suo Motu cognizance from news article in Marathi newspaper 'Samaana' dated 06.09.2022

Name of Complainant : Samaana Newspaper

Date of Complaint : 07/09/2022

Name of Victim : Agriculturalist of Murbad

Name of Respondent : The Collector, Thane

Date of Incident : 06/09/2022

Place of Incident : Thane

Mode of Complaint : Suo Motu

Corum : allotted to Hon'ble Justice K. K. Tated

*EVIDENCE:*

Reports on affidavits on behalf of respondent no. 1 & 2 came to be placed on record vide Ex. 'A' to 'F'. The most relevant piece of evidence is the affidavit dated 14.06.2023, filed by Shri Kishor Kerlikar, Sub Regional Officer, MPCB at Kalyan -3 affirming in para I to IV as under:

I) During the visit of the officials of the Respondent –Board at Kalyan on 30/05/2023, it is observed that the farms mentioned in the Newspaper are around 25 to 30 mtrs away from the compound wall of M/s. Technocraft Industries (I) Ltd., Dhanivali, Murbad. At the time of visit, there was no discharge of effluent found from the industry into the farm. At the time of present visit, the said farms were found in dry stage and no crops were found planted. Further, the Officials of the Respondent Board have visited to site of M/s. Technocraft Industries and observed that they have provided Sewage Treatment Plant comprising primary, secondary and tertiary treatment plants and also provided adequate RO(3 stages), multi effective evaporator and ATFD treatment system. The treated water is utilized for gardening purposes etc.

II) The officials of the Respondent –Board at Kalyan also visited Village Devpe on 30/05/2023. During the visit it is noted that the villagers are using bore well water for drinking purposes. The said water is not polluted. There is no industrial activity in the said village. Board officials collected samples of 2 Borewells during the visit. The same were sent to the Central Laboratory, MPCB Board, Mahape for analysis purposes.

III) On 30/05/2023, the officials of the Board at Kalyan visited the village – Nandani. During the visit, it was observed that the well water of the well situated at roadside is used for washing cloths and farming purposes, but this water is not used for drinking purposes. At the time of visit, the officials of the Board at Kalyan have collected the samples of well water situated at Village Nandani, (near River Murbadi). A sample of Murbadi River near Nandani village is also collected. The said samples are sent to the Central Laboratory, MPC Board, Mahape for analysis purposes.

IV) Further, the officials of the Board at Kalyan have visited the Village: Dhanivali on 30/05/2023 and observed that presently, the said well water is not used for drinking purpose. During the visit, the samples of water from the stagnant well adjacent to the compound wall of M/s. Technocraft Industries were collected in presence of Gram Panchayat representative Shri Kalpesh Karale. Further the sample of borewell of Mr. Chintaman Kushaba Bhoir is collected. Also, samples of Murbadi River near Dhanivali Bridge are also collected. All these samples were sent to the Central Laboratory, MPC Board, Mahape for analysis purpose.``

The above affirmed statements are duly substantiated by authentic documents annexed with the affidavit Ex. 'G'.

#### *ORDER:*

The present Suo Motu case stands closed and disposed off with no order as to cost.

#### **4. SUO MOTU CASE NO. 3595/13/30/2022**

#### *FACTS:*

A news article in Marathi newspaper 'Samana dated 14.09.2022 reported about the apathy on the part of the government agencies for paying compensation to the owners of field by the respondent authority for having acquired their respective portion of agricultural field for installation of the electrical wires and its towers.

Name of Complainant : Samaana Newspaper

Date of complaint : 14/09/2022

Name of Victim : Farmers of Bhiwandi

Name of Respondent : The Collector and the Chairman and managing director  
Maharashtra state electricity distribution Co. Ltd

Date of incident : 14/09/2022

Place of incident : Thane

Mode of complaint : Suo moto

Corum : Justice K.K.Tated, chairperson

#### PROCEEDINGS :-

The detail affirmed affidavit of Shri Bharat Chougule, Additional Executive Engineer, Maharashtra State Electricity Distribution Company Ltd., marked Ex. 'A', it clearly emerges that due compensation to the affected landowners has been paid as per Rules and Guidelines vide GR no. 01.12.2022 and the copies of the documents attached with it clearly reveals that compensation to most of the owners of the land has been released And paid by the electrical company. The relevant para no. 7 to 10 of the affidavit Ex. 'A' reads thus:

I state that, thereafter vide Government Notification dated 01.12.2022, the amount for compensation was increased from 15% to 30% of total valuation as per the ready reckoner rate of affected land valuation for the line corridor. Hereto marked and annexed as Exhibit 'B' is the copy of Government Notification dated 01.12.2022.

I state that, Shri. Amrut Nau Patil, Shri. Ganpat Patil, Shri. Gopal Patil, Shri. Swapnil Moir, Shri. Santosh Lokhande, Shri. Narendra Patil along with 15 other farmers at Dighashi Tal-Bhiwandi, Dist-Thane who have given news regarding grievance of the land valuation for 220KV LILO line on Padghe-Wada Kolshet-Wada for 400Kv Kudus s/s, were not accepting the land valuation for the line corridor as 15% of total line corridor value as per the land valuation order passed by SDO Bhiwandi, as per the Maharashtra Government G.R. No.2016/subNo.520/Energy- 4 dated 31.05.2017. on the contrary they are demanding 100% land valuation for the line corridor which is not as per the Government G.R. As of today, they have accepted the 15% land valuation for the line corridor. Hereto marked and annexed as as Exhibit 'C' is the copy of order dated 23.05.2022 passed by sub-divisional Officer, Bhiwandi.

I state that, thereafter Shri. Amrut Nau Patil and others residents at Village-Dighashi Tal-Bhiwandi, Dist-Thane, accepted the land valuation for the area occupied by the tower and land valuation decided by the sub-divisional Bhiwandi as he is empowered for the land valuation order as per above government G.R. They have already accepted the payment of Rs. 1,74,408/- on 10.06.2022 and Rs. 96,269/- vide cheque dated 24.06.2022. That, as the said cheque was returned by the recipient, a cheque for amount of Rs. 96,269/- was reissued on 28.10.2022. Hereto marked and annexed as Exhibit 'D-COLLY' is the copy of cheque and bank statement showing the compensation received by Shri Amrut Patil & Ors.

I say that, Respondent No.2 has not gained any monetary benefit from the present transaction and has offered bonafide compensation as per the provisions of government GR dated 31.05.2017. Hence, the allegations leveled against the Respondent no. 2 are totally false and baseless and the present Suo Moto case does not lie against Respondent No.2"

Order :-

The statement made on solemn affirmation by the concerned officer indicating that the affected owners have received due amount of compensation calculated as per norms and therefore further action in the matter is not required. Accordingly, the present suo motu case stands closed and disposed of.

## **5. SUO MOTU CASE NO. 3563/13/30/2022**

### *FACTS:*

Suo Motu cognizance from news article in Marathi newspaper 'Samaana' dated 08.09.2022

Name of Complainant : NIDHI ASUNHI KHARDITIL 250 SHETKARYANA FUTKI KAVADIHI NAHI

Date of Complaint : 08/09/2022

Name of Victim : FARMERS OF KHARDI

Date of Incident : 08/09/2022

Place of Incident : THANE

Mode of Complaint : Suo Motu

Coram : allotted to Hon'ble Chairperson, Justice K. K. Tated

### *EVIDENCE:*

Action Date -27/02/2023

Authority - [Select Authority]- The Addl. Chief Secretary, (Industries), Mantralaya, Mumbai

### Proceeding

Following parties are present:

Advocate Mr. Hemal for Maharashtra Industrial Development Corporation

Mr. A. A. Gavade, Area Manager, HQ, Maharashtra Industrial Development Corporation

Mr. Sudesh Jadhav, Area Manager, Regional Office, Thane

Mr. Sachin Balap, Assistant Regional Office, Thane



Mrs. Surekha Sonawane, Surveyor, Regional Office, Thane  
Mr. S.D. Patil, Retired N.T. Land Acquisition

1. Advocate Mr. Hemal appearing for Maharashtra Industrial Development Corporation seeks eight weeks time to comply with the order dated 15.02.2023. Same is granted.
2. Matter to appear on board before Court No.1 on 16th June 2023 at 11.00 a.m.

*ORDER:*

Action Date - 01/09/2023

Authority THE GENERAL MANAGER- Land Acquisition, Mumbai

Proceeding

The following persons are present:

Adv. Mr. Hemal Dedhia for MIDC

Mr. S. D. Patil, Nayab Tahsildar, Bhiwandi

Mr. Sudesh Jadhav, Area Manager

Mr. Sachin Pratap, Assistant

2. Today, Adv. Hemant Dedhia appearing on behalf of MIDC filed an affidavit dated 31.08.2023 of Amit S. Sanap, Sub Regional Officer, Bhiwandi Division. Same is taken on record and marked as Ex. 'C'.

3. The present suo motu complaint initiated on the basis of news appeared Marathi newspaper 'Samaana dated 08.09.2022 under caption "एमआयडीसीसाठी कसल्या जमिनी दिल्या पण निधी असूनही खर्चीतील 250 शेतक-यांना फुटकी कवडीही नाही ".

4. As per summons issued by this Commission, the Collector filed an affidavit dated 10.10.2022 Ex. 'A' and respondent no. 2 MIDC affidavit dated 12.10.2022 Ex. 'B'

5. Adv. Mr. Hemal Dedhia for MIDC submitted that they acquired land measuring 185 hectors of land and taken possession of only 139 Hectors. He further submit that they already deposited the entire amount of 185 Hectors is deposited with the office of Sub Divisional Officer, Bhiwandi. He submit that out of that, office of the Sub Divisional Officer disbursed the amount of 139 Hectors to the affected persons. He further submit that in remaining cases verification of ownership documents is pending and as soon as the same is done the amount can be released.

6. Considering the above mentioned fact we satisfy that the amount is already paid to the affected persons whose land is taken by the MIDC. For remaining land they already deposited amount with Sub Divisional Officer, Bhiwandi. In view of these facts we do not find to continue with the present suo motu complaint. Hence following order:

“ORDER”

a) The present suo motu case stands closed and disposed of with no order as to cost.

## **DATA ANALYSIS:**

Various factors contribute to this distressing situation

1. **Economic Distress:** Many farmers in Maharashtra face severe financial hardships due to factors such as crop failures, rising production costs, and fluctuating market prices for their produce. This economic distress often leads to indebtedness and a sense of hopelessness, pushing farmers to take extreme steps.
2. **Climate Challenges:** The region is prone to erratic rainfall patterns, droughts, and extreme weather events, which significantly affect crop yields and add to the financial burden of farmers.
3. **Lack of Support:** Inadequate access to credit, proper irrigation facilities, and modern agricultural technologies further exacerbates the challenges faced by farmers. The lack of government support and effective policies to address their concerns adds to their despair.
4. **Social Factors:** Social pressures, such as the stigma associated with failure and the expectation of providing for their families, can also contribute to the mental anguish experienced by farmers.

### **Schemes To Minimize Risk Of Economic Distress [Agricultural Finance]**

Financial assistance is provided to farmers by way of short-term loans, credit, etc. by the government through various banks and co-operative agencies. The National Bank for Agriculture and Rural Development (NABARD), the apex bank for agricultural and rural development in India, provides agricultural short term & medium term loans through Maharashtra State Co-operative Bank (MSCB) & District Central Co-operative Banks (DCCB), Regional Rural Banks (RRB) and Commercial Banks (CB). Annual Credit Plan for priority sector of the State for 2021-22 is of ₹ 4.61 lakh crore. Share of the Agricultural and allied activities sector in Annual Credit Plan is ₹ 1.19 lakh crore (25.8 per cent). Loans disbursed by Commercial banks, RRB and MSCB/DCCB are given in Table 7.18.

The institutions directly associated with agricultural finance at grass root level in the State are Primary Agricultural Credit Co-operative Societies (PACS) which provide short-term crop loans to their cultivator members. During 2019-20, loans of ₹ 10,898 crore were advanced to farmers through PACS while during 2020-21, the corresponding figure was ₹ 17,757 crore. The crop loan disbursement target for 2021-22 has been set to ₹ 20,584 crore, of which PACS have disbursed crop loan of ₹ 13,990 crore during kharif season at the end of September, 2021 and ₹ 546 crore during rabi season upto 10th December, 2021.

Kisan Credit Card Scheme : Maharashtra State Co-operative Bank has newly issued 31.82 lakh Kisan Credit Cards (KCC) in the State during 2020-21. The amount of loans sanctioned to the new KCC holders during 2020-21 was ₹ 17,649 crore. KCC linked agriculture loans disbursed to farmers by MSCB are given in Table 7.19.

### Agricultural marketing

Department of Agricultural Marketing establishes Agricultural Produce Market Committees (APMC) under Maharashtra Agricultural Produce Marketing (Development & Regulation) Act, 1963 and provides infrastructure for sale of agricultural produce so that farmers get adequate price of their agricultural produce and are protected from exploitation by traders and middlemen by offering low prices. In all 306 APMCs and 623 sub yards have been established in the State. Minimum Support Price Scheme :

GoI declares Minimum Support Prices (MSP) for selected crops before their sowing seasons in order to give guaranteed price & assured market to the farmers and protect them from the price fluctuations, which is a preventive measure to make agricultural activity economically viable. Under the scheme, procurement in the State is undertaken by Maharashtra State Co-operative Marketing Federation, Maharashtra State Co-operative Tribal Development Corporation, National Agricultural Co-operative Marketing Federation and Maharashtra State Co-operative Cotton Growers Federation. The MSP was declared for selected 18 crops by GoI.

### Information & Communication technology

MahaDBT portal is used for transferring subsidies & benefits directly into the bank accounts of eligible farmers. e-NAM portal is made available to farmers for direct online trading of their farm produce to APMC/mandis. Krushik app has been made available to farmers to increase farm productivity by accessing relevant information. The State has established an e-governance system MAHA-MADAT for assessment of drought situation in the State, to ensure minimum human interference and human errors in the process of valuation.

1. Electronic National Agriculture Market (e-NAM).
2. MahaDBT Portal.
3. MahaAgritech project.
4. Kisaan SMS service.

### Selected agricultural development schemes

1. Rashtriya Krishi Vikas Yojana.
2. Punyashlok Ahilyadevi Holkar Nursery Scheme.
3. Support to State Extension Programmes for Extension Reforms (ATMA Scheme).
4. National Food Security Mission (NFSM).
5. Sub-Mission on Seeds and Planting Material (SSPM).
6. Seed Processing Plant and Storage Godown.

7. Unnat Sheti-Samruddha Shetkari Mission.
8. Sub-Mission on Agricultural Mechanisation.
9. National Mission for Sustainable Agriculture.
10. Soil Health Management and Distribution of Soil Health Cards.
11. Paramparagat Krishi Vikas Yojana.
12. Rainfed Area Development Programme.
13. Crop Pest Surveillance and Advisory Project (CROPSAP).
14. Pradhan Mantri Krishi Sinchayee Yojana.

#### Mission for Integrated Development of Horticulture (MIDH)

From 2015-16, the Mission for Integrated Development of Horticulture (MIDH) is being implemented in 34 districts, with the main objective of increasing the area & productivity under horticulture and to promote post-harvest management such as controlling ripening, edible coating, temperature management, chemical treatment etc. Maharashtra State Horticulture and Medicinal Plants Board (MSHMPB) is implementing schemes of MIDH.

Grapes, mango, pomegranate and bananas are the major fruits exported from the State. The quantity and value of export of fruits, vegetables & flowers are given in Table 7.25.

#### Schemes for Farmers in Horticulture Farming :

1. Orchard Plantation Scheme under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA)
2. Bhausaheb Fundkar Falbaug Lagwad Yojana
3. Promotion of Kitchen Garden in Tribal Districts
4. Weather Based Crop Insurance Scheme for Fruit Crops
5. Pradhan Mantri Fasal Bima Yojana
6. Dr. Babasaheb Ambedkar Krishi Swavalamban Yojana
7. Birsa Munda Krishi Kranti Yojana
8. Watershed development programme

#### Schemes of Central Government For Water and Electricity

##### Electrification of agricultural pumps

In all 45.20 lakh agricultural pumps have been energised upto 2020-21 and 1.42 lakh agricultural pumps have been energised during 2021-22, upto December.

Pradhan Mantri Kisan Urja Suraksha Evam Utthan Mahabhiyaan: Ministry of New and Renewable Energy (MNRE), GoI is implementing Pradhan Mantri Kisan Urja Suraksha Evam Utthan Mahabhiyan (PM-Kusum) scheme. The scheme is being implemented during 2019-20 to 2022-23. Under this scheme, farmers will be able to install off-grid solar agricultural pumps upto 7.50 hp capacity. MNRE has set the target of one lakh solar agricultural pumps per year for the

State. This includes 3 HP DC, 5 HP DC and 7.5 HP DC solar agricultural pumps. The scheme has 30 per cent central financial assistance, 60 per cent financial assistance from the State and the remaining 10 per cent has to be deposited by open category beneficiary. The scheme has 30 per cent central financial assistance, 65 per cent financial assistance from the State and the remaining 5 per cent has to be deposited by the SC/ST category beneficiary.

Mukhyamantri Saur Krishi Pump Yojana : GoM has launched this scheme in 2018-19 with the main objectives of day time power availability for agricultural pumps and replacement of diesel pumps to reduce pollution. GoM has targeted deployment of one lakh off-grid solar powered agricultural pumps in the next three consecutive years. The scheme is implemented for farmers from remote & tribal non-electrified areas or for areas which are not electrified by MAHADISCOM. Farmers who do not have electric agricultural pumps and own agricultural land with assured sources of water are eligible under the scheme and have to pay a maximum 10 percent of total cost of solar pump as beneficiary's share contribution. Beneficiary's share contribution for general category is 10 per cent and for SC/ST category is five per cent. Since inception of the scheme in all 99,588 solar agricultural pumps have been commissioned by MAHADISCOM upto 10th February, 2022.

#### Climate fluctuations in Maharashtra :

Monsoon 2021 7.5 Monsoon rains arrived on 5th June, 2021 in the State. During June, July, August, September and October, the State received 136.2 per cent, 121.2 per cent, 60.7 per cent, 185.0 per cent and 113.9 per cent rainfall respectively as compared to the normal. Total rainfall in the State during 2021 upto October, was 118.2 per cent of the normal. Out of 355 talukas (excluding those in Mumbai City & Mumbai Suburban districts) in the State, 187 talukas received excess rainfall, 146 talukas received normal and 22 talukas received deficient rainfall.

#### Drought and natural calamity

Agriculture sector in the State was badly affected due to frequent hailstorms, cyclones and untimely rains during cropping season of 2020-21 and 2021-22. During March to May 2021, about 0.91 lakh ha agriculture area in 31 districts was affected by untimely rains, hailstorms & cyclones, for which a compensation of ₹ 122.26 crore was sanctioned. During May, 2021 about 0.17 lakh ha agriculture area in 17 districts was affected by Tauktae cyclone for which a compensation of ₹ 72.35 crore was sanctioned. During July, 2021 about 4.43 lakh ha agriculture area was affected in 24 districts due to heavy rainfall & flood for which a compensation of ₹ 365.67 crore was sanctioned. During August to September, 2021 due to excessive rains/floods the agriculture area affected was 48.38 lakh ha in 28 districts for which a compensation of ₹ 3,766.35 crore was sanctioned.

#### SUCIDE DATA

#### DATA OF 2021 MAHARASHTRA FARMERS SUCIDE

Unit-wise information on Suicidal Deaths during 2021 is given in Table No. 102. In Maharashtra, 22207 persons (including 17489 male, 4715 female and 3 Transgender) committed suicides during 2021 as compared to 19909 (including 15433 male, 4472 female and 4 Transgender) during 2020. Thus, there is a increase by 2298, i.e. 11.54% in suicides as compared to 2020. There is increase in suicide cases of male by 13.32% & number of suicide cases of female shows increase by 5.43%.

### SUICIDES IN INDIA

Rate of suicides has been calculated using projected population for the non-census years whereas for the census year 2011, the population in the Census 2011 Report was used.

A total of 1,70,924 suicides were reported in the country during 2022 showing an increase of 4.2% in comparison to 2021 and the rate of suicides has increased by 3.3% during 2022 over 2021. [LIST-2.1] The incidence and rate of suicides during 2012-2022 is presented in Table-2.1. Majority of suicides were reported in Maharashtra (22,746) followed by 19,834 suicides in Tamil Nadu, 15,386 suicides in Madhya Pradesh, 13,606 suicides in Karnataka and 12,669 suicides in West Bengal accounting for 13.3%, 11.6%, 9.0%, 8.0% and 7.4% of total suicides respectively. These 5 States together accounted for 49.3% of the total suicides reported in the country.

A total of 11,290 persons involved in farming sector (consisting of 5,207 farmers/cultivators and 6,083 agricultural labourers) have committed suicides during 2022, accounting for 6.6% of total suicides victims (1,70,924) in the country. Out of 5,207 farmer/cultivator suicides, a total of 4,999 were male and 208 were female.

[As per a report of the Divisional Commissioner's office 685 farmers have committed suicide this year till August 31 in Maharashtra's Marathwada region, according to an official report, with the highest deaths at 186 reported from Beed, the home district of state Agriculture Minister Dhananjay Munde.

Here, 685 cultivators have ended their lives between January 1 and August 31, 2023, in the region and 294 of these deaths took place in three monsoon months alone (June to August). Marathwada is currently facing a 20.7 percent rainfall deficit. The region has so far received 455.4 mm of rainfall (till September 11) as against 574.4 mm of average monsoon showers (during the period under review), an official said.

### **CONCLUSIONS & RECOMMENDATIONS:**

The research and review project on farmer suicides in the agricultural sector present a poignant narrative of the challenges faced by Indian farmers. The interconnected web of economic, environmental, and social factors contributes to the alarming rise in farmer suicides.

The case laws highlighted specific incidents, shedding light on the complexities and shortcomings in addressing these issues.

The objectives of the research, ranging from assessing the scope of the problem to evaluating human rights violations and exploring potential solutions, have been diligently pursued. The study delves into government regulations and schemes, providing insights into both state and national initiatives designed to alleviate farmer distress.

Government schemes like the Nanaji Deshmukh Krishi Sanjivani Yojana demonstrate efforts to address specific issues, such as drought-prone areas. However, the case laws reveal gaps in implementation and the need for constant evaluation of the effectiveness of such programs.

The legal cases highlighted instances where farmers faced hardships, leading to tragic consequences. The orders issued by the Maharashtra State Human Rights Commission reflect a nuanced understanding of the systemic issues contributing to farmer suicides and recommendations for policy changes.

Data analysis from various cases emphasizes the importance of evidence-based policymaking. It becomes evident that addressing farmer suicides requires a multi-faceted approach, including economic support, environmental sustainability, and mental health services.

In recommendations, there is a call for a reevaluation of compensation policies for the families of deceased farmers. The compensation plans to the families of the dead farmers are woefully lacking in terms of empathy and real-world value. For example, the best case compensation to a deceased farmer's family is around 50% of his income, which is already far too less, as the income of the farmer was in all probability, extremely low in itself, and if the whole of his income was not enough to sustain him and his family earlier, there is no reason to presume that half of this income will do the family members of the deceased any good. The emphasis on human rights-centred development and advocacy for systemic change underscores the urgency for a comprehensive overhaul of agricultural policies.

As the research concludes, it stands not just as an academic exercise but as a clarion call for action. The voices of the silenced farmers echo through the pages, demanding justice, accountability, and transformative change in the agricultural landscape to ensure a future where fields yield hope instead of despair.

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# **SAFEGUARDING RIGHTS AND DIGNITY FOR SENIOR CITIZENS**

**BY  
HAJRA SHAIKH  
JHARNA SHAHANI  
MEHAK SHARMA  
SALONI CHAURASIYA**

## **ACKNOWLEDGEMENT**

We are immensely grateful to the Maharashtra State Human Rights Commission for the invaluable opportunity to conduct this research project. Our heartfelt appreciation goes to the esteemed Chairperson, Justice K.K. Tated Sir, for providing steadfast leadership and guidance throughout this journey. We extend our sincere thanks to the distinguished Members, Shri M A Sayeed Sir and Shri Sanjay Kumar Sir, for their valuable insights and unwavering support.

We would like to express Our deepest gratitude to Registrar Dr. Swarupa Dholam Madam, whose indispensable role in facilitating and coordinating various aspects of the research project has been instrumental. Dr. Dholam's commitment and efficiency have significantly contributed to the success of this endeavor.

The collaboration with the Maharashtra State Human Rights Commission has been a source of inspiration, and we are thankful for the Commission's commitment to the promotion and protection of human rights. The support received from Justice K.K. Tated Sir, Shri M A Sayeed Sir, Shri Sanjay Kumar Sir, and Registrar Dr. Swarupa Dholam Madam have been instrumental in shaping the outcome of this research.

We extend our gratitude to the entire team at the Commission for their cooperation and assistance throughout the project. This acknowledgment would be incomplete without recognizing the dedication and efforts of each individual involved.

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## INTRODUCTION

The phenomenon of population aging is becoming a major concern for the policy makers all over the world, both for developed and developing countries. The rapid socio economic transformation has affected various aspects of Society.

Industrialisation, urbanization and migration of population have brought the concept of nuclear family, as a result of which a section of the family, primarily the elders, are confronting the problems of financial and physical support. Hence, there is an emerging need to pay greater attention to aging related issues and to promote holistic policies and programmes for dealing with aging society.

There is also a need to relook at the roles and responsibilities at individual level, at family level and at the level of society at large. Today, India is home to one out of every 10 senior citizens of the world.

The aging of populations is one of the glaring consequences of demographic transition. Our general attitude towards senior citizens in India is sad to the point being almost hilarious. It's amusing how people stay detached and take a distant view of our seniors as if it's a phase that they will never reach.

Every member in the family should be obliged to their parents for the efforts and struggle they spent to protect their generation. The cruelty of time makes them wear the grayness of age and every individual is made to suffer the same end. As man is a social animal and cannot live separately in isolation thus interaction with people to exchange their ideas and feelings is a necessity and consequently adapting to the changing situation.

Old age of parents is an unstoppable phase in the natural life cycle which every human being has to pass through. It brings along several challenges and different thinking and living patterns which become in conflict with the younger generations. This generation gap raises their possibility of being mistreated and neglected. They are denied proper food and medication by the members of their own family. Sometimes they are forced to sign the property papers, thrown out of their own houses and even disowned by their own children. This gives rise to physical, verbal, financial and psychological abuse, which leaves them in a very helpless situation.

## **OBJECTIVE**

1. To Investigate the health challenges faced by senior citizens and explore potential solutions for improving their well-being.
2. To Examine the social and psychological aspects of aging to enhance our understanding of the needs and experiences of senior citizens.
3. To Explore policies and programs aimed at supporting and enhancing the quality of life for the aging population.
4. To Investigate the role of intergenerational relationships in promoting the overall well-being of senior citizens.

## **METHODOLOGY**

In order to understand this topic, we have used a doctrinal research method. We have used a textual, library-based methodology that delves into statutes, regulations, case law, legal literature, and other doctrinal materials to construct a comprehensive understanding of the legal landscape surrounding the issues faced by senior citizens. A key aspect of research is the application of legal principles to real-life scenarios that show how the law works in practical situations and shed light on potential challenges or gaps in the legal system. Also, data collection was done through qualitative methods such as interviews with citizens, focus groups, visiting old age homes, participant observation, etc. The qualitative nature of this research aims to provide a nuanced understanding of senior citizens' life experiences, offering rich, contextually detailed findings that contribute to a more empathetic and informed perspective on aging.

## **RELEVANT ACTS & SCHEMES**

### **Maintenance and Welfare of Parents and Senior Citizens Act, 2007**

#### Maintenance of Parents and Senior Citizens:

Adult children and heirs are legally obligated to provide maintenance to their parents and senior citizens. If they neglect or refuse, a Maintenance Tribunal can be approached to enforce this obligation.

#### Maintenance Tribunal:

The act establishes Maintenance Tribunals at the sub-divisional level to adjudicate matters related to the maintenance of parents and senior citizens. The decisions of these tribunals are legally binding.

#### Revocation of Transfer of Property:

The act empowers parents and senior citizens to seek the revocation of transfer of property or life interest made by them in favor of any child or relative if the transfer was made in exchange for the promise of maintenance.

#### Protection of Life and Property:

Senior citizens who are in possession of property are protected under this act. Any person who forcefully or fraudulently dispossesses a senior citizen of their property is liable for punishment.

#### Old Age Homes and Medical Care:

The act encourages the establishment of old age homes and provides for medical facilities for senior citizens. State governments are responsible for promoting and supporting these initiatives.

#### Applicability:

The act applies to all citizens of India, whether living in India or abroad. It covers parents and senior citizens who are unable to maintain themselves from their own earnings or property.

#### Punishment for Abandonment:

Abandoning a senior citizen is a punishable offense under the act. Those who abandon their parents or senior citizens without proper care can be penalized.

It's important to note that the specific provisions and implementation of the act can be subject to updates and modifications by the government. It is advisable to refer to the latest version of the legislation and consult legal professionals for the most accurate and current information.

## **SCHEMES**

In India, several schemes and initiatives have been established to protect and promote the well-being of senior citizens. While not exhaustive, here are some key guidelines and schemes:

### **National Policy on Older Persons (NPOP), 1999:**

The NPOP outlines the government's commitment to addressing the issues faced by senior citizens, emphasizing financial security, healthcare, and the creation of an age-friendly environment.

### **Integrated Programme for Older Persons (IPOP):**

Under the Ministry of Social Justice and Empowerment, the IPOP focuses on improving the quality of life of senior citizens. It includes financial assistance, healthcare services, and awareness programs.

### **Rashtriya Vayoshri Yojana:**

This scheme provides physical aids and assisted-living devices to senior citizens belonging to BPL (Below Poverty Line) category to help them lead a dignified life.

### **Senior Citizens Welfare Fund:**

The fund aims to promote the well-being of senior citizens by supporting various programs, projects, and schemes. It focuses on healthcare, accommodation, and recreational activities.

### **National Programme for the Health Care of the Elderly (NPHCE):**

NPHCE is an initiative under the Ministry of Health and Family Welfare, aiming to provide accessible, affordable, and high-quality healthcare services to senior citizens.

### **Residential Care Homes for Senior Citizens:**

The government encourages the establishment of residential care homes for senior citizens, providing a supportive environment with healthcare facilities.

### **Maintenance and Welfare of Parents and Senior Citizens Act, 2007:**

As mentioned earlier, this act outlines the legal framework for the maintenance and welfare of parents and senior citizens, addressing issues related to financial support, property, and protection against abandonment.

**Pension Schemes:**

Various states offer pension schemes for senior citizens, providing them with a regular income to support their financial needs.

**Concessions and Discounts:**

Several states in India provide concessions and discounts on transportation, medical services, and other amenities for senior citizens.

**Ayushman Bharat Pradhan Mantri Jan Arogya Yojana (AB-PMJAY):**

While not specific to senior citizens, this scheme provides health coverage for vulnerable populations, including older individuals.

These guidelines and schemes are designed to address the diverse needs of senior citizens in India. It's essential to stay updated with the latest government notifications and programs to access the benefits available for senior citizens.

**Tax Benefits:**

Special tax exemptions or deductions for senior citizens on income and medical expenses.

**Transportation Services:**

Special transport facilities or discounts for seniors.

**Senior Employment Programs:**

Initiatives encouraging companies to hire or retain older workers.



## **GOVERNMENT RESOLUTION**

### **GR- Senior Citizen -2021/P.No. 251 Dated 21/10/2021**

Regarding the formation of a steering committee to select the number of implementers for starting/establishing projects for new nursing homes/continuing care homes for senior citizens under Atal Kyo Anudaya Yojana.

Under the Centrally Sponsored Atal Vyo Abhudaya Yojana (AVYAY) implementing agencies are required to be selected to initiate/set up projects for new old age homes/continuing care caves in the state. Selection of the agency for setting up an old age home (SCH) will be decided by selection. For that, the issue of forming a committee at the state level as per the guidelines of the central government was under the consideration of the government. The State Committee was formed.

### **GR- Senior Citizen -2021/P.No.142 Dated 21/09/2021**

Regarding Sharad Shatam Arogya Kavach Bima Yojana to be implemented for senior citizens.

It is very necessary to solve the various social, economic, health, housing and security related problems of senior citizens. Modern living conditions are putting a lot of stress on senior citizens. They are forced to cope with the financial situation to meet their health and other needs. Due to the lack of periodic health checkups of senior citizens, their various diseases are noticed at the very last stage. It is proposed to start Sharad Shatam Arogya Kavach Bima Yojana for the senior citizens of the state keeping in mind the fact that as a result there is a delay in getting treatment and unfortunately there is a risk of death of the patient. Under the said scheme, the government was considering forming a committee to recommend various software systems to be proposed for access to citizens, registration of senior citizens, convergence of this scheme with various schemes of the health department etc.

### **GR - Senior Citizen -2020/P.No. 76 Dated 15/02/2020**

Regarding sensitivity (SensItization) to senior citizens in the state and conducting training (Training) to create awareness among senior citizens in accordance with the laws and regulations.

Chapter 5 of the Welfare and Welfare of Parents and Senior Citizens Act, 2007. Under Article 21 (two), there is a provision that periodical training will be organized for Central and State Government officers, police officers and members of the judicial services to create awareness and sensitize them about the issues related to this Act.

### **GR - BDP-2019/Pro.No.311 Dated 13/10/2019**

Setting up of District Co-ordination-cum- Monitoring Committee of Senior Citizens.

Life and Welfare of Parents and Senior Citizens Rules 2010 dt. have been promulgated vide notification dated 23rd June, 2010. According to rule 22 of the said rule 2010, there is a provision for the establishment of "District Senior Citizen Coordination Coordination Committee" under the chairmanship of the Collector for each district for the effective and coordinated implementation of the Act at the district level and for giving advice.

## **CASES**

### **1] Suryakant Kisan Pawar Vs. Deputy Collector, Mumbai and Presiding Officer Parents and Senior Citizens Subsistence Tribunal and Ors.**

#### **FACTS OF THE CASE**

Smt. Kusum Kisan Pawar (mother of the petitioner) had filed a suit in the parents and senior citizens subsistence tribunal in Mumbai city. Suryakant Kisan Pawar has dis-housed Smt. Kusum Kisan Pawar from her house in 209, Swapna Safalya building over which under the section 4, section 5 and section 23 of the Maintenance and welfare of Parents and senior citizens Act, 2007 the tribunal directed Mr. Suryakant kisan Pawar to vacate the said property.

Due to this order passed by the parents and senior citizens subsistence tribunal Mr. Suryakant Kisan Pawar filed a writ petition in the Bombay High Court challenging the order that was passed on February 3rd, 2018.

Under this petition the petitioner has challenged the order of the tribunal presumably on the basis that he and other heirs own a share in the said house along with the mother and pray for the said order by the tribunal to be reviewed.

#### **JUDGEMENT PASSED BY THE BENCH**

In the petition the Senior Citizens Act, 2007 was put forward to test its legal contentions as per the Section 4, section 5 and section 23 along with the order passed by the tribunal.

The bench held that the petitioner has no legal right over the said house and dis-house his mother from the said house so as to enjoy its exclusivity to his own benefit.

All the proceedings proceeded in the tribunal are based on record and are in accordance with the law.

The petition filed is misconceived and is accordingly dismissed.

The bench directed the petitioner to vacate the said house within the period of 15 days from today to offer interim relief suffered by the mother.

The said request by the petitioner is rejected.

## **2] Case no- 2937/13/23/2022**

### **Facts**

Shree Swaminarayan Prarthana hall is a religious 2 storied building. It has all the necessary documents along with OC which is permitted by the Pune Municipal Corporation.

During COVID-19 lockdown the hall had taken up the process of renovation for making the washrooms senior citizens friendly.

The PMC served a complaint letter directing the hall authorities to stop the renovation process.

Here, the hall authority has put forth questions to the PM, CM and the Governor of Maharashtra as to why something as basic as a washroom facility for the citizens is not permitted by the PMC. Whereas PMC in their written response claimed that the construction done by the Shree Swaminarayan Prarthana Hall is illegal, the complainant must now prove that the construction is legal and it should be before 17th January, 2024.

## **OBSERVATIONS**

- On 5th January, 2024 MSHRC conducted a visit at Shantivan Old age home, Panvel.
- The overall cleanliness, safety, and comfort of the living spaces within the old age home was very poor but they were happy.
- The interactions between residents and staff, the level of care and respect, and responsiveness. They were expressive about the staff and that they're happy with it.
- The availability and engagement in recreational activities is very less. We feel like there should be more activities conducted for them to keep them engaged in activities because they were feeling like we're existing without any reason. There is no need for us to live anymore.
- The accessibility and quality of health care services, including medical check-ups, medication management, and emergency response is very well maintained.
- The nutritional value, variety and ambiance of the dining facilities, considering the dietary needs of the elderly residents is poor and not hygienic enough. Also, the staff coordinate with the citizens and provide them as they want it.
- Some elderly came here with their own will while some were sent by their own children or relatives. The citizens were mostly locals from Panvel.
- The rooms needed to be painted and have a proper lighting system. Every citizen had their own phones.
- Few citizens were very aged and were dependent but there was a lack of staff for their care. There was a common TV for the citizens but it was not functioning well.

## RESEARCH QUESTIONS

### Question for Seniors

- 1.How old are you?
- 2.How long have you been living here?
- 3.How long did it take you to adjust here?
- 4.How did you come here?
- 5.How often are meals provided here?
- 6.How do you feel here? Are you getting good food here?
- 7.Do you receive assistance from the employees here?
- 8.Do you have freedom to profess your religion?
- 9.What hobbies or activities bring you the most joy?
- 10.If you feel loneliness or miss someone, whom do you talk to or seek comfort from?
- 11.Is there anything here causing you discomfort?
- 12.Do you think any improvements are needed among the staff here?
- 13.How often do you contact your families?
- 14.Are you aware about National Old Age Pension Schemes?
- 15.Are you receiving benefits of the schemes?
- 16.Are you being granted money for your basic necessities?
- 17.Are there any life lessons you'd like to share with younger generations with us?

### Question for Authority:

- 1.Are there provisions for the seniors to contact their families? If yes, then when?
- 2.According to you, has the ratio of Senior Citizens entering the home increased or decreased over the years?
- 3.Do the senior citizens have any illness/ailments when they enter the home?
- 4.What medical facilities are present at the old age home?
- 5.How do you deal with death or emergency health provisions?
- 6.Are there any counselors present in the premise where they can pour their heart out?
- 7.Are there any recreational activities organized for the senior citizens?
- 8.How do you support the economic security of senior citizens?
- 9.Is there any legal aid provided to the citizens?
- 10.What efforts are being made to reinstate the seniors to their families?
- 11.How do you ensure security and safety of the senior citizens?
- 12.Considering mobility challenges, what steps are taken to make this home age-friendly?
- 13.How many NGOs do you collaborate with here?
- 14.Are there separate provisions for dietary restrictions?
- 15.Are there any specific healthcare benefits or insurance programs by the government for the residents?
- 16.Are they aware about National Old Age Pension Schemes?
- 17.How does your organisation educate senior citizens about their rights, available schemes and relevant guidelines?
- 18.Are the children providing economically and psychologically to their parents?

## SUGGESTIONS

1. To add a separate head for senior citizens in the MSHRC portal.
2. Holding camps in old age homes to create awareness about rights and schemes for senior citizens.
3. Hold sensitization camps in schools and colleges so that the youth do not abandon their parents in future.
4. Collaborate with more ngo's to get more funds. Help the ngo to put out the message for crowd funding to give the senior citizens a better lifestyle.
5. According to our observation, we realized that senior citizens have a lack of entertainment in homes. We could encourage the youth to have some recreational activities for them. In turn, it will help the youth become more compassionate towards the elderly.
6. We could suggest old age homes to organize a one day picnic for the senior citizens so that at least for a day they could forget about their worries.

